



CITY COUNCIL AGENDA

May 15, 2023 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

PARTICIPANTS MAY ATTEND THE MEETING AT:

City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon

YouTube: <https://youtube.com/c/cityofwilsonvilleor>

Zoom: <https://us02web.zoom.us/j/81536056468>

TO PARTICIPATE REMOTELY OR PROVIDE PUBLIC COMMENT:

Register with the City Recorder:

CityRecorder@ci.wilsonville.or.us or 503-570-1506

Individuals may submit comments online at: <https://www.ci.wilsonville.or.us/SpeakerCard>,
via email to the address above, or may mail written comments to:

City Recorder - Wilsonville City Hall

29799 SW Town Center Loop East, Wilsonville, OR 97070

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

REVIEW OF AGENDA AND ITEMS ON CONSENT [5:00 PM]

COUNCILORS' CONCERNS [5:05 PM]

PRE-COUNCIL WORK SESSION [5:10 PM]

- A. Community Service Block Master Plan Contract (*Kerber*) [10 min.]
- B. [Frog Pond East and South Master Plan Exploring Variable/Scaled Rates for Development Fees for Housing \(*Pauly/Weigel*\) \[45 min.\]](#)
- C. [Tourism Promotion Committee 1/5 year Plan \(*Mombert*\) \[20 min.\]](#)

ADJOURN [6:25 PM]

AN URBAN RENEWAL AGENCY MEETING WILL

IMMEDIATELY FOLLOW THE WORK SESSION

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, May 15, 2023 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10:00 a.m. on May 2, 2023. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

CALL TO ORDER [7:00 PM]

1. Roll Call
2. Pledge of Allegiance
3. Motion to approve the following order of the agenda.

COMMUNICATIONS [7:20 PM]

4. [Tualatin Valley Fire & Rescue State of the District \(Chief Hitt\) \[15 min.\]](#)
5. [West Linn - Wilsonville School District Achievements \(Evans\) \[15 min.\]](#)

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [7:50 PM]

This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

6. [Citizen Input](#)

MAYOR'S BUSINESS [7:05 PM]

7. [Upcoming Meetings](#)
8. [Commemorative Flag Request - Pride Flag \(Mombert\)](#)
9. [City Attorney Employment Agreement](#)

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [8:00 PM]

10. Council President Akervall
11. Councilor Linville
12. Councilor Berry

13. Councilor Dunwell

CONSENT AGENDA [8:20 PM]

14. [Resolution No. 3047](#)

[A Resolution Of The City Of Wilsonville Adopting The FY 2023/24 Five-Year Action Plan And Annual One-Year Implementation Plan For The Wilsonville Tourism Development Strategy. \(Mombert\)](#)

15. [Resolution No. 3057](#)

[A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract With FFA Architecture And Interiors For The Community Service Block Master Plan \(Capital Improvement Project #8158\). \(Kerber\)](#)

16. [Resolution No. 3067](#)

[A Resolution Of The City Of Wilsonville Authorizing Acquisition Of The Third Group Of Property And Property Interests Related To Construction Of The Boeckman Road Corridor Project. \(Barrett\)](#)

17. [Minutes of the April 17, 2023 City Council Meeting. \(Veliz\)](#)

NEW BUSINESS [8:25 PM]

18. [Resolution No. 3058](#)

[A Resolution Of The City Of Wilsonville Adopting Administrative Rules Related To Regulation Of Camping For Survival On Public Property. \(Guile-Hinman\)](#)

19. [Resolution No. 3069](#)

[A Resolution Of The City Of Wilsonville Repealing Resolution No. 3055 And Authorizing The City Manager To Execute An Intergovernmental Agreement Between The City Of Wilsonville And The Tri-County Metropolitan Transportation District Of Oregon For The Adjustment Of TriMet District Boundaries. \(Guile-Hinman\)](#)

CONTINUING BUSINESS [8:55 PM]

20. [Ordinance No. 879 - 2nd Reading](#)

[An Ordinance of the City of Wilsonville Regarding Regulation of Camping on Public Property by Adding Sections 10.700 through 10.780 to the Wilsonville Code; Amending Wilsonville Code Sections 3.000, 5.200, 5.210, and 10.540; and Repealing Wilsonville Code Sections 6.400 and 10.425. \(Guile-Hinman\)](#)

PUBLIC HEARING [9:00 PM]

CITY MANAGER'S BUSINESS [9:00 PM]

LEGAL BUSINESS [9:05 PM]

ADJOURN [9:10 PM]

INFORMATIONAL ITEMS – No Council Action Necessary

**AN URBAN RENEWAL AGENCY MEETING WILL
IMMEDIATELY FOLLOW THE WORK SESSION**

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting the City Recorder at 503-570-1506 or CityRecorder@ci.wilsonville.or.us: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comun quese al 503-570-1506.



CITY COUNCIL MEETING STAFF REPORT

| | | | |
|---|---|---|--|
| Meeting Date: May 15, 2023 | | Subject: Frog Pond East and South Master Plan Exploring Variable/Scaled Rates for Development Fees for Housing | |
| | | Staff Member: Daniel Pauly, Planning Manager and Zach Weigel, City Engineer | |
| | | Department: Community Development | |
| Action Required | | Advisory Board/Commission Recommendation | |
| <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda | | <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable | |
| | | Comments: | |
| Staff Recommendation: N/A | | | |
| Recommended Language for Motion: N/A | | | |
| Project / Issue Relates To: | | | |
| <input checked="" type="checkbox"/> Council Goals/Priorities: Expand home ownership | <input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond East and South Master Plan | <input type="checkbox"/> Not Applicable | |

ISSUE BEFORE COUNCIL

The project team will share information on variable/scaled development fees gathered as part of Frog Pond East and South Master Plan implementation. Following the report out, the team will gather Council's initial input on the information shared and answer questions.

EXECUTIVE SUMMARY:

The City recently adopted policies that allow for and encourage middle housing; both through the Middle Housing in Wilsonville Project and also, with the rich variety of housing types planned for in the Frog Pond East and South Master Plan adopted in 2022. This work is part of the Council's ongoing goal to provide more attainable housing, including expanding home ownership opportunities.

The Master Plan provides clear policy direction and guidance for future development in Frog Pond East and South. However, an important implementation step is to develop an infrastructure funding plan. As the City develops the infrastructure funding plan, the project team is exploring how the City's development fee structure can best provide both a predictable and equitable funding of infrastructure that responds to the new paradigm of housing variety. This work session will present initial research and questions for future research on variable/scaled rates for housing development fees. Council will have an opportunity to provide initial feedback and direction for future study.

Variable or scalable rates are rates that move from generic "per door" fees, which have minimal differentiation between different types or sizes of residential units, to rates that vary based on the scale of development, by such things as type of unit, dwelling unit square footage, lot size, or number of bedrooms. The "per door" rate approach was built around assumptions of limited housing variety, primarily either apartments or detached single-family homes. The goal in exploring variable/scalable rate development fees is to (1) understand the proportionate share of system impacts for a variety of housing types, and (2) ensure adequate funding of public infrastructure needed to serve new development. Once fully explored, the information would help the City determine an equitable development fee package, whether scaled or not.

Attachment 1 is a memorandum prepared by FCS Group exploring variable/scalable development fees. The memorandum uses the term System Development Charges (SDCs), but the scalable rate structure can be applied to development fees generally. The memorandum includes:

- The purpose of the memorandum;
- A summary of Wilsonville's current SDC practices;
- Research on scalable SDC methodologies, including legal requirements in Oregon, case studies, and examples; and
- A summary of findings and conclusions.

City staff notes the "examples" section includes a lot of assumptions and includes some real Wilsonville numbers. However, these assumptions and numbers have not been vetted. The examples should be understood as illustrations of potential approaches rather than what future SDCs in Wilsonville could or should be.

Of particular interest to Council may be data and discussion about what percentage of a cost of home development fees represent and the varying views about the potential impact of reducing development fees has on housing cost (see pages 5-7). A summary of the advantages and disadvantages of scalable SDCs is also presented (see Exhibit 15, page 18).

In addition, the following are some key outstanding questions Staff hopes to answer through continued exploration of variable/scalable development fees.

- Does a modification of the development fee structure create enough change in development cost to incentivize the construction of middle housing and smaller single-family homes?
- To what extent would savings in development fees be passed through to a home buyer versus increasing the developer's profit?
- How would variable/scalable fees affect the predictability of fee income to ensure adequate collection of fees to fund planned infrastructure projects (particularly now with more flexible, and less certain, zoning as it pertains to eventual housing type)?
- Can a variable/scalable development fee structure be simple enough to explain to the development community and administer with minimal additional staff time?

Following this work session the project team will continue to explore variable/scalable fees as part of the Frog Pond East and South funding plan. Longer term, information gathered as part of the current effort can guide decisions on rate structures on SDCs as citywide infrastructure master plans are periodically updated over time.

The project team would like the Council to answer the following questions during the work session:

- What feedback and direction do Councilors have on the exploration of variable/scalable development fees?
- What questions do Councilors have about variable/scalable development fees and what additional information would be helpful to answer those questions?

EXPECTED RESULTS:

Informing the Council regarding information gathered to date about variable/scalable development fees as part of the Frog Pond East and South implementation work, and gathering feedback and questions.

TIMELINE:

A Condition of Approval of Metro Ordinance 18-1427 adding Frog Pond East and South to the Urban Growth Boundary (UGB) was to "consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters." The scope of the Frog Pond East and South planning work subsequently funded by a Metro grant included this exploration. In addition, the City sought and obtained additional grant funding from Department of Land Conservation and Development

(DLCD) for “exploration of housing SDC’s and related infrastructure financing options.” With this support from Metro and DLCD, Leland Consulting and FCS Group were included on the consultant team to support this specific effort. While this is being “explored” at this time related to the Condition of Approval and grant funding, no decisions have been made on if or when the City would adopt any related changes to the structure of development fees. Any of those decisions would come either as part of the Frog Pond East and South Infrastructure Plan coming before Council in the next few months, or over an extended period as citywide infrastructure plans are periodically updated.

CURRENT YEAR BUDGET IMPACTS:

The infrastructure financing plan implementation work is funded with remaining funds from the \$350,000 Metro grant and \$81,000 Oregon DLCD grant for the Frog Pond East and South Master Plan and matching City funds in the form of staff time. \$311,000 total is budgeted in FY 22/23 including the adoption of the Master Plan and follow up implementation, including this the infrastructure funding implementation work.

COMMUNITY INVOLVEMENT PROCESS:

During this implementation phase the primary focus is on honoring past input. However, the project team is engaging key stakeholders including a series of developer interviews as part of the infrastructure implementation work.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The purpose of this project is to help further the City’s Equitable Housing Strategic Plan and Council’s goal of affordable home ownership. While variable/scalable development fees may not guarantee affordable home ownership, they may provide a more equitable distribution of infrastructure costs across varying sizes and types of housing units potentially incentivizing more housing product variety.

ALTERNATIVES:

As the City explores this topic the alternatives ultimately will be do continue with a development fee similar to what exists today or shift to some degree or another to scalable/variable rates.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Scaled System Development Charge (SDC) Research Findings Memorandum (dated May 4, 2023)

To: Dan Pauly, City of Wilsonville and Chris Zahas, Leland Consulting Group

Date: May 4, 2023

From: Todd Chase and Tim Wood, FCS Group

CC: Frog Pond East/South Funding Work Group

RE: Scaled System Development Charge (SDC) Research Findings

A. PURPOSE

The City of Wilsonville (City) received a planning grant from the Oregon Department of Land Conservation and Development (DLCD) to identify and evaluate potential approaches and “best practices” for varying SDCs for residential development, based on structure size.

The purpose of this Memorandum is to:

- Review current SDC methods used by the City of Wilsonville.
- Explore new methods that could be used to vary SDCs by dwelling unit size and type.
- Gather and summarize any available information on the varying rates of impact of different housing types compared to detached single-family on varying types of infrastructure especially transportation, sanitary sewer, and parks.
- Provide research from Oregon cities and nationally where scaled SDCs have been deemed legally defensible.
- Evaluate the advantages and disadvantages regarding alternative approaches to SDC scaling methodologies.
- Provide a preliminary calculation of a sized-based fee schedule for single-family residences (including detached, attached, plexes, and ADUs) for each SDC imposed, based on current rates and charges.

This memorandum is organized as follows:

- A. Purpose**
- B. Current Practice**
- C. Research on SDC Scaling**
- D. Variable SDC Examples**
- E. Summary and Conclusions**

B. CURRENT PRACTICE

The City of Wilsonville originally adopted its local SDC Ordinance No. 386 in 1991 to establish charges on new development within the city and in areas that will connect to the sanitary sewer, water, stormwater drainage, transportation and parks systems of the city. Ordinance 386 clearly

identifies the administrative procedures that are applicable to SDC charges and comports with Oregon SDC rules and regulations.

Over the past 20 years, the City has periodically updated its local SDC charges to reflect changes in its Capital Improvement Program (CIP), growth assumptions, and construction cost inflation. Please refer to **Appendix A** for a list of SDC ordinances and resolutions adopted by the City.

The City currently collects system development charges (SDCs) to help finance growth related improvements needed to serve that new development. The existing SDCs are collected from all new residential development, with the exception of accessory dwelling units (ADUs).

The City of Wilsonville's current SDC administrative procedures do not directly consider the costs of land in its annual inflation adjustment. While the City has periodically updated and indexed its SDCs over time, it is likely that such adjustments have not kept up with the pace of actual construction due to increasing right-of-way costs for land as well as other factors that may not be accurately reflected by the current index that is applied per Ordinance No. 386: McGraw-Hill *Engineering News Record, Construction Cost Index (ENR CCI) for the Seattle Region*.

For example, the price of housing in Oregon increased by a factor of 53.9% over the five-year period between December 2017 to December 2022 (source: Federal Housing Finance Administration). In comparison, the ENR Seattle CCI recorded an escalation of 36.3% during this same time frame.

To reflect construction costs of public facilities, the City of Hillsboro and Washington County have adopted an annual escalation factor that is based on a weighted combination of a Real Estate Index and the Seattle ENR CCI for annual adjustments to transportation SDCs for Hillsboro and Transportation Development Tax (TDT) rates for Washington County.

The Hillsboro Transportation SDC annual index adjustment is based on the following indices:

- 1. The Washington County Transportation Development Tax Real Estate Index (weighted thirty three percent or 33%); and*
- 2. The Mc-Graw Hill Engineering News Record, Construction Cost Index for the Seattle Area (weighted seventy five percent or 67%)*

Exhibit 1 reflects the residential land use categories and the methodology used by the City of Wilsonville based on the current adopted SDC fee schedule and supporting resolutions (see **Appendix A**).

Exhibit 1: Wilsonville SDCs for New Housing

| Fee Per Unit | | Current Methodology |
|---|----------------------|---|
| Parks SDC | | |
| Single Family/Duplex | \$ 7,349 DU | Parks SDC based on avg. occupancy for single family and multifamily dwellings based on U.S. Census estimates. |
| Multi-family per Dwelling Unit | \$ 5,645 DU | |
| Sewer SDC - Residential | | |
| Fee Per Unit | | |
| Single Family Dwelling | \$ 6,631 DU | Sewer SDCs based on Equivalent Dwelling Unit (EDU) estimates using Sewer Master Plan. SDCs are charged based on EDU factors for various housing types using utility customer data. |
| Multi Family Dwelling | \$ 4,975 DU | |
| Manufactured Home | \$ 6,631 DU | |
| Water SDC - Residential | | |
| Fee Per Unit | | |
| 5/8' x 3/4' | \$ 11,492 Meter size | Water SDCs based on meter capacity equivalent (MCE) estimates using Sewer Master Plan and utility customer data. SDCs are charged based on water meter size. |
| 3/4' x 3/4' | \$ 17,238 Meter size | |
| Transportation SDC - Residential | | |
| Fee Per Unit | | |
| Single Family Dwelling | \$ 16,099 DU | Transportation SDCs are based on 25-year capital facilities plan from the Transportation System Plan, using average daily vehicle trip estimates by dwelling type using ITE Trip Gen. Handbook, 9th Edition data. |
| Apartment | \$ 11,076 DU | |
| Condominium/Townhouse | \$ 9,630 DU | |
| Manufactured Home | \$ 8,352 DU | |
| Stormwater SDC - Residential | | |
| Fee Per Unit | | |
| Dwelling Unit | \$ 2,227 DU | Stormwater SDCs are based on the Stormwater Master Plan, and calculated based on ERUs (assumes 1 single family ERU = 2,750 SF of impervious area). |
| Impervious Surface Area (ISA) | \$ 0.83 ISA SF | |

Source: see Appendix A for hyperlinks to specific public facility methodology reports and supporting resolutions.

Existing System Development Charges. City of Wilsonville (as of 1/1/2023)

| Public Facility Type | Single Family Detached | Townhome Unit | Apartment Unit | Notes |
|---------------------------|------------------------|-----------------|-----------------|-------|
| Parks | \$7,349 | \$7,349 | \$5,645 | 1 |
| Transportation | \$16,099 | \$9,603 | \$11,076 | 2 |
| Sewer | \$6,631 | \$4,975 | \$4,975 | 3 |
| Water | \$11,492 | \$9,950 | \$9,950 | 4 |
| Stormwater | \$2,227 | \$0.83 | \$0.74 | 5 |
| ISA per unit | | 750 SF | 375 SF | |
| Total SDC per unit | \$43,798 | \$32,500 | \$31,924 | |

Source: Adopted Wilsonville charges.

Acronyms: kSF = 1,000 SF of building floor area, ISA = impervious surface area.

Notes:

1 Charge per kSF for non res, and per dwelling unit for res.

2 Charge per dwelling unit for res. Per email from DKS on 1.10.2023

| | | | |
|-------------------------|------|------|------|
| Peak Hour Trips per ERU | 0.94 | 0.57 | 0.51 |
|-------------------------|------|------|------|

3 Charge per EDU for non res, and per dwelling unit for res.

4 Estimated water SDC charge for SFD with 3/4" x 3/4" meter, other uses assume 2 x sewer charge.

5 Charge per SF of impervious surface area (ISA).

ERU=Equivalent Dwelling Unit

C. RESEARCH ON SDC SCALING

Oregon Legal Requirements

Oregon Revised Statutes (ORS) 223.297 – 223.314 provides “a uniform framework for the imposition of system development charges by governmental units” and establishes “that the charges may be used only for capital improvements.” An SDC can be formulated to include one or both of the following components: (1) a reimbursement fee, intended to recover an equitable share of the cost of facilities already constructed or under construction; and (2) an improvement fee, intended to recover a fair share of future, planned, capital improvements needed to increase the capacity of the system. In addition, administration fees may also be included in the SDC calculation.

“Improvement fee” means a fee for costs associated with capital improvements to be constructed. Improvement fees may be spent only on capacity increasing capital improvements, including expenditures relating to repayment of debt for such improvements. An increase in system capacity may be established if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the improvements funded by improvement fees must be related to the need for increased capacity to provide service for future users.

“Reimbursement fee” means a fee for costs associated with capital improvements already constructed, or under construction when the fee is established, for which the local government determines that capacity exists. Reimbursement fee revenues are less restricted than improvement fees and may be used for any portion of a capital improvement being funded wholly or in part with system development charge revenues pursuant to ORS 223.309.

“Compliance fees” include the costs for 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 SDC expenditures.

SDCs, defined by ORS 223.297 - 223.314, are one-time fees imposed on new development or certain types of “major redevelopment.” They are intended to recover a fair share of the costs of existing and planned facilities that provide capacity to serve growth.

ORS 222.299 defines “capital improvements” as facilities or assets used for:

- Water supply, treatment and distribution;
- Wastewater collection, transmission, treatment and disposal;
- Surface water collection, retention, and treatment and flood control;
- Transportation (includes roadway, pathway, bicycle and transit facilities); and
- Parks and recreation (includes land acquisition, easements, trails, open space, and habitat restoration).

After determining the “maximum defensible” SDC amount per unit of growth, municipalities consider technical, financial, political/legal considerations and precedence when creating or updating SDCs.

Case Study Research

This section explores methods that cities have implemented that vary SDCs by dwelling unit size and type. Such methods are generally intended to enhance equity of the charge by demonstrating a nexus between dwelling unit size and system demand. Varying SDCs by home size in combination with other local policy techniques may also encourage construction of smaller, more affordable homes.

FCS compiled information from all know Oregon cities that have implemented scaled SDCs by home size. In addition, FCS reviewed national literature regarding SDC practices in other states to determine other innovative practices being used around the U.S.A.

It should be noted that SDCs comprise a relatively small yet measurable portion of overall housing costs. As shown in the example below, for a typical 2,800 square foot single family detached home, the estimated construction and land costs (as of December 2022) is estimated to range from approximately \$240 to \$256 per square foot. Depending upon location, the SDC share of the total cost is expected to range from about 1% to 7% of total housing cost (**Exhibit 2**).

Exhibit 2: Typical Cost for a New Single Family Detached Home in Oregon

| Home Size in SF: | | 2,800 | | |
|---|------------|-------------|-----------|--|
| Cost Item | Cost | Cost per SF | Dist. % * | |
| Site work | \$ 24,570 | \$ 8.77 | 4% | |
| Foundation | \$ 39,926 | \$ 14.26 | 6% | |
| Framing | \$ 62,960 | \$ 22.49 | 9% | |
| Exterior | \$ 50,675 | \$ 18.10 | 7% | |
| Utilities (in home) | \$ 50,675 | \$ 18.10 | 7% | |
| Interior Finishes | \$ 105,956 | \$ 37.84 | 15% | |
| Landscaping | \$ 26,105 | \$ 9.32 | 4% | |
| Other/Permiitting | \$ 15,356 | \$ 5.48 | 2% | |
| Land | \$ 141,275 | \$ 50.46 | 20% | |
| Financing | \$ 12,285 | \$ 4.39 | 2% | |
| Marketing | \$ 7,678 | \$ 2.74 | 1% | |
| Commissions | \$ 26,105 | \$ 9.32 | 4% | |
| Builder Overhead and Profit | \$ 104,421 | \$ 37.29 | 15% | |
| Subtotal | \$ 667,986 | \$ 239 | 96% | |
| Impact Fees or SDCs | | | | |
| Low estimate | \$ 5,000 | \$ 1.79 | 1% | |
| High estimate | \$ 50,000 | \$ 17.86 | 7% | |
| Total with Low Impact Fee | \$ 672,986 | \$ 240 | 97% | |
| Total at midpoint | \$ 695,486 | \$ 248 | 100% | |
| Total with High Impact Fee | \$ 717,986 | \$ 256 | 103% | |
| * computed at midpoint. | | | | |
| Source: https://www.homedit.com/average-cost-to-build-a-house/ | | | | |
| adjusted to 2022 dollars based on FHFA regional housing price index. | | | | |

Lowering the SDC for smaller homes, such as cottages, duplexes and apartments may help reduce development costs if other factors such as developer profit and overhead remain equal.

According to a publication by the U.S. Dept. of Housing and Urban Development, *Impact Fees and Affordable Housing, 2008*, if SDC reductions can be calculated in a manner that reduces construction of housing costs (and rents) for smaller housing types, there may be a beneficial impact to lower-income households, whereby less household income would be devoted to housing costs.

Key findings of the study include:

- ***The potential effect of impact fees on housing affordability is hotly debated, with evidence seemingly supporting all views. Impact fees are likely here to stay but that does not mean they are rigidly implemented instruments of public policy. To the contrary, the impact fees of the 1970s bear little resemblance to those of the 2000s. One significant area of evolution is in calculating the fees. Much can be achieved to soften the potentially adverse effect of impact fees on housing affordability. And if that is still not enough there exists other approaches in which potentially adverse effects can be softened further if not eliminated entirely.***
- ***The case studies cited in this report utilize a variety of methods for assessing SDCs based on dwelling types, unit size, number of bedrooms, and/or lot size.***

A more recent publication by the California Department of Housing and Community Development, *Residential Impact Fees in California, 2019*, also examined innovative practices used by cities in California to implement the Mitigation Fee Act.

Key findings included:

- ***Some localities highlighted the importance of using a legally defensible multiplier—one more strongly correlated with impacts. In one case, city staff noted that they wished to switch their impact fees from a per-dwelling-unit to a per-square-foot basis to encourage smaller, more affordable units and higher density. However, they heard from nexus consultants that some categories of fees, such as utilities, have the same impact on infrastructure costs irrespective of changes in unit size. For example, a 2,000 square foot home and a 1,500 square foot home may impact a water system similarly. Therefore, requiring developers to pay more in fees for a larger home might leave the jurisdiction susceptible to litigation.***
- ***Accessory Dwelling Units (ADUs) are more affordable to build, since they are smaller, with no expensive parking structures, elevators, or construction materials, and homeowners already own the land. These savings are often passed onto renters; 58 percent of owners with ADUs on their property rented them below the current market rate. As a result, ADUs are seen as an important avenue for increasing the supply of more affordable housing options.***
- ***Impact fees can have a larger effect on ADU feasibility because they are typically built by homeowners rather than large-scale developers, and at much lower cost than single-family homes.***
- ***While adjusting the structure of fees may provide opportunities to lower fees and incentivize the production of more affordable housing, policymakers and stakeholders have primarily focused on:***
 - ***Adjusting rates for submarkets within a jurisdiction when sufficient variation between areas of the jurisdiction exists: Varying rates according to local housing***

markets or changes in project impacts can ease the impact of fees on weaker areas and ensure that fees accurately reflect project impacts.

- ***Increasing fees incrementally:*** *Rather than applying the full amount of a fee or fee increase when approved, localities can stage implementation in steps over a period of time to give the housing and land markets a chance to adjust to the higher cost of development.*
- ***Incentives other than impact fees to promote more attainable housing:*** *such as limited tax abatement for rent-restricted rentals, affordable housing in lieu payments, construction excise taxes, zoning incentives (i.e., increasing allowable building heights, reduced parking requirements) for developments that include attainable housing.*

City Case Studies

Exhibit 3 reflects cities in Oregon and other states that have successfully adopted SDCs that are scaled based on home size.

Exhibit 3: Selected Cities with SDCs Scaled by Home Size

| SDC Service Area | Methodology Applied | Examples (year adopted) |
|------------------|---|--|
| Transportation | Trip Generation by Home Size. Based on ITE Handbook trip generation factors. | Newport (2017) and North Plains (2021); Hayden, Idaho (2022) |
| Parks | Occupancy by Home Size. Based on American Housing Survey occupancy data. | Newport (2017), Albany (2021), Portland (2008), North Plains (2021); Hayden (2022) |
| Water | ERUs based on Meter Size factored by estimated fixture units in single family dwelling size typologies (small, standard, large) | Newport (2017) and North Plains (2021) |
| Wastewater | ERUs based on Meter Size factored by estimated fixture units based on single family dwelling size typologies (small, standard, large) | Newport (2017) |
| Stormwater | Impervious Surface Area (ISA in SF). Based on localized G.I.S. analysis of ISA by development type. | Newport (2017) |

ERUs = equivalent residential units.

In addition to varying SDCs by home size (floor area) some jurisdictions have adopted methods that vary SDCs by number of bedrooms, development type (i.e., for Planned Unit Developments) and by lot size. These examples include:

- **Sandpoint, Idaho.** Impact fees for single family dwellings are calculated and charged based on the number of bedrooms in a dwelling unit. The fees are separated for homes with 0-3 bedrooms, and 4+ bedrooms.
- **Sante Fe, New Mexico.** Impact fees for recycled water used for irrigation take into account lot size.

While all case study cities listed above have adopted legally defensible scalable SDCs by home size, the methods with the highest precedence entail scaling SDCs by heated floor area (square feet); or by ERU factors that reflect single family home size groupings such as small, standard and large.

As shown in **Exhibit 4**, the City of Newport scales its SDC based on ERU factors for single family structures (1 to 4 dwellings per structure) by public facility type based on the assumptions provided in **Appendix B**. It should be noted that Newport does not scale the multifamily SDCs by dwelling unit size.

The City of North Plans also used a similar approach for deriving ERU factors based on average occupancy by home size for its water, transportation and parks SDCs (see **Appendix C**).

Exhibit 4: Newport SDC Factors for Equivalent Residential Units

| Type | Small Home (under 1,700 SF) | Standard Home (1,701 to 2,900 SF) | Large Home (over 2,900 SF) |
|----------------|--------------------------------|-----------------------------------|-------------------------------|
| Water | 0.63 | 1.00 | 1.38 |
| Sewer | 0.63 | 1.00 | 1.38 |
| Transportation | 0.50 | 0.95 | 1.47 |
| Stormwater* | 0.84 | 1.00 | 1.41 |
| Parks | 0.47 | 0.94 | 1.58 |

Source: Compiled by FCS GROUP based on Appendix B-1, B-2 and B-3. * Actual stormwater charge may be less or more depending upon construction plans.

Abbreviations: SF = usable floor area (excludes unfinished attics, garages and carports); ADU = accessory dwelling unit.

D. VARIABLE SDC EXAMPLES

This section presents concepts for approaches to potential equitable and defensible methods for varying SDCs in Wilsonville based on housing type and home size. This section includes a number of assumptions and calculations. However, these assumptions and numbers have not been vetted or verified as actual options for adoption. Generally, they are more simplified than an actual calculation would be. The examples should be understood as illustrations of potential general approaches and types of calculations that would need to be made rather than representations what future SDCs in Wilsonville could or should be.

Occupancy and Fixture Units by House size

Data from the U. S. Census Bureau, American Housing Survey for the Greater Portland Region indicate that, up to a point, the number of occupants in a single-family dwelling unit is positively correlated with that dwelling unit's floor area in square feet (SF). The American Housing Survey also

indicates that the number of water fixture units in a single-family dwelling unit is positively correlated with house size.

These data are shown in **Exhibit 5** and **Exhibit 6** with supporting details in **Appendix D**.

Exhibit 5

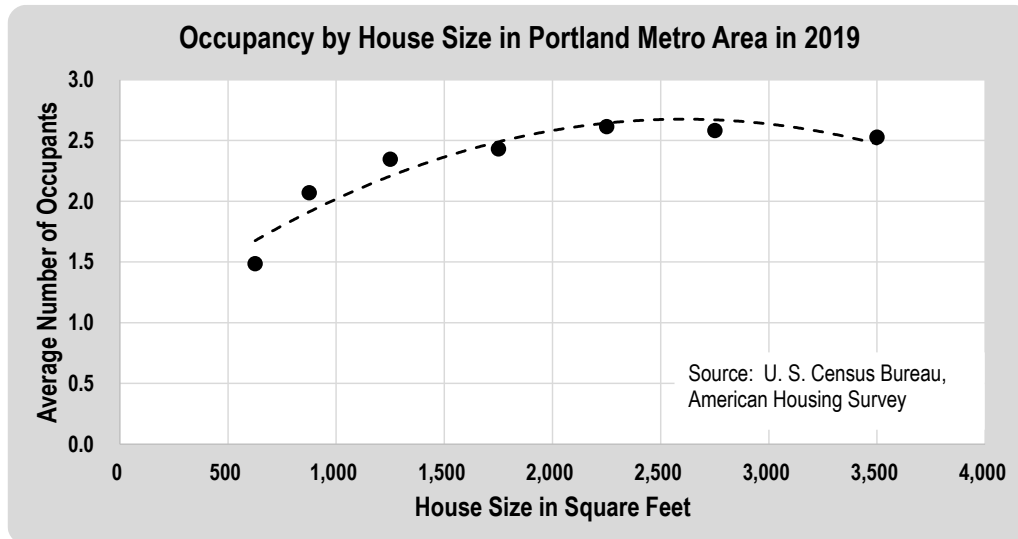
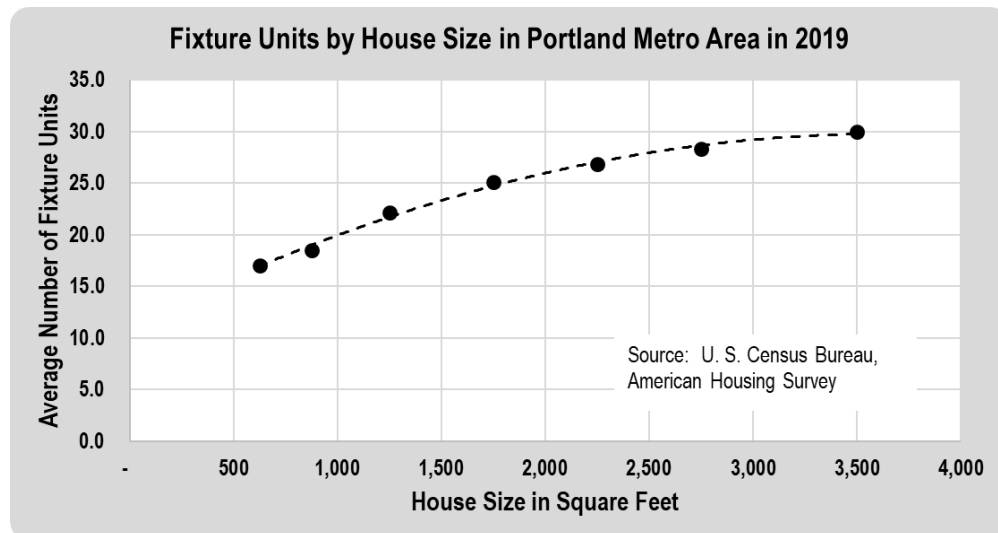


Exhibit 6



Based on the U.S. Census data for the greater Portland Region, at 2,605+ square feet, there is no longer a positive statistical correlation between square footage and occupancy.

The average single-family home in the City of Wilsonville is estimated at 2.71 occupants based on U.S. Census Bureau data (2021 estimate derived from **Appendix D**).

City occupancy data varies from the regional data noted above. Wilsonville planning staff estimate that the average new constructed house size for a single-family home (both attached and detached) in the City is approximately 2,000 square feet. That means that on average there are 0.001355 occupants per square foot. Further, the smallest detached single-family home that could support one occupant is assumed to be 738 square feet.

City of Wilsonville Single Family Occupancy Estimates, 2021

| | |
|-----------------------------------|----------|
| Average House Size in Wilsonville | 2,000 |
| Average Occupancy in Wilsonville | 2.71 |
| Average Occupants per Sq. Ft. | 0.001355 |

Staff Comment: The average house size in Wilsonville has not been verified and 2,000 Sq.Ft. of heated floor area is a preliminary number for illustrative purposes only.

As shown in **Exhibit 6** and **Appendix E**, the number of fixture units for housing units generally varies by the number of bathrooms and tends to increase with home size. Based on the U.S. Census data for the greater Portland Region, at 3,648+ square feet, there is no longer a positive statistical correlation between square footage and the number of fixture units. Further, based on American Housing Survey data for the greater Portland Region, at minimum, a home is expected to have 17 fixture units. According to these Census statistics, the minimum number of fixture units for a new home is assumed to include: 7.5 bathroom fixture units: sink (1), water closet (2.5), shower/bath (4); and 9.5 other plumbing fixture units: kitchen sink (1.5), clothes washer (4), dishwasher (1.5), hose bib (2.5).

As discussed below, the methodology for scaling water and sewer SDCs by home size would also take into account meter size to ascertain the potential system demand capacity and related charge.

The assumptions regarding water and sewer demand derived from the case study examples generally provide a nexus for scaling system demand based on plumbing fixture units by home size, which is an indicator of how the City's water and sewer system capacity is sized. While this approach has not been challenged in the courts so far, a preferable nexus could be made using the City's utility billing data to reflect actual water usage based on structure size. However, such analytical data was not available for this analysis

Scalable Transportation SDC Example

Vehicle Trips by House size

Wilsonville, like most cities, relies upon data from the *Institute of Traffic Engineers, Trip Generation Handbook* to determine the nexus between land use and vehicle trip generation. The most recent version of the *ITE Handbook (10th Edition)* can be applied to determine a nexus between vehicle trips and housing occupancy as shown below.

| | |
|---|------|
| PM Vehicle Trips per Single Family Home | 0.99 |
| PM Vehicle Trips-Ends per Resident | 0.28 |

Source: ITE Manual, 10th Edition.

| Trip Generation Assumptions | National Est. | Wilsonville Est. | Local Variance |
|--|---------------|------------------|----------------|
| Avg. Residents per Single Family Home | 2.46 | 2.71 | 0.25 |
| PM Vehicle Trips per Single Family Home | 0.99 | 1.00 | 0.01 |
| Implied PM Vehicle Trips-Ends per Resident | 0.28 | 0.37 | 0.09 |

Source: ITE Manual, 10th Edition, and U.S. Census, American Community Survey, City of Wilsonville.

The City currently charges its transportation SDC based on Average Daily Vehicle Trip ends. Since trip ends are generated largely by occupants, a defensible, scalable transportation SDC can be created using home size to estimate the number of occupants, and therefore PM peak trip impacts.

The current citywide transportation SDC per trip end is \$16,099 for single-family homes in Wilsonville. If the average single-family home in Wilsonville has 2.71 occupants, the equivalent SDC would equate to \$5,942 per occupant.

If we assume average-sized single-family homes in Wilsonville are 2,000 SF, that means that the transportation SDC for a 738 square foot home would be \$5,942, and the SDC for every additional square foot would be \$8.05, or \$805 per 100 square feet, and the maximum transportation SDC at 2,605 square feet would be \$20,972.

Staff Comment: A number of example methodologies in this analysis use linear relationships between square footage and number of residents. Additional data would likely show a more complex relationship.

These calculations are summarized in **Exhibit 7**.

Exhibit 7: Analysis of Example Scalable Transportation SDCs for Wilsonville

| Transportation SDC Schedule for a Single-Family Home | Square Feet | Residents | SDC |
|--|-------------|-----------|----------|
| SDC per resident | 738 | 1.0000 | \$5,942 |
| SDC per square foot of single-family residence | 1 | 0.0014 | \$8.05 |
| Maximum SDC per single-family residence | 2,605 | 3.5294 | \$20,972 |

Scalable Water SDC Example

The City currently charges its water SDC based on the number of meter capacity equivalents (MCEs). Under this system, a single-family home, which generally has either a 5/8" or 3/4" meter, requires one MCE. The number of MCEs required for other developments is calculated based on the maximum flow of their meters relative to the 5/8" meter. With larger homes that need a 3/4" meter the equivalent MCE factor is (1.5 X).

According to Census Data discussed in the previous section, the average size new single-family home in Wilsonville (2,000 square feet) should have 22.55 fixture units. That means that on average, one MCE is equal to 22.55 fixture units in Wilsonville. Therefore, for a home that using a 5/8" meter, an SDC of \$11,492 per MCE is equivalent to a charge of \$509.68 per fixture unit.

Using this approach, a larger home that uses a 3/4" meter would be assessed 1.5 MCE, which equates to \$764.52 per fixture unit (1.5 x \$509.68).

According to the regional Census data described previously in **Exhibits 5-6** and **Appendix E**, the smallest home in Wilsonville should have 17 fixture units. Further, at 3,648 square feet, a home in Wilsonville is estimated to have 29.95 fixture units.

Therefore, the minimum water SDC for a home with a 5/8" meter based on square footage should equal the charge for 17 fixture units, or \$8,665. For every additional square foot between 800 SF and 3,648 SF, the charge should be \$2.24 per square foot.

For a home that uses a 3/4" meter, the maximum charge should be for 29.95 fixture units at 3,648 square feet, or \$15,265.

These calculations are summarized in **Exhibit 8A and 8B**.

Exhibit 8A: Analysis of Example Scalable Water SDCs for Wilsonville Homes with 5/8" Meters

| Current Water SDC per MCE | \$ | 11,492 | 5/8 x 3/4 inch meter |
|--|-------------|---------------|----------------------|
| Expected Fixture Units per MCE | | 22.55 | |
| Water SDC per Fixture Unit | \$ | 509.68 | |
| | | | |
| Water SDC Schedule for a Single-Family Home | Square Feet | Fixture Units | SDC |
| Starting SDC per single-family residence | 738 | 17.00 | \$8,665 |
| SDC per square foot of single-family residence | 1 | 0.0044 | \$2.24 |
| Maximum SDC per single-family residence | 3,684 | 29.9495 | \$15,265 |
| Source: American Housing Survey, 2019 (fixture unit data) | | | |

Exhibit 8B: Analysis of Example Scalable Water SDCs for Wilsonville Homes with 3/4" Meters

| Current Water SDC per MCE | \$ | 17,238 | 3/4 x 3/4 inch meter |
|--|-------------|---------------|----------------------|
| Expected Fixture Units per MCE | | 22.55 | |
| Water SDC per Fixture Unit | \$ | 764.53 | |
| | | | |
| Water SDC Schedule for a Single-Family Home | Square Feet | Fixture Units | SDC |
| Starting SDC per single-family residence | 738 | 17.00 | \$12,997 |
| SDC per square foot of single-family residence | 1 | 0.0044 | \$3.36 |
| Maximum SDC per single-family residence | 3,684 | 29.9495 | \$22,897 |
| Source: American Housing Survey, 2019 (fixture unit data) | | | |

| Water SDC Schedule by Square Footage | | | |
|--------------------------------------|----------------|-----------|-----------|
| Home Size (SF) | 5/8 x 3/4 inch | | 3/4 x 3/4 |
| | meter | inch | meter |
| 738 | \$ 8,665 | \$ 12,997 | |
| 750 | \$ 8,692 | \$ 13,037 | |
| 1,000 | \$ 9,252 | \$ 13,877 | |
| 1,250 | \$ 9,812 | \$ 14,718 | |
| 1,500 | \$ 10,372 | \$ 15,558 | |
| 1,750 | \$ 10,932 | \$ 16,398 | |
| 2,000 | \$ 11,492 | \$ 17,238 | |
| 2,250 | \$ 12,052 | \$ 18,078 | |
| 2,500 | \$ 12,612 | \$ 18,918 | |
| 2,605 | \$ 12,847 | \$ 19,271 | |
| 2,750 | \$ 13,172 | \$ 19,758 | |
| 3,000 | \$ 13,732 | \$ 20,599 | |
| 3,250 | \$ 14,292 | \$ 21,439 | |
| 3,500 | \$ 14,853 | \$ 22,279 | |
| 3,648 | \$ 15,184 | \$ 22,776 | |

It should be noted that there are other methods that could be used to arrive at a scalable water SDC calculation. The North Plains example (shown below in **Exhibit 9** and Appendix E) illustrates an approach that applies a SDC adjustment factor based on the number of primary plumbing fixture units by home size in 3 categories: small, standard and large.

There are also a few national examples, where water SDCs can be varied by lot size. While such cases are limited and have not been utilized in Oregon, they do reflect the relative water demand based on irrigation water usage, especially when recycled water is provided for this purpose by the city.

As noted previously, a preferable nexus could be made using the City's water utility billing data to reflect actual water usage based on structure and lot size. However, such analytical data was not available at for this analysis.

Exhibit 9: North Plains Example

Water SDC Adjustment Factors for Single Family Dwelling Units

| Home Size Category | Dwelling Unit Size Range (living area sq.ft.) | Avg. Home Size (SF) | Avg. People Per Dwelling (Adjusted for Local Conditions) | Primary Fixtures* | Water SDC Adjustment Factor |
|--------------------|---|---------------------|--|-------------------|-----------------------------|
| Small | under 1,499 SF | 1,250 | 2.08 | 5 | 0.56 |
| Standard | 1,500 to 2,999 SF | 2,500 | 2.71 | 9 | 1.00 |
| Large | over 3,000 SF | 4,200 | 3.34 | 13 | 1.44 |
| Total/Average | | 2,650 | 2.99 | 9 | |

* primary fixture unit assumptions:

| Home Size | Water Closets | Lavatory | Tub or Shower | Total |
|-----------|---------------|----------|---------------|-------|
| 1,250 SF | 2 | 2 | 1 | 5 |
| 2,000 SF | 3 | 4 | 2 | 9 |
| 3,000 SF | 4 | 6 | 3 | 13 |

Source: IBC Building Code Calculator; complies with IBC/IPC/CPC requirements.

Scalable Wastewater SDC Example

The City currently charges its wastewater SDC based on MCEs, just as it charges its water SDC. However, unlike for the water utility, the number of fixture units is not as well correlated with system demand as it is with the number of occupants. Therefore, the scalable wastewater SDC will use square footage to estimate the number of occupants, not the number of fixture units.

The wastewater SDC per MCE is \$6,631. If the average single-family home with a 5/8" water meter in Wilsonville has 2.71 occupants, the equivalent SDC is \$2,448 per occupant.

Based on Census Bureau data, the smallest home that could support one occupant is 738 square feet, at which point the charge would be \$2,448. Every additional square foot supports 0.0014 occupants, which is charged at \$3.32 per square foot, or \$332 per 100 square feet. However, at 2,605 square feet, Census Bureau data would suggest that there is no relationship between house size and number of occupants, which caps the SDC at \$8,638.

These calculations are summarized in **Exhibits 10A and 10B**.

Exhibit 10A: Example of Scalable Wastewater SDCs for Wilsonville Homes with 5/8" meter

| | | |
|--------------------------------|----|-------|
| Current Sewer SDC per DU | \$ | 6,631 |
| Average residents per DU | | 2.71 |
| Current Sewer SDC per Resident | \$ | 2,448 |

| Sewer SDC Schedule for a Single-Family Home | Square Feet | Residents | SDC |
|--|-------------|-----------|---------|
| Base SDC per single-family residence | 738 | 1.0000 | \$2,448 |
| SDC per square foot of single-family residence | 1 | 0.0014 | \$3.32 |
| Maximum SDC per single-family residence | 2,605 | 3.5294 | \$8,638 |

Exhibit 10B: Example of Scalable Wastewater SDCs for Wilsonville Homes with 3/4" meter

| | | | |
|--------------------------------|----|-------|----------------------|
| Current Sewer SDC per DU | \$ | 9,947 | 3/4 x 3/4 inch meter |
| Average residents per DU | | 2.71 | |
| Current Sewer SDC per Resident | \$ | 3,671 | |

| Sewer SDC Schedule for a Single-Family Home | Square Feet | Residents | SDC |
|--|-------------|-----------|----------|
| Base SDC per single-family residence | 738 | 1.0000 | \$3,671 |
| SDC per square foot of single-family residence | 1 | 0.0014 | \$4.97 |
| Maximum SDC per single-family residence | 2,605 | 3.5294 | \$12,957 |

| Sewer SDC Schedule by Square Footage | | |
|--------------------------------------|-------------------------|-------------------------|
| Home Size (SF) | 5/8 x 3/4 inch meter | 3/4 x 3/4 inch meter |
| 738 | \$2,448 | \$3,671 |
| 950 | \$3,150 | \$4,725 |
| 1,000 | \$3,316 | \$4,973 |
| 1,250 | \$4,144 | \$6,217 |
| 1,500 | \$4,973 | \$7,460 |
| 1,750 | \$5,802 | \$8,703 |
| 2,000 | \$6,631 | \$9,947 |
| 2,250 | \$7,460 | \$11,190 |
| 2,500 | \$8,289 | \$12,433 |
| 2,605+ | \$8,638 | \$12,957 |

As noted previously, the city could opt to apply ERU factors based on housing size typologies (as shown in Newport and North Plains examples). Also, as with the water SDC methodology, a preferable nexus could be made using the City's wastewater utility billing data to reflect actual sewer usage based on structure and lot size. However, such analytical data was not available at for this analysis.

Scalable Stormwater SDC Example

The current Wilsonville stormwater SDC is \$2,227 per Equivalent Service Unit (ESU), where an ESU represents the average impervious surface area of a single-family residence in Wilsonville. The City's current methodology assumes that the average impervious surface area for single family homes is 2,750 square feet. Using that definition, the stormwater SDC may also be charged as \$0.83 per square foot, or \$83 per 100 square feet of impervious surface area.

Other cities have calculated the average amount of impervious surface area based on dwelling unit types or land use categories using Lidar data and Geographic Information Systems (GIS) mapping analysis. As shown in the Newport example below, the impervious surface area was found to vary from 950 SF for a ADUs, 1,350 SF for small homes, 1,600 SF for standard homes, and 2,250 SF for larger homes. Stormwater SDCs are charged based on the resulting ISA adjustment factors X the ESU average SDC rate.

Exhibit 11: Newport Example, Impervious Surface Area by Home Size

Stormwater Impervious Surface Area Assumptions (SF)

| Impervious Area Assumptions | ADUs (600 SF) | Small Home (under 1,700 SF) | Standard Home (1,701 to 2,900 SF) | Large Home (over 2,900 SF) |
|-----------------------------|---------------|-----------------------------|-----------------------------------|----------------------------|
| Roof top | 600 | 1,000 | 1,250 | 1,750 |
| Parking | 350 | 350 | 350 | 500 |
| Total | 950 | 1,350 | 1,600 | 2,250 |
| Relative ISA Factor | 0.704 | 0.844 | 1.000 | 1.406 |

Scalable Parks SDC Example

The City currently charges its parks SDC based on dwelling unit type. Since occupants of a dwelling unit create demand for parks, a defensible, scalable parks SDC should use square footage to estimate the number of occupants.

The parks SDC per dwelling unit is \$7,349, and single-family homes in Wilsonville are charged for one dwelling unit. If the average single-family home in Wilsonville has 2.71 occupants, the equivalent SDC is \$2,713 per occupant.

As in the previous cases for wastewater and transportation, that means that the parks SDC for a 738 square foot home would be \$2,713, the SDC for every additional square foot would be \$3.67, or \$367 per 100 square feet, and the maximum transportation SDC at 2,605 square feet would be \$9,574. These calculations are summarized in **Exhibit 12**.

Exhibit 12: Analysis of Example Scalable Wastewater SDCs for Wilsonville

| | |
|--------------------------------|-------------|
| Current Parks SDC per DU | \$ 7,349 |
| Average residents per DU | 2.71 |
| Current Parks SDC per Resident | \$ 2,712.52 |

| Parks SDC Schedule for a Single-Family Home | Square Feet | Residents | SDC |
|--|-------------|-----------|---------|
| SDC per resident | 738 | 1.0000 | \$2,713 |
| SDC per square foot of single-family residence | 1 | 0.0014 | \$3.67 |
| Maximum SDC per single-family residence | 2,605 | 3.5294 | \$9,574 |

E. SUMMARY AND CONCLUSIONS

Using the City's current SDC charges as a baseline and the analysis described herein, the example citywide water, wastewater, transportation, parks, and stormwater SDCs in Wilsonville would range from: \$20,467 for a 738 SF dwelling (excluding ADUs which are exempt from SDCs at this time); to \$57,829 for a 3,648+ SF dwelling. Currently, for new homes with a 5/8" water meter, those five SDCs in Wilsonville total \$47,208 per dwelling unit, regardless of its size.

The stormwater SDC is assumed to be charged based on impervious footprint on the single-family lot, not heated floor area, which for this analysis is assumed to equate to approximately 1.427 SF of impervious surface area (ISA) per each SF of heated floor area.

The citywide example SDCs at various square footages are provided in **Exhibit 13A and 13B.**

Exhibit 13A: Summary of Example Scalable SDCs for Wilsonville Homes with 5/8" Meter

| Preliminary Citywide SDC Scaling Analysis, City of Wilsonville | | | | | | | | | |
|--|-----------|-----------|----------|----------------|----------|----------|-----------|--|--|
| Sq. ft. | Residents | Water | Sewer | Transportation | Parks | Storm | Total | | |
| 738 | 1.00 | \$ 8,665 | \$ 2,448 | \$ 5,942 | \$ 2,713 | \$ 700 | \$ 20,467 | | |
| 950 | 1.29 | \$ 8,692 | \$ 3,150 | \$ 7,647 | \$ 3,491 | \$ 901 | \$ 23,880 | | |
| 1,000 | 1.35 | \$ 9,252 | \$ 3,316 | \$ 8,050 | \$ 3,675 | \$ 948 | \$ 25,240 | | |
| 1,250 | 1.69 | \$ 9,812 | \$ 4,144 | \$ 10,062 | \$ 4,593 | \$ 1,186 | \$ 29,797 | | |
| 1,500 | 2.03 | \$ 10,372 | \$ 4,973 | \$ 12,074 | \$ 5,512 | \$ 1,423 | \$ 34,354 | | |
| 1,750 | 2.37 | \$ 10,932 | \$ 5,802 | \$ 14,087 | \$ 6,430 | \$ 1,660 | \$ 38,911 | | |
| 2,000 | 2.71 | \$ 11,492 | \$ 6,631 | \$ 16,099 | \$ 7,349 | \$ 1,897 | \$ 43,468 | | |
| 2,250 | 3.05 | \$ 12,052 | \$ 7,460 | \$ 18,111 | \$ 8,268 | \$ 2,134 | \$ 48,025 | | |
| 2,500 | 3.39 | \$ 12,612 | \$ 8,289 | \$ 20,124 | \$ 9,186 | \$ 2,371 | \$ 52,582 | | |
| 2605+ | 3.53 | \$ 12,847 | \$ 8,638 | \$ 20,972 | \$ 9,574 | \$ 2,471 | \$ 54,503 | | |
| 2,750 | | \$ 13,172 | \$ 8,638 | \$ 20,972 | \$ 9,574 | \$ 2,608 | \$ 54,965 | | |
| 3,000 | | \$ 13,732 | \$ 8,638 | \$ 20,972 | \$ 9,574 | \$ 2,845 | \$ 55,762 | | |
| 3,250 | | \$ 14,292 | \$ 8,638 | \$ 20,972 | \$ 9,574 | \$ 3,083 | \$ 56,559 | | |
| 3,500 | | \$ 14,853 | \$ 8,638 | \$ 20,972 | \$ 9,574 | \$ 3,320 | \$ 57,357 | | |
| 3,648+ | | \$ 15,184 | \$ 8,638 | \$ 20,972 | \$ 9,574 | \$ 3,460 | \$ 57,829 | | |

Exhibit 13B: Summary of Example Scalable SDCs for Wilsonville Homes with 3/4" Meter

| Sq. ft. | Residents | Water | | Sewer | | Transportation | | Parks | | Storm | Total | | |
|--|-----------|-------|--------|-------|--------|----------------|--------|-------|-------|-------|-------|----|--------|
| 738 | 1.00 | \$ | 12,997 | \$ | 3,671 | \$ | 5,942 | \$ | 2,713 | \$ | 700 | \$ | 26,023 |
| 950 | 1.29 | \$ | 13,037 | \$ | 4,725 | \$ | 7,647 | \$ | 3,491 | \$ | 901 | \$ | 29,801 |
| 1,000 | 1.35 | \$ | 13,877 | \$ | 4,973 | \$ | 8,050 | \$ | 3,675 | \$ | 948 | \$ | 31,523 |
| 1,250 | 1.69 | \$ | 14,718 | \$ | 6,217 | \$ | 10,062 | \$ | 4,593 | \$ | 1,186 | \$ | 36,775 |
| 1,500 | 2.03 | \$ | 15,558 | \$ | 7,460 | \$ | 12,074 | \$ | 5,512 | \$ | 1,423 | \$ | 42,026 |
| 1,750 | 2.37 | \$ | 16,398 | \$ | 8,703 | \$ | 14,087 | \$ | 6,430 | \$ | 1,660 | \$ | 47,278 |
| 2,000 | 2.71 | \$ | 17,238 | \$ | 9,947 | \$ | 16,099 | \$ | 7,349 | \$ | 1,897 | \$ | 52,529 |
| 2,250 | 3.05 | \$ | 18,078 | \$ | 11,190 | \$ | 18,111 | \$ | 8,268 | \$ | 2,134 | \$ | 57,781 |
| 2,500 | 3.39 | \$ | 18,918 | \$ | 12,433 | \$ | 20,124 | \$ | 9,186 | \$ | 2,371 | \$ | 63,033 |
| 2605+ | 3.53 | \$ | 19,271 | \$ | 12,957 | \$ | 20,972 | \$ | 9,574 | \$ | 2,471 | \$ | 65,246 |
| 2,750 | | \$ | 19,758 | \$ | 12,957 | \$ | 20,972 | \$ | 9,574 | \$ | 2,608 | \$ | 65,870 |
| 3,000 | | \$ | 20,599 | \$ | 12,957 | \$ | 20,972 | \$ | 9,574 | \$ | 2,845 | \$ | 66,948 |
| 3,250 | | \$ | 21,439 | \$ | 12,957 | \$ | 20,972 | \$ | 9,574 | \$ | 3,083 | \$ | 68,025 |
| 3,500 | | \$ | 22,279 | \$ | 12,957 | \$ | 20,972 | \$ | 9,574 | \$ | 3,320 | \$ | 69,102 |
| 3,648+ | | \$ | 22,776 | \$ | 12,957 | \$ | 20,972 | \$ | 9,574 | \$ | 3,460 | \$ | 69,740 |
| Green = SDCs at the average house size in Wilsonville | | | | | | | | | | | | | |
| Yellow = The maximum Sewer, Transportation, and Parks SDCs | | | | | | | | | | | | | |
| Pink = The maximum water SDC | | | | | | | | | | | | | |

Based on the preliminary assumptions stated herein, the relative variation in SDC costs based on home size is likely to result in a lower SDC for new detached homes under 2,250 SF and a higher SDC for homes with over 2,250 SF in heated floor area. For townhomes and plexes (with 2-4 units per structure) the relative cost decrease/increase occurs for homes under/over 1,500 SF. For multifamily dwellings (5+ units per structure) the under/over cost variation occurs at 1,000 SF (Exhibits 14A.-B.).

Exhibit 14A: Example of Combined Scalable SDCs for Wilsonville Homes with 5/8" Meter

| Home Size (Sq. ft.) | Current SDC Method | | | Scalable SDC Example | | | Difference | | |
|---------------------|--------------------|------------------|-------------------|----------------------|--------------------|----------------------|--------------|--------------------|----------------------|
| | SF Detached* | Townhome/ Plexes | Multifamily Apts. | SF Detached* | Townhome/ Plexes** | Multifamily Apts.*** | SF Detached* | Townhome/ Plexes** | Multifamily Apts.*** |
| ADU | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| 950 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 20,467 | \$ 20,467 | \$ 27,969 | \$ (23,331) | \$ (12,033) | \$ (3,955) |
| 1,000 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 23,880 | \$ 23,880 | \$ 29,441 | \$ (19,918) | \$ (8,619) | \$ (2,483) |
| 1,250 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 25,240 | \$ 25,240 | \$ 36,801 | \$ (18,558) | \$ (7,260) | \$ 4,877 |
| 1,500 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 29,797 | \$ 29,797 | \$ 36,801 | \$ (14,001) | \$ (2,703) | \$ 4,877 |
| 1,750 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 34,354 | \$ 34,354 | \$ 36,801 | \$ (9,444) | \$ 1,854 | \$ 4,877 |
| 2,000 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 38,911 | \$ 38,911 | \$ 36,801 | \$ (4,887) | \$ 6,411 | \$ 4,877 |
| 2,250 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 43,468 | \$ 38,911 | \$ 36,801 | \$ (330) | \$ 6,411 | \$ 4,877 |
| 2,500 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 48,025 | \$ 38,911 | \$ 36,801 | \$ 4,227 | \$ 6,411 | \$ 4,877 |
| 2,605 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 52,582 | \$ 38,911 | \$ 36,801 | \$ 8,784 | \$ 6,411 | \$ 4,877 |
| 2,750 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 54,503 | \$ 38,911 | \$ 36,801 | \$ 10,705 | \$ 6,411 | \$ 4,877 |
| 3,000 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 54,965 | \$ 38,911 | \$ 36,801 | \$ 11,167 | \$ 6,411 | \$ 4,877 |
| 3,250 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 55,762 | \$ 38,911 | \$ 36,801 | \$ 11,964 | \$ 6,411 | \$ 4,877 |
| 3,500 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 56,559 | \$ 38,911 | \$ 36,801 | \$ 12,761 | \$ 6,411 | \$ 4,877 |
| 3,650 | \$ 43,798 | \$ 32,500 | \$ 31,924 | \$ 57,357 | \$ 38,911 | \$ 36,801 | \$ 13,559 | \$ 6,411 | \$ 4,877 |

Notes:

* water SDC assumes 5/8 x 3/4 inch meter.

** assumes townhome and duplex SDCs are capped at 2,000 SF per unit.

*** assumes 900 GSF per average multifamily dwelling unit, gross to net SF factor of 0.83 and cap established at 1,250 GSF.

Note to Exhibits 14A-B: the illustrative SDC scaling example shown assumes an SDC cap at 2,000 square feet for townhomes/duplex units and 1,250 SF for apartment units. Without such a cap, the rate of SDC increase with the scaled approach would be significantly higher than the current fixed SDCs in the City and may render apartments, townhomes and duplex projects financially infeasible. More accurate data regarding dwelling unit size and system impacts is required to determine if such a cap is required.

Exhibit 14b.: Example Changes in SDC costs with Scalable SDCs for Wilsonville Homes with 5/8" Meter

| Home Size (Sq. ft.) | Change in SDC costs with Scaling | | |
|---------------------|----------------------------------|-----------------------|-----------------------|
| | Detached* | SF Townhome/ Plexes** | Multifamily Apts. *** |
| ADU | 0% | 0% | 0% |
| 950 | -53% | -37% | -12% |
| 1,000 | -45% | -27% | -8% |
| 1,250 | -42% | -22% | 15% |
| 1,500 | -32% | -8% | 15% |
| 1,750 | -22% | 6% | 15% |
| 2,000 | -11% | 20% | 15% |
| 2,250 | -1% | 20% | 15% |
| 2,500 | 10% | 20% | 15% |
| 2,605 | 20% | 20% | 15% |
| 2,750 | 24% | 20% | 15% |
| 3,000 | 25% | 20% | 15% |
| 3,250 | 27% | 20% | 15% |
| 3,500 | 29% | 20% | 15% |
| 3,650 | 31% | 20% | 15% |

Notes:

* water SDC assumes 5/8 x 3/4 inch meter.

** assumes townhome and duplex SDCs are capped at 2,000 SF per unit.

*** assumes 900 GSF per average multifamily dwelling unit, gross to net SF factor of 0.83 and cap established at 1,250 GSF.

The advantages and disadvantages of scalable SDCs are summarized in **Exhibit 15**. The findings indicate that there are accepted methods in use to calculate SDCs based on home size. If a city determines that a variable approach is a fair representation of system impacts, a scaled SDC should be more equitable to home builders and developers than more *traditional* SDC calculation methods which vary SDCs by housing type rather than size.

The potential risks of adopting a scaled SDC approach centers upon documentation of an accurate nexus between home size and system capacity demand. Currently, the nexus between home size and capacity demand appears strongest for transportation, parks and stormwater systems. As such, the City of Wilsonville would benefit from additional analysis of water and sewer utility system demand based on home size. Such analysis should be monitored and updated periodically (every 5-10 years) to account for temporal fluctuations in demand attributed to changing household size, water-efficient plumbing fixtures, and other factors.

Exhibit 15: Advantages and Disadvantages of Scalable SDCs

| | Advantages | Disadvantages |
|------------------------------------|--|--|
| Legal Precedence | <ul style="list-style-type: none"> * Increasing number of jurisdictions now using a scaled SDC approach in Oregon and nationally. * Scaled rates for smaller units are typically tied to evidence of lower development impacts, which is well within the discretion allowed under statute. | <ul style="list-style-type: none"> * Mixed support from large developers and homebuilders regarding appropriate scaling methods. * Limited court decisions nor rulings in Oregon regarding scaled SDCs based on home size. |
| Implementation | <ul style="list-style-type: none"> * Scaling SDCs would be most favorable by "small home" builders, and could lead to minor partitions and a more efficient use of the UGB for infill housing over time. * More efficient use of land inside the UGB could delay need for major capital facility expansion projects. | <ul style="list-style-type: none"> * Evidence for demonstrating a strong nexus between home size and system impacts requires additional statistically valid assumptions relative to the current methods used to determine SDCs. * Fee calculations would be more complex than current methods. |
| Impact on Home Prices | <ul style="list-style-type: none"> * Since SDC costs make up only about 3-7% of housing costs; SDC cost reductions could result in up to a 3.5% reduction in overall housing development costs. | <ul style="list-style-type: none"> * SDC scaling could result in a increase in SDC costs for detached homes over 2,250 SF, and increase in SDC costs for townhomes over 1,500 SF and apartments over 1,000 SF. * The city has no assurance that any SDC cost savings would be passed on to home owners or renters. |
| Admin. Costs | | <ul style="list-style-type: none"> * Scalable SDC approach would increase cost for staff time to administer compared with current approach. * Scalable SDCs should be recalibrated every 5-10 years to ensure the city is not undercollecting SDC revenue. |
| Public Perception and Risks | <ul style="list-style-type: none"> * Potential policy and community support for varying SDCs if it results in a more equitable distribution of costs based on system impacts based on home size. | <ul style="list-style-type: none"> * Until adequate local data regarding nexus between system impacts and home size is available, there is a risk of under-collection of SDC revenue which could result in delayed project construction and lower level of service. |

Appendix A

Wilsonville System Development Charges - Ordinances and Resolutions

System Development Charge Ordinance

| Number | Title | Adopted |
|------------|---|--------------|
| <u>386</u> | An Ordinance Regarding System Development Charges; Repealing ordinance No.113; Repealing Wilsonville Code, Chapter 11, Section 11.020 And Section 11.050; And Declaring An Emergency. | July 1, 1991 |

Muni Code Chapter 11, Section 11.090. Fees, System Development Charges

676 An ordinance Amending the Wilsonville Comprehensive Plan, Implementation Measure 4.1.4.bb, Concerning Accessory Dwelling Units (ADUs) within the City. Feb. 10, 2010

System Development Charge Resolutions

| Number | Title | Adopted |
|-------------|--|------------------|
| <u>2724</u> | A Resolution of The City Of Wilsonville Adopting The Water System Development Charge Methodology Report And Establishing The Charge Rate And Amending Resolution No. 1624 | December 6, 2018 |
| <u>2634</u> | A Resolution of The City Of Wilsonville Adopting The Transportation System Development Charge Methodology Report And Establishing The Charge Rate. | June 5, 2017 |
| <u>2353</u> | A Resolution of The City Of Wilsonville Establishing Just and Equitable System Development Charge and A Stormwater Fee For Stormwater Management And Repeals Resolution No. 1732. | April 16, 2012 |
| <u>2133</u> | A Resolution Establishing and Imposing Just And Equitable Parks, Recreation And Off Street Trail Facilities Systems Development Charges And Repealing Resolution No. 1145 And Resolution No. 1362. | October 6, 2008 |
| <u>2098</u> | A Resolution Establishing and Imposing Just And Equitable Street Systems Development Charges For Arterial, Collector And Connectivity Streets And Traffic Control Facilities, And Establishing Administrative Review Procedures. | April 7, 2008 |
| <u>1996</u> | A Resolution Confirming, Approving and Ratifying A Two And Four Tenths Percent (2.4%) Systems Development Charge Inflationary Cost Impact Increase, With The Exception Of A Sewer SDC Increase, As Measured By The Annual Change In The Pacific Northwest Construction Cost Index. | May 15, 2006 |

| | | |
|-------------|---|-------------------|
| <u>1987</u> | A Resolution Establishing And Imposing Just And Equitable User Fees, System Development Charges And Charges For Connection To The Sewage Disposal System For Sewer Service; Providing For The Manner Of Payment Collection, Enforcement And Disbursement Of Such Fees And Charges; Providing Rules And Regulations For Control Of The Sewer System; And Replacing Resolution 1279 | April 3, 2006 |
| <u>1936</u> | A Resolution Confirming, Approving and Ratifying A Three And Two Tenths Percent (3.2%) System Development Charge Inflationary Cost Impact Increase As Measured By The Annual Change In The Pacific Northwest Construction Cost Index. | May 16, 2005 |
| <u>1865</u> | A Resolution Confirming, Approving and Ratifying a Three and Two-Tenths (3.2 %) Percent System Development Charge Inflationary Cost Impact Increase as Measured by the Annual Change in the Pacific Northwest Construction Cost Index. | May 17, 2004 |
| <u>1834</u> | A Resolution Confirming, Approving and Ratifying A One And Nine Tenths Percent (1.9%) System Development Charge Inflationary Cost Impact Increase As Measured By The Annual Change In The Pacific Northwest Construction Cost Index. | June 16, 2003 |
| <u>1760</u> | A Resolution Confirming, Approving and Ratifying A Three Percent (3.0%) System Development Charge Inflationary Cost Impact Increase As Measured By The Annual Change In The Pacific Northwest Construction Cost Index. | May 6, 2002 |
| <u>1732</u> | A Resolution Of The City Of Wilsonville Establishing Just And Equitable System Development Charges And A Surcharge Fee For Storm Water And Storm Water Quality Management And Repeals Resolutions No. 843 And 1129. | November 19, 2001 |
| <u>1708</u> | A Resolution Confirming, Approving And Ratifying A Two And Six Tenth Percent (2.6%) Street, Supplemental Street, Sewer, Parks, Water And Storm Sewer System Development Charge Inflationary Cost Impact Increase As Measured By The Annual Change In The Pacific Northwest Construction Cost Index. | May 21, 2001 |
| <u>1624</u> | A Resolution Adopting A Revised Water Capital Improvements Plan And Establishing And Imposing Just And Equitable User Fees, System Development Charges, Meter Installation Charges, And Deposits For Water Service For The Water System Of The City Of Wilsonville; Providing For The Manner Of Payment, Collection, Enforcement And Disbursement Of Such Fees; Providing Rules And Regulations For Control Of City Water Service, Changing The Water Utility Billing Cycle From Bimonthly To Monthly; And Repealing Resolution 1502. | March 20, 2000 |

1640

A Resolution Confirming, Approving and Ratifying a Three and One Tenth Percent (3.1%) Street Supplemental Street, Sewer, Parks And Storm Sewer System Development Charge Inflationary Cost Impact Increase As Measured By The Annual Change In The Pacific Northwest Construction Cost Index. May 15, 2000

Appendix B: Newport SDC Assumptions

Appendix B – System Demand Assumptions

Table B-1

Water and Wastewater Adjustment Factors for Single Family Dwelling Units

| Home Size Category | Dwelling Unit Size Range (living area sq.ft.) | Avg. Home Size (SF) | Avg. People Per Dwelling (Adjusted for Local Conditions) | Max # of Occupants | Primary Fixtures* |
|----------------------|---|---------------------|--|--------------------|-------------------|
| Small | under 1,700 SF | 1,250 | 1.04 | 8 | 5 |
| Standard | 1,701 to 2,900 SF | 2,500 | 2.07 | 10 | 8 |
| Large | over 2,900 SF | 4,200 | 3.48 | 16 | 11 |
| Total/Average | | 2,650 | - | | 8 |

* primary fixture assumptions:

| Water Closets | Lavatory | Shower | Total |
|---------------|----------|--------|-------|
| 2 | 2 | 1 | 5 |
| 3 | 3 | 2 | 8 |
| 4 | 4 | 3 | 11 |

Source: Building code calculator; complies with 2013-2016 IBC/IPC/CPC requirements.

Table B-2

Stormwater Impervious Surface Area Assumptions (SF)

| Impervious Area Assumptions | ADUs (600 SF) | Standard | | |
|-----------------------------|---------------|-----------------------------|--------------------------|----------------------------|
| | | Small Home (under 1,700 SF) | Home (1,701 to 2,900 SF) | Large Home (over 2,900 SF) |
| Roof top | 600 | 1,000 | 1,250 | 1,750 |
| Parking | 350 | 350 | 350 | 500 |
| Total | 950 | 1,350 | 1,600 | 2,250 |
| Relative ISA Factor | 0.704 | 0.844 | 1.000 | 1.406 |

Table B3

Transportation and Parks Adjustment Factors by Single Family Dwelling Size

Parks SFD Adjustment Factors

| Home Size Category | Dwelling Unit Size Range (living area sq.ft.) | Avg. Home Size (SF) | ADVT per 1,000 SF | ADVT per Dwelling | TSDC Adjustment Factor (revenue neutral) | Avg. People Per Dwelling (Adjusted for Local Conditions) | Parks SDC Adjustment Factor |
|----------------------|---|---------------------|-------------------|-------------------|--|--|-----------------------------|
| Small | under 1,700 SF | 1,250 | 4.28 | 5.36 | 0.50 | 1.04 | 0.47 |
| Standard | 1,701 to 2,900 SF | 2,500 | 4.04 | 10.10 | 0.95 | 2.07 | 0.94 |
| Large | over 2,900 SF | 4,200 | 3.72 | 15.62 | 1.47 | 3.48 | 1.58 |
| Total/Average | | 2,650 | 4.02 | 10.64 | | 2.20 | |

Source: compiled by FCS Group based on: National Association of Home Builders, *Characteristics of Home Buyers*, Feb. 8, 2013; and National Cooperative Highway Research Program, *Report 365: Travel Estimation Techniques for Urban Planning*, 1998. Census, ACS 2011-15 avg. household size; **Abbreviations:** ADVT = average daily vehicle trips; TSDC = Transportation System Development Charge.

Appendix C: North Plains SDC Assumptions

Impact Fee Schedule (single family housing units)

Alternative Methodology for Scaling SDCs based on home size and type

| | North Plains | National Average | North Plains factor |
|---|--------------|------------------|---------------------|
| Avg # of Residents per SF detached home | 2.99 | 2.46 | 1.22 |
| New Parks SDC per Resident (pop) | \$ 2,948 | | |
| New Transportation SDC per Peak Trip | \$ 2,870 | | |
| New Water SDC per MCE or ERU | \$ 7,780 | | |

Source : City average from U.S. Census Bureau, 2019 American Community Survey. National average from US Census Bureau, 2019 American Housing Survey.

Transportation SDC

Single-family Residential Fee Schedule

| | Square Feet | Residents | PM Peak Hour Trip Ends | SDC |
|--|-------------|-----------|------------------------|----------|
| Impact Fee per PM peak hour vehicle trip end | | | | \$ 2,870 |
| Base Fee per single-family residence | 0 | 1.52 | 0.4249 | \$1,219 |
| Fee per square foot of single-family residence | 1 | 0.0006 | 0.0002 | \$0.51 |
| Average | 2,100 | 2.99 | 1.0000 | \$2,870 |
| Maximum | 3,448 | 3.70 | 1.2358 | \$3,547 |

Source : US Census Bureau, 2019 National American Housing Survey; Institute of Transportation Engineers, Trip Generation Manual, 10th edition.

North Plains Local SDCs based on Single Family Dwelling Unit Size

| Impact Fee Assumptions | Average | Tiny/ADU | Small | Mid | Medium | Large | Estate |
|--|-----------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| House size in square feet* | 2,100 | 500 | 1,000 | 1,500 | 2,000 | 3,000 | 4,000 + |
| Implied average local occupancy* | 2.99 | 1.50 | 2.08 | 2.40 | 2.71 | 3.34 | 3.70 |
| Implied PM peak hour vehicle trip ends** | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.12 | 1.24 |
| Parks SDC | \$8,823 | \$4,422 | \$6,141 | \$7,070 | \$7,999 | \$9,856 | \$10,899 |
| Transportation SDC | \$2,870 | \$2,870 | \$2,870 | \$2,870 | \$2,870 | \$3,209 | \$3,547 |
| Water SDC | \$7,780 | **** | \$6,051 | \$7,780 | \$7,780 | \$9,509 | \$11,238 |
| Water system demand factor*** | 1.00 | 0.56 | 0.78 | 1.00 | 1.00 | 1.22 | 1.44 |
| Total North Plains SDCs | \$19,473 | \$7,292 | \$15,062 | \$17,720 | \$18,649 | \$22,574 | \$25,684 |

* Based on national and local averages from U.S. Census, 2019 American Housing Survey.

** Trip data based on the Institute of Transportation Engineers, Trip Generation Manual, 10th edition.

*** Derived from factors shown in Appendix C.

**** No water SDC is expected if dwelling is connected to primary water meter.

North Plains Local SDCs based on Single Family Dwelling Unit Size

| Impact Fees per Square Foot | Average | ADU | Small | Mid | Medium | Large | Estate |
|---------------------------------------|---------------|----------------|----------------|----------------|---------------|---------------|---------------|
| House size in square feet* | 2,100 | 500 | 1,000 | 1,500 | 2,000 | 3,000 | 4,000 + |
| Parks SDC per SF | \$4.20 | \$8.84 | \$6.14 | \$4.71 | \$4.00 | \$3.29 | \$2.72 |
| Transportation SDC per SF | \$1.37 | \$5.74 | \$2.87 | \$1.91 | \$1.44 | \$1.07 | \$0.89 |
| Water SDC per SF | \$3.70 | * | \$6.05 | \$5.19 | \$3.89 | \$3.17 | \$2.81 |
| Total North Plains SDCs per SF | \$9.27 | \$14.58 | \$15.06 | \$11.81 | \$9.32 | \$7.52 | \$6.42 |

Source: based on previous tables. ADU = accessory dwelling unit.

0.7 0.9 0.6

Proposed North Plains Local SDCs based on Single Family Dwelling Unit Size*

| | Accessory Dwelling (less than 900 SF) | Small or Mfg. Home (less than 1,200 SF) | Standard Home (1,201 to 2,500 SF) | Large Home (2,501+ SF) |
|------------------------------------|---------------------------------------|---|-----------------------------------|------------------------|
| North Plains SDCs | | | | |
| Parks SDC | \$8.84 | \$4.30 | \$3.28 | \$1.63 |
| Transportation SDC | \$5.74 | \$2.01 | \$1.13 | \$0.53 |
| Water SDC | ** | \$4.24 | \$3.18 | \$1.69 |
| Total (Marginal SDC per SF) | \$14.58 | \$10.54 | \$7.58 | \$3.85 |
| Example, House Size | 750 SF | 1,200 SF | 2,100 SF | 3,100 SF |
| North Plains SDCs | \$10,938 | \$12,652 | \$19,476 | \$24,821 |

Source: calculated based on prior tables.

* Includes housing units with 1-3 dwellings per structure. Square feet = heated floor area, excludes unfinished attics, garages, decks).

** No water SDC is expected if accessory dwelling is connected to primary water meter.

Appendix D: Wilsonville Housing Occupancy Estimates

City of Wilsonville Single Family Occupancy Estimates, 2021

| | |
|-----------------------------------|----------|
| Average House Size in Wilsonville | 2,000 |
| Average Occupancy in Wilsonville | 2.71 |
| Average Occupants per Sq. Ft | 0.001355 |

| Units in Structure | 10,707 |
|---------------------|--------|
| 1, detached | 4,491 |
| 1, attached | 1,085 |
| 2 | 105 |
| 3 or 4 | 393 |
| 5 to 9 | 1,348 |
| 10 to 19 | 1,144 |
| 20 to 49 | 496 |
| 50 or more | 1,482 |
| Mobile home | 163 |
| Boat, RV, van, etc. | - |

Source: Census Bureau, American Community Survey 5-Year Estimates, 2021 (Table B25024)

| Total Population in Occupied Housing Units | 24,470 |
|--|--------|
| Owner occupied: | 13,769 |
| 1, detached or attached | 13,128 |
| 2 to 4 | 216 |
| 5 or more | 117 |
| Mobile home | 308 |
| Boat, RV, van, etc. | - |
| Renter occupied: | 10,701 |
| 1, detached or attached | 1,979 |
| 2 to 4 | 868 |
| 5 or more | 7,840 |
| Mobile home | 14 |
| Boat, RV, van, etc. | - |

Source: Census Bureau, American Community Survey 5-Year Estimates, 2021 (Table B25033)

Appendix E: Plumbing Fixture Units by House Size: Greater Portland Region, 2019

| Plumbing Fixtures | | | | House Size in Square Feet | | | | | | | | |
|-------------------|---------------------------------|---------------------|----------------|---------------------------|------------|------------|----------------|----------------|----------------|----------------|----------------|---------------|
| | | | | Less than 500 | 500 to 749 | 750 to 999 | 1,000 to 1,499 | 1,500 to 1,999 | 2,000 to 2,499 | 2,500 to 2,999 | 3,000 to 3,999 | 4,000 or more |
| Bathrooms | Bathroom Fixture Units | Other Fixture Units | Total Fixtures | | | | | | | | | |
| 1 | 7.50 | 9.50 | 17.00 | 26.10 | 69.30 | 110.70 | 71.50 | 11.20 | 5.40 | S | S | S |
| 1 1/2 | 11.00 | 9.50 | 20.50 | S | S | 10.40 | 36.60 | 21.00 | 8.70 | S | S | S |
| 2 | 15.00 | 9.50 | 24.50 | S | S | 25.10 | 113.60 | 90.60 | 39.60 | 12.90 | 5.50 | S |
| 2 1/2 | 18.50 | 9.50 | 28.00 | . | S | S | 25.80 | 55.90 | 57.70 | 32.20 | 24.50 | S |
| 3 | 22.50 | 9.50 | 32.00 | S | . | . | S | 11.90 | 25.30 | 15.90 | 26.00 | 14.90 |
| More than 3 | 26.00 | 9.50 | 35.50 | . | . | S | . | S | S | S | 4.40 | S |
| | Average Number of Fixture Units | | | 17.00 | 17.00 | 18.54 | 22.11 | 25.11 | 26.81 | 28.30 | 29.95 | 32.00 |
| | Number of Samples | | | 26.10 | 69.30 | 146.20 | 247.50 | 190.60 | 136.70 | 61.00 | 60.40 | 14.90 |

Overall Weighted Average Num. of Fix. Units **23.37**

S sample size in thousands.

Source: U.S. Census Bureau, American Housing Survey, Portland-Vancouver-Hillsboro, OR-WA MSA, 2019.

Summary of Regression Analysis

| Area in Square Feet | Area Squared | Average Number of Fixture Units | SUMMARY OUTPUT | |
|---------------------------|--------------|---------------------------------------|-----------------------|------------|
| 625 | 390,625 | 17.00 | | |
| 875 | 765,625 | 18.54 | Regression Statistics | |
| 1,250 | 1,562,500 | 22.11 | Multiple R | 0.99750899 |
| 1,750 | 3,062,500 | 25.11 | R Square | 0.99502418 |
| 2,250 | 5,062,500 | 26.81 | Adjusted R Square | 0.99253628 |
| 2,750 | 7,562,500 | 28.30 | Standard Error | 0.42543255 |
| 3,500 | 12,250,000 | 29.95 | Observations | 7 |

Frog Pond East and South

Exploring Variable Rate Development Fees

Wilsonville City Council
Work Session
May 15, 2023



Introductory Notes from Staff

- Current scope is to explore topic
- Relates to Council goal of affordable home ownership
- Work session aims to:
 - Update Council on project
 - Get guidance for any further exploration
- Example numbers and calculations are not verified
 - Some appear skewed, staff recommend further vetting

Different Development Fee Types

- **System Development Charges (SDCs)**
 - Specific to a type of infrastructure (streets, water, parks, etc.)
 - Build projects identified in an infrastructure master plan
 - Development's share of Citywide system impact
 - Funds used citywide, not just development area
 - Collected for almost all development
- **Supplemental "In-lieu of" Fees**
 - Paid to city in lieu of building infrastructure that is developer responsibility
 - Can cover multiple or a single infrastructure type
 - Exists only in specific cases and areas
- Most materials presented refer to "SDCs", but also applies to Supplemental Fees

1. Review current SDC methods
2. Explore new methods to vary SDCs
3. Summarize available information on different impacts of different housing types
4. Case studies of adopted variable SDCs.
5. Evaluate the advantages and disadvantages of variable SDCs.
6. Examples of how variable rates could be applied in Wilsonville



Current Wilsonville SDC Approach

Item B.

- Transportation, Wastewater, Stormwater and Parks
 - Fee per unit regardless of size
- Water
 - Fee per unit based on meter size (5/8" vs 3/4")



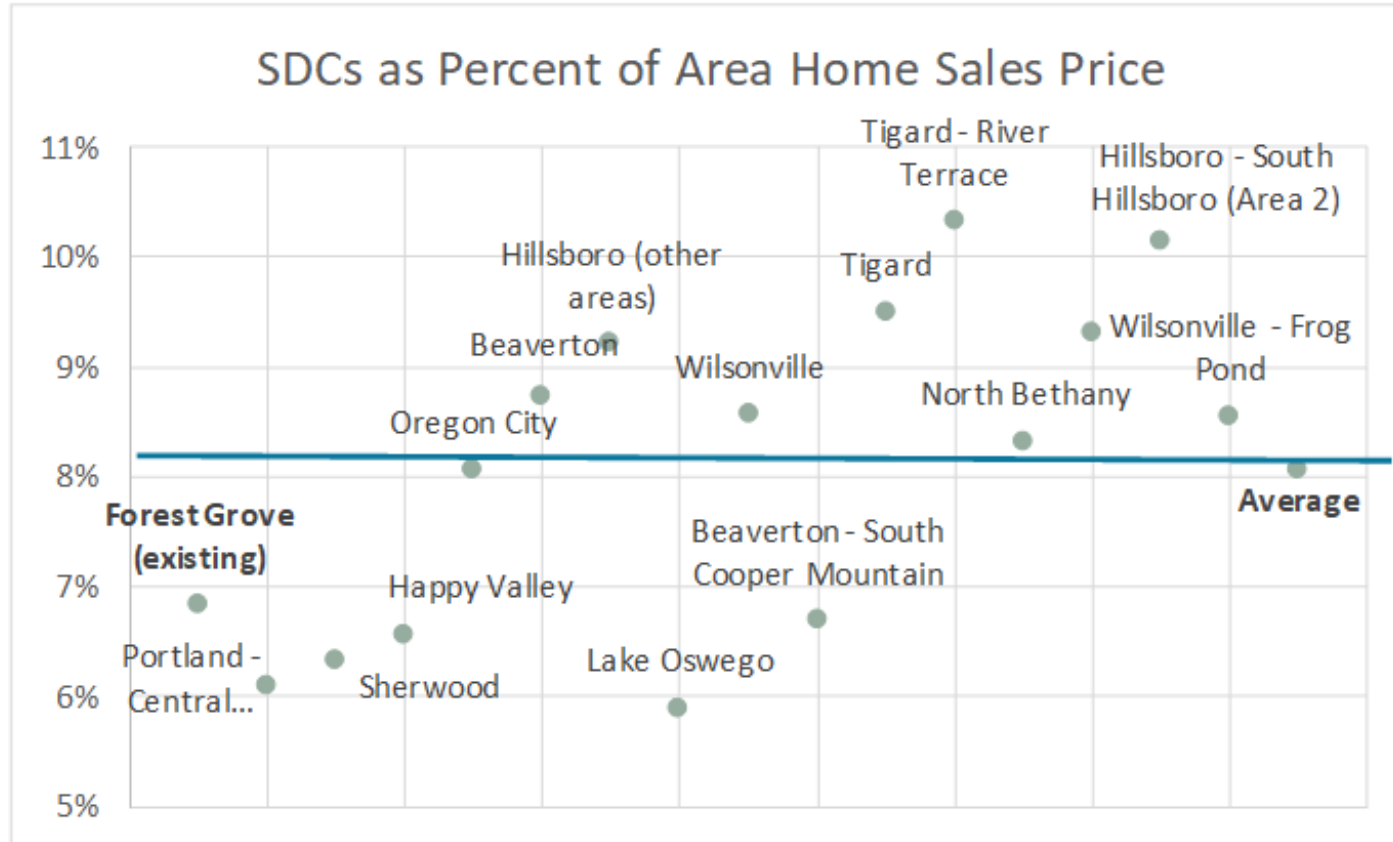
Case Study Cities that Scale SDCs by Home Size

Item B.

| Type of SDC | Methodology Applied | Examples (year adopted) |
|----------------|--|--|
| Transportation | Trip generation by home size | Newport (2017), North Plains (2021), Hayden, ID (2022) |
| Parks | Residents by home size | Newport (2017), Albany (2021), Portland (2008), North Plains (2021), Hayden, ID (2022) |
| Water | Meter size and estimated number of fixtures | Newport (2017), North Plains (2021) |
| Wastewater | Meter size and estimated number of fixtures | Newport (2017) |
| Stormwater | Categorization of average impervious surface | Newport (2017) |



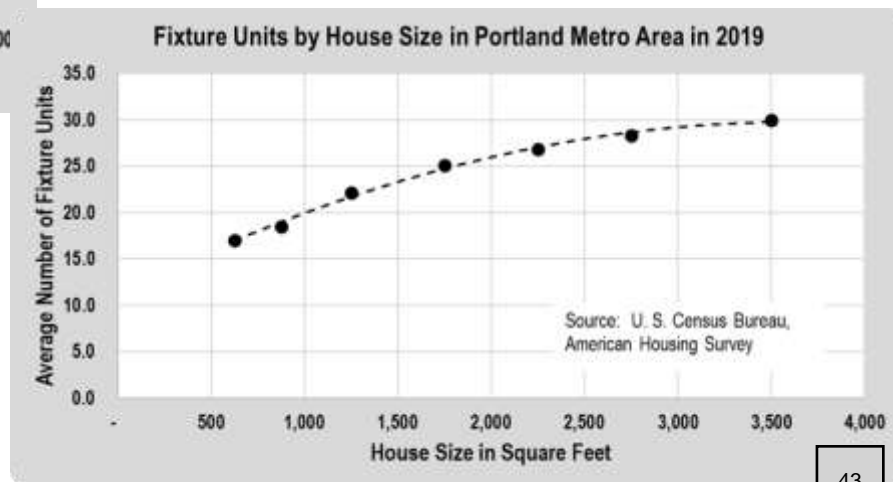
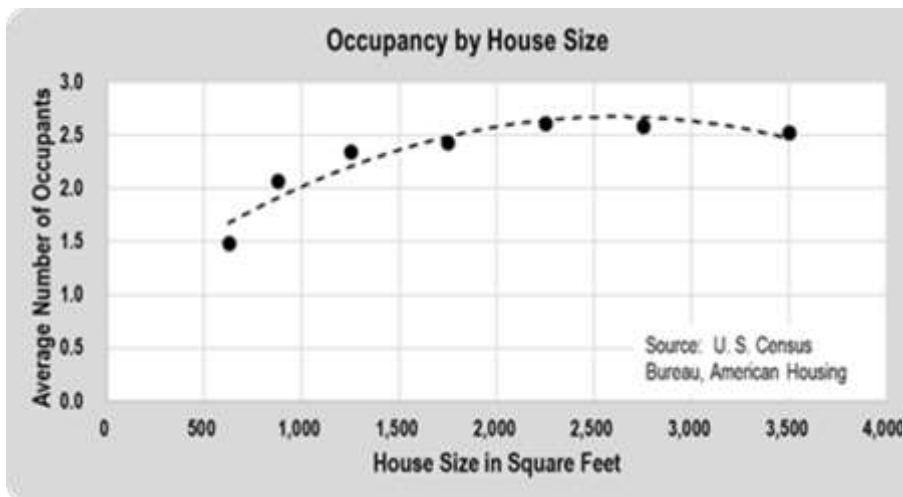
SDCs as a Percent of Home Prices





Scaling Fees by Home Size Discussion

Item B.





Preliminary Example of SDC Scaling

Item B.

- Transportation, Wastewater, and Parks
 - Use average home size and average household size to calculate average “per resident” impact/cost
 - Assume varying number of residents based on home size
 - Charge SDCs “per resident”
 - Generally less cost for smaller homes, more cost for larger homes



Preliminary Example of SDC Scaling

Item B.

- Water
 - Use average home size and average number of fixtures to calculate “per fixture” SDC charge for both meter sizes (5/8” and 3/4”)
 - Assume varying number of fixtures based on home size
 - Charge SDCs “per fixture”
 - Generally less cost for smaller homes, more cost for larger homes



Preliminary Example of SDC Scaling

Item B.

- Stormwater
 - Replace single impervious average for single-family homes with three to four average size categories or buckets
 - Charge SDCs by category based on percent of standard home size
 - Less cost for smaller homes, more cost for larger homes



Developer Input Key Points Regarding SDCs

Item B.

- Assurance of infrastructure capacity
- Want to build to market
- Total cost of site preparation drives decisions rather than a single component/fee
- SDCs overall cost of home construction varies (3%-7%) in most cities. Reducing SDCs through scaling or discounts (for affordable housing) could both reduce housing costs and increase developer profit.
- Lowering SDCs through scaling combined with other incentives (such as tax abatement or bonus density allowances) could tip the scale towards building more attainable housing but still depends on total cost.



Advantages of SDC Scaling

Item B.

- Increasing use in Oregon and nationally
- Most favorable by "small home" builders
- Potential to increase equity in allocating system costs
- Could result in up to 3.5% reduction in overall housing development costs (likely lower)
- May foster a wider variety of attainable housing types



Disadvantages of SDC Scaling

Item B.

- Requires additional statistically valid assumptions
- More complex fee calculations
- Increased cost for staff time to administer
- Could result in an increase in SDC costs for some needed housing
- No assurance that any cost savings for other housing types would be passed on to owners or renters
- Risk of under-collection of SDC revenue resulting in delayed or cancelled city infrastructure projects including those needed to serve the development

Key Questions from Staff – Next Steps

- Does a modified fee structure incentivize providing lower cost home-ownership opportunities?
- What extent would cost savings be passed through to buyers/renters?
- How would adequate fee collection be ensured with extensive housing type flexibility?
- What is the potential for SDC under collection?
 - need to test scenarios and run sensitivity analysis
- Can a modified fee structure be simple enough to:
 - explain to development community
 - administer with minimal additional staff time?

Discussion Questions for Council

Item B.

- What questions do Councilors have about variable/scalable development fees?
- What feedback/direction do Councilors have on the exploration of variable/scalable development fees?
- What additional information would be helpful for Council to consider this approach to fees?

Resolution No. 3047

Adopting FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy

Wilsonville City Council Meeting
May 15, 2023

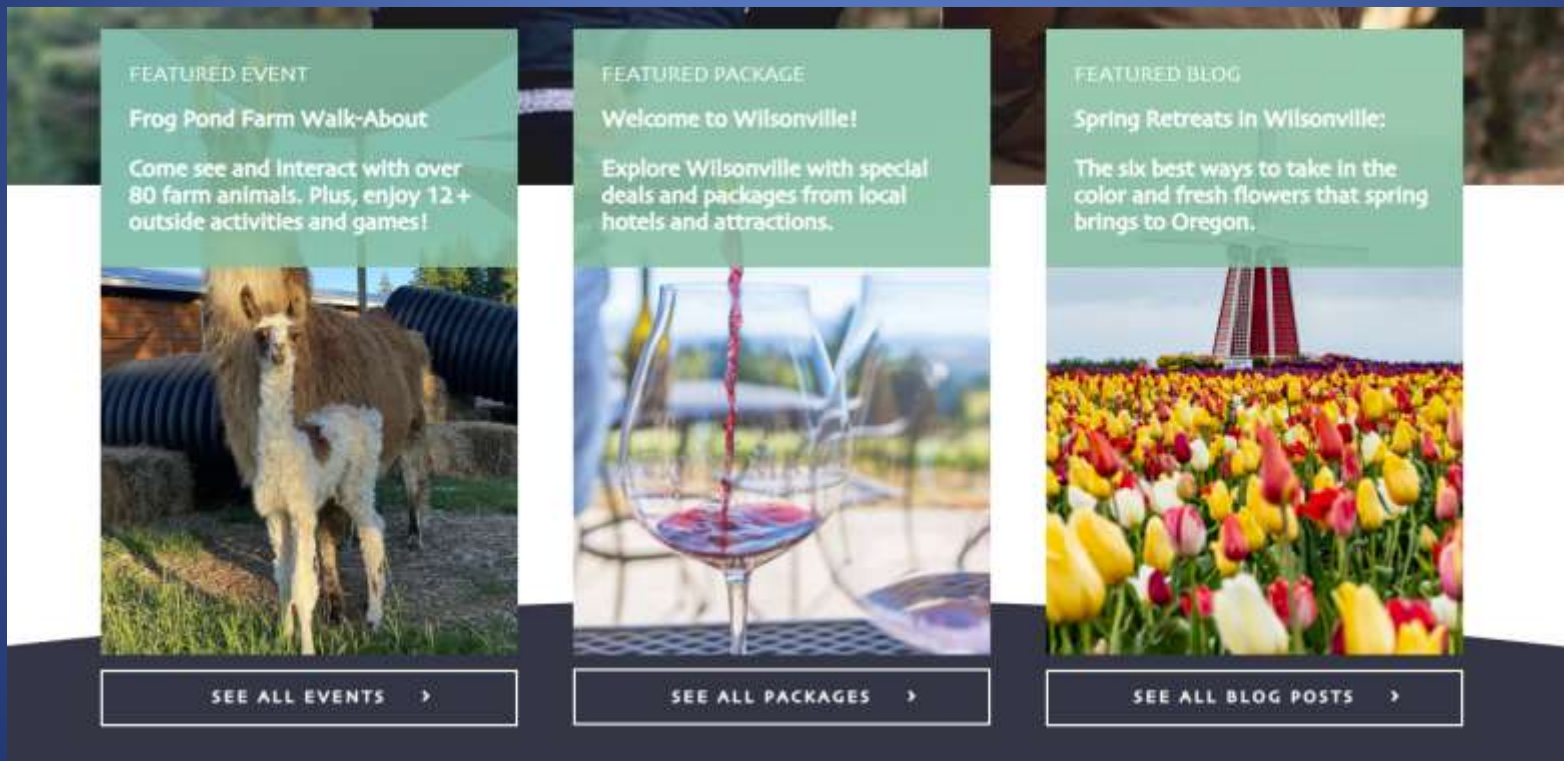


Accomplishments of the Tourism Promotion Committee on Implementing Past Year's FY 2022/23 1/5-Year Action/Implementation Plan

- 1. Excellent social media and marketing**
- 2. Visual Identity Updated**

'Explore Wilsonville' Tourism Promotion Website – *ExploreWilsonville.com*

Item C.




'Explore Wilsonville' Tourism Promotion

Item C.

JANUARY-MARCH

Explore Wilsonville
Sponsored · 10

Spend the winter wine-tasting. Wilsonville is conveniently located near the Willamette Valley and Cascade foothills. Take an engaging and spirited wine on wheels.




100% people like this

Explore Wilsonville

Like Page

Explore Wilsonville
Sponsored · 10

From Pioneers to Pioneers, Discover Wilsonville's history and culture. Follow along for tips about the Tualatin Hills, Age Trail to the Old Aurora Cemetery and more. Discover history in a new way. #WilsonvilleHistory



100% people like this


Explore Wilsonville

Like Page

APRIL-JUNE

Explore Wilsonville
Sponsored · 10

Air up your tires, pack a helmet and BYOB (Bring your own bike) to Wilsonville, Oregon. Whether you're an avid cyclist or casual cruiser, start planning your scenic bike trip!



BYOB
(Bring Your Own Bike)

Scenic Bikeways
Near Portland... Learn more


Luxury Cruises
Near Portland... Learn more

Taste the Willamette
Learn more

Explore blends

Explore Wilsonville
Sponsored · 10

Getaway to Oregon—the Wilsonville way. Follow along for tips on exploring wine country, farmlandia, tax-free shopping and more.




Explore Wilsonville

JULY-SEPTEMBER

Explore Wilsonville
Sponsored · 10

Getaway to Oregon—the Wilsonville way. Follow along for tips on exploring wine country, farmlandia, tax-free shopping and more.




Explore Wilsonville
Make Wilsonville, Oregon your base... Like

OCTOBER-DECEMBER

Explore Wilsonville
Sponsored · 10

What's not to love about fall in Wilsonville? Throw on that chunky sweater, kick on your boots and grab your favorite... See more






FALL IN LOVE
WITH WILSONVILLE

Celebrate autumn Learn more

Farm to dining

'Explore Wilsonville' Tourism Promotion Social Media

Item C.

| JANUARY-MARCH | | APRIL-JUNE | | JULY-SEPTEMBER | | OCTOBER-DECEMBER | |
|---|---|---|--|---|--|---|--|
| PINTEREST  <i>Blog posts and content partners</i> | | PINTEREST  <i>Itineraries</i> | | PINTEREST  <i>Wine Country</i> | | PINTEREST  <i>Winter in Wilsonville</i> | |
| FACEBOOK  <i>Valentine's Day</i> | INSTAGRAM  <i>Tulip festival</i> | FACEBOOK  <i>Oregon Wine Month</i> | INSTAGRAM  <i>Lavender festival</i> | FACEBOOK  <i>Lee Farms</i> | INSTAGRAM  <i>Dinner in the Field</i> | FACEBOOK  <i>Holiday shopping</i> | INSTAGRAM  <i>Holiday shopping</i> |

'Explore Wilsonville' Tourism Promotion

Item C.



'Explore Wilsonville' Tourism Promotion

Item C.

What's About

DAY TRIPPER Wilsonville

By Michelle Fox

<http://ahortur.at/IMNOV>



Wilsonville, Oregon, is a charming small town in the heart of the Willamette Valley. It's a place where you can enjoy the best of both worlds: the beauty of nature and the comforts of a small town. Whether you're looking for a quiet retreat or a fun day out, Wilsonville has something for everyone.

Places to Stay

The Dreamliner's Inn
<http://www.dreamlinersinn.com>
 This is a charming inn with a cozy atmosphere. It's a great place to stay if you're looking for a quiet retreat. The inn has a beautiful garden and a comfortable room.

Things to See & Do

Charming State Heritage Area
<http://www.oregonstateheritage.com>
 This is a beautiful area with a rich history. It's a great place to see and do. The area has a beautiful garden and a comfortable room.

What's About

Wilsonville Murkyville Store
<http://www.murkyville.com>
 This is a store that sells a variety of items. It's a great place to go if you're looking for a unique gift. The store has a beautiful garden and a comfortable room.

Ice Age Trench Trail
<http://www.iceagetrenchtrail.com>
 This is a trail that is perfect for a family walk. It's a great place to go if you're looking for a fun day out. The trail has a beautiful garden and a comfortable room.

Butchkin's and Portland Family Fun Center
<http://www.butchkins.com>
 This is a fun center that has a variety of activities. It's a great place to go if you're looking for a fun day out. The center has a beautiful garden and a comfortable room.

Sungate War Memorial
<http://www.sungatewar.com>
 This is a memorial that is perfect for a family walk. It's a great place to go if you're looking for a fun day out. The memorial has a beautiful garden and a comfortable room.

What's About

Places to Shop

Crofton & Davis Farm Store
<http://www.croftonanddavis.com>
 This is a store that sells a variety of items. It's a great place to go if you're looking for a unique gift. The store has a beautiful garden and a comfortable room.

Corner Coffee Shoppe
<http://www.cornercoffee.com>
 This is a coffee shop that has a variety of items. It's a great place to go if you're looking for a unique gift. The shop has a beautiful garden and a comfortable room.

Clutter Cabana
<http://www.cluttercabana.com>
 This is a store that sells a variety of items. It's a great place to go if you're looking for a unique gift. The store has a beautiful garden and a comfortable room.

San Sore
<http://www.sansore.com>
 This is a store that sells a variety of items. It's a great place to go if you're looking for a unique gift. The store has a beautiful garden and a comfortable room.

Art's Garden & Home
<http://www.artsandhome.com>
 This is a store that sells a variety of items. It's a great place to go if you're looking for a unique gift. The store has a beautiful garden and a comfortable room.

What's About

Places to Eat

Der Eiseler
<http://www.deriseler.com>
 This is a restaurant that has a variety of items. It's a great place to go if you're looking for a unique gift. The restaurant has a beautiful garden and a comfortable room.

Wendy's Corner Station & Cafe
<http://www.wendyscorner.com>
 This is a restaurant that has a variety of items. It's a great place to go if you're looking for a unique gift. The restaurant has a beautiful garden and a comfortable room.

Vanguard Brewing
<http://www.vanguardbrewing.com>
 This is a brewery that has a variety of items. It's a great place to go if you're looking for a unique gift. The brewery has a beautiful garden and a comfortable room.

Millennium Wilsonville City Church & Pub
<http://www.millenniumchurch.com>
 This is a church and pub that has a variety of items. It's a great place to go if you're looking for a unique gift. The church and pub has a beautiful garden and a comfortable room.

Kate's Ramen
<http://www.katesramen.com>
 This is a ramen restaurant that has a variety of items. It's a great place to go if you're looking for a unique gift. The restaurant has a beautiful garden and a comfortable room.

'Explore Wilsonville' Tourism Promotion

Public Relations

Item C.



'Explore Wilsonville' Tourism Promotion

Content Partners

Item C.



Kirstie Chan – April 1 - 3

Rachel Teodoro – June 24 - 26



Kara Patajo

'Explore Wilsonville' Tourism Promotion

Item C.

New Visual Identity



Tourism Promotion Committee on Upcoming FY 23/24 1/5-Year Action/Implementation Plan

Tourism Promotion Focus

1. Continue excellent social media and marketing
2. Roll out new visual identity
3. Start Tourism Development Strategy Update

Resolution No. 3047

Adopting FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy





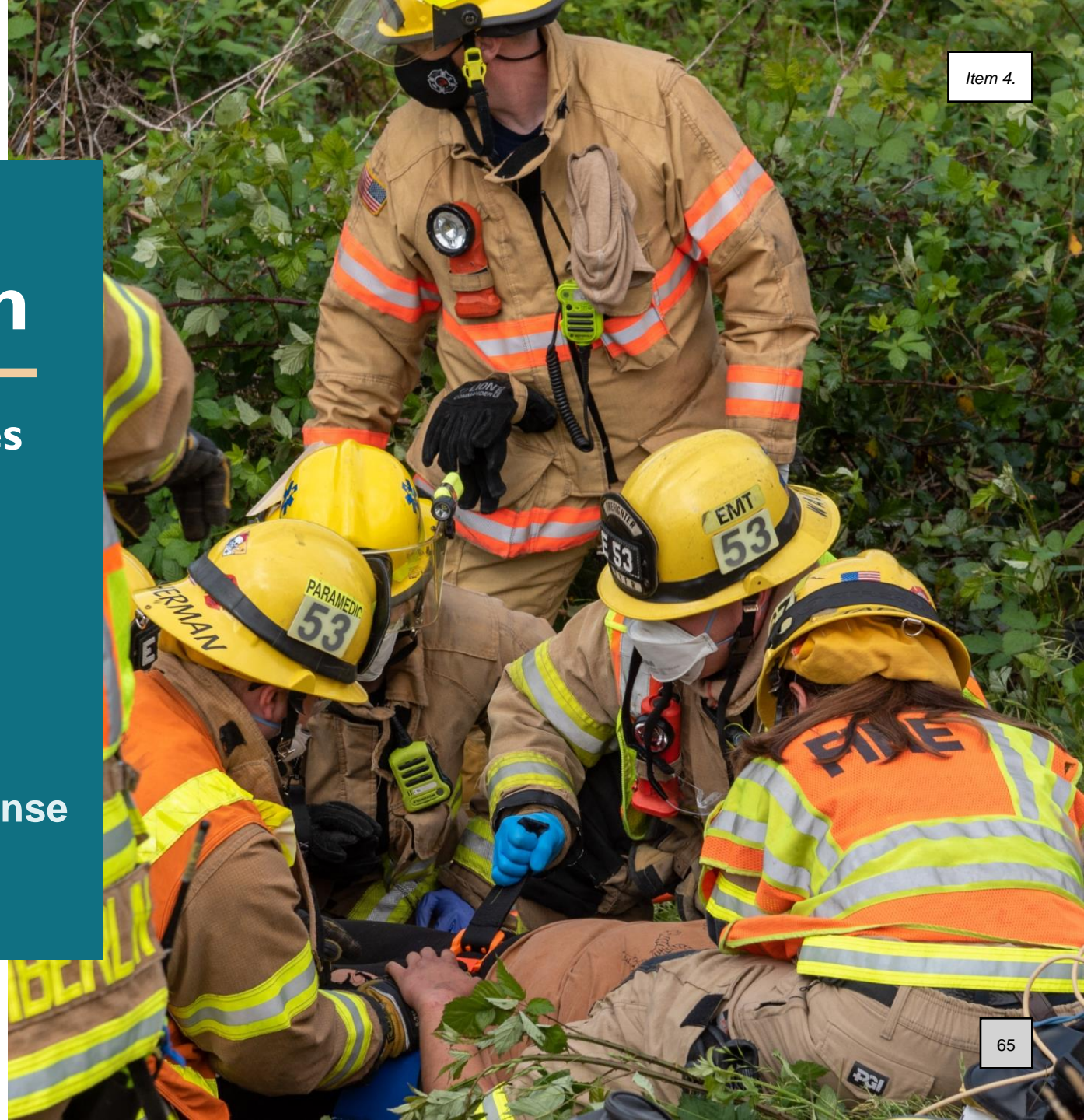
STATE OF THE DISTRICT

2023

TVF&R's Mission

Creating Safer Communities

- ✓ Prevention
- ✓ Preparedness
- ✓ Effective Emergency Response



Recruitment Academies Promotions



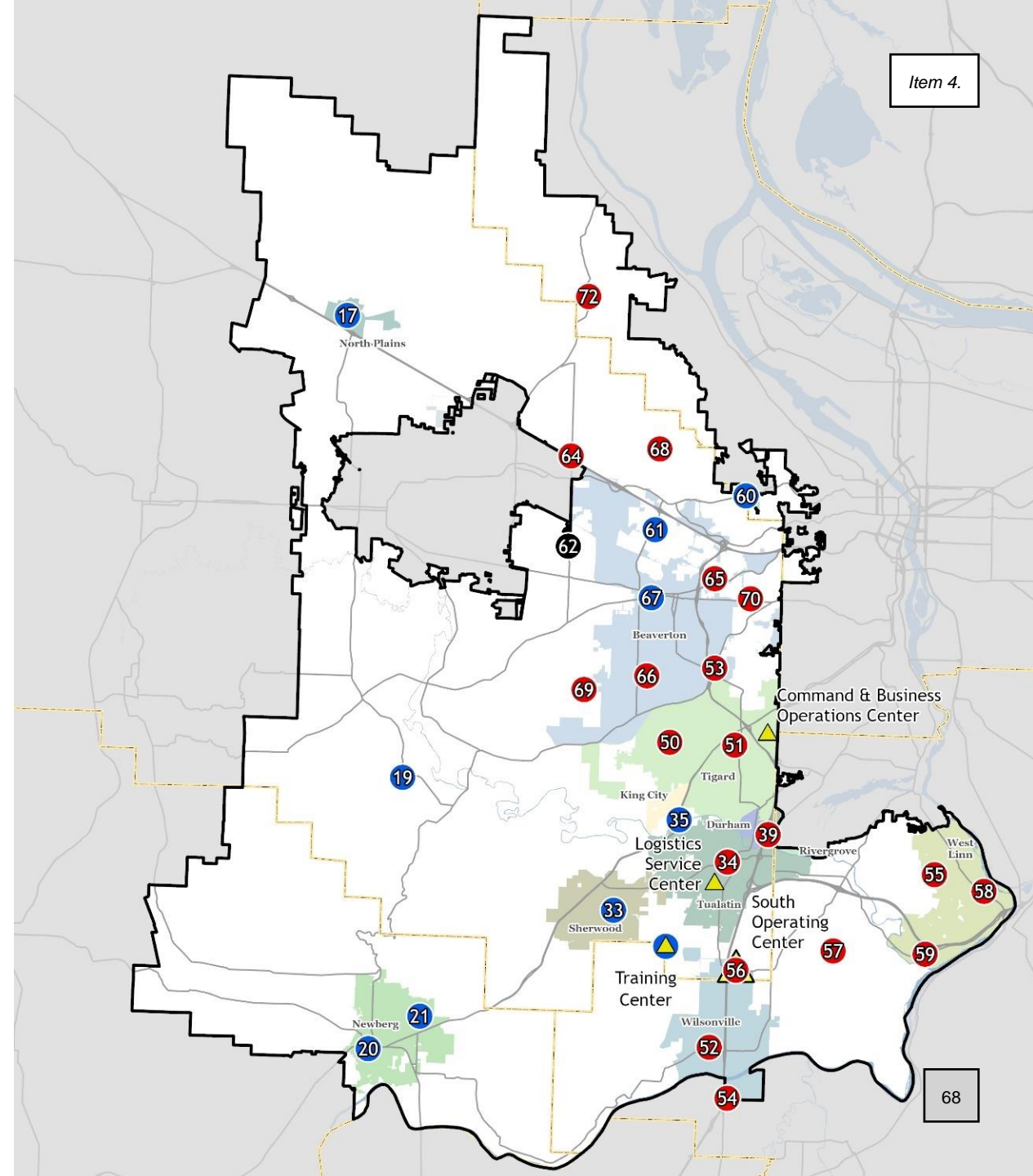
**Oh hey, you're
already here.**

***simulated emergency response**

Bond Update

- 1 Relocate an Existing Fire Station
- 2 Fund Fire Station Improvements
- 3 Upgrade Training Center
- 4 Replace Response Vehicles
- 5 Purchase Land for Future Stations

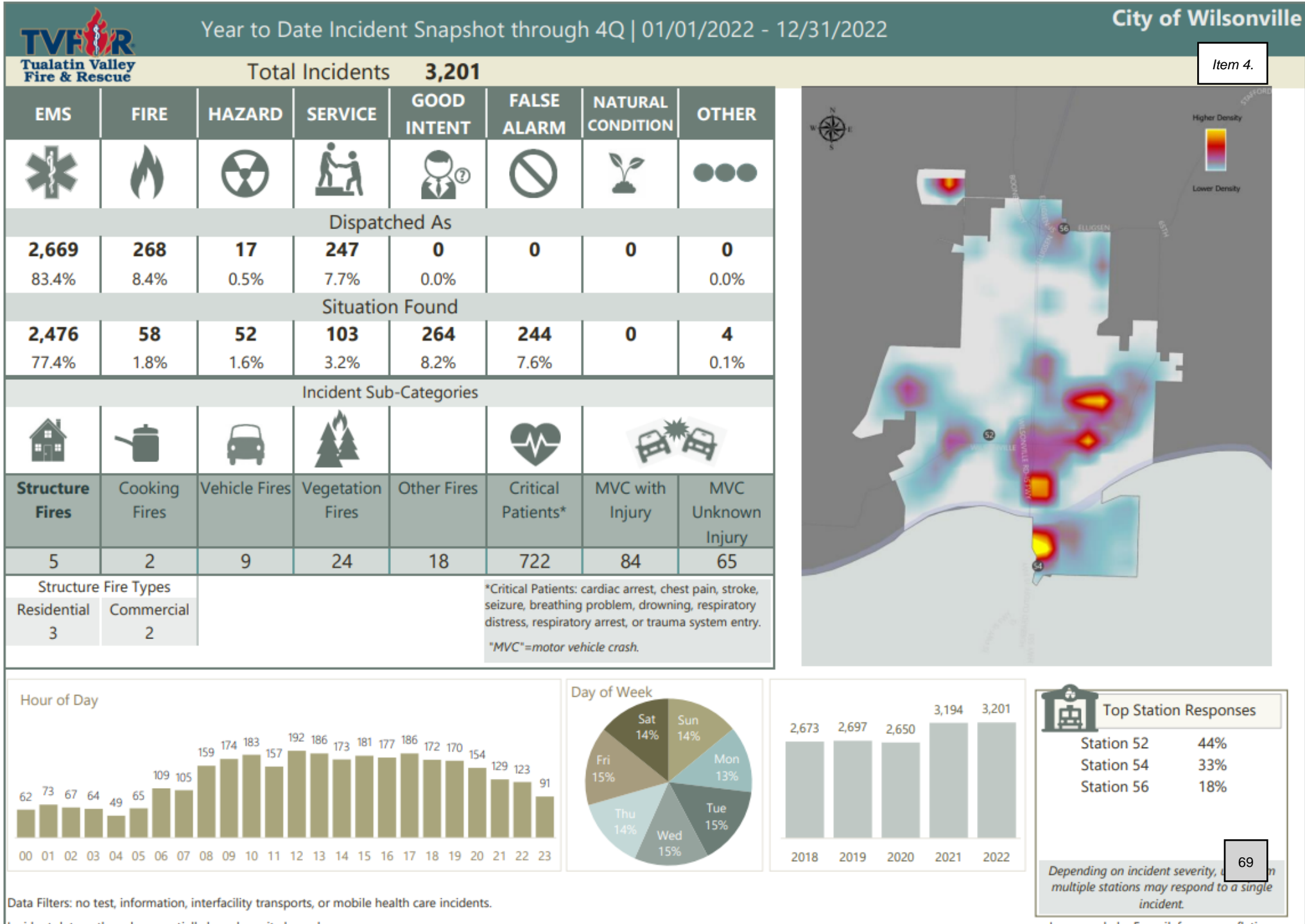
- TVF&R Fire Station
- TVF&R Bond Project Fire Station / Location
- TVF&R Fire Station Relocation
- ▲ Command, Logistics, Training



Wilsonville

Total
Incidents:
3,201

2022





Item 4.



**Total Training
Hours:**
101,995

**Non-EMS/Fire
Training
Hours:**
80,135

**EMS Training
Hours:**
21,860

2022



Item 4.



71



Risk Reduction & Education

2022

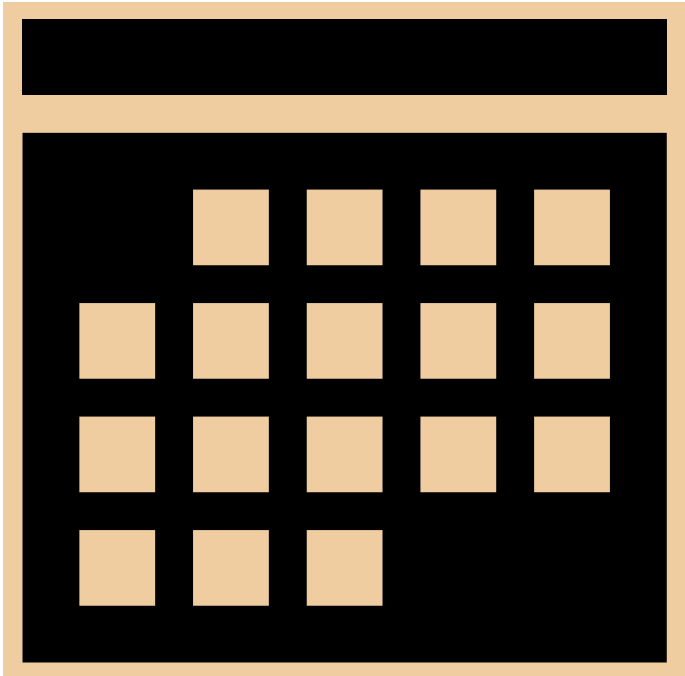
588 events

28,343 contacts





May 2024 Levy Replacement



TVF&R Levy Expires
June 2025



Research & Planning
In Progress



Questions?

Wilsonville High School

Student Highlights

2022-23 School Year



**CITY OF WILSONVILLE
PROCLAMATION
MENTAL HEALTH AWARENESS MONTH**

WHEREAS, mental health is part of everyone's overall health and wellbeing, and mental illnesses are prevalent in our county, state, and nation, with one in five adults experiencing a mental health issue every year; and

WHEREAS, stigma and the resulting discrimination is a primary obstacle to early identification and effective treatment of individuals with mental illness and their ability to recover to lead full, productive lives; and

WHEREAS, approximately half of chronic mental illness begins by the age of 14 and suicide is the second leading cause of death of individuals ages 10 to 14 and 25-34; and

WHEREAS, long delays averaging 11 years occur between the time symptoms first appear and when individuals get help, and it is therefore essential to cure the stigma and discrimination that is the primary cause for those delays; and

WHEREAS, every citizen and community can make a difference in helping cure the stigma and discrimination that for too long has surrounded mental illness and discouraged people from getting help; and

WHEREAS, public education and civic engagement improves the lives of individuals and families affected by mental illness.

NOW, THEREFORE, I Julie Fitzgerald, Mayor of the City of Wilsonville, a municipal corporation in the County of Clackamas and the County of Washington, in the State of Oregon, do hereby proclaim May 2023 as **Mental Health Awareness Month** in the City of Wilsonville to increase public understanding of the importance of mental health, to promote identification and timely treatment of mental illnesses, and to cure the resulting stigma and discrimination.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Wilsonville, I have hereunto at my hand on this 15th day of May 2023.

Julie Fitzgerald

Mayor



CITY OF _____

PROCLAMATION

WHEREAS, mental health is part of everyone's overall health and wellbeing, and mental illnesses are prevalent in our county, state, and nation, with one in five adults experiencing a mental health issue every year; and

WHEREAS, stigma and the resulting discrimination is a primary obstacle to early identification and effective treatment of individuals with mental illness and their ability to recover to lead full, productive lives; and

WHEREAS, approximately half of chronic mental illness begins by the age of 14 and suicide is the second leading cause of death of individuals ages 10 to 14 and 25-34; and

WHEREAS, long delays averaging 11 years occur between the time symptoms first appear and when individuals get help, and it is therefore essential to cure the stigma and discrimination that is the primary cause for those delays; and

WHEREAS, every citizen and community can make a difference in helping cure the stigma and discrimination that for too long has surrounded mental illness and discouraged people from getting help; and

WHEREAS, public education and civic engagement improves the lives of individuals and families affected by mental illness.

NOW, THEREFORE, I, _____, a municipal corporation in the County of Clackamas, in the State of Oregon, do hereby proclaim May 2023 as **Mental Health Awareness Month** in _____ to increase public understanding of the importance of mental health, to promote identification and timely treatment of mental illnesses, and to cure the resulting stigma and discrimination.

IN WITNESS, WHEREOF, and with the consent of the City Council of the City of Milwaukie, I have hereunto at my hand on this _____ day of _____ 2023.

Mayor

ATTEST:

City Recorder



**May 2023 is
Mental Health
Awareness
Month**



Every year:

1 in 5 adults experience a mental health disorder

1 in 15 experience both a substance use and

mental health disorder. More than 12 million had serious thoughts of

suicide. One suicide death occurs every 11.5 minutes

Here in Clackamas

County:

The national suicide rate is 13.8 deaths per 100,000 Population per year

Oregon ranks 38th in the country at 18.3 deaths per 100,000

Population Clackamas County suicide rate is 18.8 deaths per 100,000

Population 12th leading cause of death

overall 2nd leading cause of death in 15-24 year olds



Peer support changes lives.

NAMI Clackamas is a grassroots, non-profit organization dedicated to improving the quality of life for everyone impacted by mental health through **education, support, and advocacy**, offered free of charge, and delivered for and by people with lived experience **since 1978.**



NAMI CLACKAMAS: FREE CLASSES

Item 6.

8-week **Peer-to-Peer** classes for adults with mental illness looking to better understand their condition and journey toward recovery

8-week **Family-to-Family** classes for family, significant others, and friends of people with mental illness



6-week **NAMI Basics** class for parents, guardians, and others who care for youth

NAMI CLACKAMAS: FREE PRESENTATIONS

In Our Own Voice presentations to educate our community about living with mental illness and share that recovery is possible

Mental Health 101 presentations to civic clubs, faith communities, neighborhoods, and other groups

Lunch & Learn mental health presentations to inform businesses and their employees

Ending the Silence presentations to middle high school students to dispel stigmas, teach about signs, symptoms, and action steps

NAMI CLACKAMAS: FREE SUPPORT GROUPS

Three weekly **Connection Peer Support Groups** for individuals w/ mental illness

Three monthly **Family Support Groups** for those who care about someone with mental illness



One weekly **Open Minds Art Studio**, a casual arts and crafts group for anyone impacted by mental illness

One biweekly **Suicide Bereavement Group** for survivors left behind after a suicide

NAMI CLACKAMAS: FREE ONE-ON-ONE PEER HELP

Item 6.

Peer Resources staff provide one-on-one support (in person, Zoom) to help those impacted by mental illness connect to needed resources such as housing, health coverage, providers, transportation, and community resources.

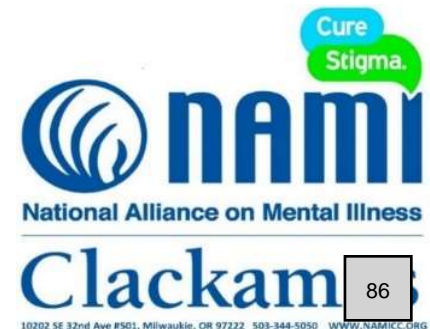


**“Good things happen when people in crisis
meet people who have been there.”**



NAMI Clackamas
10202 SE 32nd Ave., Suite 501
Milwaukie, OR 97222
(503) 344-5050

www.namicc.org
info@namicc.org





FIND HELP

Access free resources for you or someone you care about.
www.namicc.org/resources

FIND HOPE

If you or someone you know is struggling, you are not alone. There are many supports, services and treatment options that may help.
www.namicc.org/programs

GET INVOLVED

NAMI offers the understanding that only those with lived experience can provide. Join hundreds of volunteers who make a difference in our community
www.namicc.org/volunteer

TAKE ACTION

Your donation supports individuals and families in our community who live with mental health concerns. Donate today.
www.namicc.org/donate

JOIN THE MOVEMENT

Become an official NAMI member today!
www.nami.org/get-involved/join



“NAMI managed to shatter that glass bubble of stigma and denial we had been living in. I was able to see that the things we were experiencing were not unique. There were reams and reams of information available to help educate me about what my daughter was going through and how other families were coping.

ELAINE T.
MOTHER & FAMILY-TO-FAMILY GRADUATE

NAMI CLACKAMAS

is a grassroots organization dedicated to improving the quality of life for everyone impacted by mental health issues through support, education, and advocacy.

OUR VISION

Hope, health, acceptance and community for everyone impacted by mental illness.

FREE SUPPORT GROUPS ONLINE

Groups are offered on a drop-in basis, facilitated by individuals who have lived experience.

NAMI CONNECTION PEER SUPPORT

A weekly support group for people living with a mental health condition.

FAMILY SUPPORT GROUP

A monthly support group for family members, partners and friends of individuals living with a mental illness.

For more online support groups, visit: www.namicc.org/support-groups

FREE EDUCATION CLASSES ONLINE

All classes are taught by trained volunteers who have lived experience. Pre-registration required.

NAMI BASICS

A 6-session class for parents and other family caregivers of children and adolescents who have either been diagnosed with a mental health condition or who are experiencing symptoms but have not yet been diagnosed.

FAMILY-TO-FAMILY (ALSO AVAILABLE IN SPANISH)

An 8-session class for family members, partners and friends of individuals living with a mental illness.

PEER-TO-PEER

An 8-session recovery education course open to anyone experiencing a mental health challenge.

Register for classes at: www.tinyurl.com/namiclasses

FREE PRESENTATIONS ONLINE

Contact NAMI Clackamas to schedule a presentation for your business, school, class, church, or other organization.

ENDING THE SILENCE

3 versions for **students, families, & school staff**. An engaging presentation that helps audience members learn about the warning signs of mental health conditions & what steps to take if you or a loved one are showing symptoms of a mental illness.

COMPARTIENDO ESPERANZA

A bilingual presentation for Latinx communities designed to promote mental health awareness, explore signs & symptoms of mental health conditions, and highlight how & where to find help.

IN OUR OWN VOICE

A presentation for the general public to promote awareness of mental illness and the possibility of recovery, featuring speakers with lived experience.

CUSTOM PRESENTATIONS

Need something specific for your church, service organization, conference or workplace? Contact us for a speaker to meet your needs!

FREE RESOURCE SERVICES

PEER RESOURCE CONNECTION (PERC)

1-to-1 resource assistance for those living with a mental illness, and their loved ones. PeRC can help to navigate complex systems of service, apply for public benefits, and accessing community resources.

NAMI CLACKAMAS NEWSLETTER

Ordered free upon request, electronic or paper, to keep you updated on the latest happenings.

LENDING LIBRARY

Located at the NAMI Clackamas office in Milwaukie. Access to a variety of mental health resource books, tools, and information.

ADVOCACY

Join NAMI Clackamas as we continue to be an agent of change in our community through involvement in county, state and national public policy. Work with us to educate the community and eliminate the stigma and discrimination faced daily by ourselves and our loved ones.

CITY COUNCIL ROLLING SCHEDULE**Board and Commission Meetings****Items known as of 05/02/23**

Item 7.

May

| | | | | |
|------|-----------|---------|---|------------------|
| 5/17 | Wednesday | 6:00 pm | Budget Committee | Council Chambers |
| 5/18 | Thursday | 6:00 pm | Budget Committee & URA Budget Committee | Council Chambers |
| 5/22 | Monday | 6:30 pm | Wilsonville-Metro Community Enhancement Committee | Willamette 1 & 2 |
| 5/22 | Monday | 6:30 pm | DRB Panel B - CANCELLED | Council Chambers |
| 5/23 | Tuesday | 6:00 pm | Budget Committee | Council Chambers |
| 5/24 | Wednesday | 6:30 pm | Library Board | Library |
| 5/30 | Tuesday | 6:30 pm | Wilsonville – Metro Community Enhancement Committee | Council Chambers |

June

| | | | | |
|------|-----------|---------|---------------------------------------|------------------|
| 6/5 | Monday | 7:00 pm | City Council Meeting | Council Chambers |
| 6/12 | Monday | 6:30 pm | DRB Panel A | Council Chambers |
| 6/13 | Tuesday | 6:00 pm | DEI & DEI Lecture Series Subcommittee | Council Chambers |
| 6/14 | Wednesday | 6:00 pm | Planning Commission | Council Chambers |
| 6/19 | Monday | 7:00 pm | City Council & URA Council | Council Chambers |
| 6/21 | Wednesday | 5:00 pm | Arts, Culture & Heritage Comm. | Council Chambers |
| 6/26 | Monday | 6:30 pm | DRB Panel B | Council Chambers |
| 6/28 | Wednesday | 6:30 pm | Library Board | Library |

Community Events:**May - All Month:**

Asian American and Pacific Islander Heritage Month

Jewish American Heritage Month

5/3 Walk+Roll May Challenge (all day)

Healthy Bones and Balance, 8:30 am, Wilsonville Community Center

Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center

Digital Photography Club, 10:00 am, Wilsonville Community Center

Family Storytime, 10:30 am, Wilsonville Library

PROFILES, 11:00 am, (online)

Sit and Be Fit, 11:00 am, Wilsonville Community Center

Walk at Lunch, noon, Academy Mortgage

Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
 Bingo, 1:00 pm, Wilsonville Community Center
 STEAM Stuff, 1:00 pm, Wilsonville Library
 Teen Drop-In Activities, 3:00 pm, Wilsonville Library
 Strong Women/Archetypes Writing, 6:00 pm, Wilsonville Library

- 5/4 Family Storytime, 10:30 am, Wilsonville Library
 Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
 DEI Committee Presents: The Mainstreaming of Antisemitism in America, 6:30 pm,
 Charbonneau Country Club – Lewis and Clark Room
- 5/5 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center
 Play Group, 10:00 am, Wilsonville Library
 Sit and Be Fit, 11:00 am, Wilsonville Community Center
 Bridge Group, 11:30 am, Wilsonville Community Center
 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center
 First Friday Films, 3:00 pm, Wilsonville Library
- 5/6 WERK Day, 9:00 am, Community Center (complimentary breakfast 8:00-9:00 am)
 Bulky Waste Day, 9:00 am-1:00 pm, see Wilsonville Website for details
 Soccer Shots, 9:00 am, Memorial Park
 Free Goat Petting, 10:00 am, Memorial Park Maintenance Barn
- 5/8 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 Weight Loss Support Group, 12:30 pm, Wilsonville Community Center
 Bridge Group, 1:00 pm, Wilsonville Community Center
- 5/9 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
 Quilters, 9:00 am, Tauchman House
 ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
 Toddler & Baby Time, 10:30 am, Wilsonville Library
 English Class, 10:30 am, Wilsonville Library
 Stand, Sit and Be Fit, 11:00 am, Wilsonville Community Center
 Toddler & Baby Time, 11:15 am, Library – Oak Room
 Lunch at the Community Center, 12:00 pm, Wilsonville Community Center
 ODHS Drop-In Assistance, 1:00 pm, Wilsonville Library
- 5/10 Digital Photography Club, 10:00 am, Wilsonville Community Center
 Family Storytime, 10:30 am, Wilsonville Library
 Sit and Be Fit, 11:00 am, Wilsonville Community Center
 Walk at Lunch, noon, Corner Coffee Shoppe
 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
 Teen Drop-In Activities, 3:00 pm, Wilsonville Library
 Strong Women/Archetypes Writing Class, 6:00 pm, Library

- 5/11 Family Storytime, 10:30 am, Wilsonville Library
Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
- 5/12 Play Group, 10:00 am, Wilsonville Library
Sit and Be Fit, 11:00 am, Wilsonville Community Center
Bridge Group, 11:30 am, Wilsonville Community Center
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center
- 5/13 Soccer Shots, 9:00 am, Memorial Park
Book Notes Concert, 2:00 pm, Wilsonville Library
- 5/15 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Weight Loss Support Group, 12:30 pm, Wilsonville Community Center
Bridge Group, 1:00 pm, Wilsonville Community Center
Genealogy Club, 1:00 pm, Wilsonville Library
- 5/16 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
Quilters, 9:00 am, Tauchman House
ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
Toddler & Baby Time, 10:30 am, Wilsonville Library
English Class, 10:30 am, Wilsonville Library
Stand, Sit and Be Fit, 11:00 am, Wilsonville Community Center
Toddler & Baby Time, 11:15 am, Wilsonville Library
Lunch at the Community Center, 12:00 pm, Wilsonville Community Center
ODHS Drop-In Assistance, 1:00 pm, Wilsonville Library
Bike Clinic/Learn-to-Ride, 2:30 pm, Lowrie Primary School, bus loop area
- 5/17 Digital Photography Club, 10:00 am, Wilsonville Community Center
Family Storytime, 10:30 am, Wilsonville Library
Sit and Be Fit, 11:00 am, Wilsonville Community Center
Walk at Lunch, noon, Nichols Family Agency
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
Bingo, 1:00 pm, Wilsonville Community Center
STEAM Stuff, 1:00 pm, Wilsonville Library
- 5/18 Family Storytime, 10:30 am, Wilsonville Library
Walking Book Club, 1:00 pm, Wilsonville Library
Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
Bike Clinic/Learn-to-Ride, 2:30 pm, Lowrie Primary, bus loop area
- 5/19 Sit and Be Fit, 11:00 am, Wilsonville Community Center
Bridge Group, 11:30 am, Community Center
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center
Bike Clinic/Learn-to-Ride, 2:30 pm, Lowrie Primary School, bus loop area

- 5/20 Soccer Shots, 9:00 am, Memorial Park
Charbonneau Coffee with Rep. Neron, 10:00 am – 11:00 am, Charbonneau Activity Center
Space Talks, 11:00 am, Library – Oak Room
- 5/22 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Weight Loss Support Group, 12:30 pm, Wilsonville Community Center
Bridge Group, 1:00 pm, Wilsonville Community Center
- 5/23 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
Quilters, 9:00 am, Tauchman House
ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
English Class, 10:30 am, Wilsonville Library
Stand, Sit and Be Fit, 11:00 am, Wilsonville Community Center
Lunch at the Community Center, 12:00 pm, Wilsonville Community Center
ODHS Drop-In Assistance, 1:00 pm, Wilsonville Library
Bike Clinic/Learn-to-Ride, 2:30 pm, Lowrie Primary School, bus loop area
- 5/24 Digital Photography Club, 10:00 am, Wilsonville Community Center
Sit and Be Fit, 11:00 am, Wilsonville Community Center
Walk at Lunch, noon, Josh Goldston of Edward Jones
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
- 5/25 Ladies Afternoon Out, Wilsonville Community Center
Bike Clinic/Learn-to-Ride, 2:30 pm, Lowrie Primary School, bus loop area
- 5/26 Sit and Be Fit, 11:00 am, Wilsonville Community Center
Bridge Group, 11:30 am, Community Center
Lunch at the Community Center, 12:00 noon, Community Center
Mexican Train Dominoes, 1:00 pm, Community Center
Bike Clinic/Learn-to-Ride, 2:30 pm, Lowrie Primary School, bus loop area
- 5/29 Memorial Day – Office Closed
- 5/30 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
Quilters, 9:00 am, Tauchman House
ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
English Class, 10:30 am, Wilsonville Library
Stand, Sit and Be Fit, 11:00 am, Wilsonville Community Center
Lunch at the Community Center, 12:00 pm, Wilsonville Community Center
ODHS Drop-In Assistance, 1:00 pm, Wilsonville Library
- 5/31 Digital Photography Club, 10:00 am, Wilsonville Community Center
Sit and Be Fit, 11:00 am, Wilsonville Community Center
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
STEAM Stuff, 1:00 pm, Wilsonville Library

June – All Month

Pride Month

Immigrant Heritage Month

- 6/2 Bike Rodeo, 10:00 am, Wilsonville Transit Center
 Bridge Group, 11:30 am, Community Center
 First Friday Films, 3:00 pm, Library
 Wilsonville Family Disco Dance, 7:00 pm, Stein-Boozier Barn
- 6/3 Bike Rodeo, 10:00 am, Location TBD
- 6/6 ODHS Drop-In Assistance, 10:00 am, Library
 ODHS Drop-In Assistance, 1:00 pm, Library
- 6/7 PROFILES, 11:00 am, (online)
 Walk at Lunch, 12:00 noon, Therapeutic Associates PT
- 6/8 DEI Committee Presents: Systemic Racism in Oregon Schools, 6:30 pm, Library – Oak Room
- 6/13 ODHS Drop-In Assistance, 10:00 am, Library
 ODHS Drop-In Assistance, 1:00 pm, Library
- 6/14 Walk at Lunch, noon, Charbonneau Lux Sucre
- 6/17 Space Talks, 11:00 am, Library – Oak Room
 DEI Committee Presents: Juneteenth, 12:00 noon, Town Center Park
- 6/19 Juneteenth – All Day
 Genealogy Club, 1:00 pm, Library – Oak Room
- 6/20 ODHS Drop-In Assistance, 10:00 am – Library
 ODHS Drop-In Assistance, 1:00 pm – Library
- 6/21 Community Bike Ride, 10:00 am, Murase Plaza
 Walk at Lunch, noon, Clackamas Community College
- 6/25 Community Bike Ride, 10:00 am, Sophia Park
- 6/26 Bike Adventure Camp, 9:00 am, Tauchman House @ Boones Ferry Park
- 6/27 Bike Adventure Camp, 9:00 am, Tauchman House @ Boones Ferry Park
 ODHS Drop-In Assistance, 10:00 am – Library
 ODHS Drop-In Assistance, 1:00 pm – Library
- 6/28 Bike Adventure Camp, 9:00 am, Tauchman House @ Boones Ferry Park
 Walk at Lunch, noon, Wild Grains GF Bakery
- 6/29 Bike Adventure Camp, 9:00 am, Tauchman House @ Boones Ferry Park
- 6/30 Bike Adventure Camp, 9:00 am, Tauchman House @ Boones Ferry Park



CITY COUNCIL MEETING STAFF REPORT

| | | | |
|---|--|--|---|
| Meeting Date: May 15, 2023 | | Subject: Commemorative Flag Request – Pride Flag Staff Member: Zoe Mombert, Assistant to the City Manager Department: Administration | |
| Action Required | | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda | | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: The Diversity, Equity and Inclusion Committee recommends that City Council authorize the display of a commemorative Pride Flag at City Hall for the month of June. | |
| Staff Recommendation: Staff recommends Council authorize the commemorative flag request. | | | |
| Recommended Language for Motion: I move to authorize the display of a commemorative Pride Flag at City Hall for the month of June. | | | |
| Project / Issue Relates To: | | | |
| <input checked="" type="checkbox"/> Council Goals/Priorities: Diversity, Equity and Inclusion Committee Strategic Plan | <input type="checkbox"/> Adopted Master Plan(s): | | <input type="checkbox"/> Not Applicable |

ISSUE BEFORE COUNCIL:

Should the City of Wilsonville display a commemorative Pride Flag at City Hall for the month of June.

EXECUTIVE SUMMARY:

The City Council adopted the Diversity, Equity and Inclusion Committee Strategic Plan (Plan) on July 18, 2022 (Resolution No. 2979) which included three (3) objectives and 15 strategic actions. One of the strategic actions within *Objective 3: Inclusive Cultural Events, Celebrations and Holiday Recognitions* is “Visual representation (flags, symbols, holiday decor on City property)”. As the City was finalizing the strategic plan, it became clear that a flag policy was needed. The City’s flag policy (attached) was adopted in January 2023 and allows commemorative flags to be displayed on City Property in conjunction with official actions, ceremonies, or proclamations. The Council will consider requests from council members, the city manager and city boards.

The Diversity, Equity and Inclusion Committee met on May 9 and voted to recommend that the City Council display a commemorative Progress Pride Flag at City Hall for the month of June. Pride month is celebrated in June of each year and is included on the cultural calendar, adopted by City Council on January 5, 2023. In addition to displaying the Pride flag at City Hall, the Boones Ferry masthead will display the traditional Pride symbol for the second year in a row and the Library will have a book display as well.

Pride month is celebrated around the world and acknowledges people in the lesbian, gay, bisexual, transgender, queer or questioning, intersex, asexual and more communities (LGBTQIA+) during the month of June. According to the Human Rights Campaign website, the original Pride flag was created in 1978 after activist Harvey Milk asked artist Gilbert Baker to design the gay pride symbol. The symbol included a nine color rainbow. The traditional pride flag, with six colors, was developed after Harvey Milk was assassinated and the pride flag was in high demand and remains one of the most common pride flags. The Human Rights Campaign website provided the following meaning for the rainbow symbol:

- *Red symbolizes life*
- *Orange stands for healing*
- *Yellow equals sunlight*
- *Green stands for nature*
- *Indigo represents serenity*
- *Violet symbolizes the spirit of LGBTQ+ people*

In 2017, the Philadelphia City Council commissioned a new version of the pride flag (Philadelphia Pride Flag) to include representation of people of color and acknowledge their contributions to the LGBTQ+ movement. The Progress Pride flag was then designed by Daniel Quasar, which evolved from the Philadelphia flag. The popular Progress Pride flag includes additional stripes over the traditional Pride flag. The Human Rights Campaign website provided the following significance of the additional stripes:

- *White, pink, and light blue represent the Trans community*
- *Black and brown represent communities of color consistent with the Philadelphia Pride flag*

- *The black stripe is also a gesture to the thousands of people that the community lost during the HIV/AIDS crisis in 1980s and 1990s.*

The Diversity, Equity and Inclusion committee specifically recommended the Progress Pride Flag be displayed because it included representation of the Trans community and people of color, thereby being more inclusive.

EXPECTED RESULTS:

The commemorative flag is intended to show support and acknowledge community members who identify as LGBTQIA+ as a part of the City's commitment to Diversity, Equity and Inclusion.

TIMELINE:

The commemorative flag would be displayed for the month of June.

CURRENT YEAR BUDGET IMPACTS:

There are funds available in the administration special projects budget to cover the nominal cost to purchase the flag.

COMMUNITY INVOLVEMENT PROCESS:

The Diversity, Equity and Inclusion Committee is made up of 13 community members who represent diverse community perspectives. The committee holds monthly meetings that are open to the public to provide input. The strategic plan and cultural calendar were both developed during public meetings and adopted by City Council during at their public meetings.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The commemorative flag is intended to show support and acknowledge community members who identify as LGBTQIA+ as a part of the City's commitment to Diversity, Equity and Inclusion.

ALTERNATIVES:

The City Council could deny or modify the request.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. City of Wilsonville Flag Policy
2. Progress Pride Flag Image



City of Wilsonville Flag Policy

1. Purpose

The City of Wilsonville seeks to codify a flag policy for City-owned property that incorporates federal and State of Oregon flag display requirements, along with City-specific requirements. Additionally, the City adopted the Diversity, Equity and Inclusion (DEI) Strategic Plan on July 18, 2022 via Resolution No. 2979. The DEI Strategic Plan includes a strategic action item of “visual representation,” and references flags in that strategic action item. This Flag Policy establishes the framework for the City to engage in visual representation through flags.

2. United States Flag

2.1. General Requirements

The City must procure for each City-owned building a United States flag (“US Flag”) of suitable size, as determined by the City Manager or designee. The City will comply with the federal flag regulations as provided in 4 USC § 1-10, as may be amended and as summarized herein. The City may also consult the US Department of Veterans Affairs’ *Guidelines for Display of the Flag* attached as **Exhibit 1** for any further guidance regarding displaying the US Flag.

2.2. Time and Occasions for Display

2.2.1. Outdoor Flags

The US Flag must be placed upon or near each City-owned building and displayed from sunrise to sunset and on stationary flagstaffs in the open, except as otherwise provided herein. The US Flag may be displayed for 24 hours a day if properly illuminated during the hours of darkness. The US Flag should not be displayed on days of inclement weather unless an all-weather US Flag is displayed.

2.2.2. Indoor Flags

The US Flag must be displayed, at a minimum, in the City Council Chambers. The City Manager or designee may authorize the display of the US Flag in other City buildings.

2.2.3. Displaying at Half-Staff

The US Flag should be displayed at half-staff on each Memorial Day until noon and should be displayed at half-staff when otherwise ordered by the President of the United State or the Oregon Governor.

2.3. Position and Manner of Display

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag (if one is created), and finally any other authorized flag. If one other flag is displayed on a staff next to the US Flag, the US Flag should be displayed on the left-most staff and positioned higher than the other flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point. When the flags are flown from adjacent staffs, the US Flag should be hoisted first and lowered last.

The US Flag should be hoisted briskly and lowered ceremoniously.

3. State of Oregon Flag and POW/MIA Flag

3.1. General Requirements

The City must procure for each City-owned building a State of Oregon flag ("Oregon Flag") and, except as provided herein, a National League of Families' POW/MIA flag ("POW/MIA Flag"), each of suitable size, as determined by the City Manager or designee. The City will comply with the Oregon flag regulations as provided in ORS 186.110 and 186.120, as may be amended and as summarized herein.

The City is required to purchase and display a POW/MIA Flag only with respect to public buildings that have existing flagpoles or other infrastructure installed to properly display all three flags (US Flag, Oregon Flag, and POW/MIA Flag), except that any newly constructed City building must include sufficient infrastructure to properly display all three flags.

3.2. Time and Occasion for Display

3.2.1. Outdoor Flags

The City will display the Oregon Flag and the POW/MIA Flag with the US Flag upon or near the City buildings during the hours when the US Flag is customarily displayed, except in inclement weather, and at such other times as seems proper, as determined by the City Manager or designee.

3.2.2. Indoor Flags

The Oregon Flag must be displayed, at a minimum, in the City Council Chambers. The City Manager or designee may authorize the display of the Oregon Flag in other City buildings.

3.2.3. Displaying at Half-Staff

The Oregon Flag and POW/MIA Flag should be displayed at half-staff when the US Flag is also displayed at half-staff or if otherwise ordered to be displayed at half-staff by the Oregon Governor.

3.3. Position and Manner of Display

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag, and finally any other authorized flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point.

4. City of Wilsonville Flag

If the City approves an official City of Wilsonville flag, the following regulations will apply to such flag.

4.1. General Requirements

The City must procure for City Hall and, as authorized by the City Manager or designee, at any other City-owned building a City of Wilsonville flag ("Wilsonville Flag") of suitable size, as determined by the City Manager or designee.

4.2. Time and Occasion for Display

4.2.1. Outdoor Flags

Where the City displays the Wilsonville Flag, it must be displayed with the US Flag upon or near the City building during the hours when the US Flag is customarily displayed, except in inclement weather, and at such other times as seems proper, as determined by the City Manager or designee.

4.2.2. Indoor Flags

The City Manager or designee may authorize the display of the Wilsonville Flag in any City buildings.

4.2.3. Displaying at Half-Staff

The Wilsonville Flag should be displayed at half-staff when the US Flag is also displayed at half-staff or if otherwise ordered to be displayed at half-staff by the Mayor or the City Manager.

4.3. Position and Manner of Display

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag, and finally any other authorized flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point.

5. Commemorative Flags

A commemorative flag is a flag that identifies with a specific historical event, cause, nation, or group of people that the City Council chooses to honor or commemorate consistent with the City's mission and priorities. A commemorative flag may include, but is not limited to, a Sister City flag; the World flag; flags received for awards for which the City has applied (e.g., Tree City USA flag); or flags displayed in conjunction with official actions, ceremonies, or proclamations of the City.

5.1. General Requirements

As an expression of the City's official government speech, the City Council may authorize the display of a commemorative flag to be displayed at City buildings. The City's flagpoles are not to serve as a forum for free expression by the public. The City Council will only consider a request to display a commemorative flag if the request is made by any one of the following: (1) the City Manager; (2) a member of Council; or (2) a recommendation from one of the City's committees, boards, or commissions. Requests directly by members of the public to display a commemorative flag will not be considered.

5.2. Time and Occasion for Display

5.2.1. Generally

Commemorative flags will be displayed for a period of time that is reasonable or customary for the subject that is be commemorated, which period of time may be permanent or temporary. Commemorative flags must be either purchased by the City or temporarily donated for the City's use and must be clean, without holes and tears. Commemorative flags must be the same size or smaller than the US Flag and Oregon Flag that are displayed.

5.2.2. Outdoor Flags

If a commemorative flag is displayed with the US Flag, it must be displayed for no longer than the hours when the US Flag is customarily displayed, except in inclement weather, and at such other times as seems proper, as determined by the City Manager or designee.

5.2.3. Indoor Flags

The City Manager or designee may authorize the display of any approved commemorative flag in any City buildings.

5.2.4. Displaying at Half-Staff

If any other flag is displayed at half-staff, the commemorative flag will also be displayed at half-staff.

5.3. Position and Manner of Display

When displayed on the same staff, the US Flag must be at the peak, followed by the Oregon Flag, then the POW/MIA Flag, then the Wilsonville Flag, and finally any other authorized flag. In a group of flags displayed from staffs, the US Flag should be at the center and the highest point.

6. Banners

6.1. Generally

As an expression of the City's official government speech, the City Manager may authorize the display of banners to be displayed adjacent to City streets attached to public street lights or utility poles. The street lights and utility poles are not to serve as a forum for free expression by the public, except as otherwise provided in WC 6.150(2) for certain permitted Large Special Events. The length of display of banners is at the discretion of the City Manager.

6.1.1. Location of Public Streetlights and Utility Poles

The City has three districts/corridors where banners are displayed by the City or allowed on public streetlight or utility poles:

6.1.1.1. Wilsonville Road Gateway Corridor

This corridor between the railroad tracks on the west side of I-5 and Boeckman Creek Bridge on the east side of I-5 serves as a Gateway to the City. The City installs and rotates City-owned seasonal banners along this corridor to enhance the gateway. However, the City may select to substitute the seasonal banners with another theme. Select streetlight poles along the corridor may be available to organizations hosting Large Special Events pursuant to WC 6.150 (2).

6.1.1.2. Town Center Loop

Town Center Park is one of the City's premier gathering places and the space is used for many of the City's Large Special Events. Pursuant to WC 6.150 (2) organizations requesting Large Special Events are eligible to place banners on certain streetlight poles along SW Town Center Loop East and West, as well as Memorial Drive and Courtside Drive. Spacing is determined by the Public Works Department based on the number of banners being installed.

6.1.1.3. Villebois Village

Villebois has a specific banner program approved as part of the Master Sign and Wayfinding Plans approved as a component of each Sub Area Plan (SAP). Outside of ensuring compliance with the Master Sign and Wayfinding Plans, the City does not operate, manage, or maintain banners within Villebois.

6.1.2. Banner Design

6.1.2.1. Special Event banners will be designed and produced in a color scheme complementary to the existing city seasonal banners.

6.1.2.2. City seasonal banners will have the following color schemes, which may be modified as authorized by the City Manager or designee:

6.1.2.2.1. Spring: Lavender, Yellow, White

6.1.2.2.2. Summer: Dark Blue, Sky Blue, Yellow

6.1.2.2.3. Fall: Yellow, Purple, Rust, Orange

6.1.2.2.4. Winter: Blue, Yellow, White

6.1.3. Banner Production

6.1.3.1. Sizes

6.1.3.1.1. Wilsonville Road (West of I-5), Boones Ferry Road: Banners must meet the following dimensional requirements: 28.5 inches wide and 48 inches long.

6.1.3.1.2. Wilsonville Road (East of I-5), Town Center Loop, Elligsen Road, Courtside Drive, Memorial Drive: Banners must meet the following dimensional requirements: 28.5 inches wide and 96 inches long.

6.1.4. Post Sleeves

Banners shall be installed on upper and lower posts securely attached to the pole. All banners will include an upper and lower sleeve of 4 to 6 inches wide, double stitched, for banners being installed by Public Works, and widths as required by the installer for signs being installed by contractors. Banners shall include grommets on side of banner that will be next to pole for attachment to pole with zip ties. There must be one grommet on top and one on the bottom, 4 inches from the top or bottom of the banner.

6.1.5. Clearance Requirements

For banners extending over a vehicle travel lane, bike lane, or curb area, the minimum clearance is fourteen feet (14'). For all other banners the minimum clearance is eight feet (8').

6.2. Time and Occasion for Display

6.2.1. Special Event banners must be installed no earlier than fourteen days before the start of the Special Event and removed no later than fourteen days after the end of the Special Event, unless as otherwise provided in the Special Event Permit.

6.2.2. City seasonal banners will be installed consistent with the following schedule:

6.2.2.1. Spring: March 1

6.2.2.2. Summer: June 1

6.2.2.3. Fall: September 1

6.2.2.4. Winter: December 1

6.2.3. Except in Villebois, placement and removal of all banners will be done only by Public Works employees or contractors agreed upon by the Public Works Department.

6.3. Installation Fee and Responsibility.

The City Manager may charge a fee for the installation of Special Event banners, which is currently set at \$1,300 per Special Event (\$650 to install and \$650 to remove), payable in advance. This fee covers installation and removal only, and does not cover banner construction, maintenance, or storage, which the City does not provide. Banners must be installed by City Public Works employees only, as provided in WC 6.150(2)(b). The City of Wilsonville is not responsible for any damage to non-City banners from vehicles, vandalism, or any other cause.

7. Amendments to Flag Policy and Other Regulations

The City Manager is authorized to amend this Flag Policy to reflect any changes in federal or state law regarding the U.S. Flag, the State of Oregon Flag, or the POW/MIA Flag. Any other revisions to this Flag Policy must be approved by the City Council.



CELEBRATING AMERICA'S FREEDOMS

**U.S. Department of Veterans Affairs
Washington, D.C. 20420**

Guidelines for Display of the Flag

Public Law 94-344, known as the Federal Flag Code, contains rules for handling and displaying the U.S. flag. While the federal code contains no penalties for misusing the flag, states have their own flag codes and may impose penalties. The language of the federal code makes clear that the flag is a living symbol.







In response to a Supreme Court decision which held that a state law prohibiting flag burning was unconstitutional, Congress enacted the Flag Protection Act in 1989. It provides that anyone who knowingly desecrates the flag may be fined and/or imprisoned for up to one year. However, this law was challenged by the Supreme Court in a 1990 decision that the Flag Protection Act violates the First Amendment free speech protections.

Important Things to Remember

Traditional guidelines call for displaying the flag in public only from sunrise to sunset. However, the flag may be displayed at all times if it's illuminated during darkness. The flag should not be subject to weather damage, so it should not be displayed during rain, snow and wind storms unless it is an all-weather flag.

It should be displayed often, but especially on national and state holidays and special occasions.

The flag should be displayed on or near the main building of public institutions, schools during school days, and polling places on election days. It should be hoisted briskly and lowered ceremoniously.

| Image | Description |
|---|--|
|  | <p>When carried in procession with other flags the U.S. flag should be either on the marching right (the flag's right) or to the front and center of the flag line. When displayed on a float in a parade, the flag should be hung from a staff or suspended so it falls free. It should not be draped over a vehicle.</p> |
|  | <p>When displayed with another flag against a wall from crossed staffs, the U.S. flag should be on its own right (left to a person facing the wall) and its staff should be in front of the other flag's staff.</p> |
|  | <p>In a group of flags displayed from staffs, the U.S. flag should be at the center and the highest point.</p> |
|  | <p>When the U.S. flag is displayed other than from a staff, it should be displayed flat, or suspended so that its folds fall free. When displayed over a street, place the union so it faces north or east, depending upon the direction of the street.</p> |
|  | <p>When the U.S. flag is displayed from as projecting from a building, the union of the flag should be placed at the peak of the unless the flag is at half-staff. When suspended from a rope extending from the building on a pole, the flag should be hoisted out, union first from the building.</p> |
|  | <p>When flags of states, cities or organizations are flown on the same staff, the U.S. flag must be at the top (except during church services conducted at sea by Navy chaplains)</p> |

The flag should never be draped or drawn back in folds. Draped red, white and blue bunting should be used for decoration, with the blue at the top and red at the bottom.

The flag may be flown at half-staff to honor a newly deceased federal or state government official by order of the president or the governor, respectively. On Memorial Day, the flag should be displayed at half-staff until noon.

Other Things Not to Do with the Flag

Out of respect for the U.S. flag, never:

- dip it for any person or thing, even though state flags, regimental colors and other flags may be dipped as a mark of honor.

- display it with the union down, except as a signal of distress.

- let the flag touch anything beneath it: ground, floor, water, merchandise.

- carry it horizontally, but always aloft.

- fasten or display it in a way that will permit it to be damaged or soiled.

- place anything on the flag, including letters, insignia, or designs of any kind.

- use it for holding anything.

- use it as wearing apparel, bedding or drapery. It should not be used on a costume or athletic uniform. However, a flag patch may be attached to the uniform of patriotic organizations, military personnel, police officers and firefighters.

- use the flag for advertising or promotion purposes or print it on paper napkins, boxes or anything else intended for temporary use and discard.

During the hoisting or lowering of the flag or when it passes in parade or review, Americans should stand at attention facing the flag and place their right hand over the heart. Uniformed military members render the military salute. Men not in uniform should remove any headdress and hold it with their right hand at their left shoulder, the hand resting over the heart. Those who are not U.S. citizens should stand at attention.

When the flag is worn out or otherwise no longer a fitting emblem for display, it should be destroyed in a dignified way, preferably by burning.



**AMENDMENT TO CITY OF WILSONVILLE
EMPLOYMENT AGREEMENT
CITY ATTORNEY**

This Amendment to the *Employment Agreement City Attorney* (“Agreement”) is effective the 1st day of May 2023 (“Effective Date”), and is entered into by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (the “City”), and **Amanda R. Guile-Hinman** (“Employee”), both of whom understand and agree as follows:

WITNESSETH:

WHEREAS, the City desires to continue the employment of Amanda R. Guile-Hinman as City Attorney of the City of Wilsonville, as amended below; and

WHEREAS, Employee desires to continue employment as City Attorney of the City of Wilsonville, as amended below;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

AMENDMENT

- 1. Compensation and Allowance. Section 4.1** Effective May 2, 2022 through April 30, 2023, retroactively, Employee will receive an annual base compensation of \$173,100 (“Salary”). All other terms and benefits set forth in **Section 4** will remain in full force and effect, as written.
- 2. Other terms of Agreement.** Except as modified herein and hereby, all other provisions of the Agreement shall remain in full force and effect.

CITY OF WILSONVILLE

EMPLOYEE

By: _____
Julie Fitzgerald
Mayor

Amanda Guile-Hinman

ATTESTED TO:

Kimberly Veliz, City Recorder



CITY COUNCIL MEETING STAFF REPORT

| | | |
|--|--|---|
| Meeting Date: May 15, 2023 | Subject: Resolution No. 3047 A Resolution of the City of Wilsonville Adopting the FY 23/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy Staff Member: Zoe Mombert, Assistant to the City Manager Departments: Administration | |
| Action Required | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: The Tourism Promotion Committee recommended adoption of the plan at the April 5, 2023, meeting. | |
| Staff Recommendation: Staff recommends that Council adopt Resolution No. 3047. | | |
| Recommended Language for Motion: I move to adopt Resolution No. 3047. | | |
| Project / Issue Relates To: | | |
| <input type="checkbox"/> Council Goals/Priorities | <input checked="" type="checkbox"/> Adopted Master Plan(s) Tourism Development Strategy | <input type="checkbox"/> Not Applicable |

ISSUE BEFORE COUNCIL:

Adoption of Resolution No. 3047 approves the proposed FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy as recommended to City Council by the Tourism Promotion Committee on April 5, 2023.

EXECUTIVE SUMMARY:

The Tourism Promotion Committee unanimously recommended on April 5, 2023, adoption by Council of FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy.

The FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy is known by the shorthand “1/5-Year Action/Implementation Plan” or also just the “Tourism promotion business plan.” This plan summarizes the past year’s tourism promotion program, provides a longer-range five-year plan, and details specific components and activities for the upcoming 2023/24 fiscal year.

The Tourism Promotion Consultant JayRay continued social media and marketing efforts over the last year. JayRay has continued to expand the trip itineraries, produced regular blog posts, hosts influencers and continues work with Datafy, a geofencing data-analytics consultant, on the City’s behalf. Using aggregated credit card expenditure data, Datafy has helped JayRay and the Tourism Promotion Committee better understand our visitors and improve our marketing efforts. JayRay started specific marketing efforts in 2023 based on the geolocation data. In 2023, the Tourism Promotion Committee selected a new visual identity to better represent ‘Explore Wilsonville’. The new visual identity brand guide has been developed in addition to being represented on the website and on printed materials.

In 2024, the Tourism Promotion Committee will start a project to update the Tourism Development Strategy. This project will occur over two fiscal years to allow adequate time to develop a request for proposals (RFP), select a consultant and undertake the work. It is not anticipated that the work will be complete until fiscal year 24-25.

The “1/5-Year Action/Implementation Plan” or “Tourism promotion business plan” is then implemented by a corresponding tourism promotion marketing plan, now formally titled the Tourism Promotion & Destination Marketing Services Plan. This plan includes a Scope of Work that provides extensive details and information on specific marketing promotion programs are utilized by the Explore Wilsonville tourism promotion program.

Background Information

The year 2023 marks the eighth, rolling version of the Tourism promotion business plan, which is updated annually as required by Resolution No. 2541 that created the City’s tourism promotion program and formed the Tourism Promotion Committee. Essentially, this update to the Tourism promotion business plan continues to advance the longer-term five-year strategy of the action plan. That is, the short-term one-year implementation plan seeks to advance the top priorities of the larger five-year action plan.

The FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy lists Tourism Promotion Committee Members and Committee Meetings, summarizes the past year’s accomplishments and lays out a longer-range five-year action plan and a short-term annual one-year implementation plan for FY 2023/24.

EXPECTED RESULTS:

The City's Explore Wilsonville tourism promotion program continues to operate through FY 2023/24.

TIMELINE:

The City's Explore Wilsonville tourism promotion program continues operation through June 30, 2024.

CURRENT YEAR BUDGET IMPACTS:

The proposed FY 2023/24 Promotion & Destination Marketing Services Plan is within budget. The City's FY 2023/24 total Park & Recreation Tourism budget includes \$250,000 for tourism promotion.

COMMUNITY INVOLVEMENT PROCESS:

Development of the underlying Tourism Development Strategy had considerable public engagement during the 2013/14 timeframe that included participation by a large citizen task force and interviews/surveys with residents and tourism stakeholders. Subsequently, the Tourism Promotion Committee has overseen development of eight annual business plans, adopted by Council. Updating of the Tourism Development Strategy as proposed provides an opportunity for new community engagement opportunities.

CITY MANAGER COMMENT:

City Council adoption of Resolution No. 3047 for the FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy appears to be in alignment with and advance both the Tourism Development Strategy adopted by Council in May 2014.

ATTACHMENTS:

- A. Resolution No. 3047: A Resolution of the City of Wilsonville Adopting the FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy.
 - 1. FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy, April 5, 2023, and attachment

RESOLUTION NO. 3047**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE FY 2023/24 FIVE-YEAR ACTION PLAN AND ANNUAL ONE-YEAR IMPLEMENTATION PLAN FOR THE WILSONVILLE TOURISM DEVELOPMENT STRATEGY.**

WHEREAS, the City Council adopted on May 5, 2014, Resolution No. 2468 approving the *Wilsonville Tourism Development Strategy* (“Strategy”), which set forth a blueprint for implementing a tourism strategy for the greater Wilsonville community, including forming a Destination Marketing Organization (DMO) or committee to develop and promote tourism; and

WHEREAS, the City Council adopted on June 15, 2015, Resolution No. 2541 to establish the Tourism Promotion Committee that, among other duties, is to oversee the implementation of the Strategy and develop an annual business plan; and

WHEREAS, the City Council adopted on April 4, 2016, the first annual *FY 2016/17 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy* (“Plan”), a business plan for the tourism promotion program; and

WHEREAS, the City Council adopted on June 19, 2017, the second annual rolling *FY 2017/18 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy* (“Plan”), a business plan for the tourism promotion program; and

WHEREAS, the City Council adopted on Feb. 22, 2018, Resolution No. 2669, which approved the *FY 2017/18 & 18/19 Tourism Promotion Marketing Plan* composed of the “FY 2017/18 & 18/19 Marketing Playbook” Plan, dated February 2018, and supporting “Scope of Work 2018/2019 Advertising & Marketing Services,” dated January 19, 2018, to implement the *Wilsonville Tourism Development Strategy*; and;

WHEREAS, the City Council adopted on July 16, 2018, Resolution No. 2699 the third annual rolling *FY 2018/19 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy* (“Plan”), a business plan for the tourism promotion program; and

WHEREAS, the City Council adopted on July 15, 2019, Resolution No. 2758 the fourth annual rolling *FY 2019/20 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy* (“Plan”), a business plan for the tourism promotion program; and

WHEREAS, The City Council adopted on June 15, 2020, Resolution No. 2825 fifth annual rolling *FY 2020/21 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy*, a business plan for the tourism promotion program; and

WHEREAS, The City Council adopted on May 17, 2021, Resolution No. 2898 sixth annual rolling *FY 2021/22 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy*, a business plan for the tourism promotion program; and

WHEREAS, The City Council adopted on May 16, 2022, Resolution No. 2964 seventh annual rolling *FY 2022/23 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy*, a business plan for the tourism promotion program; and

WHEREAS, the Tourism Promotion Committee has fulfilled during FY 2022/23 all of the requirements set forth in the founding charter of the Tourism Promotion Committee as described in Resolution No. 2964; and

WHEREAS, the Tourism Promotion Committee worked to produce and voted unanimously on April 5, 2023, to recommend to the City Council adoption of the updated, eighth annual rolling *FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy*, a business plan for the tourism promotion program;

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council adopts *FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy*, attached hereto as Exhibit 1.
2. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of May, 2023, and filed with the Wilsonville City Recorder this date.

Julie Fitzgerald, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

1. FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy, April 5, 2023, with attachment



**FY 2023/24 Five-Year Action Plan and
Annual One-Year Implementation Plan for
the Wilsonville Tourism Development Strategy**

Tourism Promotion Committee

April 5, 2023

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Attachment:

- 1. Explore Wilsonville 2022 Annual Report by JayRay**



A. Introduction

The Wilsonville Tourism Promotion Committee met on April 5, 2023, and recommended for adoption to the City Council the eighth rolling Five-Year Action Plan and Annual One-Year Implementation Plan (also known as the “1/5-Year Action/Implementation Plan”) for FY 2023/24. Each year, the committee updates the plan to account for work accomplished during the prior year and to plan for the following year-plus time period.

Members of the committee have worked diligently to advance the objectives of the City Council as outlined in the past year’s FY 2022/23 Five-Year Action Plan and Annual One-Year Implementation Plan as provided for under the authority of Resolution No. 2541 (2015), which created the City’s Tourism Promotion Program; and the *Wilsonville Tourism Development Strategy* adopted by Council in May 2014.

B. Tourism Promotion Committee Members

Supported by the City Manager’s Office, the Wilsonville Tourism Promotion Committee is composed of 12 members total, with seven voting positions and five ex-officio advisory positions, as established by Resolution No. 2541, sorted descending alphabetically by last name.

The seven (7) voting members of the committee include:

1. **Lin Anderson:** Owner of Vanguard Brewing. Appointed in May 2022 to fill Brian Everest’s unexpired term in Position No. 6 ending 6/30/24 following his resignation.
2. **Jennifer Gage:** General Manager of Abella Italian Kitchen; appointed to Position No. 5 in July 2021 to full three-year term ending 6/30/24.
3. **Al Levit:** Retired resident, former bike club coordinator and former City of Wilsonville Planning Commissioner; reappointed to Position No. 4 in on July 1, 2020 to full three-year term ending 6/30/23. Al is now termed out, having served the maximum of three consecutive three-year terms.
4. **Elaine Owen:** Owner of Lady Hill Winery was appointed to Position No. 3 in July 2021 to a partial term ending 6/30/23. Elaine is eligible for reappointment to a regular three-year term, July 1, 2023 – June 30, 2026.
5. **Beth Price, Vice Chair:** Director of Sales and Marketing for Holiday Inn Hotel & Convention Center Portland South/Wilsonville; reappointed mid-term in July 2021 to Position No. 7 with term ending 6/30/2024. Beth Price resigned in December 2022 due to a change in employer; the position is still vacant.
6. **Brandon Roben, Chair:** CEO of Oaks Amusement Park, Portland; reappointed mid-term in July 2019 to Position No. 2 with term ending 6/30/22.
7. **Rohit Sharma:** Owner, RR Hotels Portland, LLC; appointed mid-term in March 2020 to Position No.1 with term ending 6/30/22.

The committee includes five (5) non-voting, ex-officio advisory members composed of:

1. **Clackamas County Tourism and Cultural Affairs, dba Oregon’s Mt Hood Territory:** Samara Phelps, Executive Director, or designee Jim Austin, Development & Community Relations Lead.

2. **Washington County Visitors Association (WCVA):** Dave Parulo, President/CEO, or designee Sylke Neal-Finnegan, Vice President of Marketing & Communications.
3. **Wilsonville Area Chamber of Commerce:** Kevin Ferrasci O'Malley, CEO.
4. **City of Wilsonville Parks and Recreation Department:** Kris Ammerman, Director, or designee Brian Stevenson, Recreation Manager.
5. **City of Wilsonville City Council:** City Councilor Caroline Berry was appointed January 2023, replacing prior City Council liaison Charlotte Lehan, who serves as the City Council liaison to the committee since 2014.

C. Committee Meetings

The committee met on four occasions in FY 2022/23, meeting the minimum required four meetings per fiscal year pursuant to Resolution No. 2541. Meeting of the committee were held on September 14 and November 9, 2022, and January 25 and April 5, 2023.

D. Advancing Tourism Development Priorities

The committee continued to work on the Top-16 priorities, as determined by the committee during the first year of work during FY15/16, of 50 total potential 'actions for success' outlined in the *Tourism Development Strategy* adopted by Council in May 2014.

Tourism Development Strategy:

Top Priorities and "Themed Issues" for Additional Work

| Strategy No. | Strategy Title / Description |
|--------------|--|
| 1.1 | Establish an Independent 501 (c) (6) Not-for-Profit DMO to be named Visit Wilsonville, now Explore Wilsonville. <i>[Create the organizational framework]</i> |
| 1.3 | Increase the Allocation of the Hotel/Motel Transient Lodging Tax (TLT). |
| 1.7 | Initiate ongoing partnership and relationship-building programs. |
| 2.1 | Develop a destination branding strategy for Wilsonville. |
| 5.4 | Develop database and email marketing programs. |
| 5.5 | Optimize the online use of video. |
| 5.6 | Optimize linking strategies. |
| 5.11 | Develop and maintain a library of high-quality images and videos. |
| 5.12 | Optimize the use of website and social media analytics. |
| 5.13 | Develop an active content management and co-op marketing program. |
| 5.14 | Increase public awareness of the benefits of tourism. |
| 5.16 | Conduct ongoing visitor-satisfaction research. |

E. Past Year's Accomplishments, FY 2021/22

The Tourism Promotion Committee has had a successful year, advancing key objectives as set-out in the prior fiscal year's plan, the FY 2022/22 Five-Year Action Plan and Annual One-Year Implementation Plan adopted by the City Council through Resolution No. 2964 on May 16, 2022.

Following is an accounting of accomplishments achieved towards meeting FY 22/23 objectives.

- **Recruit to fill all voting positions for the Tourism Promotion Committee.**

In May 2022, Mayor Fitzgerald appointed with Council consent Lin Anderson to Position No. 6. In July 2022, Mayor Fitzgerald reappointed with Council consent Rohit Sharma to Position No. 1 and Brandon Roben to Position No. 2.

- **Elect chair/vice-chair leadership positions.**

Brandon Roben, was elected Chair and Beth Price, was elected Vice Chair during the first meeting of the new fiscal year in September 2022. Following Beth Price's resignation from the committee, Rohit Sharma was elected to serve as Vice Chair at the January 2023 meeting.

- **Committee transferred the tourism grant program.**

Due to the creation of the new Arts, Culture and Heritage Committee (ACHC), the grant program will be transferred to the ACHC per Resolution No. 2941 (2021). The Tourism Promotion Committee revised their bylaws to reflect this modification of committee duties and did not oversee the tourism grant program in 2023.

- **Tourism Promotion and Destination Marketing Consultant contractor advances components of the Tourism Promotion Marketing Plan.**

JayRay, the City's Tourism Promotion and Destination Marketing Consultant, provided social media posts three times weekly to encourage people to stay in "the heart of it all" The posts have promoted the updated itineraries, Parks and Recreation programming, local businesses and area attractions. The intent is to continue to engage and grow social media followers. The social media posts encourage potential travelers to plan their stay in Wilsonville. Additionally, JayRay collaborated with three Pacific Northwest Influencers to visit Wilsonville, follow a specific itinerary and share their experience on their social media and blog posts.

- **Geolocation Data.**

The Tourism Promotion and Destination Marketing Consultant has continued to work with geolocation sub-consultant Datafy to focus on key areas including liquid tourism and shopping since these activities seem to be popular among overnight visitors. The data has been used to target marketing efforts. The data will continue to be evaluated and used to continue to improve our marketing efforts in FY 23/24.

- **The committee monitors implementation of the Tourism Promotion Marketing Plan, including features and operation of the tourism website.**

Staff worked with the Tourism Promotion and Destination Marketing Consultants to continue to enhance ExploreWilsonville.com. Specifically, the event calendar was regularly updated and maintained as needed, graphic images were modified quarterly, itineraries and promotional packages were added as well. Seasonal blog posts and itineraries were also added to the website.

- **Internet/website and social media products are researched and reviewed by staff/contractor with committee to target product recommendation and selection.**

The itineraries continue to be promoted on the ExploreWilsonville.com website. JayRay has created new seasonal itineraries to help visitors plan their visit in advance. JayRay has continued to focus on increasing the social media posts and growing the number of social media followers. Reels were used as a way to increase social media engagement.

Three Influencers visited Wilsonville in FY 22/23 and an increase in website traffic was directly linked to the visits. The Influencers were selected based on the number of followers, content they post on social media, ability to connect with our target audience. JayRay developed itineraries that would introduce the Influencer's followers to Wilsonville and the benefits of making it their travel location for family fun, outdoor adventures and foodies alike.

- **Visual Identity Update**

The Tourism Promotion and Destination Marketing Consultant gathered input to determine how Wilsonville was viewed as a tourism destination. Based on the data, four draft visual identities were developed and shared with staff. Staff narrowed the visual identity options to two before the Tourism Promotion Committee selected the preferred visual identity in January 2023. After the visual identity was selected, the Tourism Promotion and Destination Marketing Consultant developed branding guidelines, updated our brochures, updated the website and developed a new map.

- **Continue tourism promotional programs are implemented with key partners.**

The Tourism Promotion and Destination Marketing Consultant is working with regional/state tourism partners for marketing promotion efforts, including Travel Oregon, Travel Portland, Travel Oregon, Willamette Valley Visitors Association, Clackamas County Tourism and Cultural Affairs (dba Oregon's Mt. Hood Territory) and Washington County Visitors Association. These joint efforts include purchase of print and online advertising and sharing of travel research.

The Tourism Promotion and Destination Marketing Consultant continued the advertisement at the Interstate 5 French Prairie northbound rest area, and researched additional brochure-placement programs

- **Committee develops and recommends to City Council for adoption the update to the FY 23/24 Five-Year Action Plan and Annual One-Year Implementation Plan.**

The committee developed and recommended on April 5, 2023, to City Council adoption of the FY23/24 update to the tourism business plan formally named the FY22/23 Five-Year Action Plan and Annual One-Year Implementation Plan (also known as the "1/5-Year Action/Implementation Plan").

F. Five-Year Action Plan for Tourism Development: FY2023/24 – FY2027/28

The longer-range five-year plan recommended by the committee focuses on developing the organizational infrastructure, advancing the marketing/promotion program for Explore Wilsonville tourism-development efforts, and researching larger study-efforts to advance tourism.

This eighth, rolling annual one-year implementation action plan follows directly from the committee’s review of the most-pressing, “Top Priorities.” While the committee recognizes that adjustments are to be made to the longer-range plan via annual ‘course corrections’—especially given the COVID-19 pandemic—the five-year plan is outlined below in fiscal years, July 1 of one year to June 30 of the following year.

| | |
|------------------------------|---|
| Year 1 FY 2023/24 | <ul style="list-style-type: none"> • Conduct Tourism Promotion Committee Business • Leadership, Meetings: Continue recruitment efforts to fill all voting positions for the Tourism Promotion Committee. Elect committee chair/vice-chair leadership positions. • Business and Marketing Plans: Tourism Promotion and Destination Marketing Consultant contractor advances components of the Tourism Promotion and Destination Marketing Plan that the committee monitors implementation. The Committee develops and recommends to City Council for adoption the update this business plan as the new FY23/24 Five-Year Action Plan and Annual One-Year Implementation Plan. • Implement the FY23/24 Tourism Promotion Program: Committee will implement the new visual identity and continue to enhance marketing efforts based on visitor data. • Advance New Study Effort for City to Update the Tourism Development Strategy originally adopted in May 2014 based on 2013 data research. <ul style="list-style-type: none"> ○ Substantial changes in the tourism and hospitality industry over the past decade due to Covid-19 and a 10-year-old plan provide impetus to reevaluate tourism promotional strategy. |
| Year 2 FY 2024/25 | <ul style="list-style-type: none"> • Continue updating the Tourism Development Strategy • Tourism Promotion and Destination Marketing Consultant contractor continues to advance Tourism Promotion Program as outlined in the Plan. • New tourism promotional programs are implemented with key partners |
| Year 3 FY 2025/26 | <ul style="list-style-type: none"> • Tourism Promotion and Destination Marketing Consultant contractor continues to advance Tourism Promotion Program as outlined in the Plan. • Commence the destination marketing strategy plan (item G.3.3) • Feasibility study for a year-round, multi-purpose facility (item G 3.2) |

| | |
|---------------------------|--|
| Year 4 2026/27 | <ul style="list-style-type: none">• Tourism Promotion and Destination Marketing Consultant contractor continues to advance Tourism Promotion Program as outlined in the Plan.• New tourism promotional programs are implemented with key partners.• Committee recommends to Council to advance formation of nonprofit DMO. |
| Year 5 2027/28 | <ul style="list-style-type: none">• Tourism Promotion and Destination Marketing Consultant contractor continues to advance Tourism Promotion Program as outlined in the Plan.• Committee obtains legal assistance; reviews federal and state requirements for forming 501(c)(6) nonprofit DMO called “Explore Wilsonville”; creates bylaws. |

G. Annual One-Year Implementation Plan: FY23/24, July 2023 – June 2024

The eighth, rolling one-year implementation plan seeks to advance the top priorities of the larger five-year action plan. Next fiscal year's work plan is segmented into three main sections:

- 1. Conduct Tourism Promotion Committee Business:** The committee executes all Council-mandated activities, including:
 - **Leadership:** Elect a chair and vice chair at the first meeting of the new fiscal year.
 - **Meetings:** Hold at least four meetings with quorum attendance during the fiscal year.
 - **Business and Marketing Plans:** Work with staff and consultant to draft for City Council adoption an updated version of the Five-Year Action Plan and Annual One-Year Implementation Plan and the Tourism Promotion and Destination Marketing Plan for FY23/24. The full, complete FY23/24 marketing plan is to be developed by JayRay, the Tourism Promotion and Destination Marketing Consultant,
- 2. Implement the FY23/24 Tourism Promotion Program:** The committee works with staff of the City Manager's Office and Tourism Promotion and Destination Marketing Consultant to advance both the larger FY23/24 Five-Year Action Plan and Annual One-Year Implementation Plan and the more specific FY23/24 Tourism Promotion and Destination Marketing Plan.

Specific components of the FY23/24 Tourism Promotion Program that staff members of JayRay, the City's Tourism Promotion and Destination Marketing Consultant, include:

- **Target Marketing Refinement:** Refining as needed the marketing promotional elements and online/Internet website products and processes. Create a new marketing content strategy and encourage signups on social media. Package offerings and promotions will continue, when feasible, to increase social followers and hotel bookings. Geolocation data will continue to be used to develop more specific, targeted marketing to potential visitors. Influencers will also continue to be used to show the excellent activities in and around Wilsonville while highlighting why the visitors should stay in Wilsonville as their basecamp.
- **Focused One – Two Day Trips:** Focusing sets of themed itineraries, with clear information about their proximity to Wilsonville and map routes. Itineraries are to achieve stronger brand positioning and a focus on being in "the heart of it all." Influencers will also continue to be used to show the excellent activities in and around Wilsonville while highlighting why the visitors should stay in Wilsonville as their basecamp.
- **Performance Metrics:** Continue to track valuation criteria to gauge effectiveness of tourism marketing efforts.
- **Public Awareness:** Cultivating increased local residents' knowledge and interest in learning more about local attractions and the value of tourism to the economy and community-development efforts. Promote Wilsonville's brand position as "in the heart of it all" with locals and build brand ambassadors. The new visual identity, developed in Spring 2022, will be used to build awareness of the program as well.

3. Commence Update of the ‘Explore Wilsonville’ Tourism Development Strategy:

The Tourism Development Strategy that guides the work of the Tourism Promotion Committee is now 10 years old, having been researched and developed during 2013 and adopted by City Council in May 2014. Considerable changes in both the tourism market over time and vast improvement in the City’s destination-marketing efforts require that the City update the Strategy.

The City proposes to split the cost of the updating the Strategy over two fiscal years at \$50,000 per year, for a total budget amount of \$100,000. Staff will work with the Tourism Promotion Committee to develop a Request for Proposals (RFP) and advertise the RFP during the first half of 2023-24 fiscal year (July – December 2023).

Then, during the second half of FY 2023-24 (January – June 2023) the Committee conducts interviews and recommends selection of a vendor for the RFP. The City arranges the contract with selected vendor, which commences work.

The Tourism Development Strategy work continues into the following fiscal year, FY 2024-25, with a final product approved for recommendation by the Committee to the City Council for adoption.

- **The proposed Tourism Promotion budget for FY23/24:**

Tourism Promotion and Destination Marketing Contract\$ 200,000

Expenses are estimated based on the following itemization

- Marketing: \$96,000
 - Geolocation data and marketing campaigns
 - Poster display at French Prairie Rest Area
 - Travel Oregon advertising
 - OMHT and other co-ops
 - Leisure travel digital ads (publications TBD)
 - Brochure printing and distribution with Certified Folders
 - Special project (tear-off maps, photo shoot, window clings/giveaways)
- Public Relations: \$32,000
 - Editorial calendar
 - Media pitching and follow up (quarterly)
 - Cision® media database subscription
 - Influencer marketing (host two per year)
 - Media hosting allowance (host 3-5 writers per year)
 - Attend PRSA Travel & Words or International Media Marketplace
- Management: \$26,000
 - Manage program
 - STR® subscription
 - Memberships (Travel Oregon, Oregon Destination Association, Travel Portland)
 - Monthly dashboard of KPIs
 - Quarterly reports (fiscal year)
 - Annual report (calendar year)
 - Tourism Promotion Committee meetings (quarterly, virtual)
 - Conference attendance at ODA or Oregon Governor’s Conference on Tourism

- Social Media: \$26,000
 - Manage Facebook, Instagram and Pinterest
 - Write copy and curate content for 3-5 posts per week
 - Community engagement
 - Boosted posts
 - Instagram reels (quarterly) to promote blog
- Website: \$20,000
 - Manage and host website
 - Plug-in/software subscriptions
 - Refresh content, events, hero images
 - Develop campaign landing pages for marketing campaigns
 - Quarterly blog
- Tourism Development Strategy Update (Year 1 of 2).....\$ 50,000

TOTAL Tourism Promotion Budget FY2023-24\$ 250,000

The committee continues to see an increase in transient lodging tax collections, as well as tourism-related and hospitality businesses in 2023. There has been a noticeable rebound in both business and leisure travel as we move increasingly to a post-pandemic world.

The FY 23/24 budget includes funds to continue increased social media, influencer campaigns among other marketing efforts and a continued investment in geolocation data to target advertising.

H. Components of FY23/24 Annual One-Year Implementation Plan of the Tourism Promotion Program in Relation to the 2014 Tourism Development Strategy

Following are more details on the top priorities summarized above for FY23/23 Tourism Promotion Program in relation to the *2014 Tourism Development Strategy's* Top Priorities and “Themed Issues” for Additional Work listed on page 3.

1. Tourism Promotion Committee Business

1.1 Staffing/Contractor Resource: In order to advance components of the Explore Wilsonville tourism development strategy and the Plan, the committee continues advancing work with staff of the City Manager’s Office to collaborate with the Tourism Promotion and Destination Marketing Consultant contractor to advance the tourism promotion program. The committee may seek to discuss how a City-staffed program could evolve into an independent Destination Marketing Organization.

Authority for recommendation: *Wilsonville Tourism Development Strategy, May 2014, Action Item 1.1:* Establish an Independent 501 (c) (6) Not-for-Profit DMO to be named Visit Wilsonville, now known as Explore Wilsonville. [Create the organizational framework]

1.2 Budget Allocation: The City reduced the funding for tourism promotion considerably during to the Covid- 19 pandemic. The City was able to increase the budget during FY 22/23. The budget was \$22500,000 for FY 22/23 for the Tourism Promotion Marketing Plan, the Community Tourism Grant Program and the Visual Identity update. The budget is increased to

\$250,000 for FY23-24 to accommodate a mayor project – updating of the Tourism Development Strategy.

Authority for recommendation: *Wilsonville Tourism Development Strategy, May 2014, Action Item 1.3:* Increase the Allocation of the Hotel/Motel Transient Lodging Tax (TLT).

1.3 Tourism Grants Programs: The new Arts, Culture and Heritage Committee assumed responsibility for this program in FY 22/23.

Authority for recommendation: *Wilsonville Tourism Development Strategy, May 2014, Action Item 1.5:* Review Wilsonville Tourism Grants Program.

2. Implement the FY 23/24 Tourism Promotion Program

2.1 Tourism Branding Strategy: The Tourism Promotion and Destination Marketing Consultant contractor has developed an updated Explore Wilsonville tourism branding strategy. The over-arching tourism branding strategy that control key messages, marketing content and design and the look and feel of other promotional advertising products for print or online media were updated in FY 22/23 and it will be implemented in FY 23/24.

3.2 Destination marketing strategy plan: The committee recommends that a focused tourism and visitor destination-marketing strategy is developed that complements the City's larger branding strategy in order to maximize branding integration and marketing expenditures. The committee recommends advancing this study during FY23/24 if funds become available.

Authority for recommendation: *Wilsonville Tourism Development Strategy, May 2014, Action Item 1.1:* Develop a destination branding strategy for Wilsonville.

EXPLORE WILSONVILLE

2022 ANNUAL REPORT

MARCH 13, 2023

EXPLORE
WILSONVILLE

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DASHBOARD

2022 ANNUAL RESULTS

| GOALS | 2022 RESULTS | 2021 RESULTS | YOY % Change |
|--|--------------|--------------|--------------|
| Earned media (number of articles) | 4 | 2 | +100% |
| New website users | 18,243 | 10,544 | +73% |
| Social media reach (Facebook, Instagram, Pinterest) | 160,466 | 71,320 | +125% |
| Social media followers (Facebook, Instagram) | 2,485 | 1,777 | +40% |



2022 ACTIVITY SUMMARY

ONGOING

- Website maintenance and social media (homepage banners, events and listings, 3 social accounts posting 3x a week)

JANUARY-MARCH

- Geolocation data began in January
- Hosted content partner, Kirstie Chan
- Developed blogs and media pitches:
 - Wilsonville History
 - Picture-Perfect Spots for Spring

APRIL-JUNE

- Hosted content partner: Rachel Teodoro
- Developed blogs and media pitches:
 - Four Kid-Approved Outdoor Getaways for Summer Fun
 - Dog-Friendly Destinations
 - Wineries and Farms You Can't Miss
- Increased IG Reels

JULY-SEPTEMBER

- Fall and Winter itineraries
- NW Travel & Life Advertorial
- Willamette Living Feature
- Wine & Shopping geolocation marketing campaign
- Developed blog and media pitch: Fall in Love with Wilsonville

OCTOBER-DECEMBER

- Attended Travel & Words Conference
- Hosted content partner: Kara Patajo
- Cozy season geolocation marketing campaign
- Developed blog and media pitch: Winter Wonder in Wilsonville blog and media pitch
- Redesigned logo



WEBSITE REPORT

WEBSITE OVERVIEW

- Ongoing event management
- Ongoing listings management
- Media page management
- Developed itinerary landing page
- Seasonal itinerary landing pages (4)
- Seasonal itinerary development (19)
- Quarterly Homepage Refresh (4)
- Updated featured blogs (8)
- 73% increase in new users
- Top pages correlate to geolocation ads

explorewilsonville.com/itineraries

SEASONAL ITINERARIES Item 14.

Four sets of seasonal itineraries: Winter, Spring, Summer and Fall. Find your favorite itineraries for your favorite time of year!

Share your adventure by tagging #explorewilsonville



WINTER WONDER IN WILCO

Whether you celebrate the tradition of gift giving 'tis the season to shop your heart out. Wilsonville.

Shoppers Delights

[READ MORE](#)



FALL IN LOVE WITH WILSON

There's a cold crisp in the air. Green leaves are taking their presence known. Boots and sweaters h

Eat & Drink | Family Time | Outside Fun | Willamette Valley

[READ MORE](#)

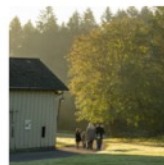


Dog-Friendly Destinations in

If you're looking to get away with your furry friend Wilsonville just as much as you will, so why not to

Eat & Drink | Family Time | Outside Fun

[READ MORE](#)



An Outdoor Getaway to Wilco

Wilsonville is an ideal destination for families looking to celebrating a recent grad or celebrating Father's Day, these four laid-back

Rocket Trips

[READ MORE](#)

 19
Itineraries

 110
Stops

WINTER



Find your favorite cold-weather comforts in Wilsonville with any of these itineraries. You can't go wrong visiting Wilsonville this winter!

[PLAN YOUR WINTER TRIP](#)

SPRING



Springtime in Wilsonville means it's time for flowers and farmer's markets. Spring into action with any of these unforgettable itineraries.

[PLAN YOUR SPRING TRIP](#)

WEBSITE ANALYTICS: SUMMARY

SIGNIFICANT INCREASED WEBSITE USERS AND VIEWS. POPULAR PAGES REFLECT GEOLOCATION ADS AND NEWLY DEVELOPED LANDING PAGES

| 2022 | | | | | | | | | | | | | 2022 TOTAL |
|------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-----------------|
| Metric | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | |
| New Users | 492 | 570 | 1,620 | 1,713 | 1,999 | 2,203 | 2,709 | 1300 | 1,096 | 1,123 | 1,739 | 1,679 | 18,243 TOTAL |
| Users | 506 | 587 | 1,635 | 1,745 | 2,264 | 2,596 | 2,609 | 1,400 | 1,109 | 1,144 | 1,773 | 1,703 | 19,071 TOTAL |
| Page Views | 1,299 | 1,405 | 3,799 | 4,737 | 5,285 | 6,443 | 5,435 | 3,685 | 3,486 | 3,400 | 3,783 | 3,729 | 46,486 TOTAL |

Users/New Users: A user is a person who has come to your website. A new user is a first-time visitor to the website during the selected date range.

Page Views: Page views is the total number of pages viewed. Repeated views of a single page are counted.

2022 MOST POPULAR PAGES

| | |
|---|---|
| 1. / | 6. /pocket-trips/taking-a-step-forward-and-looking-back-in-wilsonville/ |
| 2. /cozy-season/ | 7. /shopping-trip/ |
| 3. /restaurants-wilsonville-oregon/ | 8. /itineraries/ |
| 4. /events/ | 9. /contact-us/ |
| 5. /wine-country-trip/ | 10. /pocket-trips/tulip-and-flower-festivals/ |

| METRIC | 2021 | 2022 % CHANGE |
|------------|--------|------------------|
| New Users | 10,544 | +73% |
| Users | 11,640 | +64% |
| Page Views | 26,078 | +78% |



WEBSITE ANALYTICS: VISITORS

INCREASED RETURNING VISITORS BY ~7%
INCREASED SOCIAL TRAFFIC ~4%
INCREASED REFERRAL TRAFFIC ~3%
Referral traffic: users who arrive to the website via a link from another site

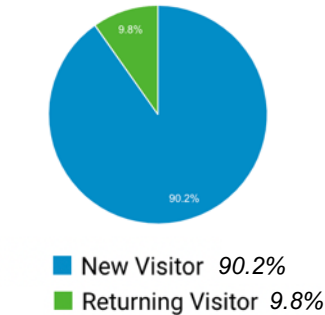
2021

2022

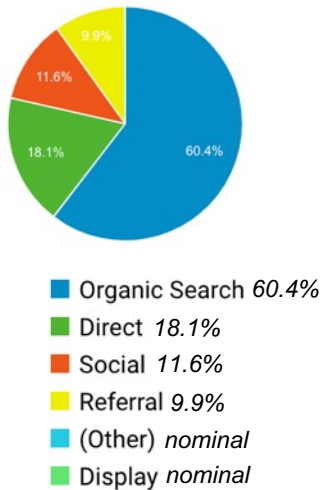
VISITOR TYPE 2021



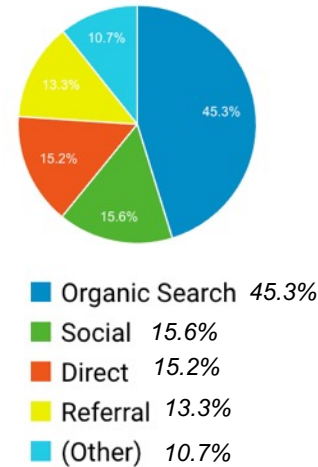
VISITOR TYPE 2022



TOP SOURCES 2021



TOP SOURCES 2022



*other indicates traffic sources that do not fall into other categories.
**color code reflects traffic rank (ex. green is second place), not coded by



SOCIAL MEDIA REPORT

SOCIAL MEDIA OVERVIEW

- Posted 3-4 posts per week on Facebook, Pinterest and Instagram
- Provided ongoing social media engagement as part of follower growth strategy
- Developed consistent social media ads to increase reach and engagement
- Earned high Facebook reach due to paid promotions
- Instagram page consistently performed in both follower growth and engagement
- Updated social media strategy
- Total social reach increased by 125%
- Total social following increased by 40%



FACEBOOK ENGAGEMENT

| Facebook Engagement* (Engagement %) | | | | | | | | | | | | | |
|-------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|--------|-------|-------|-------|----------------|
| Metric | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | RESULTS |
| 2022 | 6.00% | 6.48% | 5.00% | 3.54% | 7.90% | 3.55% | 4.04% | 3.99% | 10.92% | 3.46% | 2.17% | 1.21% | 4.86% TOTAL |
| 2021 | 2.44% | 2.94% | 2.73% | 7.83% | 6.00% | 5.67% | 8.88% | 3.83% | 4.44% | 8.05% | 3.30% | 4.81% | 5.08% TOTAL |

| Facebook Post Total Reach** | | | | | | | | | | | | | |
|-----------------------------|--------|-------|--------|-------|--------|--------|-------|--------|-------|--------|--------|--------|------------------|
| Metric | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | RESULTS |
| 2022 | 564 | 4,349 | 5,821 | 8,803 | 12,808 | 6,512 | 8,012 | 6,712 | 1,419 | 14,729 | 16,166 | 16,088 | 101,983 TOTAL |
| 2021 | 16,969 | 9,690 | 25,097 | 460 | 779 | 11,598 | 890 | 32,857 | 1,937 | 882 | 10,761 | 1,415 | 113,334 TOTAL |

*Engagement is post total reach divided by the number of people who clicked anywhere on Explore Wilsonville posts. Industry standard is .13% (above 1% is good).

**Reach is the total number of people the page's posts were served to

TAKEAWAYS

January 1 - December 31, 2022:

- Significant growth every month compared to 2021
- 495 new followers

Change in yearly total:

- Consistent monthly increases in engagement by ~4%
- Consistent monthly increases in reach anywhere between ~6,000 and ~15,000

| Total Followers 2022 | |
|----------------------|--------------------|
| Jan | Dec |
| 1,078 Followers | 1,573 Followers |

*total social follower growth on page 16

| METRIC | 2022 | 2021 | YOY CHANGE |
|----------------------------|------------------|------------------|--------------------------------------|
| Engagement* (Engagement %) | 4.86% AVG | 5.08% AVG | Monthly increases roughly 4% |
| Post Total Reach** | 101,983 TOTAL | 113,334 TOTAL | Monthly increases be 6,000 15,000 |

135



INSTAGRAM ENGAGEMENT

| Instagram | | | | | | | | | | | | | |
|-------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------------------------|
| Metric | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | RESULTS |
| Engagement* (Engagement %) | 2.88% | 2.23% | 2.09% | 1.96% | 1.97% | 1.7% | 1.60% | 1.60% | 1.54% | 1.46% | 1.93% | 1.75% | 1.89% AVG |
| Average number of likes | 18.9 | 14.7 | 14.6 | 22.62 | 13.92 | 11.7 | 11.71 | 12.3 | 10.67 | 11.3 | 15.5 | 14.2 | 14.3 AVG |
| Post Total Reach** | 2,733 | 2,643 | 7,823 | 7,054 | 3,941 | 2,086 | 2,960 | 2,908 | 2,822 | 3,453 | 4,149 | 4,832 | 47,404 TOTAL |

*Engagement rate is based on the likes and comments received divided by the number of followers. Industry standard is 3.31%

**Reach is the total number of people the page's posts were served to

TAKEAWAYS

January 1 - December 31, 2022:

- Instagram followers increased by 202

Change in yearly total:

- Engagement slightly decreased due to the adverse relationship between engagement and reach
- Post total reach increased 109%
- Began measuring engagements for an additional point of analysis of Instagram performance

| METRIC | 2022 | 2021 | YOY CHANGE | 2022 % CHANGE |
|-------------------------------|-----------------|-----------------|-----------------|---------------|
| Engagement* (Engagement %) | 1.74% AVG | 3.54% AVG | -1.80% | -51% |
| Average number of likes | 13.8 AVG | 19.5 AVG | -5.7 | -29% |
| Post Total Reach** | 81,609 TOTAL | 39,114 TOTAL | + 42,495 | +109% |



PINTEREST ENGAGEMENT

| Pinterest | | | | | | | | | | | | | |
|-------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------------------------|
| Metric | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | RESULTS |
| Engagement* (Engagement %) | 1.71% | 3.27% | 1.58% | 2.31% | 1.78% | 1.63% | 4.12% | 2.45% | 3.39% | 2.65% | 1.20% | 1.98% | 2.34% AVG |
| Post Total Reach** | 992 | 1,019 | 1,327 | 1,342 | 1,294 | 857 | 1,141 | 941 | 531 | 414 | 923 | 326 | 11,107 TOTAL |

*Engagement is the percentage of your pins with at least one repin

**Reach is the total number of people the page's posts were served to

TAKEAWAYS

January 1 - December 31, 2022:

- Significant increase in Pinterest reach after a year of consistent presence
- Engagement slightly decreased due to the adverse relationship between engagement and reach
- Began measuring engagements for an additional point of analysis of Pinterest performance

| METRIC | 2022 | 2021 | YOY CHANGE | 2022 % CHANGE |
|-------------------------------|-----------------|----------------|---------------|---------------|
| Engagement* (Engagement %) | 2.34% AVG | 3.34% AVG | -1% | -29.9% |
| Post Total Reach** | 11,107 TOTAL | 9,634 TOTAL | +1,473 | +15% |



SOCIAL MEDIA TOP CONTENT 2022

JANUARY-MARCH

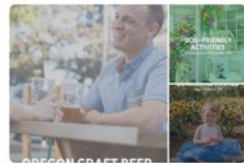
PINTEREST



Blog posts and content partners

APRIL-JUNE

PINTEREST



Itineraries

JULY-SEPTEMBER

PINTEREST



Wine Country

OCTOBER-DECEMBER

PINTEREST



Winter in Wilsonville

FACEBOOK



Valentine's Day

INSTAGRAM



Tulip festival

FACEBOOK



Oregon Wine Month

INSTAGRAM



Lavender festival

FACEBOOK



Lee Farms

INSTAGRAM



Dinner in the Field

FACEBOOK



Holiday shopping

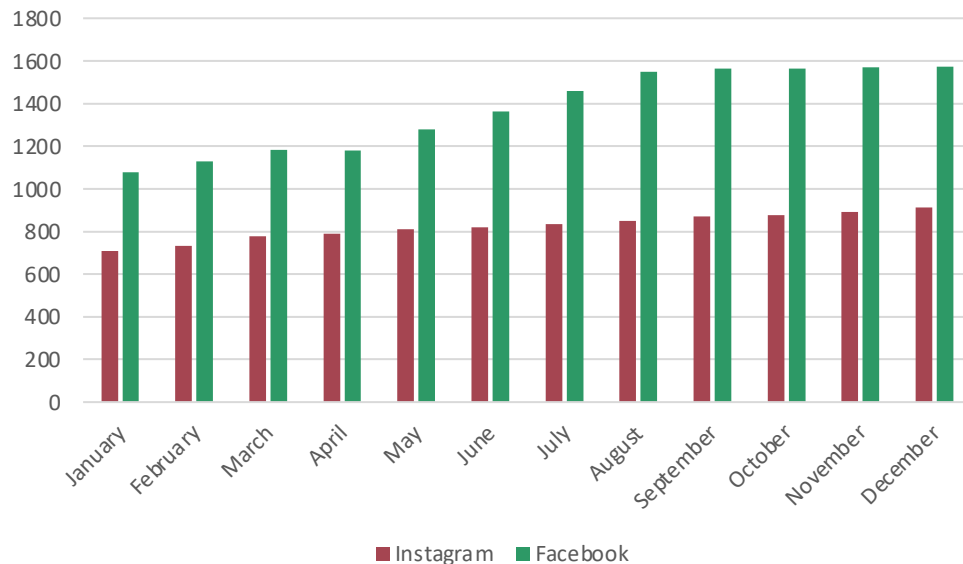
INSTAGRAM



Holiday shopping



SOCIAL MEDIA FOLLOWERS 2022



TOTAL FOLLOWERS: 2,485

**as of December 31, 2022*

INCREASE BETWEEN JAN - DEC

Instagram: +28%

Facebook: +46%



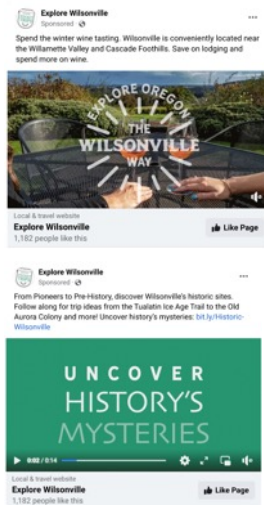
| METRIC | January 2022 | December 2022 | YOY CHANGE | 2022 % CHANGE |
|------------------------|--------------|---------------|------------|---------------|
| Social Media Followers | 1,788 | 2,485 | +697 | +39% |

**Pinterest followers are not tracked or measured. Due to the nature of the platform, it is not an accurate reflection of efforts*

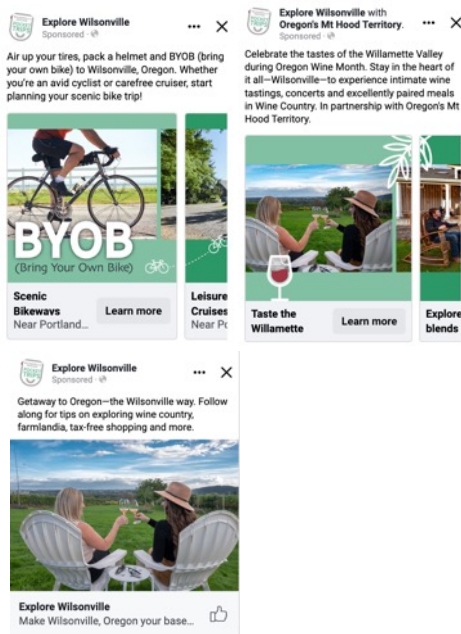


PAID SOCIAL MEDIA (MARKETING)

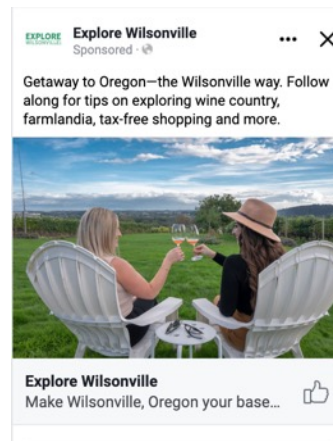
JANUARY-MARCH



APRIL-JUNE



JULY-SEPTEMBER



OCTOBER-DECEMBER



TOTAL SPEND: \$1,048.98
TOTAL REACH: 80,240
TOTAL IMPRESSIONS: 160,159
TOTAL PAGE ENGAGEMENTS: 3,639
TOTAL PAGE LIKES: 461
TOTAL CLICKS: 2,974



FACEBOOK DEMOGRAPHICS

Data on people reached. This is the number of people who had any content from Explore Wilsonville or about Explore Wilsonville enter their screen, grouped by age and gender. These numbers are an estimate.

AGE RANGE

Most of Explore Wilsonville's Facebook content reaches people who are above the age of 35, and between ages 45-54.

GENDER

Approximately 74% of Explore Wilsonville's Facebook content reached women, and 26% reached men.

COUNTRY

A majority are from the United States, followed by Canada

CITIES

The top five cities outside of Wilsonville for Explore Wilsonville Facebook content are:

1. Portland, OR
2. Wilsonville, OR
3. Salem, OR
4. Eugene, OR
5. Vancouver, WA

Updated February 1, 2023



INSTAGRAM DEMOGRAPHICS

This is the number of people who currently follow Explore Wilsonville on Instagram. These numbers are an estimate.

AGE RANGE

Most of Explore Wilsonville's Instagram followers are between the ages of 35-44. Consistent with last quarter's report.

GENDER

Approximately 75% of Explore Wilsonville's Instagram followers identify as women. 25% identify as men. Consistent with last quarter's report.

COUNTRY

A majority (97%) are from the United States, followed by Canada (.4%).

CITIES

The top five cities for Explore Wilsonville's Instagram are:

1. Wilsonville, OR (32.6%)
2. Portland, OR (7.8%)
3. Canby, OR (5.3%)
4. Oregon City, OR (2.8%)
5. Tigard, OR (2.6%) *newly added*



Updated January 11, 2023

PINTEREST DEMOGRAPHICS

Data on Explore Wilsonville's total Pinterest audience. This includes all users who have seen or engaged with Explore Wilsonville pins. These numbers are an estimate.

AGE RANGE

Most of Explore Wilsonville's Pinterest audience are between the ages of 25-44, with ages 25-34 leading at 40% followed by ages 35-44 at 20.2%.

GENDER

Approximately 68.3% of Explore Wilsonville's Pinterest audience identify as female. 20.4% identify as male and approximately 11.3% are unspecified & custom.

CITIES

The top five metro areas for Explore Wilsonville's Pinterest audience are:

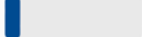
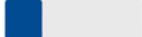





1. Portland, OR (18.4%)
2. San Francisco- Oak-San Jose, CA (7.7%)
3. Los Angeles, CA (6.2%)
4. Seattle-Tacoma, WA (3.5%) *newly added*
5. New York, NY (3.5%)

Updated January 11, 2023

CATEGORIES AND INTERESTS

The most popular categories for this audience.

**Affinity indicates how this audience is interested in a particular category compared to the general Pinterest audience*

| Category | Affinity ↓ ⓘ | % of audience |
|--------------|--------------|--|
| finance | 3.37x | 11.6%  |
| vehicles | 2.14x | 27.2%  |
| gardening | 2.08x | 60.1%  |
| travel | 1.82x | 77.6%  |
| animals | 1.71x | 60.1%  |
| architecture | 1.65x | 49.3%  |
| sport | 1.57x | 77.3%  |



PR REPORT

PR OVERVIEW

- Monitored media clips and mentions monthly in Cision Media software
- Hosted travel content partner Kirstie Chan
- Hosted travel content partner Rachel Teodoro
- Hosted travel content partner Kara Patajo
- Increased frequency of blogs
- Placed advertorial in NW Travel & Life Magazine
- Willamette Living Feature published
- PDX Parent: neighborhood guide
- Updated media fact sheet
- Attended Travel & Words Travel Writer's Conference



PUBLIC RELATIONS

| | Number of Articles | Circulation | Earned Media |
|--------------|--------------------|-------------------|--------------|
| January | 3 | 330,910 | - |
| February | 6 | 4,529,415 | - |
| March | 4 | 174,324 | 1 |
| April | 14 | 8,995,116 | - |
| May | 9 | 4,630,393 | - |
| June | 9 | 6,860,108 | 1 |
| July | 22 | 6,839,552 | - |
| August | 4 | 5,627,705 | - |
| September | 19 | 7,076,372 | 1 |
| October | 14 | 2,550,354 | - |
| November | 13 | 4,694,322 | 1 |
| December | 13 | 4,493,820 | - |
| TOTAL | 130 | 56,802,391 | 4 |



CONTENT PARTNER: ABOUT KIRSTIE CHAN



She is born and raised in Seattle, WA and loves celebrating her Chinese culture and heritage. She is a huge foodie at heart and has an exceptional sweet tooth and loves to travel, explore and try new things. She is also a millennial and forever a kid at heart and loves all the cute and nostalgic things!

OVERVIEW:

- 2-day itinerary: April 1-3

GOAL:

To inspire a trip to Wilsonville. Seeing Wilsonville through the eyes of a trusted authority delivers an authentic message and establishes Wilsonville as a destination among the content partner's followers.



CONTENT SAMPLES FROM TRIP



CONTENT PARTNER: RACHEL TEODORO



Explore Wilsonville contracted Rachel Teodoro as a content partner to visit Wilsonville with her family under a content partner agreement that allowed her to follow a pre-determined itinerary in exchange for an authentic review of the different points of interest in and around Wilsonville. Rachel Teodoro is a travel blogger who focuses on frugal travel with families.

OVERVIEW:

- 2-day itinerary: June 24-26

GOAL:

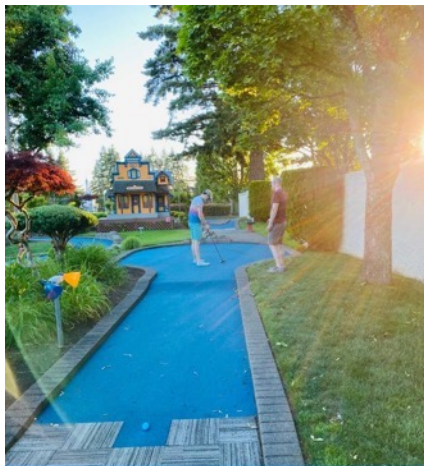
To inspire a trip to Wilsonville. Seeing Wilsonville through the eyes of a trusted authority delivers an authentic message and establishes Wilsonville as a destination among the content partner's followers.



CONTENT SAMPLES FROM TRIP



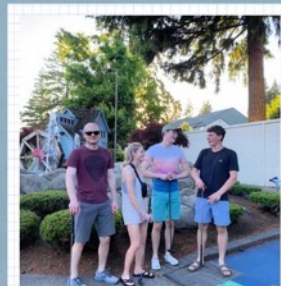
**FAMILY FUN WITH
TEENS IN
WILSONVILLE,
OREGON**



**TOP 5 THINGS TO DO
IN WITH TEENS IN**
Wilsonville, Oregon



**FAMILY FUN
WITH TEENS
IN
WILSONVILLE,
OREGON**



**WHERE
TO EAT**

**WILSONVILLE,
OREGON**



CONTENT PARTNER: KARA PATAJO



Explore Wilsonville contracted Kara Patajo as a content partner to visit Wilsonville with her family under a content partner agreement that allowed her to follow a pre-determined itinerary in exchange for an authentic review of the different points of interest in and around Wilsonville. Kara Patajo is a travel blogger focused on the Pacific Northwest, outdoor recreation and café dining.

OVERVIEW:

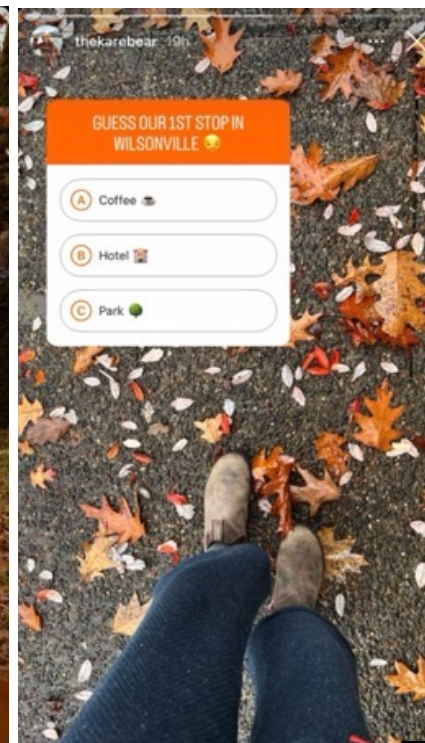
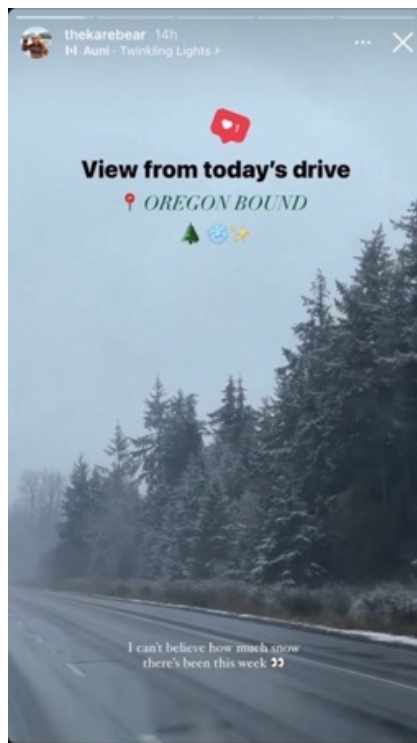
- 2-day itinerary: Nov. 29-Dec. 1

GOAL:

To inspire a trip to Wilsonville. Seeing Wilsonville through the eyes of a trusted authority delivers an authentic message and establishes Wilsonville as a destination among the content partner's followers.



CONTENT SAMPLES FROM TRIP



NW TRAVEL & LIFE



QUICK PICKS 17

DISCOVER

LONG WEEKEND 34 | TASTE 90 | POUR 95 | OFF THE GRID 104

WINTER IN WILSONVILLE, OREGON

BY ADAM SAWYER

Winter in the Willamette Valley is wondrous. Even without alliteration, the slower pace of the "off-season" allows visitors to enjoy its sought-after offerings at a more purposeful and luxurious pace. Whether that's a forested stroll, wine tasting or shopping, who doesn't enjoy those things with fewer crowds and at a more leisurely pace?

As Willamette Valley destinations go, the town of Wilsonville is underrated and flanked by the undiscovered. With some of the best and most eclectic shopping options in the valley, you might want to have it on your radar come the holiday season. Add to that, some delightful close-in hiking options and a sneaky-good food and drink scene, and you've got yourself a pretty solid option for a winter retreat. Here are some ideas.

Consider the Hilton Garden Inn for home base. It's a stone's throw from the Willamette River and steps away from the multitude of outdoor recreation options of Memorial Park. On top of that, the onsite restaurant, the Parkway Grille is a splendid option for breakfast, dinner or a nightcap.

Now, let's talk shopping. The neighboring township of Aurora is a contender for one of the best spots to go antiquing in Oregon. Check out Main Street Mercantile Antiques, Mill Creek Antique and Vintage and Aurora Antiques, among others. Meanwhile, just a few minutes south, the Woodburn

Premium Outlets features 110 stores just waiting to deck out anyone in the family from head to toe.

With regard to food and drink, start off with a tasting of the chardonnays and pinot noirs at the Tumwater Vineyard & Barrel House Tasting Room, or enjoy an approachable tasting experience at Olea Vineyards. If you're more of a craft-beer fan, check out the Ordinance Brewing Taproom or Vanguard Brewing Company for extensive beer and food options. For dinner proper, the world is quite literally your oyster with enticing ethnic offerings from, Dar Essalam Moroccan Cuisine, Abella Italian Kitchen, Kirin Ramen or the New Human Restaurant.

In addition to Memorial Park, walkers and hikers can find a proper leg stretch at the Graham Oaks Nature Park, the Boeckman Creek Crossing Trail, or the combination of nature, history and recreation found at the Champoege State Heritage Area.

And if you're in the mood for family fun, Bullwinkle's Wilsonville offers bowling, mini golf, go-karts, an arcade, laser tag, the Kidopolis Playland and more.

Wilsonville is less than 20 miles from Portland, making it an easy spot for a day's diversion or an overnight getaway. Learn more about Wilsonville at explorewilsonville.com.

24 | Nov / Dec 2022 | nwtravelmag.com

- WINTER FEATURE BY ADAM SAWYER
- [NOV/DEC 2022 ISSUE](#)
- REGIONAL DISTRIBUTION: WA, OR, ID, MT, AK, NORTH CA
- MONTHLY IMPRESSIONS: 435,000
- MAGAZINE CIRCULATION: 205,000
- NEWSLETTER: 52,000

WILSONVILLE MEDIA FACT SHEET: UPDATED



DISCOVER TRAVEL
THE WILSONVILLE WAY



Graham Oaks Nature park



Lady Hill Winery

EXPLORE WILSONVILLE

ROAD TRIP READY

- 20 minutes from Portland
- 30 minutes from Salem
- 2 hours from Seattle
- 2 hours from Eugene
- 10 hours from San Francisco

WHY WILSONVILLE

- Comfortable and convenient lodging from budget-friendly to upper-class
- 16 miles south of downtown Portland (about a 20-minute drive)
- Easy access to 700+ wineries in the Willamette Valley, including two tasting rooms in Wilsonville
- 10 minutes to Woodburn Premium Outlets and Bridgeport Village—Oregon's most-visited destinations
- Home of the Oregon Korean War Memorial
- Hub of industry: Coca-Cola, TE Medical and Siemens/Mentor Graphics all have a home-base in Wilsonville
- 15 parks and trails, including dog parks, sports fields, public water features and the historic Stein Boozler Barn

STAY IN THE HEART OF IT ALL. JUST 16 MILES SOUTH OF PORTLAND

Enjoy tax-free shopping, family fun, affordable accommodations and the gateway to Oregon's wine country.

ITINERARIES FOR EVERYONE

OUTDOORSY TRIP
Soak up wide open space in Wilsonville's great outdoors. Explore nearby state parks, a 500-acre family farm, the Willamette River and hundreds of miles of bike-friendly trails.

FOODIE TRIP
Feast on Oregon's bounty. Try farm-fresh food, family-style Italian—or even take a cooking class for your next date night! Wash it all down with handcrafted beer, wine and spirits.

SHOPPING TRIP
Skip the sales tax. Wilsonville is just 10 minutes from Oregon's biggest shopping centers: Woodburn Premium Outlets and Bridgeport Village. Hunt for quirky gifts in Aurora, named one of the "Best Antique Towns."

WINE COUNTRY TRIP
Get centered in wine country, with over 700 wineries in the Willamette Valley. Expand your tasting palate and become a Pinot noir aficionado.

HISTORY & HERITAGE TRIP
Push through the boundaries of time and study Oregon history from the Ice Age to present. Explore settlements at Champoege State Heritage Area, ride the Canby Ferry and challenge your nerves at historic cemeteries.

Find more itineraries at EXPLOREWILSONVILLE.COM

NEW SEASONAL ITINERARIES



Planning a trip to Wilsonville just got easier with new seasonal itineraries that will keep you coming back for more. Each seasonal itinerary includes a map that will save you time so you can easily navigate your way around Wilsonville. From fall festivals to summer jams, we have curated seasonal adventures for all types of travelers.

3 STORIES TO GET YOU STARTED

1 BEST OF FALL

Fun in Farmlandia

The Farmlandia Farm Loop offers a fun fall day trip for all. Choose from 18 local farm stands, pick your own crops, sip local wines and sample farm-to-table cuisine. Wear your sturdiest rain boots to splash in puddles, pick pumpkins and explore rows of crops.

McMenamins

Plan for a hearty lunch at McMenamins after a morning of exploring Wilsonville's beautiful countryside. Grab a drink brewed on site to counter a warm plate of fall comfort food. For a cool autumn day, we recommend the Brewmaster's Sausage Plate with an Edgefield Hard Cider.

2 SEEKING SOLITUDE

Bring Your Own Bike

The Willamette Valley Scenic Bikeway is a great option for skilled cyclists. For the first stretch of the route, you'll pedal your way along vineyards, hop fields and Champoege State Heritage Area. Head over to Graham Oaks Nature Park, boasting over 250 acres of oak forests and grassy plains and biking trails. You'll see why Oregon is ranked best on the West Coast for bike-friendly trails.

Lux Sucre Desserts

Lux Sucre is a casually chic bakery and cafe nestled in Wilsonville's charming Charbonneau neighborhood. You'll have a hard time choosing from scratch made pastries and delicate desserts, fresh made tartinies, sandwiches and soups as well as perfected beverages ranging from lattes, loose leaf gourmet teas, local craft beers, wines and mimosas. Find any place more Instagramable than this—we dare you.

3 WINTER WONDER

Bundle Up & Get Outdoors

Life at Lady Hill is all about great wine, live music and family. This highly lauded winery is run by fifth-generation farmers. On weekends they host local musicians and a special happy hour tasting. Enjoy the crackling fire, estate views and good conversation minutes. Regardless of the season, the beautiful view from Lady Hill is always stunning.

Lady Hill Winery

Life at Lady Hill is all about great wine, live music and family. This highly lauded winery is run by fifth-generation farmers. On weekends they host local musicians and a special happy hour tasting. Enjoy the crackling fire, estate views and good conversation minutes. Regardless of the season, the beautiful view from Lady Hill is always stunning.



NEW & UPDATED HOTEL ACCOMMODATIONS

HILTON GARDEN INN WILSONVILLE

- Wilsonville's newest hotel, opened October 2020
- 118 guest rooms
- 1,620 square feet of event space
- Indoor pool, on-site restaurant and bar

HOLIDAY INN I-5 SOUTH

- Renovated summer 2020
- 169 guest rooms
- Full-service hotel and convention center housing over 14,000 square feet of flexible meeting space
- Indoor pool, on-site restaurant and bar
- Pet friendly, and kids stay and eat free!

MEDIA CONTACT

We love sharing stories about Wilsonville. Curious? Need more information, photos or contact details? Let's chat at jwilley@jayray.com

EXPLOREWILSONVILLE.COM/PRESS-MEDIA

EXPLORE WILSONVILLE

NOTABLE PR COVERAGE

10 Wonderful Things to do in Wilsonville that You'll Cherish Forever December 13, 2022

Two New Donut Shops Coming to Wilsonville December 1, 2022

Wilsonville's Burgeoning Housing, Business Plans November 14, 2022

Why Oregon is a Great Place for Residents and Visitors November 2022

Northwest Travel & Life's Discover: Winter in Wilsonville (p. 24) November/December 2022

More Treats Than Tricks at Wilsonville's Fall Harvest Festival October 24, 2022

Frog Pond Farm's annual Spooky Farm Walk kicks off this weekend September 30, 2022

Willamette Living's Day Tripper in Wilsonville September 1, 2022

This Barn And Farm-Themed Playground In Oregon Is The Stuff Of Childhood Dreams August 31, 2022

This Rural Road Trip Will Lead You To Some Of The Best Countryside Hidden Gems In Oregon July 29, 2022

Wilsonville Named One of 23 'Walk Friendly' Cities in United States July 21, 2022

You'll Be Endlessly Delighted at This Oregon Farm That's Home to Camels, Emus, and Guinea Pigs July 19, 2022

Part Amusement Park And Part Adventure Park, Bullwinkle's Wilsonville Is The Ultimate Summer Day Trip In Oregon June 27, 2022

Wilsonville Killer Burger Opens, Offers Unique Burger Combinations June 14, 2022

Wilsonville Sets Second Annual Juneteenth Celebration for June 18 May 2, 2022

Wilsonville-Based Sole Sisters to Host Race for Women April 20, 2022

Killer Burger Sets Its Sights On Wilsonville With Early Summer Opening April 13, 2022

Top 15 Places To Go Fruit Picking in or Near Portland April 13, 2022

Lady Hill Winery 2019 Pinot Noir, Willamette Valley Receives 'Outstanding' Rating March 25, 2022

Spring Break Activities to Keep Kids Busy Indoors March 23, 2022

Top 12 Best Cooking Classes in Portland February 25, 2022

[SEE UPDATED MEDIA](#)



GEOLOCATION MARKETING REPORT

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WINE & SHOPPING CAMPAIGN OVERVIEW

- **Campaign Dates**
 - May 20 – July 31, 2022
- **Areas of Focus**
 - Liquid Tourism
 - Shopping
- **Objectives:**
 - Generate lift in leisure travel
 - Encourage visitors to base themselves in Wilsonville for travel & vacations
- **Strategies:**
 - Past visitor re-engagement
 - Look-a-likes
 - Geo-Conquest (target past visitors and invite them to return; market to look-alike audiences)
- **Measurements of Success:**
 - Destination Attribution: Wilsonville, OR POI, Liquid Tourism cluster, Shopping cluster
 - Hotel Attribution: Hotel cluster
 - Advertising Engagement: Traditional Engagement metrics including Impressions, Click Through Rate and Web Traffic will be monitored to ensure traction in targeted audiences
- **Audience and Targeting:**
 - Liquid Tourism Audience
 - Re-engage past visitors to Willamette Valley and Umpqua Valley Wineries from past 4 years who live 50+ miles away from Wilsonville.
 - Look-a-likes of above wine audience who live 50+ miles away and live in key markets
 - Shopping Audience
 - Re-engage past visitors to Woodburn Premium Outlets from the past 4 years who live 50+ miles from Wilsonville
 - Look-a-likes of above shopping audience who live in key markets

Budget: \$15,000 ad buy (+\$5,000 credit)

Assets/Creative:

- HTML5 Prospecting and Retargeting ad



RESULTS

May 20 – July 31, 2022

- We reached 227,045 people in our key markets, resulting in 361 booked room nights.
- The **return on ad spend for this campaign: \$14.13 for every \$1.** (Cost per visitor day = \$2.43)
- Ads ranked above the benchmark average for people who saw the ad and clicked the link for more information with 3,020 clicks and a click-through rate of .15%.

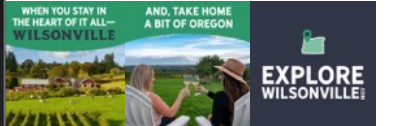
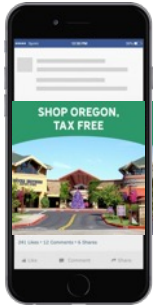
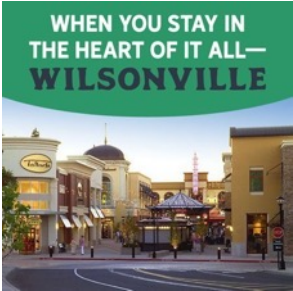
Campaign Impact

$$\begin{array}{rcl}
 2,865 & & \$100 \\
 \text{Total trips} & \times & \text{Avg. spend} \\
 & & \text{per visitor} \\
 & = & \$286,500 \\
 & & \text{Destination impact}
 \end{array}$$

$$\begin{array}{rcl}
 361 & & \$100 \\
 \text{Room nights} & \times & \text{Avg. daily rate} \\
 \text{booked} & & \text{(estimated)} \\
 & = & \$36,082 \\
 & & \text{Hotel impact}
 \end{array}$$



WINE & SHOPPING CAMPAIGN





SHOPPING TRIP

Stay in the heart of it all: Wilsonville. Whether you're visiting for a few hours or a few days, you'll find Shopping Trip itineraries here packed with ideas to help you plan your trip.



HIGHLIGHTS:

- Farmers Markets
- Tax-Free Shopping
- Open-Air Outdoor Malls
- One of the "Best Antique Towns"

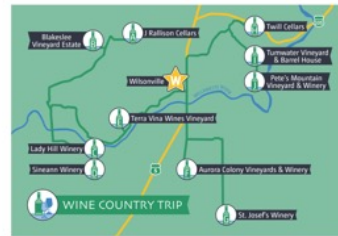
2
1-2 Days55
Miles9
Stops

explorewilsonville.com/shopping-trip



WINE COUNTRY TRIP

Stay in the heart of it all: Wilsonville. Whether you're visiting for a few hours or a few days, you'll find Wine Country Trip itineraries here packed with ideas to help you plan your trip.



HIGHLIGHTS:

- Boutique Wineries
- Vineyard Views
- New & Old-World Techniques
- Chehalem Mountains
- Pete's Mountain

0
2-3 Days12
Miles2
Stops

explorewilsonville.com/wine-country-trip

COZY SEASON CAMPAIGN OVERVIEW

- **Campaign Dates**

- Nov. 10, 2022 – Feb. 28, 2023

- **Areas of Focus**

- Paring cozy adventures and tastings that feature:
 - Liquid Tourism
 - Outdoors
 - General Wilsonville/Travel interest/Relaxation

- **Objectives:**

- Generate lift in leisure travel
- Encourage visitors to base themselves in Wilsonville for travel & vacations

- **Strategies:**

- Past visitor re-engagement
- Look-a-likes
- Geo-Conquest (target those who have visited WA's wine country but not Oregon's, AND match Wilsonville audience demographics)

- **Measurements of Success:**

- Destination Attribution: Wilsonville, OR POI, Liquid Tourism cluster, Outdoor cluster
- Hotel Attribution: Hotel cluster
- Advertising Engagement: Traditional Engagement metrics including Click Through Rate will be monitored to ensure traction in targeted audiences

- **Audience and Targeting:**

- Re-engage past visitors to Willamette Valley Wine Country; Geoconquest Washington's Wine Country (Walla Walla, Tri-Cities wineries) from past 4 years who live 50+ miles away and have not been Willamette Valley
- Outdoor Recreation Audience; Wine audience
- Look-a-Likes of past visitors who live in Key Markets
- Target visitors to Salem, Tualatin, Oregon City and Newberg who have not stayed in Wilsonville the past 4 years

Budget: \$16,000 over four months

Assets/Creative:

- HTML5 Prospecting and Retargeting ad



RESULTS

November 10, 2022 – February 18, 2023 (*results through Feb. 28 not avail yet)

- We reached 96,612 people in our key markets, resulting in 132 booked room nights.
- The **return on ad spend for this campaign: \$8.21 for every \$1.** (Cost per visitor day = \$3.11)
- Ads met the benchmark average for people who saw the ad and clicked the link for more information with 3,325 clicks and a click-through rate of .16%.

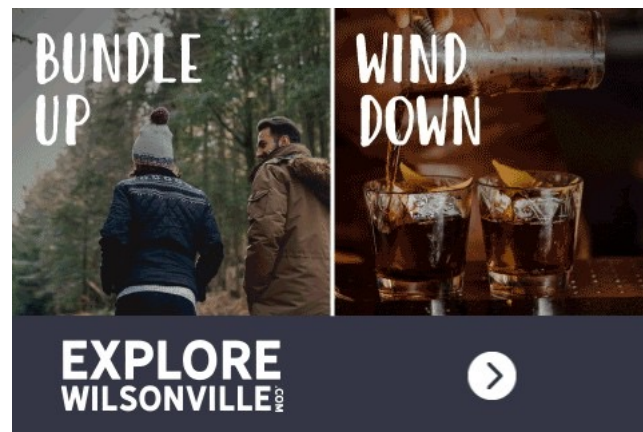
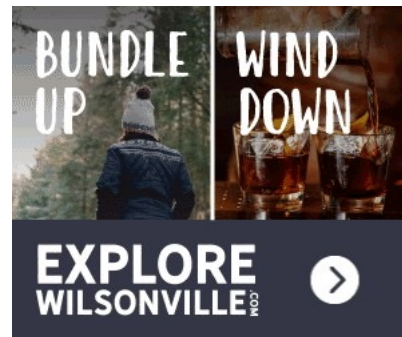
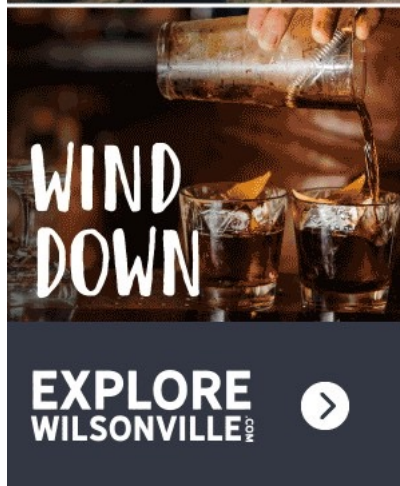
Campaign Impact

| | | | | |
|-------------|---|------------------------|---|--------------------|
| 1,465 | | \$100 | | \$146,500 |
| Total trips | x | Avg. spend per visitor | = | Destination impact |

| | | | | |
|--------------------|---|-----------------------------|---|--------------|
| 132 | | \$100 | | \$13,249 |
| Room nights booked | x | Avg. daily rate (estimated) | = | Hotel impact |



COZY SEASON CAMPAIGN





WIND DOWN TO WINTER IN WILSONVILLE

Pairings aren't just for wine and cheese. Sunny days and chilly nights make for magical winter getaways in the heart of it all – Wilsonville, OR. Put on your cozy season attire and get ready for toasty times! We've paired the best winter activities with decadent food and drinks so you can spend less time planning and more time experiencing the Willamette Valley.

Bundle up for adventure.



Wilsonville Memorial Park. The 126-acre park features playgrounds, an off-leash dog area and an extensive trail system with a half mile of Willamette River views.

Grab your winter gear and prepare for outdoor excursions. With moderate winter weather Wilsonville is the perfect spot to take a stroll. Get a taste of pioneer life with a visit to Champoeig State Heritage Area. If you're feeling extra adventurous book a stay in a yurt to enjoy winter glamping at the site where Oregon's first provisional government was formed. Don't stop there! Live like a local with a visit to

Cozy up with cold weather comforts.

Find hygge in the little things. Bring a book and warm up in Wilsonville with a visit to one of the many cozy coffee shops in town. Delight in a morning cup o' Joe from the Corner Coffee Shoppe. Pro-tip: stop by Wild Grains Bakery next door and surprise the gluten-free friend in your life with delicious baked goods. Sweet tooth? For food as good as their photo-ops stop visit every Instagrammer's favorite bakery, Lux Sucre Desserts and snap a pic in their pink phone booth.

Pair your cozy morning with a toasty evening around a firepit on Mt. Hood Territory's [Tap Trail](#).

Try some of Oregon's famous craft beer at local favorites Ordance Brewing and Vanguard Brewing. Sip on Vanguard's popular Good Day IPA and if you're feeling nostalgic for summer nights order a creamsicle, fruit sour.



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Curl up with a spa day.



Whether you're seeking solitude or spending quality time with loved ones, indulge in rest and relaxation this winter with a spa day in Wilsonville. Release the weight of the world with a salt float at Soak Box Spa or treat your body to a fire and ice treatment to reap the benefits of both sauna and cold therapy. Feeling fancy? Pamper yourself at Oregon's premiere resort and spa, The Allison Inn

& Spa. Soak in luxury with a mimosa massage and divine wine facial.

Pair your spa day with wine tasting in the Willamette Valley. Within just a few minutes' drive you'll be sampling Lady Hill Winery's Rhône-style blends, savoring Terra Vina Wines' zesty and fruity Carménère at their winery in Wilsonville or from their tasting room in McMinnville, and toasting Tumwater vineyards sparkling rose brut. With more than 300 wineries to choose from, you can't go wrong.

Cozy season is calling. [Plan your trip.](#)

Trips-tips: Before booking your trip browse local [packages & deals](#). Once you've warmed up take advantage of budget friendly tax-free [shopping](#). Start with local farm stores like Graham + Tooze, plan time for the Woodburn Premium Outlets and don't miss out on antiquing in Aurora.

Be sure to tag [#ExploreWilsonville](#) in your vacation photos for a chance to be featured.

explorewilsonville.com/cozy-season

PACKAGES & DEALS



STR REPORT

Item 14.

STR REPORT GLOSSARY

- **Occupancy:**
 - Percentage of available rooms sold during a specified time period. Occupancy is calculated by dividing the number of rooms sold by rooms available.
$$\text{Occupancy} = \text{Rooms Sold} / \text{Rooms Available}$$
- **Revenue per available room (RevPAR):**
 - Total room revenue divided by the total number of available rooms. See Room Revenue, Rooms Available.
$$\text{Room Revenue} / \text{Rooms Available} = \text{RevPAR}$$
- **Demand:**
 - The number of rooms sold in a specified time period (excludes complimentary rooms).
- **Revenue:**
 - Total room revenue generated from the guestroom rentals or sales.
- **Average daily room rate (ADR):**
 - A measure of the average rate paid for rooms sold, calculated by dividing room revenue by rooms sold.
$$\text{ADR} = \text{Room Revenue} / \text{Rooms Sold}$$



Source: <https://str.com/data-insights/resources/glossary/>

STR REPORT – WILSONVILLE



Total Properties **Item 14.**



Total Rooms: **615**

| JAN - DEC 2022 | | JAN - DEC 2021 | |
|--|--------------------------------|--|--------------------------------|
| Occupancy %: 71.9% Avg | Demand: 161,355 Total | Occupancy %: 64.5% Avg | Demand: 144,781 Total |
| RevPAR (revenue per available room): \$79.09 Avg | Revenue: \$17,773,274 Total | RevPAR (revenue per available room): \$61.61 Avg | Revenue: \$13,839,485 Total |

TAKEAWAYS

- Insights on STR report show growth when benchmarked against the second pandemic year, 2021

| METRIC | 2022 | 2021 | YOY CHANGE | % CHANGE |
|---------------------|--------------|--------------|-------------|----------|
| Occupancy % Average | 71.9% | 64.5% | 71.2% | 110% |
| RevPAR Average | \$79.09 | \$61.61 | \$27.01 | 28% |
| Demand Total | 161,335 | 144,781 | 58,410 | 11% |
| Revenue Total | \$17,773,274 | \$13,839,485 | \$7,187,145 | 28% |

**detailed monthly breakdown can be found on page 39*



STR REPORT – WILSONVILLE

Occupancy%

| | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 2022 | 61.9% | 65.8% | 72.1% | 74.0% | 71.2% | 81.1% | 78.9% | 80.2% | 77.7% | 74.3% | 64.6% | 60.4% |
| 2021 | 42.4% | 64.9% | 59.9% | 63.6% | 65.5% | 75.9% | 77.6% | 73.3% | 68.9% | 64.1% | 61.2% | 57.0% |
| % change | 46.0% | 1.4% | 20.4% | 16.3% | 8.8% | 6.9% | 1.6% | 9.5% | 12.8% | 15.8% | 5.5% | 6.0% |

RevPAR

| | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-------------|----------------|----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|----------------|----------------|----------------|----------------|
| 2022 | \$55.52 | \$60.93 | \$68.74 | \$75.27 | \$73.77 | \$103.64 | \$109.75 | \$103.21 | \$93.51 | \$79.13 | \$66.24 | \$59.37 |
| 2021 | \$29.65 | \$51.18 | \$46.42 | \$51.94 | \$57.83 | \$79.31 | \$91.33 | \$85.55 | \$74.57 | \$63.51 | \$57.54 | \$50.30 |
| % change | 87.3% | 19.0% | 48.1% | 44.9% | 27.6% | 30.7% | 20.2% | 20.6% | 25.4% | 24.6% | 15.1% | 18.0% |

Demand

| | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| 2022 | 11,806 | 11,336 | 13,749 | 13,645 | 13,577 | 14,965 | 15,035 | 15,294 | 14,342 | 14,162 | 11,916 | 11,508 |
| 2021 | 8,085 | 11,176 | 11,420 | 11,733 | 12,479 | 14,000 | 14,791 | 13,973 | 12,712 | 12,225 | 11,298 | 10,859 |
| % change | 46.0% | 1.4% | 20.4% | 16.3% | 8.8% | 6.9% | 1.6% | 9.5% | 12.8% | 15.8% | 5.5% | 6.0% |

Revenue

| | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| 2022 | \$1,058,415 | \$1,049,132 | \$1,310,456 | \$1,388,709 | \$1,406,472 | \$1,912,140 | \$2,092,395 | \$1,967,775 | \$1,725,258 | \$1,508,545 | \$1,222,059 | \$1,131,918 |
| 2021 | \$565,203 | \$881,370 | \$885,041 | \$958,270 | \$1,102,567 | \$1,463,298 | \$1,741,263 | \$1,631,032 | \$1,375,859 | \$1,210,822 | \$1,061,555 | \$958,933 |
| % change | 87.3% | 19.0% | 48.1% | 44.9% | 27.6% | 30.7% | 20.2% | 20.6% | 25.4% | 24.6% | 15.1% | 18.0% |



JAYRAY A PLACE TO THINK

Branding | Advertising | Strategic Communications

THANK YOU!

Contact us

- 📍 535 Dock Street, Ste. 205 Tacoma, WA 98402
- 📞 253.627.9128
- ✉️ bbaeth@jayray.com

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CITY COUNCIL MEETING STAFF REPORT

| | | | |
|---|---|--|--|
| Meeting Date: May 15, 2023 | | Subject: Resolution No. 3057 Authorizing City Manager to execute Professional Services Agreement with FFA Architecture and Interiors, Inc. for development of the Community Service Block Master Plan (CIP #8158). Staff Member: Delora Kerber, Public Works Director Department: Public Works | |
| Action Required | | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda | | <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A | |
| Staff Recommendation: Staff recommends Council adopt the Consent Agenda. | | | |
| Recommended Language for Motion: I move to adopt the Consent Agenda. | | | |
| Project / Issue Relates To: | | | |
| <input type="checkbox"/> Council Goals/Priorities: | <input checked="" type="checkbox"/> Adopted Master Plan(s): 2022 Facility Master Plan Resolution No. 3001 | <input type="checkbox"/> Not Applicable | |

ISSUE BEFORE COUNCIL:

City of Wilsonville Resolution approving the public bid process, and awarding a professional service agreement to FFA Architecture and Interiors, Inc. in the amount of \$247,935 for the development of the Community Service Block Master Plan (CIP #8158).

EXECUTIVE SUMMARY:

In November 2022 via Resolution No. 3001, the City of Wilsonville adopted the 2022 Facility Master Plan (FMP) which future needs related to space and programming for the various City Departments.

The 2022 FMP evaluation process resulted in recommending improvements to Police Department accommodations as one of the top three priority projects. The 2015 City Facility Master Plan previously identified the Police Department, as a high needs project.

To accommodate the expansion of the Community Center services, the 2022 FMP recommended using the Art Tech and Kiva buildings, however, since development of the FMP it has been determined due to the age, and condition of the Kiva building it should be demolished.

Additionally, the 2022 FMP introduced the concept of redeveloping the Community Service Block (CSB) area defined as the 5.3 acres of land on the northeast corner of the intersection of Wilsonville Road and Town Center Loop East which includes the Public Works/Police building, Community Center, Kiva and Art Tech buildings to address the needs of the Police Department and Community Center. See Exhibit 1 for aerial view of the CSB area.

The CSB concept would consider alternatives presented in the Town Center Master Plan, allow for better road access and parking for the various facilities. Other considerations in the development of this concept are the proximity of the Community Center and Creekside Woods Senior Apartments and the visibility/ oversight of Murase Plaza from buildings on this site.

To better define the needs of the Police Department and Parks and Recreation Administration/Community Service Department the City is hiring an architectural team to perform a needs assessment to understand each department's space, functional and operation needs and develop a gap analysis on how best to use the CSB area and buildings in the near term and into the future.

This information will be used to create a Community Service Block (CSB) Master Plan, which will develop options for site utilization using the building alternatives determined through the gap analysis including phasing plans for each.

Three concept designs options with cost estimates for buildings on the CSB site will be produced using the preferred master plan/phasing plan. A preferred design option will be selected and final concept design drawings with cost estimate will be developed.

EXPECTED RESULTS:

The CSB Master Plan will create a strategy to address the current and future needs of the community of Wilsonville, Police Department and Parks and Recreation Department.

TIMELINE:

Development of the documents for this project will take approximately nine months to complete.

CURRENT YEAR BUDGET IMPACTS:

Funding for this project are included in FY22/23 and there are no impacts to the current year budget.

COMMUNITY INVOLVEMENT PROCESS:

Community engagement will occur during the development of the CSB Master Plan.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Information derived from the CSB Master Plan will guide the City in determining the best course of action to address immediate needs, as well as how to accommodate department growth over the next 20 to 30 years plus.

ALTERNATIVES:

Reject the contract with FFA Architecture and Interiors, Inc. for the development of Community Service Block Master Plan.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Aerial view of Community Service Block area
2. Resolution No. 3057
 - A. Professional Services Agreement for Community Service Block Master Plan (CIP #8158)

Community Service Block area



EXISTING SITE MAP - 3D VIEW

RESOLUTION NO. 3057

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT CONTRACT WITH FFA ARCHITECTURE AND INTERIORS FOR THE COMMUNITY SERVICE BLOCK MASTER PLAN (CAPITAL IMPROVEMENT PROJECT #8158).

WHEREAS, the City of Wilsonville, 2022 Facility Master Plan (FMP), January 2022 was adopted in November 2022 via Resolution 3001; and

WHEREAS, one of the top three goals of the FMP is the need to improve the accommodations for the Police Department; and

WHEREAS, the FMP proposed an option of expanding Community Center services into the Art Tech and Kiva buildings; and

WHEREAS, since the development of the FMP it has been determined due to the age and condition of the Kiva building it should be demolished; and

WHEREAS, the FMP introduced the concept of redeveloping the Community Service Block area defined as the 5.3 acres of land on the NE corner of the intersection of Wilsonville Road and Town Center Loop East in Wilsonville; and

WHEREAS, the City desires to have needs assessment, gap analysis, and potential programming alternatives for the Police Department and Parks and Recreation Administrative/Community Services Department; and

WHEREAS, this information will be used to develop a Community Service Block (CSB) Master Plan; and

WHEREAS, a CSB Master Plan will provide conceptual plans and cost estimates that will help guide the City in determining the best course of action to address immediate needs, as well as how to accommodate growth over the next 20 to 30 years.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. The procurement process for the Project duly followed Oregon Contracting Rules, and FFA Architecture and Interiors, Inc. has provided a responsive and responsible proposal for the Community Service Block Master Plan project.

Section 2. The City of Wilsonville, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, a Professional Services Agreement with FFA Architecture and Interiors, Inc. for a not-to-exceed amount of \$ 247,935 that is substantially similar to **Exhibit A** attached hereto and incorporated by reference herein.

Section 3. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of May, 2023, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. Professional Services Agreement for Community Service Block Master Plan (CIP #8158)

CITY OF WILSONVILLE PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) for the Community Service Block Master Plan Project (“Project”) is made and entered into on this 16th day of May 2023 (“Effective Date”) by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as the “City”), and **FFA Architecture and Interiors, Inc.**, an Oregon corporation (hereinafter referred to as “Consultant”).

RECITALS

WHEREAS, the City requires services which Consultant is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, Consultant represents that Consultant is qualified to perform the services described herein on the basis of specialized experience and technical expertise; and

WHEREAS, Consultant is prepared to provide such services as the City does hereinafter require.

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

Section 1. Scope of Work

Consultant shall diligently perform the feasibility assessment services according to the requirements and deliverable dates identified in the Scope of Work for the Project, attached hereto as **Exhibit A** and incorporated by reference herein (the “Services”).

Section 2. Term

The term of this Agreement shall be from the Effective Date until all Services required to be performed hereunder are completed and accepted, or no later than May 31, 2024, whichever occurs first, unless earlier terminated in accordance herewith or an extension of time is agreed to, in writing, by the City.

Section 3. Consultant’s Services

3.1. All written documents, drawings, and plans submitted by Consultant in conjunction with the Services shall bear the signature, stamp, or initials of Consultant’s authorized Project Manager. Any documents submitted by Consultant that do not bear the signature, stamp, or initials of Consultant’s authorized Project Manager, will not be relied upon by the City. Interpretation of plans and answers to questions regarding the Services or Scope of Work given by Consultant’s Project Manager may be verbal or in writing, and may be relied upon by the City, whether given

verbally or in writing. If requested by the City to be in writing, Consultant's Project Manager will provide such written documentation.

3.2. Consultant will not be deemed to be in default by reason of delays in performance due to circumstances beyond Consultant's reasonable control, including but not limited to strikes, lockouts, severe acts of nature, or other unavoidable delays or acts of third parties not under Consultant's direction and control ("Force Majeure"). In the case of the happening of any Force Majeure event, the time for completion of the Services will be extended accordingly and proportionately by the City, in writing. Lack of labor, supplies, materials, or the cost of any of the foregoing shall not be deemed a Force Majeure event.

3.3. The existence of this Agreement between the City and Consultant shall not be construed as the City's promise or assurance that Consultant will be retained for future services beyond the Scope of Work described herein.

3.4. Consultant shall maintain the confidentiality of any confidential information that is exempt from disclosure under state or federal law to which Consultant may have access by reason of this Agreement. Consultant warrants that Consultant's employees assigned to the Services provided in this Agreement shall be clearly instructed to maintain this confidentiality. All agreements with respect to confidentiality shall survive the termination or expiration of this Agreement.

Section 4. Compensation

4.1. Except as otherwise set forth in this **Section 4**, the City agrees to pay Consultant on a time and materials basis, guaranteed not to exceed TWO HUNDRED FORTY-SEVEN THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS (\$247,935), for performance of the Services ("Compensation Amount"). Any compensation in excess of the Compensation Amount will require an express written Addendum to be executed between the City and Consultant.

4.2. During the course of Consultant's performance, if the City, through its Project Manager, specifically requests Consultant to provide additional services that are beyond the Scope of Work described on **Exhibit A**, Consultant shall provide such additional services and bill the City at the hourly rates outlined on Consultant's Rate Schedule, as set forth in **Exhibit A**. Any Additional work beyond the Scope of Work, or any compensation above the amount shown in **Subsection 4.1**, requires a written Addendum executed in compliance with the provisions of **Section 16**.

4.3. Except for amounts withheld by the City pursuant to this Agreement, Consultant will be paid for Services for which an itemized invoice is received by the City within thirty (30) days of receipt, unless the City disputes such invoice. In that instance, the undisputed portion of the invoice will be paid by the City within the above timeframe. The City will set forth its reasons for the disputed claim amount and make good faith efforts to resolve the invoice dispute with Consultant as promptly as is reasonably possible.

4.4. The City will be responsible for the direct payment of required fees payable to governmental agencies, including but not limited to plan checking, land use, zoning, permitting, and all other similar fees resulting from this Project, that are not specifically covered by **Exhibit A**.

4.5. Consultant's Compensation Amount and Rate Schedule are all inclusive and include, but are not limited to, all work-related costs, expenses, salaries or wages, plus fringe benefits and contributions, including payroll taxes, workers compensation insurance, liability insurance, profit, pension benefits and similar contributions and benefits, technology and/or software charges, licensing, trademark, and/or copyright costs, office expenses, travel expenses, mileage, and all other indirect and overhead charges, including, but not limited to, the recently enacted Oregon Corporate Activity Tax (CAT).

Section 5. City's Rights and Responsibilities

5.1. The City will designate a Project Manager to facilitate day-to-day communication between Consultant and the City, including timely receipt and processing of invoices, requests for information, and general coordination of City staff to support the Project.

5.2. Award of this contract is subject to budget appropriation. Funds are approved for Fiscal Year 2022-23. If not completed within this fiscal year, funds may not be appropriated for the next fiscal year. The City also reserves the right to terminate this contract early, as described in **Section 14**.

Section 6. City's Project Manager

The City's Project Manager is Delora Kerber. The City shall give Consultant prompt written notice of any re-designation of its Project Manager.

Section 7. Consultant's Project Manager

Consultant's Project Manager is Christine Rumi. In the event that Consultant's designated Project Manager is changed, Consultant shall give the City prompt written notification of such re-designation. Recognizing the need for consistency and knowledge in the administration of the Project, Consultant's Project Manager will not be changed without the written consent of the City, which consent shall not be unreasonably withheld. In the event the City receives any communication from Consultant that is not from Consultant's designated Project Manager, the City may request verification by Consultant's Project Manager, which verification must be promptly furnished.

Section 8. Project Information

Except for confidential information designated by the City as information not to be shared, Consultant agrees to share Project information with, and to fully cooperate with, those corporations, firms, contractors, public utilities, governmental entities, and persons involved in or associated with the Project. No information, news, or press releases related to the Project, whether

made to representatives of newspapers, magazines, or television and radio stations, shall be made without the written authorization of the City's Project Manager.

Section 9. Subcontractors and Assignments

9.1. Unless expressly authorized in **Exhibit A** or **Section 10** of this Agreement, Consultant shall not subcontract with others for any of the Services prescribed herein. Consultant shall not assign any of Consultant's rights acquired hereunder without obtaining prior written approval from the City, which approval may be granted or denied in the City's sole discretion. Some Services may be performed by persons other than Consultant, provided Consultant advises the City of the names of such subcontractors and the work which they intend to perform, and the City specifically agrees in writing to such subcontracting. Consultant acknowledges such work will be provided to the City pursuant to a subcontract(s) between Consultant and subcontractor(s) and no privity of contract exists between the City and the subcontractor(s). Unless otherwise specifically provided by this Agreement, the City incurs no liability to third persons for payment of any compensation provided herein to Consultant. Any attempted assignment of this Agreement without the written consent of the City shall be void. Except as otherwise specifically agreed, all costs for work performed by others on behalf of Consultant shall not be subject to additional reimbursement by the City.

9.2. The City shall have the right to enter into other agreements for the Project, to be coordinated with this Agreement. Consultant shall cooperate with the City and other firms, engineers or subcontractors on the Project so that all portions of the Project may be completed in the least possible time and within normal working hours. Consultant shall furnish other engineers, subcontractors and affected public utilities, whose designs are fitted into Consultant's design, detail drawings giving full information so that conflicts can be avoided.

9.3. Consultant shall include this Agreement by reference in any subcontract and require subcontractors to perform in strict compliance with this Agreement.

Section 10. Consultant Is Independent Contractor

10.1. Consultant is an independent contractor for all purposes and shall be entitled to no compensation other than the Compensation Amount provided for under **Section 4** of this Agreement. Consultant will be solely responsible for determining the manner and means of accomplishing the end result of Consultant's Services. The City does not have the right to control or interfere with the manner or method of accomplishing said Services. The City, however, will have the right to specify and control the results of Consultant's Services so such Services meet the requirements of the Project.

10.2. Consultant may request that some consulting services be performed on the Project by persons or firms other than Consultant, through a subcontract with Consultant. Consultant acknowledges that if such services are provided to the City pursuant to a subcontract(s) between Consultant and those who provide such services, Consultant may not utilize any subcontractor(s), or in any way assign its responsibility under this Agreement, without first obtaining the express written consent of the City, which consent may be given or denied in the City's sole discretion.

For all Services performed under subcontract to Consultant, as approved by the City, Consultant shall only charge the compensation rates shown on the approved Rate Schedule (**Exhibit A**). Rate schedules for named or unnamed subcontractors, and Consultant markups of subcontractor billings, will only be recognized by the City as set forth in Consultant's Rate Schedule, unless documented and approved, in writing, by the City pursuant to a modification to Consultant's Rate Schedule, per **Section 16** of this Agreement. In all cases, processing and payment of billings from subcontractors is solely the responsibility of Consultant.

10.3. Consultant shall be responsible for, and defend, indemnify, and hold the City harmless against, any liability, cost, or damage arising out of Consultant's use of such subcontractor(s) and subcontractor's negligent acts, errors, or omissions. Unless otherwise agreed to, in writing, by the City, Consultant shall require that all of Consultant's subcontractors also comply with, and be subject to, the provisions of this **Section 10** and meet the same insurance requirements of Consultant under this Agreement.

Section 11. Consultant Responsibilities

11.1. Consultant must make prompt payment for any claims for labor, materials, or services furnished to Consultant by any person in connection with this Agreement as such claims become due. Consultant shall not permit any liens or claims to be filed or prosecuted against the City on account of any labor or material furnished to or on behalf of Consultant. If Consultant fails, neglects, or refuses to make prompt payment of any such claim, the City may, but shall not be obligated to, pay such claim to the person furnishing the labor, materials, or services and offset the amount of the payment against funds due or to become due to Consultant under this Agreement. The City may also recover any such amounts directly from Consultant.

11.2. Consultant must comply with all applicable Oregon and federal wage and hour laws, including BOLI wage requirements, if applicable. Consultant shall make all required workers compensation and medical care payments on time. Consultant shall be fully responsible for payment of all employee withholdings required by law, including but not limited to taxes, including payroll, income, Social Security (FICA), and Medicaid. Consultant shall also be fully responsible for payment of salaries, benefits, taxes, Industrial Accident Fund contributions, and all other charges on account of any employees. Consultant shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167. All costs incident to the hiring of assistants or employees shall be Consultant's responsibility. Consultant shall defend, indemnify, and hold the City harmless from claims for payment of all such expenses.

11.3. No person shall be discriminated against by Consultant or any subcontractor in the performance of this Agreement on the basis of sex, gender, race, color, creed, religion, marital status, age, disability, sexual orientation, gender identity, or national origin. Any violation of this provision shall be grounds for cancellation, termination, or suspension of the Agreement, in whole or in part, by the City. References to "subcontractor" mean a subcontractor at any tier.

Section 12. Indemnity

12.1. Indemnification. Consultant acknowledges responsibility for liability arising out of the performance of this Agreement, and shall defend, indemnify, and hold the City harmless from any and all liability, settlements, loss, costs, and expenses in connection with any action, suit, or claim resulting or allegedly resulting from Consultant's negligent acts, omissions, errors, or willful or reckless misconduct pursuant to this Agreement, or from Consultant's failure to perform its responsibilities as set forth in this Agreement. The review, approval, or acceptance by the City, its Project Manager, or any City employee of documents or other work performed, prepared, or submitted by Consultant shall not be considered a negligent act, error, omission, or willful misconduct on the part of the City, and none of the foregoing shall relieve Consultant of its responsibility to perform in full conformity with the City's requirements, as set forth in this Agreement, and to indemnify the City as provided above and to reimburse the City for any and all costs and damages suffered by the City as a result of Consultant's negligent performance of this Agreement, failure of performance hereunder, violation of state or federal laws, or failure to adhere to the standards of performance and care described in **Subsection 12.2**. Consultant shall defend the City (using legal counsel reasonably acceptable to the City) against any claim that alleges negligent acts, omissions, errors, or willful or reckless misconduct by Consultant. As used herein, the term "Consultant" applies to Consultant and its own agents, employees, and suppliers, and to all of Consultant's subcontractors, including their agents, employees, and suppliers.

12.2. Standard of Care. In the performance of the Services, Consultant agrees to use at least that degree of care and skill exercised under similar circumstances by reputable members of Consultant's profession practicing in the Portland metropolitan area. Consultant will re-perform any Services not meeting this standard without additional compensation. Consultant's re-performance of any Services, even if done at the City's request, shall not be considered as a limitation or waiver by the City of any other remedies or claims it may have arising out of Consultant's failure to perform in accordance with the applicable standard of care of this Agreement and within the prescribed timeframe.

Section 13. Insurance

13.1. Insurance Requirements. Consultant must maintain insurance coverage acceptable to the City in full force and effect throughout the term of this Agreement. Such insurance shall cover all risks arising directly or indirectly out of Consultant's activities or work hereunder. Any and all agents or subcontractors with which Consultant contracts for any portion of the Services must have insurance that conforms to the insurance requirements in this Agreement. Additionally, if a subcontractor is an engineer, architect, or other professional, Consultant must require the subcontractor to carry Professional Errors and Omissions insurance and must provide to the City proof of such coverage. The amount of insurance carried is in no way a limitation on Consultant's liability hereunder. The policy or policies maintained by Consultant shall provide at least the following minimum limits and coverages at all times during performance of this Agreement:

13.1.1. Commercial General Liability Insurance. Consultant and all subcontractors shall obtain, at each of their own expense, and keep in effect during the term of this Agreement, comprehensive Commercial General Liability Insurance covering Bodily

Injury and Property Damage, written on an “occurrence” form policy. This coverage shall include broad form Contractual Liability insurance for the indemnities provided under this Agreement and shall be for the following minimum insurance coverage amounts: The coverage shall be in the amount of **\$2,000,000** for each occurrence and **\$3,000,000** general aggregate and shall include Products-Completed Operations Aggregate in the minimum amount of **\$2,000,000** per occurrence, Fire Damage (any one fire) in the minimum amount of **\$50,000**, and Medical Expense (any one person) in the minimum amount of **\$10,000**. All of the foregoing coverages must be carried and maintained at all times during this Agreement.

13.1.2. Professional Errors and Omissions Coverage. Consultant agrees to carry Professional Errors and Omissions Liability insurance on a policy form appropriate to the professionals providing the Services hereunder with a limit of no less than **\$2,000,000** per claim. Consultant shall maintain this insurance for damages alleged to be as a result of errors, omissions, or negligent acts of Consultant. Such policy shall have a retroactive date effective before the commencement of any work by Consultant on the Services covered by this Agreement, and coverage will remain in force for a period of at least three (3) years after termination of this Agreement.

13.1.3. Business Automobile Liability Insurance. If Consultant or any subcontractors will be using a motor vehicle in the performance of the Services herein, Consultant shall provide the City a certificate indicating that Consultant and its subcontractors have business automobile liability coverage for all owned, hired, and non-owned vehicles. The Combined Single Limit per occurrence shall not be less than **\$2,000,000**.

13.1.4. Workers Compensation Insurance. Consultant, its subcontractors, and all employers providing work, labor, or materials under this Agreement that are subject employers under the Oregon Workers Compensation Law shall comply with ORS 656.017, which requires them to provide workers compensation coverage that satisfies Oregon law for all their subject workers under ORS 656.126. Out-of-state employers must provide Oregon workers compensation coverage for their workers who work at a single location within Oregon for more than thirty (30) days in a calendar year. Consultants who perform work without the assistance or labor of any employee need not obtain such coverage. This shall include Employer’s Liability Insurance with coverage limits of not less than **\$500,000** each accident.

13.1.5. Insurance Carrier Rating. Coverages provided by Consultant and its subcontractors must be underwritten by an insurance company deemed acceptable by the City, with an AM Best Rating of A or better. The City reserves the right to reject all or any insurance carrier(s) with a financial rating that is unacceptable to the City.

13.1.6. Additional Insured and Termination Endorsements. The City will be named as an additional insured with respect to Consultant’s liabilities hereunder in insurance coverages. Additional Insured coverage under Consultant’s Commercial General Liability, Automobile Liability, and Excess Liability Policies, as applicable, will

be provided by endorsement. Additional insured coverage shall be for both ongoing operations via ISO Form CG 2010 or its equivalent, and products and completed operations via ISO Form CG 2037 or its equivalent. Coverage shall be Primary and Non-Contributory. Waiver of Subrogation endorsement via ISO Form CG 2404 or its equivalent shall be provided. The following is included as additional insured: “The City of Wilsonville, its elected and appointed officials, officers, agents, employees, and volunteers.” An endorsement shall also be provided requiring the insurance carrier to give the City at least thirty (30) days’ written notification of any termination or major modification of the insurance policies required hereunder. Consultant must be an additional insured on the insurance policies obtained by its subcontractors performing any of the Services contemplated under this Agreement.

13.1.7. Certificates of Insurance. As evidence of the insurance coverage required by this Agreement, Consultant shall furnish a Certificate of Insurance to the City. This Agreement shall not be effective until the required certificates and the Additional Insured Endorsements have been received and approved by the City. Consultant agrees that it will not terminate or change its coverage during the term of this Agreement without giving the City at least thirty (30) days’ prior advance notice and Consultant will obtain an endorsement from its insurance carrier, in favor of the City, requiring the carrier to notify the City of any termination or change in insurance coverage, as provided above.

13.2. Primary Coverage. The coverage provided by these policies shall be primary, and any other insurance carried by the City is excess. Consultant shall be responsible for any deductible amounts payable under all policies of insurance. If insurance policies are “Claims Made” policies, Consultant will be required to maintain such policies in full force and effect throughout any warranty period.

Section 14. Early Termination; Default

14.1. This Agreement may be terminated prior to the expiration of the agreed upon terms:

14.1.1. By mutual written consent of the parties;

14.1.2. By the City, for any reason, and within its sole discretion, effective upon delivery of written notice to Consultant by mail or in person; or

14.1.3. By Consultant, effective upon seven (7) days’ prior written notice in the event of substantial failure by the City to perform in accordance with the terms through no fault of Consultant, where such default is not cured within the seven (7) day period by the City. Withholding of disputed payment is not a default by the City.

14.2. If the City terminates this Agreement, in whole or in part, due to default or failure of Consultant to perform Services in accordance with the Agreement, the City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies the City may have, both at law and in equity, for breach of contract, Consultant shall be liable for all costs and damages incurred by the City as a result of the default

by Consultant, including, but not limited to all costs incurred by the City in procuring services from others as needed to complete this Agreement. This Agreement shall be in full force to the extent not terminated by written notice from the City to Consultant. In the event of a default, the City will provide Consultant with written notice of the default and a period of ten (10) days to cure the default. If Consultant notifies the City that it wishes to cure the default but cannot, in good faith, do so within the ten (10) day cure period provided, then the City may elect, in its sole discretion, to extend the cure period to an agreed upon time period, which agreed upon extension must be in writing and signed by the parties prior to the expiration of the cure period. Unless a written, signed extension has been fully executed by the parties, if Consultant fails to cure prior to expiration of the cure period, the Agreement is automatically terminated.

14.3. If the City terminates this Agreement for its own convenience not due to any default by Consultant, payment of Consultant shall be prorated to, and include the day of, termination and shall be in full satisfaction of all claims by Consultant against the City under this Agreement.

14.4. Termination under any provision of this Section shall not affect any right, obligation, or liability of Consultant or the City that accrued prior to such termination. Consultant shall surrender to the City items of work or portions thereof, referred to in **Section 18**, for which Consultant has received payment or the City has made payment.

Section 15. Suspension of Services

The City may suspend, delay, or interrupt all or any part of the Services for such time as the City deems appropriate for its own convenience by giving written notice thereof to Consultant. An adjustment in the time of performance or method of compensation shall be allowed as a result of such delay or suspension unless the reason for the delay is within Consultant's control. The City shall not be responsible for Services performed by any subcontractors after notice of suspension is given by the City to Consultant. Should the City suspend, delay, or interrupt the Services and the suspension is not within Consultant's control, then the City shall extend the time of completion by the length of the delay.

Section 16. Modification/Addendum

Any modification of the provisions of this Agreement shall not be enforceable unless reduced to writing and signed by both the City and Consultant. A modification is a written document, contemporaneously executed by the City and Consultant, which increases or decreases the cost to the City over the agreed Compensation Amount in **Section 4** of this Agreement, or changes or modifies the Scope of Work or the time for performance. No modification shall be binding or effective until executed, in writing, by both Consultant and the City. In the event Consultant receives any communication of whatsoever nature from the City, which communication Consultant contends gives rise to any modification of this Agreement, Consultant shall, within five (5) days after receipt, make a written request for modification to the City's Project Manager in the form of an Addendum. Consultant's failure to submit such written request for modification in the form of an Addendum shall be the basis for refusal by the City to treat said communication as a basis for modification or to allow such modification. In connection with any modification to this Agreement affecting any change in price, Consultant shall submit a complete breakdown of labor,

material, equipment, and other costs. If Consultant incurs additional costs or devotes additional time on Project tasks, the City shall be responsible for payment of only those additional costs for which it has agreed to pay under a signed Addendum. To be enforceable, the Addendum must describe with particularity the nature of the change, any delay in time the Addendum will cause, or any increase or decrease in the Compensation Amount. The Addendum must be signed and dated by both Consultant and the City before the Addendum may be implemented.

Section 17. Access to Records

The City shall have access, upon request, to such books, documents, receipts, papers, and records of Consultant as are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts during the term of this Agreement and for a period of four (4) years after termination of the Agreement, unless the City specifically requests an extension. This clause shall survive the expiration, completion, or termination of this Agreement.

Section 18. Property of the City

All documents, reports, and research gathered or prepared by Consultant under this Agreement, including but not limited to spreadsheets, charts, graphs, drawings, tracings, maps, surveying records, mylars, modeling, data generation, papers, diaries, inspection reports, photographs, and any originals or certified copies of the original work forms, if any, shall be the exclusive property of the City and shall be delivered to the City prior to final payment. Any statutory or common law rights to such property held by Consultant as creator of such work shall be conveyed to the City upon request without additional compensation.

Section 19. Notices

Any notice required or permitted under this Agreement shall be in writing and shall be given when actually delivered in person or forty-eight (48) hours after having been deposited in the United States mail as certified or registered mail, addressed to the addresses set forth below, or to such other address as one party may indicate by written notice to the other party.

To City: City of Wilsonville
Attn: Delora Kerber, Public Works Director
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Consultant: FFA Architecture and Interiors, Inc.
Attn: Christine Rumi
520 SW Yamhill Street, Suite 900
Portland, OR 97204

Section 20. Miscellaneous Provisions

20.1. Integration. This Agreement, including all exhibits attached hereto, contains the entire and integrated agreement between the parties and supersedes all prior written or oral

discussions, representations, or agreements. In case of conflict among these or any other documents, the provisions of this Agreement shall control, and the terms most favorable to the City, within the City's sole discretion, will apply.

20.2. Legal Effect and Assignment. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns. This Agreement may be enforced by an action at law or in equity.

20.3. No Assignment. Consultant may not assign this Agreement, nor delegate the performance of any obligations hereunder, unless agreed to in advance and in writing by the City.

20.4. Adherence to Law. In the performance of this Agreement, Consultant shall adhere to all applicable federal, state, and local laws (including the Wilsonville Code and Public Works Standards), including but not limited to laws, rules, regulations, and policies concerning employer and employee relationships, workers compensation, and minimum and prevailing wage requirements. Any certificates, licenses, or permits that Consultant is required by law to obtain or maintain in order to perform the Services described on **Exhibit A**, shall be obtained and maintained throughout the term of this Agreement.

20.5. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Oregon, regardless of any conflicts of laws. All contractual provisions required by ORS Chapters 279A, 279B, 279C, and related Oregon Administrative Rules to be included in public agreements are hereby incorporated by reference and shall become a part of this Agreement as if fully set forth herein.

20.6. Jurisdiction. Jurisdiction and venue for any dispute will be in Clackamas County Circuit Court.

20.7. Legal Action/Attorney Fees. If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this Agreement or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court or body at trial or on any appeal or review, in addition to all other amounts provided by law. If the City is required to seek legal assistance to enforce any term of this Agreement, such fees shall include all of the above fees, whether or not a proceeding is initiated. Payment of all such fees shall also apply to any administrative proceeding, trial, and/or any appeal or petition for review.

20.8. Nonwaiver. Failure by either party at any time to require performance by the other party of any of the provisions of this Agreement shall in no way affect the party's rights hereunder to enforce the same, nor shall any waiver by the party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this nonwaiver clause.

20.9. Severability. If any provision of this Agreement is found to be void or unenforceable to any extent, it is the intent of the parties that the rest of the Agreement shall remain in full force and effect, to the greatest extent allowed by law.

20.10. Modification. This Agreement may not be modified except by written instrument executed by Consultant and the City.

20.11. Time of the Essence. Time is expressly made of the essence in the performance of this Agreement.

20.12. Calculation of Time. Except where the reference is to business days, all periods of time referred to herein shall include Saturdays, Sundays, and legal holidays in the State of Oregon, except that if the last day of any period falls on any Saturday, Sunday, or legal holiday observed by the City, the period shall be extended to include the next day which is not a Saturday, Sunday, or legal holiday. Where the reference is to business days, periods of time referred to herein shall exclude Saturdays, Sundays, and legal holidays observed by the City. Whenever a time period is set forth in days in this Agreement, the first day from which the designated period of time begins to run shall not be included.

20.13. Headings. Any titles of the sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

20.14. Number, Gender and Captions. In construing this Agreement, it is understood that, if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that, generally, all grammatical changes shall be made, assumed, and implied to individuals and/or corporations and partnerships. All captions and paragraph headings used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of this Agreement.

20.15. Good Faith and Reasonableness. The parties intend that the obligations of good faith and fair dealing apply to this Agreement generally and that no negative inferences be drawn by the absence of an explicit obligation to be reasonable in any portion of this Agreement. The obligation to be reasonable shall only be negated if arbitrariness is clearly and explicitly permitted as to the specific item in question, such as in the case of where this Agreement gives the City “sole discretion” or the City is allowed to make a decision in its “sole judgment.”

20.16. Other Necessary Acts. Each party shall execute and deliver to the other all such further instruments and documents as may be reasonably necessary to carry out this Agreement in order to provide and secure to the other parties the full and complete enjoyment of rights and privileges hereunder.

20.17. Interpretation. As a further condition of this Agreement, the City and Consultant acknowledge that this Agreement shall be deemed and construed to have been prepared mutually by each party and it shall be expressly agreed that any uncertainty or ambiguity existing therein shall not be construed against any party. In the event that any party shall take an action, whether judicial or otherwise, to enforce or interpret any of the terms of the Agreement, the prevailing party

shall be entitled to recover from the other party all expenses which it may reasonably incur in taking such action, including attorney fees and costs, whether incurred in a court of law or otherwise.

20.18. Entire Agreement. This Agreement and all documents attached to this Agreement represent the entire agreement between the parties.

20.19. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original Agreement but all of which together shall constitute one and the same instrument.

20.20. Authority. Each party signing on behalf of Consultant and the City hereby warrants actual authority to bind their respective party.

The Consultant and the City hereby agree to all provisions of this Agreement.

CONSULTANT:

CITY:

FFA Architecture and Interiors, Inc.

City of Wilsonville

By: _____

By: _____

Print Name: _____

Print Name: _____

As Its: _____

As Its: _____

EIN/Tax I.D. No.: _____

APPROVED AS TO FORM:

Amanda Guile-Hinman, City Attorney
City of Wilsonville, Oregon

EXHIBIT A

SCOPE OF WORK

SCOPE OF BASIC SERVICES

The following describes the Scope of Work for this proposal:

Task 1 – Discovery

In this task we will establish how the project team will function and interact and the goals, values, and requirements on which the project design will be based. We will:

- Conduct a kickoff meeting with stakeholders.
- Review relevant background information.
- Conduct a Visioning Workshop with stakeholders and users to understand the values of the City of Wilsonville, the PD, and PPR and discuss how those values might apply to the project.
- Conduct a Sustainability and Resilience Workshop with stakeholders and users to understand project expectations within the context of the City of Wilsonville and the needs of each facility.
- Present findings of workshops and draft Guiding Principles to stakeholders.
- Submit draft and final Discovery Summary Report.

Deliverables include: Kickoff Meeting Notes, Project Schedule, Summary Report, Project Guiding Principles, Verdict Log documenting all design decisions

Meetings / Site visits include:

- (1) Kick Off meeting and Site Visit
- (1) Initial meeting with Community Development
- (1) Progress meeting
- (1) Visioning Workshop
- (1) Sustainability and Resilience Workshop
- (1) Programming and O&M interviews
- (1) Presentation of Workshop Findings

Task 2 – Needs Assessment

In this task we will evaluate your existing facilities and site and perform programming activities with stakeholders and users to understand departmental space, functional, and operational needs. Buildings assessed include: Police, Community Center, and Art Tech.

Facility/Site Assessments

- Analyze existing building sites and facility conditions, capacities and constraints. Review existing conditions considering such factors as suitability for the current functions, level of obsolescence, seismic rating, suitability of current location, impacts on neighbors, etc.
- Conduct site visits to document and map existing conditions.

Programming

- Prepare programming questionnaires for stakeholders and users in each department.
- Conduct assessment and programming interviews with stakeholders, including but not limited to Facilities Project Team, Police Department and Parks and Recreation personnel
- Document current department sizes, their future growth, and correlate with functional issues of the existing facilities and area under study.
- Identify and determine space needs and priorities for adequate work and office space, meeting rooms, breakrooms, locker and shower areas, equipment and storage, programs and event space and work vehicle, staff and customer parking.
- Develop preliminary adjacency and stacking diagrams.
- Present findings and draft programming information in Programming Workshop for discussion.
- Make revisions based on stakeholder comments.
- Submit draft and final Needs Assessment Report

Deliverables include: Needs Assessment Report, including final Programming Documentation, Verdict Log documenting all design decisions

Meetings include:

- (2) Progress meetings
- (2) Programming interviews (full days)
- (2) Programming Workshops
- (1) Site Visit for Facility and Site Assessment

Task 3 – Gap Analysis

In this task we will perform the analyses necessary to provide the City of Wilsonville with options for how best to use the Community Service Block and their buildings in the near term and into the future.

- Develop list of facilities/communities to be compared and determine what element(s) to compare.
- Provide graphic and data matrices with comparison findings for review.
- Prepare feasibility/test fits for alternate approaches to facility design: major renovation, demolition, and new construction.
- Confirm building and zoning code are met with the alternatives.
- Provide cost/benefit analysis for the alternatives using Rough Order of Magnitude (ROM) cost per square foot estimation.
- Present findings and facilitate discussion regarding selection of preferred alternatives.
- Present findings of Gap Analysis to City Council (timing TBD)
- Submit draft and final Gap Analysis Summary Report.

Deliverables include: Gap Analysis Summary Report, Verdict Log documenting all design decisions

Meetings include:

- (2) Progress meetings
- (1) Presentation of Gap Analysis findings and alternatives
- (1) City Council Meeting (timing TBD)

Task 4 – Community Service Block Master Plan

In this task, we will develop options for site utilization of the Community Service Block using the building alternative selections determined through the Gap Analysis process and workshop.

- Perform Site Analysis (including context, climatic, zoning, geography, infrastructure, access characteristics)
- Develop master plan options including phasing plans for each.
- Present options in site planning workshop
- Refine preferred options based on stakeholder comments
- Submit draft and final master plan documents.

Deliverables include: Community Service Block Site Utilization and Phasing Plan documents, Verdict Log documenting all design decisions

Meetings include:

- (2) Progress Meetings
- (1) 'Pre-Application' Meeting with Community Development
- (1) Presentation of master plan options

Task 5 – Concept Designs

In this task, we will produce three Concept Design options with cost estimates for the buildings on the Community Service Block using the preferred master plan/phasing plan.

- Develop three concept designs for pricing and review with stakeholders.
- Conduct draft and final design charrettes for each department.
- Provide cost estimates for each option.
- Refine preferred design option based on stakeholder comments.
- Refine cost estimates of refined preferred design options
- Present final concept design to stakeholders
- Present final concept design to City Council (timing TBD)
- Submit final concept design drawings and estimate.

Deliverables include: Concept Design Drawings and Cost Estimate, Verdict Log documenting all design decisions

Meetings include:

- (3) Progress meetings
- (1) Building Design Review with Community Development
- (2) Departmental design charrettes (for each department)
- (1) Draft Concept presentation
- (1) Final Concept presentation
- (1) City Council Meeting (timing TBD)

CONSULTANTS

RLB Cost Estimation

SCOPE OF SUPPLEMENTAL SERVICES

The following describes the supplemental scope of work for this proposal.

SS-1 Community Engagement

FFA will work with the City of Wilsonville during the project to determine when and how to engage the community for feedback on this project. For the purposes of this proposal, we have assumed:

- Develop a format for engagement event
- Prepare graphics or other presentation materials
- Facilitate engagement event
- Synthesize community feedback for stakeholder review and use in the design

Deliverables include: Materials for event, Event Summary

Meetings include:

(1) Community Event

Planning discussions and review of Event Summary assumed to occur in progress meetings already noted Basic Services tasks.

SS-2 Existing Facility Tours

FFA will work with the City of Wilsonville to arrange tours of existing police and parks facilities in the NW Oregon/SW Washington region.

- Determine with City of Wilsonville which facilities to tour.
- Arrange tours with each facility.
- Conduct tours with representative from each facility.
- Provide written notes from tour discussions, including visual and written documentation of preferred design elements exhibited during tours

Deliverables include: Tour Notes

Meetings / Site Visits include:

(1) Tour day

SS-3 Gap Analysis Cost Estimates

RLB will work closely with the design team to provide costs for a range of proposed new construction and/or renovation options, as well as sitework and building demolition. Using Unifomat II & III as their work breakdown structure, they will then generate a direct construction cost per square foot for each element based on recent historical data on projects of similar size and complexity, current market rates, and forecasts of future costs. Construction indirect costs will be based on a reasonable assumption of likely project start date, duration, and procurement strategy. FFA will review the estimates to ensure they align with our design assumptions.

Deliverables include: ROM cost estimates for Gap Analysis alternatives

ASSUMPTIONS

- The following are Owner-Provided items and information and are excluded from FFA's scope of services:
 - Existing Documentation (previous studies or analyses, previous programming documentation)
 - Site Surveys
 - Soils Investigations and Reports
 - Geotechnical Evaluations/Reports
 - Environmental and Hazardous Materials Services: discovery, determination of types and quantities and/or remediation
 - Drawings/Specifications (if available of existing buildings).

- Services listed in the attached "Exclusions" document to be excluded unless requested to be added as an additional service.
- Client review and decisions must be made in a timely fashion to maintain project schedule.

FEE SCHEDULE - BASIC SERVICES

| PHASE | DURATION | COMPLETION DATE* | FEE DISTRIBUTION |
|------------------------------|----------|------------------|----------------------|
| Task 1 – Discovery | 6 weeks | | \$ 29,290.00 |
| Task 2 – Needs Assessment | 8 weeks | | \$ 39,440.00 |
| Task 3 – Gap Analysis | 8 weeks | | \$ 26,650.00 |
| Task 4 – Master Plan/Phasing | 6 weeks | | \$ 28,155.00 |
| Task 5 – Concept Designs | 10 weeks | March 1, 2024 | \$ 95,425.00 |
| Reimbursables | | | \$ 5,475.00 |
| Total Basic Services | | | \$ 224,435.00 |

FEE SCHEDULE - SUPPLEMENTAL SERVICES

| SCOPE | FEE DISTRIBUTION |
|---------------------------------------|---------------------|
| SS-1: Community Engagement (FFA) | \$ 7,500.00 |
| SS-2: Existing Facility Tours (FFA) | \$ 6,000.00 |
| SS-3: ROM Gap Analysis Cost Estimates | \$ 10,000.00 |
| Total Supplemental Services | \$ 23,500.00 |

ATTACHMENTS:

- Exclusions, Billing Rates, Workplan

EXCLUSIONS

The following services, **unless explicitly stated in the proposal**, are excluded. The services can be added at the Owner's request and will be considered additional services.

- The following phases of service:
 - Schematic Design
 - Design Development
 - Construction Documents
 - Construction Administration
 - Post-Occupancy/Warranty Period
- Measured Drawings and Field Verification of Owner provided documentation
- Special Engineering or Design Consultants other than those specifically listed in the proposal:
 - Telecommunications/ Data /Low Voltage/ Audio/ Video (Technology specialties) Design
 - Fire Protection Design (Fire Alarm, Fire Sprinkler, etc)
 - Acoustic Engineering Services
 - Security Evaluation and System Design
 - Graphics or Signage Design
 - Tenant Improvements, Test Fits and BOMA Calculations
 - Energy or daylighting modeling
 - Commissioning
- Alternates, revisions after acceptance
- Value Analysis
- Owners Representative (On-Site Project Representation)
- Change of construction contract type (example: CMGC change to Hard bid)
- Conformed Construction Documents
- As-Designed Record Drawings
- Operations & Maintenance Manuals
- Specialty Design Processes: LEED Certification, Living Building Challenge, Passive House, HUD, etc.
- Disabled access compliance design beyond Oregon Structural Specialty Code and Americans with Disabilities Act current at the time of project permitting.
- Meetings with Public Agencies and Community Meetings other than listed in proposal (Design Review, Land Use Review, Historic Landmarks)
- Energy Incentive Program Assistance
- Post-Occupancy Evaluation, Facility Support Services, Tenant-related Services
- Historic Design
- Furniture, Furnishings, and Equipment Design

BILLING RATES

| FFA | | |
|-------------------------------------|----------------------|--------------------|
| <u>EMPLOYEE TITLE</u> | <u>EMPLOYEE NAME</u> | <u>HOURLY RATE</u> |
| Principal | Troy Ainsworth | \$255.00 |
| Design Lead | Ian Gelbrich | \$225.00 |
| Senior Project Manager | Christine Rumi | \$200.00 |
| Parks Facility Programming Expert | Laura Roark | \$200.00 |
| Police Facility Programming Expert | John Pete | \$190.00 |
| Arch II / Sustainable Design Expert | Andrew Loia | \$125.00 |
| Arch II | TBD | \$125.00 |

| Rider Levett Bucknall | | |
|-----------------------|----------------------|--------------------|
| Cost Estimating | | |
| <u>EMPLOYEE TITLE</u> | <u>EMPLOYEE NAME</u> | <u>HOURLY RATE</u> |
| Principal | Daniel Junge | \$250.00 |



BASIC SERVICES

| | | Discovery | | | | | Needs Assessment | | | | Gap Analysis | | | | | Master Plan | | | | Concept Designs | | | | | | | | Total Hours | Total Dollars | | | | | | | |
|-----------|-----------|-----------------|----------|--------------------|-------------------------------------|-------------------------|-----------------------------|------------------------|---------------|-------------|----------------|-----------------------------|---|--------------------------------|------------------|------------------------------------|----------------|-----------------------------|------------------------------|--------------------|-----------------------------------|--|---|---------------------------------|-------------------------|----------------|--------------------------------|---------------------------|--|---------------------------------|---------------------------------------|--------|---------------|--------------|--------------|--|
| Name | Rate | Kickoff Meeting | Research | Visioning Workshop | Sustainability/ Resilience Workshop | Workshop Summary Report | Revisions to summary report | Facilities Assessments | Site Analysis | Programming | Summary Report | Revisions to summary report | Comparable Facilities and Cities Research | Test Fits/Alternate approaches | ROM Cost Options | Present findings of Gap Analysis - | Summary Report | Revisions to summary report | Planning and Phasing Options | Site Plan Workshop | Refine master plan/phasing option | Present draft preferred master plan/phasing option | Revisions to preferred master plan/phasing option | Prepare Concept Designs Options | Departmental Charrettes | Cost Estimates | Present Concept Design options | Refine Preferred Concepts | Refine Preferred Concept Cost Estimate | Compile Final Concept Documents | Revisions to concept design documents | | | | | |
| Troy | \$ 255.00 | 4.0 | | 4.0 | 4.0 | 1.0 | | | 4.0 | 12.0 | 1.2 | | 2.0 | 8.0 | | 4.0 | 4.0 | 1.0 | 16.0 | 2.0 | 8.0 | 4.0 | 1.0 | 40.0 | 6.0 | | 4.0 | 20.0 | | | | | 1.0 | 31.0 | \$ 7,905.00 | |
| Ian | \$ 225.00 | 4.0 | 2.2 | 8.0 | 8.0 | 4.0 | 1.0 | 4.0 | 4.0 | 8.0 | 4.0 | | 2.0 | | | 4.0 | 4.0 | | | 3.9 | 1.0 | 4.0 | 1.0 | 16.0 | 12.0 | 4.0 | 4.0 | 8.0 | 2.0 | 2.1 | | | 176.4 | \$ 39,690.00 | | |
| Christine | \$ 200.00 | 8.0 | 3.2 | 6.0 | 6.0 | 2.0 | | | 4.0 | 4.0 | 8.0 | 2.0 | 2.0 | 4.0 | 4.0 | 4.0 | 4.0 | 2.0 | 2.0 | 2.0 | 3.9 | 1.0 | 4.0 | 1.0 | 16.0 | 12.0 | 4.0 | 4.0 | 8.0 | 2.0 | 2.0 | | 2.0 | 129.2 | \$ 25,830.00 | |
| Laura | \$ 200.00 | 4.0 | 8.0 | 6.0 | 6.0 | 1.0 | | 16.0 | 8.0 | 25.0 | 8.0 | 2.0 | 10.0 | 10.0 | 4.0 | 4.0 | 6.0 | | 8.0 | 4.0 | 4.0 | 4.0 | 2.0 | 16.0 | 12.0 | 4.0 | 4.0 | 12.0 | 2.0 | | 2.0 | | 192.0 | \$ 38,400.00 | | |
| John | \$ 190.00 | 4.0 | 8.0 | 6.0 | 6.0 | 1.0 | | 16.0 | 8.0 | 25.0 | 8.0 | 2.0 | 10.0 | 10.0 | 4.0 | 4.0 | 6.0 | | 8.0 | 4.0 | 4.0 | 4.0 | 2.0 | 16.0 | 12.0 | 4.0 | 4.0 | 12.0 | 2.0 | | 2.0 | | 192.0 | \$ 36,480.00 | | |
| Arch II | \$ 125.00 | 3.0 | 4.0 | 10.0 | 10.0 | 8.0 | 4.0 | 8.0 | 4.0 | 25.0 | 12.0 | 4.0 | 4.0 | 12.0 | | 4.0 | 6.0 | 5.0 | 28.0 | 16.0 | 16.0 | 4.0 | 4.0 | 70.0 | 12.0 | 2.0 | 4.0 | 40.0 | | 8.0 | 4.0 | 331.0 | \$ 41,375.00 | | | |
| QA/OC | \$ 190.00 | | | | | 1.0 | | | | | 2.0 | | | | | | 1.0 | | | | | 4.0 | | | | | | | | | 4.0 | | 12.0 | \$ 2,280.00 | | |
| SUBTOTAL | | 27.0 | 25.4 | 40.0 | 40.0 | 18.0 | 5.0 | 48.0 | 28.0 | 95.0 | 36.2 | 10.0 | 28.0 | 44.0 | 12.0 | 24.0 | 28.0 | 7.0 | 62.0 | 33.9 | 33.0 | 24.0 | 10.0 | 158.0 | 66.0 | 14.0 | 24.0 | 92.0 | 6.0 | 14.1 | 11.0 | 1063.6 | \$ 191,960.00 | | | |
| RLB | \$ 250.00 | | | | | | | | | | | | | | | | | | | | | | | | | 60.0 | | | 48.0 | | | | 108.0 | \$ 27,000.00 | | |
| TOTAL | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 60 | 0 | 0 | 48 | 0 | 0 | 108 | \$ 218,960.00 | 0 | 0 | |

REIMBURSABLE EXPENSES

| | |
|-------|-------------|
| TOTAL | \$ 5,475.00 |
|-------|-------------|

SUPPLEMENTAL SERVICES

| Name | Rate | Community Engagement (timing/format to be determined with City of Wilsonville) | | Tours | Gap Analysis ROM costs by RLB | | Total Hours | Total Dollars |
|-----------|-----------|--|------|-------|-------------------------------|-----|-------------|---------------|
| Troy Ian | \$ 255.00 | 2.0 | | | | | 2.0 | \$510 |
| Christine | \$ 225.00 | 8.0 | 6.5 | | | | 14.5 | \$3,263 |
| Laura | \$ 200.00 | 4.0 | 6.5 | | | | 10.5 | \$2,100 |
| John | \$ 190.00 | 8.0 | 6.5 | | | | 14.5 | \$2,900 |
| Arch II | \$ 125.00 | 8.0 | 6.5 | | | | 14.5 | \$2,755 |
| Arch II | \$ 125.00 | 10.2 | 5.6 | | | | 15.8 | \$1,973 |
| SUBTOTAL | | 40.2 | 31.6 | 0.0 | 40.0 | 0.0 | 71.8 | \$13,500 |
| RLB | \$ 250.00 | | | | 40.0 | | 40.0 | \$10,000 |
| TOTAL | | 0 | 0 | 0 | 40 | 40 | 40 | \$23,500 |



CITY COUNCIL MEETING STAFF REPORT

| | | | |
|---|--|---|--|
| Meeting Date: May 15, 2023 | | Subject: Resolution No. 3067 Authorizing Acquisition of the Third Group of Properties and Property Interests Related to Construction of the Boeckman Road Corridor Project (CIP#s 2102, 4205, 4206, 4212, and 7067) Staff Member: Andrew Barrett, P.E. Capital Projects Manager and Nancy Kraushaar, P.E., Project Engineer Department: Community Development | |
| Action Required | | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda | | <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A | |
| Staff Recommendation: Staff recommends Council adopt the Consent Agenda. | | | |
| Recommended Language for Motion: I move to adopt the Consent Agenda. | | | |
| Project / Issue Relates To: | | | |
| <input checked="" type="checkbox"/> Council Goals/Priorities: Goal 1.5. Implement existing transportation plans and advance planning efforts to improve our local transportation network. | <input checked="" type="checkbox"/> Adopted Master Plan(s): Transportation System Plan Project UU-01 | <input type="checkbox"/> Not Applicable | |

ISSUE BEFORE COUNCIL:

A City of Wilsonville resolution authorizing acquisition of the third group of properties and property interests associated with the Boeckman Road Corridor Project (BRCP).

EXECUTIVE SUMMARY:

The Boeckman Road Corridor Project (BRCP) consists of five adjacent and interconnected, high priority Capital Improvement Projects (CIP) from adopted master plans along Boeckman Road between Canyon Creek Road and Stafford Road. The BRCP is not related to the Boeckman Sewer Line Upgrade and Boeckman Creek Regional Trail project. The BRCP will benefit the public by improving City infrastructure and safety deficiencies. The five BRCP projects include:

- Boeckman Road Sanitary Sewer – CIP #2102 – extends sanitary sewer service to the Frog Pond development areas
- Boeckman Road Street Improvements – CIP #4205 – completes urban street design standards that will serve all transportation modes and connect neighborhoods and local schools
- Canyon Creek/Boeckman Intersection – CIP #4206 – addresses intersection capacity needs at Canyon Creek Road
- Boeckman Dip Bridge – CIP #4212 – improves city-wide transportation connectivity and safety concerns associated with the Boeckman “Dip” and will re-establish fish and wildlife passage through culvert removal and creek channel restoration
- Meridian Creek Culvert Replacement – CIP #7067 – replaces undersized culverts at Meridian Creek



Construction of the Boeckman Road Corridor Project requires wider right-of-way and a variety of easement types in certain locations along the corridor to achieve design standards and project goals. The design team is carefully reviewing up to 31 property interests that may be required. Some of these will be eliminated through design refinements. The City Council authorized the first group of needed property acquisitions (Group 1) with Resolution No. 3036 and Group 2 acquisitions with Resolution No. 3037.

The project team has identified a need to advance the purchase of some of the remaining property ahead of schedule to meet the Portland General Electric utility relocation timeframe, splitting the remaining property acquisition into two groups. This Resolution No. 3067 contemplates this advanced property acquisition as identified by the project team (Group 3). The project team expects to bring a total of four resolutions to the City Council for the purpose of acquisition activities in accordance with ORS Chapter 35.

Based on the adjusted project schedule priority, Resolution No. 3067 pertains to the third group of BRCP property interests. **Table 1** (below) summarizes the first of the proposed Group 3 acquisitions, which are for two types of easements (Public Utility Easements and Temporary Construction Easements or PUE and TCE).

Table 1 – First of Group 3 BRCP Property Acquisitions

| Parcel # | Owner | Tax Map and Lot | Sub-Parcel # | Acquisition Type | Approx. Area, sf |
|----------|-------|-----------------|--------------|------------------|------------------|
| 12 | Bates | 3 1 W 12D 03300 | 12-1 | PUE | 2987 |
| | | | 12-2 | TCE | 6121 |

The detailed legal descriptions of the properties to be acquired along with an illustrative map are included as Exhibit A to Resolution No. 3067. The legal descriptions reflect the least amount of property necessary for construction of these portions of the project.

The legal descriptions in Exhibit A include the best estimate of area to be acquired based on the most current design plans. It is considered to be reasonably accurate at this time, although modifications may need to occur depending on final design details and site conditions, to be approved and verified by the City Engineer.

EXPECTED RESULTS:

Resolution No. 3067 provides the authority needed for the design team to move forward with acquisition activities in accordance with ORS Chapter 35 and will allow the BRCP to remain on schedule and be completed by the end of 2024.

TIMELINE:

The City's consultant will undertake the formal property acquisition process following Resolution No. 3067 adoption. Staff will be notifying the property owner before the formal process begins. Construction of the BRCP associated with the Group 3 properties is expected to begin in the third quarter of 2023 and be completed by the end of 2024.

CURRENT YEAR BUDGET IMPACTS:

Property acquisition costs for the BRCP are included in the Fiscal Year (FY) 2022-23 budget, summarized as follows.

| CIP No. | Project Name | Funding Source | Amended FY 22/23 Total Budget |
|---------|--------------------------------------|---------------------------|-------------------------------|
| 2102 | Boeckman Rd Sanitary Improvements | Sewer SDC/ Frog Pond Fee | \$1,261,765 |
| 4205 | Boeckman Rd Street Improvements | Street SDC/ Frog Pond Fee | \$5,413,063 |
| 4206 | Canyon Creek/Boeckman Traffic Signal | Street SDC | \$1,491,749 |
| 4212 | Boeckman Dip Bridge | Year 2000 URA/ Road CIP | \$20,606,532 |
| 7067 | Meridian Creek Culvert | Storm Ops/ SDC | \$471,025 |
| | | TOTAL | \$29,244,134 |

COMMUNITY INVOLVEMENT PROCESS:

Over the years, public engagement occurred for the Boeckman Dip Bridge and Boeckman Road Improvements projects through the Transportation System Plan, Frog Pond Master Plan, and Urban Renewal Year 2000 Plan Amendment processes as well as preliminary planning and engineering for the bridge itself.

The BRCP design began in early 2022 with public outreach activities kicking off, including frequent project updates to the community and opportunities to seek input from the public and to provide feedback on project priorities and concerns. Several public events have been held, including the 2022 Block Party, Popsicles in the Park, two open houses at Meridian Creek Middle School, and a project survey on Let's Talk, Wilsonville!

Ongoing outreach and public participation (specifically information about the full road closure while the bridge is constructed) is occurring through the project website, the monthly project e-newsletter, text alerts about travel conditions related to the project, Boones Ferry Messenger articles, and a project survey on Let's Talk Wilsonville. The project team also continues to communicate with individual stakeholders.

Link to project news and updates:

<https://www.ci.wilsonville.or.us/engineering/page/boeckman-road-corridor-news-and-updates>

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The BRCP includes roadway improvements necessary to provide safe and accessible transportation infrastructure, improving the City's local transportation network and benefitting the community. Upsizing and realigning the existing Meridian Creek culverts will alleviate potential flooding risks and property damage. The future roundabout at the Canyon Creek/Boeckman intersection will offer a safer, more efficient transportation connection along an important school access route and transition between office/industrial on the north and west to residential neighborhoods on the south and east. The future bridge will flatten the "dip", provide safer travel conditions for all users, and improve fish and wildlife habitat in the watershed. The sanitary sewer extension will serve the Frog Pond development areas.

ALTERNATIVES:

Resolution No. 3067 is necessary to acquire temporary construction and public utility easements that are necessary to construct the BRCP. The only alternative is to not acquire the property necessary to construct the project as designed which will result in substandard design and safety standards, gaps within the Boeckman Road corridor infrastructure, and the goals of the BRCP unfulfilled.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3067
 - A. Boeckman Road Corridor Project (BRCP) Property Acquisition Legal Descriptions – Group 3

RESOLUTION NO. 3067**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF THE THIRD GROUP OF PROPERTY AND PROPERTY INTERESTS RELATED TO CONSTRUCTION OF THE BOECKMAN ROAD CORRIDOR PROJECT.**

WHEREAS, under and by virtue of the laws of the State of Oregon, the City of Wilsonville is duly authorized and lawfully empowered to construct certain planned public improvement projects, and to acquire real property as may be deemed necessary and proper for such planned public improvements; and

WHEREAS, the Boeckman Road Corridor Project (the "Project") consists of five adjacent and interconnected, high priority Capital Improvement Projects (CIP) along Boeckman Road between Canyon Creek Road and Stafford Road:

- Boeckman Road Sanitary Sewer – CIP #2012 – extends sanitary sewer service to the Frog Pond development areas
- Boeckman Road Street Improvements – CIP #4205 – completes urban street design standards that will serve all transportation modes and connect neighborhoods and local schools
- Canyon Creek/Boeckman Intersection – CIP #4206 – addresses intersection capacity needs at Canyon Creek Road
- Boeckman Dip Bridge – CIP #4212 – improves city-wide transportation connectivity and safety concerns associated with the Boeckman "Dip" and will re-establish fish and wildlife passage through culvert removal and creek channel restoration
- Meridian Creek Culvert Replacement – CIP #7067 – replaces undersized culverts at Meridian Creek

WHEREAS, these five projects are identified in the FY 2022/23 Capital Improvement Project Budget; and

WHEREAS, the total project cost estimate for the Project, including design, land acquisition, construction and project management, is \$30,673,226; and

WHEREAS, the Project will receive funding through the following funding sources: Sanitary Sewer SDCs, Street SDCs, Storm Ops and SDCs, Road CIP and Year 2000 Urban Renewal Plan; and

WHEREAS, construction is anticipated to begin in mid-2023; and

WHEREAS, in order to construct the Project, the City needs to acquire up to 31 properties that will be presented in four groups for Council acquisition authority by resolution; and

WHEREAS, the Group 3 properties consists of two sub-properties with approximately 2,987 SF of Public Utility Easement and 6,121 SF of Temporary Construction Easement; and

WHEREAS, the Group 3 property interests to be acquired for the Project include, but may not be limited, to those legally described in **EXHIBIT A**, attached hereto and incorporated herein; and

WHEREAS, although the attached legal descriptions and estimated areas of taking are considered to be reasonably accurate at this time, modifications may need to occur depending on final design details and site conditions, to be approved and verified by the City Engineer; and

WHEREAS, the acquisition of the properties described in **EXHIBIT A** is necessary and will benefit the general public and will be used for public purposes; and

WHEREAS, the City acquires real property in accordance with guidelines set forth by law; and

WHEREAS, the City is authorized to acquire property by any legal means, including eminent domain, to achieve the objectives of the City's Capital Improvement Program and shall conform to all statutory requirements to ensure that property owners' rights are fully respected; and

WHEREAS, ORS Chapter 35 empowers cities and agencies to acquire by condemnation real property whenever in the judgment of the City there is a public necessity for the proposed use of the property, the property is necessary for such proposed use and the proposed use planned is located in a manner which will be most compatible with the greatest public good and the least private injury; and

WHEREAS, the acquisitions presented herein are estimated to reflect the least amount of property interest to be acquired to ensure safe, efficient and adequate public improvements; and

WHEREAS, title to the acquired property interest shall be acquired using both City and Urban Renewal funds, but title to the acquired land will vest in the name of the City of Wilsonville to provide for necessary care, maintenance and public safety authority; and

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. The Wilsonville City Council finds that:

- a) There is a public necessity for the construction of the aforementioned street improvements;
- b) The legal descriptions for the land set forth in **EXHIBIT A** are necessary for the construction of said public improvements but may be modified as set forth in Section 3 below, as design is refined; and
- c) The proposed street and utility improvements are planned and located in a manner most compatible with the greatest public good and the least private injury.

Section 2. The City's project consultant, Universal Field Services, Inc., City staff and the City Attorney are authorized and directed to:

- a) Negotiate with the owners of the real property herein described as to the compensation to be paid for the acquisition of the property.
- b) In the event agreement cannot be reached, to commence and prosecute to final determination such proceedings as may be necessary, including condemnation of the property, to acquire the real property and interest therein, and that upon the filing of such proceeding may seek immediate possession of any of the real properties described in **EXHIBIT A** in order to meet the right-of-way certification deadline necessary to begin construction in mid-2023 or after and complete Project construction in a timely and efficient manner.

Section 3. In the event that there are required modifications to the legal descriptions as the Project moves forward, the City Engineer is authorized to modify the attached legal descriptions, as necessary, to conform to final engineering design for the Project.

Section 4. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of May, 2023, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. Boeckman Road Corridor Project Property Acquisition Legal Descriptions – Group 3

Resolution No. 3067 - Exhibit A
Boeckman Road Corridor Project Property Acquisition - Legal Descriptions – First
Property of Group 3

Resolution No. 3067

First Property of Group 3 BRCP Property Acquisition Summary

| Parcel # | Owner | Tax Map and Lot | Sub-Parcel # | Acquisition Type | Approx. Area, sf |
|----------|-------|-----------------|--------------|------------------|------------------|
| 12 | Bates | 3 1 W 12D 03300 | 12-1 | PUE | 2987 |
| | | | 12-2 | TCE | 6121 |

CITY OF WILSONVILLE
BOECKMAN ROAD CORRIDOR PROJECT
ROW / EASEMENT REQUEST - PACKAGE 3



WILSONVILLE
OREGON



TAPANI | SUNDT
IN ASSOCIATION WITH KPFF

Item 16.

111 SW Fifth Ave., Suite 2600
Portland, OR 97204
O: 503.542.3860
F: 503.274.4681
www.kpff.com

Resolution No. 3067 Exhibit A - Location Map

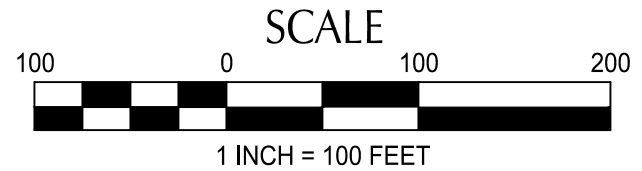
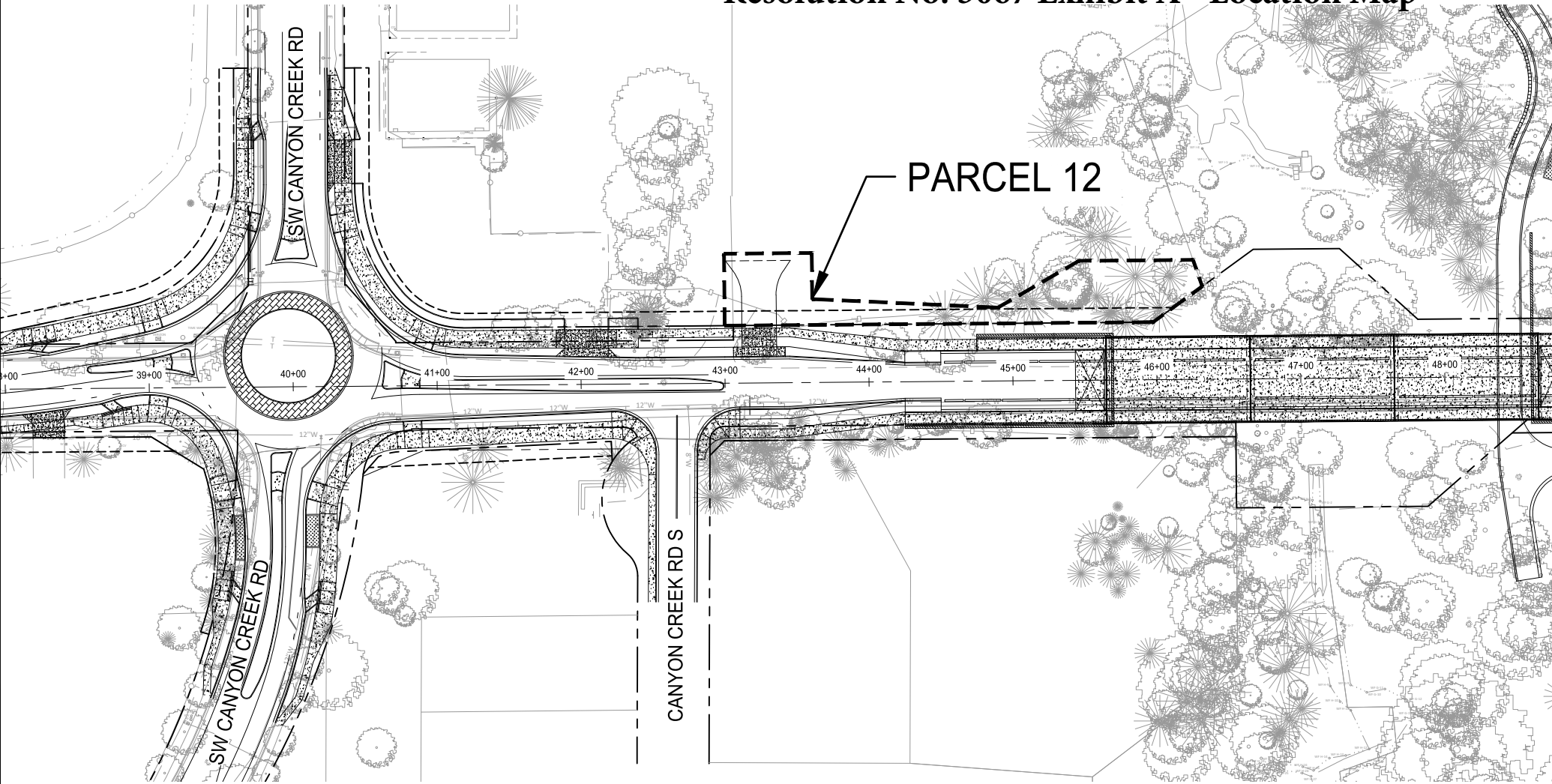


EXHIBIT "A"

Sub-Parcel #12- Item 16.

BOECKMAN ROAD (CR 80)
PROJECT NO. 2200028
FILE NO. XX
24 APRIL 2023

TAXMAP: 31W12D
TAXLOT: 03300

A PARCEL OF LAND, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO ANTHONY J BATES, TIMOTHY BATES AND HEATHER BATES, NOT AS TENANTS IN COMMON BUT WITH RIGHTS OF SURVIVORSHIP IN DOCUMENT NUMBER 2021-033665, CLACKAMAS COUNTY DEED RECORDS, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, THE SAID PARCEL BEING THAT PORTION OF SAID BATES TRACT, LYING SOUTHERLY OF A LINE DESCRIBED BELOW BY STATION & OFFSET, FROM A CENTERLINE ALIGNMENT OF BOECKMAN ROAD DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON SAID BOECKMAN ROAD CENTERLINE, SAID POINT IS A 3-1/4 INCH BRONZE DISK MARKING THE CORNER COMMON WITH SECTIONS 11, 12, 13 AND 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, BEING ENGINEER'S CENTERLINE STATION 23+05.17; THENCE ALONG THE CENTERLINE OF SAID BOECKMAN ROAD NORTH 89°31'41" EAST, 2645.85 FEET TO A 3-1/4 INCH BRONZE DISK MARKING THE ONE-QUARTER CORNER COMMON WITH SAID SECTIONS 12 AND 13, BEING ENGINEER'S CENTERLINE STATION 49+51.03; THENCE NORTH 89°48'44" EAST, 2649.58 FEET TO A 3-1/4 INCH BRONZE DISK MARKING THE CORNER COMMON WITH SAID SECTIONS 12 AND 13 AND SECTIONS 7 AND 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, BEING ENGINEER'S CENTERLINE STATION 76+00.61; THENCE SOUTH 89°38'30" EAST, 499.39 FEET TO ENGINEER'S CENTERLINE STATION 81+00.00, BEING THE TERMINUS POINT OF SAID CENTERLINE DESCRIPTION, SAID POINT BEARS NORTH 89°38'30" WEST, 948.58 FEET FROM A 4-1/4 INCH ALUMINUM DISK MARKING THE ONE-QUARTER CORNER COMMON WITH SAID SECTIONS 7 AND 18.

PARCEL 1 – PUBLIC UTILITY EASEMENT

A PARCEL OF LAND, BEING A PORTION OF SAID BATES TRACT LYING SOUTHERLY OF A LINE DESCRIBED BELOW BY STATION & OFFSET, FROM A CENTERLINE ALIGNMENT OF BOECKMAN ROAD DEFINED ABOVE.

THE STATION/OFFSET IN FEET OF SAID LINE IS AS FOLLOWS:

| <u>STATION</u> | <u>TO</u> | <u>STATION</u> | <u>WIDTH ON NORTHERLY SIDE OF CENTERLINE</u> |
|----------------|-----------|----------------|--|
| 43+00.00 | | 46+40.00 | 50.00 |

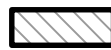
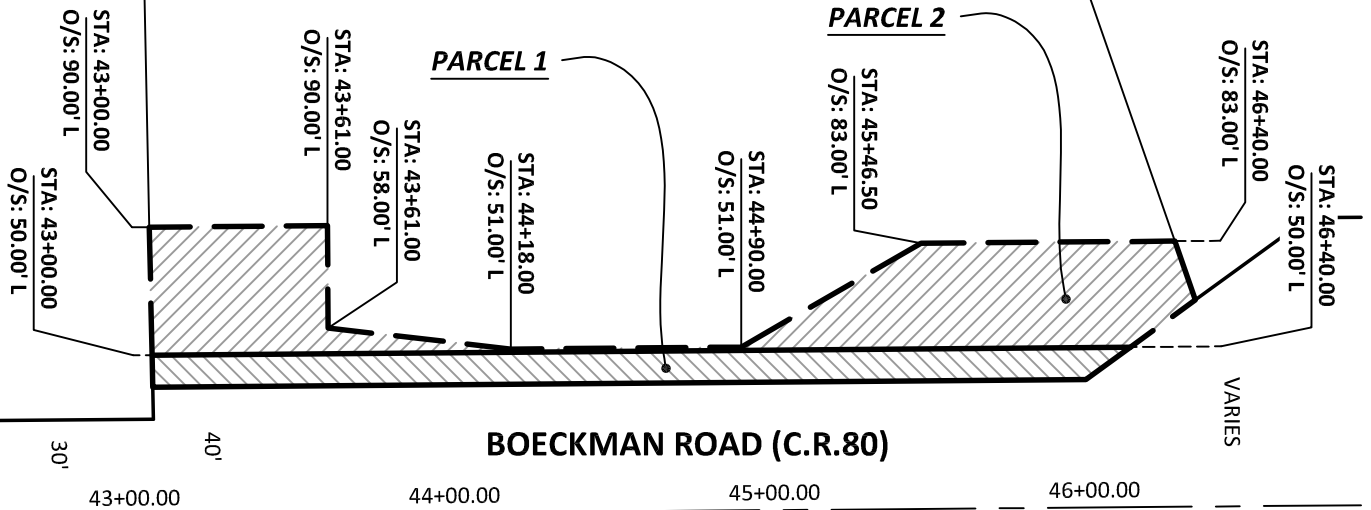
EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE EXISTING RIGHT-OF-WAY OF BOECKMAN ROAD (CR 80).

CONTAINING 2,987 SQUARE FEET (0.068 ACRES), MORE OR LESS.

THE BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM (OCRS), PORTLAND ZONE. THE RESULTANT BEARING OF THE CENTERLINE OF BOECKMAN ROAD IS NORTH 89°31'41" EAST.

THE PARCELS OF LAND ARE SHOWN ON THE ATTACHED EXHIBIT 'B' AND BY THIS REFERENCE MADE A PART THEREOF.

31W12D03300
DOC. NO. 2021-033665
7727 SW BOECKMAN RD
FILE NO. XX



PARCEL 1 - PUBLIC UTILITY EASEMENT
2,987 SQ. FT. +/-



PARCEL 2 - TEMPORARY CONSTRUCTION EASEMENT
6,121 SQ. FT. +/-



SCALE: 1" = 60'

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Portland, OR 97204
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F: 503.274.4681
www.kpff.com

| | |
|---|---------------------|
| EXHIBIT 'B' PUBLIC UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT SW 1/4 SECTION 12 / TOWNSHIP 3 SOUTH / RANGE 1 WEST / W.M. CITY OF WILSONVILLE / CLACKAMAS COUNTY / OREGON | DATE: 24 APRIL 2023 |
| | DRAWN BY: CH |
| | CHECKED BY: JRD |
| | PROJECT NO. 2200028 |
| | SHEET: 2 |

EXHIBIT "A"

Sub-Parcel #12-

Item 16.

BOECKMAN ROAD (CR 80)
PROJECT NO. 2200028
FILE NO. XX
24 APRIL 2023

TAXMAP: 31W12D
TAXLOT: 03300

A PARCEL OF LAND, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO ANTHONY J BATES, TIMOTHY BATES AND HEATHER BATES, NOT AS TENANTS IN COMMON BUT WITH RIGHTS OF SURVIVORSHIP IN DOCUMENT NUMBER 2021-033665, CLACKAMAS COUNTY DEED RECORDS, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, THE SAID PARCEL BEING THAT PORTION OF SAID BATES TRACT, LYING SOUTHERLY OF A LINE DESCRIBED BELOW BY STATION & OFFSET, FROM A CENTERLINE ALIGNMENT OF BOECKMAN ROAD DESCRIBED AS FOLLOWS:

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PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A PARCEL OF LAND, BEING A PORTION OF SAID BATES TRACT LYING SOUTHERLY OF A LINE DESCRIBED BELOW BY STATION & OFFSET, FROM A CENTERLINE ALIGNMENT OF BOECKMAN ROAD DEFINED ABOVE.

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| <u>STATION</u> | <u>TO</u> | <u>STATION</u> | <u>WIDTH ON NORTHERLY SIDE OF CENTERLINE</u> |
|----------------|-----------|----------------|--|
| 43+00.00 | | 43+61.00 | 90.00 |
| 43+61.00 | | 43+61.00 | 90.00 IN A STRAIGHT LINE 58.00 |
| 43+61.00 | | 44+18.00 | 58.00 IN A STRAIGHT LINE 51.00 |
| 44+18.00 | | 44+90.00 | 51.00 |
| 44+90.00 | | 45+46.50 | 51.00 IN A STRAIGHT LINE 83.00 |
| 45+46.50 | | 46+40.00 | 83.00 |

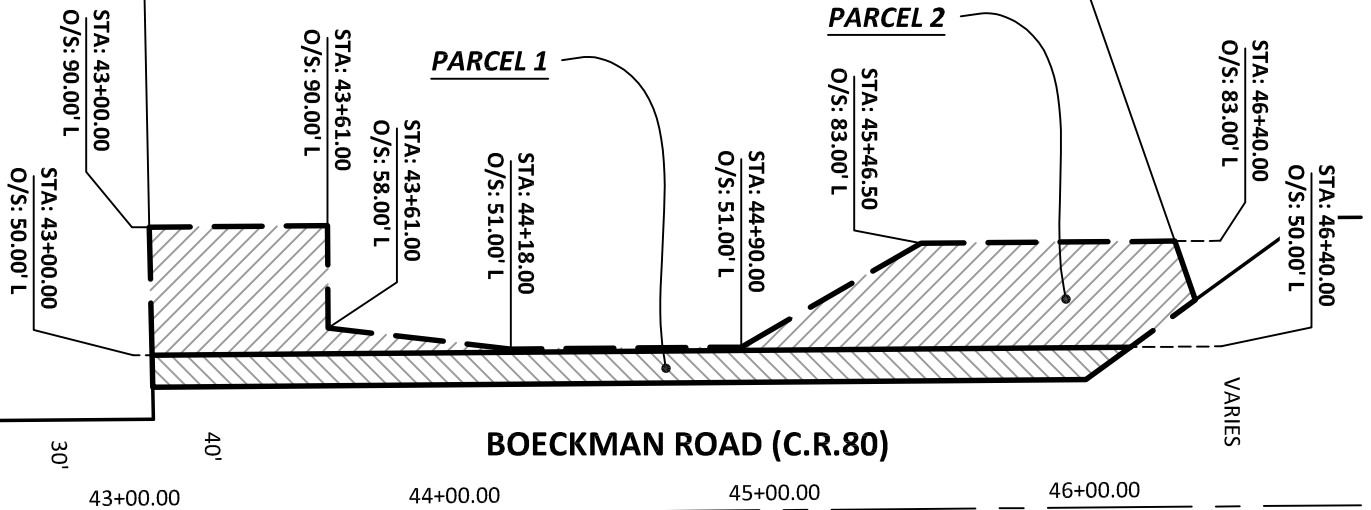
EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE EXISTING RIGHT-OF-WAY OF BOECKMAN ROAD (CR 80).

CONTAINING 6,121 SQUARE FEET (0.140 ACRES), MORE OR LESS.

THE BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM (OCRS), PORTLAND ZONE. THE RESULTANT BEARING OF THE CENTERLINE OF BOECKMAN ROAD IS NORTH 89°31'41" EAST.

THE PARCELS OF LAND ARE SHOWN ON THE ATTACHED EXHIBIT 'B' AND BY THIS REFERENCE MADE A PART THEREOF.

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| EXHIBIT 'B' PUBLIC UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT SW 1/4 SECTION 12 / TOWNSHIP 3 SOUTH / RANGE 1 WEST / W.M. CITY OF WILSONVILLE / CLACKAMAS COUNTY / OREGON | DATE: 24 APRIL 2023 |
| | DRAWN BY: CH |
| | CHECKED BY: JRD |
| | PROJECT NO. 2200028 |
| | SHEET: 2 |



CITY COUNCIL MINUTES

April 17, 2023 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, April 17, 2023. Mayor Fitzgerald called the meeting to order at 7:02 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

Mayor Fitzgerald
 Council President Akervall
 Councilor Linville
 Councilor Berry
 Councilor Dunwell

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
 Beth Wolf, Senior Systems Analyst
 Bill Evans, Communications & Marketing Manager
 Bryan Cosgrove, City Manager
 Dan Pauly, Planning Manager
 Georgia McAlister, Associate Planner
 Jeanna Troha, Assistant City Manager
 Kimberly Veliz, City Recorder
 Mark Ottenad, Public/Government Affairs Director
 Matt Lorenzen, Economic Development Manager
 Zach Weigel, City Engineer

3. Motion to approve the following order of the agenda.

Motion: Moved to approve the following order of agenda.

Motion made by Councilor Akervall, Seconded by Councilor Dunwell.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

4. State of the City Address

Mayor Fitzgerald presented the 2023 State of the City Address.

Mayor Fitzgerald's 2023 State of the City Address is appended to the minutes in its entirety.

5. Break for Refreshments

Following the State of the City Address there was a brief break for refreshments.

6. Upcoming Meetings

The Mayor reconvened the City Council meeting at 7:52 p.m.

The Mayor reported on the following events that occurred since the last City Council meeting:

Clackamas County Coordinating Committee (C4) Meeting

- At the April 6, 2023 C4 meeting there was discussion and a vote made to support sending a set of comments on ODOT's I-205 Toll Program Environmental Assessment.
- Public Comment on the I-205 Toll Program Environmental Assessment was due by April 21, 2023.
- Those interested in learning more or wanting to provide public comment could do so on the Oregon Department of Transportation' website.
- Data showed Wilsonville would not be impacted by highway traffic diversion on local streets; the City of Wilsonville would be affected by increased traffic on I-5, as some drivers seek to avoid the tolling areas.

In terms of upcoming meetings of note, the Mayor announced:

City Council Meeting

- The next City Council meeting was scheduled for Monday, May 1, 2023.

COMMUNICATIONS

There was none.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

Steven Benson, Parks Board member provided input on the topic of prohibited camping.

Margie Shinn of Wilsonville reiterated the concerns made by Stephanie Tharp during the Urban Renewal Agency meeting regarding the lack of communication from the City on the Boeckman Creek Trail Project.

The City Manager explained the surveyor jumped the gun on the walking path, and should have just been surveying only for the road construction. Typically, the City would not want property owners to see, yellow and blue tape out before staff had a conversation with them. The City Manager apologized and restated the City's commitment to keeping the neighborhood informed.

Stephanie Tharp of Wilsonville was told her comments about the Boeckman Creek Trail Project were on the record from Urban Renewal Agency meeting. Therefore, there was no needed for her to duplicate those comments.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

7. Council President Akervall

Councilor Akervall shared details of the following events she attended:

- Charbonneau Tolling Forum on April 14, 2023
- Washington County Coordinating Committee on April 17, 2023

Councilor Akervall then announced:

- Wilsonville Library accepting applications for a Teen Summer Intern

8. Councilor Linville

Councilor Linville attended and reported on the following:

- Rotary Heart of Gold on April 6, 2023
- Charbonneau Tolling Forum on April 14, 2023

Councilor Linville announced plans to attend the following:

- Volunteer Appreciation Event on April 25, 2023
- Diversity, Equity and Inclusion (DEI) Lecture series presentation on April 27, 2023
- Greater Portland Inc. (GPI) Small Cities Consortium on April 27, 2023

9. Councilor Berry

Councilor Berry shared details from the following events she attended:

- Tourism Promotion Committee on April 5, 2023
- Rotary Heart of Gold on April 6, 2023
- Charging and Fueling Infrastructure Discretionary Grant Program Confirmation on April 11, 2023
- Charbonneau Tolling Forum on April 14, 2023

10. Councilor Dunwell

Councilor Dunwell announced she attended the following meeting:

- Willamette Falls and Landings Heritage Area Coalition on April 17, 2023

Councilor Dunwell shared she planned to attend the below meetings:

- French Prairie Forum on April 19, 2023
- City of Wilsonville, Clackamas County, Wilsonville Community Sharing and Heart of the City meeting on April 20, 2023

Lastly, Councilor Dunwell announced the Biden-Harris Administration designated Fentanyl combined with Xylazine as an emerging threat to the United States. The Councilor then reminded the audience how difficult it was to treat this addiction, which was leading to overdose deaths. All were encouraged to pay attention and support the efforts to combat these drugs.

CONSENT AGENDA

The City Attorney read the titles of the Consent Agenda items into the record.

11. Resolution No. 3037

A Resolution Of The City Of Wilsonville Authorizing Acquisition Of The Second Group Of Properties And Property Interests Related To Construction Of The Boeckman Road Corridor Project.

12. Minutes of the April 3, 2023 City Council Meeting.

The Mayor requested a motion on the Consent Agenda.

Motion: Moved to approve the Consent Agenda as read.

Motion made by Councilor Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

NEW BUSINESS

13. Second Amendment To Ground Lease For Raw Water Pipeline

The Mayor read the title of the New Business item into the record.

The City Manager explained this amendment was a housekeeping item. He recalled the City had a guarantee with the Big Pipe Project. Moreover, at the original signing of the agreement there was a requirement for an irrevocable letter of credit. Tualatin Valley Water District (TVWD) asked for a small allowance, similar to what had been done in the past for ODOT with the Interchange Project. The request was to deposit the equivalent amount of the letter of credit into an account with a Local Government Interest Pool (LGIP). Staff agreed with the TVWD's asks therefore, the agreement needed to be amended to allow that modification.

The audience was informed the Big Pipe Project was a 68-inch pipe that would extend from Wilsonville to Hillsboro, and provide water for many cities along that corridor.

There were no questions of staff. The Mayor then requested a motion on the Second Amendment to Ground Lease for Raw Water Pipeline.

Motion: Moved to approve the Second Amendment to the Ground Lease for Raw Water Pipeline.

Motion made by Councilor Dunwell, Seconded by Councilor Akervall.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

CONTINUING BUSINESS

There was none.

PUBLIC HEARING

1. **Ordinance No. 877** -1st Reading (Legislative Hearing)

An Ordinance Of The City Of Wilsonville Adopting Transportation System Plan Amendments To Integrate Transportation Projects From The Frog Pond East And South Master Plan.

The City Attorney read the title of Ordinance No. 877 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:27 p.m.

Dan Pauly, Planning Manager introduced DKS Associates Jenna Bogert and Scott Mansur. Also, available for questions was Zach Weigel, City Engineer.

The DKS Associates provided the PowerPoint, which summarized the staff report. The PowerPoint had been added to the record.

DKS Associates and staff were asked clarifying questions.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance No. 877 at 8:37 p.m.

The Mayor then requested a motion on Ordinance No. 877.

Motion: Moved to adopt Ordinance No. 877 on first reading.

Motion made by Councilor Linville, Seconded by Councilor Berry.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

2. **Ordinance No. 878** -1st Reading (Quasi-Judicial Hearing)

An Ordinance Of The City Of Wilsonville Approving A Street Name Change Of SW Columbine Avenue To SW Ponderosa Avenue In The Frog Pond Ridge Subdivision.

The City Attorney read the title of Ordinance No. 878 into the record on first reading.

Georgia McAlister, Associate Planner provided the staff report and PowerPoint, which had been made a part of the record.

The Mayor provided the public hearing format and opened the public hearing at 8:43 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

Council asked clarifying question.

The City Attorney stated there was no legal comment.

The applicant Sean Leahy presented to City Council.

The Council appreciated Sean Leahy for coming to them with his concerns over the naming of the street.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance No. 878 at 8:50 p.m.

The Mayor then requested a motion on Ordinance No. 878.

Motion: Moved to adopt Ordinance No. 878 on first reading.

Motion made by Councilor Berry, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Council President Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS

The City Manager shared with Council Friday, April 28, 2023 was the date for the apartment complexes tour. Additional, information on the tour would be provided to Council once available.

LEGAL BUSINESS

There was none.

ADJOURN

The Mayor adjourned the meeting at 8:52 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor



STATE OF THE CITY

Presented by Mayor Julie Fitzgerald

April 17, 2023 at 7:00 P.M.

Finally, it is my pleasure to stand in front of you in person instead of on video or in a Zoom meeting for our state of the City, and to share a few thoughts about the state of our City. Spoiler alert, it's a great City. But, I want to start with some introductions and ask if, I know we have some other elected officials. Metro Councilor Rosenthal is here. Where is he? There he is. Thank you, Councilor Rosenthal, for joining us. And I also want to ask any members of our boards and commissions or volunteers with the City to please stand so we can thank you for everything that you're doing for our City. Thank you. And we are lucky to have some of our past elected officials, former Mayor and Councilor Charlotte Lehan, right here and former Mayor and Councilor Tim Knapp. Thank you.

And I would also like to thank our staff who are a big part of everything that we do in the City. Some of them are probably already standing but please wave because with your help, we're able to get the ideas and visions that we develop carried out. So thank you very much.

It's my honor now to introduce the members of our Council, starting with Council President Akervall. If you would please stand up and say hello. As you know, Council President Akervall was elected to her second four-year term in 2020. Councilor Joann Linville, over here, started out in a partial term by being appointed to fill an open position. And I believe she served for about 18 months in that position and then was elected to a four-year term in 2020. Councilor Caroline Berry, right here, and Councilor Katie Dunwell, right here, were both elected in November of last year, and as we know, they were sworn in January 2023. So thank you to all of our Councilors. It is an honor to work with you.

So this Council is representing a fantastic City of 27,000; residents 20,000 jobs; and a \$1.5 billion private sector payroll. We value and work for great parks, bike and pedestrian access, fresh air, safe neighborhoods, safe streets, excellent water supply and other services. So, we're busy in Wilsonville and for good reason.

So, having introduced our Councilors, I encourage you if you haven't done so already to get to know them, and meet them and find out some of the things they work on. And you can also read a little bit about them on the City website where they have their bios. These Councilors have really varied life experiences and professional experiences and it's really valuable to the work that we do as a Council. But, there are some things that all of us have in common. In addition to being advocates for Wilsonville, we are also parents, daughters, and elected leaders.

So, one comment that has come our way periodically since 2023 and some of us like it, and some of us don't like it. It's the comment that goes something like this, "Wow, this is an historic moment. How is it to serve on an all women Council?" And it kind of makes me wonder when we had our first City Council for Wilsonville in 1969, did anyone say, "Wow, that must be really cool serving with an all-male Council, how's that working out?" They probably didn't ask. But really, the better question is, is why has it taken so long for candidates to decide to run and to be elected, who can begin to represent more diversity than we may have seen 50 years ago. And I think we've already seen a lot of that. But, when you look at the makeup of our boards and commissions, and the people who sign up for the Civics Academy every year, I think we're starting to see a lot more diversity. And that's really great. And I think we'll just continue to see more diversity. But, I do have some thoughts on the subject of why it's taken 54 years to have a shift from the all-male Council in 1969, to the all-woman Council, that happens to be in place right now. Times change, and you know, it's actually I think one of the reasons for that, it's only been since 1912, that woman, could even vote in Oregon. And that could have something to do with the fact that it's taken 54 years to get to this all-woman Council. So, Oregon is really, as we see around the state electing a lot of different people with different backgrounds to City Councils all over our state and I think we'll continue to see that in Wilsonville.

The Council has been working this spring to set our goals for the next two years and we do this every two years, when we have new Councilors. So, we've set goals for the 2023 - 2025 period and our goals do reflect these values that you see on the screen. We really took those into account.

In speaking of people of Wilsonville being represented in our City, we have so many, a number of boards and commissions probably more than in other cities. And this has been going on for many years. Mayor Knapp and Mayor Lehan know that and they helped build up some of these committees. And so we're honored to have a lot of community involvement, on our boards and commissions. And I thought what I would do is just not go through this whole list but, highlight three of them that maybe don't get so much notice.

The first one is the Kitakata Sister City Committee. This was established by Mayor Knapp as one of his last initiatives before he left office. And as a lot of you may know, it started as a nonprofit, by people in Wilsonville and they had a very active exchange program with business people and students for about 30 years. And it started showing signs of not having enough volunteers and maybe not being able to continue as it had with a lot of strength. And so, thank you Mayor Knapp for taking steps to make that one of our official boards and commissions. Of course then right after that, we had COVID so there were no exchanges. But, this December, this last December 10 students came from Kitakata, Japan and stayed with people in Wilsonville. I think they had a great time and we look forward to a group going over to Kitakata. It's a City that's about how half a day's drive from Tokyo, and has about 50,000 residents. And one of the things they mentioned as one of, their, a couple of their claims to fame is they're very proud and for their reputation for delicious, producing delicious ramen, and beautiful lacquerware.

The other board I wanted to shine a light on is our Library Board. And you can see with these statistics here how active our Library is. So, this board worked with our Library Director to reflect, just work with the Library, and continue to make it strong and active. And it's pretty amazing to see that we, I just asked for the current statistics from the Library Director, that we have 13,000 visitors every month, 177 new patrons every month, and thousands and thousands of books, and other items are checked out every month. And they do partner with a number of groups in the City. So, if you haven't been to the Library lately, this is a great time to go.

The third board that I wanted to mention is our Wilsonville Tourism Promotion Committee. That committee is charged with overseeing how the hotel and motel tax that is collected in Wilsonville is spent. And they've done, they've really made a lot of great progress lately. And the purpose of that is to identify more reasons for people to come to Wilsonville, patronize our restaurants, our various activities people can participate in, and our lodging establishments. They have really beefed up their website lately. It's really easy to find ExploreWilsonville.com. So, those are just three of some of our boards and commissions.

This year has been a big one for, let's talk about the inner workings of the City, especially our new Public Works complex. If you've driven by, down Boeberg Road, you've seen this going up there. I think they're on schedule, as far as I know. This is going to move us from our current position of having our Public Works vehicles dispersed in four different locations. Pretty inefficient for a City our size in order to respond to things ahead. So, we're really pleased with this Public Works facility moving along. When the Public Works Department moves out of their current location, which is across the street in what we call the Public Works block where the Police Department, is they are in the upper floor, the Police Department is in the lower floor. That will give us the opportunity to design a better Police facility. It may be an interim Police facility to begin with but we know we need a better situation for public safety.

Speaking of public safety couple of words about this, Chief Wurpes as you may have heard at an earlier Council meeting has hired a Behavioral Health Specialist. Her name is Brenda Evans and she has a number of roles including serving as first response to people experiencing mental health emergencies, coordinating follow up care, support, and connection to resources. So, she also trains on topics related to mental health. She provides a critical, compassionate care to community members who are experiencing a mental health crisis and also by virtue of that frees up our Police force for their traditional roles. Even though I'm sure they will still interact with her and call her in where needed.

Parks and Recreation has been really active. If you've been to Memorial Park lately, which I hope you have, you might have noticed the new restaurant, restrooms, and the skate ramps, no restaurants down there. The Parks and Recreation Department has also restarted the lunches at the Community Center, those are for people who are seniors or would like to join for that lunch. In addition, they've restarted the meal delivery program for people who are unable, who need that, but are unable to come to the Community Center.

Another nice walk if you're looking for that I think we're going to have some sun here pretty soon is that Villebois we're just about to be completed with those regional parks along Tooze Road and Coffee Lake Drive. Great places to walk. And that's going to be completed pretty soon. And then another park is under, in the early stages of development at Frog Pond West. The three-acre piece of land has been

acquired, and the concept plan has been developed. They did a lot of community input and took feedback. (I think I'm on the wrong, didn't advance. There, that's where I'm meant to be.) And another thing to celebrate about our parks, Memorial Park is, again, if you go down to the park, kind of near the tennis area and head to the southwest corner by the Willamette River, you'll see this new young child Nature Play Area. It was designed, built, and installed by our Parks Department, and they got a great award from the Oregon Regional Parks Association. It was ingenious design, really well done, and also very affordable. So I think they really wowed them with this park.

Well, streets are a big part of any City, especially Wilsonville. We've had some big projects going on. It's always a lot of bit of trouble to navigate around street projects, but it's for a good reason. We in fact, talked about one of them today. The Boeckman Road corridor improvement, which is going to be a big project has been underway for a long time, but it's required to give us the safety and access needed for all the residents in the school in that area. And if any, we have a lot more described on all of these things on our website.

Economic Development is very important to the City of Wilsonville. We've spent a lot of time this year with the legislature and the state advocating for funding for the investments that we need to make in our Basalt Creek and Coffee Creek industrial areas. So, that we can compete with other cities and attract the kind of high quality businesses that we have in Wilsonville. We want; we have room for more of those. And cities all across Oregon have the same problem in order to attract these industries the cities have to come up with a significant amount of money to put the sewer, water, and sidewalks in. And so we are I hope making some good progress in that regard. We've certainly been working on it. I thank our Government Relations staff, and Planning for their work and Economic Development.

We've been making quite a few visits the Council and the staff to businesses in Wilsonville to hear what is working for them, hear what is not working, what more things they think we could do to help them be more successful. If any of you would like us to visit with you let us, know.

Our Economic Development Department has had success in marketing Wilsonville as a top tier business and development friendly City. And in fact, earlier this year, a regional economic development agency organization called Greater Portland Inc. (GPI) selected Wilsonville as one of the stops on their Best Practices Tour. And our head of our Community Development Department Chris Neamtzu, and Economic Development Manager Matt Lorenzen gave a really good presentation. And really, it was about how did a City like this get a \$1.5 billion private sector payroll. I'm looking at Charlotte Lehan and Tim Knapp because it took a long time and we're still going.

And one of the things that's that we know is important is the lack of childcare in Wilsonville, the Economic Development Manager did a survey of businesses. Everybody knows this is an issue but it's one of the impediments that our employers have to expanding their businesses. If prospective employees cannot afford or find childcare, they're not really going to be able to fill those jobs.

Housing Affordability is another big part of that, and we'll talk about that a little bit later. In fact, right now. Equitable housing or we this, the Council passed the Equitable Housing Strategic Plan in 2019. And it's got a lot packed into it. We've been peeling off the recommendations and working our way through that. And presently, we have some things that I think have made some really good progress. One is what

we call the Transit-Oriented Development (TOD), and it's called that because it is located near transit. We hope it can qualify for some specific funding that matches up with that. We are moving ahead with building a 100 unit affordable housing development near the West Center, West Station that is on City land, which is one of the big components of making affordable housing is if you already have the land. And there was a spot that was just perfect for that, on the ground floor, it would have some services and some act, some Wilsonville Community Sharing might be able to be located there, perhaps a restaurant or something of that nature that would attract everyone residents to come and gather and enjoy that spot. So that is that is moving along, it's not ready to break ground or anything like that. But it's moving ahead.

Frog Pond East and South I'll talk about that a little bit later on the next slide. But these three other aspects that came out of our Equitable Strategic Plan Housing Plan, are helping us get closer to having more housing for people at different wage, and different capabilities for paying for housing. One is middle housing, you probably all remember, our Planning Commission spent a lot of time on this and our staff, figuring out how to integrate middle housing into Frog Pond East and West. And we have passed a Vertical Housing, Vertical Development Housing Zone. I think I said that right. No Vertical Housing Development Zone VHDZ) which means that in in two zones, the center of Villebois and also some areas in Town Center, builders are going to be encouraged to build some three or four story buildings, for residential, with work, live, retail space on the ground floor. And those are, those incentives are needed, because it doesn't always pencil out for the builder. So, that's how we were getting started on that one. And I think that I've covered most of the things on that slide.

Speaking, going to Frog Pond East and South thanks again to our Planning Commission, and many residents who participated in surveys and open houses, the master plan for this 293 acre future housing area has been completed and it will be able to accommodate more than 1,500 homes not right away, it'll take years to develop that. And it also will have some opportunities to facilitate housing within that land that will serve households earning less than 80% of the area median income. In order to do that we will need to purchase partner with the land trust, these are not easy things to do, we have to figure out how to get that done. But that's a priority. And so those the key and the unique feature of Frog Pond East and South that has a lot of similarities to some things that you see in Villebois, which is to say that the area is integrated all different types of housing, sizes and shapes can be found throughout the area. Also, parks, and interest areas, and walking paths, and some retail as well.

So, now let's move to our Council goals. I just want to briefly go through these. And of the first one was around emergency preparedness and public safety. I think the biggest feature the new feature of this that is on our list is to whether using technology will take some input from the public. We want to have a great system for neighbors to connect with neighbors, businesses to connect with businesses. When needed, the City can do so much we can do certain things. We don't have enough staff and police to run to everybody's house and knock on the door. And so this is rather a big charge. But we really want to see Wilsonville a connected community so that when that big Cascadia earthquake or the next ice storm or some other thing that we don't even want to imagine happens, our City is prepared to evacuate help each other do what's needed to come out of it in good shape. Also in this priority, we are, or this set of goals we want to complete a Police Department staffing study. And also, as I mentioned, when Public Works moves out of the location where they are now to the new building, we want to develop a plan to improve those Police facilities.

The second goal is to actively preserve, protect, and protect our environment. This is not a new idea. This has been a hallmark of Wilsonville for a long time. What we want to do with this goal is to dig deep a little bit really we want to develop a climate inventory and gap analysis of City practices and operations to see where we need to do more. This could be something that is connected to the DEI Committee, the Planning Commission; it could show up in many different ways. We also want to do a community education campaign to encourage climate friendly practices. And along with the, you know, the phrase that with many hands make light work. Doing well in this area is not something to be to leave to government or leave to the City Council; we will do as much as we can and we always want to keep doing better. But to really succeed in this, residents, businesses Planning Commission, DEI (Diversity, Equity and Inclusion) Committee, Community Enhancement Committee , schools, service clubs, all have an opportunity to help us succeed in that area.

The third goal is about economic development, we want to continue with the good successes Wilsonville has had in attracting high quality industry and supporting economic opportunity. One of those strategies is around the childcare goal that I mentioned earlier. And we also are going to be implementing some urban renewal strategies because some of the things that we need to do require more than the annual budget, including Town Center, we have not forgotten about Town Center.

The fourth goal is to increase housing opportunity and eliminate homelessness. And you've heard housing come up several times already tonight. I don't mean to be repeating myself, but it does show up in many different ways. Of course, we want to continue to work on our equitable housing opportunities, which, includes the problem of homelessness. The more housing we have at the different levels, the fewer people we hope will be entering homelessness, so that is very important. We recently met with Clackamas County and they told us that in fact, already, they are seeing more people exiting homelessness than entering it. So that was really good news and we want to be a part of continuing to work on that. (I think I went too far. Okay.)

So, just another few words on the homelessness and housing opportunities. You may have heard us at our in our Work Sessions lately talking about this program called Built for Zero of which, Clackamas County is a member. And it was developed in in New York and it's basically around seeing people who are homeless and taking deliberate regular well organized steps to connect people to services. And in Clackamas County, we actually have some funds to do that. The taxpayers have approved a housing bond that Clackamas County is making use of to build various levels of housing, types of housing. And there's another tax that the voters approved in 2020, which is generating, it's for the three counties in the metro area. As you may have read in the papers that is generating a new \$40 million every year for the next eight years to be used for wraparound services. So, that is why we think if we are diligent and organized and working with partners in Clackamas County and agencies, and helpful people here in Wilsonville, we can really make a difference in getting people who are experiencing homelessness into housing. It's not going to be overnight and it's not going to happen tomorrow. But we're going to, we're determined and we actually have a meeting coming up a second meeting with Clackamas County, next week on this.

We have a goal around parks, you heard me say we've done a lot with parks already this year. But looking at the next two years we want to go back and pick up the plan that the Parks and Recreation Advisory Committee and the Parks Department developed with a lot of input, and the City Council with a lot of input from residents of Wilsonville, back in about 2019 - 2020. And it was put on pause because of COVID. And it had some great programs and great ideas way more than you could ever do. But they all, they prioritize them based on what's possible and what people are most interested in. It included things like how can we get access to the Willamette River for non-motorized boats, how we can how can we make that recreation more easily accessible, more sports fields, what can we do to improve our community services block once the Police move out. So, we are going to pick that plan up and get right get back into it, and determine where we can get started and how we can get the funding.

The sixth goal is to enhance our communications and engagement. All of the things I've talked about require being in touch with people all across our City and even beyond with our neighbors or our neighboring cities. So, we really didn't need to increase staff capacity to do that. We also want to increase our bilingual outreach. We've done some in that area, but we want to do much better. We also want to increase an increase engagement in our neighborhoods for public safety, as mentioned earlier, and that will require more staff support.

And our seventh goal is to continue diligently protecting livability by advancing some high priority legislative priorities. And these will include things that we have worked on before, but they need more attention and different attention every year. You can see the list there everything from making sure that we are at the table and listened to and fully aware of any plans for master planning at the Aurora State Airport nearby, or rural reserves, certainly freeway funding, tolling and the Boone Bridge, and some of the other areas that we've already talked about. One that I didn't mention this very important, of course, is our transit our SMART transit operations in Wilsonville are some of the best in the state. And as the City grows into those industrial areas, we want to make sure that those areas and Frog Pond, they can continue to get the best kind of transit.

Challenges ahead, you heard me talking about some of these challenges already. So, I don't need to repeat myself. But, I want you to know that I think our Council is up for the challenge. And if you'd like to talk within any of us about ideas or come to our meetings and ask questions, please do.

In closing, I just found a couple of examples of some of the many things that are going on that were advertised in our Parks and Recreation catalog and you see some of these in the Boones Ferry Messenger. So, you don't really have to be on a board or commission, you certainly we always want more applicants for those, but as you go to programs like Juneteenth that's coming up. Which I really recommend going to this it's just been a great program. Go to something you maybe haven't ever gone to before and meet those people. So, get to know more of the people in your community, your neighbors, and people in different interest groups so that together we can all keep making Wilsonville a place that we're proud to call home. Thank you.



CITY COUNCIL MEETING STAFF REPORT

| | | | |
|--|--|---|--|
| Meeting Date: May 15, 2023 | | Subject: Resolution No. 3058 A Resolution of the City of Wilsonville Adopting Administrative Rules Related to the Regulation of Camping for Survival on Public Property Staff Members: Amanda Guile-Hinman, City Attorney Department: Legal | |
| Action Required | | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda | | <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A | |
| Staff Recommendation: Approval of Resolution No. 3058. | | | |
| Recommended Language for Motion: I move to approve Resolution No. 3058. | | | |
| Project / Issue Relates To: | | | |
| <input checked="" type="checkbox"/> Council Goals/Priorities: Housing Strategy 14 – adopt ordinances to bring the city into compliance with state and circuit court rules | <input type="checkbox"/> Adopted Master Plan(s): | <input type="checkbox"/> Not Applicable | |

ISSUE BEFORE COUNCIL:

Consider approval of Resolution No. 3058 that adopts Administrative Rules to regulate camping for survival on public property.

EXECUTIVE SUMMARY:

The proposed Resolution No. 3058, along with Ordinance No. 879, represents the culmination of almost one-year's work by the Council and City employees to consider regulations regarding camping on public property in Wilsonville that: (1) comply with House Bill (HB) 3115 (2021) and HB 3124 (2021); (2) are informed by the input of community members, individuals with lived experience, public and private service providers, and other stakeholders; and (3) emphasize continued outreach, communication, and education of the regulations to individuals experiencing homelessness and the community.

Both Resolution No. 3058 and Ordinance No. 879 are the City's proposed response to new state laws and federal court cases. This is state-mandated work that every city in Oregon is, or will be in the process of, doing. The goal of the City's camping code update project is to do so in a way that is humane, and complies with state and federal law, by establishing clear rules about where, when, and how camping is allowed or not allowed on City property and rights-of-way. For a comprehensive discussion of federal case law and state statutes that require the City to undertake this prohibited camping code update, see the Staff Report for Ordinance No. 879, which is being considered, on second reading, at the May 15, 2023 City Council meeting.

Resolution No. 3058 seeks to adopt administrative rules that further refine the regulations found in Ordinance No. 879 governing camping for survival on public property. In the new Wilsonville Code (WC) 10.700-10.780, the code contemplates the adoption of administrative rules via resolution to further refine the camping regulations. See Ordinance No. 879, Exhibit A (WC 10.760(3)). The Administrative Rules provide flexibility and nimbleness the City needs as it works to comply with the requirements of HB 3115 to ensure there is sufficient space for individuals experiencing homelessness to camp for survival as the City, in coordination with Clackamas County and service providers, work to connect people to resources to, one day, achieve functional-zero homelessness in Wilsonville.

Based on the state laws and federal case law, community members' and stakeholders' feedback, Council's policy direction from its February 23, March 6, March 20, April 3, April 17, and May 1, 2023 work sessions, staff has finalized a draft of Administrative Rules and aerial map regarding prohibited camping that are found in the proposed Resolution No. 3058.

I. ADMINISTRATIVE RULES

Attached as **Attachment 1** is Resolution No. 3058, which adopts administrative rules governing camping on public property. The Administrative Rules (Exhibit A to Resolution No. 3058) generally govern four (4) key components of the City's new camping regulations: (1) the area(s) designated for camping for survival; (2) outreach and education efforts as the City implements the new regulations; (3) campsite clean-up procedures; and (4) enforcement.

A. Designated Areas

After in-depth discussions with the Council regarding issues of safety, sanitation, implementation, humane treatment of individuals experiencing homelessness, proximity to/conflict with adjacent uses, the Council determined that the initial designated areas for camping for survivals, as reflected in the proposed Administrative Rules, will be as follows: limited vehicle camping at the western end of the City Hall parking lot and approximately 5,040 square feet of land on the City property immediately to the north of City Hall for non-vehicle camping. Below is the aerial map of these designated areas, which is included in the Administrative Rules:



B. Outreach and Education

The Administrative Rules contemplate that the City will prepare educational materials regarding resources for individuals who are involuntarily homeless and information of the City's camping for survival regulations. The City will have these educational materials printed in English and Spanish and available to employees, individuals who are involuntarily homeless, service providers, and community members at City facilities commonly utilized by the public. The information will also be provided on the City's website. The City will also have signage posted within designated camping areas to delineate where overnight camping is, and is not, allowed.

Additionally, the Administrative Rules state that the City will continue its work coordinating with Clackamas and Washington Counties regarding each County's response to and resources for individuals who are involuntarily homeless and that the City will provide regular updates to the City Council and community of each County's resources and projects to address homelessness.

C. Campsite Clean-Up Procedures

While general campsite clean-up regulations, including noticing, are dictated by HB 3124 and the new WC 10.750, the Administrative Rules further explain the expectations and requirements when campsite clean-up occurs. For example, if a person is present when a campsite clean-up is about to occur, they should be given one additional verbal or written warning to remove their campsite or property. Additionally, efforts should be made to not use force if a person needs to be removed from the site.

The clean-up regulations also distinguish between towing abandoned vehicles and towing vehicles that are being used for shelter. The regulations further specify the requirements to store both personal property and vehicles that are used for camping for survival.

D. Enforcement

Similar to the regulations regarding clean-up of campsites, the enforcement regulations promote first seeking compliance with the camping regulations before taking an enforcement action. The enforcement provisions also allow dismissal of citations that may be issued if a person is cited and then seeks to connect to services provided through the counties.

EXPECTED RESULTS:

Council to consider approval of administrative rules on May 15, 2023, with an effective date of July 1, 2023. The City team has begun identifying vendors for the necessary fencing, vegetative screening, signage, and sanitation needs for the designated areas.

TIMELINE:

Approximate timeline of expected upcoming events:

1. May 15, 2023 – Adopt Administrative Rules via Resolution
2. July 1, 2023 – New regulations become effective

CURRENT YEAR BUDGET IMPACTS:

Assuming Council directs staff to move forward with the recommended plan, a supplemental budget request of approximately \$100,000 is planned in June 2023 for one-time capital costs to contract for sanitation services, purchase and install fencing, and plant the needed vegetative screening. Ongoing operational and maintenance costs will be proposed in the next fiscal year budget.

COMMUNITY INVOLVEMENT PROCESS:

Public involvement is a focal point of the city camping code revision process to ensure a diverse group of community members and stakeholders can provide their priorities, interests, and concerns related to the potential code revisions. The City provided a community survey through Let's Talk, Wilsonville! and staff have met and are meeting with stakeholders, including City advisory boards, private service providers, business and community groups, Clackamas County, the School District, TVF&R, and other government agencies. Attached to the companion staff report on Ordinance No. 879 is a memorandum explaining the community outreach process.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

While community members may feel uncertain about the implementation and impact of these new camping regulations, the Council and City project team have diligently worked over several months to ensure that new regulations and siting for camping for survival reflect the current need for overnight campsites for individuals experiencing homelessness, while ensuring that the regulations are not so complicated or onerous that they are difficult to understand or enforce. The City is committed, as reflected in the value statements accompanying Ordinance No. 879, to collaborating with its partners to connect individuals experiencing homelessness with available resources so that the City can one day achieve functional zero homelessness in the community.

ATTACHMENTS:

1. Attachment 1 –Resolution No. 3058
 - a. Exhibit A – Administrative Rules
2. Attachment 2 – Acknowledgements

RESOLUTION NO. 3058**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING ADMINISTRATIVE RULES RELATED TO REGULATION OF CAMPING FOR SURVIVAL ON PUBLIC PROPERTY.**

WHEREAS, the purpose of these administrative rules is to ensure the humane treatment and appropriate response by the City to individuals experiencing homelessness when applying provisions within Sections 10.700 through 10.780 of Wilsonville Code, and other applicable provisions of Wilsonville Code, including but not limited to, Sections 3.000 and 5.200 through 5.210; and

WHEREAS, the City of Wilsonville seeks to create rules and procedures that provide flexibility and allow the City to nimbly, efficiently, and effectively comply with requirements of Oregon House Bill (HB) 3115 (2021) and HB 3124 (2021), as well as current federal court decisions *Martin v. Boise*, 920 F.3d 584 (9th Cir., 2019) and *Johnson v. City of Grants Pass*, 50 F.4th 787 (9th Cir., 2022; and

WHEREAS, the City has engaged in extensive community outreach, including a community questionnaire with 437 responses, anonymous surveys from individuals experiencing homelessness, additional outreach to public and private service providers, and discussions with other local stakeholders to create a comprehensive and adaptable response strategy for individuals experiencing homelessness; and

WHEREAS, the City Council conducted 7 work sessions on public camping regulations, and the City has received additional input from the City's DEI Committee, Library Board, and Parks and Recreation Advisory Board on creating and implementing nimble public camping regulations; and

WHEREAS, the City seeks to create versatile policies and systems to access and obtain services provided by the Counties of Clackamas and Washington, which receive state and federal funding for housing and homelessness services for those within their respective jurisdictions; and

WHEREAS, in undertaking a review of City provisions related to public camping for survival, creating administrative rules related to the implementation of time, place, and manner restrictions on public camping became necessary to provide guidance and direction to City

employees regarding compliance with state laws and current federal case law in the enforcement of the provisions of Wilsonville Code related to public camping.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above-stated recitals and the Staff Report accompanying this Resolution as the City Council's findings demonstrating that the regulations adopted herein are in the public interest and promote the health, safety, and welfare of the City of Wilsonville community.

Section 2. The City Council hereby adopts the Administrative Rules regarding the City's regulation of camping on public property attached hereto and incorporated by reference herein at **Exhibit A**.

Section 3. Effective Date. This Resolution is effective beginning July 1, 2023.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of May, 2023, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBITS:

A. Administrative Rules

CITY OF WILSONVILLE ADMINISTRATIVE RULES IMPLEMENTING ORDINANCE NO. 879

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1. Purpose.

- 1.1. The purpose of these Administrative Rules is to: (1) refine and provide specificity to the regulations in WC 10.700 through 10.780; (2) provide City personnel direction on implementing WC 10.700 through 10.780; and (3) identify area(s) where individuals who are involuntarily homeless may camp in accordance with the time, place, and manner regulations stated in WC 10.720 through 10.740.
- 1.2. These Administrative Rules are intended to provide guidance and direction for implementing WC 10.700 through 10.780 to ensure citation and removal of individuals and clean-up of campsites comply with Oregon law.
- 1.3. The regulations in WC 10.700 through 10.780 are objectively reasonable with regard to individuals who are involuntarily homeless, as required by HB 3115 (2021), and will be implemented as described in these Administrative Rules in an objectively reasonable manner, based on the totality of circumstances, including the impact of these Administrative Rules on the person experiencing homelessness.
- 1.4. These Administrative Rules are authorized under WC 10.760(3) and may be amended from time to time via resolution adopted by the City Council.

2. Definitions.

- 2.1. *To camp or camping* means to set up, or remain in or at, a campsite for the purpose of establishing or maintaining a temporary place to shelter for survival from the elements.
- 2.2. *Camp materials* means tents, huts, awnings, lean-tos, chairs, tarps or tarpaulins, cots, beds, sleeping bags, blankets, mattresses, sleeping or bedding materials, food or food storage items, and/or similar items that are or appear to be used as sheltering and/or sleeping accommodations, or to assist with sheltering for survival and/or sleeping activities.
- 2.3. *Campsite* means any place where any camp materials, bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure or any vehicle or part thereof.
- 2.4. *City or Wilsonville* means the City of Wilsonville, Oregon.
- 2.5. *City Manager* means the City of Wilsonville City Manager or designee.
- 2.6. *City-owned property* means public real property, land, and premises owned by the City of Wilsonville.

- 2.7. *City right-of-way* means the space in, upon, along, across, over or under the City-owned streets, roads, highways, lanes, courts, ways, alleys, boulevards, sidewalks, bicycle lanes, and places used or intended to be used by the general public for travel as the same now or may hereafter exist, that the City has the right to allow the public to use.
- 2.8. *Designated Area(s)* means the area(s) the City has identified where individuals who are involuntarily homeless may shelter for survival, as further identified in Section 3 herein.
- 2.9. *Individuals who are involuntarily homeless* means the circumstance when there is no available emergency or transitional housing for an individual experiencing homelessness and/or no transportation for such individual to available emergency or transitional housing within the county where the person is located.
- 2.10. *Personal property* means any item that is reasonably recognizable as belonging to a person and has apparent value or utility.
- 2.11. *Rest* means to pause from exertion by stopping, sitting, lying, or sleeping.
- 2.12. *SROZ* means the City's Significant Resource Overlay Zone.
- 2.13. *Store* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- 2.14. *Vehicle* means every device in, upon, or by which any person or property is, or may be, transported or drawn upon any street or highway, and includes any hulk or component thereof, including, but not limited to cars, campers, recreational vehicles, motor homes, pickup trucks, pickup truck canopies, and trailers, except devices:
- 2.14.1. Designed to be moved exclusively by human power; or
- 2.14.2. Designed to be used exclusively upon stationary rails or tracks.
3. **Designated Area(s).** It is prohibited at all times for any person to use City property or City rights-of-way to camp for survival, except at the following location(s). The City designates the following specific locations on the Wilsonville City Hall property located at 29799 SW Town Center Loop East, Wilsonville, Oregon for individuals who are involuntarily homeless to camp, pursuant to the time and manner regulations outlined in WC 10.720 and WC 10.740:
- 3.1. Vehicle Camping Locations. An individual who is involuntarily homeless may camp in their vehicle in one of the primary parking spaces shown in **Illustration 1** below. The vehicle must be fully confined within the parking space and the individual may not place any camping materials or other materials outside of their

vehicle. If all primary parking spaces are full, an individual who is involuntarily homeless may camp in their vehicle in one of the designated overflow parking spaces. The parking spaces in between each designated parking space may not be used for camping or storage of personal property. Vehicle camping may not occupy designated non-vehicle camping locations.

3.1.1. If an individual who is involuntarily homeless is utilizing a recreational vehicle, the recreational vehicle may park diagonally in the primary parking spaces, but may not occupy more than three (3) spaces.

3.2. Non-Vehicle Camping Locations. An individual who is involuntarily homeless may camp in the spaces shown in **Illustration 1** below. The size of the campsite may not exceed 10 feet x 10 feet or 100 square feet. Each individual non-vehicle campsite must be at least 25 feet away from another non-vehicle campsite and at least 20 feet setback from property lines, as shown in Illustration 1. Individuals may not place any camping materials or other materials outside of their campsite. Campsites may not be located in the service area identified in **Illustration 1**.

Illustration 1



- 3.3. Other Temporary Circumstances. In the event that the areas and spaces identified in Illustration 1 above are at capacity and an individual who is involuntarily homeless needs a location to shelter for survival, the City Manager may designate additional location(s) as may be necessary pursuant to WC 10.770(2). Such temporary action by the City Manager must be considered for ratification by the City Council at its next regularly scheduled meeting.

- 3.3.1. In the event the City Manager must exercise authority pursuant to Section 3.3, the City Manager will consider areas and spaces that are in the best interest of the community and that best meet the purpose and intent of WC 10.700 through 10.780, including considering the following:
- 3.3.1.1. Whether circumstances indicate that such need is temporary or longer-term;
 - 3.3.1.2. The feasibility of additional space in the City Hall parking lot;
 - 3.3.1.3. The compatibility with surrounding uses and zoning of any other locations; and
 - 3.3.1.4. Feasibility of obtaining regulatory approval for temporary use on vacant city properties.

4. Outreach and Education

- 4.1. Resource Materials. The City will develop resource material(s), including, but not limited to, Washington County and Clackamas County resources for individuals who are involuntarily homeless and information of the City's camping for survival regulations. The City will have these educational materials printed in English and Spanish and available to employees, individuals who are involuntarily homeless, service providers, and community members at City facilities commonly utilized by the public. The information will also be provided on the City's website.
- 4.2. County Coordination. The City will coordinate with Clackamas County and Washington County regarding each County's response to and resources for individuals who are involuntarily homeless. City personnel will provide regular updates to the City Council and community of each County's resources and projects to address homelessness.

5. Clean-Up Procedures

- 5.1. Procedure for Removing Campsites and Personal Property.

- 5.1.1. If people are present when City personnel or contractors return following a posted notice to remove the personal property or campsite that was subject to the notice, people apparently in charge of the campsite, personal property, or vehicle should be given another verbal and/or written warning to move their own campsite, property, or vehicle.
- 5.1.2. When removing individuals from an established campsite, the City will make reasonable efforts to remove individuals without the use of force, arrest, or citation.
- 5.1.3. Following removal of a campsite or personal property, the City must post a notice stating the location where removed personal property is being stored, and how individuals can contact the City to retrieve their personal property. When practicable and when the person or people responsible for the personal property are present, the notice should also be personally delivered to the individual(s).
- 5.1.4. When removing personal property, the City will make reasonable efforts to determine if property belongs to an individual and has any apparent utility. The City will make reasonable efforts to identify which campsite property was removed from, to aid in connecting people with their property removed by the City. Items that are of no apparent use or are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, and discarded as part of any cleanup efforts by the City.
- 5.1.5. Weapons, controlled substances other than prescription medication, and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.
- 5.2. Removal of Vehicles. The provisions of this Subsection are in addition to existing processes for towing of hazardous vehicles or vehicles eligible for towing under state law.
 - 5.2.1. A vehicle may be towed from City right-of-way as an abandoned vehicle under ORS 819.110 and WC 5.400 through 5.460, if it has been parked or left standing in a location or for a duration that is in violation of the Wilsonville Code and is not being used for shelter. ("Abandoned" for purposes of this Subsection means that the vehicle has been parked or left standing in excess of allowed time, even if people are using the vehicle in its parked location without moving it.) State and local regulations regarding notice and hearing for towed vehicles must be followed.
 - 5.2.2. Vehicles that are disabled or left standing in a location as to constitute a hazard or obstruction on City rights-of-way may be immediately towed in accordance with the provisions of ORS 819.120 and WC 5.415. Notice shall

be given as described under ORS 819.180 and WC 5.420, and, if requested, a hearing described under ORS 819.190 and WC 5.430.

5.3. Storage of Personal Property.

- 5.3.1. Personal property removed from campsites and unclaimed at the time of removal will be stored by the City, or its contractor(s), within the City limits, as identified on the notice posted at the time of removal, where people can reasonably access to retrieve belongings. Stored personal property will be reasonably available for any individual claiming ownership.
- 5.3.2. The City will not store, and will discard, items that have no apparent use or are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination. The City will not store perishable food items or other items that, if left in storage for up to 30 days, could contaminate other stored property.
- 5.3.3. The City, or its contractor(s), will keep records of the date property was received, a general description of the location the property was recovered from, the date the property must be stored until, and if known, a description or identification of the presumed owner of the property.
- 5.3.4. The City, or its contractor(s), will make reasonable efforts to provide a range of times the storage location will be available for people to collect property.
- 5.3.5. The City, or its contractor(s), will take reasonable precautions to secure stored property, including vehicles, but will not be responsible for loss or damage to stored property.
- 5.3.6. The City may dispose of any personal property that remains unclaimed after thirty (30) days, or such duration as required by statute.
- 5.3.7. Property held by the Clackamas County Sheriff's Office shall be disposed of in accordance with its policies and all applicable state laws.

5.4. Storage of Vehicles.

- 5.4.1. Towed or removed vehicles in which people are camping or sheltering should be stored as personal property removed from an established campsite in accordance with this Policy.
- 5.4.2. The City, or its contractor(s), will store vehicles in a reasonably secure location, consistent with practices for storing other removed personal property. Other than as required to facilitate tow or removal of a vehicle, or

as may be required for other valid or law enforcement purpose in extraordinary circumstances, City personnel will not enter vehicles or perform any search, including an inventory search, of vehicle contents.

- 5.4.3. The City will release vehicles to a person entitled to lawful possession with proof of valid license for the person driving the vehicle away. A person must provide proof of ownership or other indicia of ownership, or written authorization from registered owner.
- 5.4.4. If not retrieved after thirty (30) days, the vehicle will be considered unlawfully parked or abandoned pursuant to ORS 98.810 or other applicable statutes, and can be towed and impounded to a towing lot subject to storage and other lawful fees, liens, and disposal.

6. Enforcement

- 6.1. Violation of Administrative Rules. Any violation of these Administrative Rules may be enforced in accordance with WC 10.750 and 10.760.
- 6.2. Humane Implementation and Enforcement. In accordance with state law, the regulations in WC 10.700 through 10.780 and these Administrative Rules should be implemented and enforced in ways to ensure humane treatment of individuals who are involuntarily homeless when citing and/or removing them from campsites when violation(s) occurs.
- 6.3. Methods of Enforcement. Enforcement pursuant to WC 10.750 and 10.760 may be by the following ways:
 - 6.3.1. Notice and removal and/or clean-up of a campsite pursuant to WC 10.750;
 - 6.3.2. When circumstances warrant, emergency removal pursuant to WC 10.750(4); or
 - 6.3.3. Citation for violation pursuant to WC 10.760. Citations will be issued when other means of achieving compliance have been unsuccessful or are not practicable for the particular situation.
- 6.4. Pre-Citation Process.
 - 6.4.1. Except in emergencies or when not practicable for the particular situation, before a citation is issued, City personnel will contact, or will cause to be contacted, the person and provide opportunity to cure or remedy the alleged violation. City personnel should consider contacting Clackamas County or Washington County homeless response services (depending on the location). Communication with the person should be

done in a manner designed to help the person understand the alleged violation and how to cure the violation.

- 6.4.2. The City will provide to persons allegedly violating the City's camping regulations any relevant resource material(s) developed pursuant to Section 4.1 above.

6.5. Enforcement Suspension and/or Dismissal.

- 6.5.1. Enforcement of time restrictions may be suspended or modified in the event of a declared emergency, weather conditions, or for any other reason within the City Manager's authority, pursuant to WC 10.770(1).
- 6.5.2. The City may elect to dismiss a citation when an individual does not have access to shelter and is engaged in case management, housing, and/or behavioral health services, or when necessary or appropriate to respond to an individual's disability. Currently approved engagement includes:
 - 6.5.2.1. Clackamas County, including the Clackamas County Coordinated Housing Access Program
 - 6.5.2.2. Washington County, including the Washington County Community Connect Program.

MEMORANDUM

TO: Wilsonville City Council

FROM: Amanda Guile-Hinman, City Attorney

DATE: May 2, 2023

RE: Acknowledgements

The City of Wilsonville Legal Department would like to acknowledge the following for their dedication to the development of the City's new camping regulations.

City Council

Mayor Julie Fitzgerald
Council President Kristin Akervall
Councilor Joann Linville
Councilor Caroline Berry
Councilor Katie Dunwell

City Leadership

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager

Consultants

Brandon Dole, Scott Edwards Architecture

City Advisory Boards

Diversity, Equity and Inclusion Committee
Library Board
Parks and Recreation Advisory Board

City Camping Regulations Team

Kris Ammerman, Parks and Recreation Director
Bill Evans, Communications and Marketing Manager
Nick McCormick, Law Clerk
Martin Montalvo, Public Works Operations Manager
Brad Painter, Roads and Stormwater Supervisor
Shasta Sasser, Library Director
Dustin Schull, Parks Supervisor
David Valenzuela, Code Compliance Coordinator
Rob Wurpes, Chief of Police

Special Thanks To:

Matt Baker, Facilities Supervisor
Chris Delk, Parks Maintenance Specialist
Bill Evans, Communications and Marketing Manager
Dustin Schull, Parks Supervisor
Andy Sheehan, Asset Management Coordinator
Dan Stark, GIS Manager
Jayme Taylor, Public Works Program Coordinator

Prohibited Camping Code Update Project - Resolution No. 3058

City Council Meeting
May 15, 2023



Agenda

Item 18.

- Background
- City Project Overview
 - Outreach
 - Prior Policy Discussions
- Ordinance No. 879
 - Foundational Regulations
- Resolution No. 3058
 - Regulation Refinement
- Implementation Steps

Background

Item 18.

- Martin v. Boise (9th Circuit)
- Blake v. Grants Pass (Or. Federal District Court)
- Johnson v. Grants Pass (9th Circuit)
- HB 3115 and 3124 (2021)

City Project Overview

- Inter-Departmental Team
- Can/Can't Do
 - Can't Outright Ban
 - Only Regulating City-Owned Property and Rights-of-Way
 - Time, Place, Manner
 - “Objectively Reasonable” Regulations
- Outreach

City Project – Prior Policy Discussions

- Seven work sessions
- Considered:
 - Where/Where Not
 - Designated Sites v. Just Where Camping Not Allowed
 - When
 - Reviewed 24 Hours, 12 Hours, Specific Time Period
 - How
 - Open Flames, Sanitation, Storage, Animals, Smoking, Alcohol, Drugs, Sizing of Site

Ordinance No. 879

- Time, Place, Manner Regulations
- Required Notice, Clean-Up Regulations
- Findings
- Value Statements

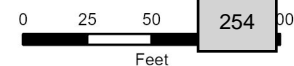
Resolution No. 3058

- Where Camping Allowed at Night
- Outreach/Education
- Clean-Up Procedures
- Enforcement

Designated Area

- City Hall and Property to North
- Only between 9 pm and 7 am
- Subject to Manner Regulations
- Screening, Fencing, Sanitation

Item 18.



Outreach/Education

- Educational Materials/Resources for People Experiencing Homelessness
- Materials for Employees, Community Members
- Signs at Designated Areas
- Update Website
- Continued County Coordination

Campsite Clean-Up

- Seek Compliance
- Distinguish Between Abandoned Vehicles and Those Used for Shelter
- Storage Requirements

Enforcement

Item 18.

- Seek Compliance
- Allow Dismissing Citation When Connecting to Services

Next Steps

- May-June 2023 – Prepare Areas, Develop Procedures for Employees, Training
- June 2023 – Consider Exclusion Policy
- July 1, 2023 – New Regulations Go Into Effect
- Ongoing – Employee, County Coordination

Acknowledgements

- Interdepartmental Team Members
- DEI Committee
- Library Board
- Parks and Recreation Advisory Board
- Special Thanks To:
 - Matt Baker, Facilities Supervisor
 - Chris Delk, Parks Maintenance Specialist
 - Bill Evans, Communications and Marketing Manager
 - Dustin Schull, Parks Supervisor
 - Andy Sheehan, Asset Management Coordinator
 - Dan Stark, GIS Manager
 - Jayme Taylor, Public Works Program Coordinator
 - Brandon Dole, Scott Edwards Architecture



CITY COUNCIL MEETING STAFF REPORT

| | | |
|--|---|--|
| Meeting Date: May 15, 2023 | Subject: Resolution No. 3069 A Resolution of the City of Wilsonville Repealing Resolution No. 3055 and Authorizing the City Manager to Execute an Intergovernmental Agreement Between the City of Wilsonville and the Tri-County Metropolitan Transportation District of Oregon for the Adjustment of TriMet District Boundaries Staff Member: Amanda Guile-Hinman, City Attorney Department: Legal | |
| Action Required | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: N/A | |
| Staff Recommendation: Staff recommends Council approve Resolution No. 3069. | | |
| Recommended Language for Motion: I move to approve Resolution No. 3069. | | |
| Project / Issue Relates To: | | |
| <input type="checkbox"/> Council Goals/Priorities: | <input type="checkbox"/> Adopted Master Plan(s): | <input checked="" type="checkbox"/> Not Applicable |

ISSUE BEFORE COUNCIL:

Consider approving Resolution No. 3069 (**Attachment 1**), which includes a revised version of the intergovernmental agreement (IGA) previously approved via Resolution No. 3055.

EXECUTIVE SUMMARY:

TriMet currently collects payroll taxes from certain employers within the Wilsonville city limits, amounting to approximately \$273,800 annually, while providing no transit service to these properties. The City of Wilsonville ("City") has attempted, for many years, to urge TriMet to change its service boundary to remove properties within the City limits and within the City's urban growth boundary (UGB) so that the City, through its South Metro Area Regional Transit ("SMART"), can continue to provide service and plan for expanded service for the Wilsonville community. Additionally, the City's current and planned future investments of millions of dollars within its UGB to incentivize development of high-wage industrial and commercial jobs, will unfairly create a windfall for TriMet through its collection of payroll taxes while it continues to provide minimal (if any) transit service to the area.

TriMet had been unwilling to change its service boundary until the City sought a legislative remedy through the introduction of HB 2666 during the 2023 legislative session. Since then, City and TriMet representatives have been negotiating an alternative to HB 2666 that is a global solution to address both the properties within the Wilsonville city limits and the properties within the Wilsonville UGB that are currently within the TriMet service district.

When negotiations stalled due to changed representations by TriMet, at the March 20, 2023 Council meeting, the City approved Resolution No. 3055, which articulated the City's proposed processes for removing the properties within the Wilsonville city limits from the TriMet service district and for removing the properties within the Wilsonville UGB from the TriMet service district.

After that meeting, the parties further negotiated the terms of the agreements to effectuate these withdrawals, wherein TriMet proposed changes that are more aligned with the City's goal to incorporate properties that are, or will be, within the Wilsonville city limits, into the SMART service district. The parties are generally in agreement regarding a process for the adjustment of TriMet's boundary regarding the properties within the Wilsonville city limits to occur within this fiscal year and also a process for the withdrawal of the Wilsonville UGB from TriMet's boundary, which is reflected in the intergovernmental agreement attached to Resolution No. 3069 as Exhibit A.

The parties also explored the possibility of withdrawing all concerned properties with a further payment by the City, but that negotiation is still ongoing. As such, the memorandum of understanding (MOU), a current draft of which is attached hereto as **Attachment 2**, contemplates either the withdrawal of the Wilsonville UGB properties through a future TriMet ordinance or through a withdrawal petition process led by the City. Staff are still working to address City concerns that the current draft MOU is not binding on the parties and thus does not require TriMet to follow through on the expectations of the City regarding future efforts to withdraw the Wilsonville UGB from the TriMet service district.

EXPECTED RESULTS:

Assuming TriMet agrees to an IGA substantially similar to Exhibit A attached to Resolution No. 3069 and to a memorandum of understanding that properly addresses the City's goal to find a global solution that will address both the properties within the Wilsonville city limits and the properties within the Wilsonville UGB that are currently within the TriMet service district. The areas within the city limits that are within the TriMet service boundary will likely be withdrawn from the TriMet service area by fiscal year end. Withdrawal of the properties within the UGB area would likely occur either in the next fiscal year or in the early part of calendar year 2026. The process for the withdrawal of the UGB area depends on whether the parties agree to TriMet's withdrawal of the concerned properties with a further payment by the City.

TIMELINE:

For the IGA, seek TriMet execution and implementation prior to the end of the current fiscal year. For the MOU, it must be executed contemporaneous with the IGA and implementation may occur in next fiscal year or in 2026.

CURRENT YEAR BUDGET IMPACTS:

The City approved a supplemental budget line item of \$2,738,000 at the Council's March 20, 2023 meeting to compensate TriMet for ten years' worth of the revenue it will no longer collect from the properties within the city limits because TriMet was unwilling to move forward with the two-step process without this compensation. The City will be able to begin collecting its payroll tax from these employers, which payroll tax rate is significantly less than TriMet's (0.5% compared to 0.8037%).

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Better transit service to areas that will be annexed into the City of Wilsonville in the future. The City and SMART are committed to providing efficient and equitable transit that furthers local, state, and federal climate friendly goals and plans to fully transition its fleet to alternative fuels by 2028. The City seeks to expand its equitable and climate-friendly public transit service within its city limits and UGB area.

ALTERNATIVES:

Continue to push for a legislative remedy.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3069
 - A. Intergovernmental Agreement
2. Draft Memorandum of Understanding

RESOLUTION NO. 3069**A RESOLUTION OF THE CITY OF WILSONVILLE REPEALING RESOLUTION NO. 3055 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILSONVILLE AND THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON FOR THE ADJUSTMENT OF TRIMET DISTRICT BOUNDARIES.**

WHEREAS, prior to 1988, the City of Wilsonville ("City") was part of the Tri-County Metropolitan Transportation District of Oregon ("TriMet") service boundary; and

WHEREAS, the Wilsonville business community and the City recognized, in the 1980s, that TriMet offered minimal public transit service to the Wilsonville community while Wilsonville businesses paid significant payroll taxes to TriMet; and

WHEREAS, in 1988, the Wilsonville Innovative Transportation Association successfully petitioned TriMet to withdraw and form an independent City-owned transit system; and

WHEREAS, the City, through its South Metro Area Regional Transit Department ("SMART"), provides nationally recognized and award-winning public transit for the Wilsonville community and larger Portland and Salem-metro area regions; and

WHEREAS, according to TriMet, it currently collects approximately \$273,800 annually in payroll taxes from certain employers within the Wilsonville city limits while providing no transit service to those properties; and

WHEREAS, SMART currently offers service to these properties while receiving no payroll tax contribution because the City believes that public transit should be made available to all who seek to utilize it; and

WHEREAS, TriMet also currently collects nominal income through its payroll tax within the City of Wilsonville urban growth boundary ("UGB") in the area known as Basalt Creek because the area is within TriMet's service boundary; and

WHEREAS, as the Basalt Creek UGB area develops, properties will annex into the City of Wilsonville; and

WHEREAS, the Basalt Creek UGB area is identified by the Metro regional government as a Regionally Significant Industrial Area; and

WHEREAS, the City has invested significant resources in the planning and visioning of Basalt Creek with strategies to provide millions of dollars' worth of infrastructural investments to spur industrial growth in the area that will offer high-wage commercial and industrial jobs; and

WHEREAS, the City has previously reached out to TriMet to discuss a boundary adjustment wherein current and future Wilsonville city limits would become part of the SMART service boundary and removed from the TriMet service boundary; and

WHEREAS, such attempts by the City have not resulted in meaningful negotiations to adjust transit service boundaries; and

WHEREAS, after these attempts by the City to work collaboratively failed, the City sought a legislative remedy to adjust the transit service boundaries through the introduction of HB 2666 (2023); and

WHEREAS, after the introduction of HB 2666, TriMet expressed willingness to negotiate a transit service boundary adjustment with the City; and

WHEREAS, the City's goal, in negotiating with TriMet regarding the transit service boundaries, is to find a global solution that will address both the properties within the Wilsonville city limits and the properties within the Wilsonville UGB that are currently within the TriMet service district; and

WHEREAS, at the March 20, 2023 Council meeting, the City approved Resolution No. 3055, which articulated the City's proposed processes for removing the properties within the Wilsonville city limits from the TriMet service district and for removing the properties within the Wilsonville UGB from the TriMet service district; and

WHEREAS, after that meeting, the parties further negotiated the terms of the agreements to effectuate these withdrawals, wherein TriMet proposed changes that are more aligned with the City's goal to incorporate properties that are, or will be, within the Wilsonville city limits, into the SMART service district; and

WHEREAS, the parties are generally in agreement regarding a process for the adjustment of TriMet's boundary regarding the properties within the Wilsonville city limits to occur within this fiscal year and also a process for the withdrawal of the Wilsonville UGB from TriMet's boundary; and

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council adopts by reference and incorporates as if fully set forth herein the above recitals and the staff report accompanying this Resolution.

Section 2. The City Manager is hereby authorized to execute an intergovernmental agreement (IGA) with the Tri-County Metropolitan Transportation District of Oregon that is substantially similar to Exhibit A attached hereto and incorporated by reference herein, subject to the following condition – that the memorandum of understanding that must be executed contemporaneously with the IGA properly addresses a process to withdraw the Wilsonville UGB from the TriMet service district that is aligned with the City's goal to find a global solution that will address both the properties within the Wilsonville city limits and the properties within the Wilsonville UGB that are currently within the TriMet service district.

Section 3. Resolution No. 3055 is hereby repealed.

Section 4. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of May, 2023, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. Intergovernmental Agreement

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF WILSONVILLE AND THE TRI-COUNTY
METROPOLITAN TRANSPORTATION DISTRICT OF OREGON
FOR THE ADJUSTMENT OF TRIMET DISTRICT BOUNDARIES**

This Intergovernmental Agreement (IGA) between the City of Wilsonville (Wilsonville), an Oregon municipal corporation, and the Tri-County Metropolitan Transportation District of Oregon (TriMet), an Oregon mass transportation district, also referred to herein as a “Party,” or “Parties,” is entered into on the date last executed below.

RECITALS

WHEREAS, TriMet is an Oregon mass transit district established pursuant to ORS Chapter 267 to provide transportation services within Washington, Multnomah and Clackamas counties, and Wilsonville is an Oregon municipal corporation located in Clackamas and Washington counties; and

WHEREAS, the Parties have authority to enter into this IGA pursuant to ORS Chapter 267 and ORS Chapter 190; and

WHEREAS, TriMet provides commuter rail service to Wilsonville by the Westside Express (WES), but does not currently provide transit service to any other areas within the Wilsonville city limits; and

WHEREAS, Wilsonville intends to undertake municipal investments and provide city services, including SMART transit services, to certain areas within its city limits and the TriMet transit district that are not currently served by TriMet; and

WHEREAS, Wilsonville has proposed House Bill 2666, which would statutorily remove certain areas from the TriMet transit district that are within Wilsonville’s city limits but not currently served by TriMet; and

WHEREAS, TriMet and Wilsonville wish to make a voluntary adjustment of the TriMet transit district boundary in order to exclude those areas of the transit district that are within the Wilsonville city limits but not served by TriMet;

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which the Parties deem fair and reasonable, TriMet and Wilsonville make the following Agreements:

AGREEMENTS

1. **Wilsonville Budget Approval.** At its March 20, 2023 City Council meeting, the Wilsonville City Council adopted a budget supplemental in the amount of \$2,738,00 (Two Million, Seven Hundred and Thirty-Eight Thousand Dollars) in anticipation of its payment to TriMet as reasonable consideration for the agreements contemplated in this IGA and the corresponding Memorandum of Understanding discussed in Section 9 below.
2. **Resolution to Approve IGA.** At its April 26, 2023 meeting, the TriMet Board of Directors authorized TriMet's General Manager to execute an IGA with the City of Wilsonville with terms substantially similar to this IGA.
3. **Withdrawal Ordinance.** After the IGA is fully executed by the Parties, TriMet will submit a Withdrawal Ordinance as described in paragraph 4 below to its Board of Directors for its First Reading and Public Hearing at the May 24, 2023 Board meeting. The Second Reading and vote to adopt the Ordinance shall be scheduled for the June 28, 2023 Board meeting.
4. **Areas to be Withdrawn by Ordinance.** TriMet's Withdrawal Ordinance shall be adopted pursuant to ORS 267.207(1) and shall adjust the boundaries of the transit district to exclude the Wilsonville areas known as Coffee Creek, SW Elligsen Road, and Frog Pond West from the TriMet transit district. The Coffee Creek, SW Elligsen Road and Frog Pond West areas are shown generally on the attached Exhibit A map, and each is more particularly described on the attached Exhibit B, both of which have been prepared by Wilsonville and approved by TriMet.
5. **Legislation to be Withdrawn.** Wilsonville agrees that, not later than 30 days after the TriMet Board's adoption of the Withdrawal Ordinance, it will withdraw HB 2666 and any other legislation pending in the 82nd Legislative Assembly that would withdraw areas from the TriMet transit district.
6. **Payment to TriMet.** Not later than 30 days after the TriMet Board's adoption of the Withdrawal Ordinance, Wilsonville will initiate an electronic funds transfer to TriMet for a one-time payment of \$2,738,000 (Two Million, Seven Hundred and Thirty-Eight Thousand Dollars) to TriMet, which the Parties agree constitutes a good-faith negotiation of fair and reasonable compensation for the current and estimated future tax revenue that TriMet would receive over the next ten years from the areas shown in Exhibit A and described in Exhibit B. If Wilsonville fails to timely make the payment, TriMet shall rescind the Withdrawal Ordinance and this IGA shall terminate.
7. **Incorporation of Areas into SMART.** Wilsonville agrees that, after the adoption of TriMet's Withdrawal Ordinance, it will incorporate the areas shown on the Exhibit A map

and described in Exhibit B into its SMART transit service territory and begin providing transit service to those areas, to the extent it is not already providing such service.

8. **Collection of Payroll Tax.** After Wilsonville makes the electronic funds transfer described in paragraph 6 above, TriMet will collect the payroll tax for the areas described in Exhibits A and B incurred through the end of the then-current quarter (e.g., June 30, 2023; September 30, 2023; or December 31, 2023). Thereafter, beginning on the first day of the next quarter (e.g., July 1, 2023; October 1, 2023; or January 1, 2024), the payroll earned in the areas described in Exhibits A and B will be subject to the City of Wilsonville's payroll tax and will be collected by the City of Wilsonville.
9. **Memorandum of Understanding.** Contemporaneous with the execution of this IGA, TriMet and Wilsonville will enter into a Memorandum of Understanding (MOU) to guide their negotiations for future voluntary withdrawal of other areas near Wilsonville's northern boundary from the TriMet transit district, pursuant to the adoption of a future Withdrawal Ordinance by the TriMet Board. A draft of the MOU is attached hereto as Exhibit C. The fully executed MOU must be substantially similar to Exhibit C.
10. **Right to Petition to Withdraw.** Nothing in this IGA or the MOU shall preclude Wilsonville from working with registered electors to initiate a petition pursuant to ORS 267.250 to 267.263 to withdraw other areas from the TriMet transit district.
11. **Right to Modify.** Nothing in this IGA shall preclude TriMet from otherwise modifying its service district boundaries pursuant to ORS 267.207 et seq., except to the extent such modification would re-incorporate the properties identified in Exhibits A and B into the TriMet transit district.
12. **Designated Representatives.** Each Party designates the representative named below for all purposes of this IGA:

| | |
|--|---|
| J.C. Vannatta Executive Director TriMet Public Affairs 1800 SW 1st Avenue, Ste. 300 Portland, Oregon 97201 Phone: (971) 806-4804 Email: vannattj@trimet.org | Bryan Cosgrove City Manager City of Wilsonville 29799 SW Town Center Loop E Wilsonville, Oregon 97070 Phone: (503) 570-1504 Email: cosgrove@ci.wilsonville.or.us |
|--|---|

The above-named representatives or their designees are authorized to give notices, execute amendments or terminate this IGA, and to cause any other act described herein to

be implemented. Either Party may designate a different representative at any time by giving written notification to the other Party.

13. **Independent Contractors.** For the purposes of this IGA, each Party is an independent contractor and no representative, agent, employee or contractor of one Party shall be deemed to be an employee, agent or contractor of the other Party for any purpose. Nothing herein is intended, nor shall it be construed, to create any relationship of principal and agent, partnership, joint venture or any similar relationship between the Parties.
14. **No Assignment.** Neither Party shall assign this IGA, in whole or in part, or any right or obligation hereunder, without the prior written approval of the other Party.
15. **No Third-Party Beneficiary.** Except as set forth herein, this Agreement is solely between the Parties and nothing herein shall be construed to give or provide any benefit, direct, indirect or otherwise to any third-party beneficiary.
16. **Severability / Survivability.** If any provision of this IGA is found to be illegal or unenforceable, this IGA nevertheless shall remain in full force and effect and the provision shall be stricken. All provisions concerning indemnity shall survive any termination of this IGA.
17. **Compliance with Law.** The Parties shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to this IGA, and if a Party is not in compliance with any such law, regulation, executive order or ordinance, it shall take immediate steps to gain compliance.
18. **Mutual Indemnity.** Within the limits of the Oregon Constitution and the Oregon Tort Claims Act, codified at ORS 30.260 through 30.300, each Party shall hold harmless, indemnify and defend the other Party and its officers, employees and agents from and against all claims, demands, penalties, and causes of action of any kind or character relating to or arising from this IGA, including claims in favor of any person on account of personal injury, death, damage to property, or violation of law that arise or result from the negligent act or omission of the indemnitor, its officers, employees, or agents. All provisions concerning indemnity shall survive any termination of this IGA.
19. **Oregon Law.** This IGA shall be construed according to the laws of the State of Oregon. If any dispute arises from this IGA, the Parties shall negotiate in good faith to resolve the dispute. If the Parties are unable to resolve any dispute within fourteen calendar days, the Parties shall be free to engage in mediation, binding arbitration or to pursue any other legal remedy available.

20. **Jurisdiction and Venue.** Jurisdiction and venue for any legal action between the Parties that may arise from the performance or failure to perform any obligation described herein shall be in the Washington County Circuit Court or the United States District Court for the District of Oregon, located in Portland, Oregon. In any legal action between the Parties concerning this IGA, each Party shall bear its own attorney fees and costs.
21. **Entire Agreement.** This IGA constitutes the entire agreement between the Parties on the subject matter herein and supersedes all prior or contemporaneous written or oral understandings, representations or communications of any kind. There are no understandings, agreements, or representations, oral or written, not specified herein concerning this IGA.
22. **Modification / Waiver.** This IGA may not be modified unless in a writing, signed by each Party. No waiver, consent, modification or change of terms of this IGA shall bind either Party unless in writing and signed by both Parties. The failure of a Party to enforce any provision of this IGA shall not constitute a waiver by a Party of that or any other provision.
23. **Interpretation.** This IGA shall not be construed for or against any Party by reason of the authorship or alleged authorship of any provision.
24. **Effective Date / Term.** This IGA shall be effective as of the last date executed below, and shall remain in effect until the completion of all obligations created herein or unless earlier terminated as provided in this IGA.

25. **Authority.** Each person signing below represents that he or she has the authority to sign this IGA on behalf of the Party for which each signs.

IN WITNESS WHEREOF, the Parties hereto have executed this Intergovernmental Agreement as of the last date written below.

Tri-County Metropolitan Transportation District of Oregon (TriMet)

Signature: _____

Title: _____

Date: _____

Approved as to form: _____
TriMet Senior Deputy General Counsel

City of Wilsonville

Signature: _____

Title: _____

Date: _____

Approved as to form: _____
Attorney for City of Wilsonville

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF WILSONVILLE AND THE TRI-COUNTY
METROPOLITAN TRANSPORTATION DISTRICT OF OREGON
REGARDING POTENTIAL ADJUSTMENT OF TRIMET DISTRICT BOUNDARIES**

This Memorandum of Understanding (MOU) is made and entered into by and between the **City of Wilsonville (Wilsonville)**, an Oregon municipal corporation, and the **Tri-County Metropolitan Transportation District of Oregon (TriMet)**, an Oregon mass transportation district, referred to collectively herein as the “Parties.”

RECITALS

WHEREAS, TriMet is an Oregon mass transit district established pursuant to ORS Chapter 267 to provide transportation services within Washington, Multnomah and Clackamas counties, and Wilsonville is an Oregon municipal corporation located in Clackamas and Washington counties; and

WHEREAS, the Parties have authority to enter into agreement(s) with each other pursuant to ORS Chapter 267 and ORS Chapter 190; and

WHEREAS, Wilsonville operates a municipal transit department, South Metro Area Regional Transit (SMART), that provides transit services within the Wilsonville city limits and connection services outside of its city limits in collaboration with other transit agencies, including TriMet; and

WHEREAS, Wilsonville seeks to establish its SMART service area boundary consistent with its current city limits and also extend its SMART service into its designated urban growth boundary (UGB) area in the future; and

WHEREAS, contemporaneously with the execution of this MOU, the Parties intend to execute the attached Intergovernmental Agreement (IGA), whereby TriMet will agree to voluntarily adjust its District boundaries to withdraw from three areas within the Wilsonville city limits, as shown on the Exhibit A map and Exhibit B description attached to the IGA; and

WHEREAS, pursuant to the terms of the attached IGA, Wilsonville will agree to pay TriMet the sum of \$2,738,000 to compensate TriMet for the estimated current and future tax revenue TriMet expects to forgo over ten years following its voluntary withdrawal of the three areas shown in Exhibits A and B from the District; and

WHEREAS, the Wilsonville City Council adopted a budget supplemental in the amount of \$2,738,000 in anticipation of compensating TriMet for the adoption of an Ordinance that voluntarily withdraws the three areas shown in Exhibits A and B from the TriMet District; and

WHEREAS, at its April 26, 2023 meeting, the TriMet Board of Directors authorized TriMet’s General Manager to execute an IGA with the City of Wilsonville with terms

substantially similar to the IGA, and once the IGA is executed by the Parties, the withdrawal of the three areas must be implemented by the Board's subsequent adoption of a voluntary Withdrawal Ordinance; and

WHEREAS, TriMet's District also includes areas outside of Wilsonville's city limits and within the Wilsonville Urban Growth Boundary (UGB), including the area south of the Basalt Creek Parkway, where TriMet currently does not provide transit service; and

WHEREAS, pursuant to TriMet's December 2015 Southwest Service Enhancement Plan, TriMet intends to extend service to areas along SW 124th Avenue and along the future path of the Basalt Creek Parkway, as those rural areas become more developed and demand for regular transit service increases; and

WHEREAS, Wilsonville intends to make significant planning, infrastructure, and financial investments to support urbanized growth north of its current city limits and within its UGB area, and as development occurs the city intends to annex the UGB area and extend its SMART service there, and TriMet recognizes that the area south of the Basalt Creek Parkway is important to Wilsonville's future economic development and will be incorporated into the future Wilsonville city limits; and

WHEREAS, the Parties wish to negotiate a second IGA that would withdraw territory from the TriMet District that is within Wilsonville's UGB area and south of the Basalt Creek Parkway, in exchange for a further compensatory payment from Wilsonville, which would be made effective by the TriMet Board's adoption of a second voluntary Withdrawal Ordinance; and

WHEREAS, in the event the Parties' negotiation of a second IGA pertaining to the adoption of a voluntary Withdrawal Ordinance fails or is unreasonably delayed, the Parties wish to clarify the additional steps that must occur pursuant to ORS 267.250-267.265 for electors to petition the TriMet Board for an adjustment of the District boundary to withdraw from territory within the Wilsonville UGB area and south of the Basalt Creek Parkway;

NOW, THEREFORE, in the context of the above Recitals, and in the interest of furthering negotiations and achieving a fair and reasonable result, TriMet and Wilsonville acknowledge the following Mutual Understandings:

MUTUAL UNDERSTANDINGS

1. Negotiation for Voluntary Withdrawal. As soon as reasonably practicable after the execution of the IGA and MOU referenced above, the Parties will engage in negotiations to identify areas in the TriMet District that are within the Wilsonville UGB area and south of the Basalt Creek Parkway that are not currently served by TriMet, that TriMet does not foresee serving in the near future, and/or where SMART and TriMet may be able to jointly serve transit riders (such as along the Basalt Creek Parkway) in order to identify territory that may be excluded from the TriMet District pursuant to a voluntary Withdrawal Ordinance under ORS 267.207(1).

2. Compensation. The Parties understand that TriMet expects its adoption of a voluntary Withdrawal Ordinance pursuant to ORS 267.207(1) pertaining to specified territory within the Wilsonville UGB area would be in exchange for Wilsonville's payment of a fair and reasonable amount sufficient to compensate TriMet for the estimated current and future tax revenue TriMet would forgo after voluntary withdrawal of the specified territory. Similarly, the Parties understand that Wilsonville expects the pricing of such payment to TriMet to be consistent with the bases for its payment of \$2,738,000 for the properties currently within the Wilsonville city limits.

3. Goal of Negotiations. The Parties understand that the goal of their negotiations is to achieve a mutually beneficial change from the current TriMet District boundary at the northern Wilsonville city limits to a new boundary along the proposed Basalt Creek Parkway that will provide for efficient and cost-effective delivery of public transportation service from TriMet and SMART that best serves the needs of transit riders in the area.

4. Petition for Withdrawal. Notwithstanding the Parties ongoing efforts to negotiate an agreement for TriMet's adoption of a voluntary Withdrawal Ordinance applicable to Wilsonville's UGB area south of the proposed Basalt Creek Parkway, the Parties understand that Wilsonville may deem it necessary to promote and support the filing of a petition for withdrawal from the TriMet District by registered electors residing within the UGB area. TriMet will not impede or interfere with Wilsonville's efforts and will not object to the city's communication with individuals within the Wilsonville UGB area, in order to facilitate the filing of a petition to withdraw from the TriMet District pursuant to the requirements of ORS 267.250 through 267.265.

5. Communication. Should the registered electors file such a withdrawal petition, the Parties will share information pertaining to the petition and the withdrawal process for the purposes of transparency and to ensure that the TriMet Board and the Wilsonville City Council are fully informed. Upon learning that registered electors within the affected area intend to file a withdrawal petition, Wilsonville will provide written notice to TriMet's Executive Director for Public Affairs of that fact, and in its written notification, Wilsonville will designate a project manager to serve as its point of contact and provide the project manager's contact information. Upon receipt of written notification from Wilsonville, TriMet will similarly designate a project manager and provide written notification to Wilsonville of its project manager's name and contact information. The Parties' project managers will communicate regularly (at least monthly) regarding the withdrawal process and issues encountered, and will make a good faith effort to coordinate and collaborate concerning these matters.

6. Criteria for Filing of Withdrawal Petition. The Parties understand that pursuant to ORS 267.250 and 267.253, a withdrawal petition may be filed by not less than fifteen percent of the registered electors who reside in an "affected area," which is an area of not less than one square mile within which at least 200 electors reside, and which also is outside of any city with a population of 10,000 or more. The Parties further understand that, pursuant to ORS 267.253(2), the next possible date such a petition may be filed is during the period from January 1, 2026 through August 30, 2026.

7. Verification of Signatures by County Clerk. In the event a petition seeking withdrawal from the TriMet District of an affected area within the Wilsonville UGB area is submitted to TriMet, and the signatures of the requisite number of registered electors on the petition are certified by the county clerk, ORS 267.255 and 267.257 require the TriMet Board to conduct a study of the affected area proposed for withdrawal and hold a hearing on the petition.

8. TriMet Study of “Affected Area” Proposed for Withdrawal. As soon as practicable after TriMet receives notice from Wilsonville that a petition for withdrawal will be filed, TriMet will take action to initiate the statutorily required study of the “affected area.” TriMet need not wait for the formal submission of the petition and the clerk’s certification of the signatures to begin the study. The study shall comply with ORS 267.257 and consider the following:

- current use of the District’s transit system within the affected area,
- the amount of District revenues derived from the area,
- the history of the District’s provision of transit service in the area,
- whether or when the District will provide transit service, and
- an assessment of the effect of the withdrawal on the rest of the District, including the extent to which taxes must be increased on the rest of the District as a result of the withdrawal.

9. Effect of Withdrawal on District Tax Revenue. Wilsonville acknowledges that, pursuant to ORS 267.260, the withdrawal of an area requires the District to recalculate and increase the tax burden on the rest of the District in order to restore the loss of tax revenue caused by the withdrawal of the affected area.

10. Notices. Notices regarding this MOU shall be deemed sufficient if deposited in the United States Mail, First Class, postage prepaid, addressed to the Parties as follows:

| | |
|-----------------|---|
| To Wilsonville: | City of Wilsonville Attn: City Manager With Copy to: City Attorney 29799 SW Town Center Loop East Wilsonville, Oregon 97070 |
| To TriMet: | TriMet Attn: Executive Director for Government Affairs With Copy to: General Counsel 1800 SW 1 st Avenue, Suite 300 Portland, Oregon 97201 |

11. Termination. Either Party may terminate this MOU upon upon seven (7) business days' prior written notice to the other Party.**12. Effective Date.** This MOU is effective on the last date signed by the Parties below and remains in effect until terminated as provided herein.

13. Governing Law. This MOU is governed by the laws of the State of Oregon. Venue for any litigation shall be in the state circuit court of Washington County, Oregon.

14. Amendment. The terms of this MOU may be amended or supplemented by mutual agreement of the Parties. Any amendment or supplement shall be in writing, shall refer specifically to this MOU, and shall be executed by the Parties.

15. Good Faith and Cooperation. The Parties agree that they will exercise good faith, cooperation, and due diligence in the performance of all understandings set forth in this MOU.

16. Interpretation. The Parties acknowledge that this MOU has been collaboratively prepared by the Parties, and any uncertainty or ambiguity existing within the MOU shall not be construed against any Party.

17. Counterparts. This MOU may be signed in one or more counterparts, each of which shall be deemed an original and, when taken together, shall constitute one and the same document.

18. Non-Binding. This MOU is a statement of intent and willingness to cooperate to achieve the mutually beneficial goals of the Parties. It is not a contract and it is non-binding.

19. Authority. Each Party signing on behalf of TriMet and Wilsonville hereby warrants actual authority to enter into this MOU.

IN WITNESS WHEREOF, Each Party has caused its authorized representative to execute this MOU on its behalf.

CITY OF WILSONVILLE

an Oregon municipal corporation

**TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT
OF OREGON**

an Oregon mass transportation District

By: _____

City Manager

Dated: _____

By: _____

Its: _____

Dated: _____

APPROVED AS TO FORM:

Amanda R. Guile-Hinman

City Attorney

APPROVED AS TO FORM:

Gregory E. Skillman
Senior Deputy General Counsel

DRAFT



Resolution No. 3069 – TriMet Agreements

City Council Meeting

May 15, 2023

Agenda

- Background
- Negotiations with TriMet
- Proposed IGA and MOU
- Next Steps

Background

- 2021-23 Council Goals
 - Strategy 1.2
- Introduced HB 2666
- Meetings with TriMet
- Resolution No. 3055

Negotiations with TriMet

- TriMet Board Action – Properties within City Limits
- Two Options for Properties in UGB
 - TriMet Board Action
 - Petition to Withdraw in 2026

Proposed IGA, Draft MOU

- IGA
 - Removes Properties from TriMet Service District
 - City Agrees to Pay Anticipated Payroll Tax for Next 10 Years
- MOU
 - Option for TriMet Board to Remove UGB from Service District
 - Option for Petition to Withdraw in 2026

Next Steps

- Continue Negotiations
- If No Agreement on MOU, No IGA
- Can Pursue Future Legislation and/or Petition

Discussion

- Key Considerations for Further Negotiations



CITY COUNCIL MEETING STAFF REPORT

| | | | |
|---|--|---|---|
| Meeting Date: May 15, 2023 | | Subject: Ordinance No. 879 – An Ordinance of the City of Wilsonville Regarding Regulation of Camping on Public Property by Adding Sections 10.700 through 10.780 to the Wilsonville Code; Amending Wilsonville Code Sections 3.000, 5.200, 5.210, and 10.540; and Repealing Wilsonville Code Sections 6.400 and 10.425 Staff Members: Amanda Guile-Hinman, City Attorney Department: Legal | |
| Action Required | | Advisory Board/Commission Recommendation | |
| <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: May 1, 2023 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: May 15, 2023 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda | | <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A | |
| Staff Recommendation: Adopt, on second reading, Ordinance No. 879 | | | |
| Recommended Language for Motion: I move to adopt Ordinance No. 879 on second reading. | | | |
| Project / Issue Relates To: | | | |
| <input checked="" type="checkbox"/> Council Goals/Priorities: Housing Strategy 14 – adopt ordinances to bring the city into compliance with state and circuit court rules | <input type="checkbox"/> Adopted Master Plan(s): | | <input type="checkbox"/> Not Applicable |

ISSUE BEFORE COUNCIL: Consider for adoption Ordinance No. 879 (Attachment 1) to bring Wilsonville Code regulations into compliance with state and federal law regarding camping on public property. The Council’s consideration of the administrative rules and siting/aerial maps is provided in a separate staff report.

EXECUTIVE SUMMARY:

The proposed Ordinance No. 879 represents the culmination of almost one-year’s work by the Council and City employees to consider regulations regarding camping on public property in Wilsonville that: (1) comply with House Bill (HB) 3115 (2021) and HB 3124 (2021); (2) are informed by the input of community members, individuals with lived experience, public and private service providers, and other stakeholders; and (3) emphasize continued outreach, communication, and education of the regulations to individuals experiencing homelessness and the community.

Since the project that has resulted in the proposed Ordinance No. 879 for Council consideration spanned almost one year and involved several work sessions between the Council and City staff, this staff report will: (1) detail the legal framework that led to this project; (2) review the outreach conducted and resulting information; (3) explain the policies, based on staff recommendations, Council direction, and community feedback received, described in proposed Ordinance No. 879; and (4) summarize the continued steps that will follow passage of Ordinance No. 879, if adopted.

City Council unanimously approved Ordinance No. 879 on first reading at their May 1, 2023 regular meeting after holding a public hearing.

I. LEGAL FRAMEWORK

The drivers for this project come from two main sources: (1) federal case law regarding outright bans of camping on public property; and (2) state legislation that codified the outcomes of the federal case law and also mandated local compliance with the legislation by July 1, 2023.

A. Federal Cases on Camping Ban Enforcement

1. *Martin v. Boise* – Ninth Circuit Court of Appeals (2019)

In 2019, the United States Ninth Circuit Court of Appeals (“9th Circuit”), in *Martin v. Boise*, examined the constitutionality of two Boise ordinances: one that made it a misdemeanor to use “any streets, sidewalks, parks, or public places as a camping place at any time,” and one that banned occupying or otherwise using a public or private structure without permission. The facts of the case are important to understand the nuance of the resulting limitations imposed on local governments – at the time, Boise had a “significant and increasing homeless population” and point-in-time counts of unhoused individuals in the county in which Boise is located, Ada County, ranged between approximately 750 to 870 individuals with 46 to 125 identified as

unsheltered. The court noted that Boise had three homeless shelters at the time, all of which were run by nonprofits. These shelters were the only identified shelters in the county. One of the shelters had 96 beds for individuals and several additional beds for families, and it did not impose any religious requirements on its residents. The two other shelters were run by a religious nonprofit that offered Christian religious services and displayed religious messages and iconography on the walls – one shelter was exclusively for men and the other was exclusively for women and children. There were also time limits for how long individuals could stay at the two shelters. All told, Boise’s three homeless shelters contained 354 beds and 92 overflow mats for unhoused individuals.

The 9th Circuit ruled that these two ordinances generally violated individuals’ rights under the 8th Amendment, which prohibits government from imposing cruel and unusual punishment. What came out of *Martin* was the general understanding that a city cannot criminalize being involuntarily homeless – as the court explained, “[T]he Eighth Amendment prohibits the imposition of criminal penalties for sitting, sleeping, or lying outside on public property for homeless individuals who cannot obtain shelter.” 920 F.3d 584, 617. In other words, if a city does not have enough beds for individuals experiencing homelessness, it cannot punish those individuals for sleeping outside because they have nowhere else to go. The court focused on the following facts by determining that Boise’s prohibited camping ordinances violated the 8th Amendment: (1) there were not enough shelter beds in Boise for the unhoused population; and (2) some of the shelters had gender, time, and religious limitations that were additional barriers to unhoused individuals. In an effort to narrow the scope of the court’s decision, the court caveated its prohibition by holding that cities do not have to provide shelter and do not have to allow sitting, lying, and sleeping on public property at any time or at any place. Rather, cities can still have reasonable time, place, and manner restrictions for camping.

2. *Blake v. City of Grants Pass* – US Federal District Court for the District of Oregon (2020)

After *Martin*, many jurisdictions began revising their state and local statutes to comply with the recent decision – namely, developing time, place, and manner restrictions for camping on public property. In 2020, a class of individuals experiencing homelessness challenged various Grants Pass regulations that were similar to those in *Martin* before the U.S. Federal District Court of Oregon in *Blake v. Grants Pass*. Grants Pass had attempted a limited revision to its regulations in light of *Martin* to allow “sleeping” in certain circumstances, but retained all other prohibitions of camping on public property. Among the regulations were bans on camping in parks, camping on public property, and sleeping in public places when any bedding is used, as well as exclusions from parks for violating more than one regulation in one year’s time. A particular focus by both the Federal District Court and later the Ninth Circuit Court of Appeals was that Grants Pass’s ordinances, while allowing sleeping, did not allow individuals to use any items to facilitate sleep, such as a pillow, blanket, cardboard, or tent. The fact scenario in the *Blake* case was similar to *Martin* – the point in time count for Grants Pass in 2019 identified 602 unhoused individuals. Grants Pass had no “shelters” as defined by the criteria established by

the US Department of Housing and Urban Development (“HUD”)¹. The one shelter in Grants Pass was run by Gospel Rescue Mission (“GRM”) and had very stringent rules and religious requirements. Thus, not only were there insufficient beds in Grants Pass even counting the GRM shelter, the Federal District Court indicated a reticence to even counting those shelter beds given the barriers imposed on unhoused individuals to accessing GRM’s shelter and the fact that GRM was not a HUD certified emergency shelter.

The District Court ultimately held that Grants Pass’s regulations violated *Martin*, and provided further clarification regarding when cities can or cannot enforce camping prohibitions. The Court held that the 8th Amendment prohibits a jurisdiction from punishing people for taking necessary steps to keep themselves warm and dry while sleeping (such as using bedding or a barrier between themselves and the ground). The court explained, “[I]t is not enough under the Eight Amendment to simply allow sleeping in public spaces; the Eight Amendment also prohibits a City from punishing homeless people for taking necessary minimal measures to keep themselves warm and dry while sleeping when there are no alternative forms of shelter available.” 2020 WL 4209227, *6. The Court also held that enforcement through imposition of a civil penalty as opposed to a criminal charge did not relieve Grants Pass from the 8th Amendment analysis in *Martin*.

The Federal District Court did reiterate the *Martin* caveat that local jurisdictions do not have to provide shelters or to allow camping at all times on all public property. It also suggested that some regulations, such as prohibiting the use of tents, may be permissible under the Eighth Amendment analysis. The court stated:

“The City may implement time and place restrictions for when homeless individuals may use their belongings to keep warm and dry and when they must have their belonging packed up. The City may also implement an anti-camping ordinance that is more specific than the one in place now. For example, the City may ban the use of tents in public parks without going so far as to ban people from using any bedding type materials to keep warm and dry while they sleep. The City may also consider limiting the amount of bedding type materials allowed per individual in public places.” *Id.* at *15.

3. *Johnson v. City of Grants Pass* – Ninth Circuit Court of Appeals (2022)

Grants Pass appealed the *Blake* decision² to the Ninth Circuit Court of Appeals, the same court that issued the *Martin* decision. The 9th Circuit did not focus on the type of shelter (whether

¹ Interestingly, the *Martin* decision did not focus on whether the shelters in Boise met the HUD criteria. Rather, even with the shelter beds at the three shelters in Boise, there were not enough to meet the point-in-time count of unhoused individuals. This question of whether a shelter needs to meet the HUD criteria to be considered in the comparison of unhoused individuals to available beds remains unanswered. The implication is that jurisdictions do not know whether “available beds” must be in shelters that meet HUD criteria or other alternative sheltering that is becoming commonplace as temporary sheltering for unhoused individuals within the 9th Circuit.

² The named plaintiff in the matter was substituted because Debra Blake died after the federal district court decision.

HUD certified or not), but rather agreed with the District Court’s analysis that the allowance to sleep necessarily includes materials needed to keep warm and dry. The 9th Circuit held that Grants Pass’s ordinances violated the Eighth Amendment to the extent the ordinances prohibited individuals from taking minimal measures to keep warm and dry while sleeping. The court explained that the only plausible reading of its *Martin* decision is that “it applies to the act of ‘sleeping’ in public, including articles necessary to facilitate sleep.” 50 F.4th 787, 808.

The 9th Circuit, like the Federal District Court, also reiterated that certain prohibitions may be permissible, such as restricting construction of structures or use of tents, though it does suggest that such prohibitions need to be justified:

“Our holding that the City’s interpretation of the anti-camping ordinances is counter to *Martin* is not to be interpreted to hold that the anti-camping ordinances were properly enjoined in their entirety. Beyond prohibiting bedding, the ordinances also prohibit the use of stoves or fires, as well as the erection of any structures. The record has not established the fire, stove, and structure prohibitions deprive homeless persons of sleep or ‘the most rudimentary precautions’ against the elements. Moreover, the record does not explain the City’s interest in these prohibitions. Consistent with *Martin*, these prohibitions may or may not be permissible.” *Id.* at 812.

The 9th Circuit jurisprudence has established the following rules regarding prohibited camping: (1) outright bans on camping on public property are impermissible when there are not enough beds available for individuals experiencing homelessness; (2) time, place, and manner regulations to limit when, where, and how people camp are permissible, but the regulations cannot have the effect of essentially banning camping or prohibiting individuals the ability to use materials necessary to facilitate sleep and to keep warm and dry; and (3) whether a jurisdiction imposes civil or criminal penalties does not change the applicability of the Eighth Amendment on camping bans.

B. New Oregon Laws Regulating Local Camping Bans

1. HB 3115 (2021)

With the guidance of both *Martin* and *Blake* (2020), the Oregon legislature passed HB 3115 in 2021 (codified as ORS 195.530), which set up specific requirements and limitations for city and county camping ordinances.

Among the requirements is a provision stating that any regulation of use of public property by individuals experiencing homelessness must be “objectively reasonable.” Whether or not a regulation is objectively reasonable depends on an analysis of all the circumstances, including the impact of the law on the person, as well as other relevant considerations related to the specific conditions involved.

The law also provides for both an affirmative defense to any crime that is objectively unreasonable, as well as a private right of action for declaratory and injunctive relief (not money damages), which means that individuals can sue the City alleging the City Code is unreasonable on its face (no enforcement action by the City is required prior to suing the City for violating the new state law). The private right of action allows for the collection of attorney's fees at the judge's discretion. The law goes into effect on July 1, 2023. HB 3115 is the key legislation that requires local jurisdictions to bring their codes into compliance by July 1, 2023.

2. HB 3124 (2021)

Additionally, passed as HB 3124 (2021) and effective on June 23, 2021, ORS 195.505 added provisions requiring reasonable prior written notice to individuals of an intent to close an established campsite within 72 hours at each campsite entrance before closure, increased from 24-hours' prior notice. This policy does not apply if the site is housing illicit activities, in case of emergencies, or sites near a funeral service.

The law also added provisions regarding the receipt and storage of persons' belongings left after a valid site closure. Any unclaimed property is to be stored at a designated facility located in that community. The city must leave reasonable notice as to where and how the person may find and retrieve their belongings. A city is not required to store goods that are deemed to have no value or utility, or are unsanitary. A city will give all weapons, illicit substances, and stolen property to law enforcement. The city will store the items for 30 days after reasonable notice is given.

C. Other Considerations Regarding Camping Bans

Other concerns related to the regulation of camping on public property include the 1989 U.S. Supreme Court decision of *Deshaney v. Winnebago County Department of Social Services*, which viewed the 14th Amendment as imposing a duty on government actors when they have created dangerous conditions for others. This has been further refined by the 9th Circuit to apply a duty to government actors where an affirmative act puts a person in danger with a deliberate indifference to a known or obvious danger. *LA Alliance for Human Rights v. City of Los Angeles*, 2021 WL 1546235.

This is an important policy consideration for cities in deciding where to prohibit camping and where to allow it. The city must ensure that regulations for camping and related prohibitions do not expose individuals to a greater danger than under current circumstances. This will sometimes require a case-by-case analysis of current environmental conditions and potential harms that may occur after site removal. It is still unclear as to how far the duty stretches under the State Created Danger principle.

II. CITY PROJECT AND OUTREACH

With the state-mandated deadline approaching to come into compliance with HB 3115, in the summer of 2022, the City formed an inter-departmental team of employees to work on updating the City's camping code. While the Legal Department served as project manager, members of the Public Works, Parks and Recreation, Library, Code Compliance, Police, and Administration Departments met regularly with the Legal team to review Wilsonville Code provisions that regulate camping, and other related provisions, to discuss outreach, and to identify other issues that would need to be addressed outside of the likely code amendments.

A. Initial Considerations – What Can and Can't We Do?

An initial issue the project team reviewed was simply, what can we do and not do under the state and federal laws? Below is a summary of the actions the City can and cannot take when regulating camping:

- **We cannot ban camping outright** – in the 9th Circuit's jurisdiction (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington), only cities with sufficient shelter beds for unhoused individuals can ban camping outright. Whether such shelter beds must be traditional shelters, pallet shelters, tent sites, or other city-sanctioned sheltering is not clear from the case law and state statutes. Regardless, Wilsonville does not have any such sheltering and currently there is no evidence that there is enough sheltering opportunities within Clackamas County more generally³. Currently, staff is not aware of any city that is able to meet this threshold of having enough beds available for its unhoused residents. Portland's mayor recently stated a policy goal to reach this threshold, but otherwise, no city is able to ban camping outright. Moreover, with the passage of HB 3115, even if 9th Circuit decisions are later overturned, the City will still be required to comply with HB 3115.
- **We are only covering regulations on City-owned property and rights-of-way** – the requirements from the case law and state statutes only require cities to either provide shelter beds or allow camping on City-owned property and rights-of-way, not privately owned property or property owned by other public entities. Thus, any regulations regarding camping that may be ultimately adopted by Council are not applicable to business complexes, HOA-owned parks, school district property, or residences. However, we can consider a program that allows private property owners to apply to provide some camping on their property – several Oregon jurisdictions have implemented such programs. Again, this type of program is beyond the scope of the prohibited camping code revisions.
- **We can regulate the timing when camping may/may not occur**, such as only allowing camping between certain hours (e.g., from 9 pm to 7 am).

³ The case law is not clear on whether shelters within a county but outside a city may count toward availability of shelter beds for a city to prohibit camping, but the cases do generally look at resources within larger metro/county areas when conducting its analysis.

- **We can regulate where camping occurs on City-owned property** (e.g., parking lots, vacant City-owned lots).
- **We can regulate how camping occurs**, such as to prohibit open flames/fire, certain structures, size of structures, and size of overall space occupied. However, we must allow for individuals to be warm and dry while they sleep. This likely means, at a minimum, allowing individuals to utilize barriers between themselves and the ground, using sleeping bags or blankets to stay warm, and some protection from the rain.
- **We cannot have regulations that are objectively unreasonable.** Reasonableness is determined by examining the totality of the circumstances, including the impact of the regulations on persons experiencing homelessness. Thus, if our time, place, and manner regulations have the impact of essentially prohibiting all camping or extremely limited camping (see *Blake v. City of Grants Pass*), then the regulations are not objectively reasonable.

B. Outreach, Engagement, and Education

While the project team understood the broad strokes of what the state and federal laws allow and do not allow when regulating camping on public property, the more nuanced policy questions must be determined by the Council, with input from subject-matter experts, community members, advisory boards, and individuals with lived experience. Thus, the City Attorney, aided by the City's Communication and Marketing Manager, engaged in a multi-faceted outreach plan, understanding that outreach needed to occur within a relatively short time due to the impending state-mandated compliance deadline.

Attached hereto as **Attachment 2** is an updated⁴ memorandum of the outreach, engagement, and education conducted by the City. Below is a summary of the key highlights from the effort:

- The City provided a short questionnaire through Let's Talk, Wilsonville! and created a dedicated project page on the Let's Talk, Wilsonville! site. Over 400 community members responded to the questionnaire, the largest response received since the City implemented Let's Talk, Wilsonville!
 - Within the questionnaire, respondents had to force-rank factors to consider when developing a camping policy. The highest-ranked factors were: duration of stay, hours during which camping is allowed, and compatibility with nearby uses.
 - The questionnaire also required forced-ranking of locations' suitability to allow camping. City-owned property was the best alternative and the lowest alternatives were residential neighborhoods, near school grounds, and in parks

⁴ The memorandum is an update to the prior memorandum provided to Council on February 23, 2023.

and on trails.

- Respondents also provided feedback on factors the City should consider when reviewing potential locations at which to allow overnight camping. The factors that received the highest response were sanitary considerations, public safety, proximity to schools, and proximity to residential areas.
- Staff presented on the project at two Diversity, Equity, and Inclusion Committee meetings, one Library Board meeting, and one Parks and Recreation Advisory Board meeting.
- Staff met with employees from Clackamas County, the West Linn-Wilsonville School District, Wilsonville Community Sharing, and Heart of the City.
- Additional meetings between staff and other community organizations also occurred during the outreach.
- Wilsonville Community Sharing worked with the City to provide an anonymous survey to individuals experiencing homelessness who utilize its services to get additional perspective from persons with lived experience.
- The Boones Ferry Messenger included information about the project in its January, February, April, and May 2023 publications.
- The Wilsonville Spokesman also reported on the project over the course of the last several months.

In addition to these efforts, and understanding that Clackamas County is the government entity that receives significant regional, state, and federal funding to address housing and homelessness issues, Clackamas County employees presented to the City Council on February 23, 2023 about the various programs, resources, and future plans that Clackamas County has to reduce the number of individuals experiencing homelessness in the county. As explained in Section IV below, the City will continue to engage and coordinate with Clackamas County regarding housing and homelessness response.

III. PROPOSED ORDINANCE NO. 879

To develop the proposed Ordinance No. 879, Council had many discussions over the last few months about the policy questions that are reflected in Ordinance No. 879. Below is a summary of some of the key policy direction from Council during these discussions:

- Time Regulations: Council debated between allowing camping only for specific hours

(e.g., 9 pm to 7 am) or for a period of time (e.g., 12 hours or 24 hours). Council determined that the specific hour approach was the preferred alternative because it is easier to understand, implement, and enforce.

- **Manner Regulations:** Council determined to prohibit open flames because of the risk of fire and that Wilsonville Community Sharing's food pantry provides food that does not require heat to consume. Council further determined to restrict the use of alcohol or drugs since they are already prohibited on City facilities' properties. Council also indicated that animals need to be leashed or otherwise physically contained, as is required on all city property that is not a designated off-leash dog park.
- **Place Regulations:** Given that the City only has anecdotal evidence of the number of residents who are experiencing homelessness, the Council wanted the place regulations to be reflective of the number of individuals experiencing homelessness in the community, but also to have flexibility to adjust where camping is allowed if the actual number is more or less than what is anecdotally known. Thus, Council directed for the new code provisions to reference administrative rules that can be amended more quickly to be responsive to the existent needs.
 - The administrative rules, that will be considered for approval separately from this Ordinance, currently identify two places for camping – a western portion of the City Hall parking lot for vehicle camping and a portion of the City property to the north adjacent to the City Hall parking lot for non-vehicle camping. The locations are centrally located, which allow individuals to know where to go, provide access to service providers to make contact with individuals, and simplify enforcement when individuals are not in the appropriate location at the allowed time. Council's direction came after examining public rights-of-way and city-owned property throughout the City, considering adjacent uses, and evaluating the feasibility of implementation, connecting to service providers, and enforcing the regulations. Council indicated a preference toward designating specific site(s) to allow camping, as opposed to only identifying where individuals cannot camp. This approach simplifies understanding where individuals can go to camp for survival, allows for service providers to better connect with individuals, and provides clear direction for enforcement.

Attached as **Attachment 1** is proposed Ordinance No. 879 with all anticipated Exhibits A-G, namely, new WC Sections 10.700-10.780 (Exhibit A), revisions to WC Section 3.000 (Exhibit B), revisions to WC 5.200 and 5.210 (Exhibit C), revisions to WC 10.540 (Exhibit D), deletion of WC Section 6.400 (Exhibit E), deletion of WC Section 10.425 (Exhibit F), the City Value Statements (Exhibit G), and the Findings for Ordinance No. 879 (Exhibit H). **Attachment 1** also incorporates the amendments to Exhibit H adopted at the Council meeting on May 1, 2023.

Below is a discussion of the revisions made to certain Exhibits since the April 17, 2023 Council work session.

A. WC 10.700 through 10.780 – Camping Regulations

The following revisions were made to WC 10.700 through 10.780:

- Added reference to shopping carts regarding prohibition against certain obstructions in WC 10.740(1) and added reference to shopping carts regarding prohibition against storage of certain personal property in WC 10.740(9), based on direction from Council.
- Fixed a typo in WC 10.740(15) to reference subsections (1) through (14) above instead of (1) through (13) above.
- In WC 10.750(1)(b), changed “may” to “will,” based on direction from Council.

B. WC 10.540 – Civil Exclusion Policy

While working on refining a civil exclusion policy, as a tangential work product to this project, staff realized that the current civil exclusion policy found in WC 10.540 references camping on public property and public rights-of-way as a basis to execute a civil exclusion order. Since camping will be allowed (subject to time, place, and manner regulations), the civil exclusion policy needs to be revised to remove camping. Additionally, the proposed updated code separately addresses enforcement for camping and so all camping enforcement should follow those regulations that are designed to comply with state and federal law. Thus, Ordinance No. 879 includes an additional reference to amend WC 10.540 and provides an additional exhibit to that effect.

C. Findings

The following revisions were made to the Findings:

- Revised Finding 1.5 to better reflect that, while the Council is adopting regulations to comply with state and federal law, camping for survival is not an alternative to housing that is necessary for the health of the individual.
- Corrected a typo in Finding 3.2, changing “The City Council find” to “The City Council finds....”

Staff also updated the Findings since the May 1, 2023 Council meeting where the Council adopted, on first reading, the Ordinance with amendments to Finding 4.6 and Finding 4.8.

D. Ordinance

A final WHEREAS clause was added to note the public hearing to be held on May 1, 2023.

IV. IMPLEMENTATION STEPS AND ADDITIONAL ACTION ITEMS

While the project team and Council have devoted significant time to develop Ordinance No. 879 and its exhibits, as well as the Administrative Rules and maps, the next steps to implement the regulations, designate individuals' roles, develop protocols and forms, and continue coordination with Clackamas County and other service providers means that much work is left to be done. Below is a summary of implementation steps the City intends to take over the next two months to prepare for a July 1 effective date:

- An inter-departmental team will work through the questions and also develop protocols or standard operating procedures for City employees.
 - Hold a listening session with City employees to learn about the day-to-day issues or concerns that may not be reflected in the list described above. This meeting is scheduled for May 8, 2023.
 - Refine the list of questions previously raised by City employees concerning implementation to ensure questions are considered and addressed to the best of the City's ability.
 - Establish regular meetings with team members to brainstorm solutions to unanticipated issues that arise.
- Develop easily disseminated educational and reference materials for City employees, community members, and individuals experiencing homelessness.
- Contract with vendors to prepare the designated area(s) for potential overnight camping.
- Develop a more refined exclusion policy for Council consideration in June 2023.
- Continue coordination with Clackamas County and private service providers.

EXPECTED RESULTS:

Council consideration for adopting code revisions planned for May 2023.

TIMELINE:

Approximate timeline of expected upcoming events:

1. May 15, 2023 – Adopt Administrative Rules via Resolution
2. July 1, 2023 – New regulations become effective

CURRENT YEAR BUDGET IMPACTS:

Assuming Council directs staff to move forward with the recommended plan for siting camping for survival, as discussed in a companion staff report regarding administrative rules, a supplemental budget request of approximately \$100,000 is planned in June 2023 for one-time capital costs to contract for sanitation services, purchase and install fencing, and plant the needed vegetative screening. Ongoing operational and maintenance costs will be proposed in the next fiscal year budget.

COMMUNITY INVOLVEMENT PROCESS:

Public involvement is a focal point of the city camping code revision process to ensure a diverse group of community members and stakeholders can provide their priorities, interests, and concerns related to the potential code revisions. The City provided a community survey through Let's Talk, Wilsonville! and staff have met and are meeting with stakeholders, including City advisory boards, private service providers, business and community groups, Clackamas County, the School District, TVF&R, and other government agencies. Attached to this staff report as Attachment 2 is an updated memorandum regarding the outreach to and input from various stakeholders on this project.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

While community members may feel uncertain about the implementation and impact of these new camping regulations, the Council and City project team have diligently worked over several months to ensure that new regulations and siting for camping for survival reflect the current need for overnight campsites for individuals experiencing homelessness, while ensuring that the regulations are not so complicated or onerous that they are difficult to understand or enforce. The City is committed, as reflected in the value statements accompanying Ordinance No. 879, to collaborating with its partners to connect individuals experiencing homelessness with available resources so that the City can one day achieve functional zero homelessness in the community.

ATTACHMENTS:

1. Attachment 1 – Draft Ordinance No. 879 with Exhibits
 - a. Exhibit A – WC 10.700-10.780
 - b. Exhibit B – Revisions to WC 3.000
 - c. Exhibit C – Revisions to WC Sections 5.200 and 5.210
 - d. Exhibit D – Deletion of WC Section 6.400
 - e. Exhibit E – Deletion of WC 10.425
 - f. Exhibit F – Value Statements
 - g. Exhibit G – Findings for Ordinance No. 879
2. Attachment 2 – Revised Outreach Memorandum

ORDINANCE NO. 879

AN ORDINANCE OF THE CITY OF WILSONVILLE REGARDING REGULATION OF CAMPING ON PUBLIC PROPERTY BY ADDING SECTIONS 10.700 THROUGH 10.780 TO THE WILSONVILLE CODE; AMENDING WILSONVILLE CODE SECTIONS 3.000, 5.200, 5.210, AND 10.540; AND REPEALING WILSONVILLE CODE SECTIONS 6.400 AND 10.425.

WHEREAS, in 2019, the United States Ninth Circuit Court of Appeals (Ninth Circuit) issued its decision in *Martin v. Boise*, 920 F.3d 584 (9th Cir., 2019), holding that the Cruel and Unusual Punishments Clause of the Eighth Amendment “prohibits the imposition of criminal penalties for sitting, sleeping, or lying outside on public property for homeless individuals who cannot obtain shelter;” and

WHEREAS, in 2022, the Ninth Circuit issued its decision in *Johnson v. City of Grants Pass*, 50 F.4th 787 (9th Cir., 2022), further holding that certain local regulations violated the Eighth Amendment to the extent the ordinances prohibited individuals from taking minimal measures to keep warm and dry while sleeping, affirming, in part, the 2020 decision by the Oregon Federal District Court in *Blake v. Grants Pass*, No. 1:18-CV-01823-CL, 2020 WL 4209227 (D. Or. July 22, 2020); and

WHEREAS, while the Grants Pass litigation was pending, the State of Oregon enacted House Bill (HB) 3115 (2021) and HB 3124 (2021) regarding local jurisdictions’ regulation of camping on public property by individuals experiencing homelessness; and

WHEREAS, HB 3115 requires all jurisdictions that regulate acts of sitting, lying, sleeping, or keeping warm and dry outdoors on public property to have objectively reasonable time, place, and manner regulations with regards to persons experiencing homelessness; and

WHEREAS, HB 3115 becomes operative on July 1, 2023; and

WHEREAS, HB 3115 provides a private right of action for persons experiencing homelessness to seek injunctive or declaratory relief to challenge the objective reasonableness of any jurisdiction’s regulations regarding camping on public property; and

WHEREAS, HB 3124 requires jurisdictions to provide 72-hour notice, instead of 24-hour notice, before removing individuals experiencing homelessness from an established campsite and before confiscating any personal property left behind; and

WHEREAS, HB 3124 includes further requirements regarding the retention of personal property collected during clean-up of a campsite; and

WHEREAS, HB 3124 became operative on June 23, 2021; and

WHEREAS, the City of Wilsonville seeks to comply with HB 3115 and HB 3124, as well as current federal court decisions *Martin v. Boise*, 920 F.3d 584 (9th Cir., 2019) and *Johnson v. City of Grants Pass*, 50 F.4th 787 (9th Cir., 2022), which required the City to create objectively reasonable regulations related to public camping for survival by individuals experiencing homelessness; and

WHEREAS, the City engaged in extensive community outreach, including a community questionnaire with 437 responses, the largest in Let's Talk, Wilsonville! history, provided project information both via the Let's Talk, Wilsonville! project page and the Boones Ferry Messenger, and engaged in additional outreach with numerous other stakeholders within the community regarding the management of public camping, including public and private service providers; and

WHEREAS, the City Council has conducted 6 work sessions on public camping regulations, and the City has received additional input from the City's DEI Committee, Library Board, and Parks and Recreation Advisory Board; and

WHEREAS, the City coordinated distribution of and received several anonymous surveys from individuals experiencing homelessness; and

WHEREAS, the City resides in the Counties of Clackamas and Washington, which receive state and federal funding for housing and homelessness services, and currently have programs to provide such services to individuals within the counties who are experiencing homelessness; and

WHEREAS, in undertaking a review of City provisions related to camping for survival, adding and revising provisions related to the time, place, and manner of public camping became necessary to comply with state laws and current federal case law, which revisions are attached hereto and incorporated by reference herein as **Exhibits A-F**; and

WHEREAS, in undertaking a review of City provisions related to public camping, it became necessary to provide a safe place for individuals experiencing homelessness to rest and connect to service providers; and

WHEREAS, the City has created value statements, attached hereto and incorporated by reference herein as **Exhibit G**, regarding public camping regulations reaffirming the goal of providing equitable support and protection for the health, safety, and welfare of all members of the community, including residents, businesses, individuals experiencing homelessness, and other interests affected by these regulations; and

WHEREAS, the City has provided notice of public hearing, held a public hearing on May 1, 2023 regarding the proposed revisions to the Wilsonville Code, afforded all interested parties an opportunity to be heard, and duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Value Statements. The City Council hereby adopts the statements attached hereto and incorporated by reference herein as **Exhibit G** as the City Council's Value Statements Regarding Housing and Homelessness.

Section 2. Findings. The City Council hereby adopts the above-stated recitals, the Staff Report accompanying this Ordinance, and the Findings attached hereto and incorporated by reference herein as **Exhibit H** as the City Council's findings demonstrating that the regulations adopted herein are in the public interest and promote the health, safety, and welfare of the City of Wilsonville community.

Section 3. Sections 10.700 through 10.780, as provided in **Exhibit A** attached hereto and incorporated by reference herein, are hereby added to the Wilsonville Code. Wilsonville Code Section 3.000 is hereby amended as provided in **Exhibit B** attached hereto and incorporated by reference herein. Wilsonville Code Sections 5.200 and 5.210 are hereby amended as provided in **Exhibit C** attached hereto and incorporated by reference herein. Wilsonville Code Section 10.540 is hereby amended as provided in **Exhibit D** attached hereto and incorporated by reference herein. Wilsonville Code section 6.400 is hereby repealed as provided in **Exhibit E** attached hereto and incorporated by reference herein. Wilsonville Code section 10.425 is hereby repealed as provided in **Exhibit F** attached hereto and incorporated by reference herein.

Section 4. The City Recorder is hereby authorized to correct any scrivener's errors and to conform the revisions to the Wilsonville Code with appropriate numbering.

Section 5. Effective Date. This Ordinance shall be declared to be in full force and effect beginning July 1, 2023.

SUBMITTED by the Wilsonville City Council at a regular meeting thereof this 1st day of May, 2023, and scheduled the second reading on May 15, 2023 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the ____ day of ____, 2023, by the following votes:
Yes: ____ No: ____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this ____ day of ____, 2023

JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBITS:

- A. New WC Sections 10.700 through 10.780
- B. Revisions to WC Section 3.000
- C. Revisions to WC Sections 5.200 and 5.210
- D. Revisions to WC Section 10.540
- E. Deletion of WC Section 6.400
- F. Deletion of WC Section 10.425
- G. Value Statements
- H. Findings for Ordinance No. 879

CAMPING ON CITY PROPERTY AND RIGHTS-OF-WAY

| | |
|---------------|---------------------------|
| 10.700 | Purpose |
| 10.710 | Definitions |
| 10.720 | Time Regulations |
| 10.730 | Place Regulations |
| 10.740 | Manner Regulations |
| 10.750 | Notice and Removal |
| 10.760 | Enforcement |
| 10.770 | Exceptions |
| 10.780 | Severability |

10.700 Purpose.

The purpose of WC 10.700 through 10.780 is to regulate the time, place, and manner in which individuals may camp on City of Wilsonville property and rights-of-way. Furthermore, the purpose of WC 10.700 through 10.780 is to comply with Oregon House Bill 3115 (2021) and House Bill 3124 (2021), as well as current federal court decisions *Martin v. Boise*, 920 F.3d 584 (9th Cir., 2019) and *Johnson v. City of Grants Pass*, 50 F.4th 787 (9th Cir., 2022).

10.710 Definitions.

- (1) *Administrative Rules* means the regulations the City adopts pursuant to WC 10.760(3).
- (2) *To camp* or *camping* means to set up, or remain in or at, a campsite for the purpose of establishing or maintaining a temporary place to shelter for survival from the elements.
- (3) *Camp materials* means tents, huts, awnings, lean-tos, chairs, tarps or tarpaulins, cots, beds, sleeping bags, blankets, mattresses, sleeping or bedding materials, food or food storage items, and/or similar items that are or appear to be used as sheltering and/or sleeping accommodations, or to assist with sheltering for survival and/or sleeping activities.
- (4) *Campsite* means any place where any camp materials, bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure or any vehicle or part thereof.
- (5) *City or Wilsonville* means the City of Wilsonville, Oregon.
- (6) *City Manager* means the City of Wilsonville City Manager or designee.
- (7) *City-owned property* means public real property, land, and premises owned by the City of Wilsonville.
- (8) *City right-of-way* means the space in, upon, along, across, over or under the City-owned streets, roads, highways, lanes, courts, ways, alleys, boulevards, sidewalks, bicycle lanes,

and places used or intended to be used by the general public for travel as the same now or may hereafter exist, that the City has the right to allow the public to use.

- (9) *Designated Area(s)* means the area(s) the City has identified where individuals who are involuntarily homeless may shelter for survival, as further identified in WC 10.730(2) herein.
- (10) *Individuals who are involuntarily homeless* means the circumstance when there is no available emergency or transitional housing for an individual experiencing homelessness and/or no transportation for such individual to available emergency or transitional housing within the county where the person is located.
- (11) *Personal property* means any item that is reasonably recognizable as belonging to a person and has apparent value or utility.
- (12) *Rest* means to pause from exertion by stopping, sitting, lying, or sleeping.
- (13) *SROZ* means the City's Significant Resource Overlay Zone.
- (14) *Store* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- (15) *Vehicle* means every device in, upon, or by which any person or property is, or may be, transported or drawn upon any street or highway, and includes any hulk or component thereof, including, but not limited to cars, campers, recreational vehicles, motor homes, pickup trucks, pickup truck canopies, and trailers, except devices:
 - (a) Designed to be moved exclusively by human power; or
 - (b) Designed to be used exclusively upon stationary rails or tracks.

10.720 Time Regulations.

- (1) Except as authorized pursuant to WC 10.770, individuals who are involuntarily homeless may camp in Designated Area(s) only during the hours of 9:00 pm to 7:00 am.
- (2) Except as authorized pursuant to WC 10.770, individuals who are involuntarily homeless may store personal property, pursuant to the regulations in WC 10.740, in Designated Area(s) only during the hours of 9:00 pm to 7:00 am.

10.730 Place Regulations.

- (1) Except as authorized pursuant to WC 10.770, at all times it is unlawful for any persons to camp or to establish, maintain, or occupy a campsite on City-owned property not identified as a Designated Area, including, but not limited to:
 - (a) All City parks and City parking lots within City parks.

- (b) All City parking lots, City structures, or other City property not designated for camping in the Administrative Rules, as provided in subsection 2 below.
 - (c) All City rights-of-way, including rights-of-way within and adjacent to areas zoned for residential uses and rights-of-way adjacent to public and private schools and child care facilities.
 - (d) All City sidewalks.
 - (e) All public transit shelters.
 - (f) All City property located in the SROZ.
 - (g) All City property located within 20 feet of a tree designated as a heritage tree in the City's Heritage Tree program.
 - (h) The City property at the northeast corner of SW Barber Street and SW Kinsman Road (taxlot number 31W14B 00700).
 - (i) Stormwater treatment facilities, including, but not limited to swales, detention ponds, and drainage ways.
 - (j) On areas underneath City-owned rights-of-way or bridges that are not open to the public.
 - (k) On railroad tracks or within 15 feet of railroad tracks.
 - (l) On any City property or City right-of-way that the City has closed to the public due to construction, heavy vehicle or machinery use, or other City or City-sanctioned work that is incompatible with camping in the City right-of-way.
- (2) Designated Area(s). Individuals who are involuntarily homeless may occupy a campsite within the time regulations provided in WC 10.720 and pursuant to the manner regulations in WC 10.740 in the Designated Area(s) identified in the Administrative Rules. For avoidance of doubt, camping is prohibited on all City-owned property and City rights-of-way not designated for camping in the Administrative Rules.

10.740 Manner Regulations.

Camping by individuals who are involuntarily homeless, when and where allowed (*see* WC 10.720 and 10.730), is subject to all of the following:

- (1) Individuals, camp materials, camps, or personal property, including shopping carts, may not obstruct sidewalk accessibility or passage, clear vision, fire hydrants, City or other public utility infrastructure, or otherwise interfere with the use of the right-of-way for vehicular, pedestrian, bicycle, or other passage.

- (2) For campsites other than those contained within a vehicle, the campsite must be limited within a spatial footprint of 10 feet by 10 feet, or 100 square feet. For campsites including a vehicle, the campsite and camp materials must be self-contained within the vehicle. The intent of this section is to allow a person to sleep protected from the elements and maintain the essentials for sheltering, while still allowing others to use public spaces as designed and intended.
- (3) For campsites located in Designated Area(s), the campsite locations must comply with the spacing requirements identified in the Administrative Rules.
- (4) Open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or heating are prohibited.
- (5) Individuals may not accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, human or animal waste, or other items of no apparent utility in public rights-of-way, on City property, or on any adjacent public or private property.
- (6) Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains, which are not intended for disposal of gray water or black water.
- (7) Unauthorized connections or taps to electrical or other utilities, or violations of building, fire, or other relevant codes or standards, are prohibited.
- (8) Obstruction or attachment of camp materials or personal property to fire hydrants, utility poles or other utility or public infrastructure, fences, trees, vegetation, vehicles, buildings, or structures is prohibited.
- (9) Storage of personal property such as vehicle tires, bicycles or associated components (except as needed for an individual's personal use), gasoline, generators, lumber, household furniture, extra propane tanks, combustible material, shopping carts, or other items or materials is prohibited, other than what is related to camping, sleeping, or keeping warm and dry.
- (10) Digging, excavation, terracing of soil, alteration of ground or infrastructure, or damage to vegetation or trees is prohibited.
- (11) All animals must be leashed, crated, or otherwise physically contained at all times.
- (12) Smoking, vaping, and/or the use or distribution of tobacco or cannabis products is prohibited in Designated Area(s). "Tobacco or cannabis products" includes, but is not limited to, any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, any part of the plant Cannabis family Cannabaceae, or any other form of tobacco or cannabis which may be used for smoking, chewing, inhalation, or other means of ingestion.

This regulation does not prohibit the use of prescribed medication when used in accordance with the prescription instructions and when used in location(s) allowed under Oregon law.

- (13) Alcohol may not be consumed, used, or distributed in Designated Area(s).
- (14) Controlled substances, as defined in ORS 475.005, may not be consumed, used, manufactured, or distributed in Designated Area(s).
- (15) Vehicle Camping. Individuals who are involuntarily homeless may use vehicles for shelter and/or sleeping in Designated Area(s) under the following circumstances and subject to the conditions and restrictions provided in subsections (1) through (14) above:
 - (a) The vehicle is legally parked in compliance with the Wilsonville Code.
 - (b) Storage of material outside vehicles is prohibited, other than what is incidental to activities such as short-term (maximum 30 minutes) loading or unloading a vehicle.
 - (c) Vehicles must be operational, i.e., capable of being started and driven under their own power, or ready to be towed if designed to be towed and may not be discarded or left inoperable in public rights-of-way or on City property.
 - (d) Vehicles must be registered and insured, as required by the Oregon Vehicle Code.
 - (e) No building or erecting of any structures connecting or attaching to vehicles is permitted, including tents that are not designed and manufactured to be attached to a vehicle.
 - (f) Connections from vehicles to public or private stormwater, sewer, water, and electrical systems or to vehicles from public or private stormwater, sewer, water, and electrical systems are prohibited.

10.750 Notice and Removal.

- (1) Except as provided in subsection (4) below, at least 72 hours before removing individuals from an established campsite, law enforcement officials must post a written notice in English and Spanish at all entrances to the campsite to the extent that entrances can reasonably be identified.
 - (a) When a 72-hour notice is posted, law enforcement officials must inform local agencies that deliver social services to unhoused individuals as to where the notice has been posted.
 - (b) The local agencies will arrange for outreach workers to visit the campsite that is subject to the notice to assess the need for social service assistance in arranging shelter and other assistance.
- (2) Personal Property Collection and Storage.

- (a) All personal property at the campsite that remains unclaimed after removal will be given to law enforcement official(s), a local agency that delivers social services to unhoused individuals, an outreach worker, a local agency official, or a person authorized to issue a citation described in WC 10.760, whether notice under subsection (1) is required or not.
 - (b) The unclaimed personal property must be stored in a facility located in the City of Wilsonville.
 - (c) The unclaimed personal property will be stored in an orderly fashion, keeping items that belong to an individual together, to the extent that ownership can reasonably be determined.
 - (d) The personal property must be stored for a minimum of 30 days during which it must be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed after 30 days may be disposed of or donated to an Internal Revenue Code Section 501(c)(3) non-profit corporation.
 - (e) Items that have no apparent value or utility or are in an unsanitary condition may be immediately discarded upon removal of the individuals from the campsite.
 - (f) Weapons, controlled substances other than prescription medication, and items that appear to be either stolen or evidence of a crime will be given to or retained by law enforcement officials.
- (3) The written notice required in subsection (1) must state, at a minimum:
- (a) Where unclaimed personal property will be stored;
 - (b) A phone number that individuals may call to find out where the personal property will be stored; or
 - (c) If a permanent storage location has not yet been determined, the address and phone number of an agency that will have the information when available.
- (4) The 72-hour notice requirement under subsection (1) does not apply:
- (a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring at a campsite; or
 - (b) In the event of an emergency at a campsite, including, but not limited to, possible site contamination by hazardous materials, a public health emergency, substantial and immediate risk or harm to public infrastructure, or other immediate danger to human life or safety.

10.760 Enforcement.

- (1) Violation of any regulations stated in WC 10.720, 10.730, or 10.740 constitutes a violation of the Wilsonville Code and is subject to fine(s) as contemplated in WC Chapter 1. Every day in which such violations occur constitutes a separate violation.
- (2) A person authorized to issue a citation for unlawful camping may not issue the citation if the citation would be issued within 200 feet of a notice required under WC 10.750 and within two hours before or after the notice was posted.
- (3) The City may adopt administrative rules via resolution to support and guide the implementation of and compliance with WC 10.700 through 10.780.

10.770 Exceptions.

- (1) Emergencies. In the event of emergency circumstances, the City Manager may authorize camping or storage of personal property on City-owned property and City rights-of-way by written order that specifies the period of time and location.
- (2) Other Temporary Circumstances. The City Manager may temporarily authorize camping or storage of personal property on City-owned property and City rights-of-way by written order that specifies the period of time and location upon finding it to be in the public interest and consistent with Council goals and policies. Such temporary action by the City Manager must be considered for ratification by the City Council at its next regularly scheduled meeting.

10.780 Severability.

If any section, paragraph, subdivision, clause, sentence, or provision of this title shall be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, invalidate, or nullify the validity of the remaining portions of the title.

PARKS AND PLAYGROUNDS

3.000. Rules and Regulations.

- (1) The following rules and regulations are hereby adopted for the regulation and use of municipal parks in and for the City, and shall be observed at all times by all persons using any City park or park facilities. A summary of these rules are authorized to be posted at Parks and park facilities as determined by the City Manager or designee.
- (2) No fires and camp stoves so shall be allowed except when allowed pursuant to an approved parks and facilities rental application, in the following designated areas:
 - ~~(a) Park camp stoves or fireplaces provided for such purposes.~~
 - ~~(b) Portions of beaches designated as permitting fires, if any.~~
 - ~~(c) Portable stoves in established campsites, picnic areas, and designated beaches where fires are permitted.~~
 - ~~(d) No fire shall be left unattended and every fire shall be extinguished before user leaves the park area.~~
- (3) No person shall in any park area except under agreement or special regulations of the Council:
 - (a) Hunt, pursue, trap, kill, injure, molest, or disturb the habitat of any bird or animal.
 - (b) Discharge any firearm, pellet gun, bow and arrow, slingshot, or other weapon capable of injuring any person, bird or animal; or
 - (c) Possess any loaded firearm.
- (4) Flowers, shrubs, foliage, trees or plant life or products of any type shall not be picked, cut, mutilated or removed, from any park area without written permission from the Council.
- (5) No person shall mutilate, deface, damage or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, or other structure or facility of any kind in a parked area.
- (6) No person shall, except under special regulations of the Council, dig up, deface, or remove any dirt, stones, rock, or other substance whatever, make any excavation, quarry any stone, or lay or set off any blast or roll any barrier stones or move any barriers, or cause or assist in doing any of the said things within a parked area.
- (7) No person shall, except in a designated area, erect signs, markers, or inscriptions of any type within a park without permission from the Council.
- (8) No person in a park may without written permission of the Council:
 - (a) Operate a concession, either fixed or mobile;
 - (b) Solicit, sell or offer for sale, peddle, hock, or vend any goods, wares, merchandise, food, liquids, or services;
 - (c) Advertise any goods or services by any means whatsoever; or
 - (d) Distribute any circulars, notices, leaflets, pamphlets, or written or printed information of any kind.
- (9) Motor vehicles shall be operated only on roads and in parking area constructed or designated for motor vehicle use. No motor vehicle shall be operated on any trail or in any part of a park area not constructed or

designated for motor vehicle use, or on any road or trail posted as closed to the public, or on any road or trail where signs have been placed or erected by authority of the Council prohibiting the driving of motor vehicles. Automobiles, trailers, or other vehicles shall be parked only in designated areas.

- (10) No animal of any kind shall be brought into or kept in a park area unless confined, or in a vehicle. Except that dogs must be kept on a leash at all times in all City parks and playgrounds. The leash shall be no more than eight feet in length, except that a retractable reel leash may extend up to 15 feet in length. The authority of the City park employee includes the authority to undertake any lawful measures (including removal of the animal from the park area) deemed by the park employee necessary to prevent the interference by the animal with the safety, comfort and well-being of the park users, or the appearance or sanitary condition of the park area. No animals other than seeing-eye dogs shall be allowed in any building."
- (11) No bottles, cans, ashes, waste, paper, garbage, sewage, or other rubbish or refuse shall be left in a park area, except in the receptacles designated for that purpose.
- (12) No person shall set up or use a public address system in a park without the written permission of the Council.
- (13) No person shall ride, drive, lead, or keep a saddle horse or riding animal in any park area, except on such roads, trails, or areas designated for that purpose. No horse or other animal shall be hitched to any tree or shrub in such a manner that may cause damage to such tree or shrub.
- (14) No person shall wash any clothing or other materials or clean any fish in a pond, stream or river in a park area.
- (15) No person shall use abusive, threatening, boisterous, vile, obscene or indecent language or gestures in a park area which interferes with another's peaceful enjoyment of the park and its facilities. Public demonstrations, public disturbances, or riotous behavior or indecent exposure will not be allowed in any City park area.
- (16) No ~~overnight~~ camping, as defined in WC 10.710, will be permitted unless authorized ~~in writing by the Council~~pursuant to WC 10.770.
 - (a) Individuals may rest, as defined in WC 10.710, during open park hours so long as the individual is not in, on, across, over, or under a play structure or playground area, water feature, trail, pathway, restroom, or sports field, is not violating any of the prohibitions described in WC 10.700 through 10.780, and is not violating any other subsection of this Section 3.000 through 3.030.
- (17) No person shall operate any motor vehicle within a park area at a speed in excess of posted limits.
- (18) No person shall operate or use any noise producing machine, vehicle, device, or instrument in such a manner that is disturbing to other park area visitors or neighboring houses.
- (19) Except for authorized overnight camping in accordance with the City rules and regulations, no person, other than law enforcement officers or authorized City personnel, shall enter or remain in any park area except during ~~posted hours as established by the Council~~the hours of 6:00 am to 10:00 pm.
- (20) A fenced and signed area on the east side of Memorial Park is hereby designated as dog off leash area in which dogs may be allowed to run off leash provided:
 - (a) The dog is properly licensed and has received required vaccinations (rabies);
 - (b) The dog's owner, or owner's designee:
 1. Removes any and all feces excreted by the dog;
 2. Keeps the dog within the designated area during all times it is off leash;
 3. Secures the dog by adequate leash when entering or leaving the designated area;

- 4. Does not take a female dog in estrus into a designated area when other dogs are present, or, if already within a designated area, removes such female dog in estrus when other dogs enter the area; and
 - 5. Is present in the designated area and has voice control of his or her dog.
- (c) No dog shall be permitted to fight, bite, or bark excessively while in a designated dog off leash area, and the owner of a dog fighting, biting, or barking excessively may be cited therefore and/or required to remove his or her dog from the area.
- (21) A dog owner or owner's designee is required to remove and properly dispose of any and all feces excreted by said dog or dogs in all City parks.
- (22) Smoking or the use of tobacco products is prohibited on all City park property, park facilities and buildings. "Tobacco products" includes any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other form of tobacco which may be used for smoking, chewing, inhalation, or other means of ingestion.
- (Ord. No. 425, 4-4-1994; Ord. No. 712, 1-7-2013)

3.010. Facility Reservation.

- (1) In order to provide for the convenience of advance reservation of park facilities the following procedures are hereby adopted:
- (a) Formal application must be made at City Hall to reserve any public park and recreation facility for the exclusive use of any particular group.
 - (b) All applications must be made at least two weeks in advance of the date of facility use and shall include the name of the organization/group, the facility requested, date and time and requested, name, address and phone number of person in charge, type of activity and any special requests.
 - (c) Reservation fee shall be paid in advance to assure reservation.
 - (d) The person in charge must sign the application.
 - (e) All applicant for park reservations shall be aware of the fact that reservations for park facilities are on a first-come, first-serve basis.

3.020. Use and Consumption of Alcoholic Beverages.

- (1) Alcohol may not be consumed or used in Wilsonville City parks under the following conditions:
- (a) Alcoholic beverages or their consumption shall be limited to wines or beer only.
 - (b) In those areas designated by the City for which a reservation has been permitted and the applicant indicated on the application form that alcoholic beverages would be served. This does not in any way eliminate the reservation applicant from those rules and regulations administered under the Oregon Liquor Control Commission (OLCC).

(Ord. No. 425, 4-4-1994)

3.022. Water Safety Regulations.

- (1) No person shall swim, dive, or fish ,on or from the Memorial Park dock.

(2) The ordinance will sunset on the date of the conclusion of the described grant agreement.

(Ord. No. 752, 12-1-2014)

3.030. Enforcement and Penalty.

(1) In addition to City Police, all City park employees or Council persons in charge of City parks or any park area are authorized and directed to enforce by all lawful means full compliance by the public with the foregoing rules and regulations.

(2) Any person violating any park rule or regulation as delineated by Sections 3.000 and 3.020 of this Code, except those involving theft or damage over \$50.00, shall be punished upon a first conviction for a violation pursuant to Section 1.012, and upon a subsequent conviction for a Class C misdemeanor pursuant to Wilsonville Code, Section 1.012. Provided, however, a violation of a park rule which involves theft or damage to property [greater] than \$50.00 shall be treated as a crime under state criminal laws. Provided further a conviction for violation of Section 3.000(31) shall only be punished as a violation pursuant to Section 1.012.

(Ord. No. 253, 2-21-1984; Ord. No. 425, 4-4-1994; Ord. No. 712, 1-7-2013)

PARKING AND STORAGE REGULATIONS ENFORCEABLE BY CITATION AND FINE

5.200. Storage of Motor Vehicles and Other Property on the Street.

Except as further limited by WC 10.700 through 10.780, No person shall store or permit to be stored on a street or other public property, without permission of the Council, a motor vehicle, boat, trailer, camper, mobile home, travel trailer, or other personal property, including portable storage containers, for a period in excess of 72 hours, without moving at least three vehicle lengths away.

5.205. Method of Parking.

- (1) No vehicle shall be parked upon any street in a manner other than parallel to the roadway and facing in the direction of travel of the nearest travel lane unless specifically designated by signs or markings which are authorized by the City Manager or designee.
- (2) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than in the indicated direction or the direction of travel if no direction is indicated, and, unless the size or shape of the vehicle makes compliance impossible, within a single marked space.
- (3) The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to interfere.
- (4) Whenever the operator of a vehicle discovers the vehicle is parked close to a building to which the fire department has been summoned, the operator shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers.

5.210. Prohibited Parking or Standing.

In addition to the state motor vehicle laws, the following regulations regarding parking or standing of the below-described vehicles apply:

- (1) A vehicle in an alley other than for the expeditious loading or unloading of persons or materials, and in no case for a period in excess of 30 consecutive minutes.
- (2) Except as further limited by WC 10.700 through 10.780, No motor truck with a gross vehicle weight of more than 8,000 pounds, truck trailer, motor bus, recreational vehicle, or utility trailer shall be parked on a street between the hours of 9:00 p.m. and 7:00 a.m. of the following day in front of or adjacent to a residence, motel, apartment, hotel or other sleeping accommodation, except
 - (a) as may otherwise be specifically adopted by action of the City Council, or
 - (b) to accommodate only the loading/unloading of property belonging to the occupants of or performing a service on the adjacent residence and in such case, no sleeping is allowed at any time and the maximum period allowed to accomplish performance of the service or such loading, unloading, or a combination of both, shall not exceed 48 hours, thereafter subject to ticketing and/or towing in accordance with Code requirements for any time beyond this maximum service, loading/unloading period.
- (3) No trailer as defined in ORS 801.560 shall be parked upon any City street unless it is attached to a motor vehicle by which it may be propelled or drawn, save and except such streets within Industrial

Zones that the City Engineer reasonably determines that parking of unattached trailers would not constitute a safety hazard. This subsection shall not apply to trailers which are disabled to such extent that the driver cannot avoid temporarily leaving the disabled trailer on the street, provided that the trailer must be removed within 24 hours of becoming disabled.

- (4) No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:
 - (a) Displaying the vehicle for sale.
 - (b) Repairing or servicing the vehicle, except repairs necessitated by an emergency.
 - (c) Displaying advertising from the vehicle. Incidental parking of a vehicle with such advertising that is permanently or semi-permanently attached to the vehicle and would normally be construed as routine self-promotion, including name, logo, slogan, or product description of the vehicle is not intended to be prohibited.
 - (d) Selling merchandise from the vehicle, except when authorized.
- (5) No vehicle shall be parked upon any City street in a location within 12 feet of any mailbox used for pickup or delivery of the United States mail.
- (6) No vehicle shall be parked upon any City street or highway in violation of "No Parking" signs or markings, where the City Manager or designee authorizes such signs or markings.
- (7) No vehicle shall be parked upon any City street adjacent to any yellow curb, where the City Manager or designee authorizes such curb.
- (8) No vehicle shall be parked upon any City street in a manner such that less than 18 feet of unobstructed roadway width is left available for the passage of other vehicles. Where roadways are less than 18 feet wide, such width as necessary to allow two vehicles to pass, shall remain unobstructed.
- (9) Except as further limited by WC 10.700 through 10.780, No vehicle shall be parked on any street for more than 72 hours without moving at least three vehicle lengths away.
- (10) No vehicle shall be parked where it is impeding or likely to impede the normal flow of vehicular, bicycle, or pedestrian traffic; where it is a hazard or is likely to be a hazard to vehicular, bicycle, or pedestrian traffic; or where it is obstructing the required width of a fire apparatus access road.
- (11) No vehicle shall be parked or operated on a highway when the vehicle registration as indicated by registration stickers or registration card has been expired for 90 days or more, the vehicle is required to be registered when operated on a street, and the vehicle is parked or being operated on a City street.
- ~~(12) Unless in a designated area for camping, no person shall, for a period of more than two hours, use any vehicle or trailer to camp in, sleep in, or live in while parked upon any City property, City right-of-way, City easement, or City street.~~
- ~~(a) For the purposes of this Section,~~
 - ~~1. The term "camp" has the same meaning given it in Code Section 10.425.~~
 - ~~2. The term "sleep" means the natural periodic suspension of consciousness, during which the powers of the body are restored, or resting or meditating in a manner which leads a reasonable person to conclude that consciousness is suspended.~~
 - ~~3. The term "live" means the use of a vehicle or trailer for a home, dwelling place, residence, or domicile. Engaging in or the presence of items used for cooking, sleeping, bathing, or other activities normally associated with home life may serve as evidence that a person is living in a vehicle.~~

~~(b) It shall be an affirmative defense to "sleep in" if the sleeping was caused by a medical condition and not induced by alcohol, controlled substances, or medication that warns of causing drowsiness or sleepiness, or warnings to that effect.~~

~~(c) It shall be an affirmative defense to "live in," if a legally permissible explanation is provided of the items present or the activity engaged in that a reasonable person could find plausible under the circumstances then and there present.~~

~~(1312)~~ No vehicle shall be parked in any Residential Permit Parking Zone without a residential parking permit clearly displayed in the window for that Residential Parking Zone, as more particularly described in Chapter 5, Section 5.245.

(Ord. No. 722, 9-5-2013; Ord. No. 750, 12-1-2014; Ord. No. 804, 2-7-2017)

10.540. Civil Exclusion.

- (1) *Definitions.* For purposes of this provision:
 - (a) *Applicable provision of law* includes any applicable provision of this Code, or any City ordinance, or of any rule or regulation promulgated by the Council under this Title, any applicable criminal or traffic law of the State of Oregon, any law regarding controlled substances or alcoholic beverages, or any applicable County ordinance or regulation.
 - (b) *Excluding officer* means any police officer or City employee authorized by the City Manager to issue exclusions.
 - (c) *City property* means any property including, but not limited to, parks, greenways, buildings, parking lots, or other land or physical structures owned or managed by the City.
- (2) *Exclusion.* In addition to other remedies provided for violation of this Code, or of any laws of the State of Oregon, any excluding officer may exclude any person who violates any applicable provision of law or regulation in or on any City Property from that City Property in accordance with the provisions of this Section. Provided, further, the removal of a person for disturbing a City Council or other public meeting shall not be the basis for exclusion from future City Council or other public meetings under this ordinance; but may be used as evidence in any other civil or criminal proceeding that may result in a future exclusion.
- (3) *Period of Exclusion.* An exclusion issued under the provisions of this Section shall be for 30 days. If the person to be excluded has been excluded from any City property at any time within two years before the date of the present exclusion, the exclusion shall be for 90 days. If the person to be excluded has been excluded from City property on two or more occasions within two years before the date of the present exclusion, the exclusion shall be for 180 days.
- (4) *Warning Prior to Exclusion.* Before issuing an exclusion under this Section, the excluding officer shall first give the person a warning and a reasonable opportunity to desist from the violation. An exclusion shall not be issued if the person promptly complies with the direction and desists from the violation. Notwithstanding the provisions of this Subsection, no warning shall be required if the person is to be excluded for engaging in conduct that:
 - (a) Is classified as a felony or misdemeanor under the following Chapters of the Oregon Revised Statutes, or is an attempt, solicitation, or conspiracy to commit any such felony or misdemeanor defined in ORS.
 1. Chapter 162—Offenses Against the State and Public Justice;
 2. Chapter 163—Offenses Against Persons;
 3. Chapter 164—Offenses Against Property, except for ORS 164.805, Offensive Littering;
 4. Chapter 165—Offenses Involving Fraud or Deception;
 5. Chapter 166—Offenses Against Public Order; Firearms and Other Weapons; Racketeering;
 6. Chapter 177—Offenses Against Public Health, Decency and Animals;
 7. Chapter 475—Controlled Substances; Illegal Drug Cleanup; Paraphernalia; Precursors; or
 - (b) Otherwise involves a controlled substance or alcoholic beverage; or
 - (c) Has resulted in injury to any person or damage to any property; or
 - (d) Constitutes a violation of any of the following provisions of this Code:
 1. 10.130 Minor—Purchase or Possession of Liquor.
 2. 10.230 Killing of Birds or Animals Prohibited.

3. 10.300 Public Intoxication and Drinking.
 4. 10.310 Panhandling.
 5. 10.320 Public Kept in Decency.
 6. 10.350 City Property, Destruction.
 7. 10.390 Posted Notices, Defacement.
 8. 10.410 Diving from Public Pilings.
 9. 10.410 Unlawful Operating or Riding a Skateboard in a Prohibited Area.
 10. 10.420 Intentionally Causing Damage to Town Center Park Properties by or for Skateboarding.
 - ~~11. 10.425 Camping on Public Property and Rights of Way.~~
 - ~~12~~11. 10.510 Attempt to Commit Offenses.
- (e) Is conduct for which the person previously has been warned or excluded for committing on any City Property.
- (5) *Written Notice.* Written notice signed by the excluding officer shall be given to any person excluded from any City property under this Section. The notice shall specify:
- (a) The date of the exclusion's issuance;
 - (b) Length of exclusion;
 - (c) City property from which the person is excluded;
 - (d) Identify the provision of law the person has violated and shall contain a brief description of the offending conduct;
 - (e) Inform the excluded person of the right to appeal, including the time limit and the place of delivering the appeal;
 - (f) Inform the excluded person of the right to petition for a waiver of all or any portion of the exclusion; and
 - (g) The consequences for failure to comply shall be prominently displayed on the notice.
- (6) *Appeal of Exclusion.* A person receiving such notice of exclusion may appeal, in writing, to the Wilsonville Municipal Court Clerk.
- (a) A hearing shall be held at the next regularly scheduled session of the Wilsonville Municipal Court.
 1. The excluded individual may request, in writing, setting forth the reason therefor, that the hearing be postponed, and the Clerk shall grant such a postponement upon a showing of necessity.
 - (b) The municipal judge shall dissolve the exclusion upon a showing that:
 1. The excluding officer lacked probable cause; or
 2. The excluded individual was engaged in the lawful exercise of any right or privilege guaranteed under the United States Constitution, Constitution of the State of Oregon, or any other law.
- (7) *Waiver of Exclusion.* At any time within the period of exclusion, a person receiving such notice of exclusion may apply, in writing, to the Municipal Judge for waiver of some or all of the effects of the exclusion for good reason. If the Municipal Judge grants a waiver under this Subsection, the Municipal Judge shall promptly notify the excluding officer. In exercising discretion under this Subsection, the Municipal Judge shall consider

the seriousness of the violation for which the person has been excluded, the particular need of the person to be within the area from which they are excluded during some or all of the period of exclusion, such as for work or to attend or participate in a particular event (without regard to the content of any speech associated with that event), and any other criterion the Municipal Judge determines to be relevant to the determination of whether or not to grant a waiver. The decision of the Municipal Judge to grant or deny, in whole or in part, a waiver under this Subsection is committed to the sole discretion of the Municipal Judge and is not subject to appeal or review.

- (a) The Municipal Judge shall grant the waiver if the excluded individual wishes to participate in any free speech activity protected by the Constitution of the United States or the Oregon Constitution.
- (8) *Stay During Appeal.* If an appeal of the exclusion is timely filed under Section 6, the effectiveness of the exclusion shall be stayed, pending the outcome of the appeal. If the exclusion is affirmed, the remaining period of exclusion from the time of the stay shall be effective immediately upon the issuance of the Municipal Judge's decision, unless the Municipal Judge specifies a later effective date.
- (9) *Appropriate Length of Exclusion.* If a person is issued a subsequent exclusion while a previous exclusion is stayed pending appeal (or pending judicial review, should a court stay the exclusion), the stayed exclusion shall be counted in determining the appropriate length of the subsequent exclusion under Subsection (3). If the predicate exclusion is set aside, the term of the subsequent exclusion shall be reduced as if the predicate exclusion had not been issued. If multiple exclusions issued to a single person or a single facility are simultaneously stayed pending appeal, the effective periods of those which are affirmed shall run consecutively.
- (10) *Violation of Exclusion.* No person shall enter or remain on City property at any time during which there is in effect a notice of exclusion issued under this Section excluding the person from that property.
 - (a) If a person who received notice of exclusion from City property subsequently remains or returns to that building or property, that person may be arrested on criminal trespass charges.
 - (b) A prosecution for criminal trespass is not an exclusive remedy. The person violating an exclusion order may also be liable for civil trespass and any other charge or liability under common, local, state, or federal law.

6.400. Removal of Individuals, their Property and Campsites on Public Property.

- ~~(1) Prior to the removal of any individual and/or their personal property from an established camping site on public property, law enforcement officials shall post a removal notice at the campsite, written in English and Spanish, 24 hours in advance of removal, provided however, that law enforcement officials are encouraged to determine if the circumstances warrant an extension of time for removal to ensure humane treatment, in which instance the law enforcement officials may extend the notice time up to 72 hours in advance of removal;~~
 - ~~(a) At the time the notice is posted, law enforcement officials shall inform a local agency that delivers social services to homeless individuals where the notice has been posted.~~
 - ~~(b) This local agency may arrange for outreach workers to visit the camping site where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.~~
 - ~~(c) All unclaimed personal property shall be given to law enforcement officials whether 24 hour notice is required or not. Subject to approval of the City Manager, the City's Public Works Director shall develop a protocol to aid such law enforcement officials in the custody, removal, storage, and destruction of the unclaimed personal property. A notice shall be posted, written in English and Spanish, providing a phone number to call during the business hours of 8:00 a.m. to 4:00 p.m., Monday to Friday, to arrange an appointment to pick up the unclaimed personal property. This notice shall be posted in a conspicuous place in the general vicinity, but not greater than 30 feet, of the personal property to be removed, and shall be laminated or otherwise made to be weather resistant. The notice shall not be posted on or attached to personal property in the area. The property shall be stored for 30 days from the removal date and will be available to any individual claiming ownership. Property that remains unclaimed for 30 days will be disposed of and the notice removed.~~
 - ~~(d) *Personal property* means any item that is reasonably recognizable as belonging to a person and has apparent utility. Items that have no apparent utility or are in an unsanitary condition will be immediately discarded upon removal of the homeless individuals from the camping site.~~
 - ~~(e) City officials or law enforcement personnel shall photograph the site prior to the removal of property and provide a general description of items disposed of due to their lack of apparent utility or unsanitary condition.~~
 - ~~(f) Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be turned over to the appropriate law enforcement officials.~~
- ~~(2) Following the removal of homeless individuals from a campsite on public property, the law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.~~
- ~~(3) The 24 hour notice under subsection (1)(c) of this section shall not apply:~~
 - ~~(a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.~~
 - ~~(b) In the event of an exceptional emergency such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety.~~
- ~~(4) Sleeping or sleeping in a vehicle on public property in a manner that establishes a camping area or that results in personal property or trash being stored on public property shall be considered an established camp for the purposes of this Section.~~

- ~~(a) Vehicles used for camping on public property shall be impounded according to Wilsonville Code Sections 5.400—5.460. The contents of impounded vehicles will be inventoried according to Wilsonville Code Section 5.425.~~
- ~~(b) Sleeping in a vehicle on a public right of way shall still be governed by Wilsonville Code Section 5.210(12).~~
- ~~(c) Illegal parking, stopping or standing of vehicles are governed by Wilsonville Code Sections 5.200 et seq.~~
- ~~(5) A person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance may not issue the citation if the citation would be issued within 200 feet of the notice described in this section and within two hours before or after the notice was posted.~~

(Ord. No. 716, 4-15-2013)

GENERAL

10.400. Diving From Public Pilings.

- (1) No person shall dive or jump from, or climb or sit on, public pilings at the boat dock or at the swimming dock in Wilsonville Memorial Park or Boone's Ferry Park.
- (2) Violation of this section is punishable as a violation pursuant to Section 1.012.

(Ord. No. 287, 1-21-1986)

10.410. Unlawful Operating or Riding a Skateboard in a Prohibited Area.

- (1) It shall be unlawful for any person or persons to operate or ride a skateboard in any of the following prohibited areas:
 - (a) Town Center Park.
 - (b) Other property posted "No Skateboarding".

10.420. Intentionally Causing Damage to Town Center Park Properties by or for Skateboarding.

- (1) It shall be unlawful for any person or persons with intent to damage Town Center Park property to damage Town Center Park property by:
 - (a) Operation or riding of a skateboard; or
 - (b) Destroying, altering, denting, breaking, impairing, mutilating, harming, or injuring Town Center property to make it usable for skateboard operation and riding.

~~10.425. Camping on Public Property and Rights-of-Way.~~

- ~~(1) It shall be unlawful for any person or persons to camp on public property or right-of-way without prior approval of the City, except that unauthorized overnight camping on City parks or park facilities is governed by WC 3.000(16).~~

- ~~(a) (2) To camp means to set up, or remain in or at, a campsite for the purpose of establishing or maintaining a temporary place to live.~~

- ~~(3) Campsite means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure or any vehicle or part thereof.~~

~~(Ord. No. 715, 4-15-2013)~~

10.430. Penalties.

Except as set forth in 10.250 and 10.400, violations of any provision of Chapter 10 shall be punished as follows:

- (1) First Offence, a fine not to exceed \$250.00.
- (2) Second Offence within one year, shall be subject to punishment of a Class C misdemeanor (not to exceed \$500.00 fine, not to exceed 30 days imprisonment).
- (3) Any person who violates the provisions of WC 10.420 shall be punishable as a Class A misdemeanor (not to exceed \$2,500 fine, not to exceed one year imprisonment).
- (4) Upon conviction of WC 10.410 or WC 10.420, the Court may in addition to any other penalty order that the skateboard that was used be impounded until such times as may appear just and reasonable or may be ordered forfeiture of the skateboard. Provided, however, it shall be a defense to forfeiture if it is proven to the Court by the preponderance of the evidence that the defendant is not the owner of the skateboard and the owner did not know or could not have reasonably known that the skateboard would be ridden in violation of the provisions of this ordinance.
- (5) Any person who is convicted of violating the provisions of WC 10.305 shall be punished as a violation pursuant to Section 1.012.

(Ord. No. 777, 11-16-2015)

CITY OF WILSONVILLE

VALUE STATEMENTS REGARDING HOUSING STATUS

The City of Wilsonville recognizes the regional and statewide homelessness crisis and understands that the City must play an active role in responding to the related humanitarian and livability concerns. The City makes the following statements to declare its commitment to coordinate with other government entities, service providers, and community members in responding to this crisis.

1. The City reaffirms its declaration as a welcoming and inclusive city, as described in Resolution No. 2626, adopted by the City Council on May 1, 2017.
2. The City reaffirms its efforts and adopted policies to continue building a thriving, vibrant community that provides a variety of employment to promote a robust workforce and housing opportunities across income levels. Such efforts and policies include, but are not limited to, the Equitable Housing Strategic Plan, the Town Center Master Plan, the Frog Pond East and South Master Plan, the transit-oriented development (TOD) affordable housing project, the Coffee Creek Master Plan, the Basalt Creek Concept Plan, the Urban Renewal Strategic Plan, the Economic Development Strategy, the Parks & Recreation Comprehensive Master Plan, and the South Metro Area Regional Transit (SMART) department that provides free in-town transit services.
3. All community members are entitled to be valued and treated with dignity regardless of their housing status. The City values community and individual wellbeing and will coordinate with state, regional, county, and local service providers to promote measures and services that are designed to increase community and individual wellbeing.
4. The City's role is to formulate policy and rules to best protect community safety, health, welfare, livability, and the environment.
5. Recognizing limited City resources, the City will utilize all existing and potential sources of funding made available from federal, state, regional, county, or other local funds specifically designated for addressing homelessness.
6. The City will coordinate with state, regional, county, and local service resources, and particularly Clackamas County housing initiatives, including Homelessness Prevention, Rapid-Rehousing, Coordinated Housing Access, and Built for Zero, with the goal that all unhoused people be afforded options for safer, stable housing.
7. The City's obligation and role is to regulate camping as survival sheltering in places not generally intended for living or habitation.
8. The City believes that camping for survival sheltering outside is not a solution for individuals experiencing homelessness.

9. The City's camping for survival regulations are designed to ensure that all community members feel that they are in a safe, orderly environment, including individuals who are sheltering for survival.

FINDINGS FOR ORDINANCE NO. 879

I. GENERAL FINDINGS

The general purpose of Ordinance No. 879 is to regulate the time, place, and manner in which individuals may camp on City of Wilsonville property and rights-of-way. Furthermore, the purpose of Ordinance No. 879 is to comply with Oregon House Bill 3115 (2021) and House Bill 3124 (2021), as well as current federal court decisions *Martin v. Boise*, 920 F.3d 584 (9th Cir., 2019) and *Johnson v. City of Grants Pass*, 50 F.4th 787 (9th Cir., 2022). The City makes the following general findings regarding the camping regulations contemplated in Ordinance No. 879.

Finding 1.1. The City Council acknowledges the lack of nightly shelter beds and housing currently available regionally and recognizes the systemic lack of state and federal investment in shelter and public health services for individuals experiencing homelessness.

Finding 1.2. The City Council acknowledges that it is currently unavoidable that some people will live or shelter for survival outdoors until they are able to access affordable or free shelter or housing. In Wilsonville, this has typically meant sheltering on City rights-of-way and City property.

Finding 1.3. Public rights-of-way are generally intended for public use and travel. The City Council is the road authority for most roads within the City; as such, the City must consider the safety of all modes of transportation travelling on roadways and sidewalks, including to and from neighboring properties, businesses, and residences.

Finding 1.4. The City owns extremely limited property where camping can or should be allowed. City utilities (stormwater, water, and sewer) are sensitive and generally closed to the public or have limited access for safety, environmental, and security reasons.

Finding 1.5. It is the intent of the City Council to provide standards for camping and survival sheltering on City property as mandated by state and federal law. However, camping for survival is not an alternative to stable, safe housing that is necessary for the sustainable health of the individual.

Finding 1.6. It is the intent of the City Council to provide standards for camping and survival sheltering on City property and City rights-of-way that will address issues such as fire risk, unsanitary conditions, trash, and public safety hazards to people camping and neighboring businesses and community members, and environmental degradation, which have occurred with longer-term camping in the City.

II. FINDINGS REGARDING TIME REGULATIONS

Finding 2.1. The City Council finds that restricting the time for camping on public property is necessary to increase public safety and ensure the equal and orderly administration of these regulations. The chosen time period for permitted camping is consistent with current City parking regulations. Additionally, the City of Wilsonville contracts with Clackamas County for

law enforcement services. Due to the limited availability of law enforcement services, the City must have firm time regulations that ensure proper administration within the designated areas for camping. The City Council also finds that the chosen ten (10) hour period is longer than similar time regulations, and provides additional time for individuals experiencing homelessness to set up and take down their camping materials, as well as obtain sufficient rest.

Finding 2.2. The City Council finds that individuals experiencing homelessness can store and use personal property in designated areas when reasonably necessary for camping, sleeping, or staying warm and dry from the elements. The time limits on the storage of personal property in designated areas ensure a lack of obstructions for City rights-of-way and on other public property, as well as protecting the health and safety of residents and other individuals experiencing homelessness from harm to persons or property. The City Council also finds that the City has an interest in ensuring the aesthetic and healthy vision for the City through effective and orderly administration of regulations.

III. FINDINGS REGARDING PLACE REGULATIONS

Finding 3.1. The City Council finds that City parks are a vital part of the Wilsonville community and represent significant City assets as real property owned by the City; public improvements and infrastructure built, controlled, maintained, and owned by the City; and sites necessary for the health and wellbeing of the community. In the 2022 biennial National Community Survey, City parks received the highest rating out of 10 characteristics at 91% of those surveyed rating the quality of City parks as excellent or good. The City has intentionally invested significant resources to the development, maintenance, and expansion of its parks system, with plans to continue to do so, as outlined by the City's 2018 Parks and Recreation Comprehensive Master Plan ("Parks Master Plan"). The City Council relies on the Parks Master Plan and supporting documents to substantiate continuing to prohibit camping in City parks. In the public outreach conducted as part of the City's project to update its public property camping regulations, community members completed a forced-ranking of suitability as space to allow overnight camping and City parks was ranked the third least suitable locations, only above residential areas and areas around schools.

Many City parks, including Memorial Park (the City's largest park), Boones Ferry Park, and Arrowhead Creek Park, have areas within the City's Significant Resource Overlay Zone (SROZ), which limits development and uses that may occur in those areas in order to protect wildlife habitat, wetlands, riparian corridors, and other environmentally sensitive areas. In order to protect the significant resources dedicated to the City's high-quality parks, the City Council finds that City parks should continue to remain closed to all community members between 10:00 pm until 5:00 am, unless appropriate authorizations are obtained. The City Council further finds that other designated City-owned property offers sufficient space for individuals who are involuntarily homeless to camp overnight.

Finding 3.2. The City Council finds that City parking lots or other City property not listed as designated areas for camping must be protected for the benefit and use of City staff and the public. City staff utilize City parking lots to safely store City vehicles, as well as for the parking of City employees' personal vehicles during the work day. The City also hosts numerous events

and activities throughout the year for the public, which often utilize City parking lots and City property for attendance. The City Council has specifically created certain designated areas where individuals experiencing homelessness may safely camp overnight and access essential sanitary facilities.

Finding 3.3. The City Council finds that the City's South Metro Area Regional Transit (SMART) system is an integral service to the Wilsonville community. SMART provides transportation services for a wide range of Wilsonville residents, employees, and visitors. These individuals access these services through the use of City bus shelters throughout the area. Many of the frequent users of SMART services are elderly or disabled residents, and often require use of the bus shelter while awaiting transportation services. The City Council further finds that other designated City-owned property offers sufficient space for individuals who are involuntarily homeless to rest and camp overnight, while also preserving the facilities necessary for residents accessing local public transportation services.

Finding 3.4. The City Council finds that the Significant Resource Overlay Zone (SROZ) serves to protect natural resources, open space, flood hazard areas, the Willamette River Greenway, and, generally, the environment. The City Council adopted the SROZ as part of the City of Wilsonville Zoning Map to achieve compliance with the requirements of the Metro Urban Growth Management Functional Plan (UGMFP), relating to Title 3 Water Quality Resource Areas and Title 13 Habitat Conservation Areas, as well as the portion of Statewide Planning Goal 5 relating to significant natural resources. The SROZ limits the types of uses and development that may occur in order to preserve the natural areas, riparian corridors, wetlands, for animal and plant life. Such preservation will be significantly damaged and undermined if individuals camp or shelter within the SROZ.

The City Council further finds that the City's Significant Resource Overlay Zone (SROZ) poses a unique fire danger during high and extreme fire conditions due to the abundance of dry brush and other fuel sources. It is difficult for emergency personnel to evacuate individuals from the SROZ during a fire event, and difficult to enforce arson laws and burning prohibitions on an incident-by-incident basis due to the rapid rate of fire spreading under such conditions. Wildfires in the SROZ, as well as other densely forested areas within the City, pose a severe threat to persons and property, including residents and property owners near those areas, as well as parks and public lands.

Finding 3.5. The City Councils finds that the City of Wilsonville takes great pride in its urban forests and recognizes the benefits that trees provide to quality of life, economic development, and livability. The City's Heritage Tree program recognizes and fosters the appreciation and awareness of trees that represent and promote the history and values of the community. Camping near these historical markers, or other sensitive tree areas, would undermine the goals of the program, as well as pose a potential threat to the health and preservation of protected trees within the community.

Finding 3.6. The City Council finds that effectively managing City stormwater facilities is imperative to ensuring enhanced water quality, preserving natural features, providing aesthetic value to the community, and protecting wildlife habitats. Pursuant to the 2012 Stormwater Master

Plan, the City is committed to achieving these goals, while also complying with local, state, and federal regulatory requirements. Camping near areas designated as stormwater facilities potentially pose a significant risk to water quality through the contribution of pollutants and toxins that are related to human activity. Additionally, the City must maintain regular access to these facilities to comply with all applicable regulations and make necessary repairs and improvements. The City must also ensure continued compliance with its National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit that is regulated through the Oregon Department of Environmental Quality by protecting its stormwater system from hazards and water pollution.

Finding 3.7. The City Council finds that camping, lying, or sleeping on or near railroad tracks, or in a manner that obstructs rights-of-way, vehicle lanes, bicycle lanes, or roundabouts prevents the public's ability to use that public property for its intended purpose and in some situations can result in imminent threats to life.

Finding 3.8. The City Council finds that as the road authority for the City, the City is responsible for ensuring the safety of any street or right-of-way undergoing construction, heavy vehicle use, or other similar uses where camping would be incompatible for purposes of avoiding imminent threats to life, or delays in necessary public improvements.

IV. FINDINGS REGARDING MANNER REGULATIONS

Finding 4.1. The City Council finds that City rights-of-way are generally to serve multi-modal transportation, including, but not limited to, vehicle, bicycle, and pedestrian traffic. Obstructing sidewalk accessibility is not only potentially a violation of the Americans with Disabilities Act (ADA), obstructions can also prevent access to and repair and maintenance of fire hydrants, mailboxes, crosswalk call buttons, and other critical public utility infrastructure.

Finding 4.2. The City Council finds that close congregation of campsites together often leads to campsites growing to a point of causing significant sanitary, health, safety, and welfare issues. The City Council also finds that allowing close congregation of campsites limits the ability to enforce other camping regulations.

Finding 4.3. The City Council finds that recreational fires and other sources of open flames pose a risk to the health and safety of the community. During dry seasons, open flames can create a fire danger that poses a severe threat to surrounding persons and property within the City. Additionally, open flames and recreational fires pose a health risk to individuals camping within the vicinity, as well as serve as a source of potential airborne pollutants and toxins. The City currently contains service providers that distribute meals to individuals experiencing homelessness that do not require heating by flame or other forms of heating that pose fire threats.

Finding 4.4. The City Council finds that it must continue to prohibit any uses that may cause violations of the City's NPDES MS4 permit and/or jeopardize the City's sanitary sewer and stormwater systems. The City Council further finds that the City takes great pride in its excellent aesthetic and healthy appearance. The storage or discarding of garbage, debris, or other various forms of unsanitary materials or substances such as black or grey water within the City may be

harmful to the health and safety of persons or property, including residents and individuals experiencing homelessness, as well as detract from the aesthetic vision for the City. Additionally, storage of certain combustible materials can pose a significant fire threat when located near structures or other individuals. The City Council further states that individuals experiencing homelessness can store and use personal property that is reasonably necessary for camping, sleeping, or staying warm and dry from the elements.

Finding 4.5. The City Council finds that unauthorized utility connections, attachments of personal property to public property or structures, or otherwise altering public property in any unauthorized manner poses a risk to the effective management, use, and enjoyment of such property by residents, public employees, or other individuals. The City and other public employees must maintain regular access to these public utility structures and additional public property to comply with all applicable local, state, and federal regulations, make necessary repairs and improvements, and provide essential services to protect persons and property during emergencies. Additionally, the City Council finds that residents and visitors regularly use and rely on public property, such as facilities, structures, and open areas for the provision of services and personal enjoyment. The City Council further finds that any unauthorized connections or attachments likely violate federal, state, and/or local laws, regulations, and policies, including, but not limited to, the Clean Water Act, the Americans with Disabilities Act, building codes, and land use regulations.

Finding 4.6. The City Council finds that any unleashed domesticated pets or animals pose a risk to the health and safety of community members, City employees, and other individuals. The City currently requires that dogs must be on leash if on public property, unless is a designated off-leash dog park. The City also currently prohibits animals of any kind from entering the park unless confined or, for dogs, if on-leash, unless in a designated off-leash dog park. Additionally, the presence of animal feces presents a public health hazard to water quality and an impediment to the enjoyment of public property. The City Council also finds that unleashed animals can stress local mammals and destroy habitats in sensitive areas such as those used for ground-nesting birds.

Finding 4.7. The City Council finds that the use, manufacture, or distribution of tobacco, alcohol, or cannabis products, or other illicit substances pose a risk to the health, safety, and welfare of residents, individuals experiencing homelessness, and other individuals impacted by the use of such substances. The use of these substances can contribute to health problems for those that use such substances, as well as surrounding residents, community members, and property where these substances are consumed, manufactured, or distributed. Additionally, the use, manufacture, or distribution of these substances is a violation of other applicable local, state, and federal regulations. The City Council further finds that exceptions should be made where an individual experiencing homeless can demonstrate a legitimate need for the use of certain substances for medical purposes.

Finding 4.8. The City Council recognizes that vehicles have at times been used by individuals who are involuntarily homeless for shelter and/or sleeping. The City Council also recognizes the need to protect the health and safety of persons and property in designated areas for camping. Potential harms from improper vehicle camping including environmental harm to stormwater facilities and surrounding habitats or structures, imposing barriers or impediments that

can obstruct travel by residents or public employees, and other actions that violate applicable local, state, or federal laws related to the ownership and operation of vehicles.

V. FINDINGS REGARDING NOTICE AND REMOVAL REGULATIONS

Finding 5.1. The City Council finds that when removing a camp or closing a location where people are camping on public property in a non-designated area the City will provide at least 72-hour notice to all impacted individuals. These provisions are subject to exceptions in cases of emergencies or criminal activity, as allowed by State law, or as necessary to protect the health, safety, and welfare of persons or property. The City Council further states that notice and removal efforts will be focused on working with service providers and community resources to provide reasonable support to individuals experiencing homelessness. The City will assess personal property remaining at closed campsites and determine the proper disposition of such property based on reasonable interpretations regarding the apparent nature and use of the property, and the relative impact of such property on the health and safety of the community.

Finding 5.2. The City Council finds that City officials must have the discretion to suspend notice provisions when necessary to provide essential services to protect persons and property during emergencies. Pursuant to state law and the needs of the community, designated public officials must have the authority to enforce removal regulations where there is a reasonable and legitimate threat to the health, safety, and welfare of persons or property relating to activities on public property occupied by individuals experiencing homelessness.

VI. FINDINGS REGARDING ENFORCEMENT REGULATIONS

Finding 6.1. The City Council finds that the City has an interest in enforcing local, state, and federal regulations. Pursuant to Article IV, Section 1(5), and Article XI, Section 2 of the Oregon Constitution, each municipal government has the authority to establish regulations and regulate the conduct of those within its boundaries where not pre-empted by state or federal law for the protection of public health, safety, and welfare. The Wilsonville City Charter imposes certain duties on City officials to enforce the provisions of all City regulations. It is the intent of the City Council to promote the amicable and efficient enforcement of these regulations, while ensuring equitable compliance to protect the health and safety of City property, residents, and individuals experiencing homelessness. The City Council further finds that pursuant to state laws regarding enforcement of camping regulations, public officials will not issue citations to individuals experiencing homelessness within two hundred (200) feet of removal notice posted within two (2) hours before or after the notice was posted. These limits are subject to City authority that is necessary for public employees to provide essential services to protect persons and property during emergencies.

VII. FINDINGS RELATED TO EXCEPTIONS TO REGULATIONS

Finding 7.1. The City Council finds that the City Manager or their designee must have the discretion to authorize additional camping and storage of personal property when reasonably necessary during periods of public emergencies. This provision will ensure swift and

comprehensive measures to protect the health and safety of individuals experiencing homelessness. Additionally, the City Manager or designee can make temporary accommodations for camping and the storage of personal property where there are reasonable grounds that are approved by City Council at the next regularly scheduled meeting. These provisions provide sufficient discretion for the City Manager or designee to act within their best judgment to make temporary accommodations where necessary and consistent with the goals of the City and the community, as well as providing expeditious review of the decision for compliance with relevant goals and policies.

UPDATED MEMORANDUM

TO: Wilsonville City Council

FROM: Amanda Guile-Hinman, City Attorney

DATE: April 22, 2023

RE: Public Outreach – Prohibited Camping Code Update Project

I. INTRODUCTION

This memorandum provides the public outreach undertaken by staff regarding the prohibited camping code update project. **Exhibit 1** attached hereto is the Let's Talk, Wilsonville! questionnaire results report. The questionnaire received the largest community response of a Let's Talk, Wilsonville! survey at 437 responses. This memorandum details the other outreach components already undertaken and those planned in the coming days.

II. OUTREACH EFFORTS

In addition to information collected internally from City personnel from the Parks and Recreation, Library, Public Works, Code Compliance, Police, and Administration Departments, staff has contacted, or attempted to contact, Wilsonville Community Sharing, Heart of the City, fourteen religious organizations located in the city, the Chamber of Commerce, Rotary Club, Wilsonville Alliance for Inclusive Communities, and 26 local homeowners associations. Staff also contacted the West Linn-Wilsonville School District; Tualatin Valley Fire and Rescue; Clackamas County Health, Housing, and Human Services; and several regional, state, and federal agencies that work with unhoused individuals and the housing crisis.

City representatives met with Wilsonville Community Sharing, Heart of the City, Creekside Bible Church, Clackamas County employees, Tualatin Valley Fire and Rescue representatives, West Linn-Wilsonville School District employees, the Wilsonville Alliance for Inclusive Communities, the Parks and Recreation Advisory Board, the Library Board, and the Diversity, Equity, and Inclusion Committee.

The City coordinated with Wilsonville Community Sharing for it to collect responses from individuals experiencing homelessness to provide information to the City about camping regulations.

III. INFORMATION FROM OUTREACH

This memorandum summarizes the information obtained from interviews conducted thus far.

A. Services Provided

Below is information regarding services provided to unhoused individuals¹ by those organizations staff interviewed:

- Clackamas County Housing and Community Development department discussed with City staff several important resources available to unhoused individuals.
 - Clackamas County has a program called Coordinated Housing Access, which serves as the starting point to get individuals connected to housing and support services. People can call **(503) 655-8575** and leave a message or fill out the online form at <https://www.clackamas.us/communitydevelopment/cha>.
 - Clackamas County also has a number people may call when an individual appears to be experiencing a mental health crisis, but does not appear dangerous or need a police response. That phone number is **(503) 655-8585**. Individuals experiencing suicidal crisis or mental health-related distress can also dial **988**, which is the National Suicide and Crisis Lifeline.
- Wilsonville Community Sharing (WCS) provides “grab and go” food for unhoused individuals on Tuesdays from 12:30 pm to 2:30 pm and 6 pm to 7:15 pm at its food pantry located in the City’s Art Tech Building at 29796 SW Town Center Loop East. Community members will sometimes donate to WCS small dollar gift cards to local restaurants and grocery stores that are given out to unhoused individuals. WCS noted that they provided food to 52 unhoused individuals last year, but that number is duplicative because many people came to WCS each week for food.

¹ These organizations in many cases provide other services to individuals based on other life circumstances, but the interviews are specifically focused on services provided to unhoused individuals.

They estimate that they provided approximately 1,000 pounds of food to unhoused persons last year.

- Heart of the City provides counseling, rental and utility payment assistance, clothing, sleeping materials, and other necessities for individuals experiencing homelessness or are vulnerable to becoming unhoused. Its hours are Monday through Thursday, 10 am to 2 pm.
- The West-Linn Wilsonville School District staff explained that the school district works to remove barriers that prevent unhoused students from attending school. One way the school district does this is by providing transportation to the student's "school of origin." If a student's family is unhoused and staying in location(s) outside of the school or school district boundaries, the school district will provide transportation to ensure the student is able to attend their school of origin. Providing transportation to an unhoused student's school of origin is a requirement under federal law (42 USC §11432(g)(1)(J)(iii)). Another way the school district works to remove barriers is by offering free or reduced lunch. Applications for the program should be submitted during the summer prior to the start of the school year or at the beginning of the school year. The application can be found here:
<https://www.ode.state.or.us/apps/frlapp>.

B. Other Notable Discussion Points

In these interviews, staff also inquired about the service providers' general experiences, barriers to providing services, and any considerations that should go into a prohibited camping code update. Below is a summary of some notable discussion points raised:

- Providers noted that many of the unhoused individuals they serve live in their vehicles and camp at the rest stop. They estimated approximately 80% of the individuals are senior citizens and mainly men. They also stated that almost all of the individuals that sought services are not addicted to drugs or drug users nor appear to have significant mental health disorders.
- Another service provider stated that the unhoused individuals they serve are generally not unsheltered, but rather living in others' homes or temporarily in vehicles.

- A service provider explained that a barrier that does occur for some unhoused individuals in the community is what to do when their vehicle breaks down. Since this provider's experience is that many unhoused residents in the community live in their vehicles, a vehicle breaking down means they cannot drive and move their car and are more likely to have their vehicle (their home) towed.
- None of the providers were overly enthusiastic about a private property camping program – though some expressed a willingness to work with the City on a City-sponsored program.
- Clackamas County is planning to launch new programs and infrastructure for supportive housing through Metro's new Supportive Housing Services tax.
 - Clackamas County staff provided a presentation to the City Council on February 23, 2023 about some of its new initiatives.
- Clackamas County provides utility payment assistance and limited water and wastewater payment assistance to low-income individuals. People can call **(503) 650-5640** or fill out an application request at <https://www.clackamas.us/socialservices/energyassistance>
- One provider noted that some COVID-19 emergency benefits came to an end in March 2023. February was the last month that the federal government will allow Oregon to issue pandemic emergency food benefits for eligible SNAP households. For more information about this change and regular SNAP benefits, visit <https://www.oregon.gov/dhs/ASSISTANCE/FOOD-BENEFITS/Pages/Emergency-Allotments.aspx>.
- One interviewee explained that many unhoused individuals in the area do not want to be visible to the community. Visibility often means that the camp will closed down, unhoused individuals could be harassed, or items might be stolen.
- One interviewee connected with unhoused individuals at the rest stop from approximately 2008 through 2010. Most people lived in their vehicles. The interviewee explained that for most of those individuals, the biggest hurdles were not drugs, alcohol, or severe mental health disorders, but rather a lack of basic life skills.

- Another interviewee similarly noted that most unhoused unsheltered individuals in Wilsonville live in their vehicles. A suggestion was to look at the regulations for vehicles differently (and more permissively) than tent camping or sleeping directly on sidewalks and City property.
- Interviewees were generally supportive of continuing to close parks at night to all people, including unhoused individuals.
- Supportive sanitation facilities was a common theme in many of the interviews, particularly focusing on garbage receptacles and restrooms. This is an item that will be discussed among the inter-departmental team as allowable places to camp are identified.

C. Survey of Individuals Experiencing Homelessness

Below is a summary of the feedback that the City received from Heart of the City through the survey Heart of the City administered to individuals experiencing homelessness on behalf of the City. This survey was conducted on a Tuesday during the times the food pantry was open.

- Many prefer lighted area, close to restrooms
- They also requested trash receptacles
- Many asked for signs/maps to know where to go and what regulations are
- They asked for nightly patrols – many expressed concerns about safety/theft
- Many preferred a 24 hour, 12 hour, or 7 pm to 7 am camping timeframe
- Some expressed interest in a sign-in or registration process
- Some expressed desire for outlets to charge devices
- Some were concerned about the presence of drugs and loud music

Survey

SURVEY RESPONSE REPORT

19 July 2019 - 05 February 2023

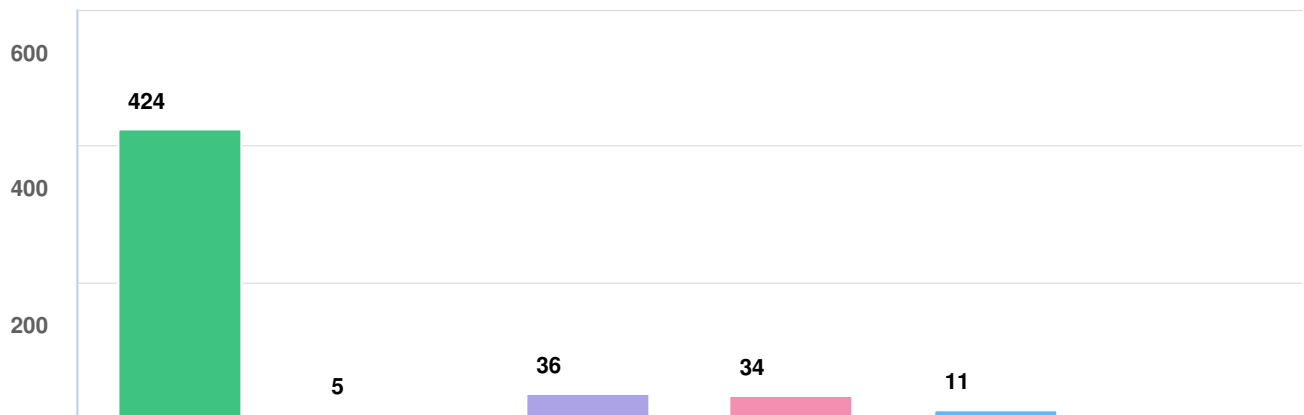
PROJECT NAME:

Legal Review of Prohibited Camping Code



SURVEY QUESTIONS

Q1 What is your relationship to the City of Wilsonville?



Question options

- I live in Wilsonville ● I go to school in Wilsonville ● I am employed by a Wilsonville business
- I operate a Wilsonville business ● I am a frequent visitor to Wilsonville ● None

Optional question (437 response(s), 0 skipped)

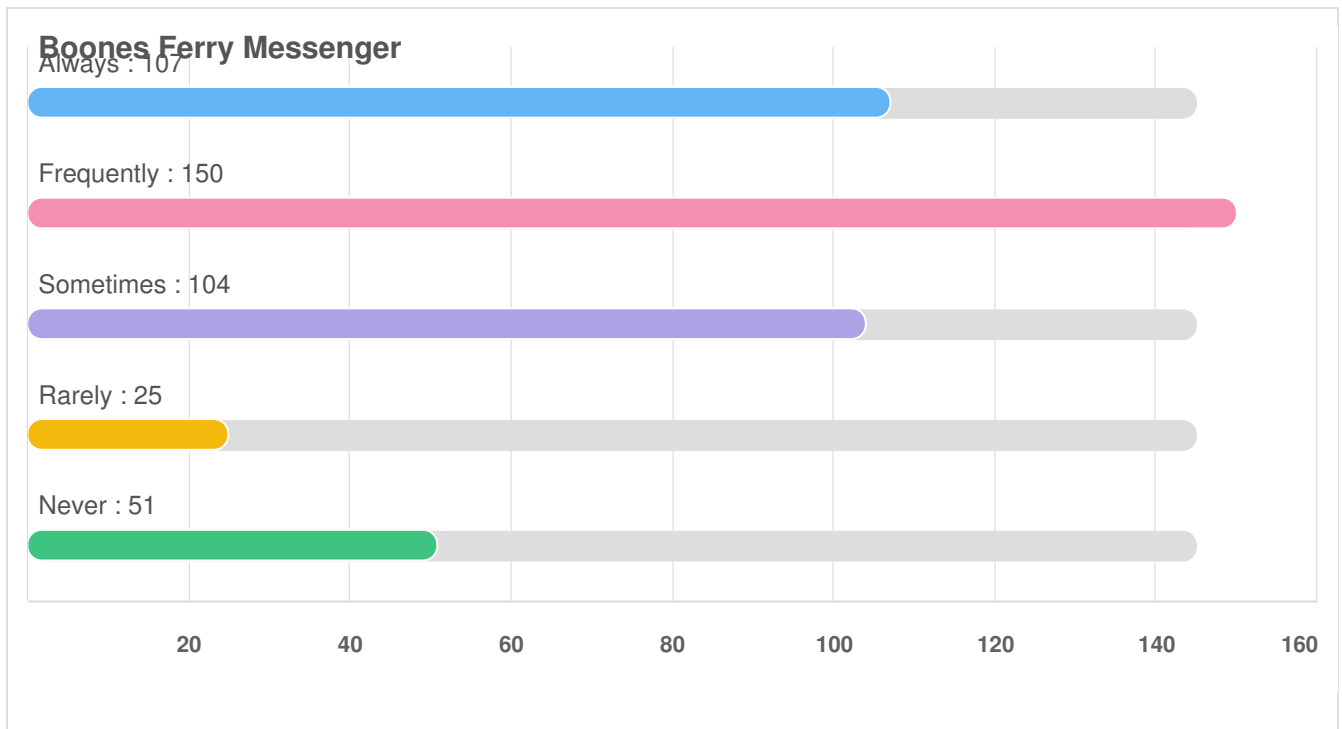
Question type: Checkbox Question

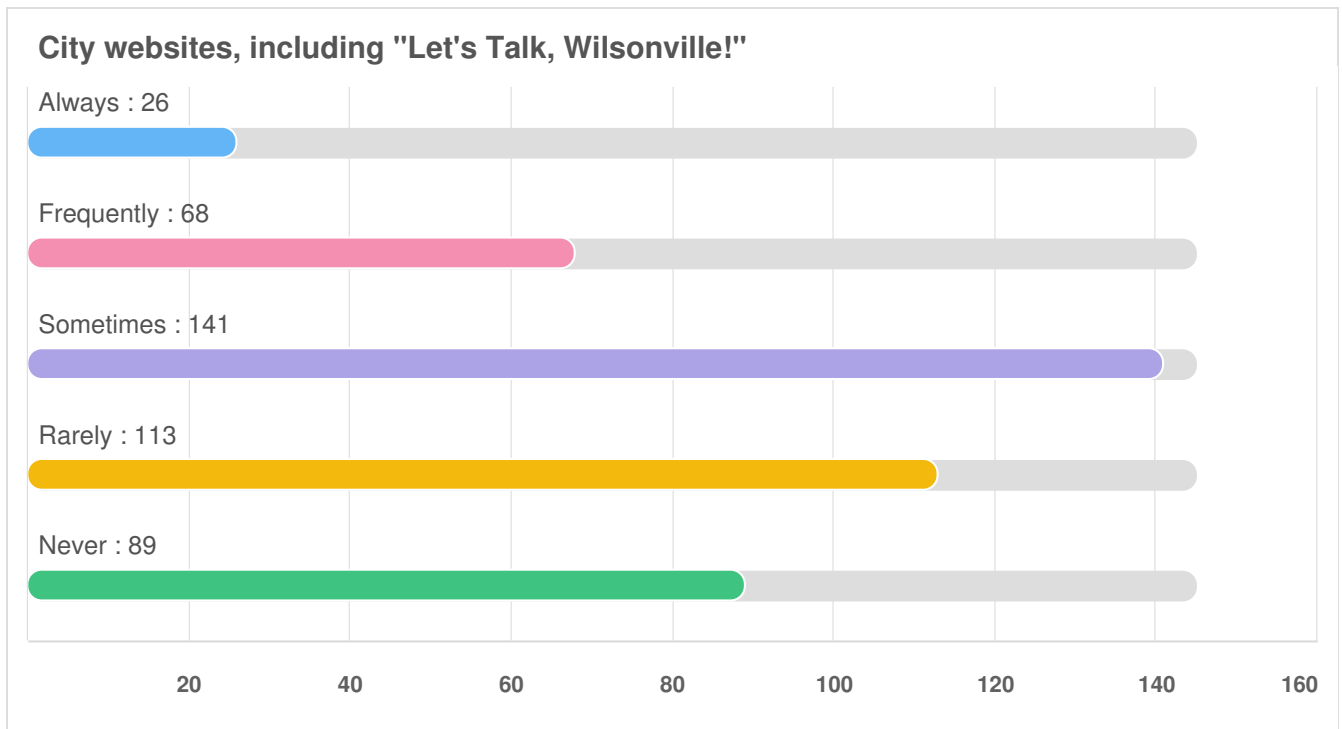
Q2 How do you typically stay informed about City projects of interest to you?

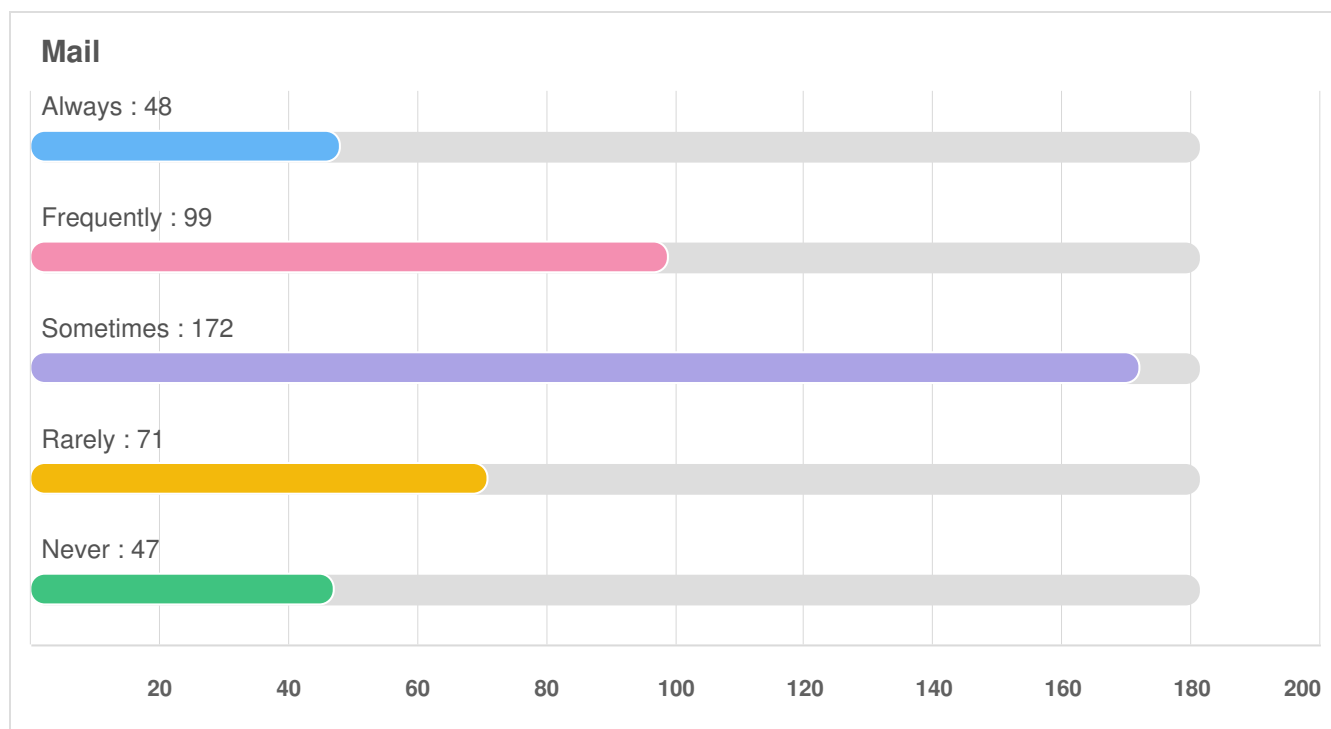
Mandatory Question (437 response(s))

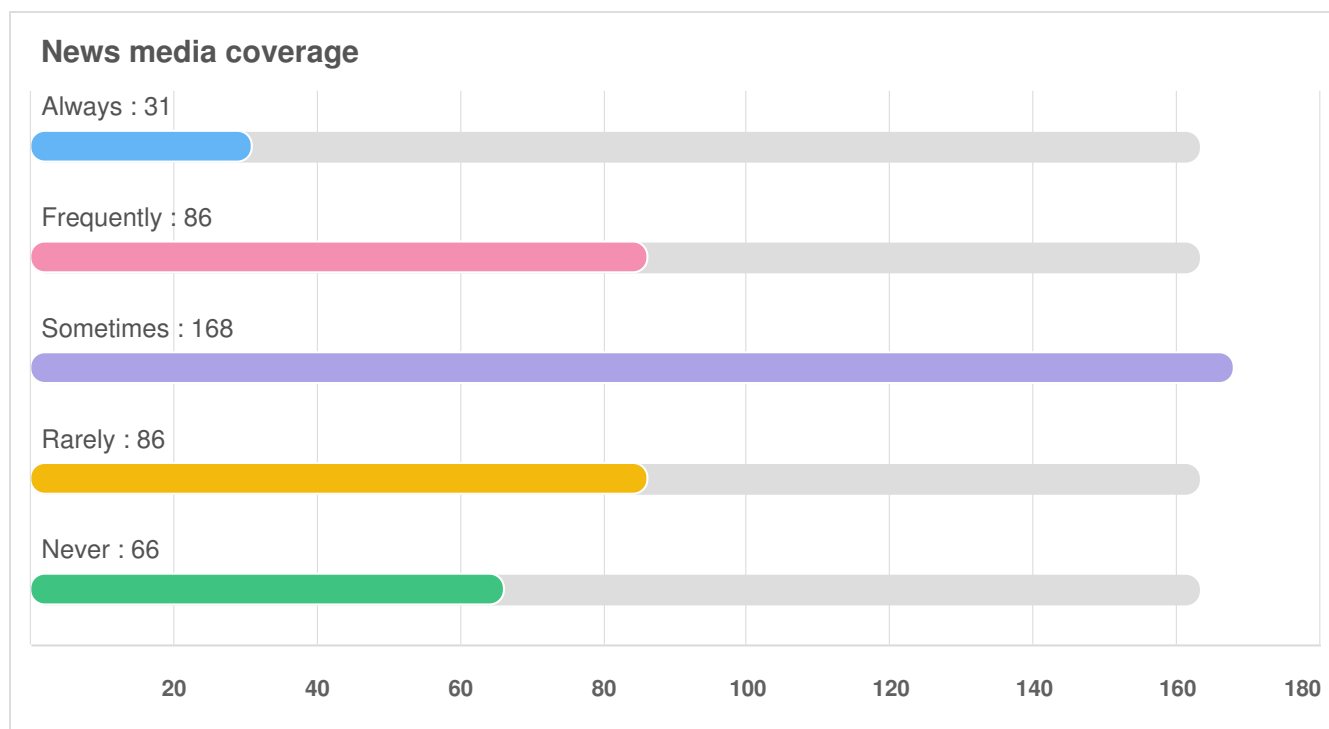
Question type: Likert Question

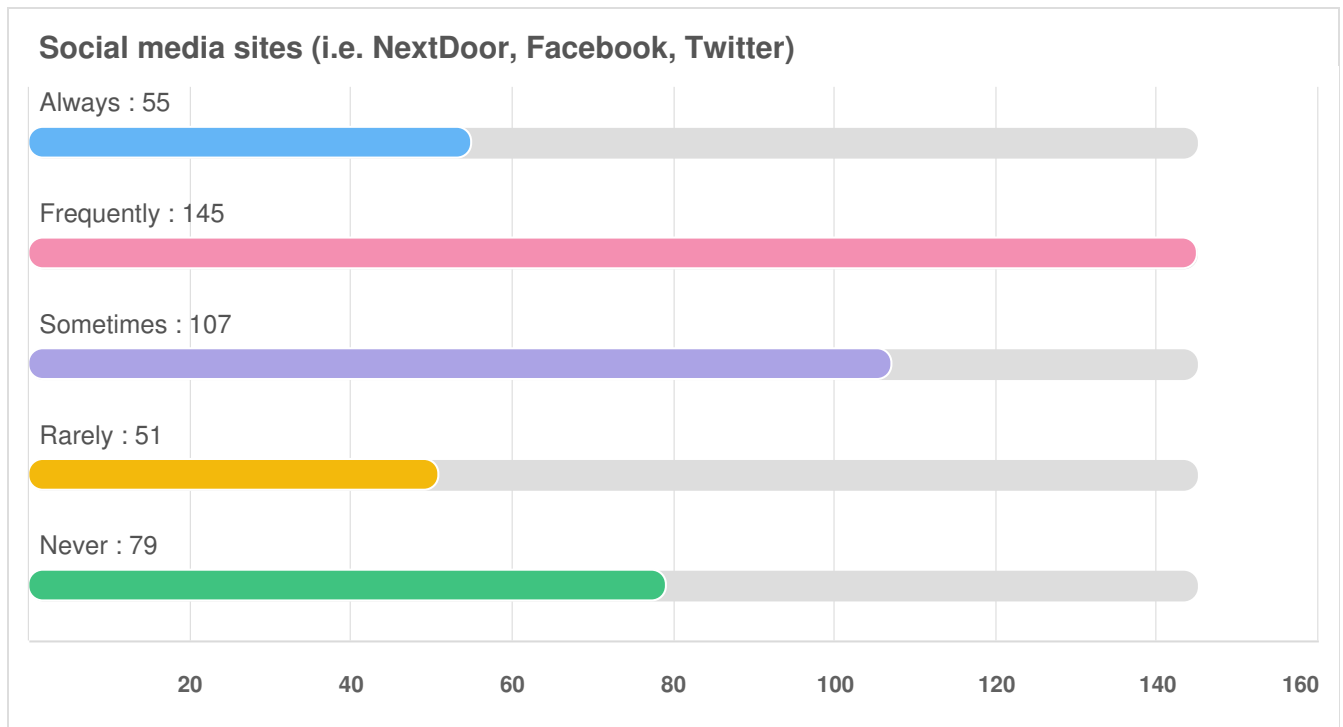
Q2 | How do you typically stay informed about City projects of interest to you?

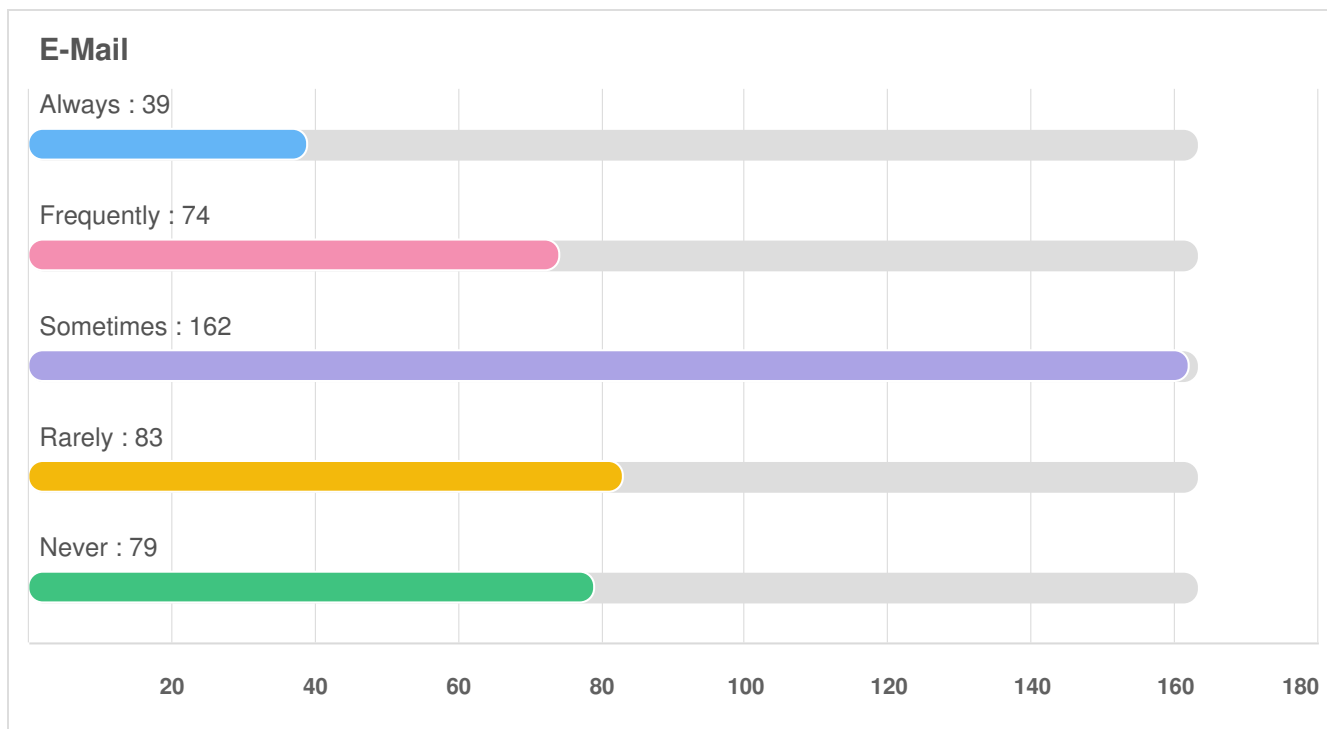




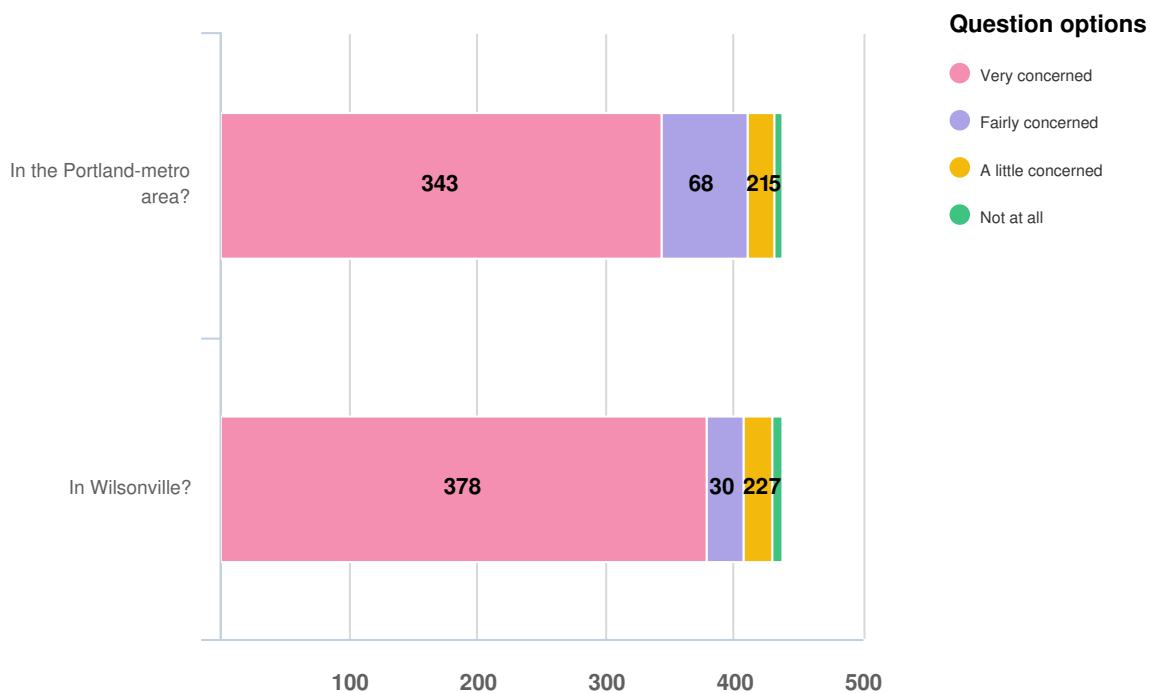








Q3 How concerned are you about people camping on public property?



Mandatory Question (437 response(s))
Question type: Likert Question

Q3 How concerned are you about people camping on public property?

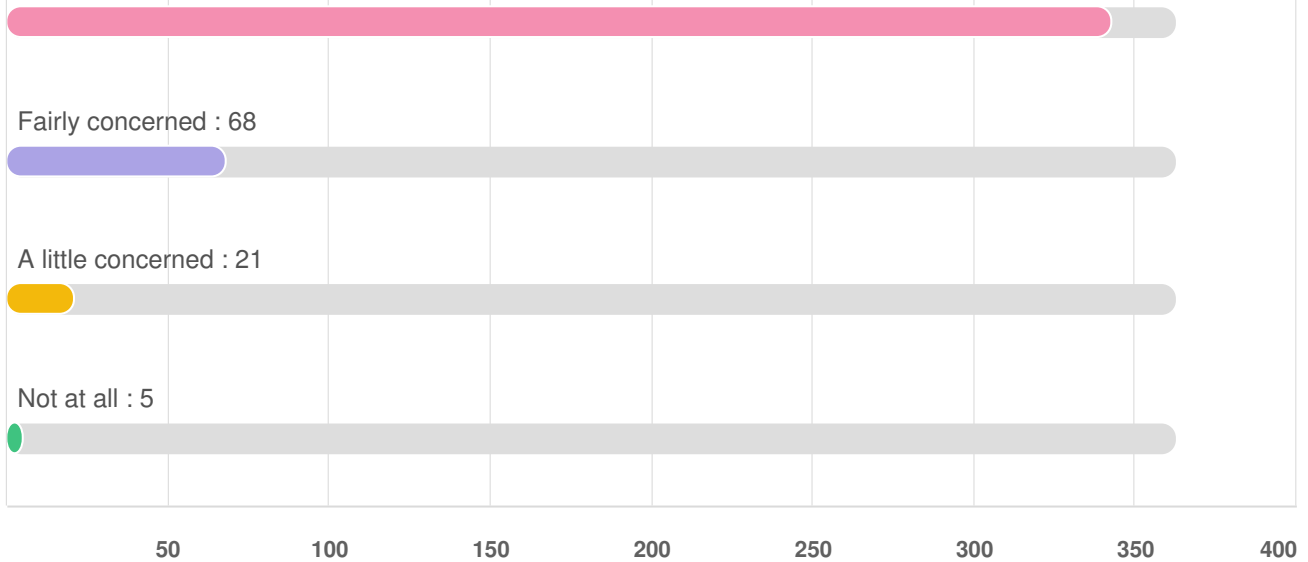
In the Portland-metro area?

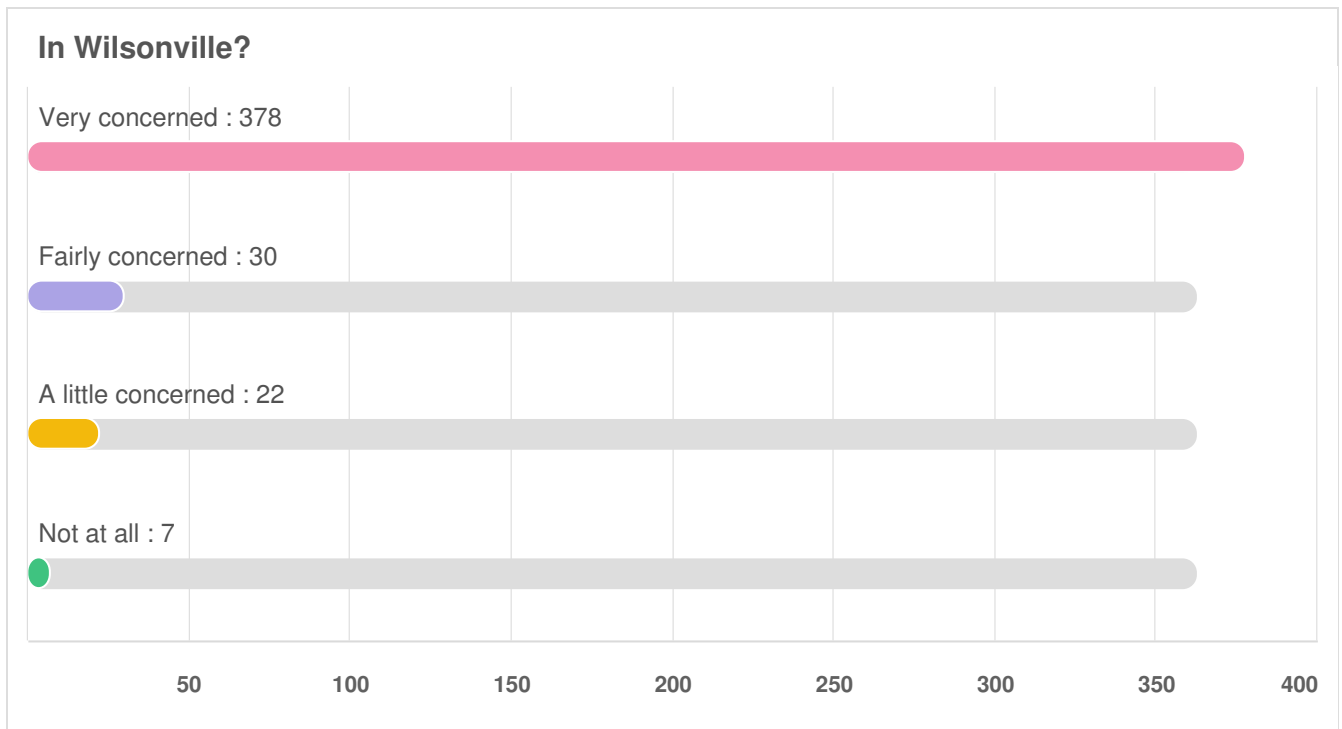
Very concerned : 343

Fairly concerned : 68

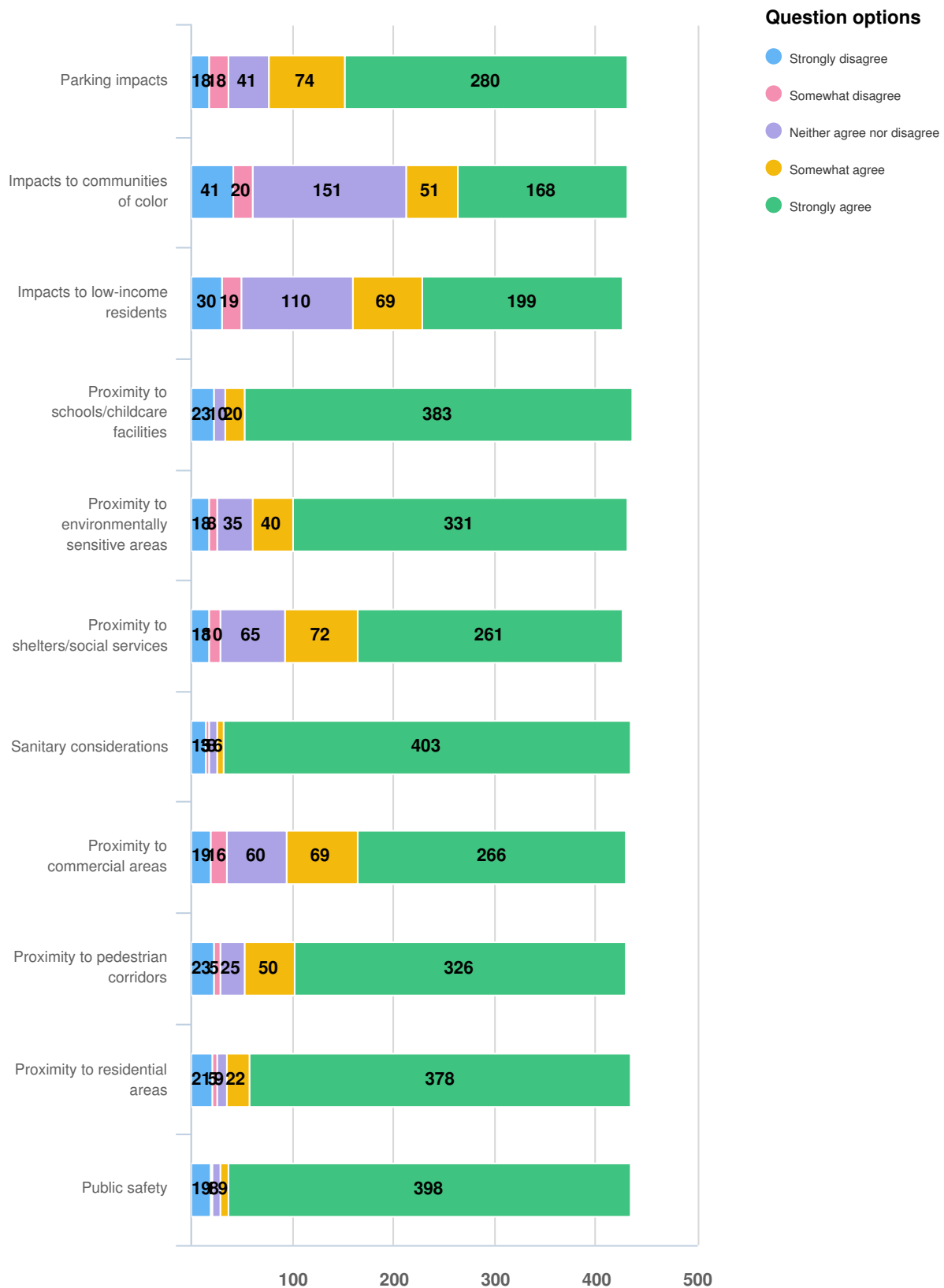
A little concerned : 21

Not at all : 5



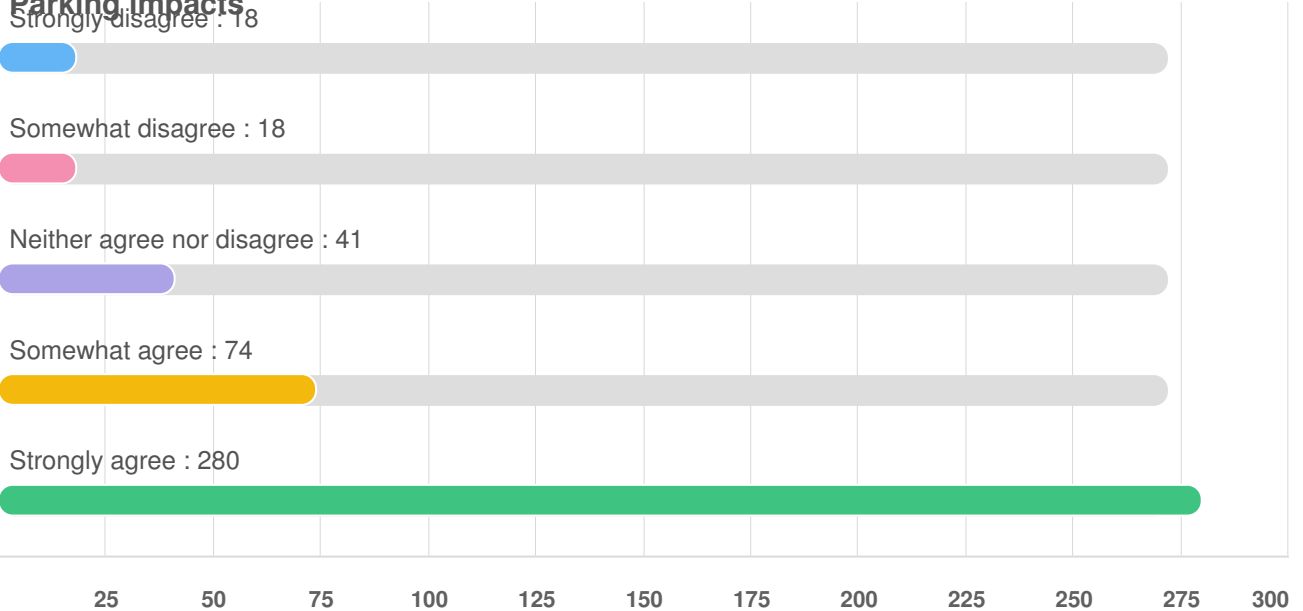


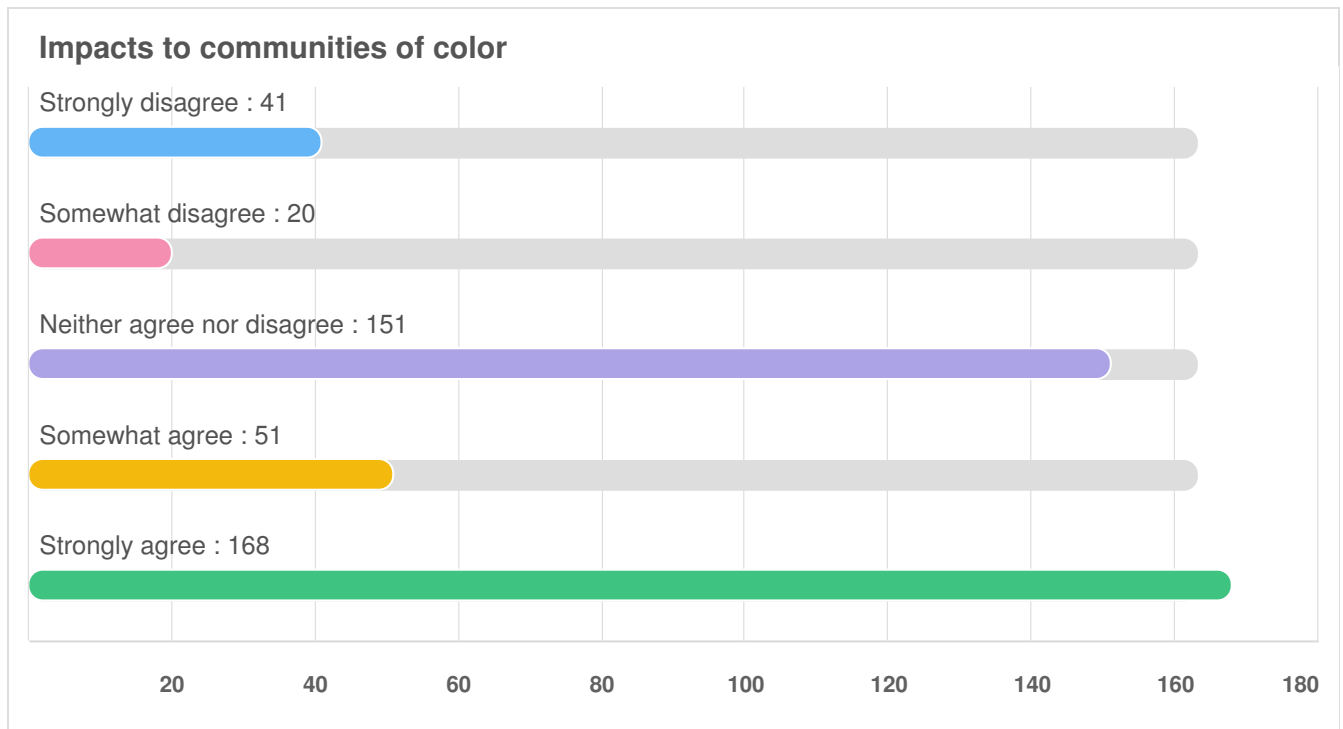
Q4 The City should consider the following factors when reviewing potential locations at which to allow overnight camping?

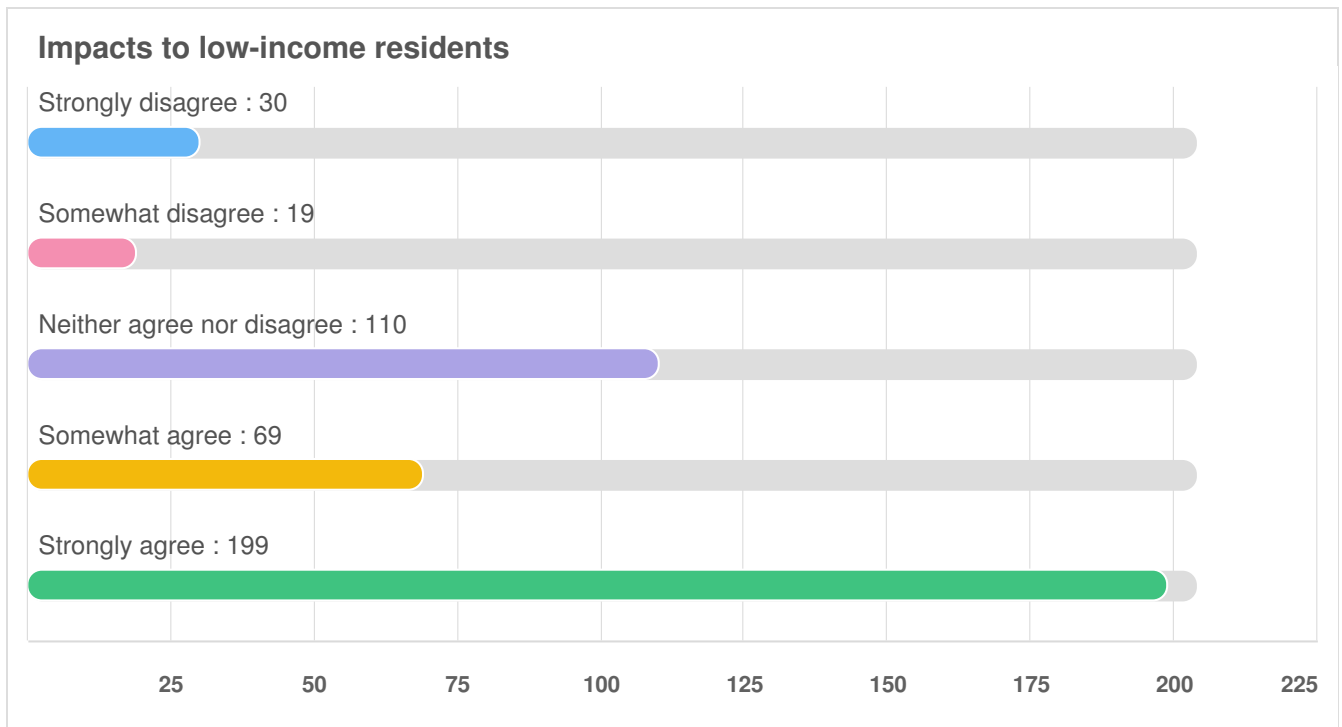


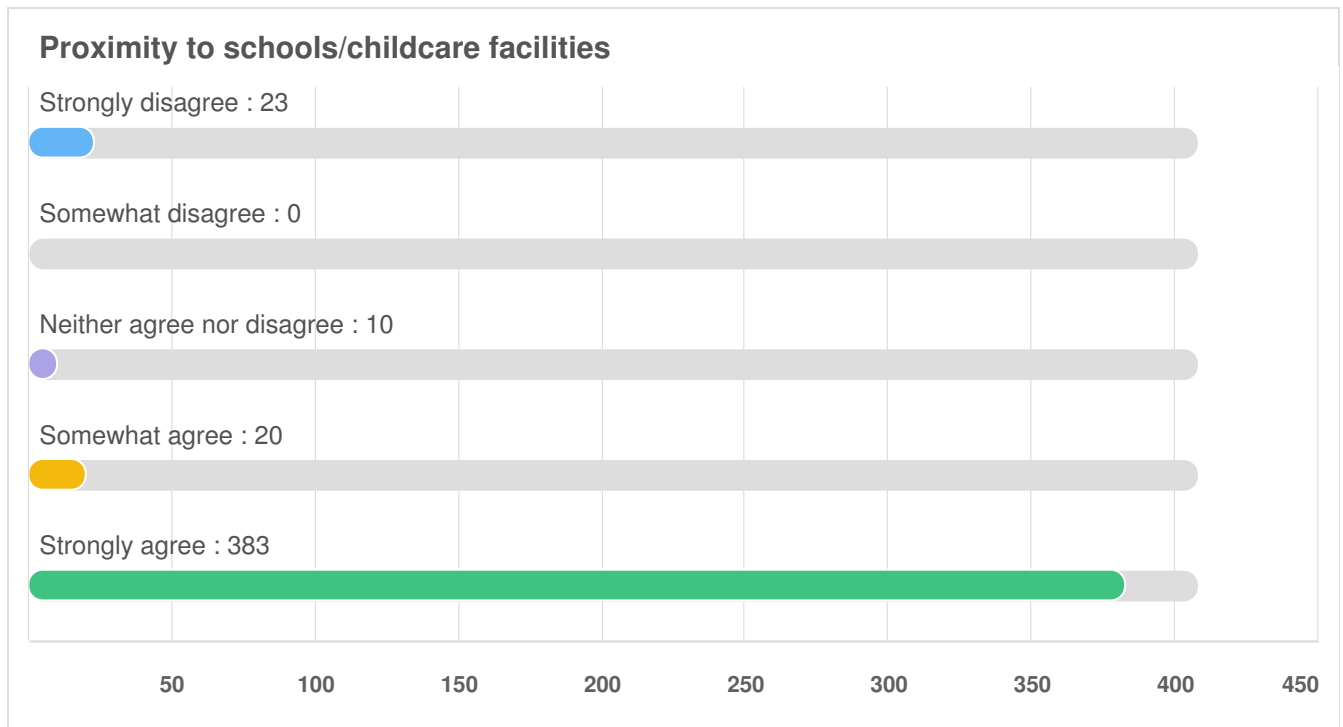
Optional question (437 response(s), 0 skipped)

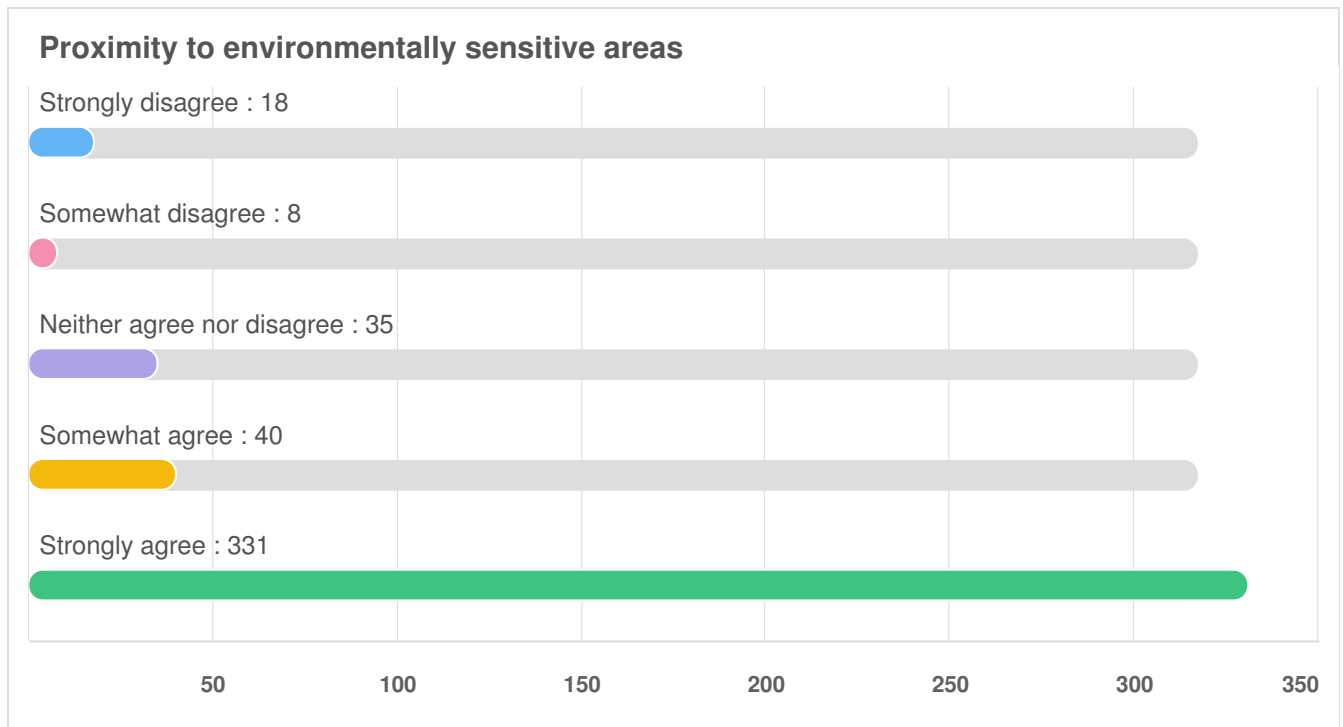
Question type: Likert Question

Q4 The City should consider the following factors when reviewing potential locations at which to allow overnight camping?**Parking impacts**

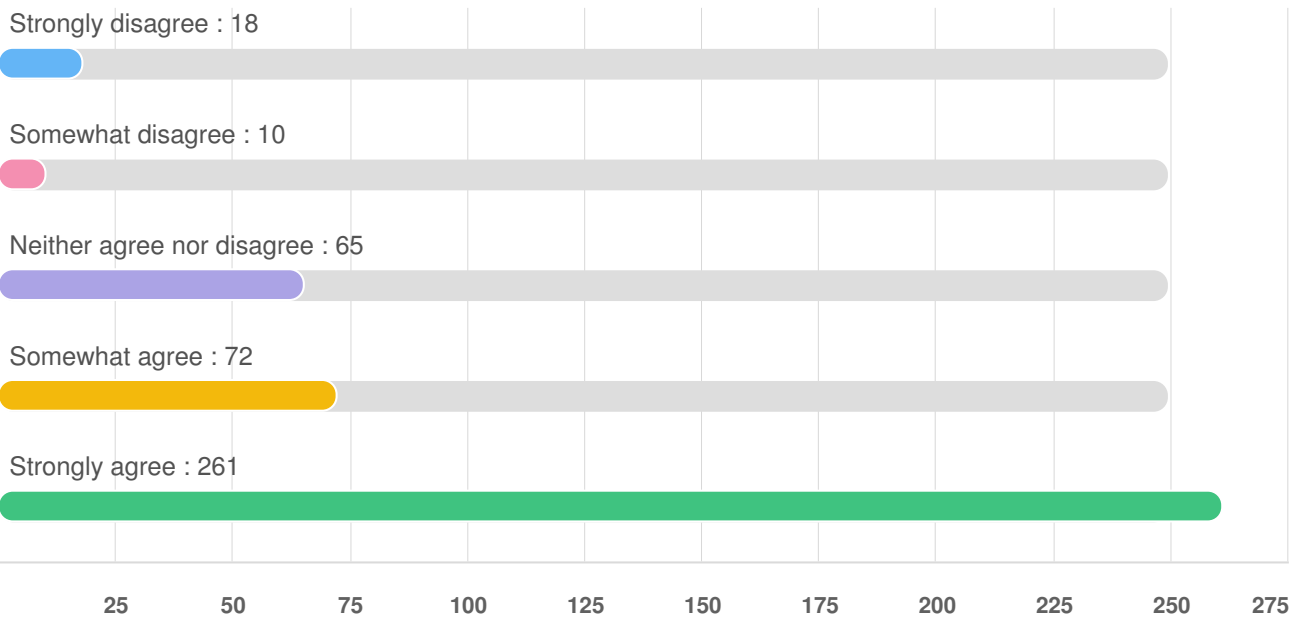


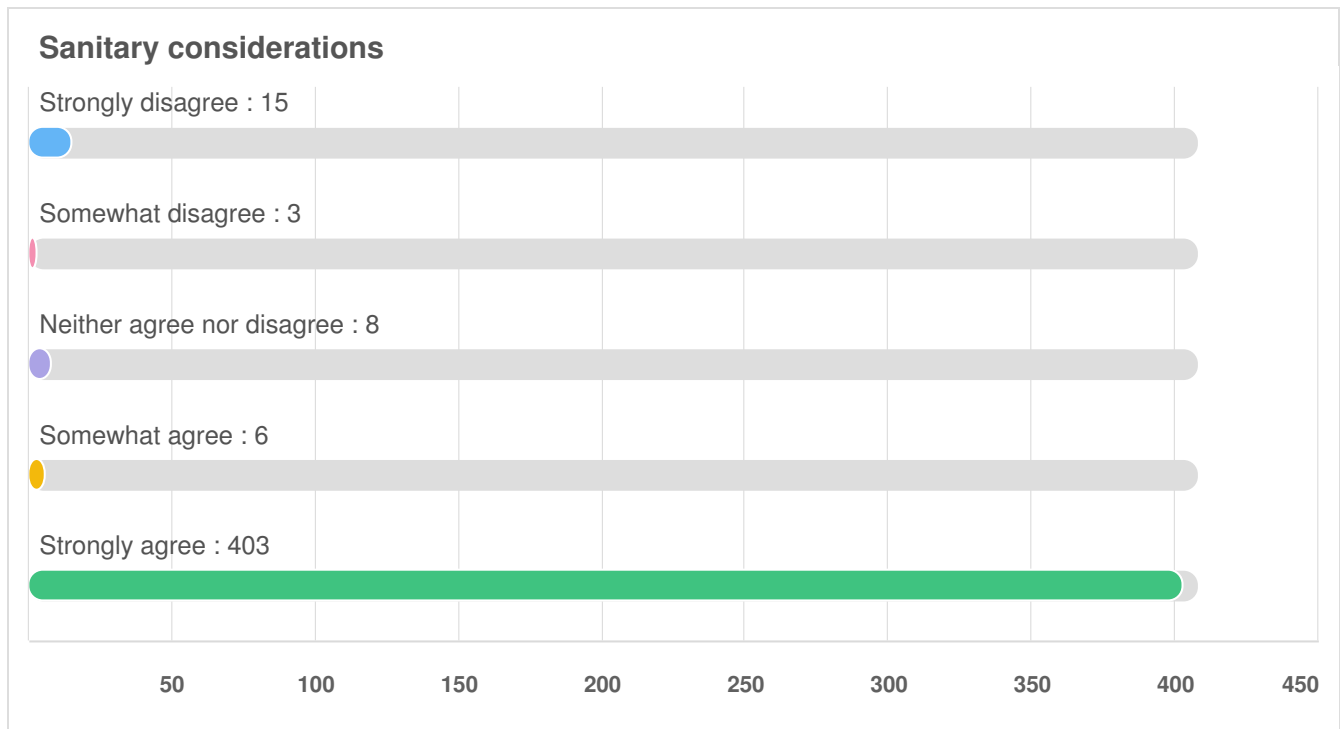


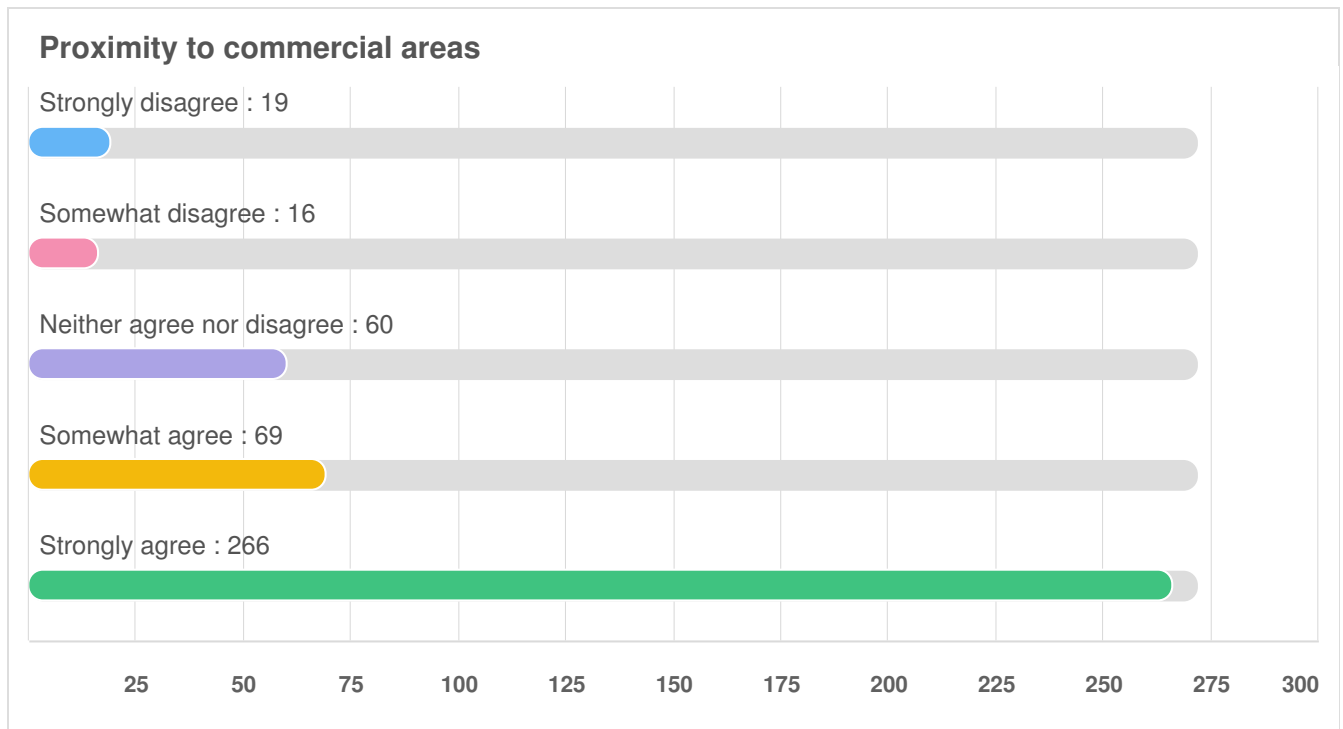


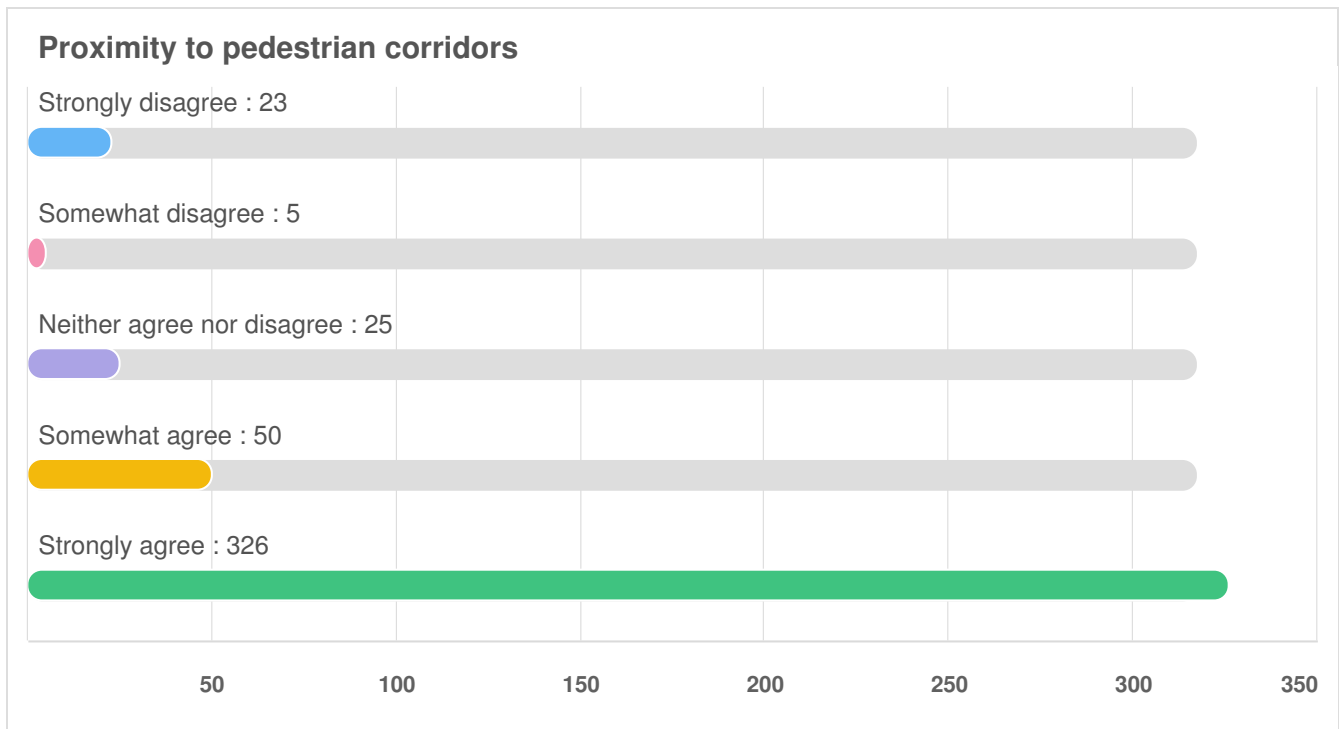


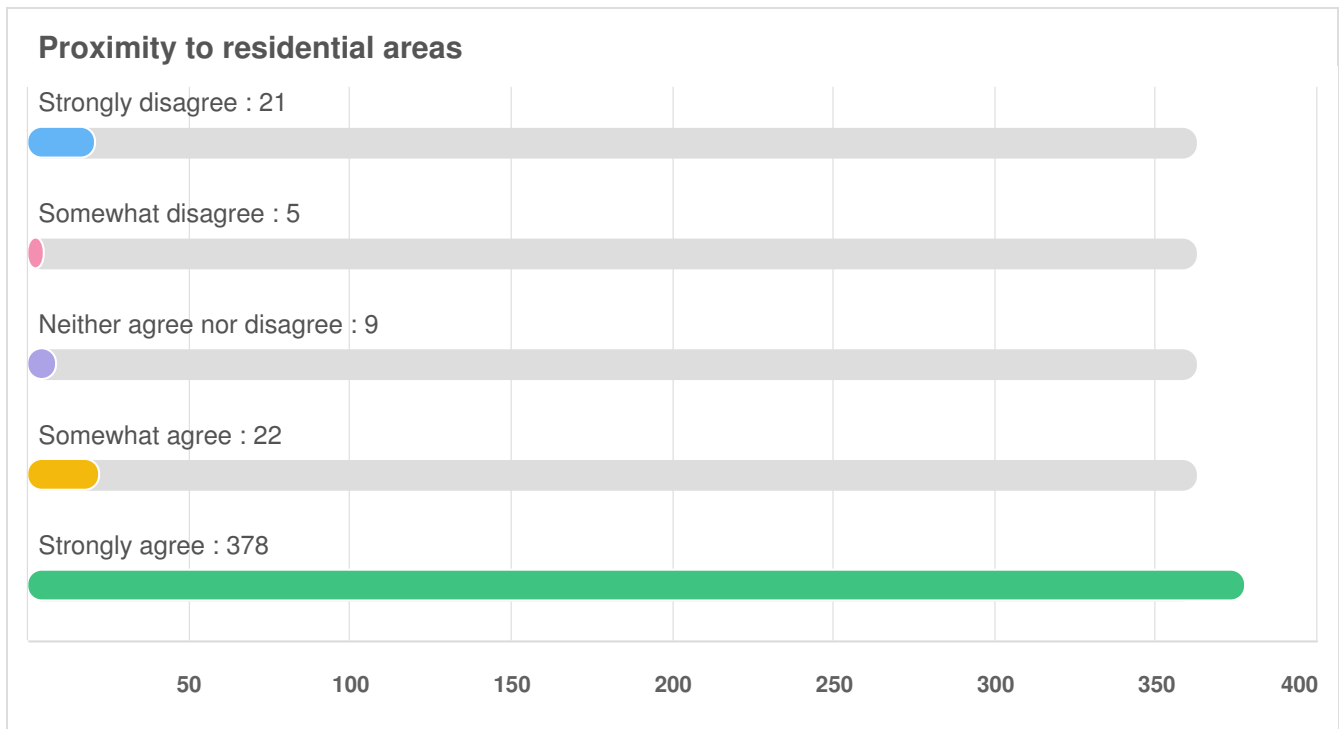
Proximity to shelters/social services

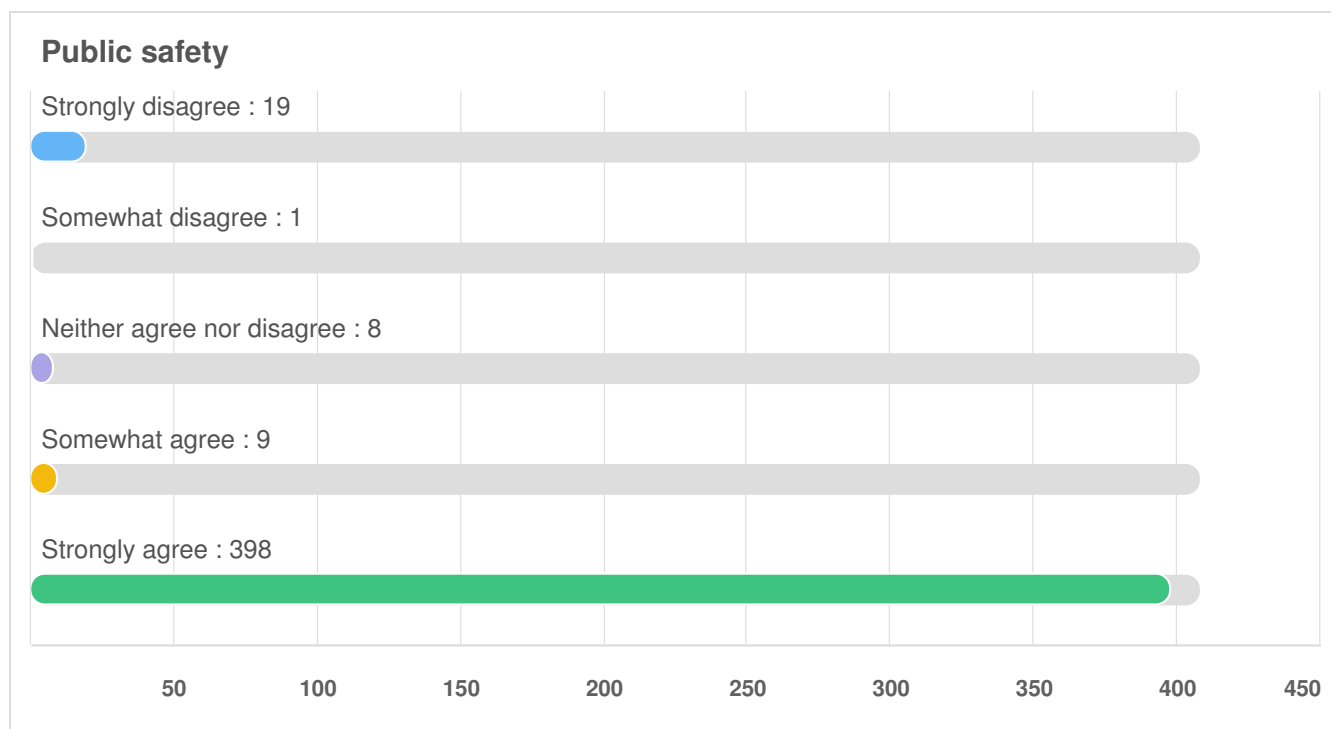












Q5 With #1 being the best alternative, rank each location's suitability as a space to allow overnight camping (as required by ...

| OPTIONS | AVG. RANK |
|--|-----------|
| City/Government-owned Property | 2.57 |
| Industrial Areas | 3.40 |
| Transit Areas | 4.02 |
| Parking Lots | 4.41 |
| Office/Commercial Areas | 5.76 |
| Town Center | 6.82 |
| Rights-of-Way/Streets | 7.07 |
| Retail Areas | 7.27 |
| Forested/Environmentally Sensitive Areas | 7.47 |
| Parks & Trails | 8.00 |
| School Grounds | 10.54 |
| Residential Neighborhoods | 10.68 |

Mandatory Question (437 response(s))

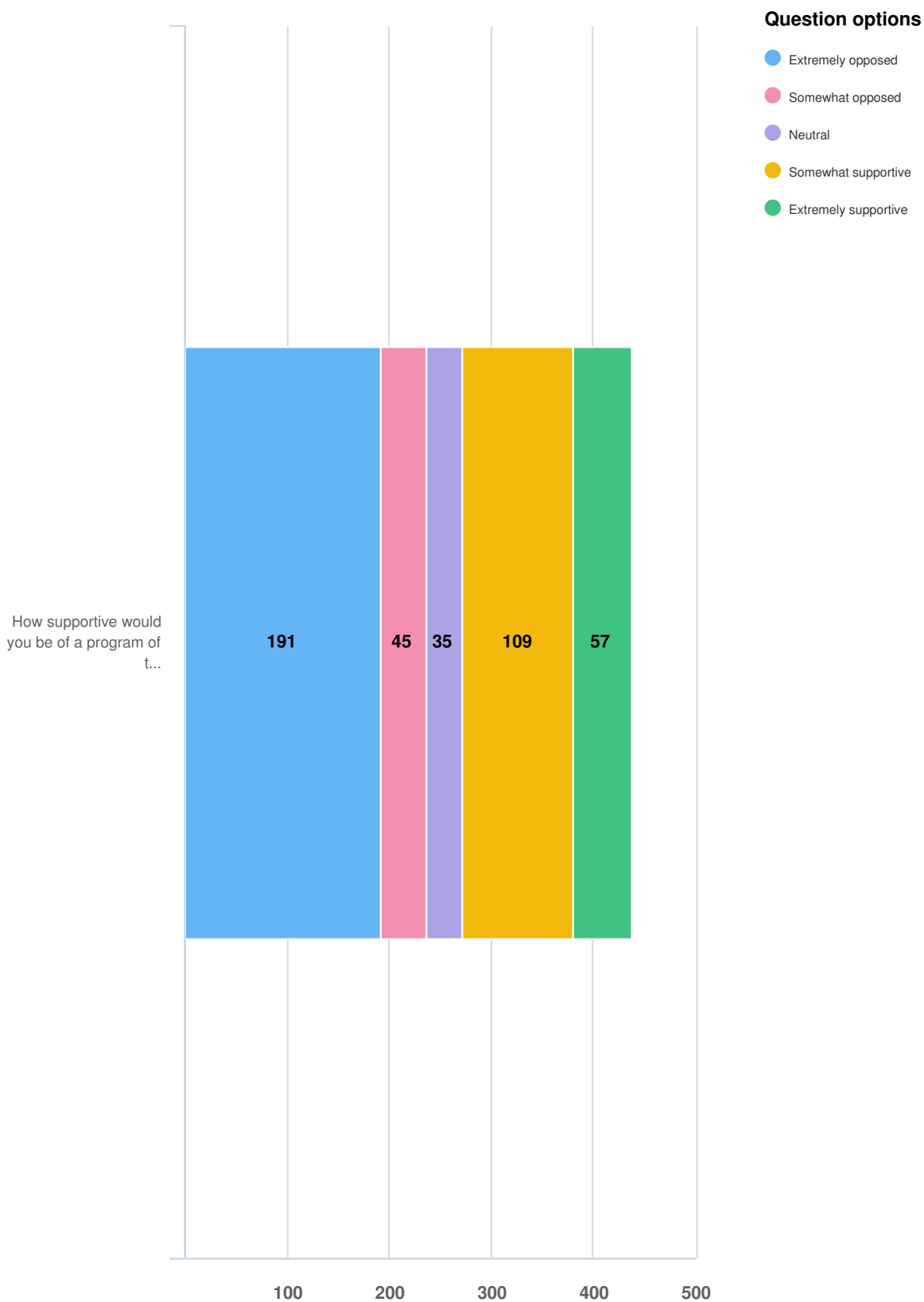
Question type: Ranking Question

Q6 With #1 being most important, which factors should receive the most consideration in the development of new overnight camping policy?

| OPTIONS | AVG. RANK |
|---------------------------------------|-----------|
| Duration of stay | 2.64 |
| Hours during which camping is allowed | 3.16 |
| Compatibility with nearby uses | 3.32 |
| Environmental impacts | 4.13 |
| Proximity to services | 4.25 |
| Access to buildings, sidewalks | 5.08 |
| Access to public parking lots | 5.17 |

Optional question (432 response(s), 5 skipped)
Question type: Ranking Question

Q7 One consideration is a program to allow camping on private property, with approval of the property owner. Typically, these programs allow temporary camping (a maximum of 90 days, 6 months, etc.), with the maximum number of camp sites dependent on t...

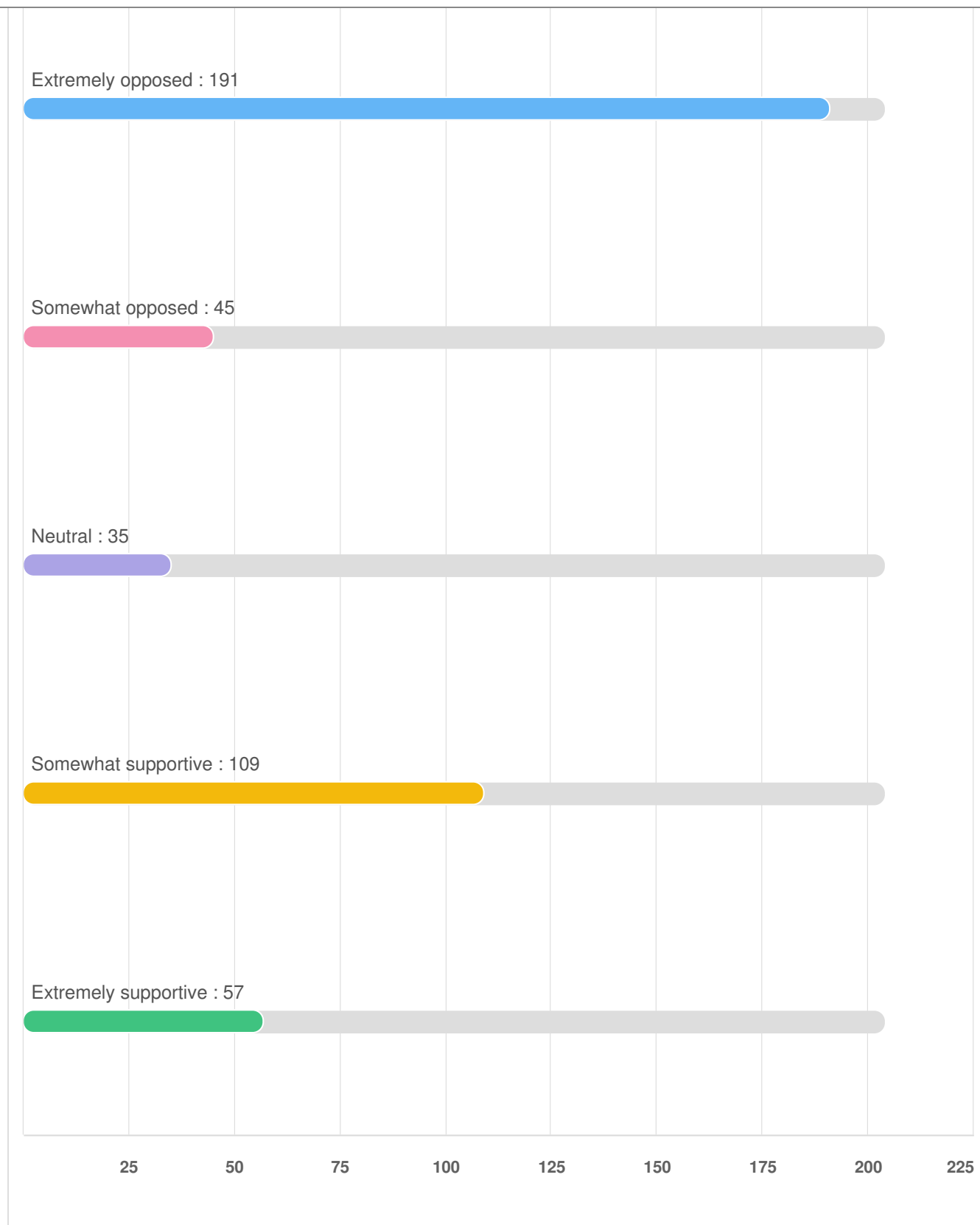


Optional question (437 response(s), 0 skipped)

Question type: Likert Question

Q7 | One consideration is a program to allow camping on private property, with approval of the property owner. Typically, these programs allow temporary camping (a maximum of 90 days, 6 months, etc.), with the maximum number of camp sites dependent on t...

How supportive would you be of a program of this nature?



From The Director's Office

Greetings!

It was 25 years ago that I wrote and submitted the required documentation to the National Arbor Day Foundation for Wilsonville to become a brand new Tree City, USA community. The City had just adopted its first tree preservation and protection ordinance in response to illegal logging that occurred in protected open space, which at the time was quite controversial but provided the political momentum necessary to adopt a regulatory approach to removing trees in the community. The City was already spending the required two dollars per person on tree related activities, so the last piece was to plan and celebrate Arbor Day, which in the State of Oregon is not one day, but the first full week of April. So I got to work!

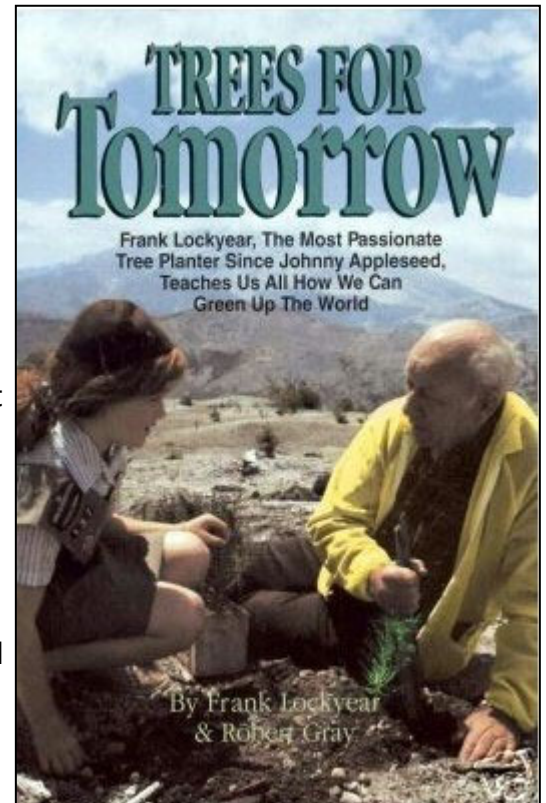
To make the celebration happen, I approached Mr. Frank Lockyear (1913 – 2001), a local Wilsonville nurseryman who was a legend in the tree planting community. His own book “Trees for Tomorrow” calls him the most passionate tree planter since Johnny Appleseed! He graciously provided the incense cedar and coast redwood seedlings that were planted by Boy Scouts at the first Arbor Day Celebration at the entry to Memorial Park. Today, many of those trees still exist, and now they are well over forty feet tall.

For more than 50 years, Mr. Lockyear dedicated his life to his passion of planting trees. He was the founder of Re-Tree International, a nonprofit organization dedicated to planting “forests” on idle lands around the world. He believed that the world always needed more trees and that youth should be part of that effort so they could be educated in the importance of growing and maintaining healthy forests. His tireless efforts resulted in the planting of millions of trees in over fifty countries- two million in the Pacific Northwest alone. There are trees all over Wilsonville planted by Frank and his volunteers. Today, there is a grove of Douglas-fir trees located at the Library that are a part of the City’s Heritage Tree program that is dedicated to Frank and his tree planting efforts.

Over the years, being a Tree City, USA and earning numerous Growth Awards for tree planting, care and maintenance programs that go beyond the minimum have become hallmarks of the Wilsonville community. Every April, when the Tree City, USA flags fly over the community, I take a moment to remember the many people who care deeply for our urban forest, a defining feature of this wonderful community that contributes significantly to the livability of the city.

Chris Neamtzu, AICP

Community Development Director



Building Division

Whatcha Lookin At - Why Are Building Permits Important?

Planning a residential construction project is an exciting undertaking. Whether it's a new addition to your home, a complete renovation, or a simple DIY project, it is important to obtain the necessary permits before beginning any work, and it is important to understand why.

First and foremost, getting a permit ensures that your project complies with local building codes and safety regulations. Building codes are in place to protect homeowners and ensure the safety of the structure. A permit ensures that your project meets the necessary safety requirements. Without a permit, your project may not be up to code, putting you and your family at risk.


Another important reason to obtain a permit is to ensure that the project meets zoning and land-use regulations. These regulations are put in place to maintain the quality of life in the community and ensure that structures are built in the appropriate zones. A permit allows the City to review your project and ensure that it complies with zoning and land-use regulations.

Getting a permit can also help you avoid legal and financial issues. Unpermitted work can lead to fines, legal battles, and even the demolition of the structure. Additionally, if you decide to sell your home, an unpermitted structure can decrease its value and make it more difficult to sell. By obtaining a permit, you can avoid these legal and financial issues and ensure that your project is legally permitted.

Obtaining a permit also provides you with a record of the work done on your property. This record can be helpful if you decide to sell your home, as it provides evidence of the quality and legality of the construction work. It can also help you when you need to make insurance claims or get financing for future projects.

Finally, obtaining a permit can help you avoid delays in the construction process. While obtaining a permit may seem like an extra step, it can actually save you time in the long run. If you start construction without a permit and the City discovers the work, they may issue a stop-work order, which can lead to costly delays in the project.

Obtaining a permit is an essential step in any residential construction project. It ensures that your project complies with local building codes and safety regulations, meets zoning and land-use regulations, avoids legal and financial issues, provides a record of the work, and avoids delays in the construction process. Contact City Hall to learn more about the permit requirements for your residential project and ensure that your project is safe, legal, and up to code.

|  City of Wilsonville Building Division 29799 SW Town Center Loop E Wilsonville, OR 97070 permits@ci.wilsonville.or.us | | Permit Permit NO.: BLD23-0008 Permit Type: Building (Residential) Work Classification: Accessory Structure Permit Status: Issued Issue Date: 03/02/2023 Expiration: 08/29/2023 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------|---|--------|-----------------------------------|----------|--------------------------|----------|----------------------------------|----------|------------------|--------|-----------------|----------|---------------|-------------------|---|--|----------------------|----------|-------------------|-------------------|-------------------|----------|------------------|--|----------------------|------------|--------------------|---------------|------------------|--|-------------|--|----------------|--|
| Location Address 27752 SW LARKSPUR TER, WILSONVILLE, OR 97070 | | Parcel Number 31W12D003700 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Contacts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Owner/Builder Matthew Anderson 27752 SW LARKSPUR TER, WILSONVILLE, OR 97070 (000)000-0000 | | Applicant (Contact for Permit) Stephanie Carlos 16467 S Sea Horse Ln, Oregon City, OR 97045 (503)914-8410 custompoolspas@gmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Contractor Stephanie Carlos 16467 S Sea Horse Ln, Oregon City, OR 97045 (503)914-8410 custompoolspas@gmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Description: Building a 16x40 in ground swimming pool. Mechanical Deferred by sub. | | Valuation: \$107,000.00 Total Sq Feet: 1,032.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection Requests: ci.wilsonville.or.us/online-portal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Fees</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Building (Residential) Permit Fee</td> <td>\$841.43</td> </tr> <tr> <td>Building Plan Review Fee</td> <td>\$841.43</td> </tr> <tr> <td>Land Use Compliant Fee (Partial)</td> <td>\$399.00</td> </tr> <tr> <td>Metro Excise Tax</td> <td>\$1.01</td> </tr> <tr> <td>State Surcharge</td> <td>\$100.97</td> </tr> <tr> <td>Total:</td> <td>\$2,083.84</td> </tr> </tbody> </table> | | Fees | Amount | Building (Residential) Permit Fee | \$841.43 | Building Plan Review Fee | \$841.43 | Land Use Compliant Fee (Partial) | \$399.00 | Metro Excise Tax | \$1.01 | State Surcharge | \$100.97 | Total: | \$2,083.84 | <table border="1"> <thead> <tr> <th>Payments</th> <th>Amt Paid</th> </tr> </thead> <tbody> <tr> <td>Total Fees</td> <td>\$2,083.84</td> </tr> <tr> <td>Check #</td> <td>\$841.43</td> </tr> <tr> <td>WV21W1A5mGUB</td> <td></td> </tr> <tr> <td>Check # TXKcULZNIUoR</td> <td>\$1,242.41</td> </tr> <tr> <td>Amount Due:</td> <td>\$0.00</td> </tr> </tbody> </table> | | Payments | Amt Paid | Total Fees | \$2,083.84 | Check # | \$841.43 | WV21W1A5mGUB | | Check # TXKcULZNIUoR | \$1,242.41 | Amount Due: | \$0.00 | | | | | | |
| Fees | Amount | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Building (Residential) Permit Fee | \$841.43 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Building Plan Review Fee | \$841.43 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Land Use Compliant Fee (Partial) | \$399.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Metro Excise Tax | \$1.01 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| State Surcharge | \$100.97 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total: | \$2,083.84 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Payments | Amt Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Fees | \$2,083.84 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Check # | \$841.43 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WV21W1A5mGUB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Check # TXKcULZNIUoR | \$1,242.41 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount Due: | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspections: <table border="1"> <thead> <tr> <th>Inspection Type</th> <th></th> </tr> </thead> <tbody> <tr><td>Fireplace/Woodstove</td><td></td></tr> <tr><td>Gas Piping</td><td></td></tr> <tr><td>Other Inspection</td><td></td></tr> <tr><td>Shower Pan</td><td></td></tr> <tr><td>Footing Only</td><td></td></tr> <tr><td>Footing Only</td><td></td></tr> <tr><td>Plumbing Post & Beam</td><td></td></tr> <tr><td>Framing</td><td></td></tr> <tr><td>Plumbing Rough In</td><td></td></tr> <tr><td>Mechanical Rough</td><td></td></tr> <tr><td>Gas Test</td><td></td></tr> <tr><td>Final Plumbing</td><td></td></tr> <tr><td>Final Mechanical</td><td></td></tr> <tr><td>Final Radon</td><td></td></tr> <tr><td>Final Building</td><td></td></tr> </tbody> </table> | | | | Inspection Type | | Fireplace/Woodstove | | Gas Piping | | Other Inspection | | Shower Pan | | Footing Only | | Footing Only | | Plumbing Post & Beam | | Framing | | Plumbing Rough In | | Mechanical Rough | | Gas Test | | Final Plumbing | | Final Mechanical | | Final Radon | | Final Building | |
| Inspection Type | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fireplace/Woodstove | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gas Piping | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other Inspection | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shower Pan | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Footing Only | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Footing Only | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plumbing Post & Beam | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Framing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plumbing Rough In | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mechanical Rough | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gas Test | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Final Plumbing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Final Mechanical | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Final Radon | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Final Building | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| This permit is issued under OAR 918-440-0050. Permit expires if work is not started within 180 days of issuance or if work is suspended for 180 days. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspectors: Mike Ditty: 503-740-9787 Carl Brown: 971-808-6037 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Additional Information | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Valuation: 107000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Issued By: Jon Scott | | March 02, 2023 Date | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| April 26, 2023 | | Building Division - City of Wilsonville - 503-682-4960- permits@ci.wilsonville.or.us | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Example of a City of Wilsonville building permit

Economic Development Division

Advocacy in Salem

As noted in March, HB 2663 has been merged with another bill, HB 2258, which was nearly identical, except the fund capitalization amount would be \$40M instead of the \$50M we were looking for. In addition to the fund capitalization and extension of the Regionally Significant Industrial Sites (RSIS) program, HB 2258 proposes to create a separate loan fund to fund similar industrial site readiness activities, including planning and design, land acquisition, environmental condition mitigation, infrastructure construction, and other similar activities that move industrial sites toward a “shovel ready” status.

In April, we learned that HB 2258 was moving through committees with broad support, but budgetary limitations slowed the momentum. The \$40M fund capitalization was removed by amendment and the bill was sent to Ways and Means where a funding decision would have to be considered.

At this point, we believe HB 2258 will pass, but a funding amount, if any, is yet unknown. We continue to advocate and contact legislators as appropriate. We have also heard there may be a non-legislative path to funding, through the Governor’s office—to be determined.

April Small Business Webinar

On April 18, the City co-hosted a webinar for small businesses. The marketing for the event can be seen here. Businesses considering reaching international markets with their products, through exporting, learned from trade specialists at the US Commercial Service and the Oregon Small Business Development Center. Attendees learned about the free services and grant dollars available to companies that are even just considering the idea of exporting.

Several Wilsonville companies have benefitted from such resources, including Theia Technologies and Allied Technologies International, both of which will be panelists at an upcoming summer event we are working on, again with Sherwood, Tigard, and Tualatin, to highlight export opportunities and resources and networks to support the same.

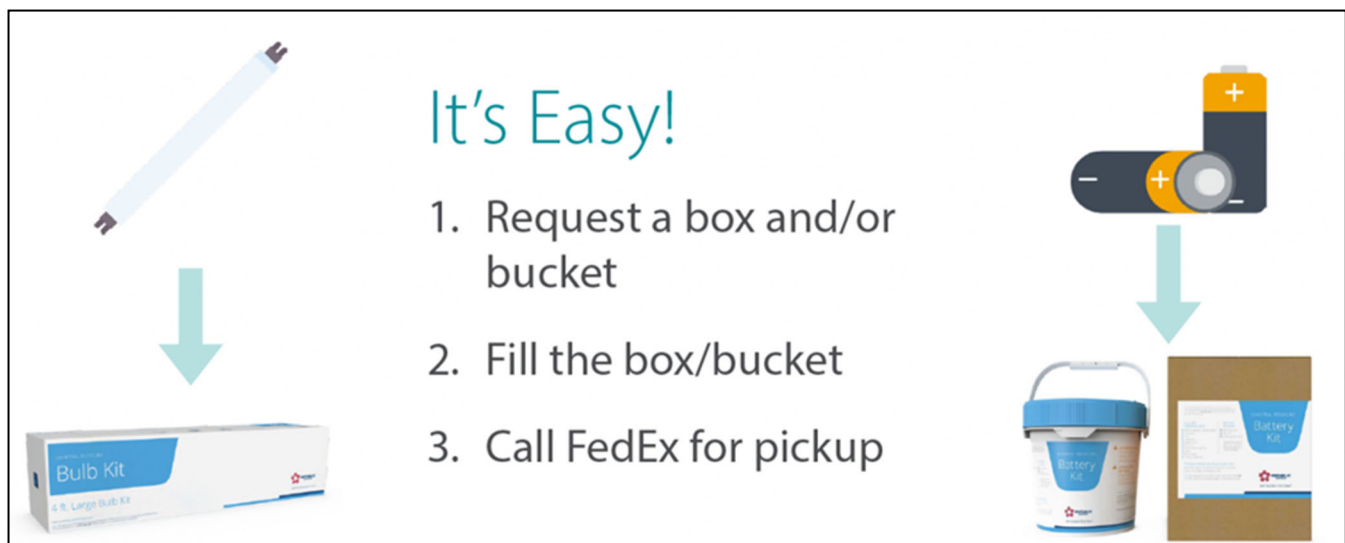


Economic Development Division

Business Recycling Program Concludes

In 2022, the City relaunched a previously successful program for a second round. In partnership with Republic Services, the program allows local businesses to recycle fluorescent tube bulbs, containing mercury, and batteries of many varieties, at no cost. As seen in the graphic below, businesses fill the boxes or buckets with their recyclables and then call FedEx for free pickup at their place of business.

The program was publicized through the economic development Local Business Newsletter and through social media. 15 businesses took advantage of the program; 62 boxes for bulbs, and 42 buckets for batteries were distributed in total. While it would be ideal to serve more than 15 businesses, those that participated and benefitted from the program were very appreciative. In particular, Andrew Thiel, Facilities Maintenance Manager at Audix, enthusiastically applauded the program and asked if it would be continued in the future.



Mayor and Councilors tour Oregon Tech

Mayor Fitzgerald and Councilors Berry and Linville toured the Wilsonville Oregon Institute of Technology Campus, aka Oregon Tech on April 3. The tour featured several student presentations and connections with key staff and faculty in Wilsonville. The university has expressed interest in making closer connections with local industry where there is alignment with their programs, which staff will work to facilitate.



Economic Development Division

Partner Meetings

In April, staff had two important meetings with partner agencies. On April 10 staff met with Vince Porter, an advisor in the Governor's office on economic development and workforce matters. Mr. Porter was briefed on our industrial planning areas and opportunities, and staff communicated the importance of the RSIS program and HB 2258. Furthermore, staff noted our concerns with authority granted under SB4 (the so-called Semiconductor package) to the Governor, to "supersite" semiconductor fabrication facilities outside the Urban Growth Boundary (UGB)—particularly south of the Willamette River—and again noted the development opportunities already within the UGB. The briefing was followed by a tour of the planning areas by car. Mr. Porter noted that super siting authority would be exercised with great caution, if exercised at all. He noted that only a once-in-a-lifetime opportunity for the State of Oregon would warrant an executive action regarding land-use. For site requirements, even up to 200+ AC, the Governor's office is much more interested in utilizing employment lands already within the UGB.

On April 14, staff met with and toured Washington County's economic development manager, Matt Craigie. The content of the meeting was broad in scope and covered many topics. Mr. Craigie was hired two years ago, while the city's economic development manager, Matt Lorenzen, has been on staff roughly 16 months. This was the first time the two had the opportunity to discuss Wilsonville specifically. The city's northern industrial planning areas, Coffee Creek and Basalt Creek, were highlighted, particularly because both areas are within Washington County, whereas most of Wilsonville exists within Clackamas County. Staff noted the concern about the continuation and issuance of new permits for uses allowed under Washington County code, which are incompatible with the vision and plans for these areas. Mr. Craigie understood the city's perspective and indicated his interest to talk with his planning teammates about what could be done to align the county's policies with the city's vision. While we are hopeful for some change, this is not the first time the city has raised this issue with Washington County.

Regionally Significant Industrial Sites Program Application – "RSIS"

After submitting a complete application and supporting documents in March, Business Oregon (state business development agency) reviewed the package and requested only one additional document before they will prepare a memo recommending our application for approval.

If approved, the City stands to be reimbursed for millions of dollars of infrastructure projects after they are completed in Coffee Creek, Basalt Creek, West Railroad, and two additional prospective development sites near Parkway Avenue and Boeckman Road. Unfortunately, the program cannot reimburse the City for work already completed, but the RSIS funds will certainly help our work to serve these areas with transportation infrastructure and utilities moving forward.

Urban Renewal in Town Center

With two existing urban renewal plan areas being retired—one this fiscal year, and another next year—the city is well-positioned to explore where and how we may use tax increment finance to support development in high-priority areas of the city. The 2022 Urban Renewal Strategic Plan has identified Town Center redevelopment as the area of greatest interest, with broad public support and anticipation, as communicated in the 2019 Town Center Plan.

The City has received an acceptable proposal for feasibility study services from a qualified consulting firm to explore the technical aspects and feasibility of establishing a new urban renewal area in Town Center. If the study shows sufficient increment revenue capacity to support those projects identified in the Town Center plan (and potentially others), our intent is to develop a ballot title to be approved by the City Council and included on either the November 2023 or May 2024 ballot. If that advisory vote is successful, we will work toward the development of an urban renewal plan and technical report for adoption immediately thereafter.

Engineering Division, Capital Projects

2022 Street Maintenance

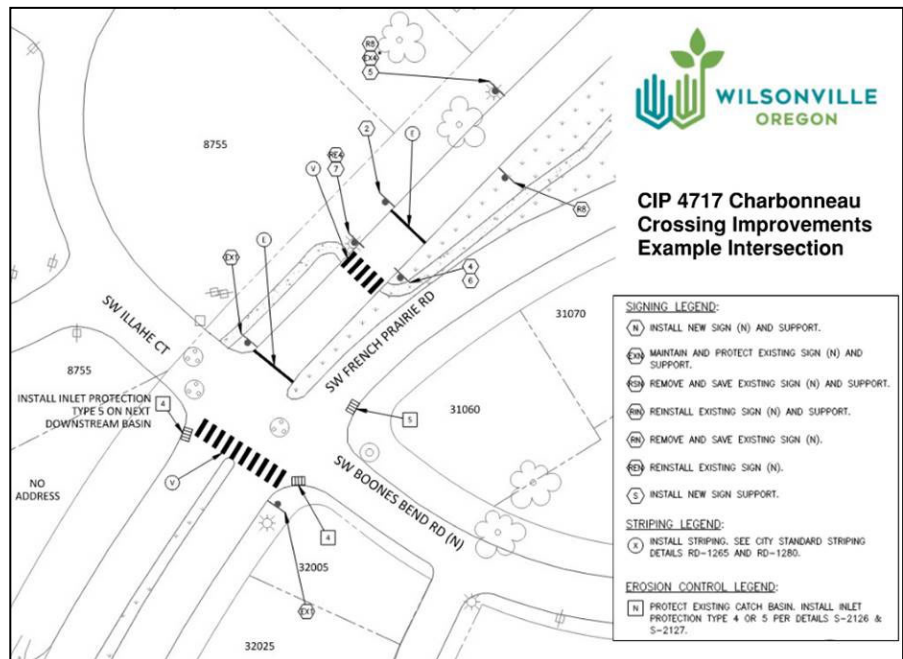
This project includes Pedestrian Curb Ramp Replacement (4014), Signal Modifications (4118), and Pedestrian Crossing Improvements (4717). The curb ramp replacements are being done to comply with ADA requirements ahead of the 2023 Street Maintenance project to repave the roads adjacent to the ramps. The signal modifications are to bring the pedestrian crossing pushbuttons and controls up to date at all Wilsonville Road and Boones Ferry Road intersection signals.

The projects are under construction by Emery & Sons and subcontractors. Pedestrian curb ramps have now been replaced at Wilsonville Road and Rose Lane and at Wilsonville Road and Boones Ferry Road (pictured). Pushbutton work (CIP 4118) at the latter intersection was completed in April.

The pedestrian crossing improvements include seven street crossings on French Prairie Road in Charbonneau. These improvements will include new or updated signing and striping to enhance the safety and visibility of pedestrians. This work will occur in mid May 2023. (see plans excerpt—right).

5th Street/Kinsman Road Extension (1139/2099/4196)

This project involves the design and construction of the extension of 5th Street and Kinsman Road between Boones Ferry Road and Wilsonville Road, including water, sewer, storm, franchise utility extension and installation of a portion of the Ice Age Tonquin Trail. Utility work on Boones Ferry Road (Bailey – 5th Street) is complete and reconstruction of the pavement is underway (pictured). Final paving is scheduled for the first week of May. Substantial completion of the project is anticipated for the end of May 2023 with the exception of the new railroad crossing signal at 5th Street, which will be finished by the end of June 2023.



Engineering Division, Capital Projects

Boeckman Creek Interceptor (2107)

This project will upsize the existing Boeckman Creek Interceptor sewer collection pipeline in order to support the development of the Frog Pond area. A regional trail will be installed as a part of the maintenance path from Boeckman Road to Memorial Park. The kickoff meeting was held on October 31, 2022. Field investigations (survey, natural resources, cultural resources, and geotechnical) began late November/early December 2022 and continued through May 2023. These investigations will guide the design team in alternatives analysis and decision making for the sewer and ultimately the trail alignments. Significant progress was made on Right of Entry permits, and survey work started in April. Increased outreach efforts are underway.

Boeckman Road Corridor Project (4212/4206/4205/2102/7065)

This project involves the design and construction of the Boeckman Dip Bridge, Boeckman Road Improvements (Canyon Creek Road – Stafford Road), Canyon Creek Traffic Signal, and Boeckman Road Sanitary Sewer projects. The Tapani-Sundt Joint Venture is pushing to get the design of the project and advancing time-critical components. Right of Entry Permits are complete, and survey and other field work is complete. Additionally, several guaranteed maximum price (GMP) packages are identified and scheduled to meet the project deadlines. The temporary signal at 65th Avenue and Stafford Road is 100% designed and notice to proceed (NTP) was issued. Review of the design of the bridge, roundabout, road improvements, and associated utilities is completed and refinements are underway for resubmittal. Long lead time items are being ordered to avoid impacts to the schedule. The GMP 2 (trunk sewer in Boeckman) construction costs are currently in negotiations, and scheduled for possible Council approval in May or June. Construction is estimated to start in early summer.

Charbonneau Consolidated Plan (1500/2500/4500/7500)

Design for utility (water, wastewater, stormwater) and street improvements on Edgewater Lane and Village Greens Circle continues. Alternatives analysis is nearly complete and the consultant has provided 60% plans for City review. A public open house occurred in April 2023 to discuss the project with the neighborhood and any potential impacts. A City and consultant meeting took place mid April to discuss the 60% plans, the upcoming public open house, and utility coordination and potholing work. To promote efficiencies in the design and construction, the consultant and City project manager are creating one design package for construction in 2024.

Charbonneau Lift Station (2106)

This project involves replacing the Charbonneau wastewater lift station with a submersible lift station and replacing the force main from the station to the I-5 bridge. The design contract was awarded to Murraysmith in December 2021, and preliminary design was completed in July 2022. Final design is scheduled for completion in July 2023, with construction anticipated for completion in September 2024.

Rivergreen and Corral Creek Lift Stations (2105)

This project involves upgrading the Rivergreen and Corral Creek wastewater lift stations. The design contract was awarded to Murraysmith in October 2020, and design was completed in December 2021. The construction contract was awarded to R.L. Reimers in February 2022, with construction anticipated for completion in summer 2023.

West Side Level B Reservoir and Transmission Main (1149):

This project will design and construct a new 3 million gallon water reservoir just west of City limits, along with a 24-inch transmission main connecting to the City water system. City Council awarded the design contract to Consor in February 2023. Design will be completed in 2023, followed by construction in 2024-2025.

Engineering Division, Capital Projects

WTP Expansion to 20 MGD (1144):

This project will expand the Water Treatment Plant (WTP) capacity to 20 millions of gallons per day (MGD) and incorporate related WTP capital improvements. A Construction Manager/General Contractor (CMGC) alternative contracting method was approved by City Council in March 2020. An engineering contract was awarded to Stantec in July 2020. The CMGC contract was awarded to Kiewit in August 2021. City Council

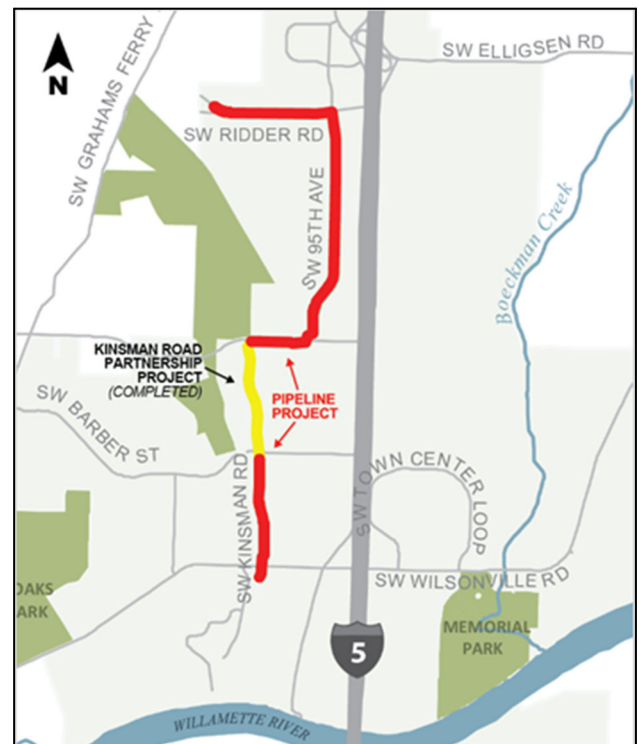


approved an early work package for ozone generator replacement in October 2021. Final design was completed in coordination with the CMGC in March 2022. Construction (pictured above) began in June 2022 with completion expected in May 2024.

WWSP Coordination (1127)

Ongoing coordination efforts continue with the Willamette Water Supply Program (WWSP). Here are the updates on major elements within Wilsonville:

- **Phase 1, Wilsonville Road (PLM_1.1)** Arrowhead Creek Lane to Wilsonville Road—**COMPLETE**
- **Phase 2, Garden Acres Road to 124th (PLM_1.2)** Ridder Road to Day Road—**COMPLETE**
- **Phase 3, Wilsonville Road to Garden Acres Road (PLM_1.3)** The WWSP's last section of transmission pipeline to be constructed in the City of Wilsonville began in fall 2022, with completion in 2024. It will connect the remaining portion of the pipeline through Wilsonville and has an alignment along Kinsman Road, Boeckman Road, 95th Avenue, and Ridder Road (see image). The Engineering Division is currently in the process of reviewing final plans. The trenchless crossing under Wilsonville Road began in March. Work has started on 95th Avenue and installation of pipe is headed north to Ridder Road.



WWTP Master Plan (2104)

This project will evaluate capacity of WWTP processes to accommodate projected growth and regulatory changes. A prioritized capital improvement plan and budget will be developed. The engineering contract was awarded in May 2020, and the project is anticipated to be completed in June 2023. The Master Plan findings are scheduled to be presented to the Planning Commission and City Council in spring and summer of 2023.

Engineering Division, Private Development

Residential Construction Activities

Canyon Creek South Phase 3

Construction has commenced again. The contractor is working on installing utilities for the five residential lot subdivision located on Canyon Creek Road.

Frog Pond West

Housing construction in Frog Pond Ridge, located south of Frog Pond Lane, continues. Frog Pond Crossing subdivision, located north of Frog Pond Lane, has installed utilities and is working to install curbs. Frog Pond Oaks, located to the west of Frog Pond Crossing is anticipated to break ground on the public improvements in May.

Villebois Clermont

The public improvements associated with the Villebois Clermont subdivision have been accepted by the City. Home construction continues. The contractor is continuing to work on punchlist items at Regional Parks 5 and 6.

Commercial/Industrial Construction Activities

Black Creek Industrial

Onsite site work and building construction continues. The contractor is working to prepare the Grahams Ferry right-of-way for street widening once the overhead utilities are placed underground. The contractor has started construction on the private supporting street that will connect Grahams Ferry Road and Garden Acres Road.



Canyon Creek South Phase 3



Frog Pond Crossing Subdivision



Black Creek Industrial

Natural Resources Division

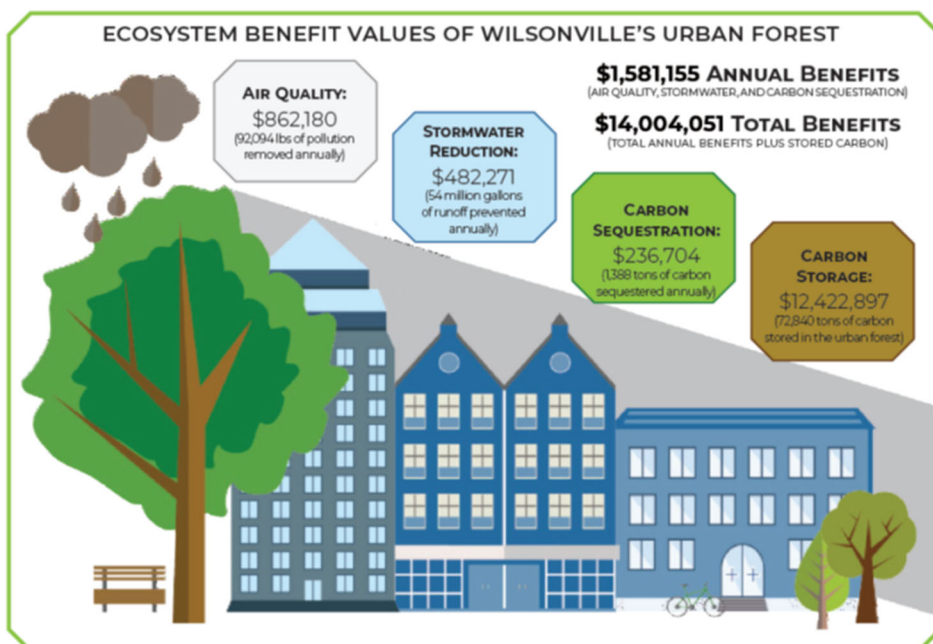
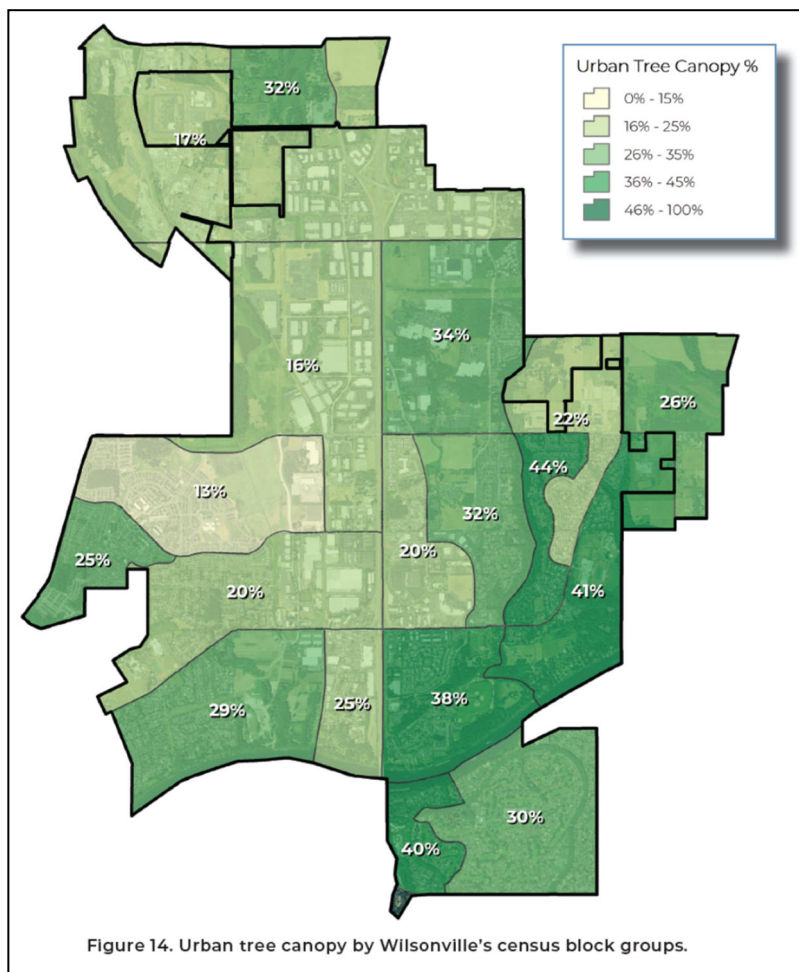
Urban Forest Management Plan – Urban Tree Canopy Assessment

An Urban Forest Management Plan (UFMP) to guide the City's programs and actions related to the urban forest was adopted by the City Council in December 2021. The UFMP provides an integrated approach to preserving, sustaining and regenerating Wilsonville's urban forest into the future.

A high-resolution urban tree canopy (UTC) assessment, identified as a project in the UFMP, was recently completed. The UTC assessment provides an opportunity to refine and augment the canopy assessment in the UFMP and establish more detailed canopy goals and prioritized target areas, such as by zoning categories and neighborhoods.

The assessment report mapped urban tree canopy, possible planting area, and tree canopy changes from 2012 - 2020 and analyzed their distribution throughout Wilsonville and its UGB, and within the Significant Resource Overlay Zone (SROZ) and greenway, census block groups, zoning, and study areas (i.e., neighborhoods). The City's total land cover contained 25% tree canopy, 32% non-canopy vegetation, 3% soil/dry vegetation, 38% impervious surfaces, and 3% water (due to rounding this total exceeds 100%). The 1,468 acres of canopy in Wilsonville provide a multitude of economic, environmental, and social benefits valued at just over \$1.5 million annually, as well as \$12 million in carbon storage.

For a copy of the report, please contact Kerry Rappold, Natural Resources Manager at rappold@ci.wilsonville.or.us or 503-570-1570.



Planning Division, Current

Administrative Land Use Decisions Issued

- 3 Type A Tree Permits
- 2 Type B Tree Permits
- 2 Type C Tree Permits
- 3 Class 1 Sign Permits
- 1 Class 1 Administrative Review
- 1 Class 2 Administrative Review

Construction Permit Review, Development Inspections, and Project Management

In April, Planning staff worked with developers and contractors to ensure construction of the following projects are consistent with Development Review Board and City Council approvals:

- Clermont Subdivision (Villebois Phase 5 North)
- Five-lot residential subdivision on Canyon Creek Road South
- New gas station and convenience store on Boones Ferry Road
- New industrial warehouse building between Garden Acres Road and Grahams Ferry Road in Coffee Creek Industrial Area
- New Public Works Building
- North Valley Complex remodel for State Department of Administrative Services on 95th Avenue
- Residential subdivisions in Frog Pond West
- Wilsonville High School expansion/performing arts center

Development Review Board (DRB)

DRB Panel A met on April 10 for two public hearings after which they approved two new developments in Wilsonville. First, the Board approved an industrial building/headquarters for Precision Countertops on Garden Acres Road in the Coffee Creek Industrial area. Second, the Board approved the planned primary school in the Frog Pond West Neighborhood along Boeckman Road at Sherman Drive.

DRB Panel B met on April 24 for a training session regarding traffic and transportation.

DRB Projects Under Review

During April, Planning staff actively worked on the following major projects in preparation for potential public hearings before the Development Review Board:

- Industrial development on Day Road
- Mixed use residential development in Town Center
- New industrial building at ParkWorks off Parkway Avenue
- New primary school in Frog Pond West
- Park modifications at Edith Green Park in Charbonneau



Rendering of Proposed Mixed-Use Development at ParkWorks and Town Center Loop West

Planning Division, Long Range

Coffee Creek Form-based Code Assessment and Basalt Creek Code Implementation

The Coffee Creek Form-based Code standards and review process was subject to a pilot period of three completed development applications or five years following adoption in February 2018. Planning staff has embarked on an assessment of the standards and implementation process. Planning staff will also build on the form-based code assessment as we launch into planning for Basalt Creek Development Code implementation. In April, an additional industrial project was approved by DRB in Coffee Creek and staff worked on finalizing another for approval in May. Also in April, Community Development staff explored grant funding opportunities to support the upcoming work in Basalt Creek.

Frog Pond East and South Master Plan

With the Frog Pond East and South Master Plan adopted in December, the City is now focusing on implementation.

Three implementation steps are in process: (1) related Development Code amendments, (2)



**FROG POND
EAST & SOUTH
MASTER PLAN**

an infrastructure funding plan, and (3) integrating transportation projects from the Master Plan into the citywide Transportation System Plan (TSP). The fourth in a series of work sessions on the Development Code was presented to the Planning Commission on April 12. Work on the infrastructure plan by consultants and City staff is ongoing and information will be brought to Council in May. The TSP, following a March recommendation by Planning Commission, was approved by City Council on first reading on April 17.

Legislative Report

It has already been a busy legislative session as a number of potential bills in 2023 Oregon Legislature session are related to the work the division does, especially related to housing. In April, the Planning team reviewed the following legislation and coordinated responses with Public Affairs, the City's lobbyist, Greg Leo, and the League of Oregon City, among others.

- Senate Bill 847 Miscellaneous new housing-related standards
- Senate Bill 1051 Workforce Housing in Urban Reserves
- House Bill 2984 Commercial to Residential Building Conversions
- House Bill 3569 Oregon Homebuilders Association (OHBA) Right to Housing
- House Bill 3414 Residential Variances and Housing Accountability and Production Office

Housing Capacity Analysis and Housing Production Strategy

This two-year project will analyze Wilsonville's housing capacity and need followed by working on strategies to produce housing to meet housing needs. The City's last Housing Needs Analysis was adopted in 2014. In April, the project team continued the Buildable Lands Inventory and other technical work, which will assess the available land capacity to support projected future housing needs. The project team also attended the April Diversity, Equity and Inclusion Committee meeting to gather initial input on the public outreach plan for the project. The project team plans to share initial findings with the Planning Commission and City Council in early summer.

Planning Division, Long Range

Planning Commission

The Planning Commission met on April 12. The Commission held a public hearing for and unanimously recommended to City Council approval of Transportation System Plan amendments reflecting the recently adopted Frog Pond East and South Master Plan. In addition, the Planning Commission held their fourth work session to review proposed Development Code amendments to support implementation for the Frog Pond East and South Master Plan. A primary focus of the Development Code discussion was open space requirements.

Wilsonville Town Center Plan

Town Center Plan Implementation

The Town Center Plan identifies several implementation activities to support the transformation of Town Center into a vibrant, walkable destination that is the heart of Wilsonville. During April, the Town Center project team developed a draft scope for a detailed Urban Renewal Feasibility Study, which will take the findings of the recently adopted Infrastructure Funding Plan and further assess forecasted revenues, maximum indebtedness, a project list, and proposed district boundary for an Urban Renewal District in Town Center. Work on this project is anticipated to begin mid-2023.



WILSONVILLE TOWN CENTER

- **Budget 2023-24:** The Proposed Budget was posted online. Printed copies were delivered to Council Members, Budget Committee Members, and copies for the public to view are at the Library and City Hall. The cover photo was provided by the photo contest winner Amanda Harmon. Many other great photo submissions were used throughout the book. Budget Committee Meetings are scheduled for May 17, 18 and 23(if needed).
- **Monsanto Settlement:** The City received its proportionate allocation in the amount of \$22,414.03 from a pollution legal settlement between the State of Oregon and Monsanto. Monsanto is known today for making the popular Roundup weed-killer, but from the 1930s to just before they were banned in 1979, Monsanto was the sole manufacturer of polychlorinated biphenyls or PCBs in the United States. In response, this is our proportionate allocation of a nearly \$700 million settlement for its alleged role in polluting the State with PCBs.
- **Municipal Court:** As many discussions occur on houselessness and affordability, we wanted to point out a change in State Law. The Judge used to only be able to reduce presumptive fines (defined as the dollar amount on the front of each ticket) by 50%. As of January 2023, the Judge now has discretion to go even lower if he determines it is appropriate.
- **Staff Development:** At the end of April, both of our court clerks attended the Oregon Association of Court Administrators (OACA) Spring Conference. As always, it was a great opportunity to network with other organizations and stay up-to-date. Sergeant Lamb from Beaverton Police Department provided training on workplace safety. He pointed out key behaviors to identify and what to do in the case of an active threat.
- **Utility Billing:** Auto pay is a super convenient feature for our customers and an efficient business collection process for the Utility Department; improving cash flow and providing greater security along the way. We continue to promote its use for our customers; including the recent promotion of a fun raffle exclusive to our auto pay customers. Since the promotion we've had over 200 people enroll bringing our overall percentage up to 39%. Auto pay is available by checking account or credit card. On the other side of things, challenges with delinquencies are a constant concern and disconnection (shut-offs) for non-payment have averaged up over the prior year from roughly 15 to 50 accounts a month. The turn-off/turn-on process is of course quite time consuming and the department is reviewing options to improve efficiencies in this area. After being turned off 85% paid that same day and the others paid the next day.
- **Attached Financials:** Finance continues to monitor all departments for on-going budget compliance.

| | Current Year Budget | Year to Date Activity | Remaining Balance | % Used |
|---|------------------------|--------------------------|----------------------|-------------|
| 110 - General Fund | | | | |
| Taxes | \$ 13,243,000 | \$ 12,231,702 | \$ 1,011,298 | 92% |
| Intergovernmental | 6,794,599 | 6,949,963 | (155,364) | 102% |
| Licenses and permits | 202,850 | 144,824 | 58,026 | 71% |
| Charges for services | 426,984 | 362,730 | 64,255 | 85% |
| Fines and forfeitures | 230,000 | 165,322 | 64,678 | 72% |
| Investment revenue | 87,000 | 454,230 | (367,230) | 522% |
| Other revenues | 4,143,900 | 4,203,056 | (59,156) | 101% |
| Transfers in | 4,640,011 | 3,463,037 | 1,176,974 | 75% |
| TOTAL REVENUES | \$ 29,768,344 | \$ 27,974,864 | \$ 1,793,480 | 94% |
| Personnel services | \$ 11,108,674 | \$ 7,625,396 | \$ 3,483,278 | 69% |
| Materials and services | 15,045,218 | 10,525,119 | 4,520,099 | 70% |
| Capital outlay | 214,000 | 69,084 | 144,916 | 32% |
| Debt service | 408,250 | 380,170 | 28,080 | 93% |
| Transfers out | 8,115,387 | 2,618,822 | 5,496,565 | 32% |
| TOTAL EXPENDITURES | \$ 34,891,529 | \$ 21,218,591 | \$ 13,672,938 | 61% |
| 610 - Fleet Fund | | | | |
| Charges for services | \$ 1,640,860 | \$ 1,367,360 | \$ 273,500 | 83% |
| Investment revenue | 6,800 | 20,839 | (14,039) | 306% |
| Other revenues | - | 260 | (260) | - |
| TOTAL REVENUES | \$ 1,647,660 | \$ 1,388,459 | \$ 259,201 | 84% |
| Personnel services | \$ 970,860 | \$ 593,681 | \$ 377,179 | 61% |
| Materials and services | 789,340 | 477,189 | 312,151 | 60% |
| Capital outlay | 126,800 | 87,470 | 39,330 | 69% |
| Transfers out | 2,400 | 2,000 | 400 | 83% |
| TOTAL EXPENDITURES | \$ 1,889,400 | \$ 1,160,340 | \$ 729,060 | 61% |
| 230 - Building Inspection Fund | | | | |
| Licenses and permits | \$ 1,442,750 | \$ 1,556,273 | \$ (113,523) | 108% |
| Charges for services | 8,190 | 6,825 | 1,365 | 83% |
| Investment revenue | 14,000 | 55,251 | (41,251) | 395% |
| Transfers in | 46,532 | 38,770 | 7,762 | 83% |
| TOTAL REVENUES | \$ 1,511,472 | \$ 1,657,118 | \$ (145,646) | 110% |
| Personnel services | \$ 1,107,250 | \$ 672,174 | \$ 435,076 | 61% |
| Materials and services | 228,181 | 136,037 | 92,144 | 60% |
| Transfers out | 391,215 | 279,918 | 111,297 | 72% |
| TOTAL EXPENDITURES | \$ 1,726,646 | \$ 1,088,130 | \$ 638,516 | 63% |
| 231 - Community Development Fund | | | | |
| Intergovernmental | \$ 339,500 | \$ 16,000 | \$ 323,500 | 5% |
| Licenses and permits | 715,389 | 760,066 | (44,677) | 106% |
| Charges for services | 909,369 | 524,330 | 385,039 | 58% |
| Investment revenue | 13,500 | 33,756 | (20,256) | 250% |
| Other revenues | - | 195,840 | (195,840) | - |
| Transfers in | 2,753,503 | 1,609,529 | 1,143,974 | 58% |
| TOTAL REVENUES | \$ 4,731,261 | \$ 3,139,520 | \$ 1,591,741 | 66% |
| Personnel services | \$ 3,578,090 | \$ 2,443,623 | \$ 1,134,467 | 68% |
| Materials and services | 815,548 | 384,438 | 431,110 | 47% |
| Transfers out | 805,368 | 703,770 | 101,598 | 87% |
| TOTAL EXPENDITURES | \$ 5,199,006 | \$ 3,531,831 | \$ 1,667,175 | 68% |
| 240 - Road Operating Fund | | | | |
| Intergovernmental | \$ 2,051,500 | \$ 1,407,914 | \$ 643,586 | 69% |
| Investment revenue | 18,700 | 109,161 | (90,461) | 584% |
| Other revenues | - | 1,458 | (1,458) | - |
| TOTAL REVENUES | \$ 2,070,200 | \$ 1,518,534 | \$ 551,666 | 73% |
| Personnel services | \$ 440,310 | \$ 250,398 | \$ 189,912 | 57% |
| Materials and services | 529,672 | 459,017 | 70,655 | 87% |
| Capital outlay | 105,000 | - | 105,000 | 0% |
| Debt service | 359,000 | 356,447 | 2,553 | 99% |
| Transfers out | 6,278,965 | 2,918,933 | 3,360,032 | 46% |
| TOTAL EXPENDITURES | \$ 7,712,947 | \$ 3,984,795 | \$ 3,728,152 | 52% |

| | Current Year Budget | Year to Date Activity | Remaining Balance | % Used |
|--|------------------------|--------------------------|----------------------|------------|
| 241 - Road Maintenance Fund | | | | |
| Charges for services | \$ 2,192,850 | \$ 2,095,020 | \$ 97,830 | 96% |
| Investment revenue | 19,760 | 53,993 | (34,233) | 273% |
| TOTAL REVENUES | \$ 2,212,610 | \$ 2,149,013 | \$ 63,597 | 97% |
| Transfers out | \$ 1,203,613 | \$ 363,541 | \$ 840,072 | 30% |
| TOTAL EXPENDITURES | \$ 1,203,613 | \$ 363,541 | \$ 840,072 | 30% |
| 260 - Transit Fund | | | | |
| Taxes | \$ 5,600,000 | \$ 4,924,187 | \$ 675,813 | 88% |
| Intergovernmental | 4,604,416 | 4,535,296 | 69,120 | 98% |
| Charges for services | 29,000 | 29,385 | (385) | 101% |
| Fines and forfeitures | 5,000 | 5,684 | (684) | 114% |
| Investment revenue | 58,000 | 207,876 | (149,876) | 358% |
| Other revenues | 16,800 | - | 16,800 | 0% |
| TOTAL REVENUES | \$ 10,313,216 | \$ 9,702,428 | \$ 610,788 | 94% |
| Personnel services | \$ 4,897,540 | \$ 2,925,895 | \$ 1,971,645 | 60% |
| Materials and services | 5,533,317 | 1,923,215 | 3,610,102 | 35% |
| Capital outlay | 1,276,000 | 40,976 | 1,235,024 | 3% |
| Transfers out | 1,757,565 | 513,460 | 1,244,105 | 29% |
| TOTAL EXPENDITURES | \$ 13,464,422 | \$ 5,403,546 | \$ 8,060,876 | 40% |
| 510 - Water Operating Fund | | | | |
| Charges for services | \$ 9,992,600 | \$ 8,593,205 | \$ 1,399,395 | 86% |
| Fines and forfeitures | - | 14,468 | (14,468) | - |
| Investment revenue | 108,000 | 398,114 | (290,114) | 369% |
| Other revenues | 30,000 | 420,808 | (390,808) | 1403% |
| TOTAL REVENUES | \$ 10,130,600 | \$ 9,426,595 | \$ 704,005 | 93% |
| Personnel services | \$ 667,000 | \$ 353,387 | \$ 313,613 | 53% |
| Materials and services | 4,906,612 | 3,162,280 | 1,744,332 | 64% |
| Capital outlay | 1,071,225 | 247,612 | 823,613 | 23% |
| Debt service | 372,000 | 370,751 | 1,249 | 100% |
| Transfers out | 15,271,407 | 5,390,533 | 9,880,874 | 35% |
| TOTAL EXPENDITURES | \$ 22,288,244 | \$ 9,524,562 | \$ 12,763,682 | 43% |
| 520 - Sewer Operating Fund | | | | |
| Charges for services | \$ 8,434,450 | \$ 6,677,078 | \$ 1,757,372 | 79% |
| Investment revenue | 84,700 | 291,126 | (206,426) | 344% |
| Other revenues | 31,500 | 26,297 | 5,203 | 83% |
| Transfers in | 600,000 | 600,000 | - | 100% |
| TOTAL REVENUES | \$ 9,150,650 | \$ 7,594,501 | \$ 1,556,149 | 83% |
| Personnel services | \$ 440,600 | \$ 338,656 | \$ 101,944 | 77% |
| Materials and services | 3,803,134 | 2,686,356 | 1,116,778 | 71% |
| Capital outlay | 439,402 | 221,910 | 217,492 | 51% |
| Debt service | 2,881,000 | 409,716 | 2,471,284 | 14% |
| Transfers out | 9,273,781 | 3,512,211 | 5,761,570 | 38% |
| TOTAL EXPENDITURES | \$ 16,837,917 | \$ 7,168,850 | \$ 9,669,067 | 43% |
| 550 - Street Lighting Fund | | | | |
| Intergovernmental | \$ - | \$ 16,680 | \$ (16,680) | - |
| Charges for services | 547,965 | 466,707 | 81,258 | 85% |
| Investment revenue | 1,900 | 17,420 | (15,520) | 917% |
| TOTAL REVENUES | \$ 549,865 | \$ 500,807 | \$ 49,058 | 91% |
| Materials and services | \$ 401,500 | \$ 168,997 | \$ 232,503 | 42% |
| Transfers out | 1,045,000 | 679,267 | 365,733 | 65% |
| TOTAL EXPENDITURES | \$ 1,446,500 | \$ 848,265 | \$ 598,235 | 59% |
| 570 - Stormwater Operating Fund | | | | |
| Charges for services | \$ 3,609,538 | \$ 2,942,303 | \$ 667,235 | 82% |
| Investment revenue | 25,900 | 133,483 | (107,583) | 515% |
| TOTAL REVENUES | \$ 3,635,438 | \$ 3,075,786 | \$ 559,652 | 85% |
| Personnel services | \$ 292,810 | \$ 182,870 | \$ 109,940 | 62% |
| Materials and services | 818,292 | 430,778 | 387,514 | 53% |
| Capital outlay | 107,000 | 113,606 | (6,606) | 106% |
| Debt service | 839,000 | 836,421 | 2,579 | 100% |
| Transfers out | 6,048,155 | 3,187,188 | 2,860,967 | 53% |
| TOTAL EXPENDITURES | \$ 8,105,257 | \$ 4,750,864 | \$ 3,354,393 | 59% |

City of Wilsonville - SDC Fund Summaries
Reporting Month: April FY 2023



| | Current Year Budget | Year to Date Activity | Remaining Balance | % Used |
|------------------------------------|------------------------|--------------------------|-----------------------|---------------|
| 336 - Frog Pond Development | | | | |
| Licenses and permits | \$ 1,951,354 | \$ 798,164 | \$ 1,153,190 | 41% |
| Investment revenue | 1,100 | 51,249 | (50,149) | 4659% |
| TOTAL REVENUES | \$ 1,952,454 | \$ 849,413 | \$ 1,103,041 | 44% |
| Materials and services | \$ 34,790 | \$ - | \$ 34,790 | 0% |
| Transfers out | 5,322,274 | 363,009 | 4,959,265 | 7% |
| TOTAL EXPENDITURES | \$ 5,357,064 | \$ 363,009 | \$ 4,994,055 | 7% |
| 348 - Washington County TDT | | | | |
| Washington County TDT | \$ - | \$ 715,006 | \$ (715,006) | - |
| Investment revenue | 1,800 | 23,253 | (21,453) | 1292% |
| TOTAL REVENUES | \$ 1,800 | \$ 738,259 | \$ (736,459) | 41014% |
| 346 - Roads SDC | | | | |
| System Development Charges | \$ 3,960,000 | \$ 1,857,523 | \$ 2,102,477 | 47% |
| Investment revenue | 40,300 | 156,117 | (115,817) | 387% |
| TOTAL REVENUES | \$ 4,000,300 | \$ 2,013,640 | \$ 1,986,660 | 50% |
| Materials and services | \$ 41,470 | \$ - | \$ 41,470 | 0% |
| Transfers out | 12,790,020 | 446,736 | 12,343,284 | 3% |
| TOTAL EXPENDITURES | \$ 12,831,490 | \$ 446,736 | \$ 12,384,754 | 3% |
| 396 - Parks SDC | | | | |
| System Development Charges | \$ 373,000 | \$ 313,671 | \$ 59,329 | 84% |
| Investment revenue | 12,200 | 43,264 | (31,064) | 355% |
| TOTAL REVENUES | \$ 385,200 | \$ 356,935 | \$ 28,265 | 93% |
| Materials and services | \$ 16,890 | \$ - | \$ 16,890 | 0% |
| Transfers out | 2,883,712 | 1,155,649 | 1,728,063 | 40% |
| TOTAL EXPENDITURES | \$ 2,900,602 | \$ 1,155,649 | \$ 1,744,953 | 40% |
| 516 - Water SDC | | | | |
| System Development Charges | \$ 1,429,000 | \$ 2,472,754 | \$ (1,043,754) | 173% |
| Investment revenue | 21,700 | 205,330 | (183,630) | 946% |
| TOTAL REVENUES | \$ 1,450,700 | \$ 2,678,084 | \$ (1,227,384) | 185% |
| Materials and services | \$ 25,940 | \$ - | \$ 25,940 | 0% |
| Debt service | 453,000 | 450,736 | 2,264 | 100% |
| Transfers out | 12,182,558 | 4,432,024 | 7,750,534 | 36% |
| TOTAL EXPENDITURES | \$ 12,661,498 | \$ 4,882,760 | \$ 7,778,738 | 39% |
| 526 - Sewer SDC | | | | |
| System Development Charges | \$ 290,000 | \$ 778,414 | \$ (488,414) | 268% |
| Investment revenue | 3,700 | 20,598 | (16,898) | 557% |
| TOTAL REVENUES | \$ 293,700 | \$ 799,011 | \$ (505,311) | 272% |
| Materials and services | \$ 22,050 | \$ - | \$ 22,050 | 0% |
| Transfers out | 1,737,739 | 1,030,098 | 707,642 | 59% |
| TOTAL EXPENDITURES | \$ 1,759,789 | \$ 1,030,098 | \$ 729,692 | 59% |
| 576 - Stormwater SDC | | | | |
| System Development Charges | \$ 990,000 | \$ 567,422 | \$ 422,578 | 57% |
| Investment revenue | 14,300 | 53,945 | (39,645) | 377% |
| TOTAL REVENUES | \$ 1,004,300 | \$ 621,367 | \$ 382,933 | 62% |
| Materials and services | \$ 5,750 | \$ - | \$ 5,750 | 0% |
| Transfers out | 541,017 | 57,631 | 483,386 | 11% |
| TOTAL EXPENDITURES | \$ 546,767 | \$ 57,631 | \$ 489,136 | 11% |

| | Current Year Budget | Year to Date Activity | Remaining Balance | % Used |
|--|------------------------|--------------------------|----------------------|-------------|
| 800 - Year 2000 Program Income | | | | |
| Investment revenue | \$ 8,200 | \$ 8,590 | \$ (390) | 105% |
| Other revenues | - | 10,412 | (10,412) | - |
| TOTAL REVENUES | \$ 8,200 | \$ 19,002 | \$ (10,802) | 232% |
| Materials and services | \$ 5,000 | \$ 4,095 | \$ 905 | 82% |
| Transfers out | 919,094 | 919,094 | - | 100% |
| TOTAL EXPENDITURES | \$ 924,094 | \$ 923,189 | \$ 905 | 100% |
| 805 - Year 2000 Capital Projects | | | | |
| Investment revenue | \$ 88,570 | \$ 225,790 | \$ (137,220) | 255% |
| Loan proceeds | 4,000,000 | 4,000,000 | - | 100% |
| TOTAL REVENUES | \$ 4,088,570 | \$ 4,225,790 | \$ (137,220) | 103% |
| Materials and services | \$ 467,000 | \$ 218,829 | \$ 248,171 | 47% |
| Capital outlay | 17,898,558 | 3,841,411 | 14,057,147 | 21% |
| TOTAL EXPENDITURES | \$ 18,365,558 | \$ 4,060,240 | \$ 14,305,318 | 22% |
| 807 - Year 2000 Debt Service | | | | |
| Taxes | \$ 3,544,880 | \$ 3,439,520 | \$ 105,360 | 97% |
| Investment revenue | 999 | 26,737 | (25,738) | 2676% |
| TOTAL REVENUES | \$ 3,545,879 | \$ 3,466,257 | \$ 79,622 | 98% |
| Debt service | \$ 8,294,525 | \$ 8,021,064 | \$ 273,461 | 97% |
| TOTAL EXPENDITURES | \$ 8,294,525 | \$ 8,021,064 | \$ 273,461 | 97% |
| 810 - Westside Program Income | | | | |
| Investment revenue | \$ 750 | \$ 2,081 | \$ (1,331) | 277% |
| TOTAL REVENUES | \$ 750 | \$ 2,081 | \$ (1,331) | 277% |
| 815 - Westside Capital Projects | | | | |
| Investment revenue | \$ 44,502 | \$ 95,976 | \$ (51,474) | 216% |
| TOTAL REVENUES | \$ 44,502 | \$ 95,976 | \$ (51,474) | 216% |
| Materials and services | \$ 280,336 | \$ 113,161 | \$ 167,175 | 40% |
| Capital outlay | 710,000 | - | 710,000 | 0% |
| TOTAL EXPENDITURES | \$ 990,336 | \$ 113,161 | \$ 877,175 | 11% |
| 817 - Westside Debt Service | | | | |
| Taxes | \$ 5,084,500 | \$ 4,870,996 | \$ 213,504 | 96% |
| Investment revenue | 36,000 | 64,489 | (28,489) | 179% |
| TOTAL REVENUES | \$ 5,120,500 | \$ 4,935,484 | \$ 185,016 | 96% |
| Debt service | \$ 6,039,075 | \$ 4,807,158 | \$ 1,231,918 | 80% |
| TOTAL EXPENDITURES | \$ 6,039,075 | \$ 4,807,158 | \$ 1,231,918 | 80% |
| 825 - Coffee Creek Capital Projects | | | | |
| Investment revenue | \$ 1,500 | \$ 2,920 | \$ (1,420) | 195% |
| TOTAL REVENUES | \$ 1,500 | \$ 2,920 | \$ (1,420) | 195% |
| Materials and services | \$ 149,290 | \$ 124,918 | \$ 24,372 | 84% |
| TOTAL EXPENDITURES | \$ 149,290 | \$ 124,918 | \$ 24,372 | 84% |
| 827 - Coffee Creek Debt Service | | | | |
| Taxes | \$ 385,200 | \$ 486,445 | \$ (101,245) | 126% |
| Investment revenue | 1,000 | 4,824 | (3,824) | 482% |
| TOTAL REVENUES | \$ 386,200 | \$ 491,270 | \$ (105,070) | 127% |
| Debt service | \$ 279,500 | \$ 139,290 | \$ 140,210 | 50% |
| TOTAL EXPENDITURES | \$ 279,500 | \$ 139,290 | \$ 140,210 | 50% |

From the Director

April was National Poetry Month and we celebrated at the Library with an online program about poet Robert Frost, a book display, and daily poems posted on our Facebook page.

Youth programming resumed in April after taking a short break in March. This includes weekly Baby & Toddler Time, Family Storytime, and Play Group programs. On April 12 and 26, Youth Services staff held "STEAM Stuff," a program for elementary-age children to drop in for hands-on STEAM activities, including one around gardening. Teens met weekly on Wednesdays for "Teen Afterschool Drop-In Activities". Library staff attended the annual egg hunt in Memorial Park and passed out stickers and fine vouchers to eager egg-hunters.

Adult programs featured a concert by local singer-songwriter Bernie Sims and the return of monthly Space Talks, in which docents from Evergreen Aviation and Space Museum give monthly talks about space exploration on the third Saturday of the month. A new 6-week writing class about "Strong Women, Strong Archetypes" began in April. The Walking Book Club, Genealogy Club, and English (ESL) class met. The First Friday Film was *Devotion*.

In cooperation with the Master Recycler Program, Clackamas County Sustainability & Solid Waste held a Repair Fair at the library on April 8. At this free community event, nine skilled volunteers assisted over 50 people with 70 broken items. The response from attendees was overwhelmingly positive, with 52 items repaired, seven (7) in progress, and only six (6) items that could not be repaired, mostly due to needing new parts. We look forward to holding another Repair Fair next year.

The newest addition to the library collection is The Seed Library. This "library" is a collection of seeds that are available to all visitors, and is made up of donated seeds, both commercial and saved from participants' gardens. Anyone can select up to 10 seed plant varieties from the Seed Library cabinet. There is no due date on seeds, but we encourage donating back to The Seed Library any commercial surplus seeds to the library or saved seeds from the user's garden.

A number of library staff attended the Oregon Library Association (OLA) Conference in Bend, Oregon and online. This was the first in-person OLA conference held since 2019 and provided attendees with ideas and information from libraries across the state.

Cultural Passes available through LINCC (Libraries in Clackamas County consortium) have been popular with library patrons, and were recently updated. New to the Cultural Passes are Clackamas County Parks, which provides a free parking pass at participating parks, Portland Opera, and the End of the Oregon Trail Museum. The Portland Art Museum pass now covers the full cost of admission, instead of the previous admission discount. The Cultural Passes are free passes to local attractions that library patrons can reserve online at lincc.org.

-Shasta Sasser, Library Director



Parks and Recreation Report | April 2023

Director's Report

When the Parks & Recreation team interacts with the public it is usually during fun and leisure. We see people at their best enjoying a stroll in the park, partaking in their favorite team sport, or engaging with others at a community event. These are all meaningful endeavors that promote health and wellness and enhance quality of life. Our team excels at making these events enjoyable and memorable. But what about when times are tough and people are at their worst? What is our role in these situations?

This month we were put to the test as we had two separate incidents that required immediate attention and were potentially life threatening. I am proud to report that in both instances our team jumped in without hesitation to come to the aid of the individuals in need. While we are not trained first responders, we were able to do enough until the proper response units arrived. In both instances, the individuals were able to get the help they needed. We are so fortunate to have trained personnel available in a moment's notice to handle difficult situations. I am appreciative of our dedicated Police Department and the Tualatin Valley Fire and Rescue EMT's having seen first-hand how they handle crisis situations.

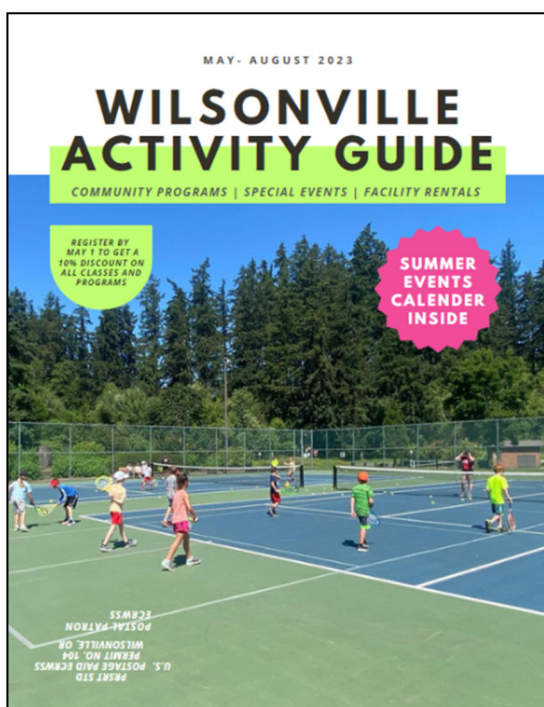
I am also very proud of my teammates and their willingness to serve the community even under difficult circumstances. These incidents have prompted us to seek out further training from the Clackamas County Health Department so that we are better prepared for future incidents. It is reassuring to know that our team is dedicated to community service not only during good times, but in adverse conditions as well.

Recreation Updates



Community Egg Hunt Event

The annual Community Egg Hunt took place on April 8 in Memorial Park. The event had a great turnout with an estimated 1,800 people in attendance. The weather held off, and the event went very smoothly. A total of 18,000 eggs were dispersed onto the sports field with the help from the local cub scouts. Several sponsors were in attendance including J. Hill Property Group, Master Choe's Taekwondo, Wilsonville Orthodontics, Therapeutic Associates Physical Therapy—Wilsonville and others. The Wilsonville Public Library and the Imagination Library were also part of the event.



Summer Registration is Open!

Classes and programs spanning May through August, including summer camps, opened for registration on April 10. A wide array of classes are available including sports camps, educational camps, fitness classes, oil painting and more! For a full list of course offerings, visit WilsonvilleParksandRec.com

Shelter Rentals Launched for the 2023 Season

The first shelter reservations of the season were held in mid-April. The River Shelter, Forest Shelter, Grove Shelter, and Splash Shelter are all being used by the community on a regular basis. These shelters are popular spots for the community to hold private events such as birthday parties, company picnics, family reunions, weddings, celebration of life services, and graduation parties.

Recreation Updates

Save the Date for the annual Party in the Park Event:

A COMMUNITY

Party in the Park

**THURS.
AUG. 24**

**TOWN
CENTER
PARK**

**5:30-
8:30 PM**

LIVE MUSIC FROM ANNA GILBERT



**LIVE MUSIC, FOOD TRUCKS,
GAMES, & MORE! GREAT FUN
FOR THE WHOLE FAMILY!**



Community Center Updates

General Updates:

The Life 101 lecture series continued with a presentation from the Alzheimer's Association helping participants to understand and respond to dementia related behavior. Attendees learned strategies to help intervene with some of the behavioral challenges of Alzheimer's disease.

During April the nutrition program served 660 meals as part of the Center's in person congregate lunch program and 1,625 meals to 82 home delivered meal clients.

Older adult participants in the Ridewise Travel Training program put their classroom sessions to good use and ventured out on a field trip. The program is designed to get older adults more comfortable with the fixed routes of the transit system. The field trip took participants to Washington Square Mall for lunch utilizing SMART and Tri-Met bus routes.

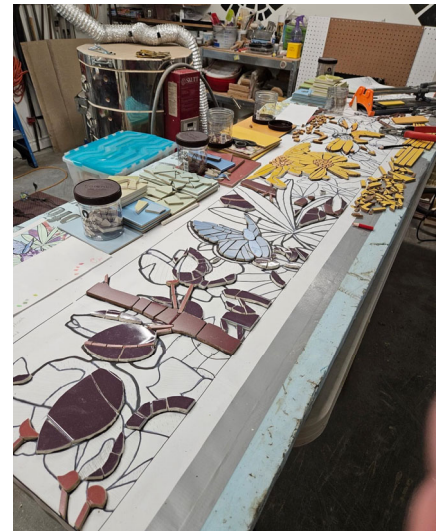
Bingo Players Received a Surprise Visit from Bailey the Bunny this Month:



City Board Highlights

Arts, Culture, and Heritage Commission (ACHC)

At the April ACHC meeting the Commission reviewed the applications that were received for Community Cultural Events & Programs (CCEP) Grant funding. Four applications were received and all applicants were in attendance to present to the Commission. The Commission is excited for the opportunity to support local nonprofits with funding. The selected local artist, Karen Rycheck, was selected for the Tivoli Tile project. She is well on her way in completing the work which will be installed sometime in June. Included is a progress photo of her work.



Kitakata Sister City Advisory Board

The Kitakata Sister City Advisory Board met in April to discuss an upcoming possible delegation of students from Kitakata to Wilsonville in late October and early November of 2023. The group also discussed gift options for the 35th anniversary. Members of the board also attended the international cultural fair at Boeckman Creek Primary School where they tabled about Japan, and drummed up interest for potential host families.



Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board met in April where they awarded funds (pending council approval) for the Community Opportunity Grant. Funds were awarded in the amounts of: Austin Barnes – Skate Jam '23 (\$2,095), Wilsonville Little League – Oregon Little League State Majors Tournament (\$5,059), and the Wilsonville Wildcat Fastpitch Softball Team (\$7,636).

Other Board Highlights

Korean War Memorial Foundation of Oregon

Work continues as the Foundation prepares for the July 29 Korean War Armistice Event and Grand Opening of the Interpretive Center. The first signs of Interpretive Center progress can be seen as a new green paint color was recently added to the space.

Wilsonville Community Seniors Inc.

Due to the flowers at the Dahlia Festival blooming late this year the senior trip for May was adjusted. The Board found another trip option and now will be venturing to the Northwest Senior Theater in Tigard. The WCSI Board is paying half the cost of the \$10 ticket.

Upcoming Events

WERK Day: Saturday, May 6 at 9—11 am, Murase Plaza and Dog Park (Meet at Community Center for assignments). Complimentary breakfast beforehand from 8—9 am at the Community Center.

Goat Petting Day: Saturday, May 6 at 10—12 pm, Memorial Park (Near Maintenance Barn)

Wilsonville Family Dance: Friday, June 2 at 7—9 pm, Stein-Boozier Barn

Parks Team

Getting Summer Ready

April showers brought the team a diverse month of work. The team focused work on landscape improvements , preparing for community events and getting the parks summer ready. The team had the privilege of working with a group of volunteers from Eaton, to help reforestation efforts in Memorial Park. The team also worked to prepare for another group to come in and help with maintenance, the Goats are back helping the team in Memorial Park. Lastly, the parks team continues to repair and make safe playgrounds as components fail or unsafe conditions are found.



Goat Prep



Flower Installation



Volunteer Group



Playground Repair



Tree Cleanup



Annual Display

Regional Park 7/8 Phase 2 (Picture-RP8) Projected Completion—Final Walk Pending



Regional Park 5/6

Projected Completion— Spring 2023

- Tennis court being completed
- Punch List Items being completed

Picture- Tennis Court
Acrylic Installation





City of Wilsonville Police

April 2023

PAWSITIVE ENDING, PUG REUNITED

On April 15, this sweet little Pug was reunited with Critter Cabana, after having been dognapped on January 9, 2023.

Images of the suspects involved were extracted from camera footage, which Wilsonville Police posted publicly with a request for identification help. Several tips rolled in, and Deputy Banfi was able to identify those involved, as well as orchestrate the Pug's return.

This case, incident 23-002169, now rests at the District Attorney's Office in Clackamas County.

Theft of livestock, companion pets, or removal of a wild animal removed from habitat or born of a wild animal removed from habitat, is considered a felony crime in the State of Oregon, ORS 164.055 (1) (e), (2) (a).

Thank you, Deputy Banfi, for a solid investigation.

Pictured Top Left: Critter Cabana employees with the rescued Pug



TWO ARRESTED DURING ROUTINE TRAFFIC STOP

Late on April 11, just after 8:00 p.m., Wilsonville Police Officers, made a routine traffic stop, citing the driver with ORS 811.265-Driver Failure to Obey a Traffic Control Device. The driver displayed difficulty focusing and was slow to respond to questions. His passenger was cited for not wearing a seatbelt.

During contact, multiple Tennessee driver licenses bearing pictures of the vehicle occupants, as well as of a third person, not present, and multiple checks bearing the various names, were discovered. Although the licenses pictured the persons in the vehicle, the names on them differed and multiple license numbers were listed. The checks matched the names on the driver's licenses and were each made payable to Target.

Ultimately, the subjects were identified as Alex Lacoy Wetenkamp, 37, and Clifford Alan Pluard, 61, both of Washington. Each was arrested and lodged at the Clackamas County Jail on charges that included multiple counts of *Identity Theft*, *Criminal Possession of Forged Instrument*, and *Forgery*, with Mr. Pluard receiving an additional charge of *False Info to Police*. This case now rests with the Clackamas County District Attorney's Office.

Quarterly MFR Patrol Measures

Person & Property Crimes

Q2 2022 – Q1 2023

(last 8 quarters)

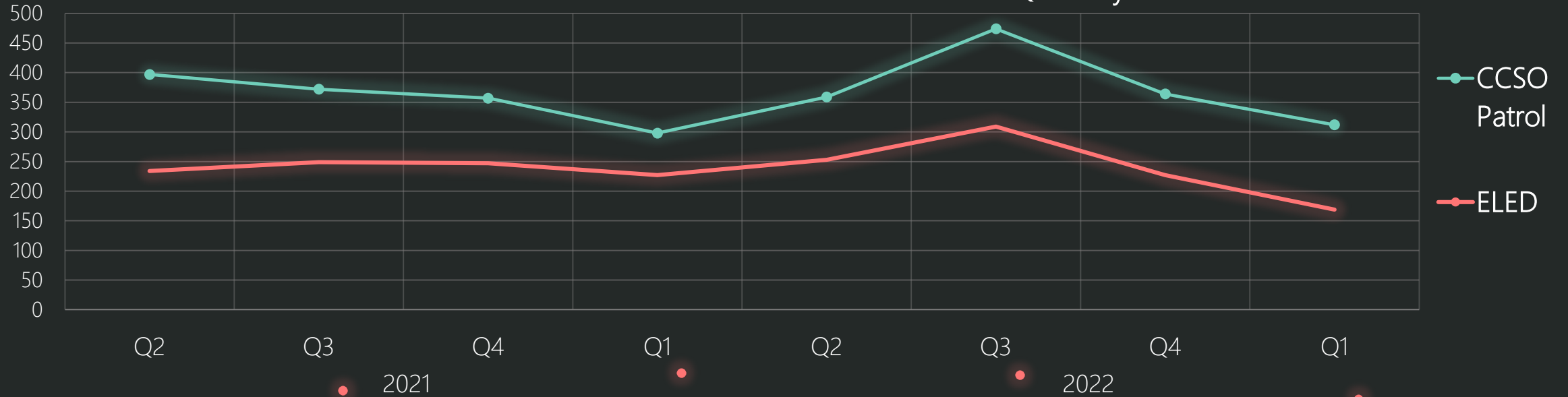


All CCSO
CCSO Patrol (Unincorporated)
City of Estacada
City of Happy Valley
City of Wilsonville
Enhanced Law Enforcement District

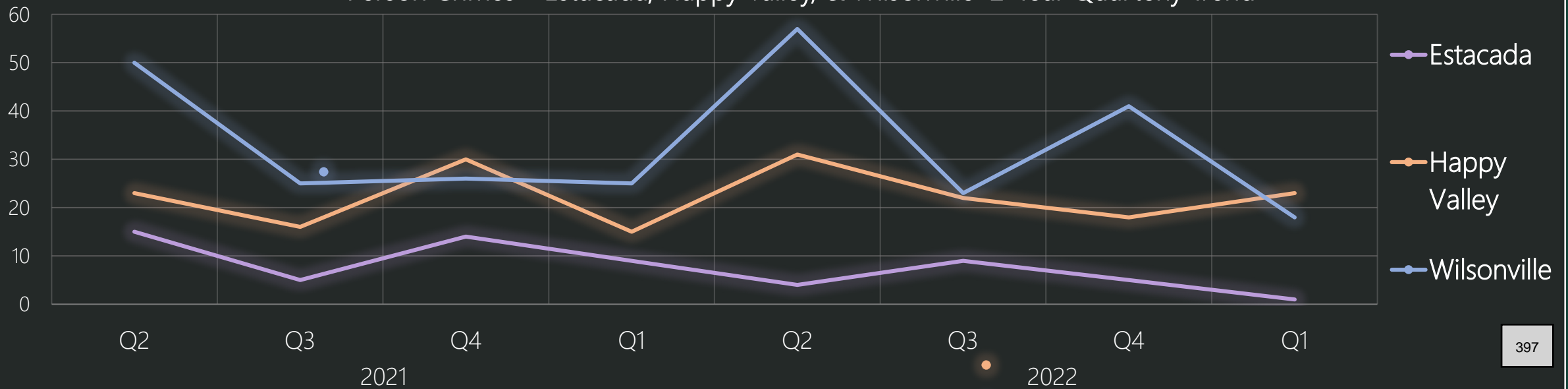


| Person Crimes | | 2021 | | | 2022 | | | | 2023 |
|---------------|----------|-------|--------|--------|--------|--------|--------|------|--------|
| | | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| All Programs | % Change | 29.3% | -13.8% | 2.2% | -18.7% | 25.6% | 17.0% | -19% | -17.3% |
| | # crimes | 485 | 418 | 427 | 347 | 451 | 528 | 428 | 354 |
| CCSO Patrol | % Change | 24.1% | -6.3% | -4.0% | -16.5% | 16.6% | 32.0% | -23% | -14.3% |
| | # crimes | 397 | 372 | 357 | 298 | 359 | 474 | 364 | 312 |
| ELED | % Change | 6.8% | 6.4% | -.08% | -8.1% | 9.1% | 22.1% | -27% | -25.6% |
| | # crimes | 234 | 249 | 247 | 227 | 253 | 309 | 227 | 169 |
| Estacada | % Change | 50.0% | -66.7% | 180.0% | -35.7% | -55.6% | 125.0% | -44% | -80.0% |
| | # crimes | 15 | 5 | 14 | 9 | 4 | 9 | 5 | 1 |
| Happy Valley | % Change | 43.8% | -30.4% | 62.5% | -50.0% | 106.7% | -29.0% | -18% | 27.8% |
| | # crimes | 23 | 16 | 30 | 15 | 31 | 22 | 18 | 23 |
| Wilsonville | % Change | 72.4% | -50.0% | 20.0% | -3.8% | 111.1% | -59.6% | 78% | -56.1% |
| | # crimes | 50 | 25 | 26 | 25 | 57 | 23 | 41 | 396 |

Person Crimes – CCSO Patrol & ELED 2-Year Quarterly Trend

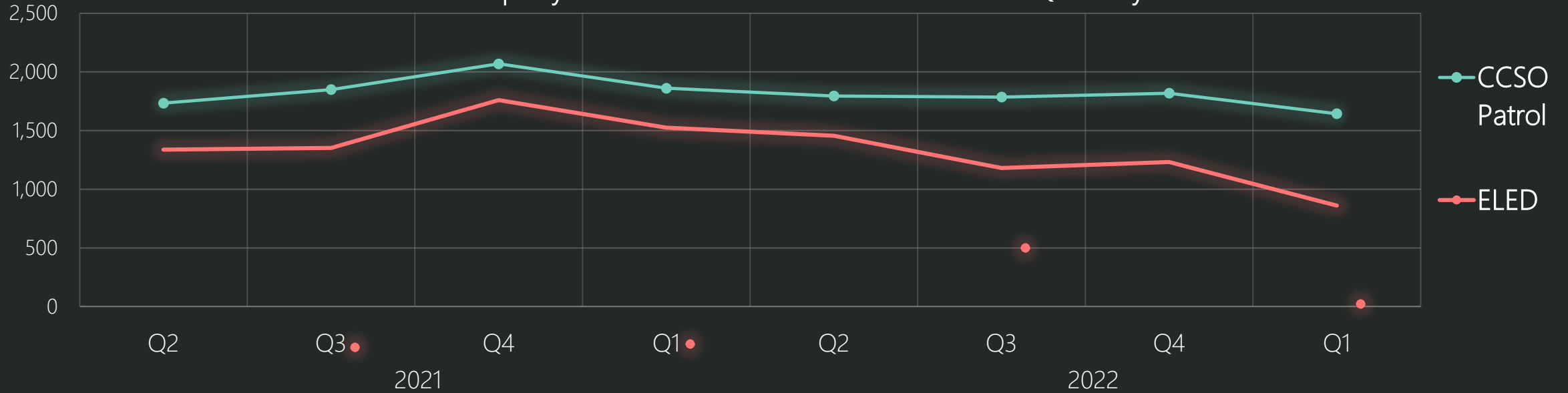


Person Crimes – Estacada, Happy Valley, & Wilsonville 2-Year Quarterly Trend

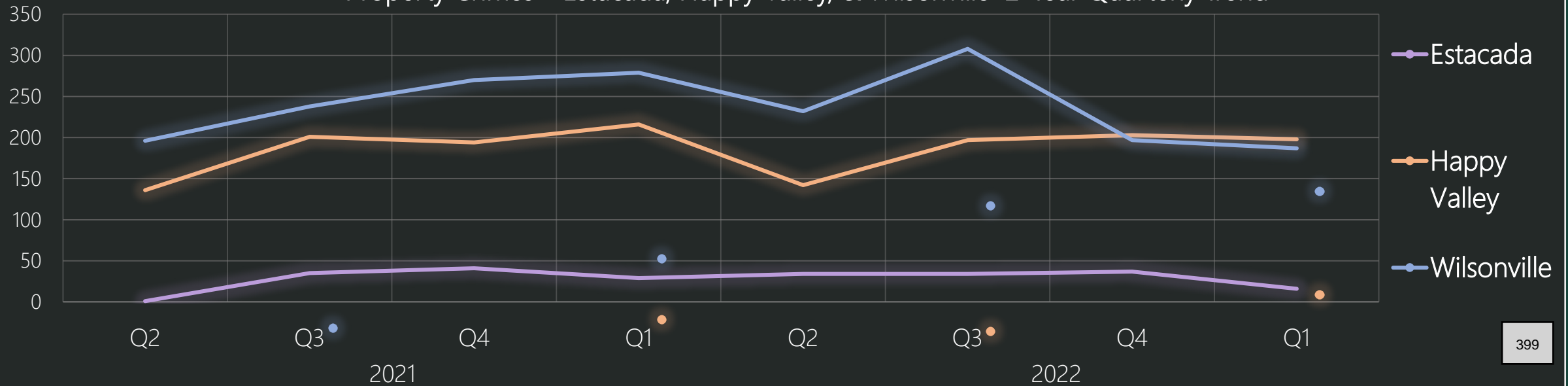


| Property Crimes | | 2021 | | | 2022 | | | | 2023 |
|-----------------|----------|--------|-------|-------|--------|--------|--------|-------|--------|
| | | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| All Programs | % Change | 11.9% | 11.3% | 9.4% | -7.4% | -10.1% | 5.5% | -3% | -9.3% |
| | # crimes | 2,087 | 2,323 | 2,542 | 2,385 | 2,203 | 2,325 | 2,255 | 2,045 |
| CCSO Patrol | % Change | 14.0% | 6.6% | 11.9% | -10.1% | -6.2% | -0.5% | 2% | -9.6% |
| | # crimes | 1,734 | 1,849 | 2,069 | 1,861 | 1,795 | 1,786 | 1,818 | 1,644 |
| ELED | % Change | 16.2% | 1.0% | 30.2% | -10.9% | -6.5% | -18.0% | 4% | -30.2% |
| | # crimes | 1,338 | 1,352 | 1,760 | 1,524 | 1,456 | 1,181 | 1,232 | 860 |
| Estacada | % Change | 5.0% | 66.7% | 17.1% | -27.5% | 17.2% | 0% | 9% | -56.8% |
| | # crimes | 21 | 35 | 41 | 29 | 34 | 34 | 37 | 16 |
| Happy Valley | % Change | 40.2% | 47.8% | -3.5% | 9.6% | -35.2% | 38.7% | 3% | -2.5% |
| | # crimes | 136 | 201 | 194 | 216 | 142 | 197 | 203 | 198 |
| Wilsonville | % Change | -13.7% | 21.4% | 13.4% | 3.3% | -20.0% | 32.7% | -36% | -5.1% |
| | # crimes | 196 | 238 | 270 | 279 | 232 | 308 | 197 | 1398 |

Property Crimes – CCSO Patrol & ELED 2-Year Quarterly Trend



Property Crimes – Estacada, Happy Valley, & Wilsonville 2-Year Quarterly Trend



From The Director's Office:

Activities on the Public Works Complex site during the month of April included continued installation of underground water, electrical and plumbing lines.

The administration building tilt-up walls had roof joists placed (see photo to the right) and roof decking installed. Backfilling and fine grading around the building also occurred.

Concrete slab on grade floors for the decant building, outdoor storage bin area and the generator pad were poured.

Structural steel framing for the warehouse was delivered and read for installation in May.



Best Regards,

Delora Kerber, Public Works Director

Public Work Complex



Forming of elevated deck on administration building.



Installation of utilities



Pouring the slab on grade concrete

Utilities—Water

Repair on Metolius Court

The Water crew began the month by responding to calls from residents about water coming out of cracks in the roadway. The cause was determined to be a leak in the service line that required immediate repair.



Staff called in emergency utility locates and gathered the necessary equipment to perform repairs. After excavating down to the service line, they fixed the leak, and then backfilled to restore the roadway surface.



Utilities—Water cont.

Keeping Things Flowing

Staff repaired a broken angle stop that was leaking on Tami Loop, which required a scheduled shutdown of a section of water main . The meter box was removed and the angle stop was replaced. The crew took the opportunity to replace the old water meter as well.

Our crew has also been keeping a close eye on the work being performed by the Willamette Water Supply Program (WWSP). A member of the Wilsonville crew will regularly check in with project to get updates on progress and observe when work is being conducted in the proximity of City assets. This month the WWSP was performing an undercrossing of Wilsonville Road and the City's 63" Transmission line.



Angle stop repair



Undercrossing for the WWSP

A Familiar Face, Different Duties

The Utilities Division is very happy to announce the promotion of Randy Burnham, filling the remaining Water Technician position. Randy has been with the City for four years, starting out in Stormwater and then transitioning into Utilities. Leading up to his promotion, he performed utility locates and worked alongside the Water crew, building up his skills and knowledge of the operation and maintenance of the distribution system. He recently received his Level 2 Water Distribution certificate - way to go, Randy!



Congratulations, Randy!

Utilities—Wastewater

Manhole Maintenance and Repairs

The Sewer crew continued their progress with cleaning and performing CCTV inspections in Charbonneau. They also performed manhole repairs, including rebuilding an old manhole frame.



Another significant repair was necessary in order to remove an obstruction. This required a confined space entry in order to perform the work. It can be hazardous to work in these conditions, so extra safety precautions are needed each time they enter the space.



Preparing for entry



Confined space entry

Roads

Roadway Repairs and Pothole Patching

The Roads Maintenance team has been working hard on pothole and road surface repairs this month. They completed significant repairs on sections of Day Road and Boeckman Road, as well as cleaning up and finishing the roadway after the water leak repairs on Metolius Court.



Roads cont.

Irrigation Repairs

Our team is continuing to work on our right-of-way irrigation, which includes replacing sprinkler heads, repairing pipes and optimizing zones.



Digging around a line



Repairing a line

Graffiti Removal

We have seen an increase in graffiti across town. The crew has been diligently staying on top of cleaning graffiti from all the City owned right-of-way assets in between other work duties. The surface, type of paint, and age of the graffiti factor in what products and efforts needed to remove it.



Stormwater

Catch Basin Cleaning

The Stormwater crew focused on the catch basin cleaning program all month. After completing inspections on over 3,000 catch basins across the city, they identified 1,000 that need cleaning. In the month of March alone, staff cleaned just over 400 catch basins. Great work, crew!



Facilities

Janitor Spotlight: Keeping It Clean

The City has a solid team of four full-time janitors that maintain the cleanliness of our facilities. They perform a wide range of tasks that make all the difference: cleaning restrooms, scrubbing sinks, giving upholstery a refresh, dusting and cleaning smudges off of windows. Our staff provide such an important service and we are grateful for all of their efforts in keeping our buildings clean!



Before



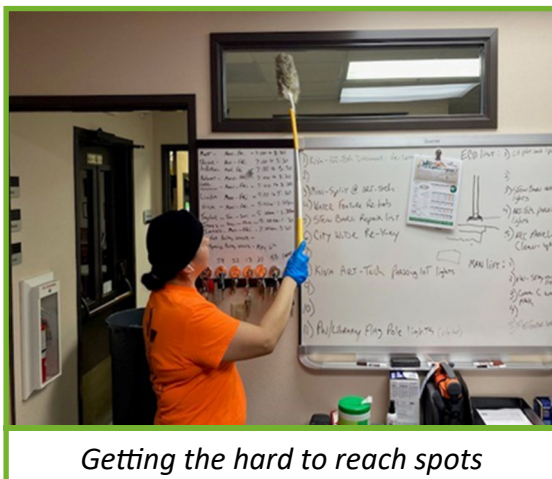
After



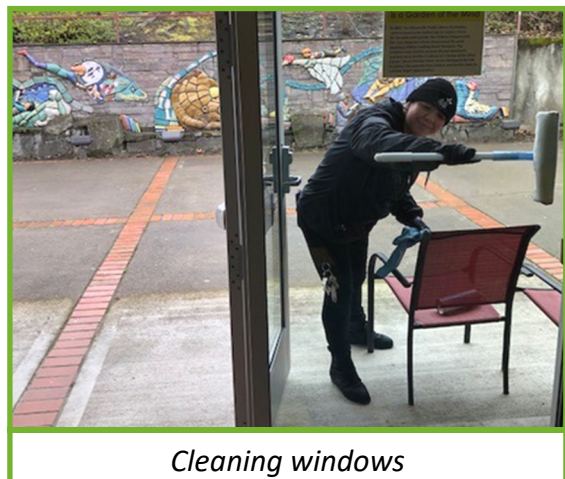
Before



After



Getting the hard to reach spots



Cleaning windows

Facilities cont.

Renovations at the ArtTech Building

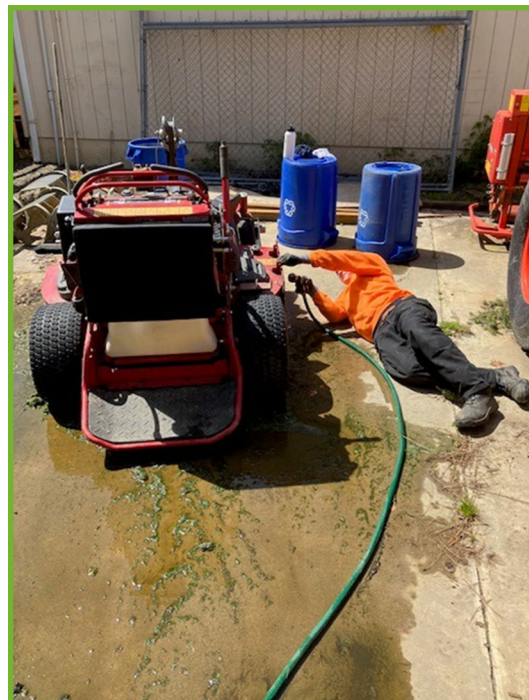
Facilities staff had some fun using big equipment to easily remove a stump and excavate the site where new electrical conduit will be installed. This electrical line will supply the power for the upcoming ArtTech parking lot light renovation.



Removing a stump



Digging around the site



Equipment clean-up



SMART

SOUTH METRO AREA  REGIONAL TRANSIT

April 2023 Report

Is it truly April? Where is the smell of spring? Questions many of us are asking right now. Questions that deserves a definitive answers.

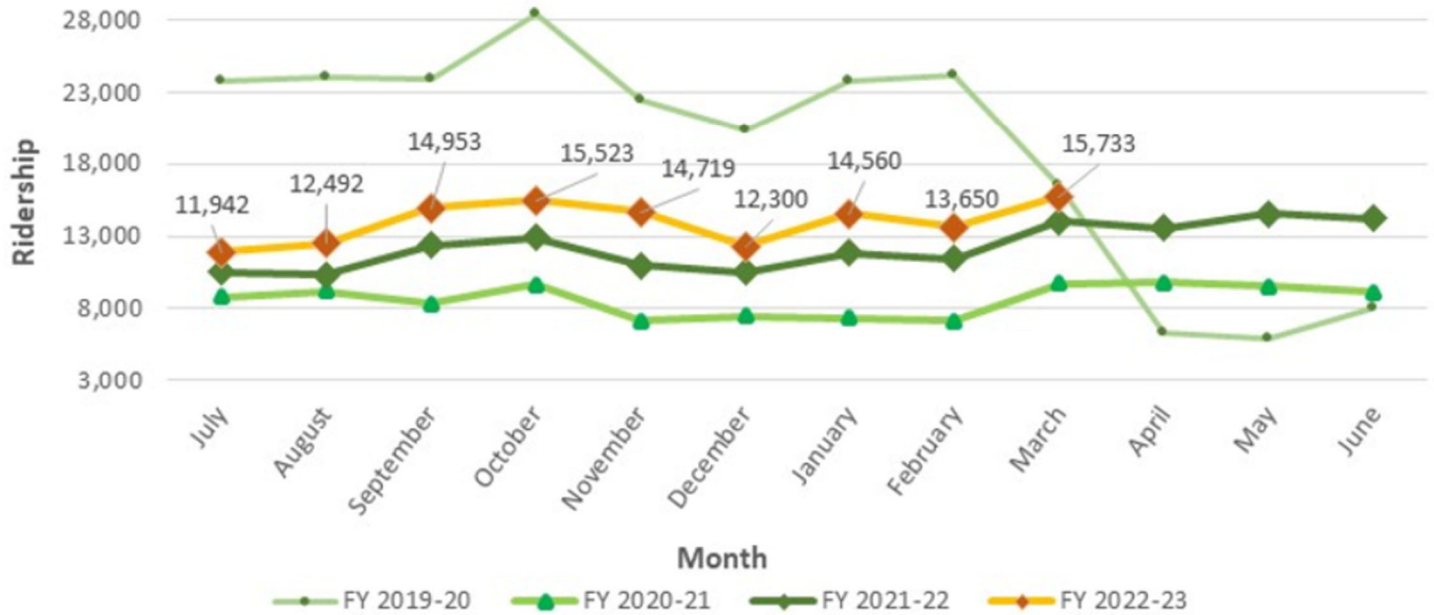
As I alighted the Route 3X at the Wilsonville Transit Center this early April morning and prepared for my anxiously anticipated quarter mile walk to the office, I felt an all-too-familiar chill taunting me just like it had for the previous six months. No more. No less. As I placed one foot in front of the other, I spied Old Man Winter grinning from frigid ear-to-ear and blowing a tune I just assume forget. Appearing unapologetic as he refused to yield the high throne of the seasons to the melodic days of spring. Then it struck me, this must be what T.S. Eliot meant when he wrote the opening words to the epic poem *The Waste Land* - *"April is the cruellest month, breeding lilacs out of the dead land, mixing memory and desire, stirring dull roots with spring rain."*

Dwight Brashear

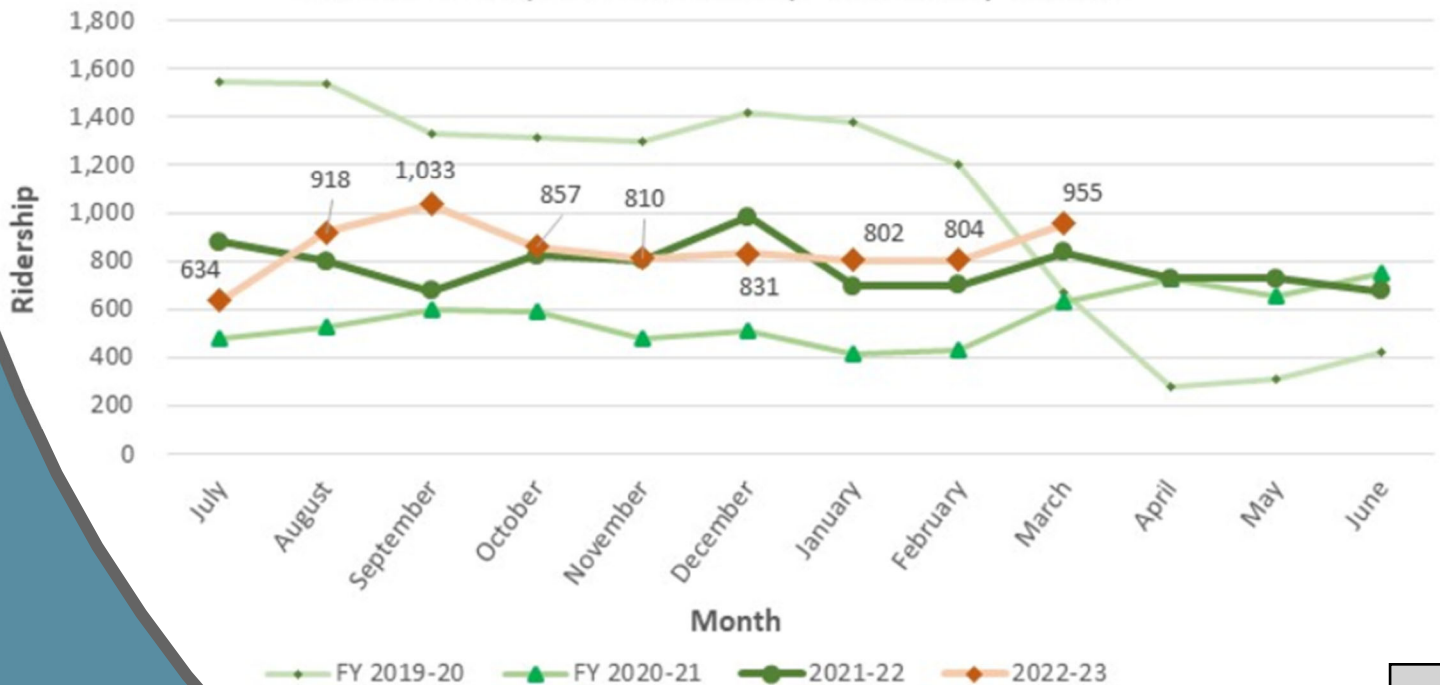


Operations - Anne MacCracken Management Analyst

Fixed Route Ridership Trends by Month



Demand Response Ridership Trends by Month



Operations - **Eric Loomis** Operations Manager

Every job has its perks and driving a bus gives you views that an office just cannot compete with. Rain, snow, or shine, the scene from a bus driver's seat is picturesque – where the parks meet the landscaped pavement, a driver gets a front row seat to all the beauty Wilsonville has to offer. Throughout a SMART driver's day, they may begin in the dark hours of the morning, only to see the sunrise over the city while dropping off some sleepy middle schoolers at Meridian Creek. Later they might move over to a Route 3X and enjoy the country drive to Canby helping folks connect to Oregon City and Woodburn. To wrap up the day, that same driver could pick up some of our more rowdy customers from the Community Center after a hot game of Bingo. All this while enjoying the company of our customers. The smiling faces, the laughter, and the appreciation for the freedom to travel throughout Wilsonville and beyond.

Throughout the day our drivers have much to look for while they enjoy the view. Safety is always the priority here at SMART, which means

a driver is always on alert for hazards or potential hazards; such as a bicyclist in the roadway, children playing near the bus stop, a jogger with headphones in, or the driver on their cell phone in the next lane. 39,600 pounds of steel does not stop on a dime. Proper following distance is crucial. Observation and scanning ahead is crucial. Checking mirrors every 8-10 seconds is a bus driver's norm. Driving requires a clear focus and 100% of attention to the tasks at hand. This is what keeps our passengers safe. This is what keeps our community safe. Our drivers do it with a welcoming smile on their face, because they know the reward is a returned smile; a smile of gratitude, and a genuine thank you, as the passenger alights the bus.



Operations - Scott Simonton –Fleet Manager

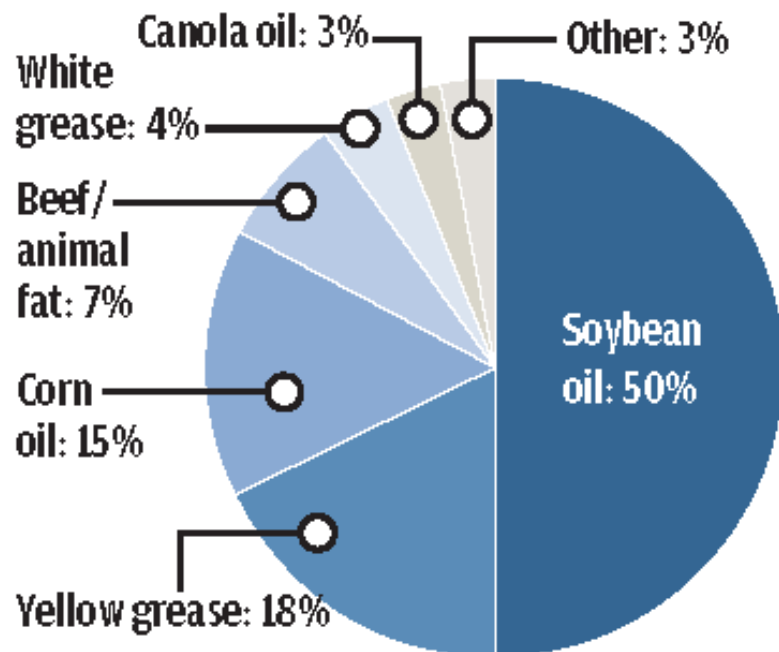
Petroleum based diesel is no longer being used in Wilsonville's vehicle fleet. We have now moved to a renewable fuel product, known as "R99".

Renewable diesel is not a fossil fuel. Instead, it is made of nonpetroleum renewable resources such as natural fats, vegetable oils, and greases. Much of the stock used to produce renewable diesel is considered agricultural waste, which is the result of food production. We have been tracking the price and availability of R99 for the past few years, after learning of the success Eugene Water & Electric experienced with this fuel in their fleet.

The main problem had been the limited supply within Oregon, while a secondary concern was pricing.

Our fuel supplier is now able to guarantee consistent availability as well as price parity. The ability to move to renewable, with no increase in price over petroleum diesel, resulted in an easy decision to make the switch.

Where renewable diesel comes from



Source: A 2022 report by Cerulogy, a green energy consultant research group

Lee Enterprises graphic

Grants & Program Manager - Kelsey Lewis

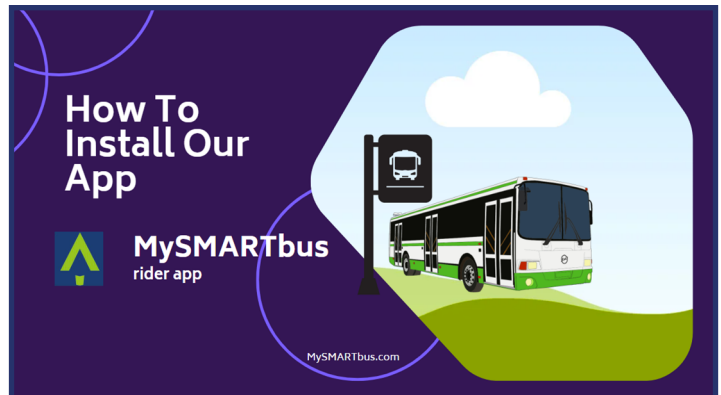
Our long awaited order of three small “cutaway” buses is finally on its way to us. This is a relief for our fleet staff and operations, as well as good news for our grant management, as the delay has required explanations in ongoing reporting on three separate grants since these buses were ordered in 2021. SMART staff are happy to see that many of the supply chain issues have improved. As the pandemic has loosened its grip, we have also used the majority of our emergency transit operations assistance funds that came through the American Rescue Plan Act.



Transportation Options - Michelle Marston Program Coordinator

We created a short video to help folks transition to using the mySMARTbus app to get real time information and any real time bus alerts.

Find the video on the City's YouTube channel, on our social media pages, and on our website.



Planning for the 2023 summer Walk at Lunch series is now complete. We have a full calendar of walks scheduled for the summer with many returning business partners and even some new ones!

Join us May 17, at Nichols Family Agency near Town Center park and meet like minded folks who like to get out and walk for short trips.

Find our full calendar at rideSMART.com/walkatlunch



Transportation Options - **Patty Tiburcio** Mobility Technician

After Wilsonville schools returned from Spring Break, SMART and Northwest Housing Alternatives (NHA) staff resumed the Walking School Bus to Boones Ferry Primary School (BFPS). Thus far, the Walking School Bus has established consistent participation from a number of families. SMART and NHA continue to work on increasing the number of BFPS families walking to school and to alleviate the drop-off congestion that occurs in the morning.



At the end of April, SMART and Ride Connection staff held the final session of a four part travel training series. Session four included a group transit trip to/from Washington Square Mall. During the trip, participants experienced traveling on SMART's 2X bus route to get to the Tualatin Park and Ride. From here, the group transferred onto TriMet's Bus 76. Participants learned about using TriMet's HOP system; using a paper fare ticket and the plastic HOP card; and Transit Tracker which provides real-time arrival information for buses and trains. During the trip, participants also experienced a fare inspection and learned the importance of holding onto a paper ticket, which once torn is no longer valid. The fare inspection led to an impromptu question and answer session with the fare inspectors.

