



CITY COUNCIL AGENDA

March 06, 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.

EXECUTIVE SESSION [5:00 PM]

ORS 192.660(2)(e) Real Property Transactions

ADJOURN [5:25 PM]

Break to switch Zoom accounts [10 min.]

REVIEW OF AGENDA AND ITEMS ON CONSENT [5:35 PM]

COUNCILORS' CONCERNS [5:40 PM]

PRE-COUNCIL WORK SESSION [5:45 PM]

- A. [Transportation System Plan Amendments for Frog Pond East and South \(Pauly/Weigel\) \[20 min.\]](#)
- B. [Prohibited Camping Code Update Project \(Guile-Hinman\) \[45 min.\]](#)

ADJOURN [6:50 PM]

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, March 6, 2023 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10:00 a.m. on February 21, 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.

MAYOR'S BUSINESS [7:05 PM]

4. [Upcoming Meetings](#)

COMMUNICATIONS [7:10 PM]

5. Climate-Friendly and Equitable Communities (CFEC) Overview (*Pauly*)

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [7:25 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.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [7:35 PM]

7. Council President Akervall
8. Councilor Linville
9. Councilor Berry
10. Councilor Dunwell

CONSENT AGENDA [7:55 PM]

11. [Resolution No. 3040](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc. \(Smith\)](#)

12. [**Resolution No. 3041**](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc. \(Smith\)](#)

13. [**Resolution No. 3042**](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods LP, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc. \(Smith\)](#)

14. [**Resolution No. 3043**](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation. \(Smith\)](#)

15. [**Resolution No. 3044**](#)

[A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc. \(Smith\)](#)

16. [**Resolution No. 3048**](#)

[A Resolution Of The City Of Wilsonville Supporting A 2023 Grant Application To The Oregon State Parks, Local Government Grant Program For The Boones Ferry Restroom Replacement Project. \(Schull\)](#)

17. [**Resolution No. 3049**](#)

[A Resolution Of The City Of Wilsonville Authorizing The Purchase Of One 40' Bucket Truck From Global Rental Co. \(Simonton\)](#)

NEW BUSINESS [8:00 PM]

CONTINUING BUSINESS [8:00 PM]

PUBLIC HEARING [8:00 PM]

CITY MANAGER'S BUSINESS [8:00 PM]

**City Council
March 06, 2023**

Page 3 of 4

LEGAL BUSINESS [8:05 PM]

ADJOURN [8:10 PM]

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: March 6, 2023		Subject: Frog Pond East and South Master Plan Transportation System Plan Amendments	
		Staff Members: 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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable Comments: During a February 8, 2023 work session Planning Commission reviewed the transportation information from the Master Plan and was supportive of integrating the projects into the Citywide Transportation System Plan.	
Staff Recommendation: Review and provide feedback on the draft amendments to the City's Transportation System Plan (TSP) to integrate the Frog Pond East and South Master Plan transportation projects.			
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

An implementation step for the Frog Pond East and South Master Plan is to integrate the transportation projects for the area into the citywide Transportation System Plan (TSP). This work session will give the City Council an opportunity to review the adopted list of projects for inclusion into the TSP and ask any clarifying questions prior to holding a public hearing on the matter. The Planning Commission held a work session on February 8, 2023, and is supportive of integrating the projects identified in the Frog Pond East and South Master Plan into the citywide TSP.

EXECUTIVE SUMMARY:

In late 2022, the City Council, on recommendation from the Planning Commission, adopted the Frog Pond East and South Master Plan. The Master Plan identifies the types and locations of the homes, commercial development, parks, open spaces, streets, trails, and infrastructure to be built over the next 10-20 years in an area on the east side of Wilsonville added to the Metro Urban Growth Boundary in 2018. The Master Plan focuses on providing diverse housing opportunities to meet the community's future housing needs.

The Master Plan outlines clear policy direction and guidance for future development in Frog Pond East and South. Specific to transportation, the Master Plan identifies a transportation network enabling connectivity both throughout the neighborhood and to the rest of Wilsonville and beyond. The transportation network focuses on all modes of travel while particularly focusing on active transportation.

There are a number of important implementation steps to make the Master Plan a reality. The project team, along with City Council and Planning Commission, have been working on Development Code standards as one of these steps. The City is also working on an infrastructure funding plan. This work session is focused on the step of integrating the transportation improvements from the Master Plan into the citywide Transportation System Plan (TSP). The integration will allow transportation projects to be eligible for funding using City System Development Charges (SDCs) as well as ensure the Master Plan-identified projects are acknowledged as part of the broader transportation network.

In this work session, the team will review the list of projects from the Master Plan that are proposed for inclusion into the TSP and answer any questions. The proposed amendments are outlined in Attachment 1. For the Council's reference, Attachment 2 provides relevant excerpts from the Master Plan and Attachment 3 provides relevant excerpts from the Master Plan Technical Appendices.

EXPECTED RESULTS:

This meeting will direct the final draft of TSP amendments for the upcoming public hearings on the matter.

TIMELINE:

Following this work session, the Planning Commission will hold a public hearing on March 8. If Council feedback requires substantial modifications, the hearing will be rescheduled to a later date. The City Council is currently scheduled to consider the Planning Commission's formal recommendation on the proposed TSP amendments during an April 3 public hearing.

CURRENT YEAR BUDGET IMPACTS:

Consultant services preparing the TSP amendments is funded by the Planning Division's FY22-23 budget for professional services in the amount of \$14,630.

COMMUNITY INVOLVEMENT PROCESS:

During this implementation phase the primary focus is on honoring past input. Public notice will be provided for the hearing enabling public input and awareness.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Realization of the policy objectives set out in the Frog Pond East and South Master Plan to create Wilsonville's next great neighborhoods.

ALTERNATIVES:

Limited alternatives exist as the proposed TSP amendments are a direct reflection of the adopted Frog Pond East and South Master Plan. The Council may suggest alternatives for how best to incorporate this prior work into the TSP document.

ATTACHMENTS:

1. Presentation from DKS Associates Regarding Amendments (February 8, 2023)
2. Excerpts from Frog Pond East and South Master Plan related to transportation
3. Frog Pond East and South Master Plan Technical Appendix I: Transportation Analysis: Existing and Future Conditions (without data appendix)

WILSONVILLE TRANSPORTATION SYSTEM PLAN (TSP) AMENDMENT

AGENDA

1 / WHY IS A TSP AMENDMENT NEEDED?

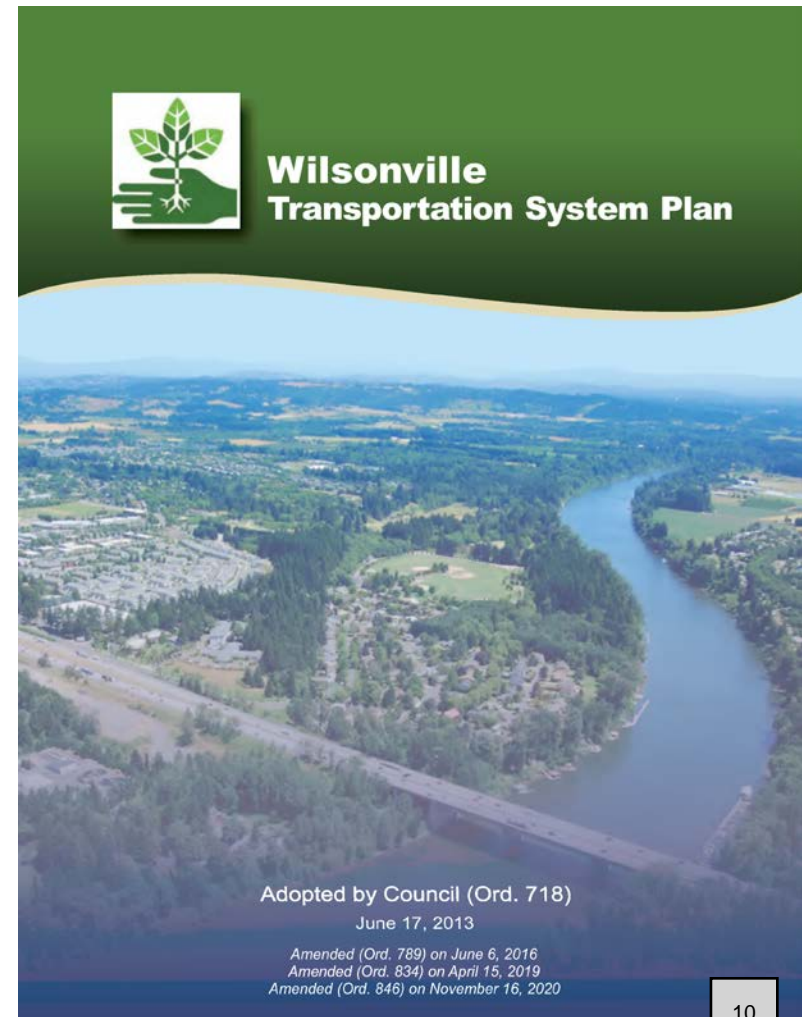
2 / CHAPTER 3: STANDARDS

3 / CHAPTER 5: PROJECTS

4 / QUESTIONS

WHAT IS A TSP AND WHY DOES IT NEED AN AMENDMENT?

- The Transportation System Plan (TSP) is the City's long-term policy and planning document for transportation improvements
- Having a TSP in place is essential for the City to compete for federal, state, and regional funding for transportation projects
- This TSP amendment is required as part of the Frog Pond East & South Master Plan.
- This amendment will only include changes related to the Frog Pond East & South Master Plan. No other change or updates were made, including the removal of completed projects.

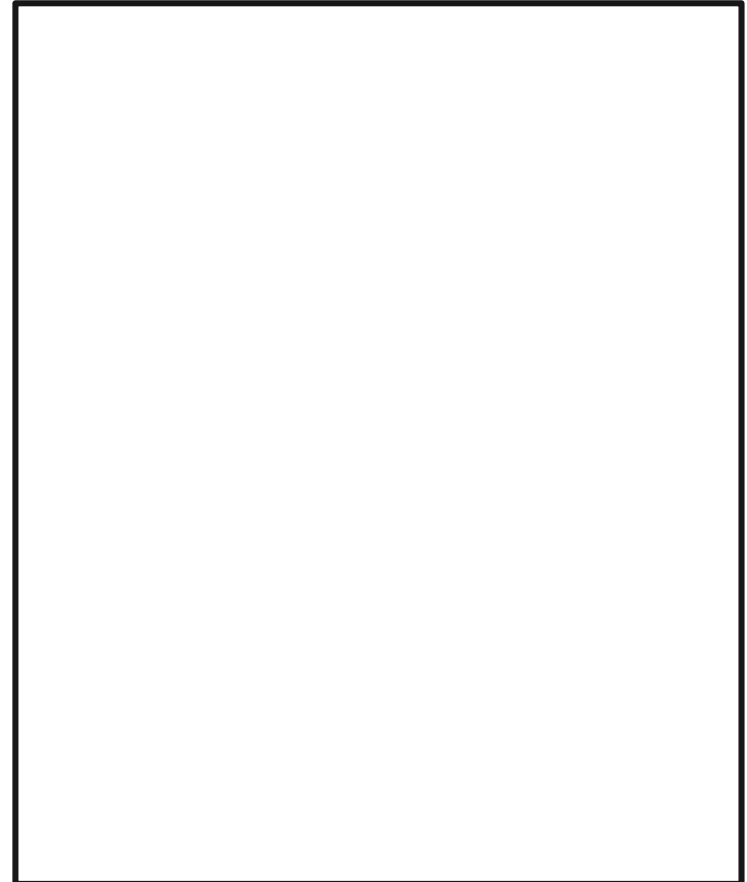


CHAPTER 3: THE STANDARDS

Figure 3-1: Roadway Jurisdiction
Figure 3-2: Functional Classification
Figure 3-5: Bicycle Routes



- Extend the Wilsonville City Limit
- Extend the UGB Boundary
- Add the Collector Street network to Frog Pond East and South
- Add the planned bicycle facilities to the Frog Pond East and South



CHAPTER 3: THE STANDARDS

Figure 3-14: Frog Pond East & South Master Plan Cross Sections

Stafford Road Arterial

- Stafford Road Arterial
- Advance Road Collector
- 60th Avenue Collector Gateway (North of Advance Road)
- 60th Avenue Collector (South of Advance Road)
- Brisband Main Street
- School Local Street

Advance Road Collector

CHAPTER 3: THE STANDARDS

Figure 3-14: Frog Pond East & South Master Plan Cross Sections

60th Avenue Collector
(South of Advance Road)

60th Avenue Collector Gateway
(North of Advance Road)

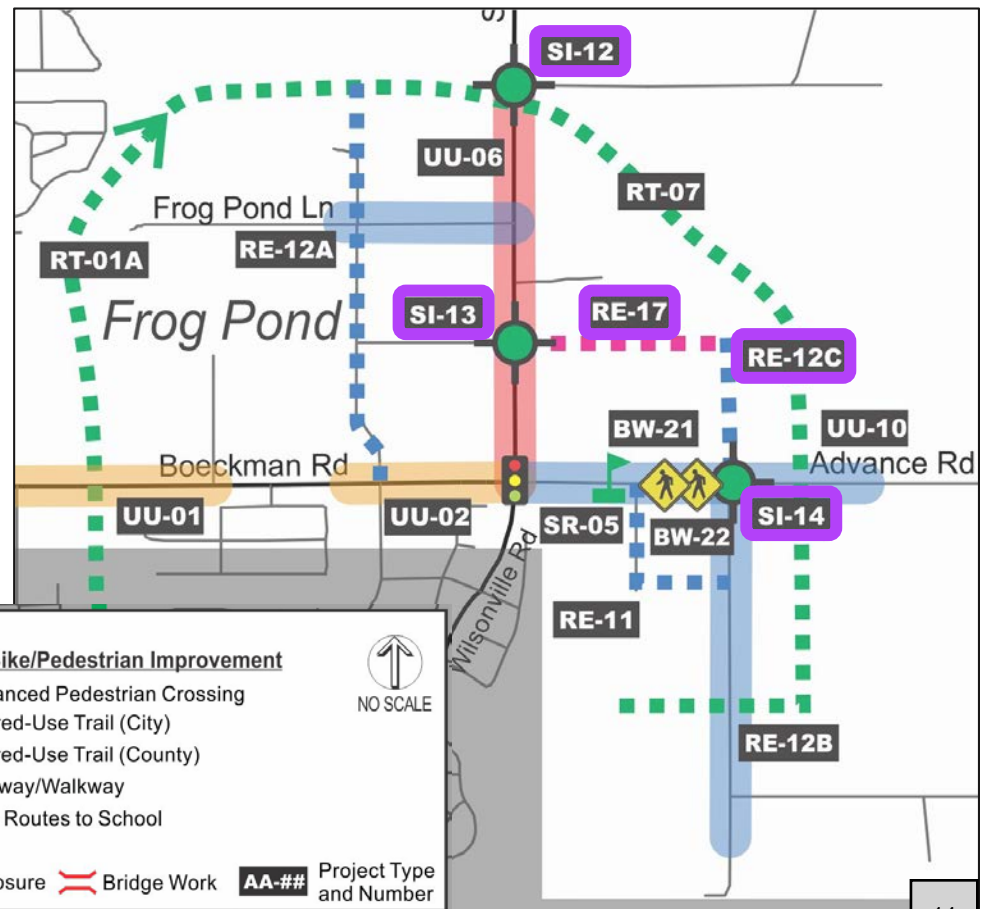
School Local Street

Brisband Main Street

CHAPTER 5: PROJECTS

High Priority Projects

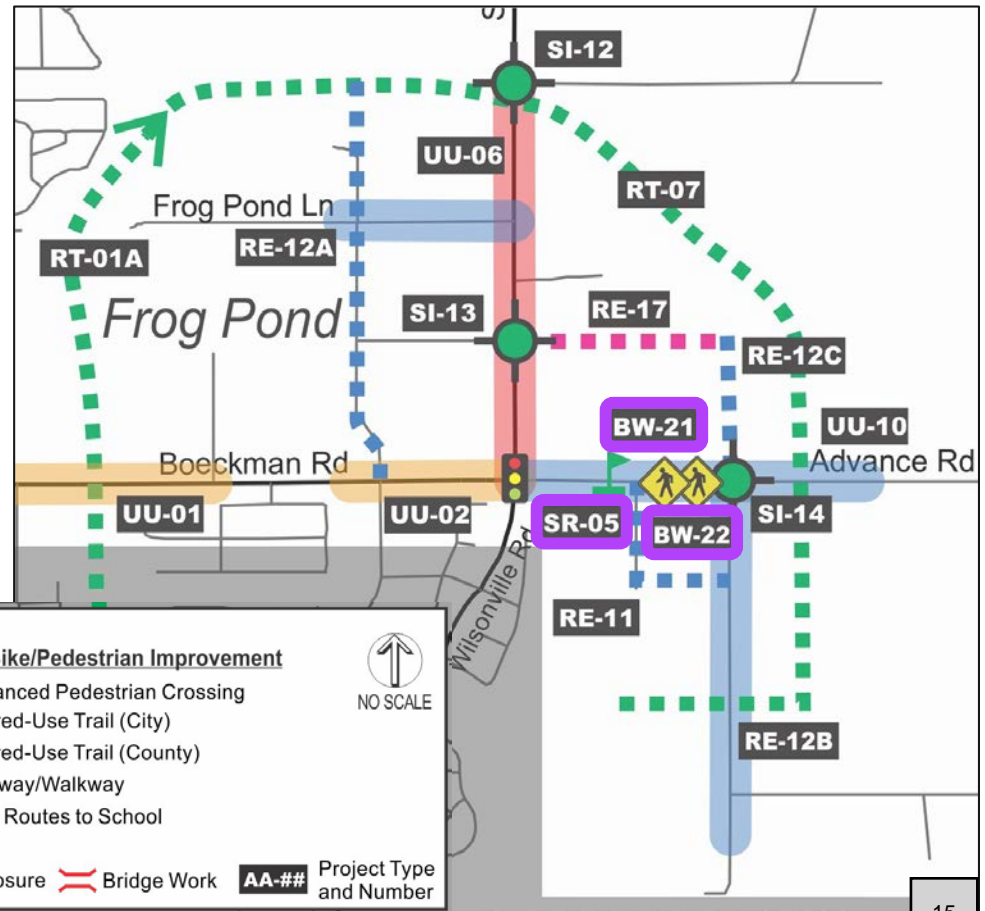
- RE-12C: Frog Pond East Neighborhood Collector Roads
- RE-17: Frog Pond Brisband Main Street Extension
- SI-12: Stafford Road/Kahle Road Roundabout
- SI-13: Stafford Road/Brisband Street Roundabout
- SI-14: Advance Road/60th Avenue Roundabout



CHAPTER 5: PROJECTS (CONTINUED)

High Priority Projects

- BW-21: Advance Road Mid-block Pedestrian Crossing near Future Park
- BW-22: Advance Road Rectangular Rapid Flashing Beacon (RRFB)
- SR-05: Meridian Creek Middle School Safe Routes to School Improvements



FROG POND EAST & SOUTH MASTER PLAN



A VISION AND IMPLEMENTATION PLAN FOR TWO NEW
NEIGHBORHOODS IN EAST WILSONVILLE



ADOPTED BY WILSONVILLE CITY COUNCIL
ORDINANCE NO. 870

DECEMBER 19 2022

ACKNOWLEDGEMENTS

PLANNING COMMISSION:

Ronald Heberlein, Chair 2022
Kamran Mesbah, Chair 2021
Jennifer Willard, Vice-Chair 2021-2022
Olive Gallagher
Andrew Karr
Breanne Tusinski
Aaron Woods
Jerry Greenfield, former Commissioner

CITY COUNCIL:

Mayor Julie Fitzgerald
Kristin Akervall, Council President
Charlotte Lehan, Councilor
Dr. Joann Linville, Councilor
Ben West, Councilor

METRO STAFF

Tim O'Brien, Principal Regional Planner

OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT STAFF:

Laura Kelly, Regional Representative
Kelly Reid, Regional Representative

WEST-LINN WILSONVILLE SCHOOL DISTRICT STAFF:

Pat McCough, Chief Operations Manager
Remo Douglas, Bond Program Manager

TOTALATIN VALLEY FIRE & RESCUE

Alex McGladrey, Deputy Fire Marshall

CITY OF WILSONVILLE STAFF:

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Dan Pauly, Planning Manager
Kim Rybold, Senior Planner
Cindy Luxhoj, Associate Planner
Georgia McAlister, Associate Planner
Philip Bradford, former Associate Planner
Mandi Simmons, Administrative Assistant
Zach Weigel, City Engineer
Amy Pepper, Development Engineering Manager
Andrew Barrett, Capital Projects Engineering Manager
Chris Neamtzu, Community Development Director
Kerry Rappold, Natural Resources Manager
Kris Ammerman, Parks and Recreation Director
Dustin Schull, Parks Supervisor
Amanda Guile-Hinman, City Attorney
Ryan Adams, Assistant City Attorney
Barbara Jacobson, former City Attorney
Eric Loomis, Transit Operations Manager
Kelsey Lewis, Transit Grants and Program Manager
Delora Kerber, Public Works Director
Martin Montalvo, Public Works Operations Manager
Brad Painter, Roads and Stormwater Supervisor
Ian Eglitis, Utilities Supervisor
Andy Stone, IT Director

CONSULTANT TEAM



Centro Cultural
DKS Associates
ECONorthwest
Leland Consulting Group
Murraysmith | Consor
Walker Macy

A VISION FOR FROG POND IN 2035

The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community's hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.

FROG POND AREA PLAN VISION STATEMENT

ADOPTED BY THE WILSONVILLE CITY COUNCIL
NOVEMBER 16, 2015





COMMUNITY DESIGN CONCEPTS



COMMUNITY DESIGN CONCEPTS

FROM DESIGN CONCEPTS TO A COMMUNITY

As described previously in this report, the Master Plan process began with community outreach, mapping of Frog Pond's context and existing conditions, and research regarding affordable housing and neighborhood commercial opportunities. With that information in hand, the process then explored the following design-related questions for the plan:

- What are the **current and future neighborhood destinations** that will serve as special places and neighborhood gathering places?
- What are the **opportunities to connect** those neighborhood destinations?
- What is the **transportation framework** of streets, trails, bikeways, walking routes and transit that will create a connected community?
- Where should a **neighborhood commercial center** be located?
- What are the opportunities for **subdistricts** – smaller areas of cohesive building form – within each of the neighborhoods?

After design sketches and precedent imagery were prepared, concepts were reviewed in work sessions with the Planning Commission and City Council, shared online, and discussed with the community in outreach meetings during the Spring of 2022. There was strong support for each of the key design concepts – neighborhood destinations, strong connections, a connected transportation framework, a neighborhood commercial center, and subdistricts – that became the basis for the Plan¹. Common themes in the feedback from the community included:

- The neighborhood commercial center and future East Neighborhood Park have especially good potential for community gathering and neighborhood destinations.
- There was broad support for the neighborhood commercial center being located at the SW Brisband option, with a walkable Main Street design (pedestrian friendly streetscape, buildings close to the street and parking behind, sidewalk cafes, etc.).
- Participants had many ideas for desirable uses in the commercial center and its role in the community: e.g. ethnic food, family-owned small businesses, a setting that will draw families.
- Streets, trails, bikeways and walking routes should emphasize safety, especially for the routes to and from Meridian Creek Middle School.
- People saw the value of a plan for the BPA Corridor (e.g. including trails, potential use for parking), but were cautious about safety and noise.

¹ See Technical Appendix A: Community Engagement Summary



COMMUNITY DESIGN CONCEPTS

The diagrams and images on the following pages illustrate the Master Plan's design concepts that emerged from this process. The community's feedback was used to create the Master Plan recommendations described later in this report.

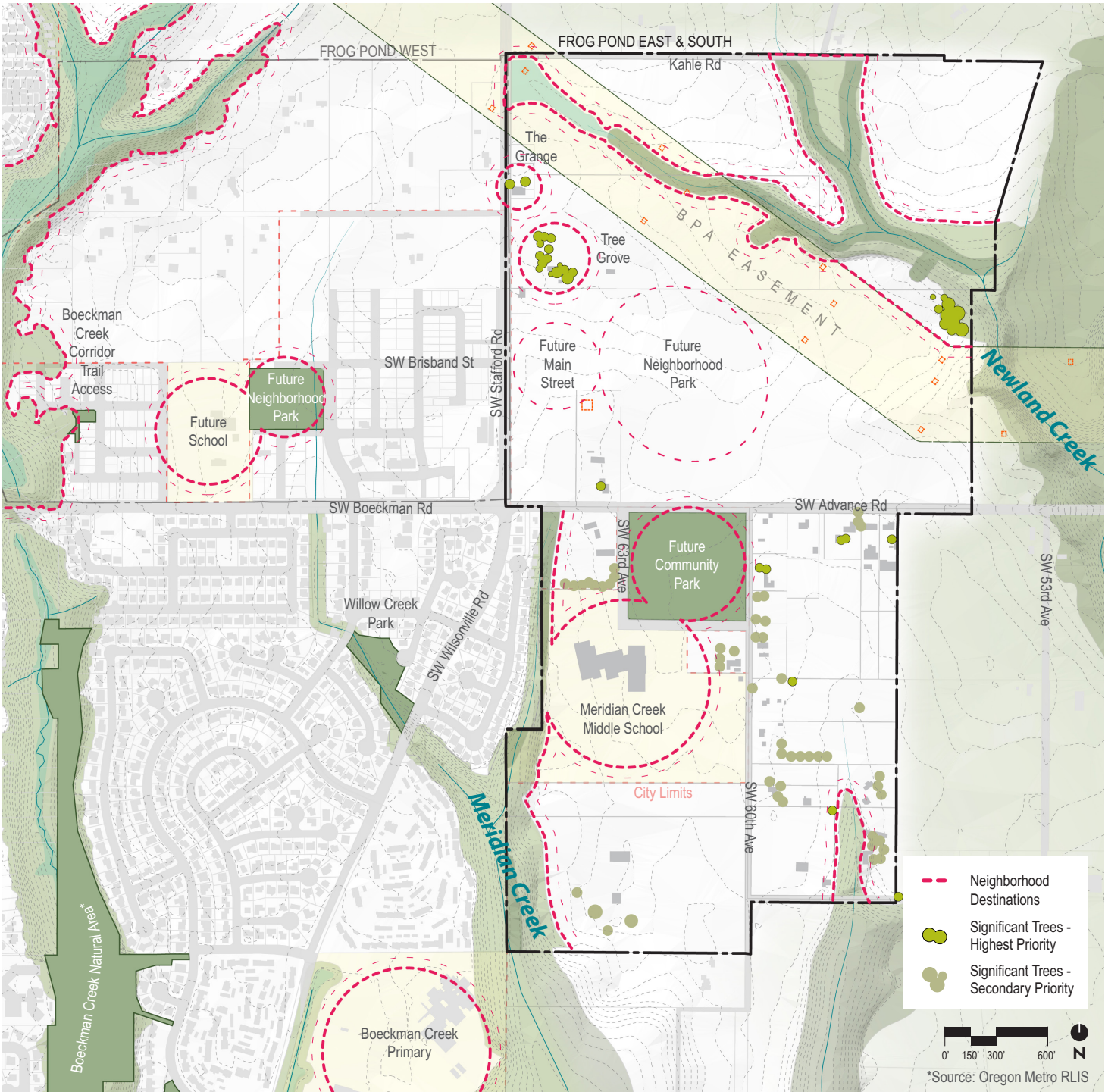
NEIGHBORHOOD DESTINATIONS

Figure 10 illustrates existing and future locations in all three Frog Pond Neighborhoods, which have the potential to be community gathering destinations or key visual amenities, or both. They include:

- The Frog Pond Grange
- Newland Creek and Meridian Creek natural areas
- Significant tree groves
- A future neighborhood park in the East Neighborhood
- Meridian Creek Middle School and the future community park
- Primary School and Neighborhood Park in Frog Pond West
- Boeckman Creek Primary School and Wilsonville High School (just off the map to the southwest)
- Boeckman Creek Natural Area and Corridor Trail
- Future Main Street Commercial Area



Figure 10. Neighborhood Destinations



Notes: Additional "Green Focal Points" not shown on this figure - see Figure 18 for more detail.
The Future Neighborhood Park circle indicates a general area for a 3-acre park.



COMMUNITY DESIGN CONCEPTS

CONNECTIONS BETWEEN DESTINATIONS

This conceptual diagram (Figure 11) illustrates the area's potential for connections between neighborhood destinations. The Master Plan is an opportunity to organize and coordinate land use, transportation, and open space to support these connections.

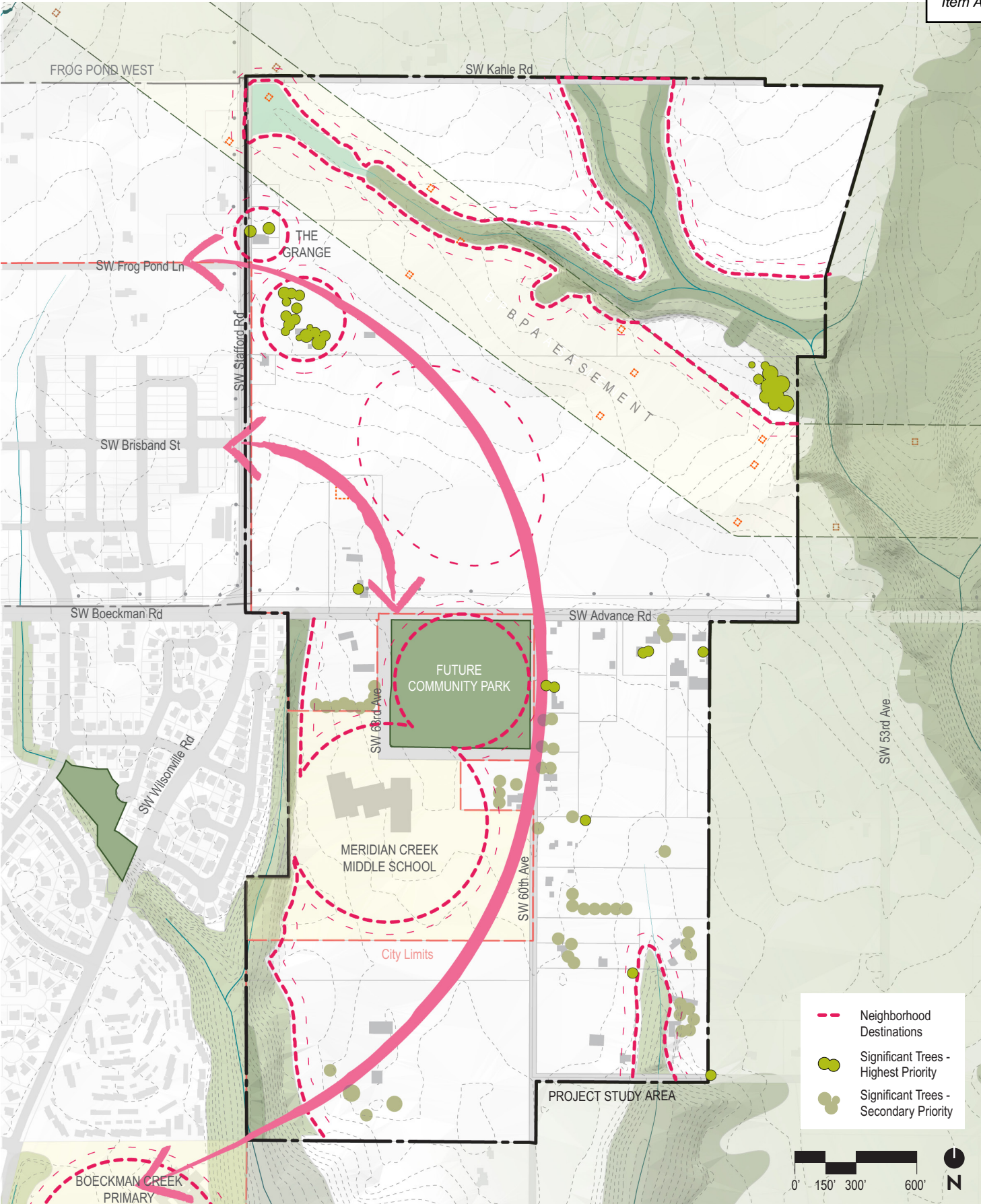
This Plan aims to enable direct and convenient trips between these destinations by all modes of travel, focusing on walking and rolling. This conceptual diagram is guiding to the Master Plan regarding street alignments, pedestrian routes, trails, and street crossings. As such it is fundamental to the vision to create a walkable and connected community.



The streets and trails of Frog Pond East and South will connect many neighborhood destinations.

Figure 11. Connections Between Neighborhood Destinations
Frog Pond East and South TSP Update
CC Work Session March 6, 2023 Attachment 2

Item A.





COMMUNITY DESIGN CONCEPTS

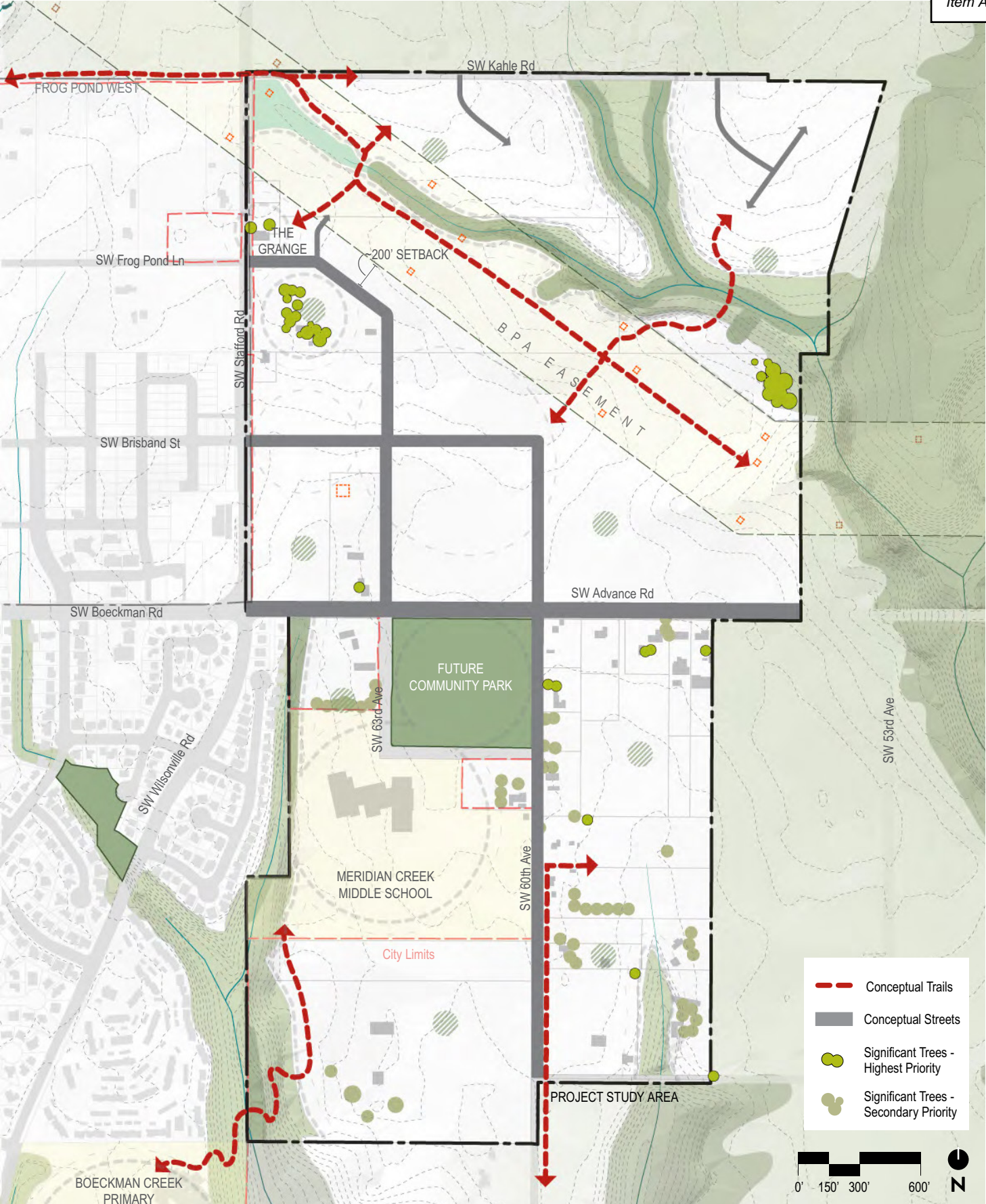
STREETS AND TRAILS TO CONNECT THE COMMUNITY

Figure 12 illustrates an initial concept for how the area's streets and trails are planned to create a connected Frog Pond Community. It was one of several options that were explored and ultimately led to the street and trail recommendations of the Master Plan. The streets and trails shown are the minimum “framework” of connections, with developers building additional local-level streets and trails that will connect key destinations and build out the neighborhood transportation network. See Figure 15, Land Use and Urban Form Plan for the Master Plan's recommended framework streets and trail network.



Figure 12. Street and Trail Connections

Item A.





COMMUNITY DESIGN CONCEPTS

NEIGHBORHOOD CENTERS

Figure 13 illustrates the idea of neighborhood centers within the planning area. There are three types of centers shown, each with their unique scale and role in creating the vibrant, connected community envisioned for Frog Pond East and South:

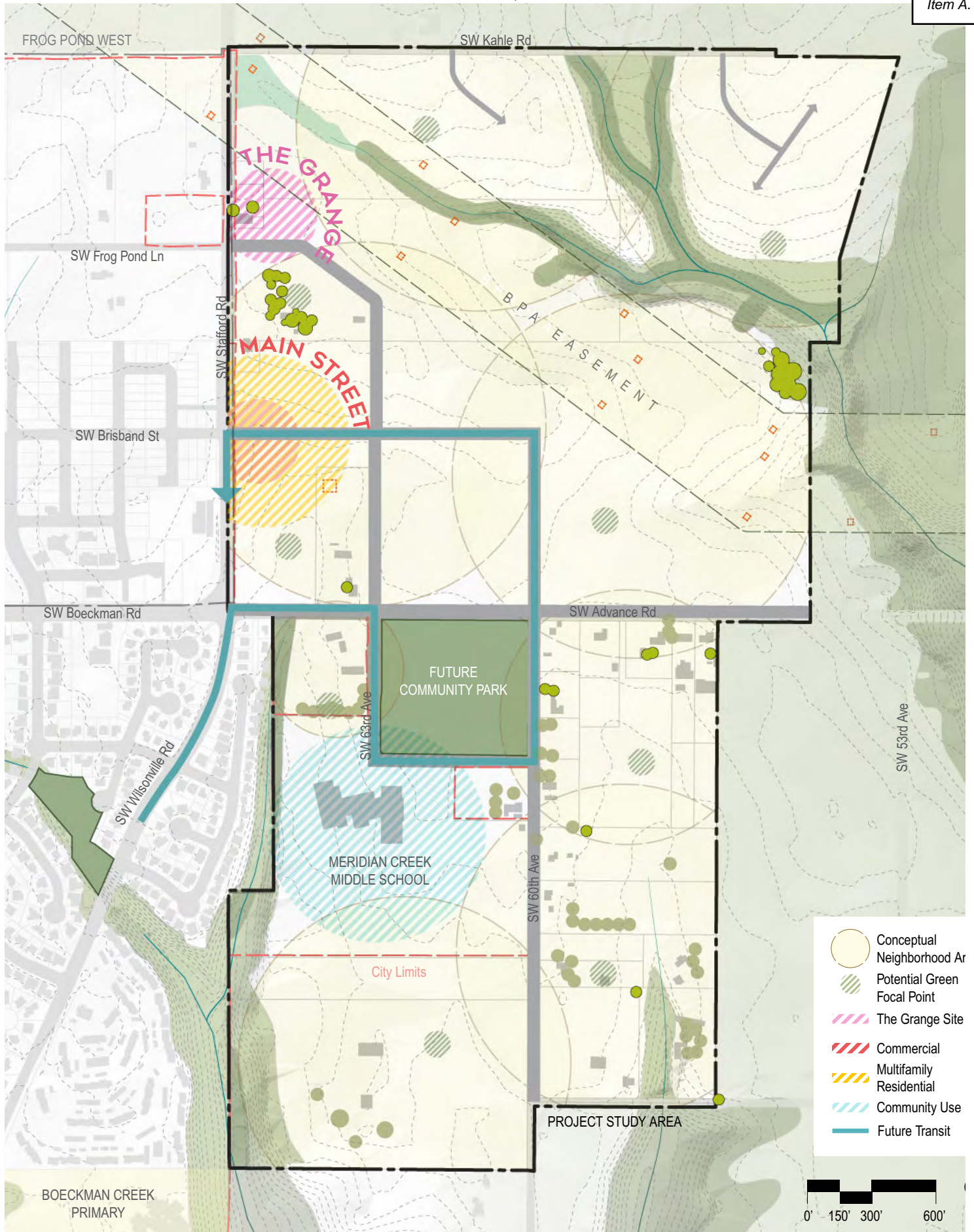
- **Main Street** – A potential 3-acre Main Street commercial center with shops, restaurants, local services and community gathering spaces. Residential uses would be allowed within mixed-use buildings.
- **Frog Pond Grange** – A historic gathering place that is envisioned as a location for future civic or community use.
- **Green Focal Points** – The green focal points are small open spaces between neighborhood destinations. They might be a signature tree, a viewpoint, a storm water facility, or a small open space that is part of a development. These points are represented by green dots in the center of neighborhood bubbles, and are further defined in later diagrams.



Neighborhood Food Hall in Northwest Crossing, Bend

Figure 13. Diagram of Conceptual Neighborhood Centers Frog Pond East and South TSP Update
CC Work Session March 6, 2023 Attachment 2

Item A.





COMMUNITY DESIGN CONCEPTS

TRANSPORTATION CHOICES AND CONNECTIONS

- Framework streets – the existing and future streets that will form the backbone of a connected community
- A street demonstration plan – the illustrated vision for a fully connected and walkable block pattern. The framework streets are generally existing or extensions of existing streets and will be in the location shown. Other streets demonstrate the intent of block layout and connectivity, but refinements in the layout may occur during the development review process
- Tailored street cross sections for Stafford, Brisband Main Street, Advance Road, and the extension of 60th Avenue
- A plan for the SMART Transit service to circulate through the neighborhoods and connect key destinations
- Trails and pedestrian paths that connect the Frog Pond East and South neighborhood destinations and other Wilsonville trails and destinations
- A bicycle network comprised of protected and/or dedicated bike lanes on larger streets and “sharrows” on selected local streets
- Accessibility for all community members and users of the transportation connections

SUBDISTRICTS

- The Master Plan includes subdistricts that were selected based on their context and potential for placemaking
- The plan illustrates 6 subdistricts in the East Neighborhood and 4 subdistricts in the South Neighborhood
- The subdistricts are intended as “neighborhoods within the neighborhoods”, each with a planned number and variety of housing and a cohesive look and feel
- Each subdistrict includes a green focal point that is central in the subdistrict and/or aligned with a key feature such as a tree grove to serve as an important placemaking tool, creating a strong public realm and opportunity for community gathering.



PUBLIC REALM



PUBLIC REALM

The public realm is the combination of all public spaces, including streets, alleys, parks, plazas, and other publicly accessible areas, that define the experience of living in or visiting a city or neighborhood. A well-designed and cohesive public realm will be an essential part of the success and livability of this new area of Wilsonville. The Master Plan provides guidance about how the public realm can be designed to work together with existing site qualities and future development to create healthy, connected, sustainable, and beautiful neighborhoods for diverse families to thrive.

PRINCIPLES

The design of the public realm in Frog Pond East and South will achieve several key principles.

PRESERVED AND RESTORED NATURAL RESOURCES. Existing natural resources, including trees, wetlands and creek corridors, will be preserved and restored within and around new development. Streets, parks, and public spaces provide opportunities to protect existing trees. Additionally, incorporating stormwater planters and green infrastructure supports watershed health by cleaning and slowing runoff.

INTEGRATED PARKS AND GREEN SPACES. Parks and green spaces are a vital part of creating healthy, active, and livable neighborhoods. Parks and smaller open spaces within neighborhoods will be centrally located and visible and accessible to all. In addition to a 10-acre community park and a 3-acre neighborhood park, each walkable subdistrict includes its own “green focal point”, which could be a pocket park, playground, community garden, plaza, or other gathering place.

COMMUNITY DESIGN THAT CELEBRATES AND ENHANCES NEIGHBORHOOD CHARACTER. Streets and trails will be laid out to emphasize views of natural features like forested creek corridors, parks, and destinations. Unique and historical elements like the Frog Pond Grange will be integrated thoughtfully into overall neighborhood design. For example, the Grange site will provide co-located gathering space, green space, and direct access to the trails and open space of the BPA corridor. Detailed elements of the public realm like lighting, street trees, and signage will be cohesive with the existing fabric of Wilsonville, particularly the adjacent Frog Pond West area.



PUBLIC REALM

PLACES FOR GATHERING AND CIVIC LIFE FOR A DIVERSE COMMUNITY. The public realm will support a broad range of social activities, including opportunities to gather formally and informally. Meeting places like neighborhood commercial areas, parks, schools, and even sidewalks will be designed to provide space for varied social and cultural activities.

CONVENIENT, SAFE, AND LOW-STRESS TRANSPORTATION OPTIONS. A connected network of streets and trails prioritizes the safety and comfort of the most vulnerable road users. Streets will be designed to encourage and prioritize walking, biking, rolling, transit, and other low-carbon modes of travel. Street and block layout make it easy for residents to access schools, parks, and neighborhood services without a car.





PUBLIC REALM

STREET AND BLOCK LAYOUT

The Street and Block Demonstration Plan (Figure 19) illustrates a potential layout of streets, blocks, and multi-use paths that would achieve the intent of providing connected, convenient, safe, and low-stress transportation options for Frog Pond East and South. The plan illustrates "Framework Streets", which are the existing and future streets that are the required base network for the East and South neighborhoods. The remaining street locations are shown for demonstration purposes. Actual street layout beyond the framework streets will be determined at the time of development review, based on standards contained in the Development Code and Public Works Standards.

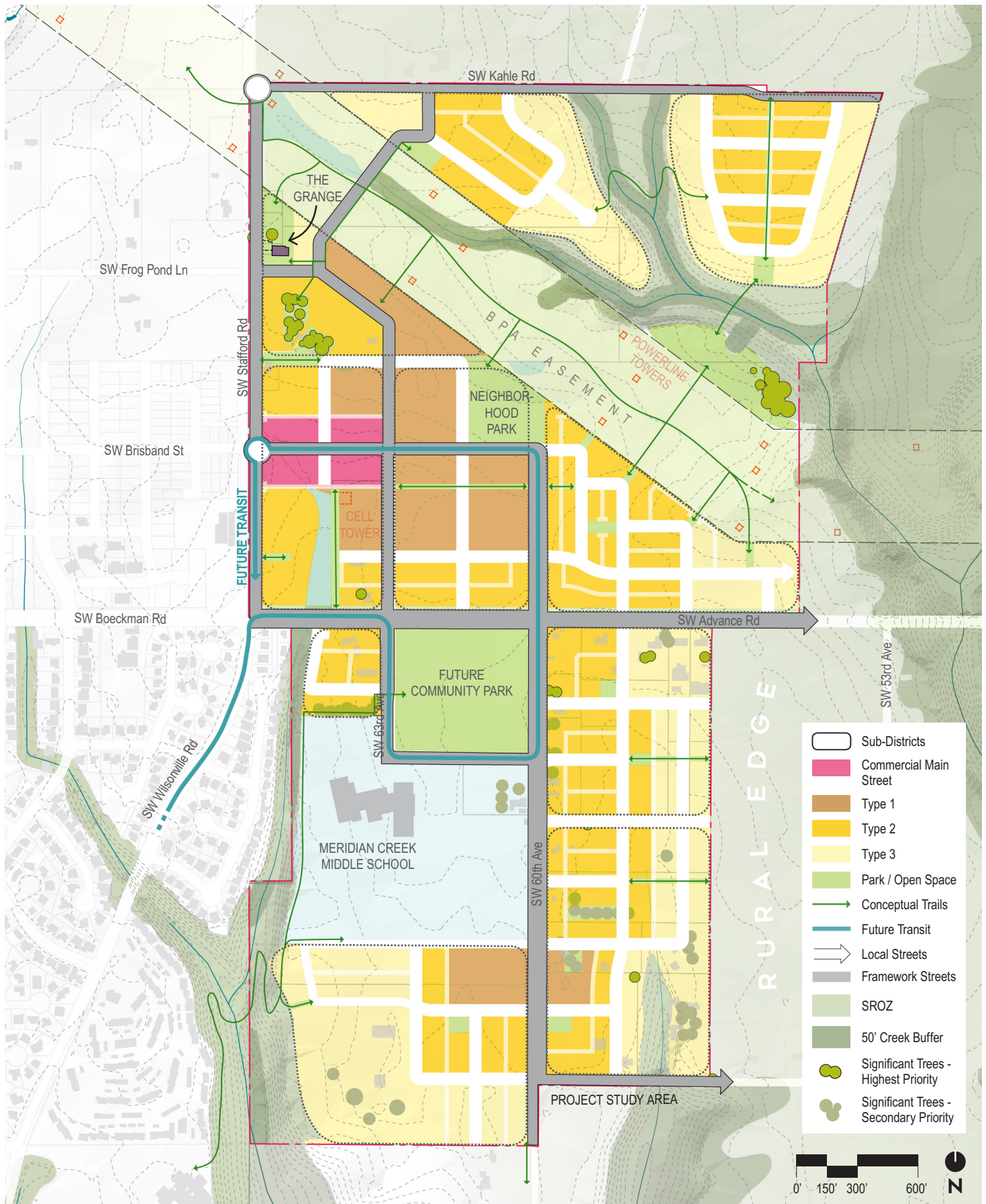
A clear hierarchy of street connections is established with SW Stafford as a major arterial, SW Advance Road and SW 60th Avenue as collector streets, SW Brisband Street as a Main Street, and all other streets as local streets. Roundabouts are planned at three key intersections: SW Kahle/Stafford, SW Brisband/Stafford, and SW Advance/60th. SW Brisband Street extends directly to the east from SW Stafford Road to intersect with SW 60th Avenue, creating a simple block layout along the planned "Main Street" corridor. SW Frog Pond Lane extends into the study area as a local street and provides connections into the local street network of the East Neighborhood, including a street that crosses the BPA easement toward SW Kahle Road to the north.

Street and block layout will be designed to maximize walkability with short blocks and alley-loaded development that reduces vehicular crossings of sidewalks. Street and block design will also protect natural resources, trees, and public view corridors. For example, a cluster of significant trees just south of the Grange can be preserved within a block of development that is clustered around its edges. The demonstration plan shows public streets intentionally connecting to public trailheads along the length of the BPA easement.

A future transit route is planned to enter the study area from SW Wilsonville Road onto SW Advance Road, head south between the future community park and the middle school, turn north on SW 60th Avenue, and exit the study area from SW Brisband Street (the Main Street) back onto SW Stafford Road. Transit service will be important to residents of this area, helping them meet their daily needs and obligations without relying on a car.

In some areas where vehicular access constraints create long blocks, such as along SW Stafford Road, green pedestrian connections are required at regular intervals to allow people to move into and through the neighborhood more easily.

Figure 19. Street and Block Demonstration Plan





PUBLIC REALM

ACTIVE TRANSPORTATION

The Master Plan is intended to provide a complete and connected network of routes that prioritize non-car users, including cyclists, pedestrians, and those with wheelchairs or other mobility devices. Within public rights-of-way, facilities will include bike lanes, shared street markings, and wide sidewalks. A series of off-street multi-use path connections are planned to extend from the public street network into open spaces and natural areas. This combination of on-street and off-street facilities will provide multiple options for non-car users to access destinations like schools, parks, and the neighborhood commercial area. Figure 20 shows the Active Transportation Plan.

Results from surveys and in-person outreach show a strong preference for separate off-street or physically buffered bicycle infrastructure. While this aims to maximize opportunities for separate off-street or physically buffered bicycle infrastructure shared streets and on-street facilities are still present where separated facilities are not feasible or to provide additional travel options beyond separated bicycle infrastructure.





PUBLIC REALM

The Active Transportation Plan map indicates an intended hierarchy of on-street facilities for cyclists that connects to an off-street system of paths. Primary connections are shown along SW Advance Road and SW 60th Avenue, transitioning to shared street markings along the SW Brisdand Main Street and key local streets in the study area that connect to destinations.

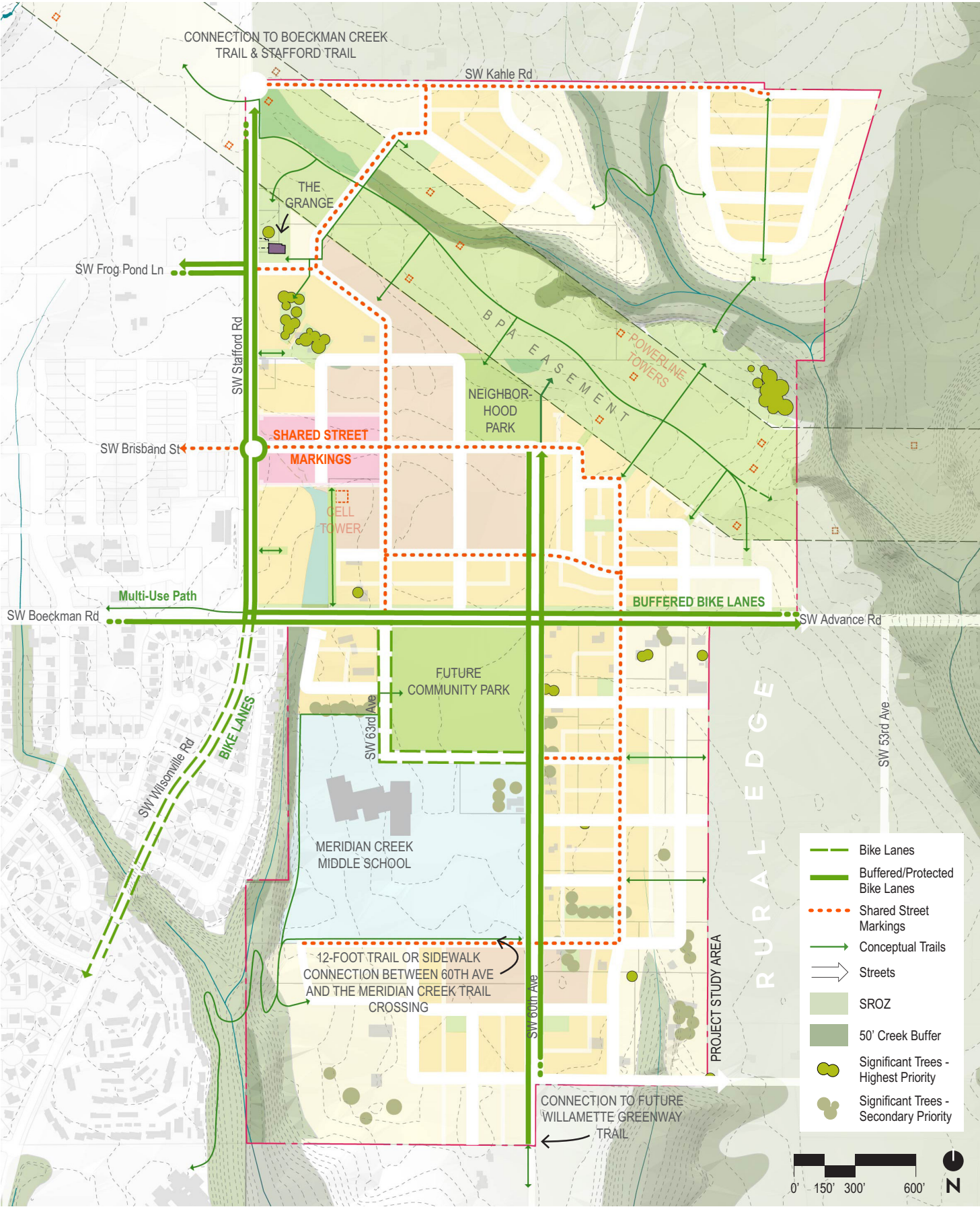
All local streets, with or without shared street markings, will be designed to focus on pedestrians and cyclists, with low speeds, street trees and planters, and alley-loaded development to minimize pedestrian-vehicle conflicts.

Crossings of SW Stafford Road and SW Advance Road will be carefully designed to prioritize safe routes to schools, parks, and other destinations within the larger Frog Pond area. Providing marked and signaled crossings as frequently as possible will mitigate out-of-direction travel for pedestrians and avoid pedestrians crossing at unmarked locations where they are more vulnerable to injury by vehicles.



Buffered or protected bike lanes provide safe and comfortable on-street cycling facilities

Figure 20. Active Transportation Plan





PUBLIC REALM

STREET DESIGN

All streets and off-street active transportation connections will be designed with the goal of creating convenient, safe, and low-stress transportation options, particularly for the most vulnerable road users. Design of streets should focus on safety, comfort, and ease for non-car users of roads, with a focus on providing multiple low-stress routes and street designs that are tailored to the multimodal circulation network within the study area.

Stafford Road is an arterial street serving multiple roles: through-traffic, local circulation, transit and neighborhood walking and rolling. The roundabouts at SW Kahle Road and SW Brisband Street are intended to help slow vehicular traffic along Stafford Road. The proposed cross-section includes a center median, 11-foot travel lanes, buffered bike lanes, and landscaped swales with street trees on both sides of the sidewalks. The overall goal is to provide for all users, with emphasis on safe and attractive walking, biking and rolling.

Gateway collector streets (SW Advance Road and SW 60th Avenue north of SW Advance Road) are key entry points to the neighborhoods and important connections for cyclists and pedestrians. These streets will include buffered or protected bike lanes and wide sidewalks and will be up to three lanes wide, with a planted median where a center turn lane is not needed. On-street parking may also be included in some locations

Collector street design will be implemented for SW 60th Avenue south of SW Advance Road. This cross-section will include bike lanes, wide, ADA-accessible sidewalks, and traffic calming treatments.

Local streets will be designed to focus on pedestrians and cyclists, with low speeds, street trees and planters, and alley-loaded development where possible to minimize pedestrian-vehicle conflicts and provide an appealing streetscape without garages. Key local streets that connect to destinations will include shared street markings to emphasize a priority for cyclists on the road. Local street design will continue the established pattern in Frog Pond West.

In addition to streets, mid-block public pedestrian connections will enhance neighborhood accessibility and permeability. Typical off-street pedestrian connections between blocks of development will be at least 10 feet wide and will include 8-foot planted areas on either side for a total width of 26 feet.

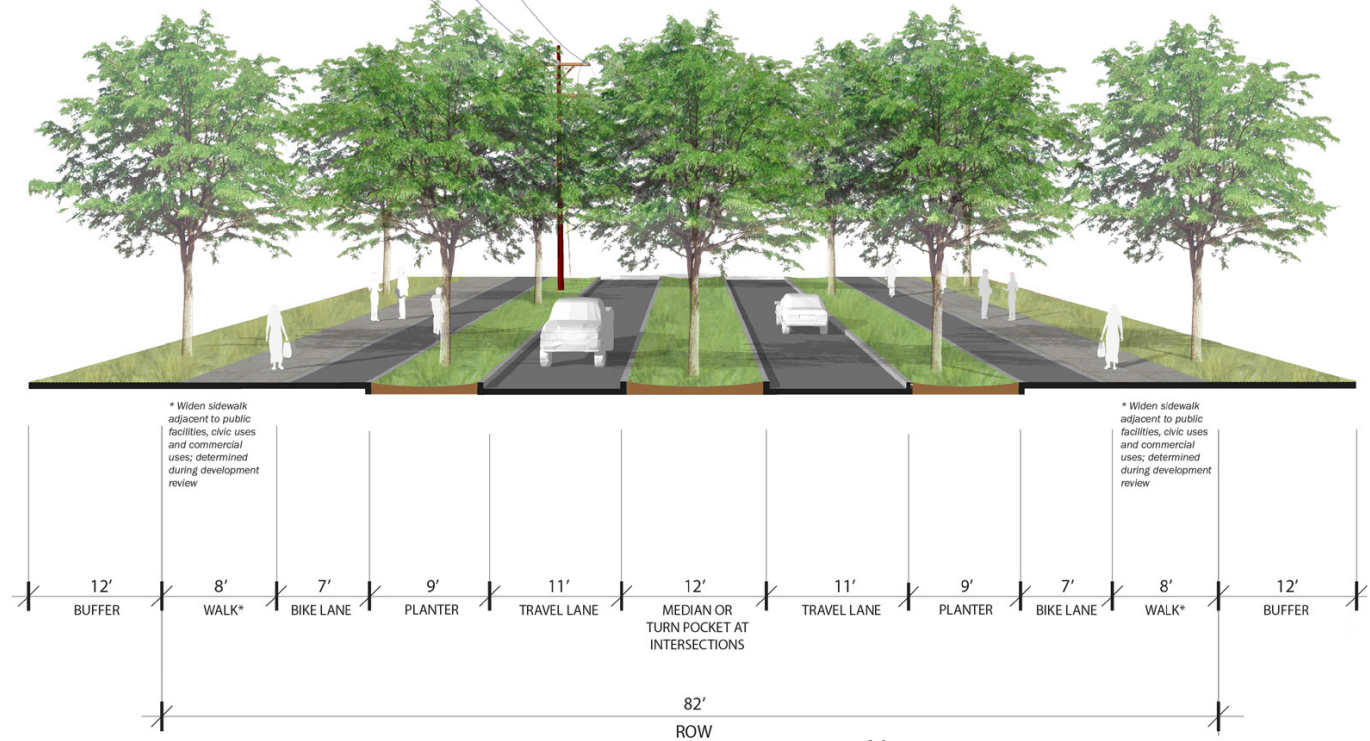
The following pages describe design intent for several important streets that will pass through the study area: SW Stafford Road, SW Advance Road, SW 60th Avenue (north and south of SW Advance), and SW Brisband Street, which will serve as a neighborhood Main Street in the East Neighborhood.



PUBLIC REALM

Figure 21. Cross Section of SW Stafford Road

*A curb-protected bike lane adjacent to the travel lane is an option to be determined by City Engineer at the time of design.



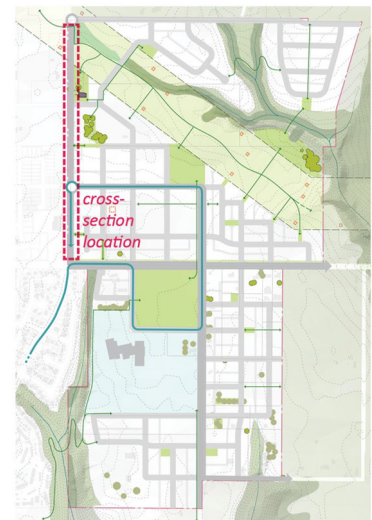
SW STAFFORD ROAD

This cross-section shows a concept for SW Stafford Road, a major arterial street. It includes 8' sidewalks and bike lanes separated from vehicle travel lanes by a generous planter strip that supports tree health.

The Stafford Road and Advance Road cross sections are interchangeable for either road to be decided by the City Engineer based on available right-of-way and other considerations.

Notes:

1. The median curb shall be set back from the travel lane striping to provide a travel lane minimum clear width of 12 feet curb face to curb face. Travel lanes will be striped at 11 feet in width as shown on the street cross sections.
2. A clear space of no less than 19 feet shall be provided for at least 50% of the length of the roadway to provide space for motor vehicles to pull to the side and allow emergency vehicles to pass. This will likely result in center landscape medians being limited to 50% the length of a roadway.



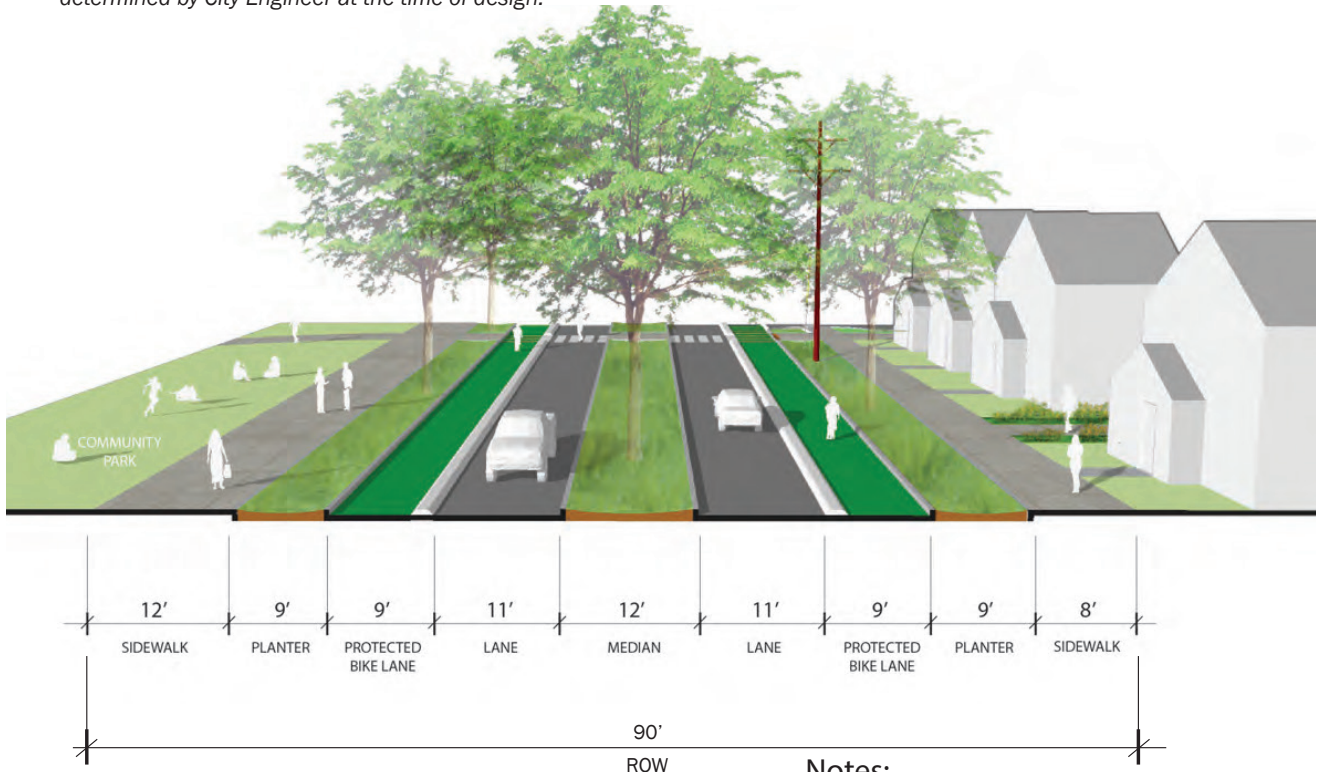
KEY MAP



PUBLIC REALM

Figure 22. Cross Section of SW Advance Road

**A protected bike lane adjacent to the sidewalk is an option to be determined by City Engineer at the time of design.*



SW ADVANCE ROAD

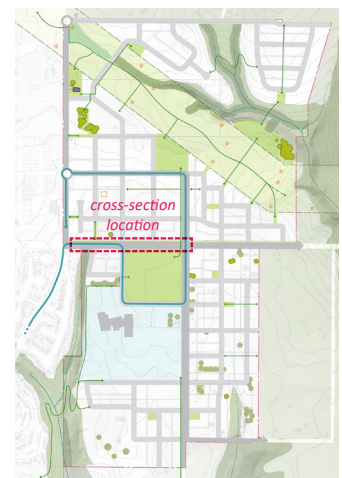
This cross-section shows a concept for SW Advance Road, a collector street, where it passes the future community park. It includes generous sidewalks, protected bike lanes, wide planter strips that support tree health, and a planted median to create a comfortable and inviting environment for pedestrians. On-street parking, while not shown in the image above, may also be added on either side of the street but will need to be designed carefully to avoid conflicts with cyclists. Planted areas in the right-of-way also offer opportunities for capturing and infiltrating stormwater.

Future development on the north side of the street, across from the future community park, is planned so that front doors face the park. This, combined with homes fronting the park on its east and west sides, will create a sense of community, enclosure, and integration of the park within the neighborhood.

This concept for SW Advance Road will create a continuous streetscape with SW Boeckman Road where it continues west of SW Stafford Road. Existing high-voltage power poles on the north side of the street can be incorporated within a wide planter strip, while all others will be underground.

Notes:

1. The median curb shall be set back from the travel lane striping to provide a travel lane minimum clear width of 12 feet curb face to curb face. Travel lanes will be striped at 11 feet in width as shown on the street cross sections.
2. A clear space of no less than 19 feet shall be provided for at least 50% of the length of the roadway to provide space for motor vehicles to pull to the side and allow emergency vehicles to pass. This will likely result in center landscape medians being limited to 50% the length of a roadway.

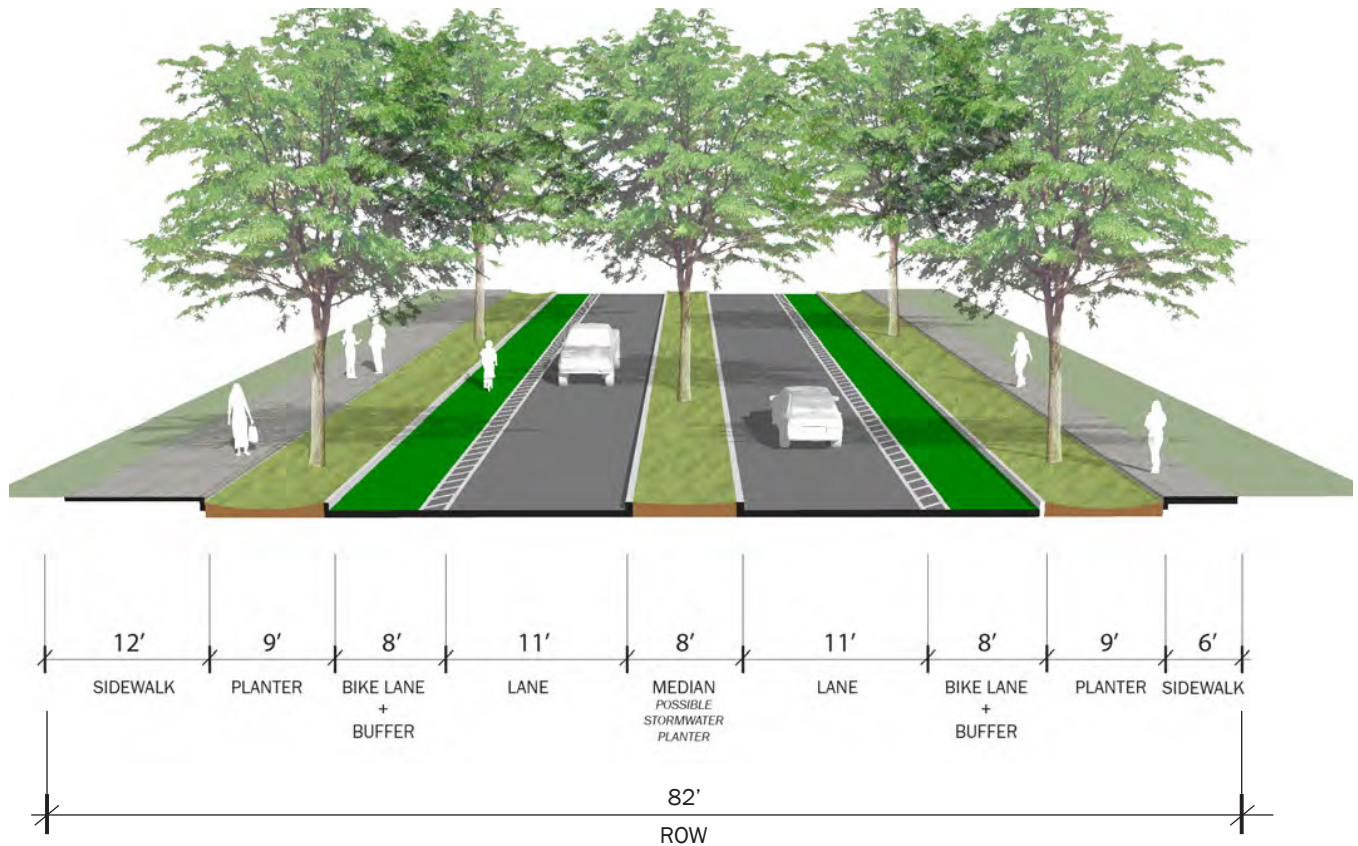


KEY MAP



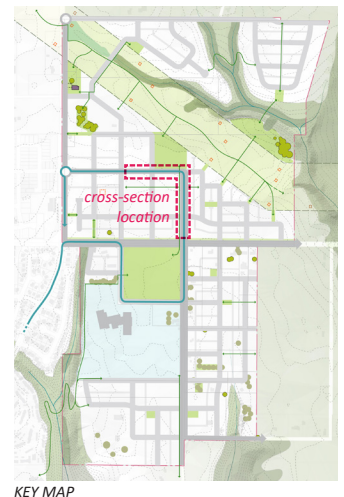
PUBLIC REALM

Figure 23. Cross Section of SW 60th Avenue North of SW Advance Road



SW 60TH AVENUE

This cross-section shows a concept for SW 60th Avenue north of SW Advance Road. This street will function as a key entry point to the East Neighborhood and will connect to the SW Brisband Main Street. A planted median allows for turn lanes at intersections may also include stormwater. A 12-foot sidewalk on the west side of the street provides a comfortable pedestrian connection between the Community Park to the south and Neighborhood Park to the north.

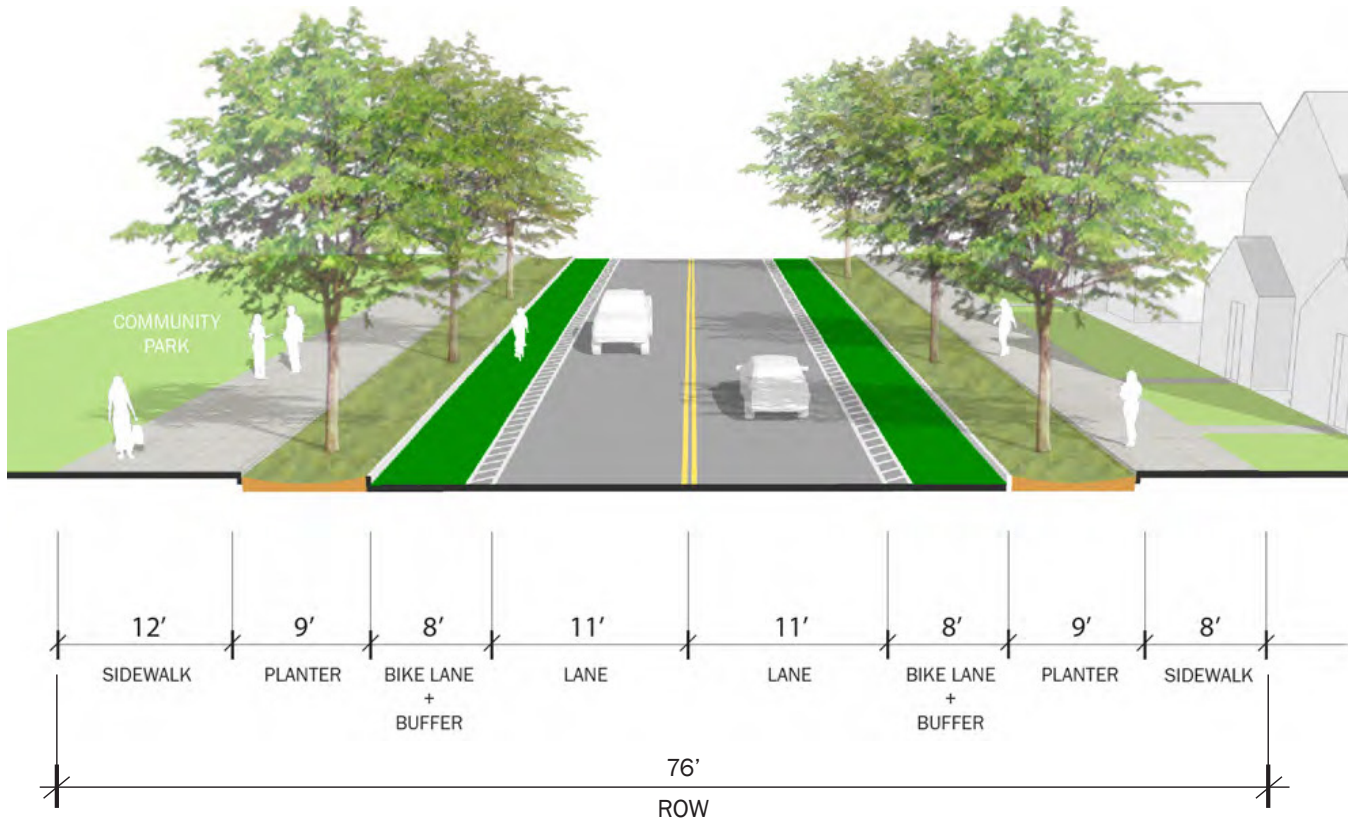


KEY MAP



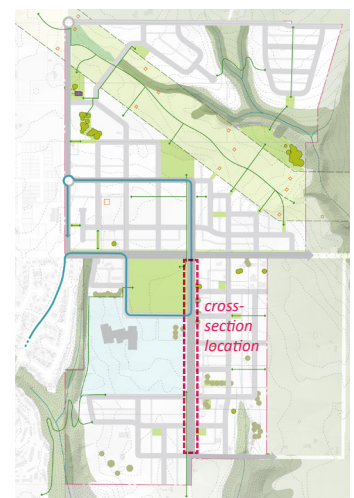
PUBLIC REALM

Figure 24. Cross Section of SW 60th Avenue Collector



SW 60TH AVENUE COLLECTOR

This cross-section shows a concept for SW 60th Avenue, a collector street, south of SW Advance Road. A 12-foot sidewalk is shown on the west side to complement the Community Park and school frontages, and extend south to the Type 1 building forms south of the school property. The wider sidewalk will ensure a pleasant and spacious walking environment for pedestrians and lessen the visual presence of any larger buildings. Traffic calming is recommended for SW 60th Avenue, and may include: center medians at mid-block locations and at intersections, speed feedback signs, and school speed zones (20 mph) adjacent to the middle school.

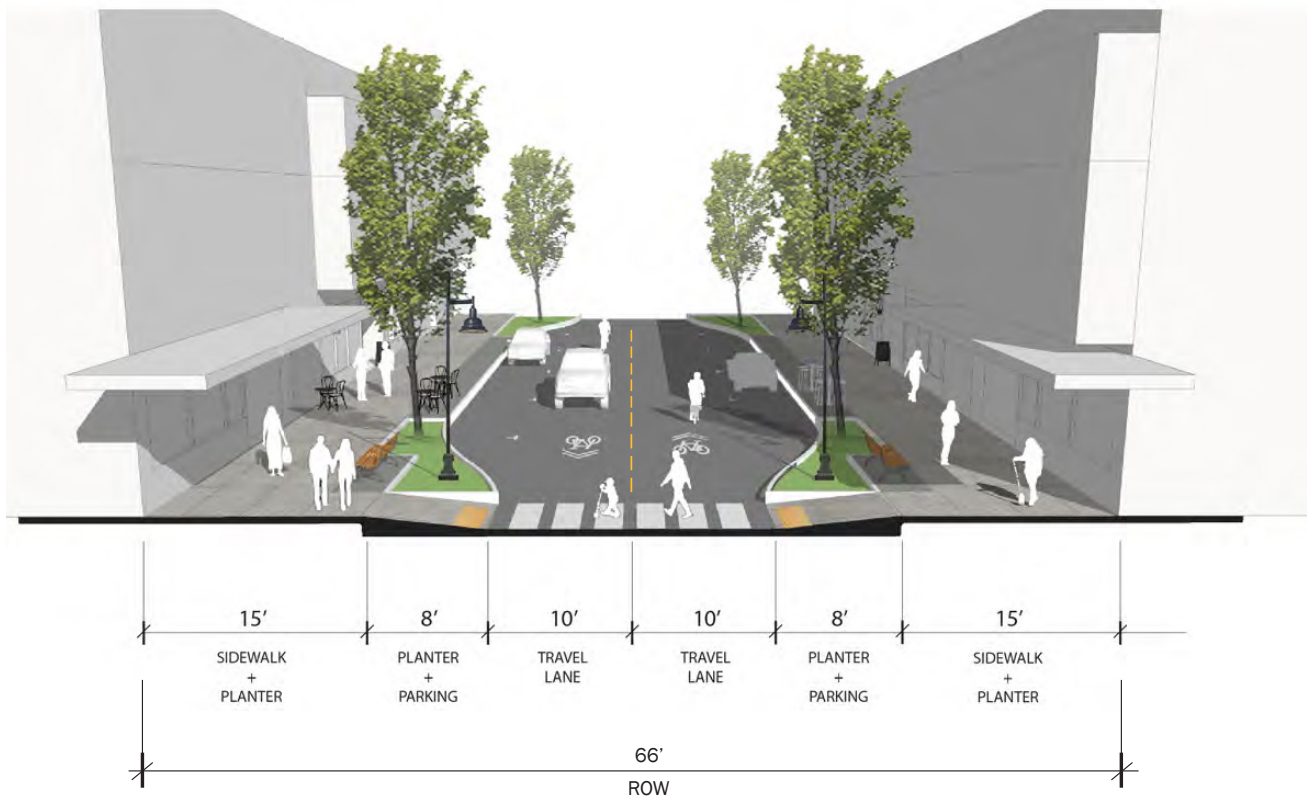


KEY MAP



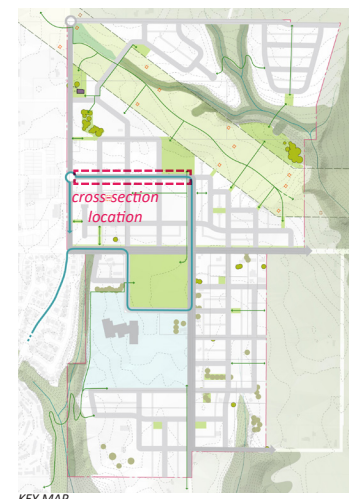
PUBLIC REALM

Figure 25. Cross Section SW Brisband Main Street



SW BRISBAND MAIN STREET

This cross-section shows a concept for SW Brisband Street, which will function as a neighborhood commercial “Main Street” within the Frog Pond East Neighborhood. The cross-section is based on the Wilsonville Town Center Plan and Transportation System Plan cross-section for a Main Street, with two travel lanes shared by cyclists and cars. On-street parking is provided interspersed with stormwater planters in curb extensions, and generous sidewalks allow for a furnishing zone with public and private seating. Buildings, whether commercial or vertical mixed-use, are intended to line the sidewalk and create a pleasant environment to stroll, visit local businesses, and socialize.



An aerial illustration of a proposed development. The top half shows a residential area with many small houses and a road. The bottom half shows a larger commercial or mixed-use building complex with parking lots. A large teal graphic, resembling a stylized '8' or a figure-eight, is overlaid on the left side. It contains two circular inset images: the top one shows a wooded area, and the bottom one shows a street scene with buildings and trees. A green horizontal bar is positioned below the teal graphic, containing the word 'IMPLEMENTATION' in white capital letters. The bottom right corner shows a detailed view of a multi-story building and its parking area.

IMPLEMENTATION



IMPLEMENTATION

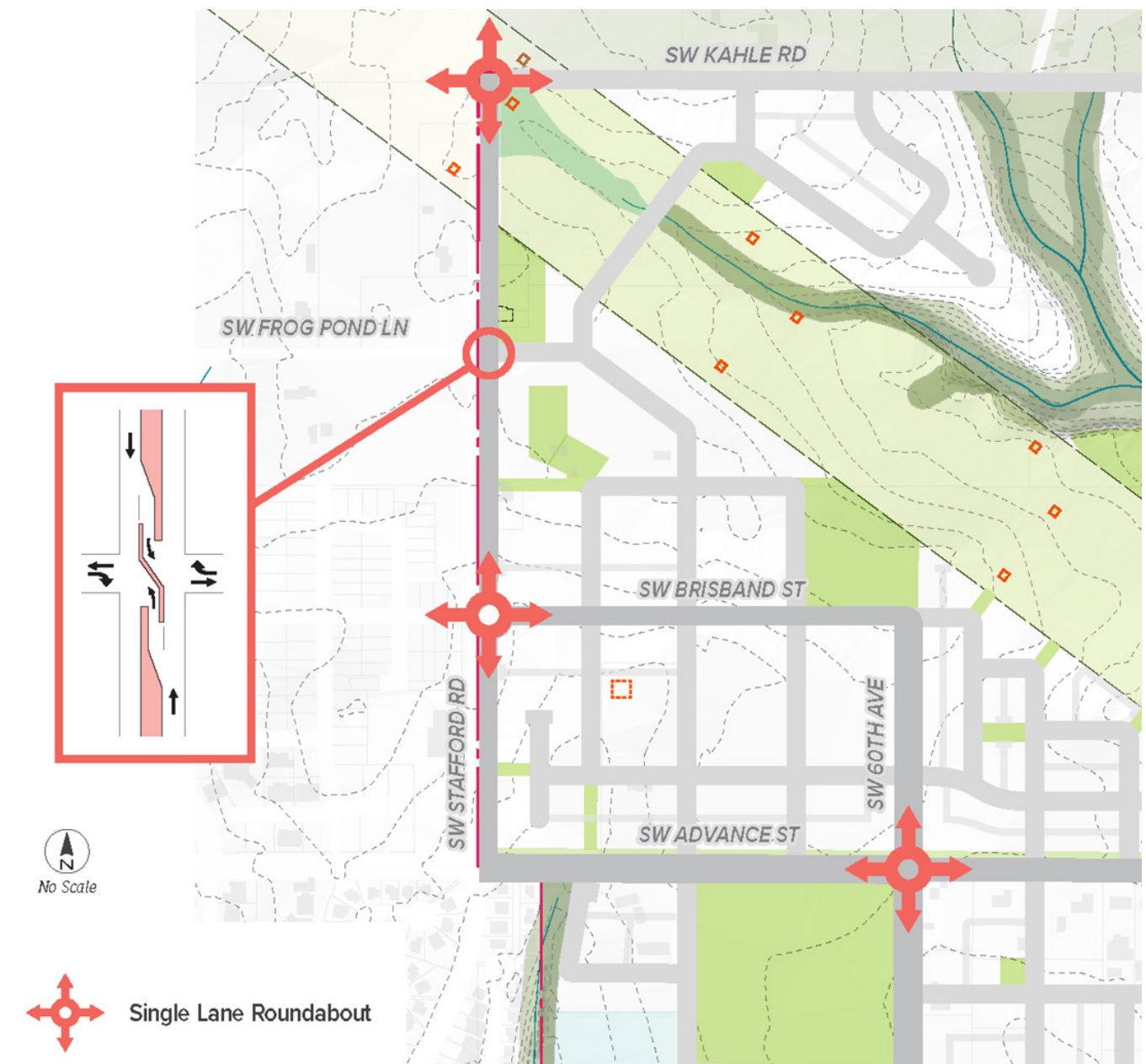
INFRASTRUCTURE PLANS

TRANSPORTATION

TRANSPORTATION ANALYSIS AND IMPROVEMENTS

A comprehensive traffic analysis was performed to determine existing and future transportation conditions for the Frog Pond East and South neighborhoods and to identify needed transportation facility improvements. The analysis focused on

Figure 30. Traffic Control Recommendations





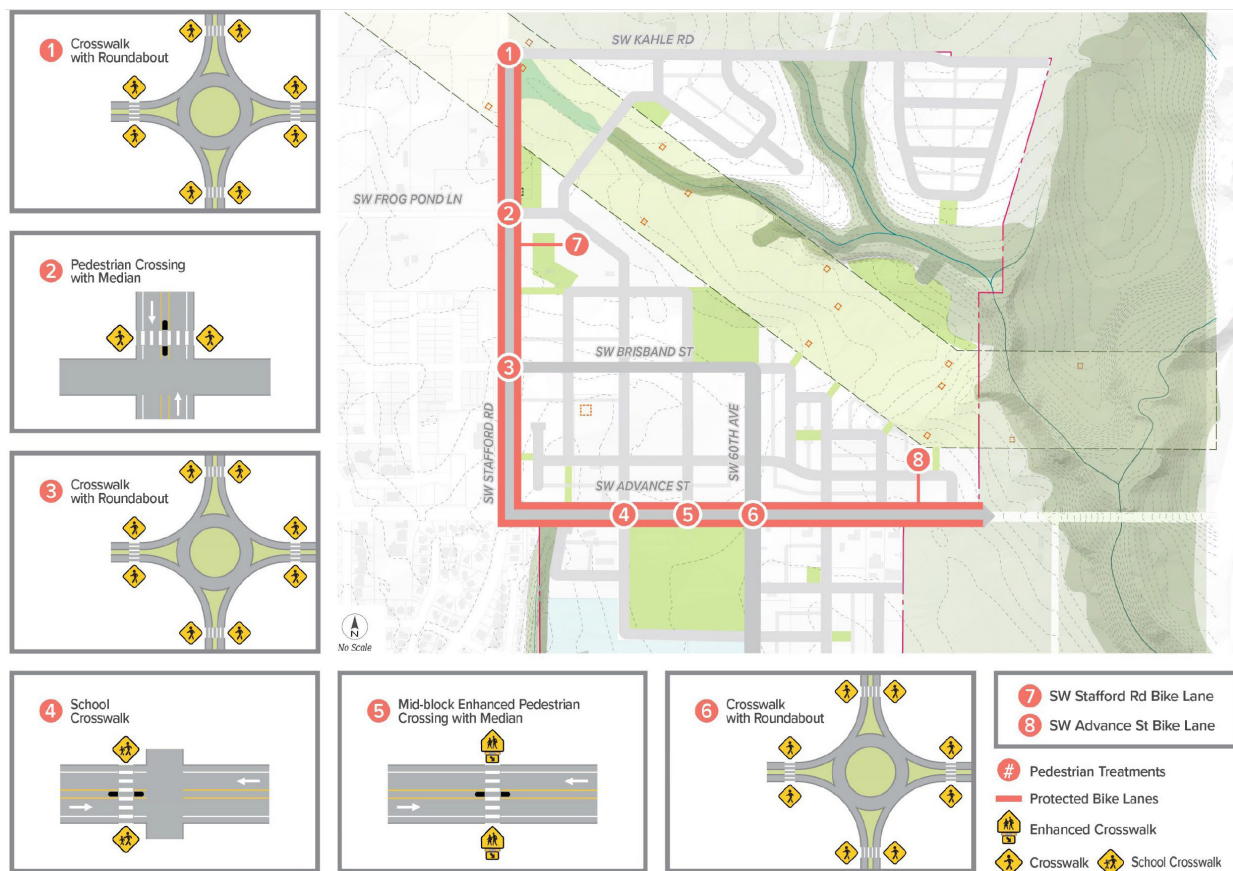
IMPLEMENTATION

the major intersections both within the project vicinity and within Wilsonville at large, including the two I-5 interchange areas (i.e., Wilsonville Road and Elligsen Road). The study area includes 15 total intersections, including 4 key gateway intersections to the Frog Pond neighborhoods.⁶

The analysis found that, in 2040, all but three of the study intersections are expected to continue to meet standards and targets assuming the completion of the High Priority Projects stated in Wilsonville's Transportation System Plan. Those three intersections are located along Stafford Road and are the gateway intersections to the Frog Pond East neighborhood. The following transportation improvements are recommended for these intersections (see Figure 30).

- SW Stafford Road/SW Kahle Road: Install a single-lane roundabout
- SW Stafford Road/SW Frog Pond Lane: Install a raised median to prohibit minor street through movements and left turns and install an enhanced pedestrian crossing with a center refuge median.
- SW Stafford Road/SW Brisband Street: Install a single-lane roundabout

Figure 31. Pedestrian Improvements on SW Stafford Rd and SW Advance Road



6 See Appendix I: Transportation Analysis



IMPLEMENTATION

Additional transportation projects were identified for the East and South neighborhood to enhance safety. They include:

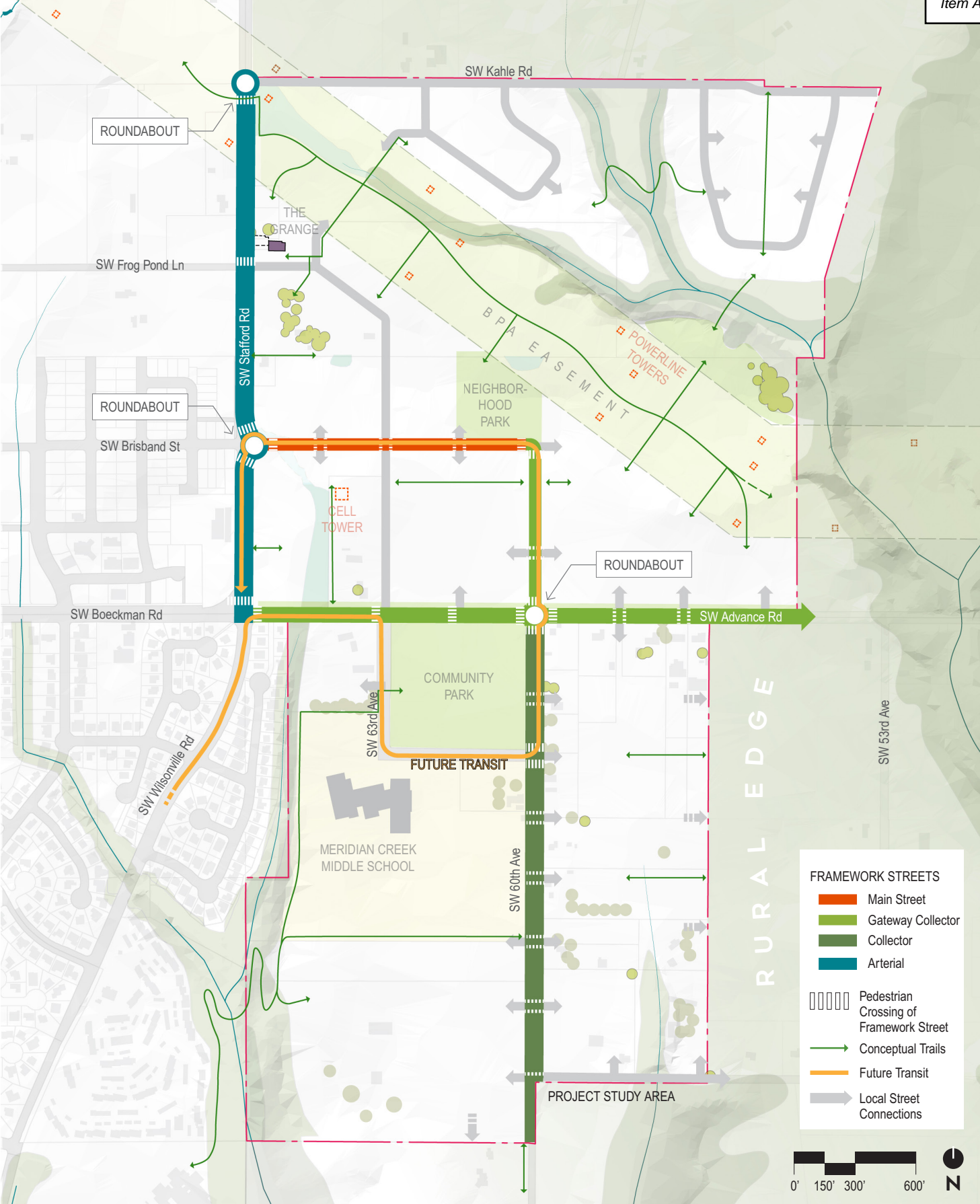
- Install a roundabout at Advance Road/60th Avenue, as shown in Figure 30. The installation of a roundabout at this location will create a gateway between the high-speed rural traffic and the new desired slower urban speeds. The roundabout will provide for slower speeds and improved neighborhood access and visibility.
- Install various pedestrian and bicycle improvements on Stafford Road and Advance Road, as shown in Figure 31.

STREET CLASSIFICATIONS

Figure 32 illustrates the recommended functional classifications for streets in Frog Pond East and South. The classifications for SW Stafford Road (Major Arterial), and SW 60th Avenue south of SW Advance Road (Collector) are consistent with the Frog Pond Area Plan's transportation network and classifications. SW Advance Road and the northerly extension of SW 60th avenue into the East Neighborhood are recommended to be Gateway Collectors. SW Brisband Street is recommended to be a Main Street. Please see the Street Design section of this report for recommended cross-sections.

Figure 32. Street Classifications

Item A.



FROG POND EAST & SOUTH MASTER PLAN



TECHNICAL APPENDIX



APPROVED BY WILSONVILLE CITY COUNCIL
DECEMBER 19 2022

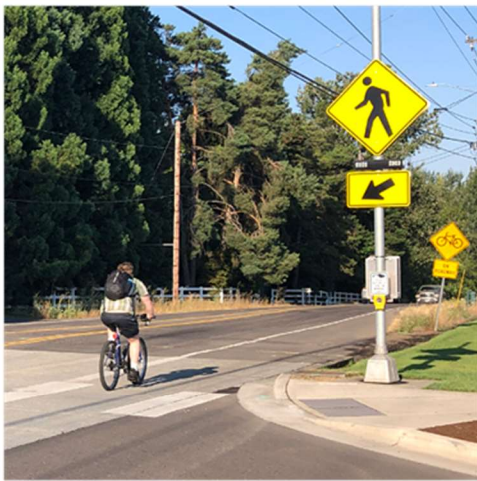
APPENDIX I: TRANSPORTATION ANALYSIS: EXISTING AND FUTURE CONDITIONS

FROG POND EAST & SOUTH MASTER PLAN

TRANSPORTATION ANALYSIS: EXISTING AND FUTURE CONDITIONS

FINAL REPORT

DECEMBER 2022



EAST & SOUTH
MASTER PLAN

PREPARED FOR THE CITY OF WILSONVILLE



PREPARED BY DKS ASSOCIATES



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This report documents the traffic analysis performed in association with the Frog Pond East & South Master Plan in Wilsonville, Oregon. This report provides a more refined evaluation of the East and South land use as compared to the Frog Pond Area Plan,¹ which was adopted in 2015, and builds on the work of the Frog Pond West Master Plan,² which was adopted in 2017.

An executive summary of this transportation analysis is provided below. The following sections of this memorandum document the existing traffic conditions (2022), future baseline and build traffic conditions (2040), and a list of resulting transportation projects. The year 2040 was selected for future analysis to be consistent with the Metro Regional Transportation Plan (RTP) and Wilsonville Travel Demand Model's horizon year.

EXECUTIVE SUMMARY

To determine existing and future transportation conditions for the Frog Pond East and South neighborhoods, a comprehensive traffic analysis was performed. The analysis focused on the major intersections both within the project vicinity and within Wilsonville at large, including the two I-5 interchange areas (i.e., Wilsonville Road and Elligsen Road). The study area includes 15 total intersections, including 4 key gateway intersections to the neighborhoods.

Analysis Scenarios

The existing conditions analysis was based on recent 2021 and 2022 traffic counts and existing intersection geometries, while the future analysis was based on traffic forecasts for the 2040 horizon year and improved intersection geometries associated with all High Priority Projects included in Wilsonville's Transportation System Plan (TSP). The future analysis consisted of two scenarios: 2040 Baseline and 2040 Build. The future land use assumptions are consistent with the Metro model, which was used to update the travel demand model for the Build scenario. The 2040 Baseline scenario assumes no additional growth beyond what is currently assumed in the 2040 model and the 2040 Build scenario represents the likely build-out of the study area, which includes up to 1,800 housing units and up to 44,000 square feet of commercial space within the East and South neighborhoods.

The City has also identified a hypothetical higher-density alternative which calls for approximately 2,400 total units in the combined East and South neighborhoods. This higher dwelling unit amount reflects 20 units per net acre, which is a density prescribed in one of the compliance options in State administrative rules for new urban areas to comply with House Bill 2001 middle housing law. A separate report has been provided on the findings of the analysis of the higher-density alternative.

¹ Frog Pond West Master Plan, City of Wilsonville, July 17, 2017.

² Frog Pond Area Plan, City of Wilsonville, November 16, 2015.



Analysis Findings & Recommended Improvement Projects

Intersection traffic operations were analyzed for the weekday PM peak hour under the existing and both future scenarios to evaluate if the study intersections meet desired performance levels as required by the City of Wilsonville, Clackamas County, and Oregon Department of Transportation (ODOT). All intersections except the Stafford Road/65th Avenue intersection currently meet operating standards and targets. Additional coordination between Clackamas County and City of Wilsonville is recommended regarding the necessary improvements to that intersection to accommodate future Frog Pond development.

In the future 2040 scenarios, all but three of the study intersections are expected to continue to meet standards and targets in the future assuming the completion of the High Priority Projects identified in the TSP. Those three intersections are located along Stafford Road and are the gateway intersections to the Frog Pond East neighborhood and were analyzed as stop controlled intersections. The following transportation improvements are recommended for these intersections.

- **Stafford Road/Kahle Road:** Install a single-lane roundabout
- **Stafford Road/Frog Pond Lane:** Install a raised median to prohibit minor street through and left turns and install an enhanced pedestrian crossing with a center refuge median.
- **Stafford Road/Brisband Street:** Install a single-lane roundabout

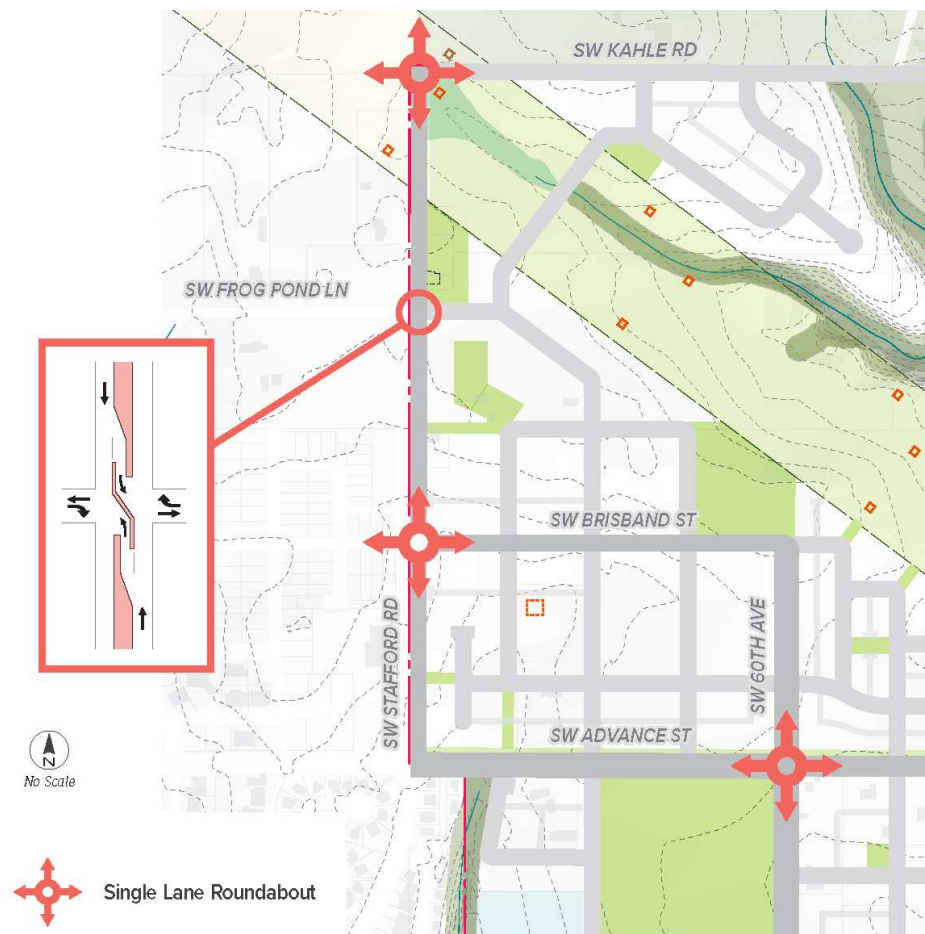


FIGURE 1: RECOMMENDED INTERSECTION IMPROVEMENTS

Additional transportation projects were identified for the East and South neighborhood to enhance safety, which are listed below and shown in Figure 2.

- **Advance Road/60th Avenue:** Install a single-lane roundabout. The installation of a roundabout at this location will create a gateway between the high-speed rural traffic and the new desired slower urban speeds. The roundabout will also provide for slower speeds and improved access to the Frog Pond neighborhoods.
- **Frog Pond Lane/Stafford Road:** Install a crosswalk with median at this intersection. A Rectangular Rapid Flashing Beacon (RRFB) should be considered at this location.
- **Advance Road at 63rd Avenue:** Install a marked school crosswalk. An RRFB should be considered at this location.
- **Advance Road Between 60th Avenue and 63rd Avenue:** Install a mid-block crossing to facilitate safe crossings between the future park and East neighborhood. An RRFB should be considered at this location.

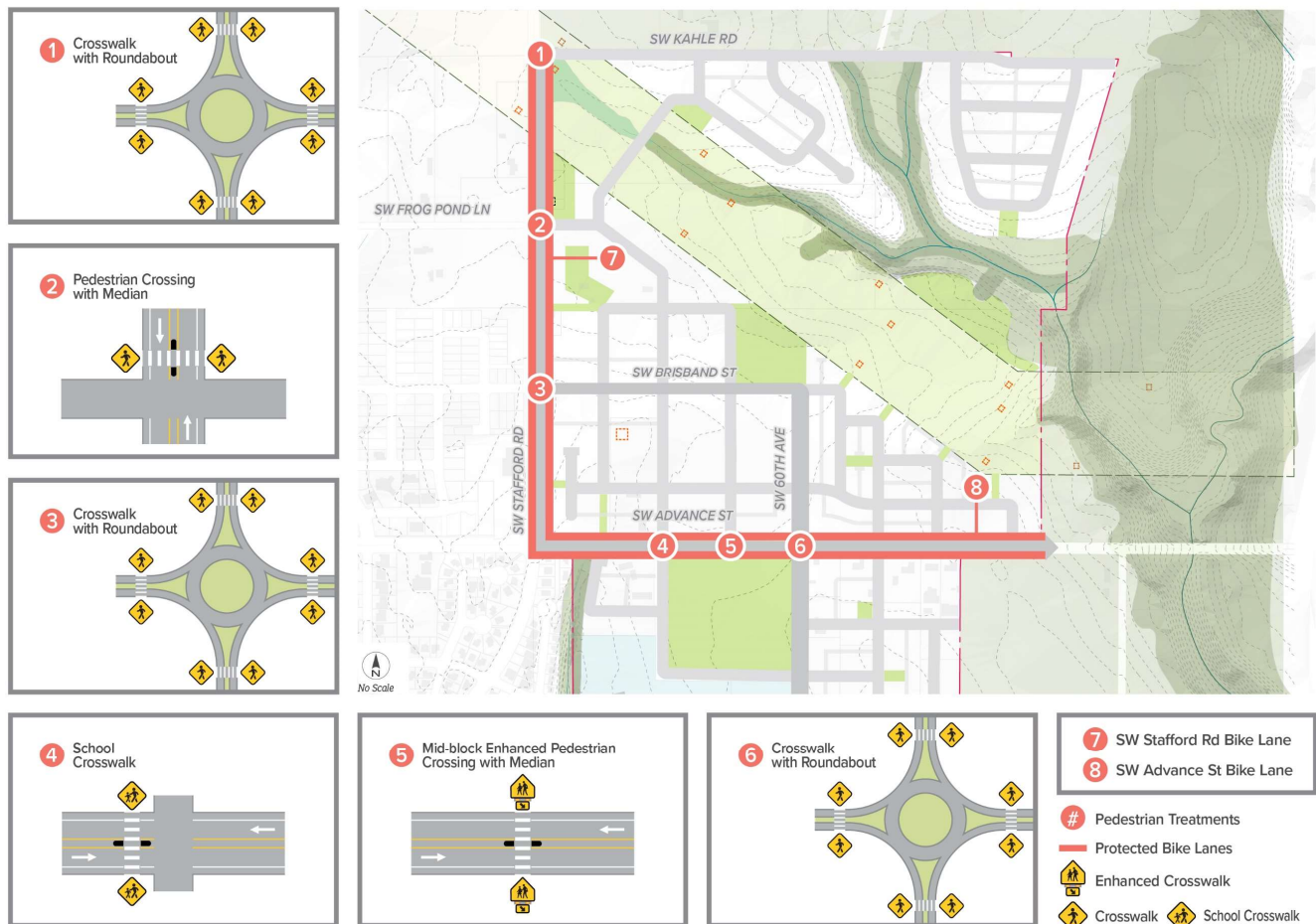


FIGURE 2: RECOMMENDED PEDESTRIAN, BICYCLE, AND TRAIL IMPROVEMENTS



EXISTING TRAFFIC CONDITIONS (2022)

Existing traffic conditions were evaluated for the study area and include traffic volumes; intersection operations; and bike, pedestrian, and trail conditions.

EXISTING TRAFFIC VOLUMES

Traffic counts were collected for the PM peak period (4:00 to 6:00 p.m.) at the following study intersections.³ The PM peak hour traffic volumes (i.e., the highest hourly volumes during the peak period) are shown in Figure 3 and the traffic counts are provided in the appendix.

- Elligsen Road/I-5 Southbound Ramp
- Elligsen Road/I-5 Northbound Ramp
- Elligsen Road/Parkway Avenue
- Elligsen Road/Parkway Center Drive
- Stafford Road/65th Avenue
- Boeckman Road/Parkway Avenue
- Boeckman Road/Canyon Creek Road
- Boeckman Road-Advance Road/Stafford Road-Wilsonville Road
- Advance Road/60th Avenue
- Stafford Road/Brisband Street
- Stafford Road/Frog Pond Lane
- Stafford Road/Kahle Road
- Wilsonville Road/I-5 Southbound Ramp
- Wilsonville Road/I-5 Northbound Ramp
- Wilsonville Road/Town Center Loop West

INTERSECTION PERFORMANCE MEASURES

Agency mobility standards often require intersections to meet level of service (LOS) or volume-to-capacity (v/c) intersection operation thresholds. Additional operational details are provided in the appendix.

- The intersection LOS is similar to a “report card” rating based upon average vehicle delay. Level of service A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand. Level of service D and E are progressively worse operating conditions. Level of service F represents conditions where average vehicle delay has become excessive and demand has exceeded capacity. This condition is typically evident in long queues and delays.
- The volume-to-capacity (v/c) ratio represents the level of saturation of the intersection or individual movement. It is determined by dividing the peak hour traffic volume by the maximum hourly capacity of an intersection or turn movement. When the V/C ratio

³ The counts were collected on September 22, 2021; September 30, 2021; March 30, 2022; May 18, 2022; and June 7, 2022.



approaches 0.95, operations become unstable and small disruptions can cause the traffic flow to break down, resulting in the formation of excessive queues.

The City of Wilsonville requires all intersections to meet its minimum acceptable level of service (LOS) standard of LOS D for the PM peak period.⁴

Clackamas County requires that, for intersections outside of city limits, signalized and roundabout intersections must meet the volume-to-capacity ratio (v/c) of 0.90 or less and unsignalized intersections must meet the minimum LOS standard of LOS E during the PM peak period.⁵

ODOT specifies a typical mobility target for interchange ramps of a volume-to-capacity ratio (v/c) of 0.85. However, when the interchange vicinity is fully developed and adequate storage is available on the interchange ramp to prevent queues from backing up on the main line, then the target can be increased to a 0.90 v/c ratio.⁶ This is the case for both of the I-5 interchange areas in Wilsonville.

EXISTING INTERSECTION OPERATIONS

Intersection operations were analyzed for the PM peak hour to evaluate whether the transportation network currently operates within desired performance levels as required by the City of Wilsonville, Clackamas County, and ODOT. Intersections are the focus of the analysis because they are the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently is nearly always diminished in their vicinity.

The existing PM peak hour intersection operations at the study intersection were determined based on the 6th Edition Highway Capacity Manual methodology.⁷ Table 1 lists the estimated average delay (in seconds), level of service (LOS), and volume to capacity (v/c) ratio for each study intersection. As shown, all intersections currently meet operating standards and targets with exception of Stafford Road/65th Avenue, which is within Clackamas County's jurisdiction. Additional coordination between Clackamas County and City of Wilsonville is recommended regarding the necessary improvements at this intersection to accommodate future Frog Pond development.

⁴ Policy 5, Wilsonville Transportation System Plan, Amended November 16, 2020.

⁵ System Performance Policies, Chapter 5: Transportation System Plan, Clackamas County Comprehensive Plan, Amended January 1, 2022.

⁶ Oregon Highway Plan, Action 1F.1, Oregon Department Of Transportation, Amended May 2015.

⁷ Highway Capacity Manual, 6th Edition, Transportation Research Board, 2017.



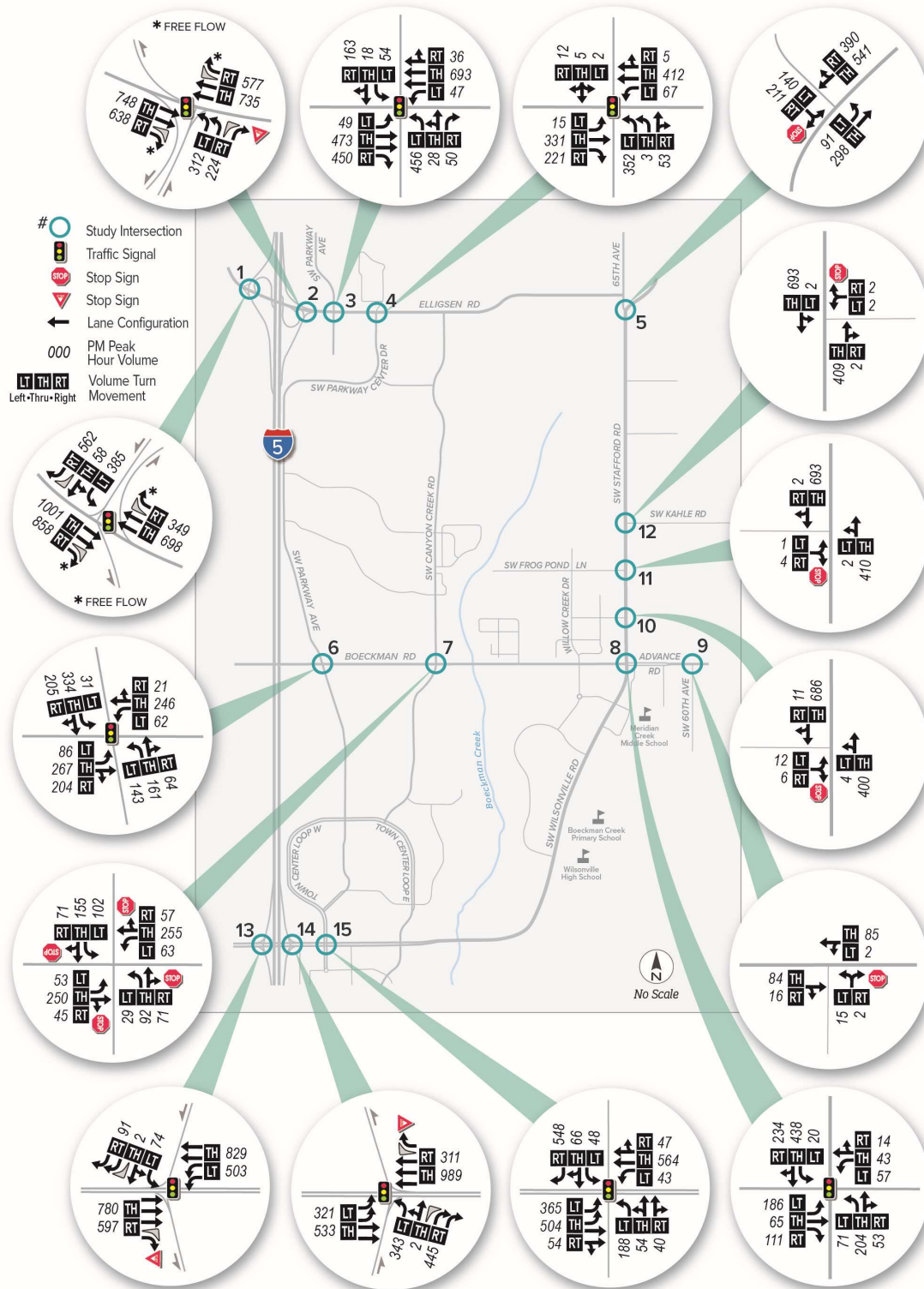


FIGURE 3: EXISTING 2022 TRAFFIC VOLUMES, LANE GEOMETRIES, AND TRAFFIC CONTROL



TABLE 1: EXISTING (2022) INTERSECTION OPERATIONS

INTERSECTION	OPERATING STANDARD	PM PEAK HOUR		
		V/C	DELAY	LOS
SIGNALIZED				
ELLIGSEN RD/I-5 SB RAMPS	v/c ≤ 0.90	0.74	19.5	B
ELLIGSEN RD/I-5 NB RAMPS	v/c ≤ 0.90	0.34	8.4	A
ELLIGSEN RD/PARKWAY AVE	LOS D	0.32	15.9	B
ELLIGSEN RD/PARKWAY CENTER DR	LOS D	0.40	14.9	B
BOECKMAN RD/PARKWAY AVE	LOS D	0.84	25.6	C
STAFFORD RD-WILSONVILLE RD /BOECKMAN RD-ADVANCE RD	LOS D	0.65	17.0	B
WILSONVILLE RD/I-5 SB RAMPS	v/c ≤ 0.90	0.38	19.3	B
WILSONVILLE RD/I-5 NB RAMPS	v/c ≤ 0.90	0.44	16.2	B
WILSONVILLE RD/TOWN CENTER LP WEST	LOS D	0.38	28.1	C
TWO-WAY STOP-CONTROLLED				
STAFFORD RD/65 TH AVE	LOS E	>1.20	>120	B/F
ADVANCE RD/60 TH AVE	LOS D	0.03	9.8	A/A
STAFFORD RD/BRISBAND ST	LOS D	0.08	20.9	A/C
STAFFORD RD/FROG POND LN	LOS D	0.02	15.7	A/C
STAFFORD RD/KAHLE RD	LOS D	0.01	16.9	A/C
ALL-WAY STOP-CONTROLLED				
BOECKMAN RD/CANYON CREEK RD	LOS D	0.71	20.3	C

SIGNALIZED INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Total Volume-to-Capacity Ratio
LOS = Total Level of Service

TWO-WAY STOP-CONTROLLED INTERSECTION:

Delay = Critical Movement Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Road)

ALL-WAY STOP CONTROLLED INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Total Level of Service



BICYCLE, PEDESTRIAN, AND TRAIL NEEDS

Bicycle, pedestrian, transit, and trail conditions and needs were considered for the study area, with particular emphasis on connectivity to the rest of Wilsonville's neighborhoods, trails, parks, and schools.

The Wilsonville TSP identifies various multimodal improvement projects that are intended to address the deficiencies. Projects within the vicinity of the Frog Pond Area include urban upgrades to Boeckman Road and Stafford Road, which include bike lanes, sidewalks, and transit stop improvements/additions. The TSP also includes a project for new trails through the Frog Pond East and South neighborhoods.

ADVANCE ROAD NEEDS

Additional school safety improvements should be considered on Advance Road near Meridian Creek Middle School. An increase in pedestrian and bicycle traffic to and from the school can be expected with the buildout of the East and South neighborhoods, necessitating pedestrian crossing enhancements on Advance Road.

The urban upgrade improvements on Boeckman Road are currently in the design phase and a separated multi-use path, cycle track, or protected bike lanes are being considered along Boeckman Road. It is desired by the City to extend the identified multimodal improvements on Boeckman Road to the west of Stafford Road along Advance Road fronting the Frog Pond development.

STAFFORD ROAD NEEDS

Pedestrian crossing enhancements on Stafford Road will be needed as the East neighborhood is built out. A significant increase in pedestrian and bicycle trips are expected across Stafford Road between the existing Frog Pond West neighborhood and the planned primary school (in Frog Pond West) to housing and commercial uses in the East neighborhood. Key locations for crossing enhancements would be at Frog Pond Lane and Brisband Street. A signalized crossing already exists at the Stafford Road-Wilsonville Road/Boeckman Road-Advance Road intersection.

Separated pedestrian and bicycle facilities are also desired along Stafford Road since it is a higher speed, higher volume facility. A separated multi-use path, cycle track, or protected bike lanes should be considered along Stafford Road fronting the Frog Pond development on either the west or east side. Given that the majority of the west side of Stafford Road has already gone through development review, the east side of Stafford Road would be the preferred location for a separated pedestrian and bicycle facility.

Recommendations for bicycle and pedestrian projects are listed on page 18 of this memo.



FUTURE BASELINE CONDITIONS (2040)

Future baseline (2040) traffic conditions were evaluated for the study area and include the forecasted baseline traffic volumes and intersection operations. For analysis purposes, the East and South neighborhoods are assumed to experience full build-out by the year 2040.

FUTURE BASELINE TRAFFIC VOLUMES

Future traffic volumes were forecasted for the study intersections using the recently updated travel forecast models developed specifically for Wilsonville. The models apply trip generation and trip distribution data directly taken from the Metro regional travel demand forecast models but add additional detail to better represent local travel conditions and routing within Wilsonville.

Figure 4 shows the PM peak hour traffic volumes for the study intersections based on the Metro model assumptions. As the forecasts are consistent with the current Metro land use assumptions, this scenario is referred to as the 2040 Baseline scenario. This scenario already accounts for some existing homes in the West neighborhood and contains land use assumptions (housing and some employment) in the East and South neighborhoods in 2040.

It should be noted that the Metro model was used for this study because it represents the latest regionally approved land use for Wilsonville and the Region. This model was completed by Metro, in collaboration with the City, after the City's TSP was approved and includes additional land use and transportation network assumptions adopted by Metro after the TSP was adopted.



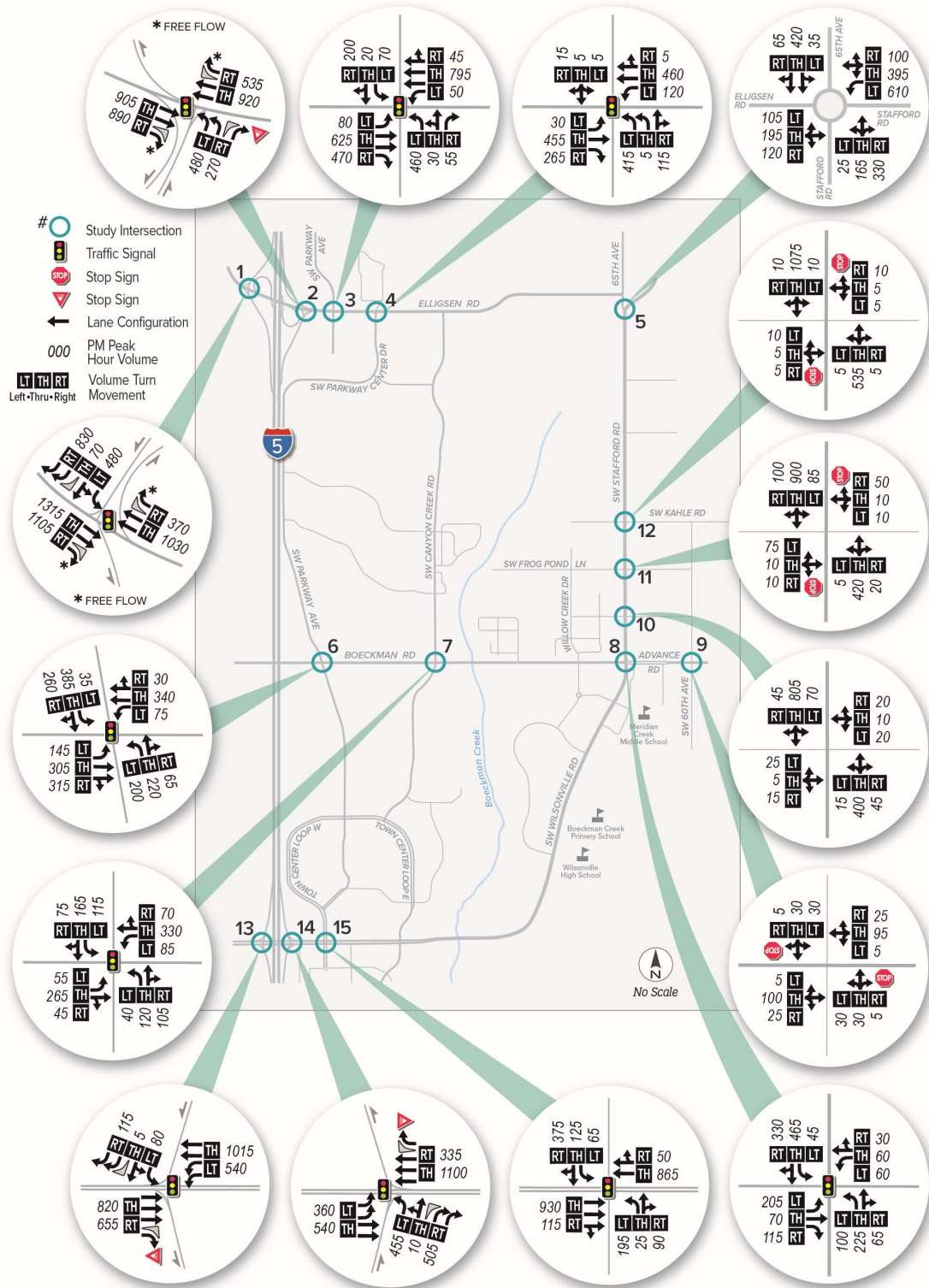


FIGURE 4: BASELINE (2040) TRAFFIC VOLUMES, LANE GEOMETRIES, AND TRAFFIC CONTROL



FUTURE HIGH-PRIORITY TSP PROJECTS

The future baseline scenario assumed improved intersection geometries associated with all High Priority Projects included in Wilsonville's TSP. The High Priority Projects applicable to the Frog Pond study area include the following:

- Addition of a second southbound right turn lane on the I-5 Southbound Off-Ramp at Elligsen Road (SI-07).
- Addition of dual eastbound and westbound through lanes at Boeckman Road/Parkway Avenue intersection (RW-01).
- Installation of traffic signal at Boeckman Road/Canyon Creek Road (UU-01). The City of Wilsonville is currently in the conceptual design phase for this intersection and a roundabout is also under consideration.
- Intersection modifications at Wilsonville Road/Town Center Loop West which including eliminating westbound and eastbound left turns, addition of an eastbound through "trap" lane, and reduction of the northbound and southbound approaches to a left turn lane and shared through-right turn lane (SI-09).
- Installation of a roundabout and combination of the existing intersections of Elligsen Road/65th Avenue and Stafford Road/65th Avenue (SI-03). This intersection is located within Clackamas County and is identified in their TSP but is also referenced in the Wilsonville TSP. For this analysis, the roundabout was evaluated as a partial dual-lane roundabout.

FUTURE BASELINE INTERSECTION OPERATIONS

Intersection traffic operations under the future 2040 Baseline scenario were analyzed for the PM peak hour to evaluate whether the transportation network is expected to remain within desired performance levels as required by the City of Wilsonville, Clackamas County, and ODOT.

Table 2 lists the estimated average delay (in seconds), level of service (LOS), and volume to capacity (v/c) ratio that each study intersection and future access is expected to experience.

As shown, all intersections are expected to meet operating standards and targets under Baseline conditions with exception of the Stafford Road/Kahle Road, Stafford Road/Frog Pond Lane, and Stafford Road/Brisband Street intersections, which were analyzed as key gateways to the Frog Pond East neighborhood.



TABLE 2: FUTURE BASELINE (2040) INTERSECTION OPERATIONS

INTERSECTION	OPERATING STANDARD	PM PEAK HOUR		
		V/C	DELAY	LOS
SIGNALIZED				
ELLIGSEN RD/I-5 SB RAMPS	v/c ≤ 0.90	0.73	18.1	B
ELLIGSEN RD/I-5 NB RAMPS	v/c ≤ 0.90	0.45	9.3	A
ELLIGSEN RD/PARKWAY AVE	LOS D	0.52	24.4	C
ELLIGSEN RD/PARKWAY CENTER DR	LOS D	0.55	16.9	B
BOECKMAN RD/PARKWAY AVE	LOS D	0.82	23.5	C
BOECKMAN RD/CANYON CREEK RD	LOS D	0.57	15.2	B
STAFFORD RD-WILSONVILLE RD /BOECKMAN RD-ADVANCE RD	LOS D	0.79	22.5	C
WILSONVILLE RD/I-5 SB RAMPS	v/c ≤ 0.90	0.40	14.0	B
WILSONVILLE RD/I-5 NB RAMPS	v/c ≤ 0.90	0.52	22.2	C
WILSONVILLE RD/TOWN CENTER LP WEST	LOS D	0.82	44.3	D
TWO-WAY STOP-CONTROLLED				
ADVANCE RD/60 TH AVE	LOS D	0.11	11.4	A/B
STAFFORD RD/BRISBAND ST	LOS D	0.49	72.6	A/F
STAFFORD RD/FROG POND LN	LOS D	>1.20	>120	B/F
STAFFORD RD/KAHLE RD	LOS D	0.29	70.3	B/F
ROUNDBABOUT				
STAFFORD RD/65 TH AVE/ELLIGSEN RD	v/c ≤ 0.90	0.84	17.9	B

SIGNALIZED INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Total Volume-to-Capacity Ratio
LOS = Total Level of Service

TWO-WAY STOP-CONTROLLED INTERSECTION:

Delay = Critical Movement Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Road)

ROUNDBOUT INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Total Level of Service



ANTICIPATED BUILD CONDITIONS (2040)

Anticipated build (2040) traffic conditions were evaluated for the study area and include the land use assumptions, anticipated build traffic volumes and intersection operations, and identified transportation improvements.

LAND USE ASSUMPTIONS AND ADJUSTMENTS

As mentioned previously, the 2040 Wilsonville Travel Demand model currently contains housing and job land use assumptions for the Frog Pond East and South neighborhoods. Now that the East and South neighborhood layouts have been further refined, the assumed quantity of housing units and commercial space have been estimated. To best analyze the impact of the estimated full buildout of the East and South neighborhoods, DKS adjusted the Wilsonville Travel Demand Model assumptions for the transportation analysis zones (TAZs) that comprise the Frog Pond East and South neighborhoods to account for a higher number of housing units than what is currently assumed.

Table 3 lists the land use adjustments that were applied to the 2040 Travel Demand Model to emulate the anticipated land use generation for Frog Pond (Build scenario). As shown below, the number of household units for both neighborhoods was increased by 136% and 0 jobs were increased.

TABLE 3: TRAVEL DEMAND MODEL ADJUSTMENTS

	HOUSEHOLDS	JOBS
EAST NEIGHBORHOOD	Increase by 103%	No Change 0%
SOUTH NEIGHBORHOOD	Increase by 225%	No Change 0%
TOTAL	Increase by 130%	No Change 0%

ANTICIPATED BUILD TRAFFIC VOLUMES

The future 2040 Build traffic volumes were forecasted for the study area using the Wilsonville travel forecast model with the adjustments as previously discussed. Intersection operations were then evaluated to determine how sufficiently the City's future transportation system would support the long-term estimated build-out of the Frog Pond East and South neighborhoods, therefore determining what improvements might be needed. The PM peak hour traffic volumes, lane geometries, and intersection operating conditions are shown in Figure 5.



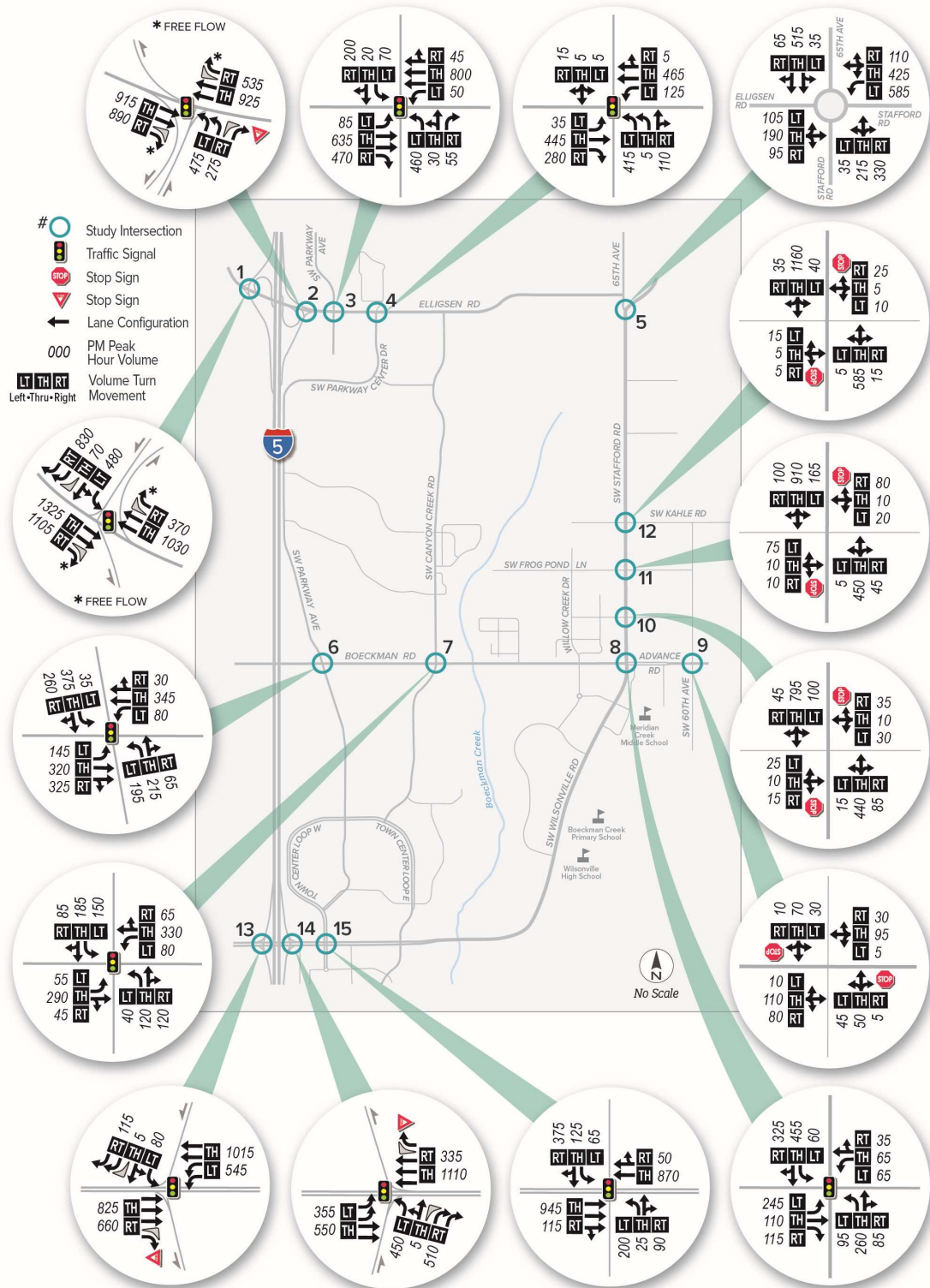


FIGURE 5: BUILD (2040) TRAFFIC VOLUMES, LANE GEOMETRIES, AND TRAFFIC CONTROL



ANTICIPATED BUILD INTERSECTION OPERATIONS

Intersection traffic operations under the future 2040 Build scenario were analyzed for the PM peak hour with the same intersection geometries that were assumed in the Baseline scenario. Table 4 the estimated average delay (in seconds), level of service (LOS), and volume to capacity (v/c) ratio for each study intersection.

TABLE 4: ANTICIPATED BUILD (2040) INTERSECTION OPERATIONS

INTERSECTION	OPERATING STANDARD	PM PEAK HOUR		
		V/C	DELAY	LOS
SIGNALIZED				
ELLIGSEN RD/I-5 SB RAMPS	v/c ≤ 0.90	0.73	18.2	B
ELLIGSEN RD/I-5 NB RAMPS	v/c ≤ 0.90	0.45	9.2	A
ELLIGSEN RD/PARKWAY AVE	LOS D	0.53	24.5	C
ELLIGSEN RD/PARKWAY CENTER DR	LOS D	0.54	16.8	B
BOECKMAN RD/PARKWAY AVE	LOS D	0.81	23.3	C
BOECKMAN RD/CANYON CREEK RD	LOS D	0.60	15.9	B
BOECKMAN RD-ADVANCE RD/ STAFFORD RD-WILSONVILLE RD	LOS D	0.81	22.6	C
WILSONVILLE RD/I-5 SB RAMPS	v/c ≤ 0.90	0.40	14.0	B
WILSONVILLE RD/I-5 NB RAMPS	v/c ≤ 0.90	0.52	22.1	C
WILSONVILLE RD/TOWN CENTER LP WEST	LOS D	0.82	44.1	D
TWO-WAY STOP-CONTROLLED				
ADVANCE RD/60 TH AVE	LOS D	0.20	13.2	A/B
STAFFORD RD/BRISBAND ST	LOS D	0.85	>120	A/F
STAFFORD RD/FROG POND LN	LOS D	>1.20	>120	B/F
STAFFORD RD/KAHLE RD	LOS D	0.65	>120	B/F
ROUNDBABOUT				
STAFFORD RD/65 TH AVE/ ELLIGSEN RD	v/c ≤ 0.90	0.85	21.0	C

SIGNALIZED INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Total Volume-to-Capacity Ratio
LOS = Total Level of Service

TWO-WAY STOP-CONTROLLED INTERSECTION:

Delay = Critical Movement Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Road)

ROUNDBOUT INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Total Level of Service



As shown, the unsignalized intersections/accesses along Stafford Road (Kahle Road, Frog Pond Lane, and Brisband Street) are expected to exceed the City's LOS D performance standard. The primary reason is the high through volumes that influence delay experienced by side street vehicles attempting to turn left.

RECOMMENDED TRANSPORTATION IMPROVEMENTS

The three intersections along Stafford Road are located approximately within 800–900 feet from one another. Therefore, the interaction of all improvements at these intersections must be carefully considered due to their proximity. The following projects have therefore been identified to improve the three gateway intersections along Stafford Road to meet the City's level of service D performance standard.

Due to the planned location of the commercial uses off Brisband Street, it is desirable to allow all vehicle turning movements at the Brisband Street intersection to provide full access and connectivity to those land uses. It is also desirable to have a full-access gateway intersection at the far north end of the housing development to function as a gateway between the rural higher speed traffic and urban slower speed traffic and provide safe access to the Frog Pond development. There is a strong desire to preserve the historic Grange building on the northeast corner of Stafford Road/Frog Pond Lane intersection. Turn restrictions could be implemented at the Stafford Road/Frog Pond Lane intersection (restrict minor street through and left turns) to allow access to safe movements (left in, right in and right out). A full access roundabout at Frog Pond Lane would likely require the removal or relocation of the historic Grange building due to the required footprint of the improvement.

If two intersections are improved with roundabouts with a limited access between the two full-access locations, it is likely that many of the residents and drivers familiar with the area would choose to turn left or go through at those improved intersections during the peak periods, particularly with good Collector/Local Street connectivity. Local street connections in both the East and West neighborhoods are planned that would allow sufficient connectivity for vehicles to access the proposed roundabouts Kahle Road or Brisband Street to cross Stafford Road or turn left onto Stafford Road. A discussion on the advantages and disadvantages of roundabouts are provided in a subsequent section.

The recommended improvements are highlighted below.

KAHLE ROAD/STAFFORD ROAD

At this intersection, install a single-lane roundabout with pedestrian island. In addition to meeting capacity needs, the proposed roundabout would improve safety and provide a distinct transition between the rural and urban land use and traffic speeds in the area. The roundabout should include pedestrian medians for enhanced pedestrian crossings.

FROG POND LANE/STAFFORD ROAD

At this intersection, install a raised center median and traffic separator that allows northbound and southbound right and left turns from Stafford Road and minor street



right turns but restricts minor street eastbound and westbound through and left turn movements to and from Frog Pond West and East. The restriction is needed to facilitate safe vehicle and pedestrian/bicycle movements at the intersection and to meet the City's LOS standard. This intersection should include enhanced pedestrian crossings with median breaks for safe and improved pedestrian connectivity.

BRISBAND STREET/STAFFORD ROAD

At this intersection, install a single-lane roundabout. This will require a slight shift of Stafford Road to the east to accommodate the necessary right-of-way. The roundabout should include pedestrian medians for enhanced pedestrian crossings.

60TH AVENUE/ADVANCE ROAD

At this intersection, install a single-lane roundabout. While not a necessary improvement for traffic operating conditions, the proposed roundabout would improve safety and provide a distinct transition between the rural land use with high-speed traffic and urban land use with slower vehicle speeds and the need for multimodal safety in the area.

IMPROVED OPERATING CONDITIONS

The table below shows the intersection operations for the four intersections with the identified transportation improvements in place. As shown, all four intersections will meet the City LOS standard while providing safe multimodal improvements for pedestrian and bicycles.

TABLE 5: ANTICIPATED BUILD (2040) INTERSECTION OPERATIONS - IMPROVEMENTS

INTERSECTION	IMPROVEMENT	OPERATING STANDARD	PM PEAK HOUR		
			V/C	DELAY	LOS
ADVANCE RD/ 60 TH AVE	Roundabout	LOS D	0.19	4.3	A
STAFFORD RD/ BRISBAND ST	Roundabout	LOS D	0.78	12.7	B
STAFFORD RD/ FROG POND LN	Two-Way Stop-Controlled with Minor Street Turn Restrictions	LOS D	0.04	18.5	B/C
STAFFORD RD/ KAHLE RD	Roundabout	LOS D	0.99	29.6	D

TWO-WAY STOP-CONTROLLED INTERSECTION:

Delay = Critical Movement Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Road)

ROUNDABOUT INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Total Level of Service



Advantages of Installing a Roundabout

- Roundabouts can reduce delay for side street traffic because no approach is given more priority than another. Therefore, the Kahle Road and Brisband Street intersections would no longer be anticipated to operate at LOS F in the future scenarios.
- Roundabouts can help to slow traffic speeds on the roadway. Typical circulating speeds for a roundabout are 15 – 20 miles per hour (mph), which would help to calm traffic in the vicinity of the Frog Pond development area.
- Converting a stop-controlled intersection to a single-lane roundabout can reduce fatal and injury crashes by 82%.
- Roundabouts reduce the number of conflict points between vehicles and between vehicles and pedestrians/bicycles.
- Roundabouts at Stafford Road/Kahle Road and Advance Road/60th Avenue would provide clear gateways between the rural and urban environments. The Stafford Road/Kahle Road location is under the BPA power line easement and would have underutilized land available to accommodate the larger footprint that roundabouts require.

Disadvantages of Installing a Roundabout

- Because all approaches are treated the same and must yield to traffic within the roundabout, this would introduce delay for traffic on the major approaches (Stafford Road).
- Roundabouts are more difficult for large trucks and agricultural vehicles to navigate and may result in complaints from the freight community and farmers.
- Roundabouts can be difficult for school aged pedestrians and bicyclists to cross because there is no exclusive stop phase (as is provided with a traffic signal). The lack of straight paths and clear turns can also be difficult for the vision impaired.
- Roundabouts require a larger footprint, which would require additional right-of-way dedication or acquisition.



IDENTIFIED PROJECTS

The following lists of transportation projects have been identified through the evaluation of the proposed Frog Pond East and South neighborhoods.

ROADWAY PROJECTS

- Widen Stafford Road to a three-lane cross section (two travel lanes with a center turn lane). Include curb, gutter, sidewalks, landscape strips, and bicycle facilities on both sides. The final cross-section will be determined by the City Engineer. Additionally, plan setbacks to accommodate potential future road widening.
- Widen Advance Road to a three-lane cross section (two travel lanes with a center turn lane). Include curb, gutter, sidewalks, landscape strips, and bicycle facilities on both sides. The final cross-section will be determined by the City Engineer.
- Construct Local And Neighborhood Collector streets through the East and South neighborhoods consistent with the draft master plan to provide connections to the internal land uses.
- Consider potential traffic calming treatments along 60th Avenue south of Advance Road to control travel speeds, calm traffic, and improve pedestrian safety. Treatments could include center medians at mid-block locations and at intersections as well as speed feedback signs and school speed zones (20 mph) adjacent to the middle school.

INTERSECTION PROJECTS

- Install a single-lane roundabout at Stafford Road/Kahle Road.
- Install a median that restricts minor street left turn and through movements at Stafford Road/Frog Pond Lane.
- Install a single-lane roundabout at Stafford Road/Brisband Street.
- Install a single-lane roundabout at Advance Road/60th Avenue. Because of its proximity to a school, the crosswalk ramps at this location should be clear of vegetation to allow sufficient visibility of pedestrians.

PEDESTRIAN, BICYCLE, AND TRAIL PROJECTS

- Install a mid-block crossing on Advance Road between 60th Avenue and 63rd Avenue to facilitate safe crossings between the future park and East neighborhood. A Rectangular Rapid Flashing Beacon (RRFB) should be considered at this location once Safe Routes to School are identified.
- Install a marked school crosswalk at the intersection of Advance Road/63rd Avenue. A Rectangular Rapid Flashing Beacon (RRFB) should be considered at this location once Safe Routes to School are identified.



- Install a crosswalk with median at the Frog Pond Lane/Stafford Road. Additional safe and accessible bicycle and pedestrian crossings will be provided via the identified roundabouts at Kahle Road/Stafford Road and Brisband Street/Stafford Road as well.
- Extend the planned pedestrian and bicycle facility improvements on Boeckman Road to Advance Road east of Stafford Road. The desired cross section for Boeckman Road includes protected bike lanes on both sides of the road.
- Construct protected bike lanes along the both sides of Stafford Road.
- Construct pedestrian and bicycle trails through the East and South neighborhoods consistent with the master plan to provide connections to existing local and regional trails in Wilsonville





CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 6, 2023		Subject: Prohibited Camping Code Update Project	
		Staff Members: Amanda Guile-Hinman, City Attorney; Nick McCormick, Law Clerk	
		Department: Legal	
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: N/A	
Staff Recommendation: N/A			
Recommended Language for Motion: N/A			
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:

Review initial feedback from community members and stakeholders regarding potential prohibited camping regulations and discuss policy questions to inform development of prohibited camping regulations.

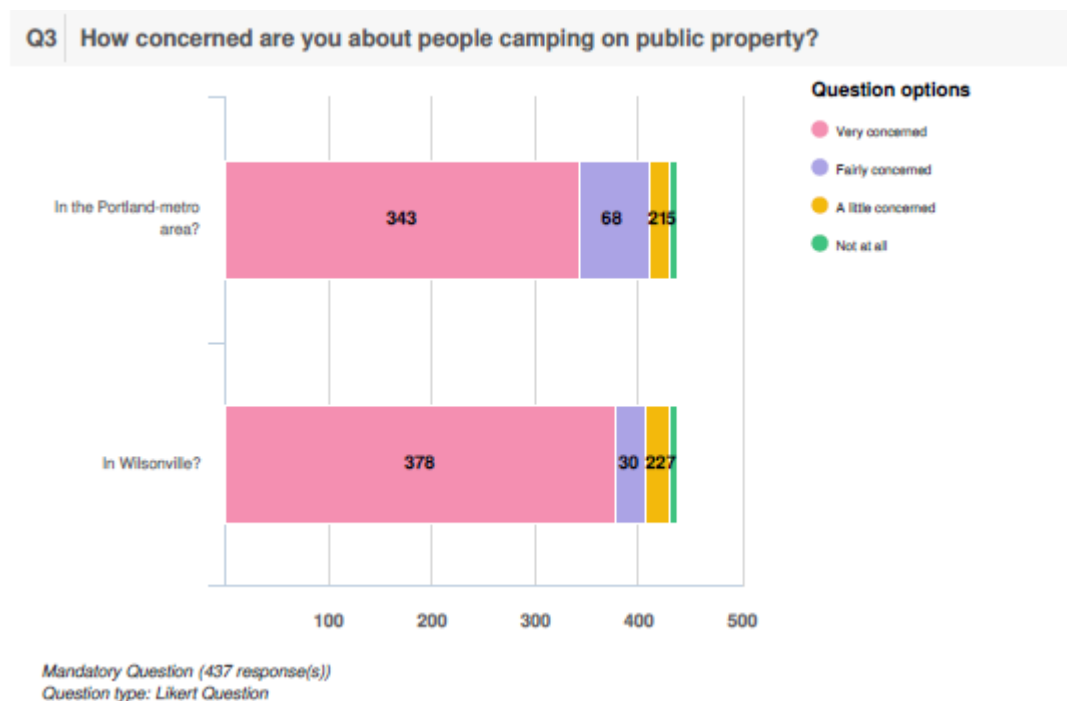
EXECUTIVE SUMMARY:

The City is undertaking a review and update to its local code provisions regarding camping on city property and city rights-of-way such as streets and sidewalks in 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.

This Staff Report provides background information that requires the City to revise its prohibited camping code provisions, what the City can and cannot regulate, and policy questions for the Council that staff will use to help inform the ultimate revisions to the City Code.

Woven within the policy questions discussion is the information staff has garnered thus far from its public outreach, including responses to the Let's Talk, Wilsonville! questionnaire, communications from community members to staff, and stakeholder interviews. A memo of the initial outreach results is attached hereto as **Attachment A**. As evidenced in the Let's Talk, Wilsonville! questionnaire (**Exhibit 1** attached to Attachment A), community members are particularly engaged and interested in this topic. Over 400 community members responded to the questionnaire, the largest response received since the City implemented Let's Talk, Wilsonville! Moreover, the vast majority of respondents stated they are either very concerned or fairly concerned regarding camping on public property both in the Portland metro area and Wilsonville – 94% and 93% respectively.

CHART 1: Level of Concern Regarding Camping on Public Property



I. BACKGROUND

A. Federal Cases on Camping Ban Enforcement

1. *Martin v. Boise* – Ninth Circuit Court of Appeals (2019)

In 2019, the 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 unhoused individuals, 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. In 2020, a class of unhoused individuals 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:

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 Ninth Circuit.

“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 Ninth Circuit did not focus on the type of shelter (whether 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 Ninth 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 Ninth 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 Ninth 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 unhoused individuals; (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.

² The named plaintiff in the matter was substituted because Debra Blake died after the federal district court decision.

The Ninth Circuit case law does leave some questions for jurisdictions working to implement regulations that comply with the cases:

- Can alternative sheltering options be part of the calculation of available beds, or do only shelters that meet HUD criteria count? Only the Federal District Court discussed this nuance.
- Can shelter options available in the County be part of the calculation if the city can provide transportation to the shelters? Given that the counties in Oregon, and particularly in the Metro area, receive funding for shelters, their shelter opportunities could be relevant.
- Can the restriction on the erection of structures, including tents, survive Eighth Amendment scrutiny? Both the Federal District Court and the Ninth Circuit suggest that such prohibitions may be constitutional, if justified – though there is no discussion of the type of justification needed.

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. A copy of HB 3115 is attached hereto as **Attachment F**.

Among the requirements is a provision stating that any regulation of use of public property by unhoused persons 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 also. The law goes into effect on July 1, 2023.

2. HB 3124 (2021)

Additionally, passed as HB 3124 (2021) (attached hereto as **Attachment G**), 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. This policy does not apply if the site is housing illicit activities, in case of emergencies, or sites near a funeral service. Additionally, a citation cannot be given if within 200 feet of a notice posted less than two hours before or after such time.

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

Staff formed an inter-departmental internal team to review Wilsonville Code provisions that regulate camping, and other related provisions. This internal team has three goals: (1) to ensure that the City is compliant with HB 3115 prior to its operative date of July 1, 2023; (2) to verify, through work sessions with Councilors and feedback from the community and stakeholders, that any regulations in the Wilsonville Code reflect City values; and (3) to communicate with and educate the Council and the community about these changes in Oregon law and any corresponding revisions to the Wilsonville Code. As staff continues to undertake the community outreach component of this project, staff seeks feedback from the City Council regarding policy questions concerning this prohibited camping project.

A. What Can and Can't We Do?

Below is a summary of the policy considerations that we can examine and that we cannot examine regarding prohibited camping:

1. **We cannot ban camping outright** – in the Ninth 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.
2. **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.
3. **We can regulate the timing when camping may occur**, such as between certain hours (e.g., from 10 pm to 6 am).
4. **We can regulate where camping occurs on City-owned property** (e.g., parking lots, vacant City-owned lots, sidewalks, parks, etc).
5. **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 unhoused individuals to be warm and dry while they sleep. This likely means, at a minimum, allowing barriers between the individual and the ground, using sleeping bags or blankets to stay warm, and some protection from the rain.
6. **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.

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.

B. Policy Questions

These policy questions are designed for the Council to consider not just how unhoused individuals may use City-owned property and rights-of-way, but also how other community members also use such facilities, to ensure that any restrictions and regulations do not specifically target unhoused individuals while allowing others to engage in the same conduct. For example, if a person may use a shade tent during a soccer tournament in a park, the City cannot restrict others from also using such a tent for other lawful purposes, such as resting, while the park is open. In order to assist the Council in this discussion, staff has compared the regulations of other jurisdictions that have already amended their local codes. That comparison chart is attached hereto as **Attachment B**. As noted above, staff has also prepared an initial public outreach report that is attached hereto as **Attachment A**. To the extent the feedback and other jurisdictions' regulations are relevant to a specific policy question, that information has been incorporated.

Policy Question 1: Whether the hours an individual may camp should be limited to a specific time period. For example, the City could allow camping on certain city property between the hours of 10 pm and 6 am. Currently, the City closes parks at night (parks posted to be closed from 10 pm to 6 am). The City could continue to close parks at night, which would have the effect of prohibiting all camping in public parks at night. This allows the preservation of the parks and the City's investment in the parks, but the City will likely need to ensure that there are other City-owned areas where individuals are able to camp in order for such a prohibition to be considered "objectively reasonable." Also, importantly, individuals may still use the parks during the daytime in any way that does not otherwise violate city code. In other words, individuals are allowed to recreate in city parks during open hours in any manner that does not violate City regulations. A map of park spaces, delineating between City-owned parks and park facilities owned by homeowners associations, is attached hereto as **Attachment C**.

Community members responded in the questionnaire that duration of stay should receive the most consideration in the development of a new camping policy and hours during which camping is allowed was the second most important consideration. Bend, Medford, and Newport limit the period of camping in one location to 24 hours; Seaside limits camping to occur between 8 pm and 8 am. See **Attachment B**. In some of the stakeholder interviews conducted, individuals were not opposed to a specific time limitation, such as 10 pm to 6 am. Some individuals wanted a longer duration (such as 24 hours) for individuals camping in their vehicles because that felt a little less disruptive than sleeping on sidewalks or in parks/forested areas. Additionally, information from service providers indicates that most of Wilsonville's unhoused population either sleep in their vehicles or "double-up" – meaning they find shelter at someone else's home.

CHART 2: Forced Ranking of Factors to Consider When Developing Camping Policy

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*

Policy Question 2: Should camping be prohibited outright in areas identified within the Significant Resource Overlay Zone (SROZ)? Given the environmental protections in place for areas within the SROZ, continuing to protect such areas will likely be considered objectively reasonable. A map of the City SROZ is attached hereto as **Attachment D**.

Policy Question 2a: In the forested park areas that are not part of the SROZ, should certain conduct be prohibited at all times (not just when the parks are closed)? If so, what conduct would be prohibited? For example, should the City consider allowing anyone, while the park is open, to sit, lie, and/or sleep in forested areas? Should the City consider restricting the items an individual may use if sitting/lying/sleeping, such as chairs or tents? This policy question implicates not only the place, but the manner in which individuals may recreate and camp in the forested areas while the park is open.

In the Let's Talk, Wilsonville! questionnaire, environmental impacts ranked fourth out of the seven considerations (see Chart 2 above). However, it was rated as one of the least suitable places for overnight camping, along with areas around parks and trails, near schools, and near residences.

CHART 3: Forced Ranking of Locations' Suitability to Allow Camping

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*

Medford expressly prohibits camping in its greenways and Bend prohibits camping in its waterway overlay zone (each are similar to Wilsonville's SROZ).

Policy Question 3: Should there be restrictions on the kinds of materials that may be used while camping? Currently, the City already restricts open flames in parks except in designated areas. Open flames/stoves pose fire risks that will likely make prohibiting them objectively reasonable.

Bend only allows "approved fires for cooking and warmth" and prohibits power generators. In the stakeholder interviews, individuals were comfortable with prohibiting accessories that may be a fire risk from being used in environmentally sensitive areas in particular. One service provider also noted that the food that unhoused individuals receive from that provider are generally "grab-and-go" food that does not need to be heated or cooked.

Policy Question 4: Should the City prohibit camping within a specific distance of certain land uses, such as schools or residences? As long as there are other locations available for camping, these regulations may be objectively reasonable to ensure child safety. As noted in Chart 3 above and Chart 4 below, proximity to schools and residences is a key concern of community members.

CHART 4: Factors to Consider When Reviewing Potential Locations to Allow Camping

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

Newport prohibits camping within 200 feet of schools and childcare facilities. All cities reviewed prohibit camping in residential areas or near residences.

Policy Question 5: Should the City limit the space a campsite may occupy? The City could impose a size limitation of campsites so that people have enough room for their personal belongings and to sleep while preventing the expansion of the footprint of campsites.

Bend imposes a spatial limit of 12x12 feet or 144 square feet of a campsite, prohibits any more than 3 campsites per block, and each must be at least 150 feet apart. One stakeholder interviewee expressed specific support for limiting the footprint of a campsite.

Policy Question 6: Should the City allow camping in City-owned parking lots and certain vacant City-owned property(ies)? Attached hereto as **Attachment E** is a map of City-owned taxlots and vacant properties (as identified by Metro).

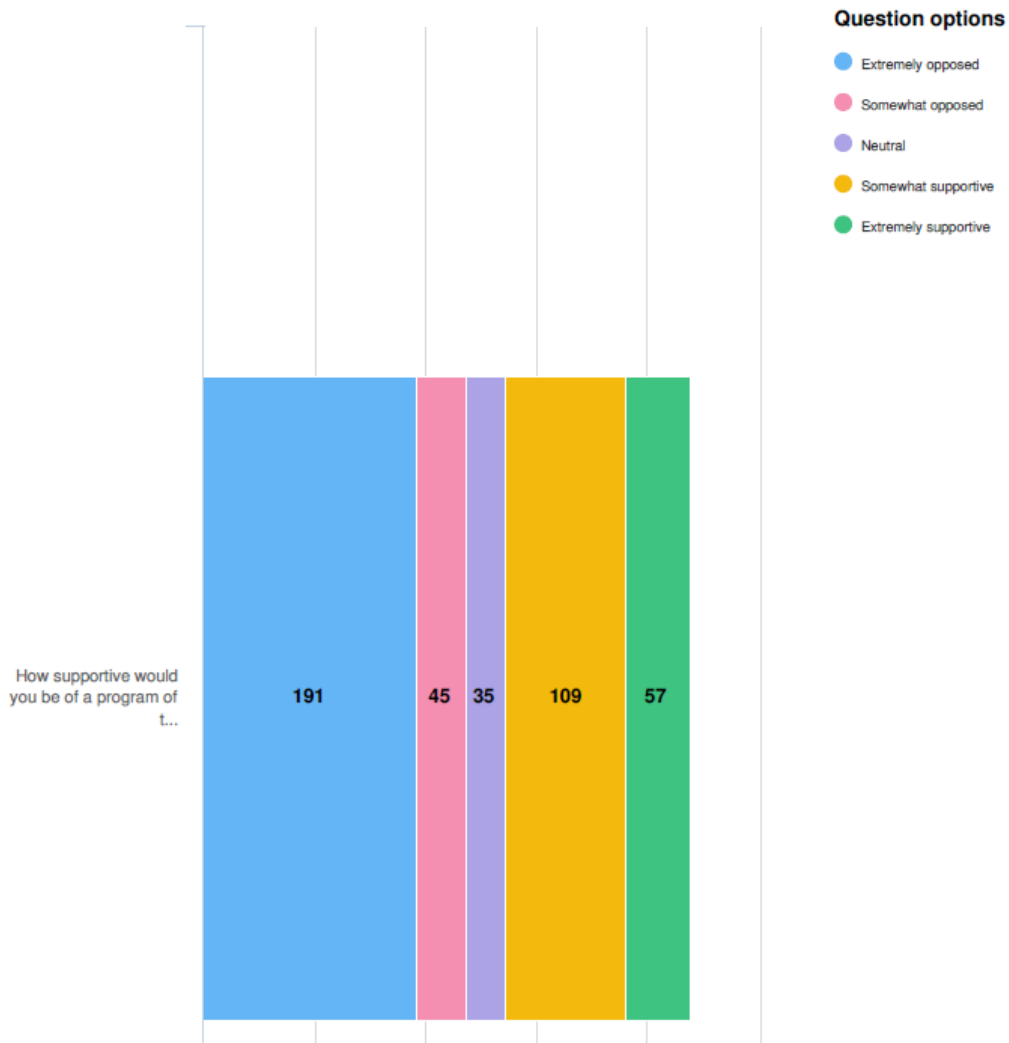
As noted in Chart 3, City-owned property was ranked as the most suitable option to allow camping and City parking lots was ranked fourth. Bend and Newport, to the extent they allow the use of City-owned parking lots and property, have designated places where unhoused individuals may camp. Medford and Seaside do not have explicit designated parking lots or other City-owned properties listed.

Policy Question 7: Should the City consider a private property safe camping program? Cities such as Bend, Medford, Newport, Seaside, and several other cities offer a private property camping program to property owners. See **Attachment B**.

While policy specifics would need to be further explored, the Let's Talk, Wilsonville! question on this topic received a mixed response, though most indicated they were opposed to a private property camping program. See Chart 5 below. Many of the individuals in the stakeholder interviews were receptive to such a program.

CHART 5: Whether to Consider a Private Property Camping Program

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...



Policy Question 8: Should the City have separate considerations for car camping versus tent camping/sleeping directly on City property and sidewalks?

One of the stakeholder interviews raised the concept of having different standards for car camping versus other types of camping. This idea recognized that most unhoused individuals in Wilsonville do not tent camp or sleep directly on City property, but instead camp in their vehicles. Vehicle camping was noted in the interview as feeling less disruptive and would better accommodate Wilsonville's unhoused residents.

Policy Question 9: Are there any other regulations that should be considered as part of this prohibited camping project – particularly, regarding the time, place, or manner that camping is allowed?

EXPECTED RESULTS:

Contemporaneous with the community outreach, the project team has begun the process of reviewing current city code and locating code sections to be revised in light of the new state laws, with the city potentially approving a final revised code by May 2023.

TIMELINE:

Approximate timeline of expected upcoming events:

1. February 23, 2023 – Second Council Work Session to go over policy considerations and initial community feedback
2. March 20, 2023 – Third Council Work Session to review draft Code revisions
3. April 17, 2023 – Fourth Council Work Session for any last revisions
4. May 1, 2023 – First Reading of Ordinance
5. May 15, 2023 – Second Reading of Ordinance
6. July 1, 2023 – New regulations become effective

CURRENT YEAR BUDGET IMPACTS:

None immediately, but there could be potential costs depending on the chosen system for managing prohibitions on camping. Cities are not required to provide facilities for those who are experiencing houselessness, but may be required to create additional procedures for regulating camping.

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.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

There are several potential impacts on the residential, commercial, and related communities depending on the adopted code revisions. The project team will work with local residents and stakeholders to address concerns and provide equitable solutions that benefits both the community and other impacted individuals.

ATTACHMENTS:

1. Attachment A – Initial Public Outreach Memorandum dated February 7, 2023
2. Attachment B – Prohibited Camping Regulations Comparison Chart
3. Attachment C – Map of parks
4. Attachment D – Map of SROZ
5. Attachment E – Map of City-owned taxlots and Metro regional vacant lands inventory of City-owned properties
6. Attachment F – ORS 195.530 (HB 3115)
7. Attachment G – ORS 195.505 (HB 3124)

MEMORANDUM

TO: Wilsonville City Council

FROM: Amanda Guile-Hinman, City Attorney

DATE: February 7, 2023

RE: Initial Public Outreach – Prohibited Camping Code Update Project

I. INTRODUCTION

This memorandum provides the initial 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 staff members such as City Parks maintenance staff, Library staff, and Public Works staff, and Police, 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.

Thus far, staff met with Wilsonville Community Sharing, Creekside Bible Church, Clackamas County Housing and Community Development staff, Tualatin Valley Fire and Rescue staff, West Linn-Wilsonville School District staff, the Wilsonville Alliance for Inclusive Communities, the Parks and Recreation Advisory Board, and the Chair of the City's Diversity, Equity, and Inclusion Committee. Staff is also scheduled to provide presentations to the Library

Board on February 22, 2023 and the Diversity, Equity, and Inclusion Committee on March 14, 2023.

Staff is also planning an anonymous survey for Tuesday, February 14, 2023, coordinated through Wilsonville Community Sharing, for unhoused individuals 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:

- 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. They estimate that they provided approximately 1,000 pounds of food to unhoused persons last year.
- 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

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.

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.

- 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:

- One provider 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 will be providing 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 are coming to an end in March 2023. February is 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.

Survey

SURVEY RESPONSE REPORT

19 July 2019 - 05 February 2023

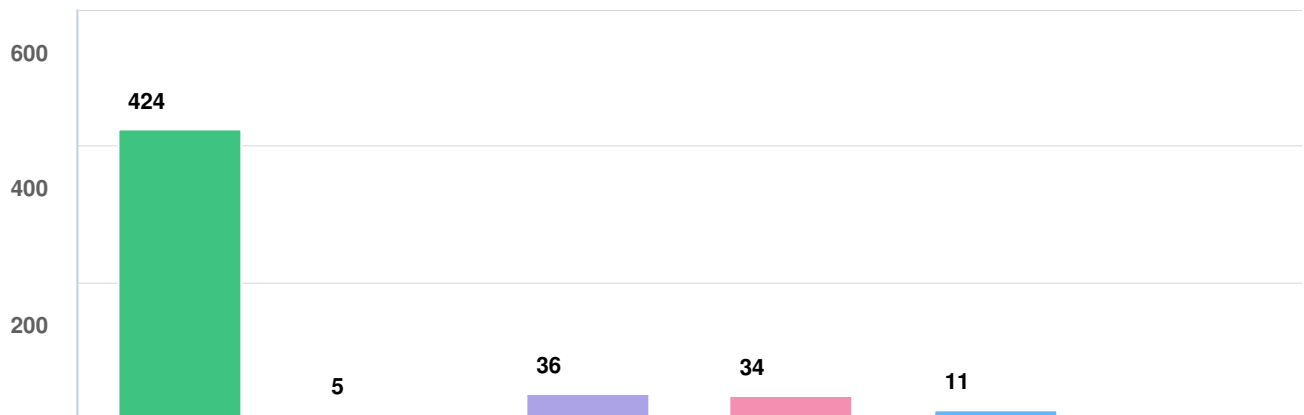
PROJECT NAME:

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)

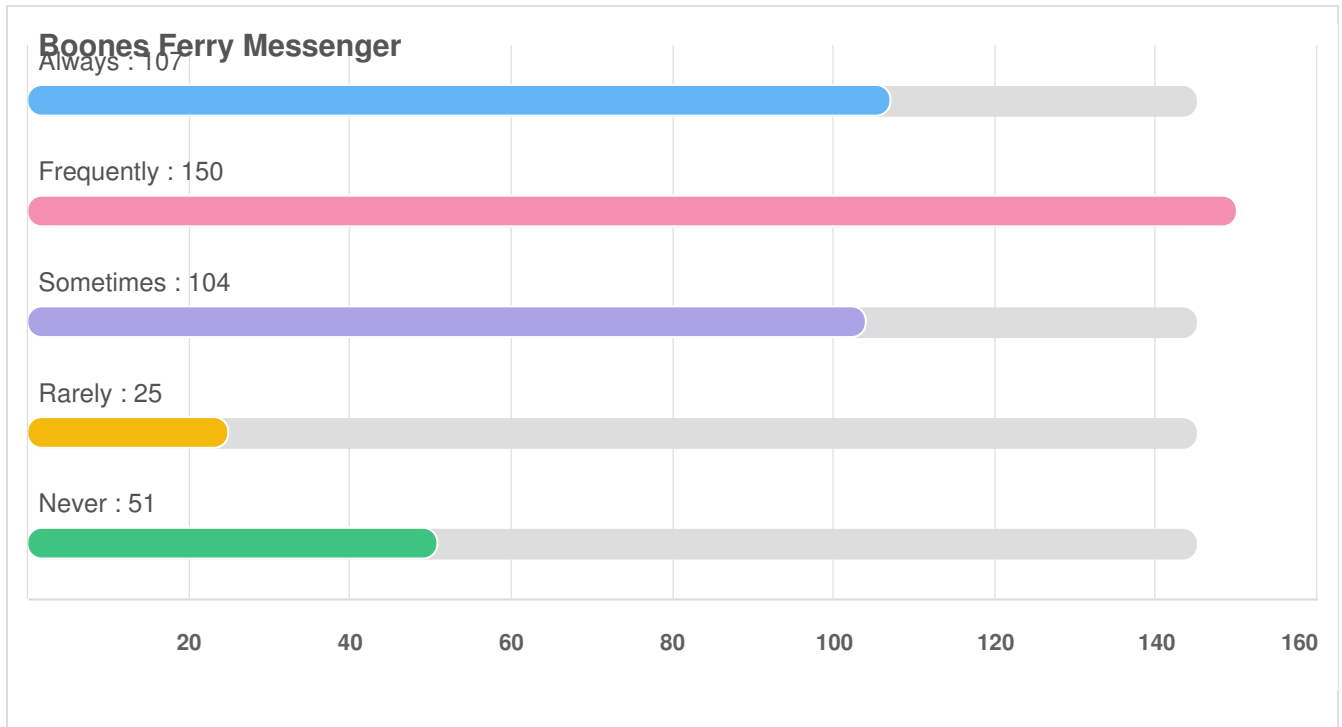
Question type: Checkbox Question

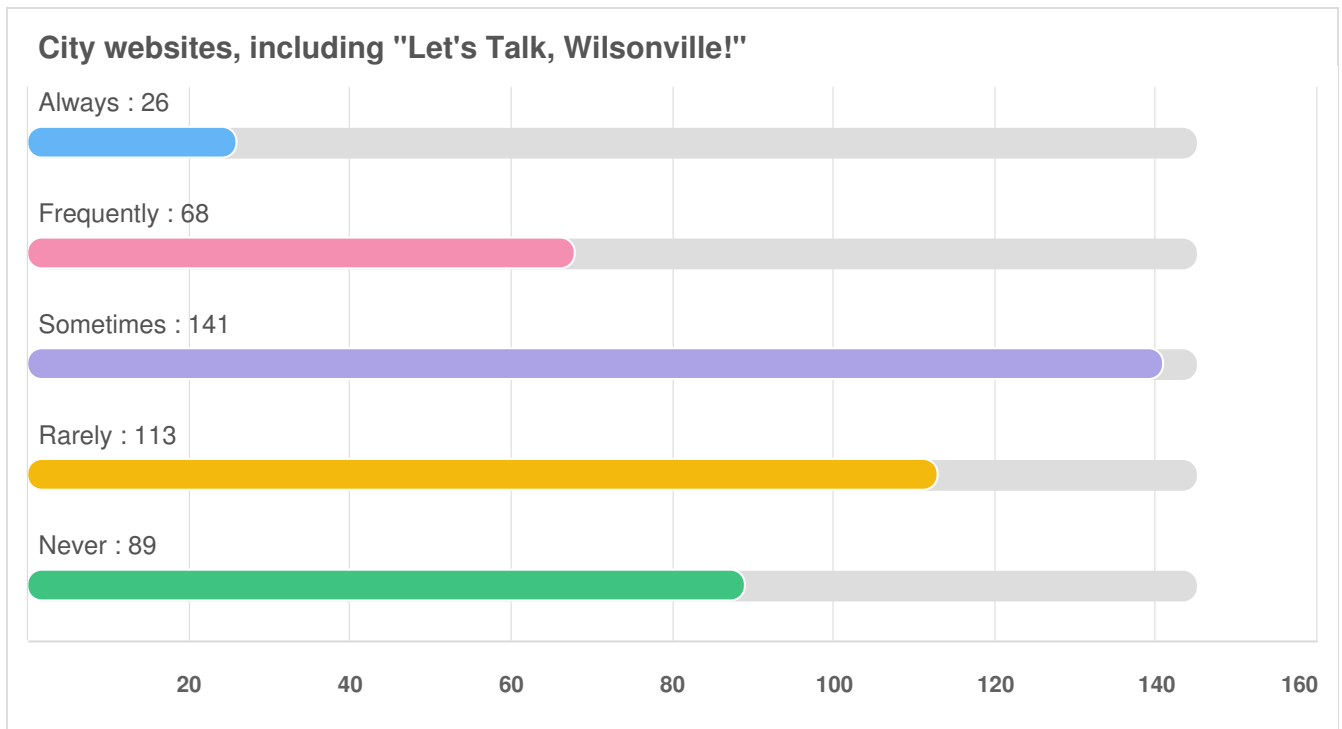
Q2 How do you typically stay informed about City projects of interest to you?

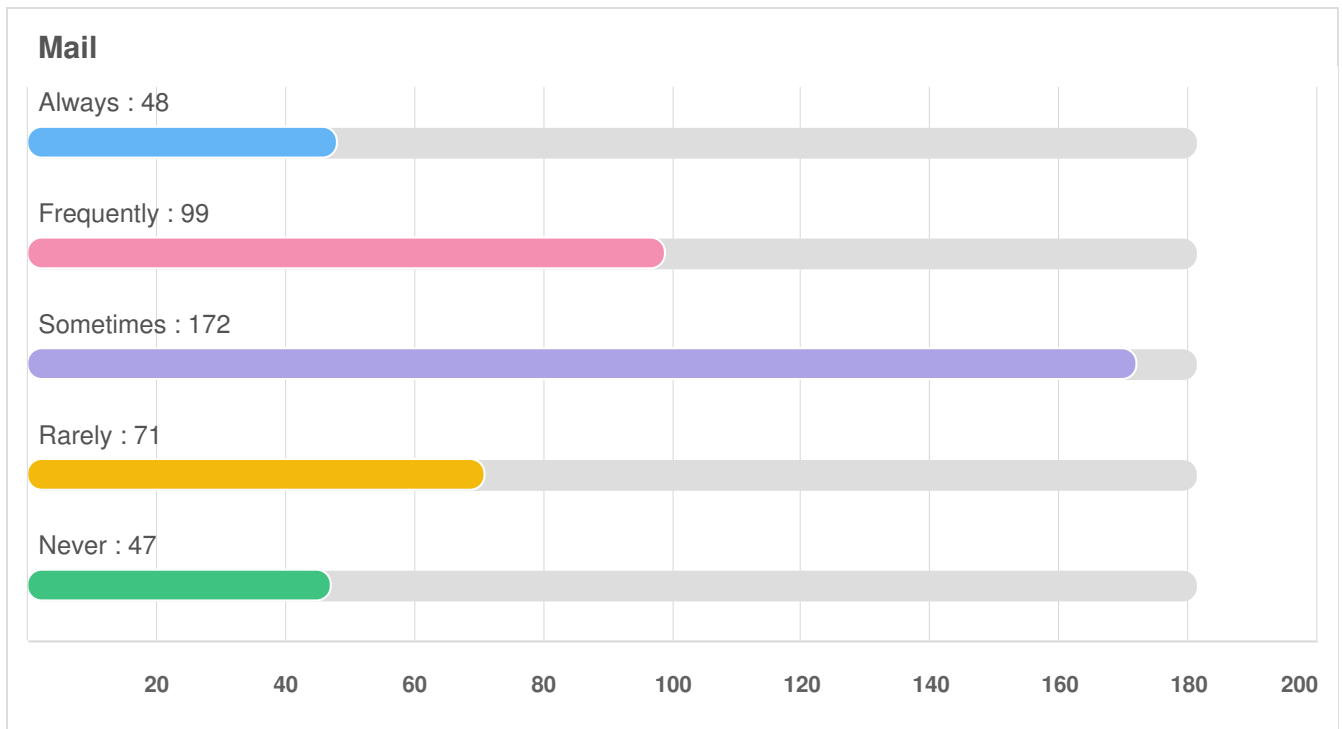
Mandatory Question (437 response(s))

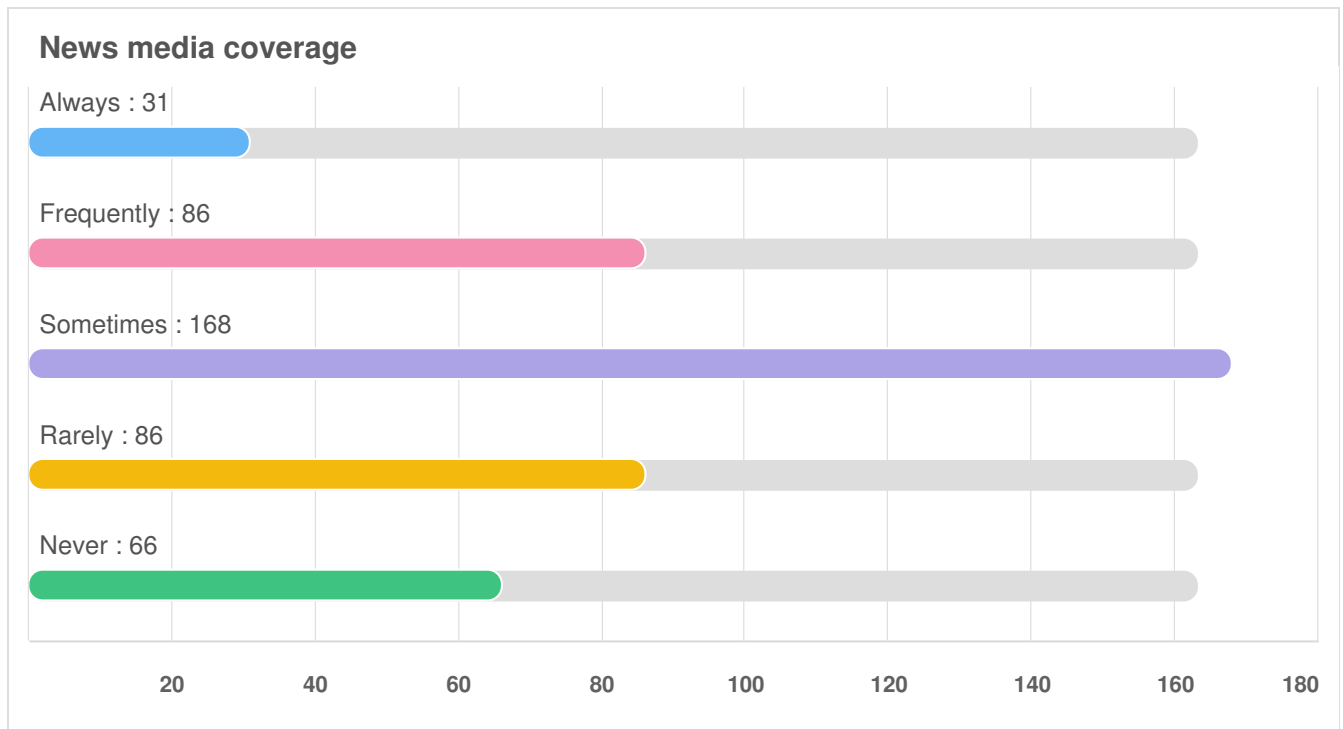
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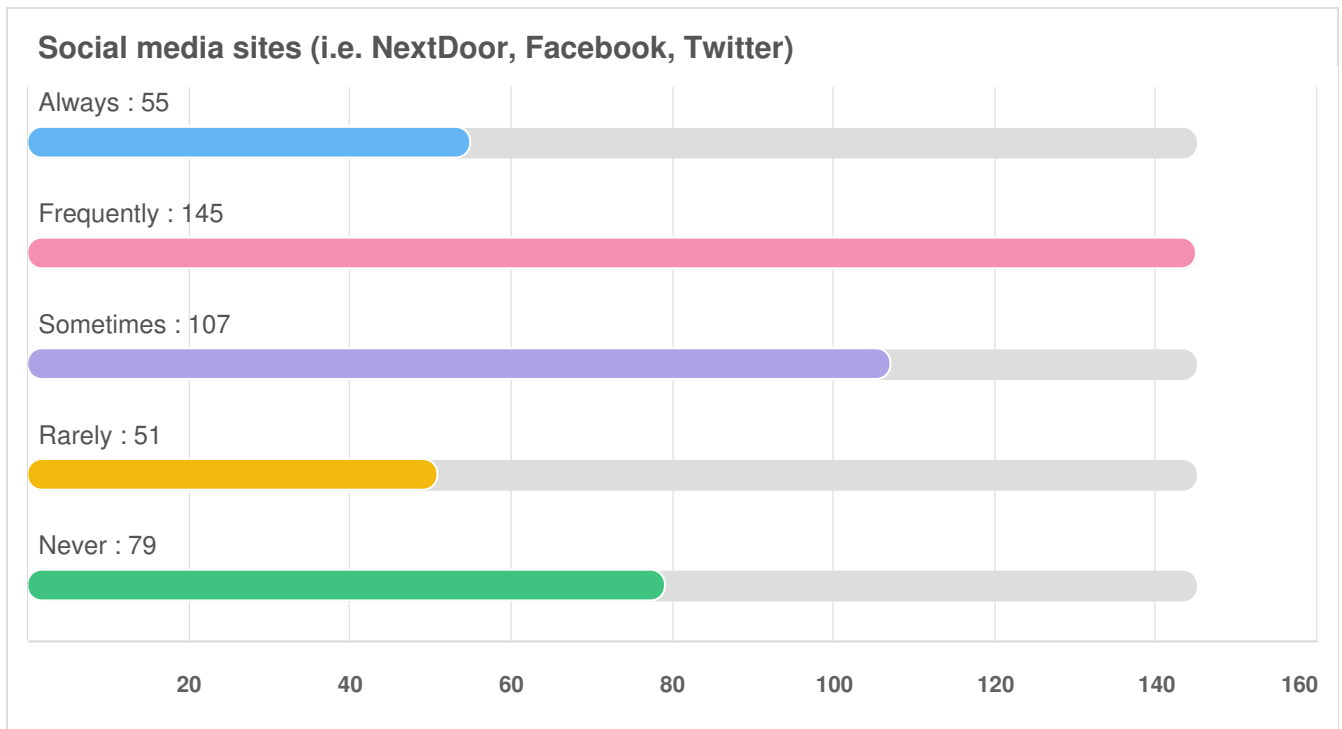
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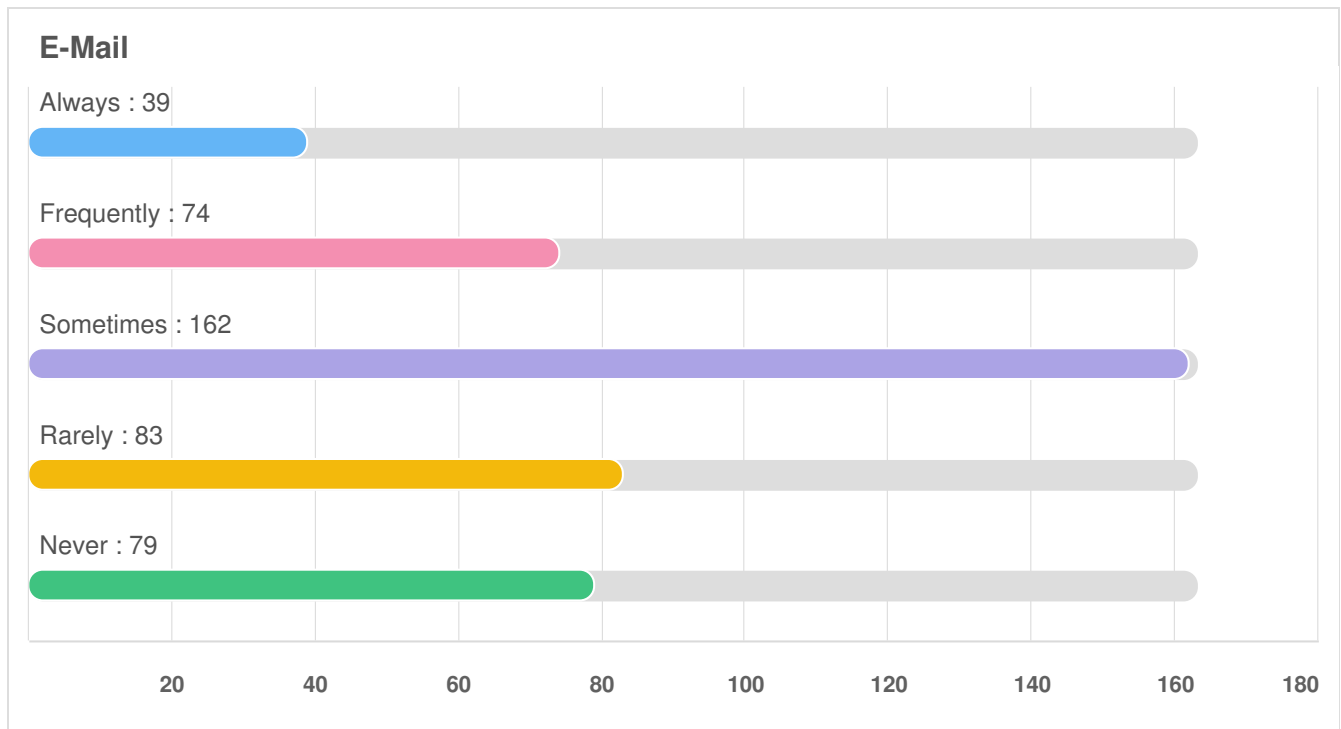




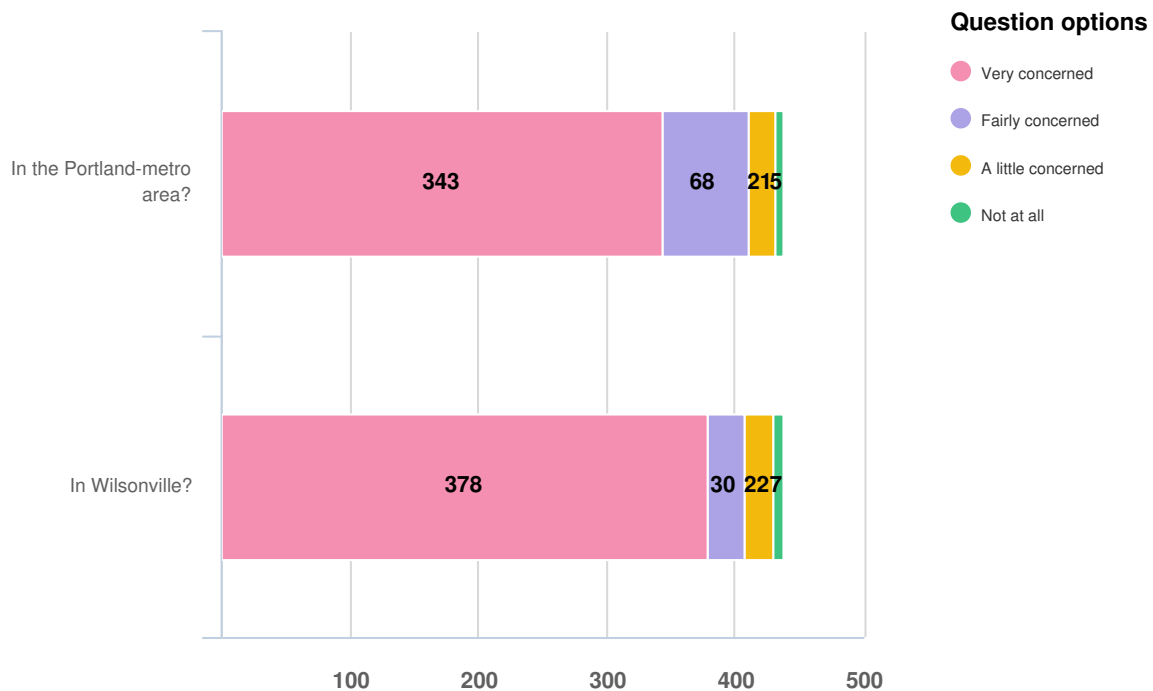








Q3 How concerned are you about people camping on public property?



Mandatory Question (437 response(s))

Question type: Likert Question

Q3 How concerned are you about people camping on public property?

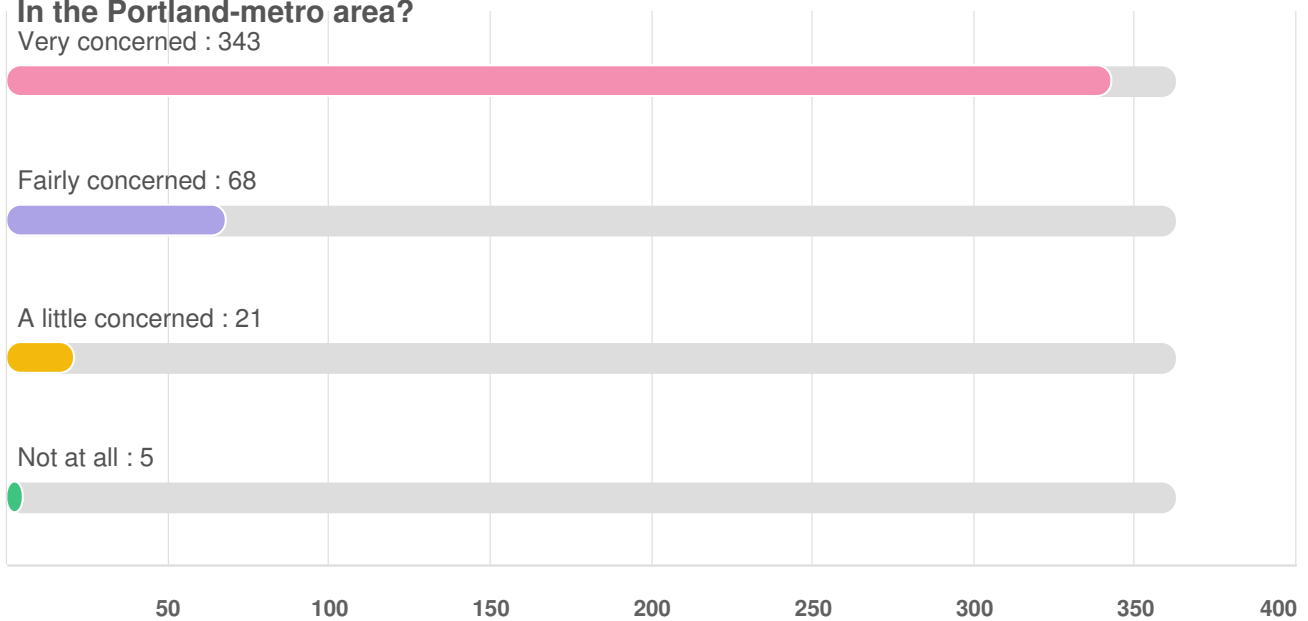
In the Portland-metro area?

Very concerned : 343

Fairly concerned : 68

A little concerned : 21

Not at all : 5



In Wilsonville?

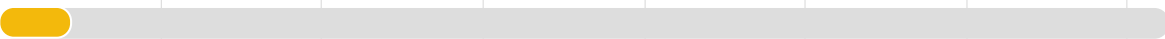
Very concerned : 378



Fairly concerned : 30



A little concerned : 22

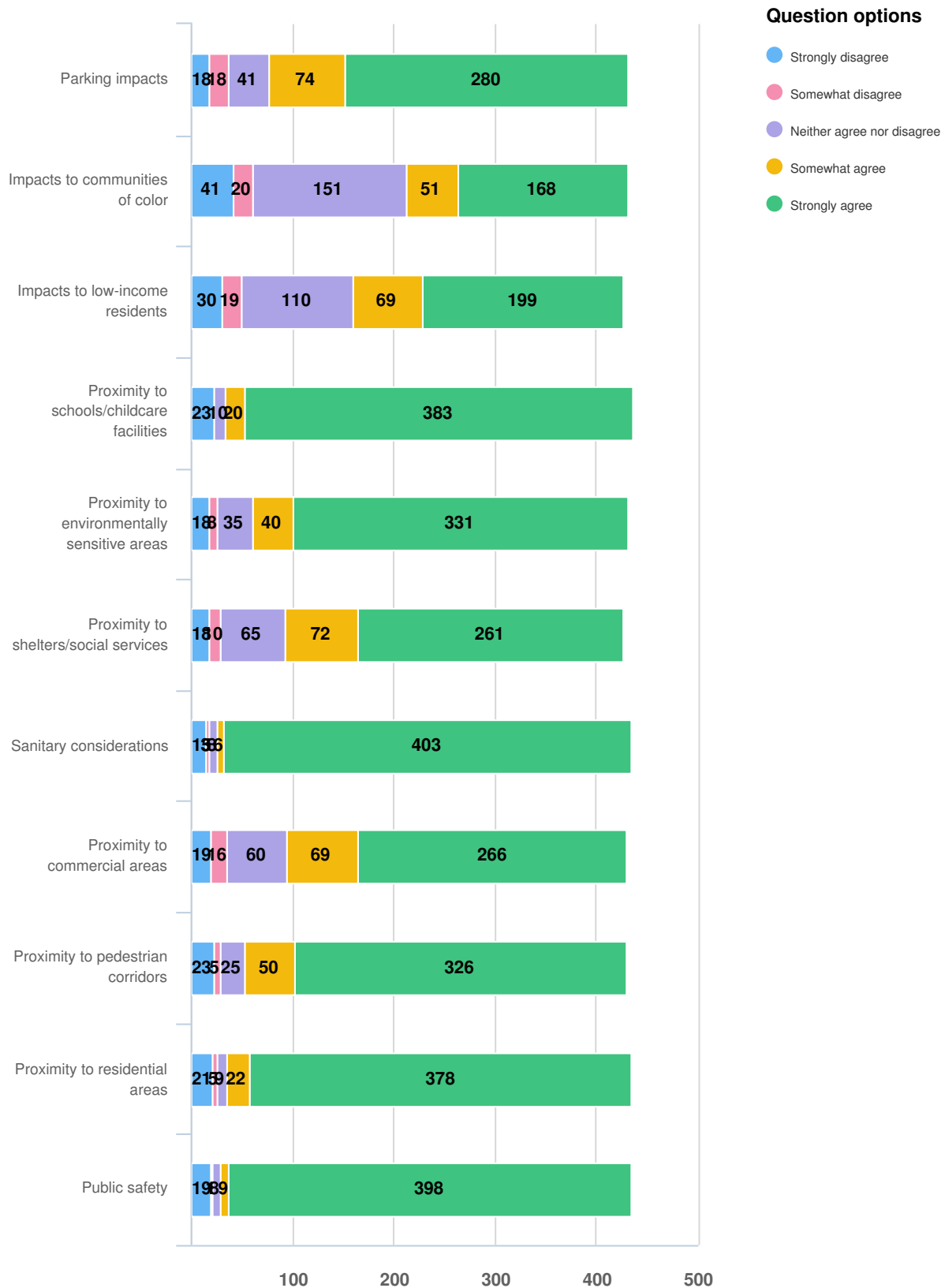


Not at all : 7



50 100 150 200 250 300 350 400

Q4 The City should consider the following factors when reviewing potential locations at which to allow overnight camping?

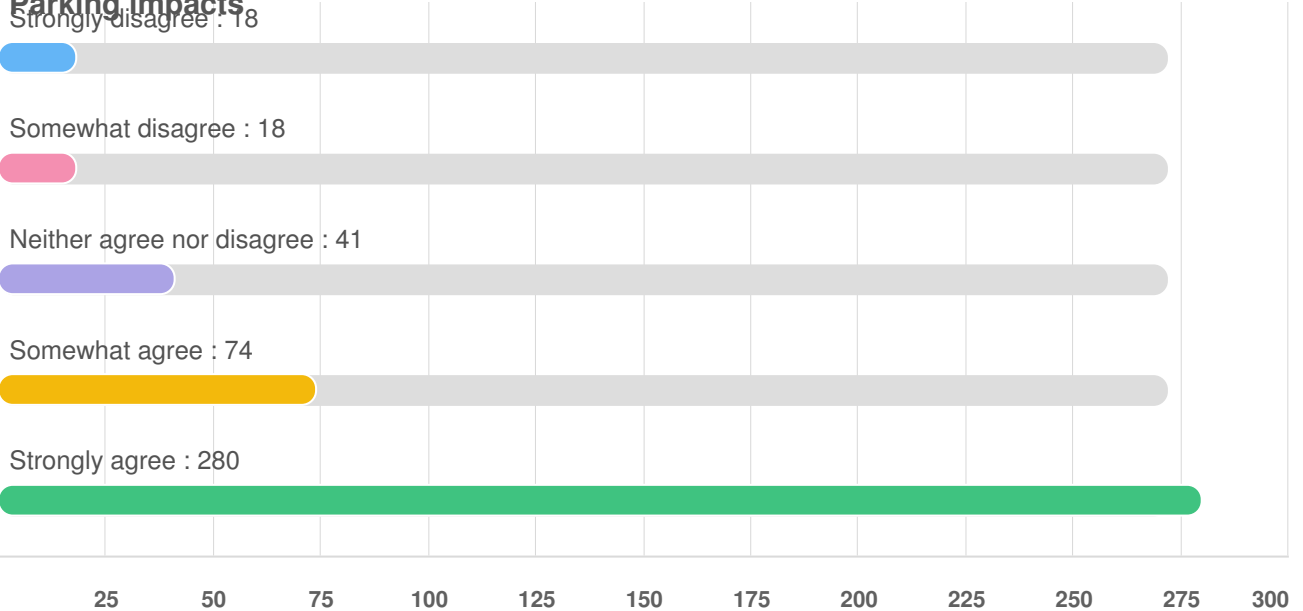


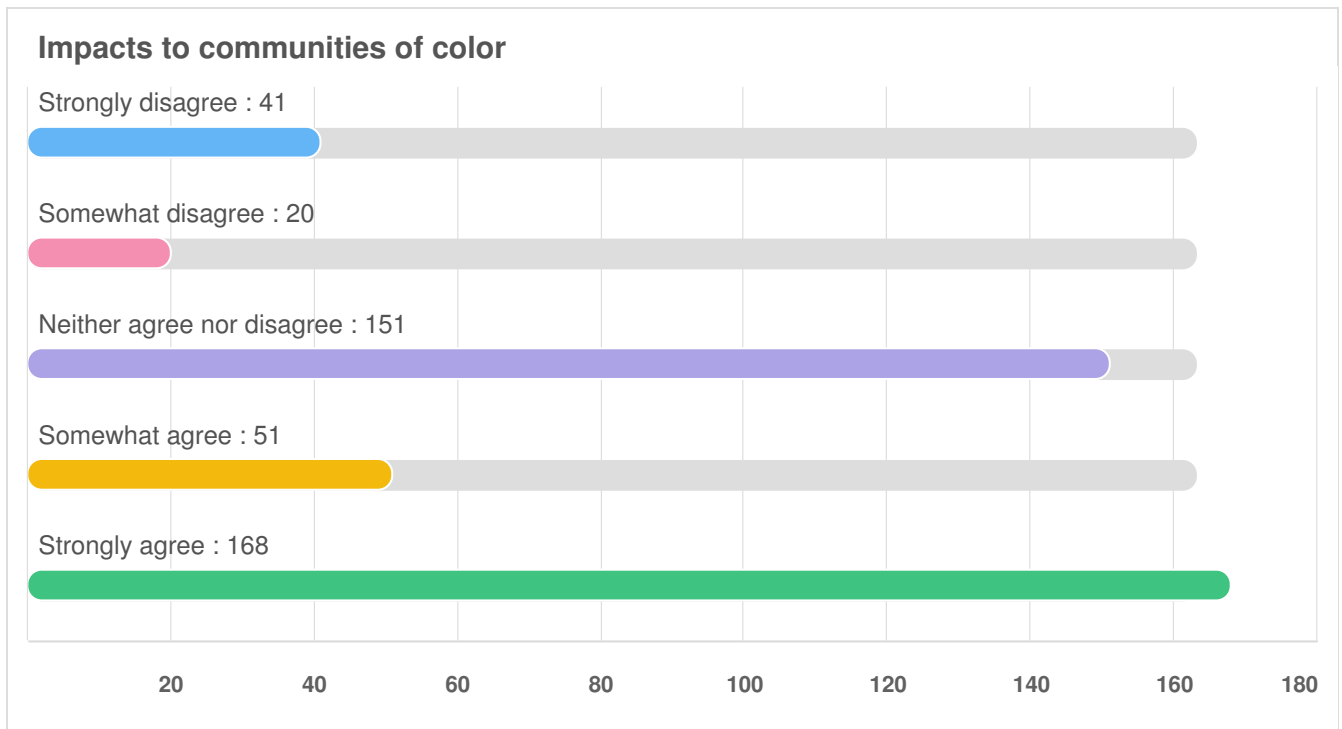
Optional question (437 response(s), 0 skipped)

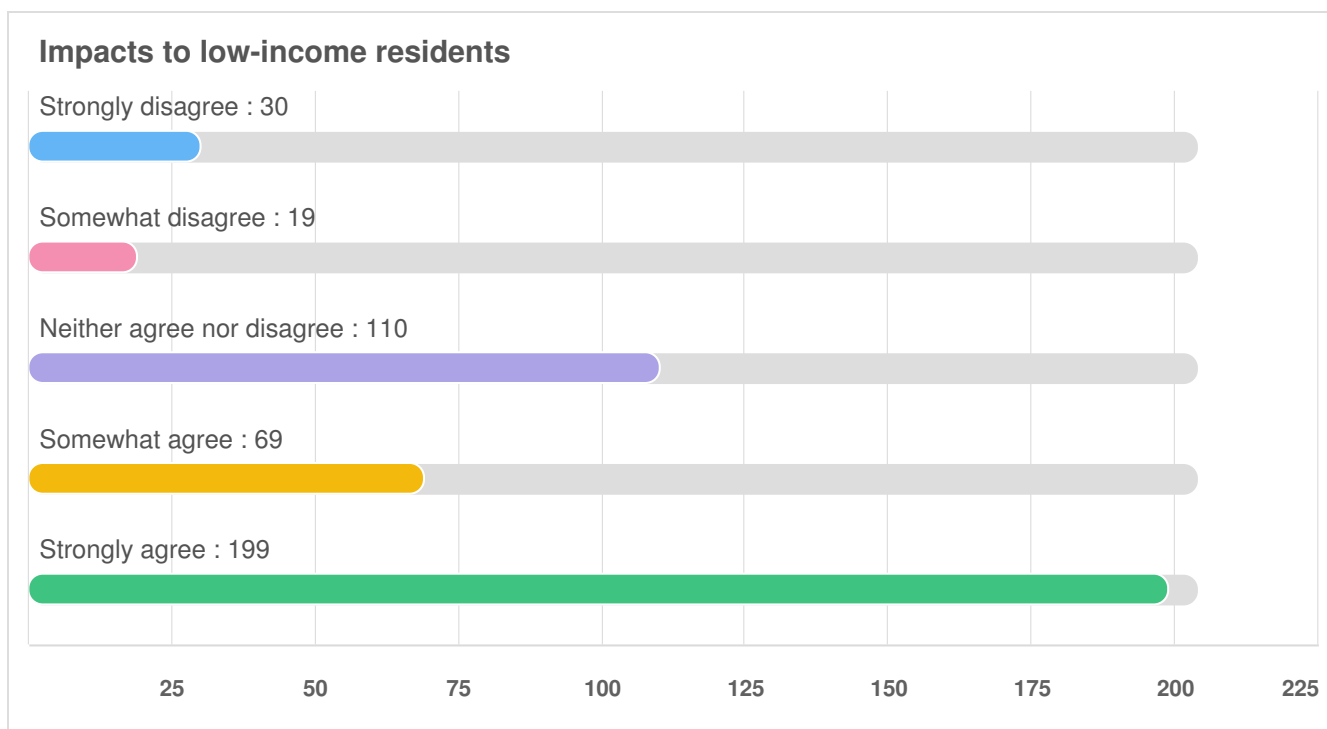
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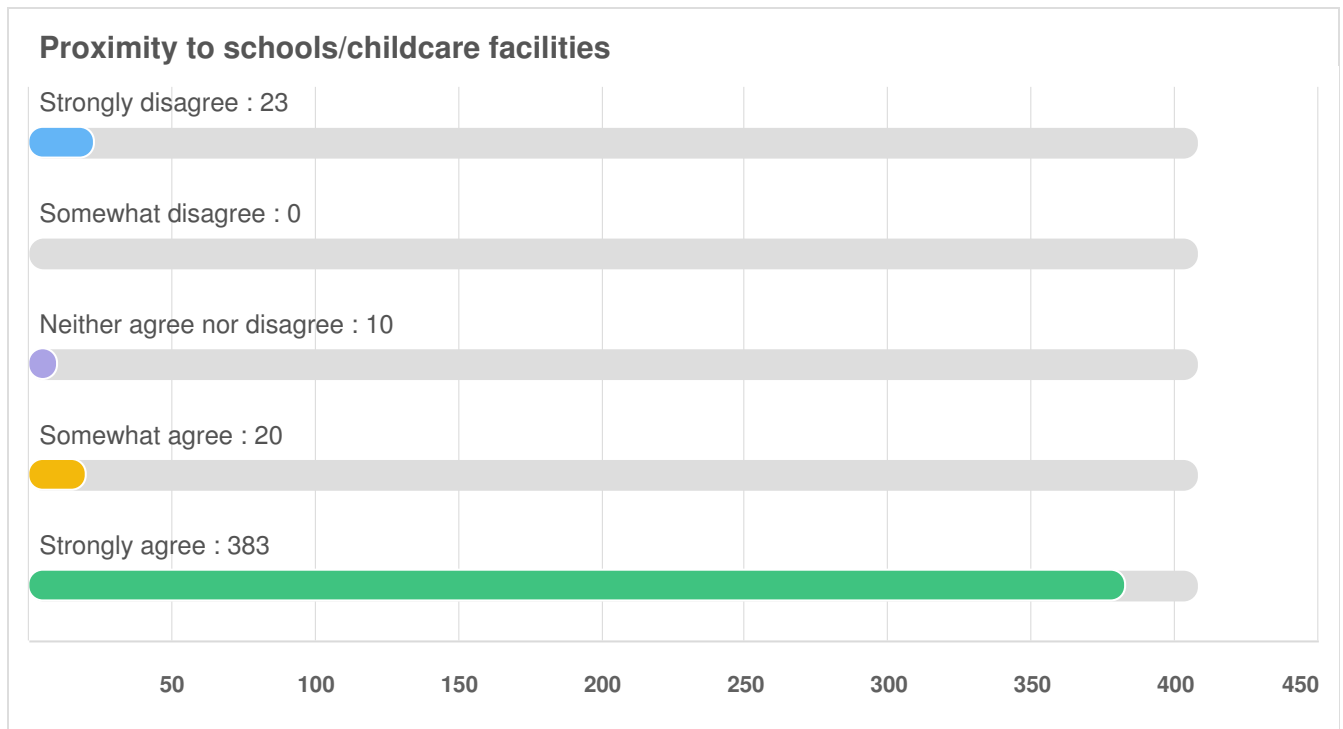
Q4 The City should consider the following factors when reviewing potential locations at which to allow overnight camping?

Parking impacts

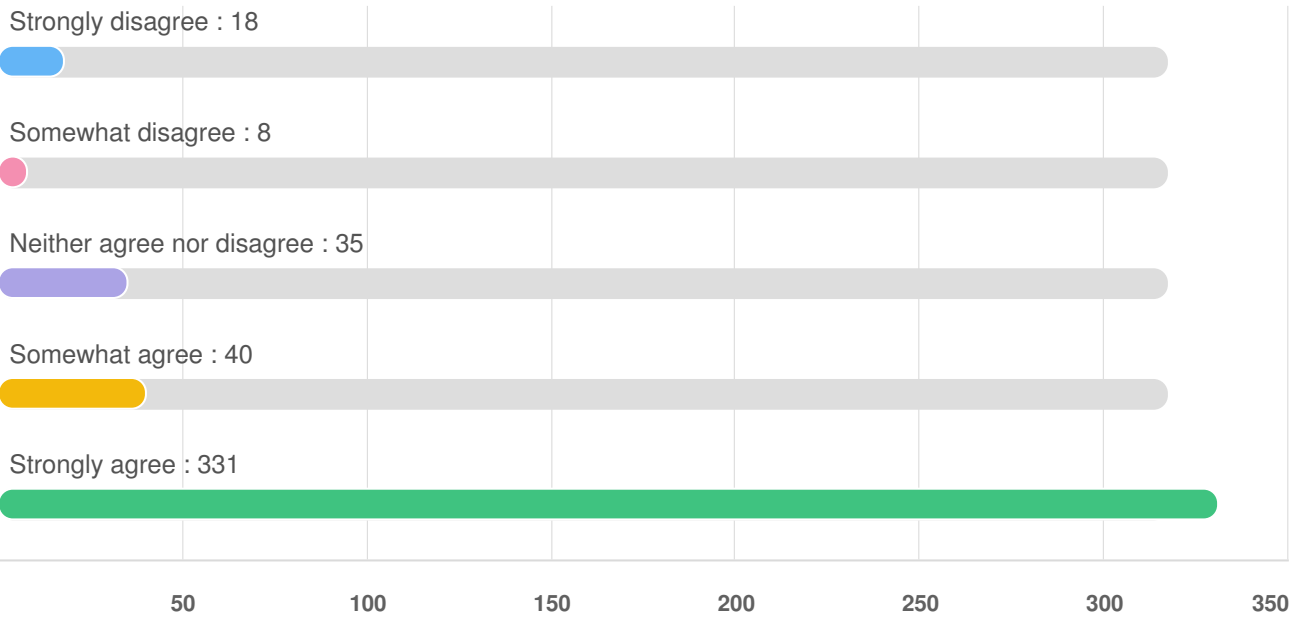


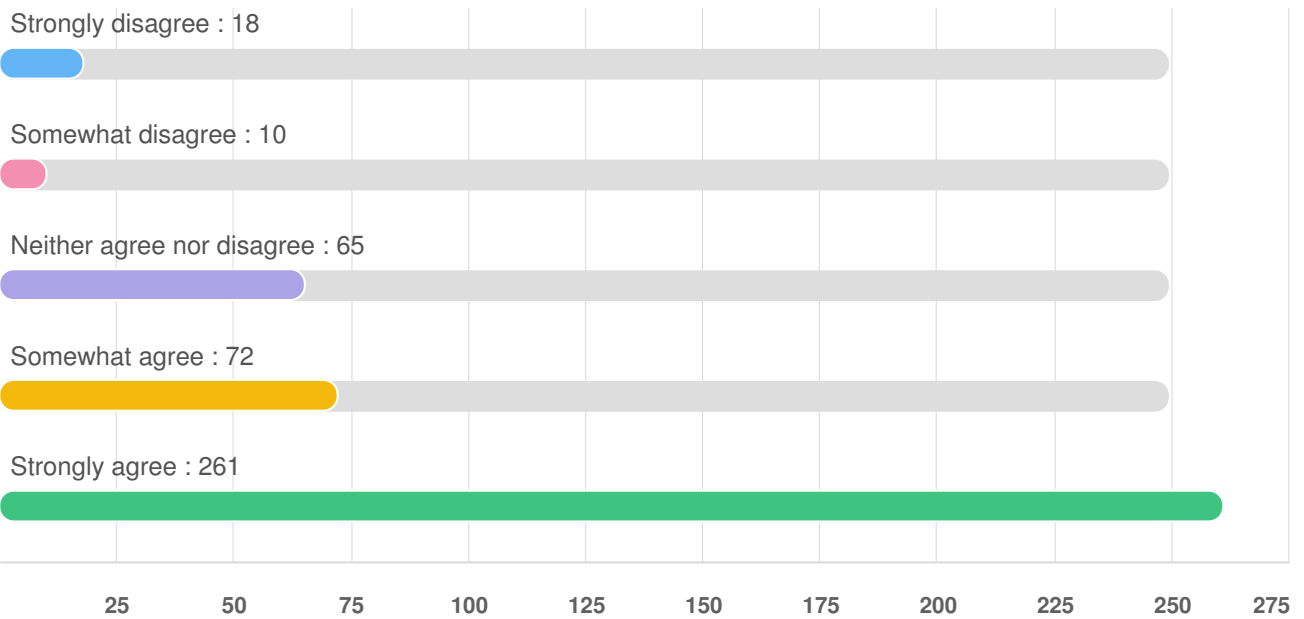


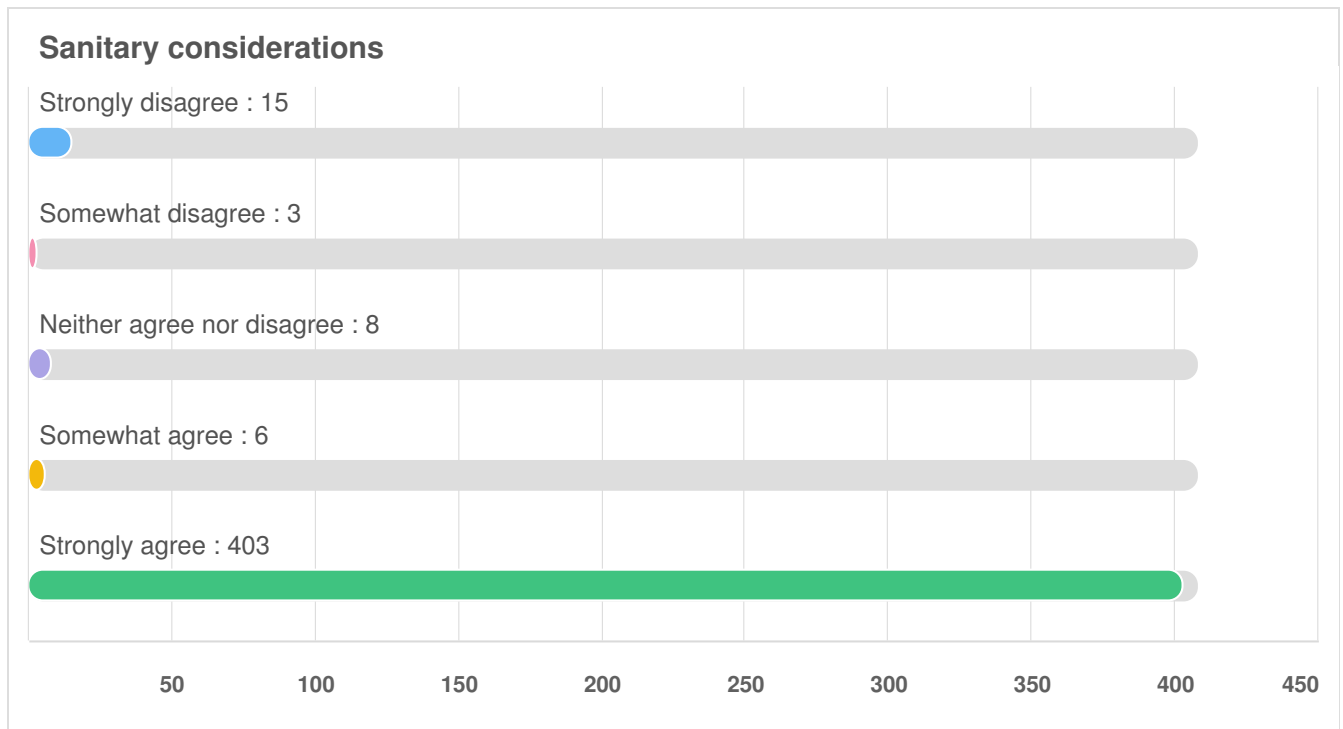


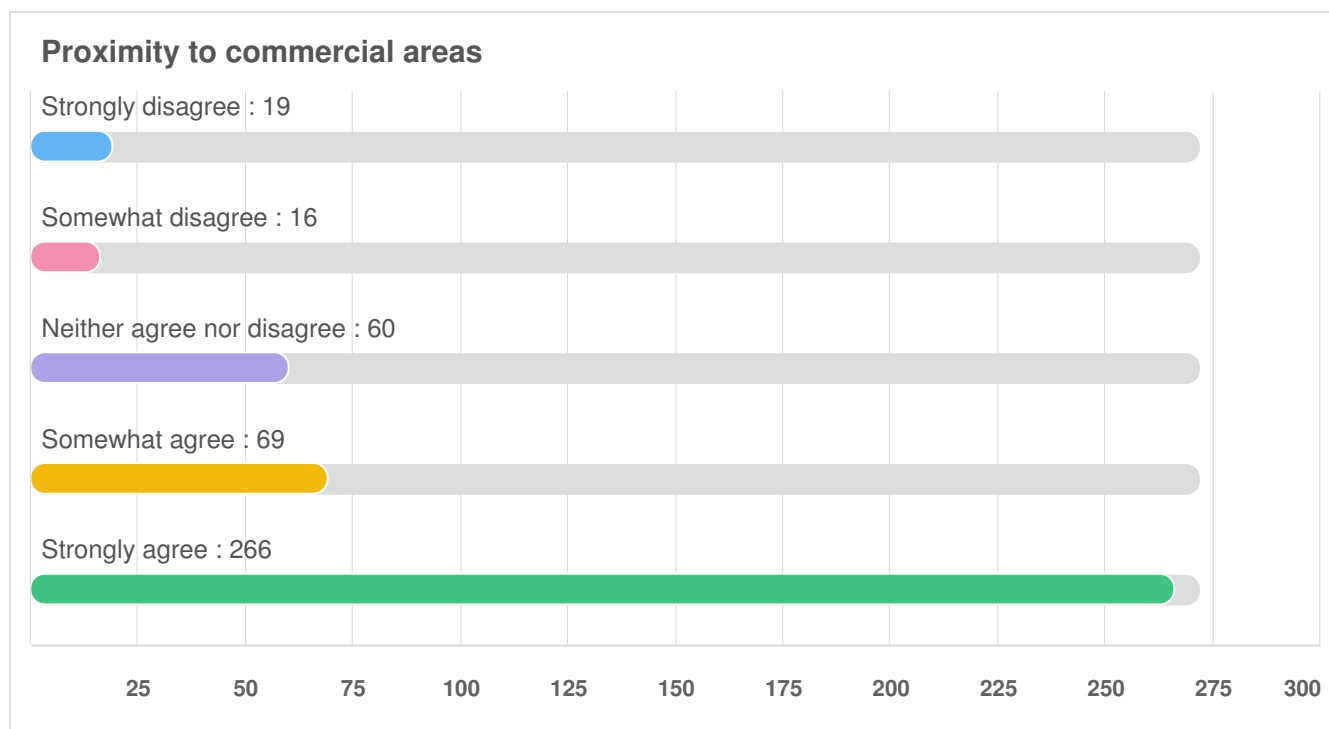


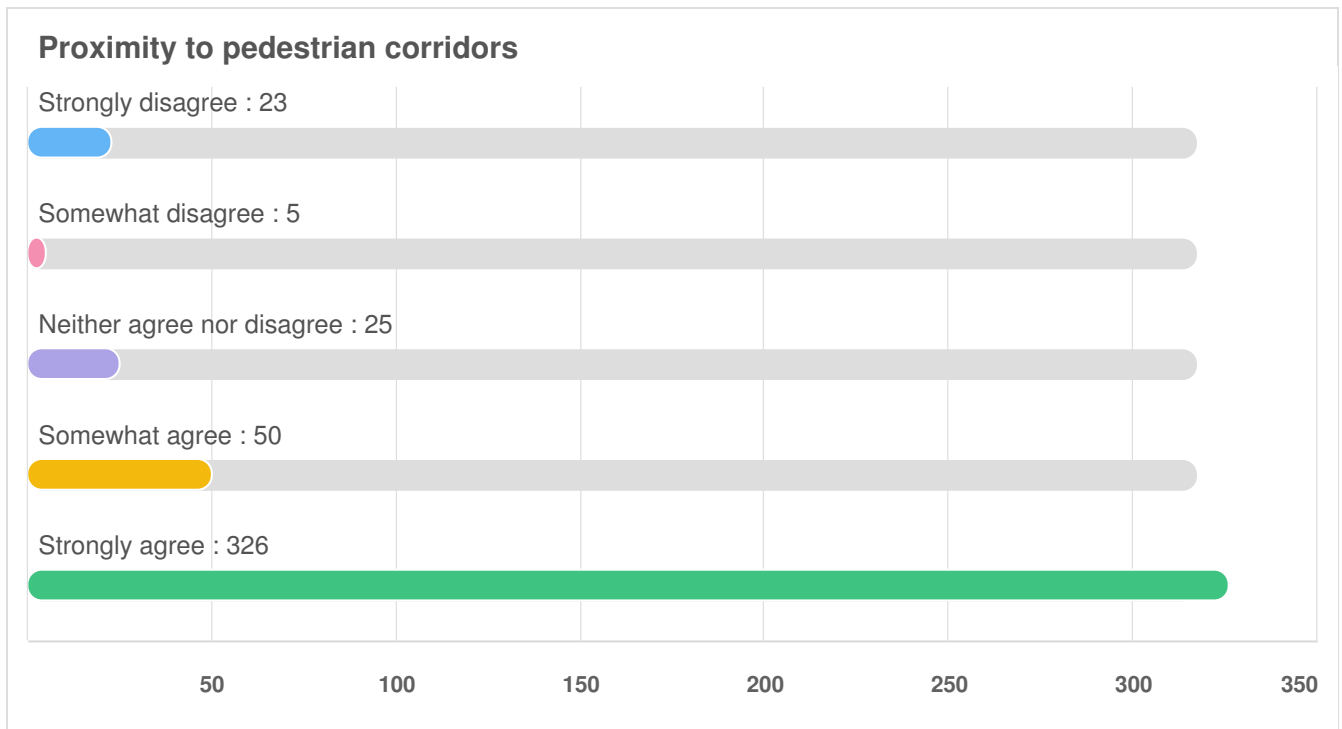
Proximity to environmentally sensitive areas

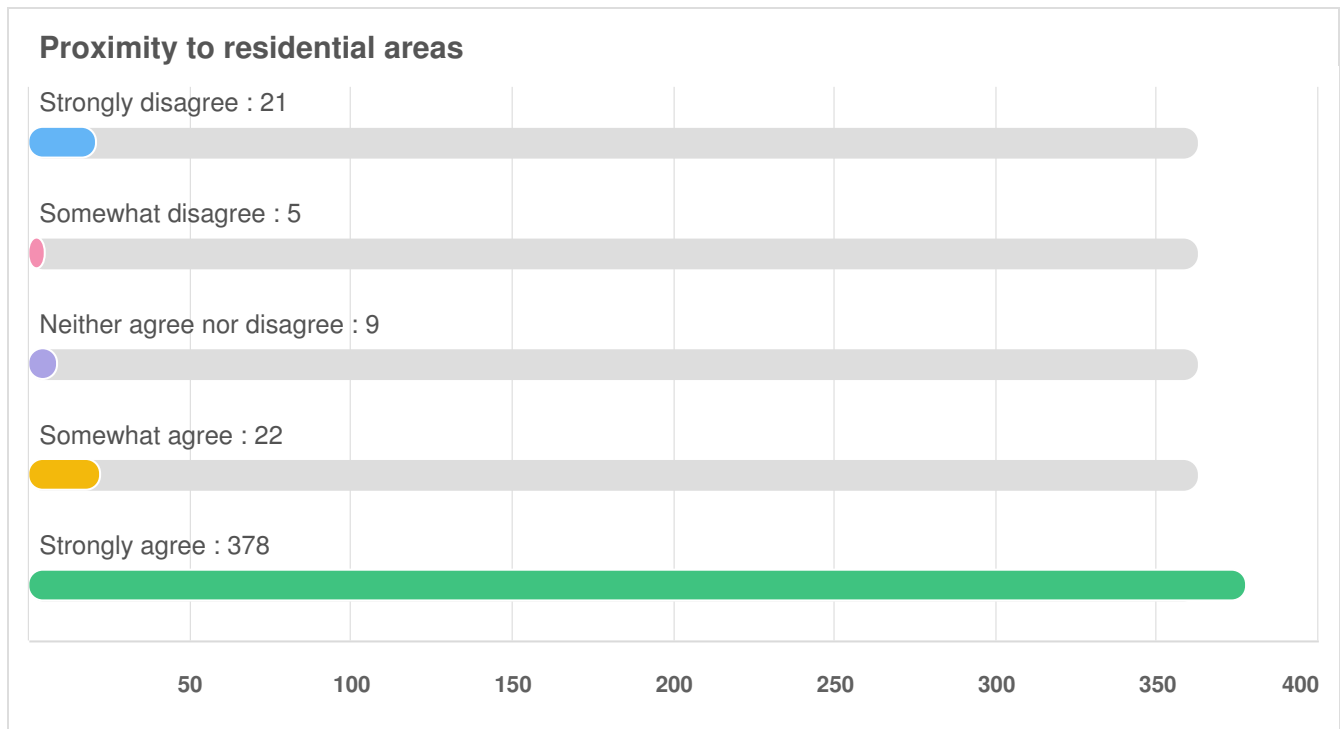


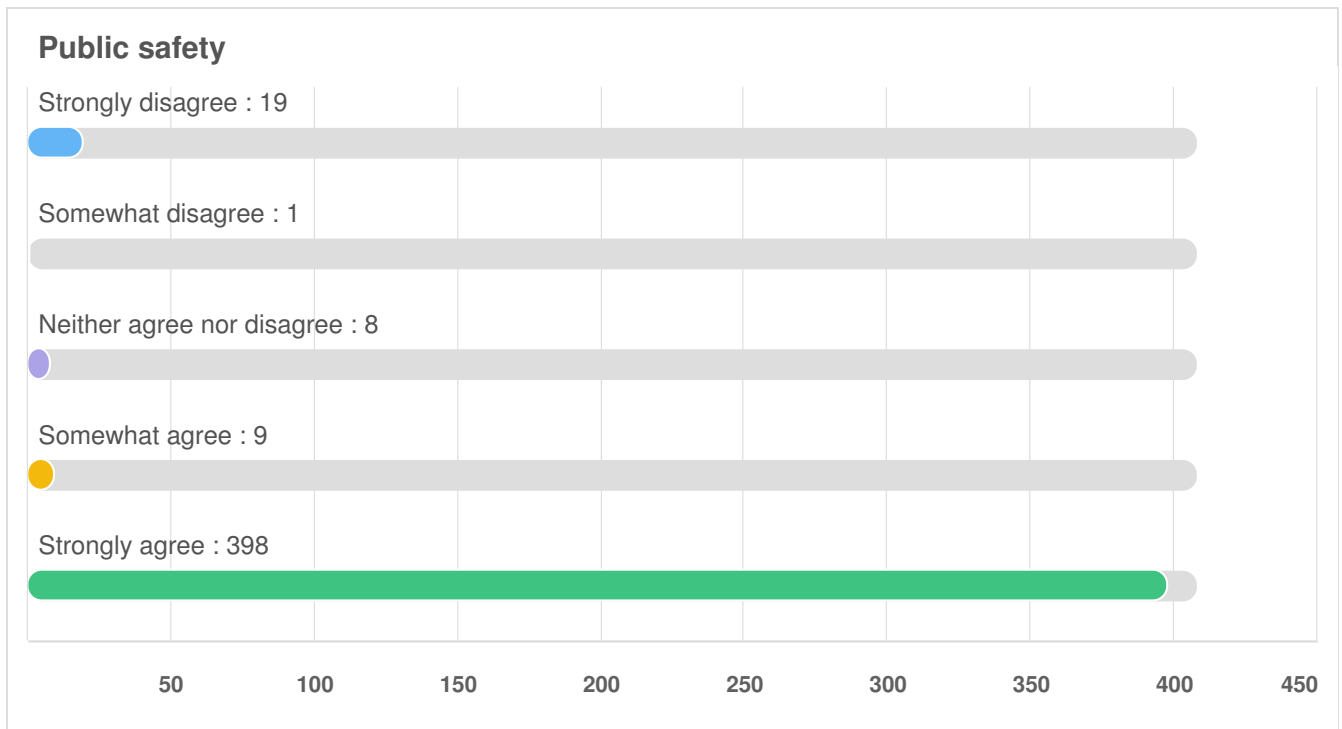
Proximity to shelters/social services











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))

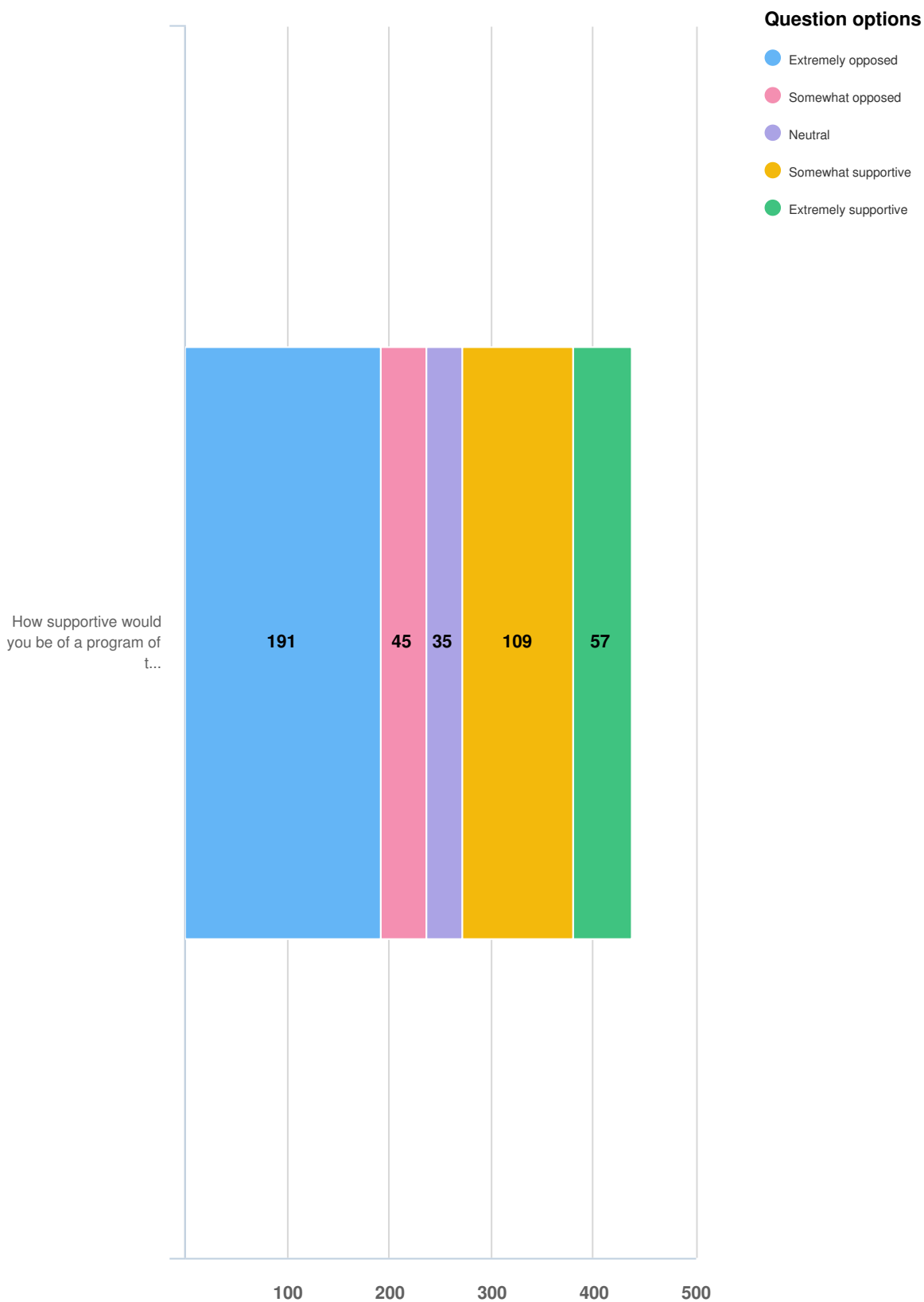
Question type: Ranking Question

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...

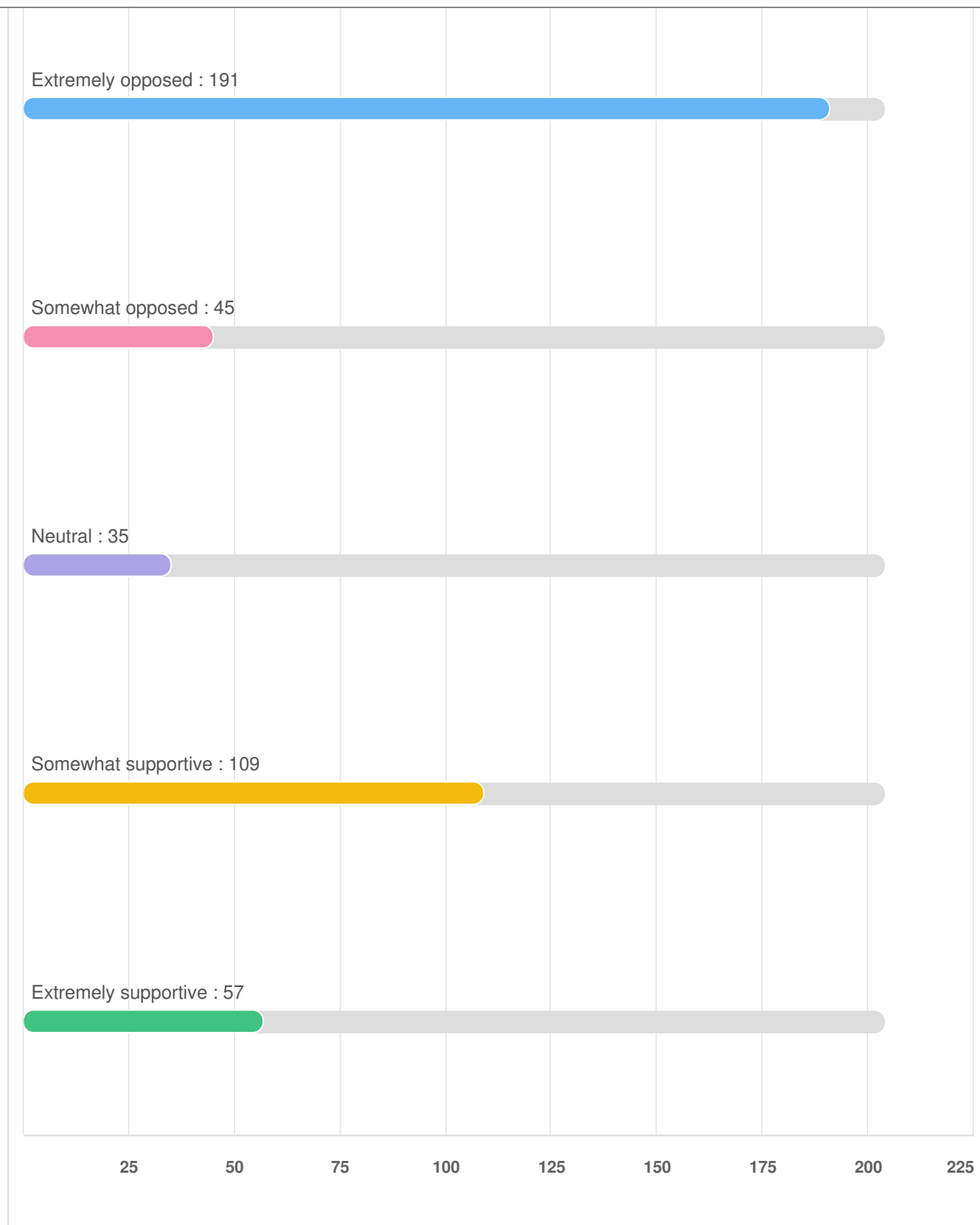


Optional question (437 response(s), 0 skipped)

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?



Revised Camping Code Comparison Chart

The comparison chart below was created using the newly revised rules/regulations of the cities of Bend, Grants Pass, Medford, Newport, and Seaside. The purpose of the comparison charts is to help capture each cities rules/regulation similarities and differences related to definitions of terms and time, place & manner restrictions associated with camping on public property.

DEFINITIONS	BEND	MEDFORD	NEWPORT	SEASIDE
Camp or Camping *In Bend, definition does not include vehicles, automobiles, or recreational vehicles used for shelter and/or sleeping.	To pitch, use, or occupy camp materials for the purpose of occupancy, habitation, or sheltering to survive, and in such a way as will facilitate sleeping or storage of personal belongings, carrying on cooking activities, taking measures to keep protected from the elements including heat and cold, or any of these activities in combination with either sleeping or making preparations to sleep. A camp is located where people camp or are camping.	To set up or remain at a campsite.	To pitch, erect, create, use, or occupy camp facilities for the purpose of habitation, as evidenced by the use of camp paraphernalia.	To pitch, erect, create, use, or occupy camp facilities for the purpose of habitation, as evidenced by the use of camp paraphernalia.
Camp Facilities			Include, but are not limited to, tents, huts, temporary shelters, motor vehicles, or recreational vehicles.	Include, but are not limited to, tents, huts, temporary shelters, motor vehicles, or recreational vehicles.
Established Campsite *In Bend, definition does not include vehicles, RV's or automobiles used for shelter and/or sleeping.	A location or locations in the public right-of-way or on City property where a camp, camps, and/or camp materials have been set up for 24 hours or more.		Any place where one or more persons have established temporary sleeping accommodations by use of camp facilities and/or camp paraphernalia for more than 24 consecutive hours.	
Camp Paraphernalia *In Bend, definition does not include	Defined as "camping materials." Include, but are not limited to, tents, huts, awnings, lean-tos, chairs, tarps or	Defines "bedding material."	Includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or outdoor cooking	Includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses,

vehicles, automobiles, or recreational vehicles used for shelter and/or sleeping.	tarpaulins, cots, beds, sleeping bags, mattresses, sleeping or bedding materials, food or food storage items, and/or similar items that are or appear to be used as living and/or sleeping accommodations, or to assist with living and/or sleeping activities.	A sleeping bag, bedroll, or other material used for bedding purposes, including materials used to keep warm and dry while sleeping.	devices or utensils and similar equipment.	hammocks, or outdoor cooking devices or utensils and similar equipment.
City Parking Lot/Structure	A type of City property, and means a developed or undeveloped area or facility owned, maintained, and/or leased by the City that is designated and/or used for parking vehicles.		A developed location that is designated for parking vehicles, whether developed with asphalt, concrete, gravel, or other material.	A developed location that is designated for parking vehicles, whether developed with asphalt, concrete, gravel, or other material.
Dwelling			A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.	
Greenways		Defines specific greenways in the city.		
Public right-of-way	All City-owned or controlled rights-of-way, whether in fee title or as holder of a public easement for right-of-way or public access purposes. Public rights-of-way include but are not limited to any public roads, street, sidewalk, or private street or other property that is subject to a public access easement dedicated or granted to the City for vehicular, pedestrian, or other means, and any planter strip or landscaped area located adjacent to or contained within streets that is part of the public right-of-way.		All property dedicated to the public for transportation purposes and administered by the City, including streets, roads, bridges, alleys, sidewalks, trails, paths, and all other public ways and areas managed by the City. Included public utility easements to the extent the easement allows use by the permittee planning to use or using the public utility easement. Includes subsurface and airspace over areas.	Refers to City's own definition in different code section.

			Doesn't include airwaves for purposes of CMRS, broadband television, DBS and other wireless providers, or easements/other property interests owned by a single utility/entity.	
Vehicle		A car, truck, camper, travel trailer, or similar conveyance.	A motor vehicle or recreational vehicle.	
Motor vehicle			A vehicle that is self-propelled or designed for self-propulsion.	Refers to definition under ORS 801.360.
Personal Property		Items that can reasonably be identified as belonging to an individual and that have apparent value or utility.	Items that can reasonably be identified as belonging to an individual and that have apparent value or utility.	
Public Property			Any real property or structure owned, leased, or managed by the City, including public rights-of-way.	Public lands, premises and buildings, including but not limited to an buildings used in connection with the transaction of public business or any land, premises or building owner or leased by the City.
Recreational Vehicle or RV			A vehicle with or without motive power that is designated for use as temporary living quarters and as further defined by the Oregon Department of Transportation in OAR Chapter 735, Division 022. Examples Include motor homes,	Refers to definition under ORS 174.101.

			camping trailers, tent trailers, truck campers, and camper vans.	
Solid Waste			Any garbage, trash, debris, yard waste, food waste, or other discarded materials.	Any garbage, trash, debris, yard waste, food waste, or other discarded materials.
Store/Storage			To put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.	To put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.

PROHIBITED CAMPING	BEND	MEDFORD	NEWPORT	SEASIDE
	<p>No camping on City property, unless approved by City Manager for limited basis according to certain requirements.</p> <p>Not prohibited from camping in public rights-of-way if in compliance with the following conditions:</p> <ul style="list-style-type: none"> • Unless otherwise specified, camp for 24 hours max at one location, and 72 hour notice or removal afterwards • must move at least one block or 600 feet • May suspend if no access to shelter and engaged in case management or behavioral services, or to respond to person's disability according to policies created by City Manager • Camping not allowed for: Residential areas, waterway overlay, any place impeding emergency/non-emergency 	<p>No placing or using bedding material on any sidewalk, street, alley, lane, public right-of-way, park, greenway, or any other publicly owned property or under any bridge or viaduct for more than 24 consecutive hours in a particular location, unless otherwise specifically authorized by this code, the mayor, or city manager.</p> <p>Cannot camp on certain greenways, playgrounds, sports fields, areas under roadway/bridge not for public, on or within 15 feet of RR tracks, any area that restricts pedestrian traffic to</p>	<p>Except as expressly authorized by Municipal code, at all times it is unlawful to establish, use, or occupy a campsite in the following locations:</p> <ul style="list-style-type: none"> • City park sites developed with active use recreational facilities or that are designed as public gathering spaces including but not limited to:[list of qualifying park sites] 	<p>No camping in public parks, public parking lots, public restrooms, public lots in residential districts, public property along certain streets [listed], camping or storing property on city property between 8 am and 8 pm, unless authorized by city manager.</p>

	<p>traffic on public or private property, vehicle/bicycle lane, roundabouts, within 1,000 feet of safe parking shelter approved by city, any street closed for construction, heavy vehicle use, or other use incompatible with camping. Closure not precondition to denial of camping.</p> <ul style="list-style-type: none"> • Cannot obstruct: sidewalk, clear vision, fire hydrants, city/public utility infrastructure, right-of-way usage • 12x12, or 144 sq. ft. spatial limit • 3 camps per block, 150 feet between camps • No leave trash on any property • Only approved fires for cooking and warmth allowed • No unauthorized dumping of gray/black water • No unauthorized use of electric or taps • No obstruction/attachment of camp materials to various city property [several examples] • No building of structures; only tents/readily portable items • Storage of only items needed for camping, sleeping, or keeping warm and dry [list of non-included examples] • No digging or altering infrastructure or vegetation • No power generator • All animals leashed or crated at all times 	<p>less than 36 inches, within 20 feet of residential parcel or zoned residential, in certain cemeteries and memorial parks.</p>	<ul style="list-style-type: none"> • Within visual line of sight from a constructed and signed recreational trail on public property • The following city-owned facilities open to the public [list qualifying sites] (City Hall, Library, Fire Station, etc.) • City owned or maintained parking lots unless identified as vehicles camping lots • Public-rights-of-way adjacent to, or within 200 feet of, a lot or parcel with a school, child care facility, or facility providing services to homeless persons, • Public rights-of-way adjacent to a lot or parcel containing a dwelling • Specific public-rights-of way that are more heavily 	
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			trafficked [list qualifying sites]	
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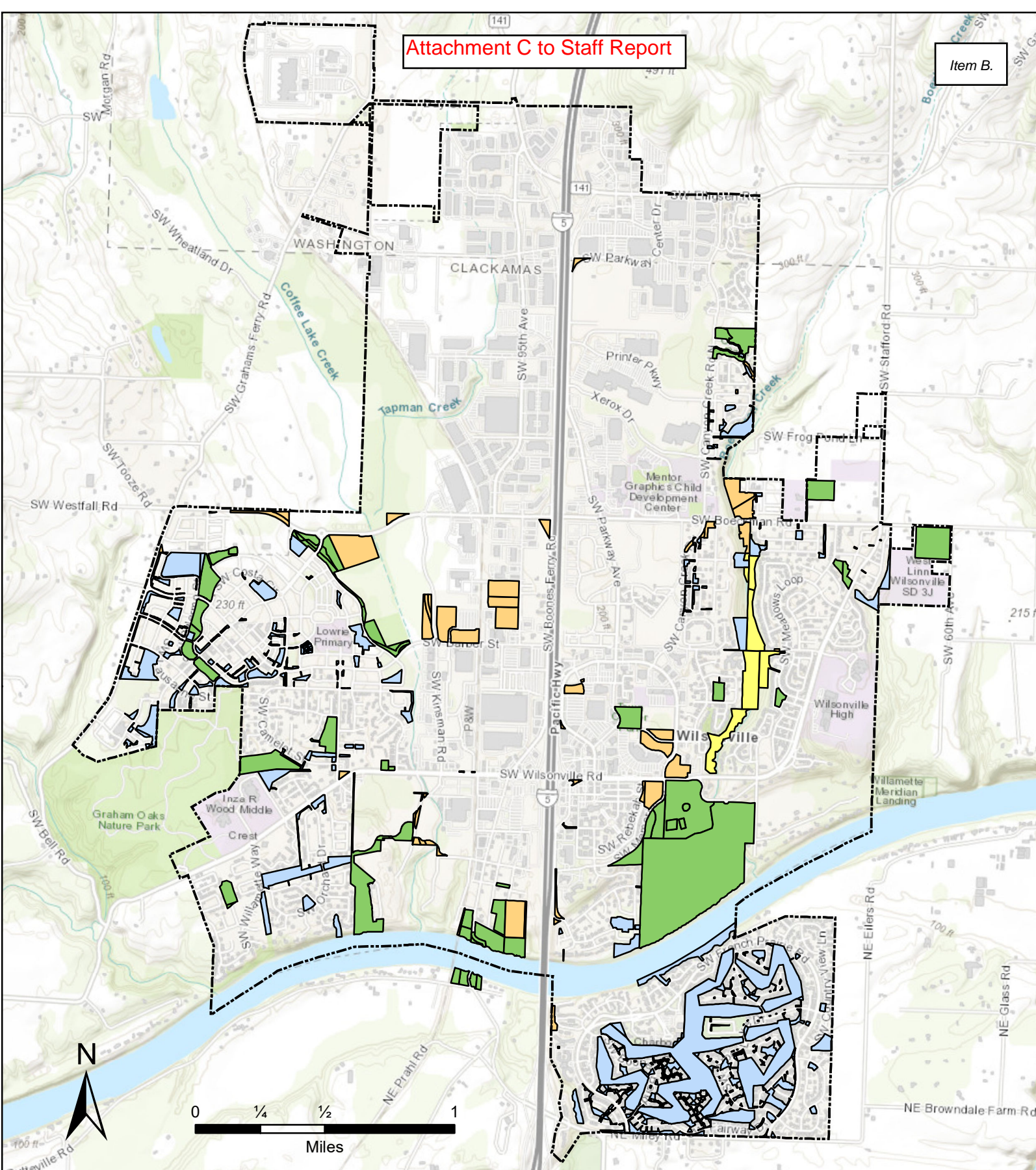
PARKING REGULATIONS	BEND	MEDFORD	NEWPORT	SEASIDE
	<ul style="list-style-type: none"> • Referral to City municipal parking code • Can use car for shelter and sleeping on public rights-of-way under following conditions: <ul style="list-style-type: none"> • Legally parked • Only approved heating sources • No illegal dumping of gray/black water • No outside property storage not incidental to loading/unloading • Operational (start & leave or towable) • No attaching structure not made for attachment to vehicle • No garbage or unsanitary material • No power generators • Animals leashed or crated • No parking within 500 feet of safe parking site or approved shelter • No parking within 1000 feet of City's emergency shelter • No parking in City parking lots or parking structures 		<ul style="list-style-type: none"> • Referral to city municipal parking code • Only use approved city owned or maintained parking lots 	<ul style="list-style-type: none"> • See private overnight camping program.

PUBLIC PROPERTY TEMPORARY CAMPING	BEND	MEDFORD	NEWPORT	SEASIDE
*Only implemented in Seaside				<ul style="list-style-type: none"> • Use city property identified by City policy • Vehicles must have and display valid DMV registration





				<ul style="list-style-type: none"> • Must apply for free permit; lasts 3 weeks • City right to revoke if any actions are incompatible with the property
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PRIVATE OVERNIGHT CAMPING PROGRAM	BEND	MEDFORD	NEWPORT	SEASIDE
	<ul style="list-style-type: none"> • Up to 3 vehicles • Parking lot, paved or gravel surface • Owned/leased by religious institution, nonprofit, business or public entity with permission • Access to: toilets, hand washing, trash disposal at all time • No payment of fees or charge • Owner revoke at any time, leave immediately 	<ul style="list-style-type: none"> • Up to 3 vehicles • Access to: toilets, hand washing, trash disposal at all time • No attachment of tents/personal property to cars to expand capacity for camping • Vehicle must be operable • Vehicles 20 feet apart • City permit program • No payment of fees or charge • Owner revoke at any time, leave immediately • City manager or designee can revoke at any time for nuisance or hazard 	<ul style="list-style-type: none"> • 3 vehicles or tents • Must be 10 feet apart • All personal items stored on tent/vehicle/separate storage item • Sanitary facilities at least 20 feet from residential use property line if not in a building • City will perform inspection of requirements • Right to notice & appeal for removal • 4 hours to vacate property • Revocation for violations of law or incompatible use with property • No liability for city for injury or property damage 	<ul style="list-style-type: none"> - Private (non-residential): up to 6 people; mixture of tent/vehicle/RV - Private (residential): 6 people, tent in back or 1 vehicle in driveway - Provide sanitation facilities, garbage disposal services, storage area (items not visible from street) - At least 5 feet from property line - City permit program; permit lasts 3 weeks - 24 hours to vacate property if revoked - City not liable; city manager or designee can revoke for nuisance or hazard

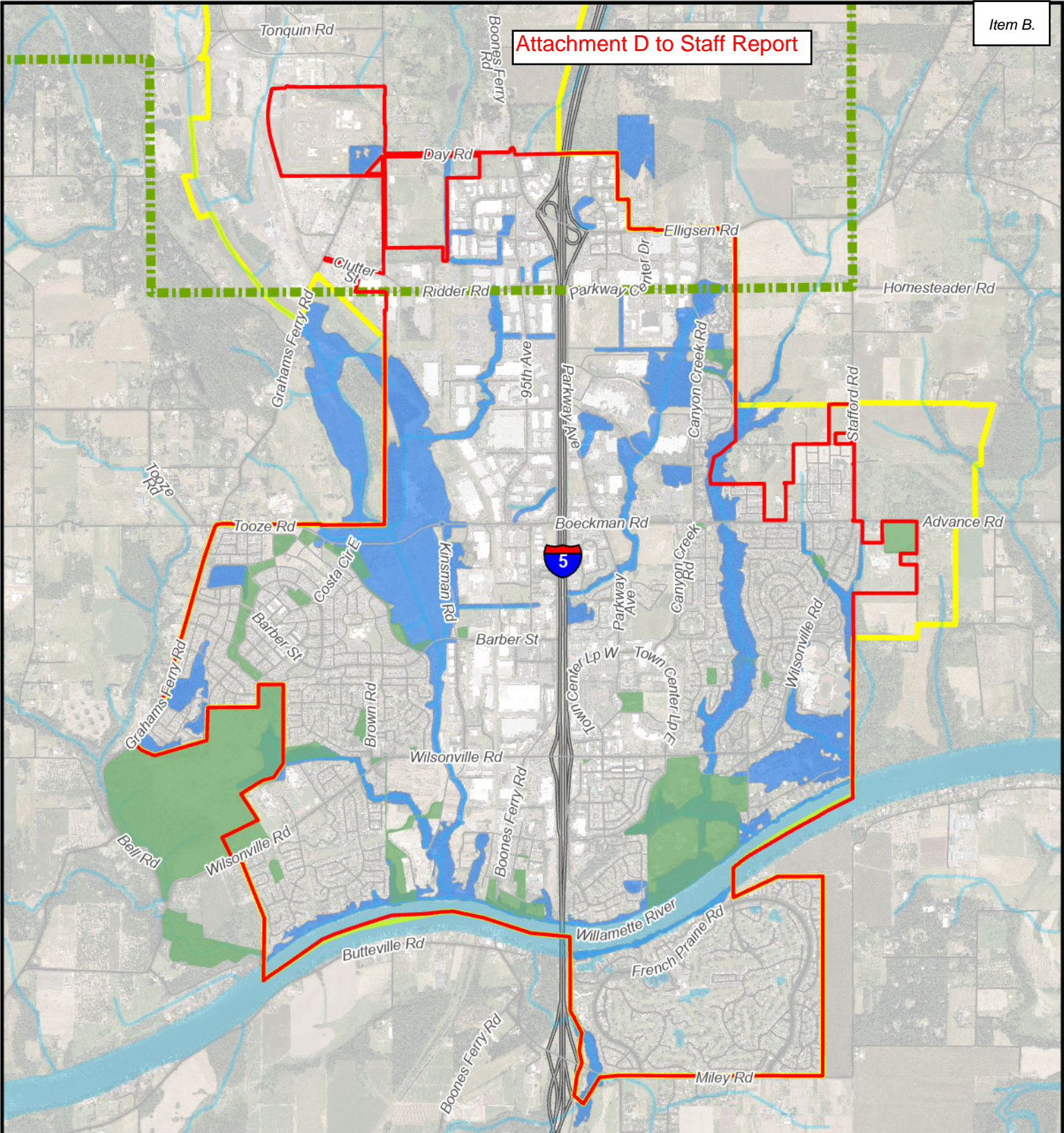
PRIVATE TRANSITIONAL OVERNIGHT PARKING	BEND	MEDFORD	NEWPORT	SEASIDE
*Only implemented in Bend	<p>If City approves:</p> <ul style="list-style-type: none"> • Up to 6 vehicles/tents • Parking lot, paved or gravel surface • Owned/leased by religious institution, nonprofit, business or public entity with permission • Can increase number with approval of city (based on lot size, supervisor and sanitary plan) • At least 150 feet from childcare facility or school; unless religious school or public entity • Access to: toilets, hand washing, trash disposal, supervision, case management, operation policies • Must provide notice to adjacent property owners of intent to allow temporary parking and post prominent notice each night with identifying information • No payment of fees or charge • Revoke at any time, leave immediately • City can revoke if nuisance or threat of harm to public welfare 			



Parks, Greenspaces and City Property

	City Owned Parks (240 acres)		Other City Owned Property (82 acres)
	City Owned Natural Areas (28 acres)		HOA Parks and Greenspaces (297 acres)

Current City Of Wilsonville Parks and Green Spaces		
Property Name	Approximate Acres	Current Status
Arrowhead Creek Park	17.7	City Owned
Boeckman Creek Green Space	30.0	City Owned
Boones Ferry Park	12.0	City Owned
Canyon Creek Park	7.9	City Owned
Courtside Park	1.9	City Owned
Engelman Park	0.9	City Owned
Memorial Park	99.7	City Owned
Murase Plaza	26.6	City Owned
Park at Merryfield Park	8.5	City Owned
River Fox Park	2.7	City Owned
Sue Guyton Heritage Tree Grove	0.3	City Owned
Town Center Park	4.9	City Owned
Tranquil Park	4.8	City Owned
Frog Pond Community Park	10.0	City Owned
Boeckman Creek Green Space	30.2	City Owned
Sofia Park	1.9	City Owned
Palermo Park	2.5	City Owned
Hathaway Park	1.3	City Owned
Piccadilly Park	4.2	City Owned
Willow Creek/Landover Parks	6.0	City Owned
BC Corner	1.2	City Owned
Subaru Trail	0.3	City Owned
Brown Road Corner	0.8	City Owned
Memorial to Boones Ferry Trail	0.5	City Owned
Tivoli Park	10.0	City Owned
I-5 Trail	0.5	City Owned
Edelweiss Park	5.1	City Owned
Bridge Landing	1.0	City Owned
Boeckman Trail @ Morgan Farms	12.7	City Owned
5th to Kinsman Trail	2.0	City Owned
Edelweiss Wooded Area	8.1	May 2023 Takeover*
Trocadero Park	2.5	May 2023 Takeover*
Cavallo Park	5.0	2028 Takeover*
Oulanka	2.6	2028 Takeover*
Frog Pond West Trail Head Park	3	2024 Takeover*
Boeckman Bridge Trail	5	2024 Takeover*
Planned Frog Pond Neighborhood Park	2.8	2024 Takeover*
Frog Pond West Park	2.5	2028 Takeover*
BPA Trail Frog Pond	Unknown	2029 Takeover*



The City of Wilsonville, Oregon
Clackamas and Washington Counties



- SROZ (Significant Resource Overlay Zone)
- Wilsonville City Limits
- County Boundary
- UGB

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



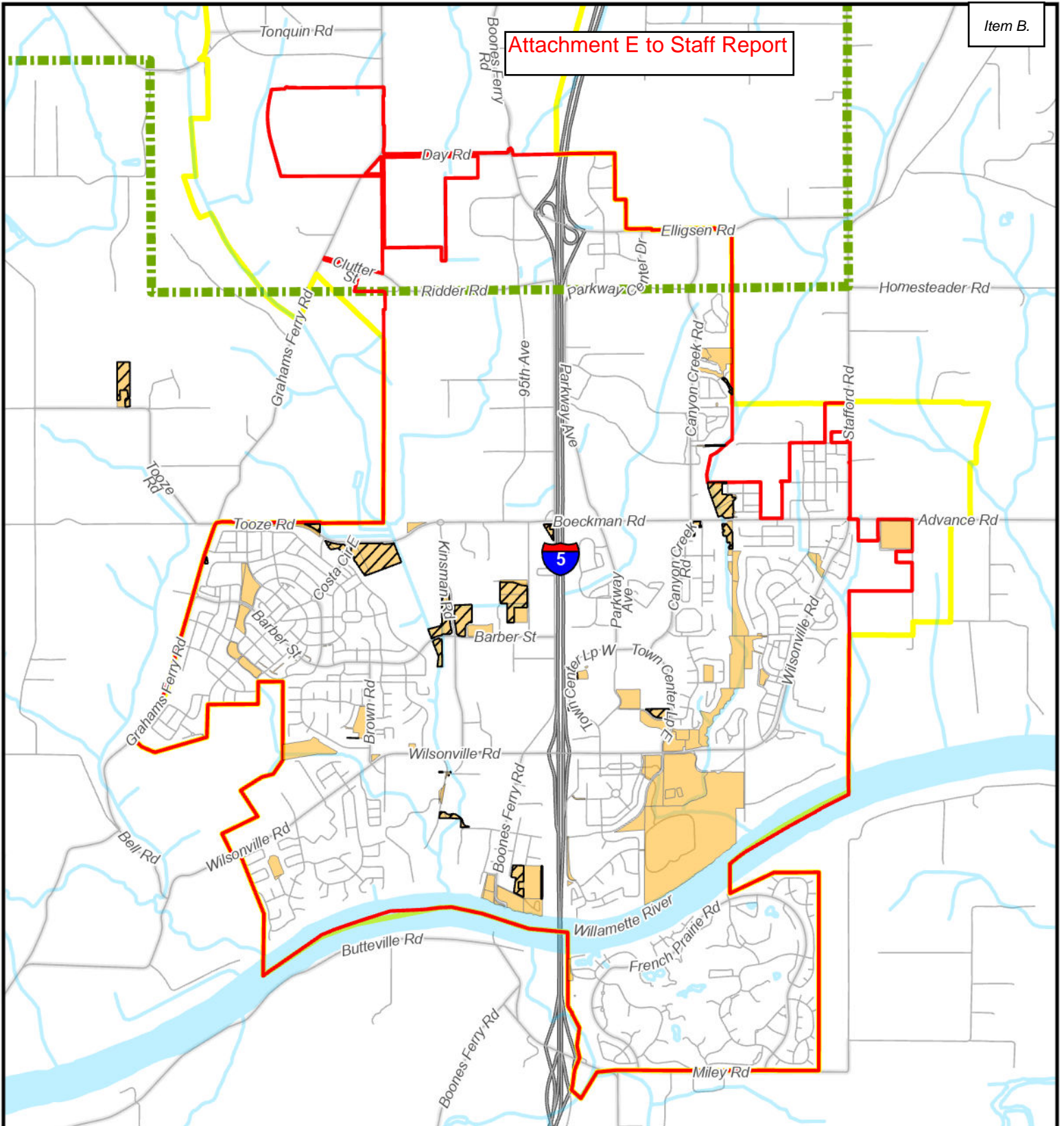
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Attachment E to Staff Report

Item B.



The City of Wilsonville, Oregon Clackamas and Washington Counties



- METRO RLIS Vacant Lands
- Inventory (Limited to City Owned Taxlots)
- City Owned Taxlots

- Wilsonville City Limits
- County Boundary
- UGB

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2/7/2023

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Enrolled House Bill 3115

Sponsored by Representative KOTEK; Representatives DEXTER, MARSH, MCLAIN, POWER,
REYNOLDS, WILDE, Senators DEMBROW, MANNING JR, RILEY

CHAPTER

AN ACT

Relating to the regulation of public property with respect to persons experiencing homelessness; and
declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) “City or county law” does not include policies developed pursuant to ORS 203.077 or 203.079.

(b)(A) “Keeping warm and dry” means using measures necessary for an individual to survive outdoors given the environmental conditions.

(B) “Keeping warm and dry” does not include using any measure that involves fire or flame.

(c) “Public property” has the meaning given that term in ORS 131.705.

(2) Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.

(3) It is an affirmative defense to a charge of violating a city or county law described in subsection (2) of this section that the law is not objectively reasonable.

(4) A person experiencing homelessness may bring suit for injunctive or declaratory relief to challenge the objective reasonableness of a city or county law described in subsection (2) of this section. The action must be brought in the circuit court of the county that enacted the law or of the county in which the city that enacted the law is located.

(5) For purposes of subsections (2) and (3) of this section, reasonableness shall be determined based on the totality of the circumstances, including, but not limited to, the impact of the law on persons experiencing homelessness.

(6) In any suit brought pursuant to subsection (4) of this section, the court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff if the plaintiff:

(a) Was not seeking to vindicate an interest unique to the plaintiff; and

(b) At least 90 days before the action was filed, provided written notice to the governing body of the city or county that enacted the law being challenged of an intent to bring the action and the notice provided the governing body with actual notice of the basis upon which the plaintiff intends to challenge the law.

(7) Nothing in this section creates a private right of action for monetary damages for any person.

SECTION 2. Section 1 of this 2021 Act becomes operative on July 1, 2023.

SECTION 3. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 15, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 9, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

Enrolled House Bill 3124

Sponsored by Representative LIVELY; Representatives POWER, WILDE, Senator GORSEK

CHAPTER

AN ACT

Relating to homelessness; amending ORS 203.079 and section 1, chapter 21, Oregon Laws 2018; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 203.079 is amended to read:

203.079. (1) A policy developed pursuant to ORS 203.077 shall *[include, but is not limited to,]* **conform, but is not limited, to** the following~~[:]~~ provisions.

(2) As used in this section, “personal property” means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

~~[(a)]~~ (3) ~~[Prior to]~~ **Except as provided in subsection (9) of this section, at least 72 hours before** removing homeless individuals from an established camping site, law enforcement officials shall post a **written** notice, ~~[written]~~ in English and Spanish, ~~[24 hours in advance]~~ **at all entrances to the camping site to the extent that the entrances can reasonably be identified.**

~~[(b)]~~ (4)(a) ~~[At the time that a 24-hour]~~ **When a 72-hour** notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals **as to** where the notice has been posted.

~~[(c)]~~ (b) The local agency may arrange for outreach workers to visit the camping site ~~[where a notice has been posted]~~ **that is subject to the notice** to assess the need for social service assistance in arranging shelter and other assistance.

~~[(d)]~~ (5)(a) All ~~[unclaimed]~~ personal property **at the camping site that remains unclaimed after removal** shall be given to ~~[law enforcement officials whether 24-hour]~~ **a law enforcement official, a local agency that delivers social services to homeless individuals, an outreach worker, a local agency official or a person authorized to issue a citation described in subsection (10) of this section, whether** notice is required **under subsection (3) of this section or not.**

(b) **The unclaimed personal property must be stored:**

(A) **For property removed from camping sites in counties other than Multnomah County, in a facility located in the same community as the camping site from which it was removed.**

(B) **For property removed from camping sites in Multnomah County, in a facility located within six blocks of a public transit station.**

(c) **Items that have no apparent value or utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site.**

(d) **Weapons, controlled substances other than prescription medication and items that appear to be either stolen or evidence of a crime shall be given to or retained by law enforcement officials.**

(6) The written notice required under subsection (3) of this section 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 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.

(7)(a) The unclaimed personal property shall be stored in an orderly fashion, keeping items that belong to an individual together to the extent that ownership can reasonably be determined.

(b) The property shall be stored for a minimum of 30 days during which it [will] **shall** be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed [for] **after** 30 days may be disposed of **or donated to a corporation described in section 501(c)(3) of the Internal Revenue Code as amended and in effect on December 31, 2020.** *[For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.]*

[(e)] (8) Following the removal of homeless individuals from a camping site 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 the removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.

[(2)] (9)(a) The [24-hour] **72-hour** notice [required] **requirement** under subsection [(1)] (3) of this section [shall] **does** not apply:

[(a)] (A) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring **at an established camping site.**

[(b)] (B) In the event of an exceptional emergency [such as] **at an established camping site, including, but not limited to,** possible site contamination by hazardous materials [or when there is], **a public health emergency or other** immediate danger to human life or safety.

(b) **If a funeral service is scheduled with less than 72 hours' notice at a cemetery at which there is a camping site, or a camping site is established at the cemetery less than 72 hours before the scheduled service, the written notice required under subsection (3) of this section may be posted at least 24 hours before removing homeless individuals from the camping site.**

[(3)] (10) 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] **a notice [described in] required under subsection (3) of this section** and within two hours before or after the notice was posted.

(11) **Any law or policy of a city or county that is more specific or offers greater protections to homeless individuals subject to removal from an established camping site pre-empts contrary provisions of this section.**

SECTION 1a. If Senate Bill 410 becomes law, section 1 of this 2021 Act (amending ORS 203.079) is repealed and ORS 203.079, as amended by section 1, chapter __, Oregon Laws 2021 (Enrolled Senate Bill 410), is amended to read:

203.079. (1) A policy developed pursuant to ORS 203.077 shall [include, but is not limited to,] **conform, but is not limited, to** the following[:] provisions.

(2) **As used in this section, "personal property" means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.**

[(a)] (3) [Prior to] **Except as provided in subsection (9) of this section, at least 72 hours before** removing homeless individuals from an established camping site, law enforcement officials

shall post a **written** notice, *[written]* in English and Spanish, *[24 hours in advance]* **at all entrances to the camping site to the extent that the entrances can reasonably be identified.**

[(b)] (4)(a) [At the time that a 24-hour] **When a 72-hour** notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals **as to** where the notice has been posted.

[(c)] (b) The local agency may arrange for outreach workers to visit the camping site *[where a notice has been posted]* **that is subject to the notice** to assess the need for social service assistance in arranging shelter and other assistance.

[(d) Except as otherwise provided in paragraph (e) of this subsection:]

[(A)] (5)(a) All *[unclaimed]* personal property **at the camping site that remains unclaimed after removal** shall be given to *[law enforcement officials whether 24-hour]* **a law enforcement official, a local agency that delivers social services to homeless individuals, an outreach worker, a local agency official or a person authorized to issue a citation described in subsection (10) of this section, whether** notice is required **under subsection (3) of this section** or not.

(b) The unclaimed personal property must be stored:

(A) For property removed from camping sites in counties other than Multnomah County, in a facility located in the same community as the camping site from which it was removed.

(B) For property removed from camping sites in Multnomah County, in a facility located within six blocks of a public transit station.

(c) Items that have no apparent value or utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site.

(d) Weapons, controlled substances other than prescription medication and items that appear to be either stolen or evidence of a crime shall be given to or retained by law enforcement officials.

(6) The written notice required under subsection (3) of this section 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 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.

(7)(a) The unclaimed personal property shall be stored in an orderly fashion, keeping items that belong to an individual together to the extent that ownership can reasonably be determined.

(b) The property shall be stored for a minimum of 30 days during which it *[will]* **shall be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed *[for]* **after** 30 days may be disposed of **or donated to a corporation described in section 501(c)(3) of the Internal Revenue Code as amended and in effect on December 31, 2020.****

[(B) For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site.]

[(C) Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to or retained by law enforcement officials.]

[(e) For unclaimed personal property located in Multnomah County:]

[(A) All unclaimed personal property shall be given to a law enforcement official, a local agency that delivers social services to homeless individuals, an outreach worker, a local agency official or a person authorized to issue a citation described in subsection (3) of this section, whether 24-hour notice is required or not.]

[(B) Facilities for storage of personal property under paragraph (d) of this subsection must be located within six blocks of a public transit station.]

[(f)] **(8)** Following the removal of homeless individuals from a camping site 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 the removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.

[(2)] **(9)(a)** The [24-hour] **72-hour** notice [required] **requirement** under subsection [(1)] **(3)** of this section [shall] **does** not apply:

[(a)] **(A)** When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring **at an established camping site**.

[(b)] **(B)** In the event of an exceptional emergency [such as] **at an established camping site, including, but not limited to,** possible site contamination by hazardous materials [or when there is], **a public health emergency or other** immediate danger to human life or safety.

(b) If a funeral service is scheduled with less than 72 hours' notice at a cemetery at which there is a camping site, or a camping site is established at the cemetery less than 72 hours before the scheduled service, the written notice required under subsection (3) of this section may be posted at least 24 hours before removing homeless individuals from the camping site.

[(3)] **(10)** 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] a notice [described in] **required under subsection (3) of this section** and within two hours before or after the notice was posted.

(11) Any law or policy of a city or county that is more specific or offers greater protections to homeless individuals subject to removal from an established camping site pre-empts contrary provisions of this section.

SECTION 2. Section 1, chapter 21, Oregon Laws 2018, is amended to read:

Sec. 1. (1) The Department of Transportation may enter into an intergovernmental agreement with a city that has a population of 500,000 or more for the removal, storage and disposition of personal property deposited, left or displayed on property that is owned by the department.

(2) Notwithstanding ORS 377.650, 377.653 and 377.655, an intergovernmental agreement entered into under this section may provide alternative provisions related to the removal, storage and disposition of personal property if the alternative provisions conform with the requirements for local government policy for removal of homeless individuals and personal property [described] under ORS 203.079[*, except that under this section the notices described in ORS 203.079 must be posted 48 hours in advance*].

(3) In addition to the requirements described in subsection (2) of this section, an intergovernmental agreement entered into under this section must include the following:

(a) Requirements for posting notice before the removal of personal property, including but not limited to the following:

(A) That the notice is created using durable materials and securely posted within 30 feet of the personal property to be removed;

(B) That the notice must provide the date the notice begins and the date upon which the city may begin removing personal property; and

(C) That the notice must provide a description of:

(i) How an individual may access personal property that is removed and stored; and

(ii) The length of time the city will store personal property before the city disposes of it.

(b) A requirement that the notice expires 10 days after the city posts the notice.

(c) A severe weather protocol regarding the weather conditions under which the city will not remove personal property.

(d) Provisions related to inventorying and storing the personal property to be removed.

(e) Provisions related to the city relinquishing unclaimed personal property after the storage period to the city's designated agent.

(f) Provisions related to when the city will provide impact reduction services, including but not limited to trash collection.

(4) The [48-hour] **72-hour** notice **under ORS 203.079** required under subsection (2) of this section does not apply:

(a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring;

(b) Where there is an exceptional emergency, such as possible site contamination by hazardous materials; or

(c) When there is immediate danger to human life or safety.

(5) Before the city adopts an intergovernmental agreement under this section or changes to the agreement, the city shall invite public comment on the proposed agreement or the proposed changes to the agreement.

SECTION 3. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 19, 2021

Received by Governor:

Repassed by House June 9, 2021

.....M.,....., 2021

Approved:

.....
Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2021

.....
Tina Kotek, Speaker of House

.....
Kate Brown, Governor

Passed by Senate June 8, 2021

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Peter Courtney, President of Senate

.....
Shemia Fagan, Secretary of State

CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings
Items known as of 02/16/23

Item 4.

March

Date	Day	Time	Event	Location
3/8	Wednesday	6:00 pm	Planning Commission	Council Chambers
3/8	Wednesday	6:00 pm	Kitakata Sister City Advisory Comm.	Parks & Rec Admin Bldg.
3/13	Monday	6:30 pm	DRB Panel A	Council Chambers
3/14	Tuesday	6:00 pm	Diversity, Equity and Inclusion Committee & Subcommittee	Council Chambers
3/15	Wednesday	5:00 pm	Arts, Culture and Heritage Comm.	City Hall
3/20	Monday	7:00 pm	City Council Meeting	Council Chambers
3/22	Wednesday	6:30 pm	Library Board	Library
3/27	Monday	6:30 pm	DRB Panel B	Council Chambers

APRIL

4/3	Monday	7:00 pm	City Council Meeting	Council Chambers
4/5	Wednesday	1:00 pm	Tourism Promotion Committee	Council Chambers
4/5	Wednesday	5:00 pm	Arts, Culture & Heritage Comm.	City Hall
4/10	Monday	6:30 pm	DRB Panel A	Council Chambers
4/11	Tuesday	6:00 pm	Diversity, Equity and Inclusion	Council Chambers
4/12	Wednesday	6:00 pm	Planning Commission	Council Chambers
4/13	Thursday	6:00 pm	Parks & Rec Advisory Comm. (Community Opportunity Grant Review)	Council Chambers
4/17	Monday	7:00 pm	City Council Meeting	Council Chambers
4/24	Monday	6:30 pm	DRB Panel B	Council Chambers
4/26	Wednesday	6:30 pm	Library Board	Library
4/27	Thursday	6:30 pm	DEI – Lecture Series	Wilsonville Hilton Garden Inn-Pearl Room

MARCH - All Month:

Winter Reading Challenge
Women's History Month

- 3/1 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
 PROFILES (online), 11:00 am, Zoom
 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
 Bingo, 1:00 pm, Wilsonville Community Center
 Teen Drop-In Activities, Wilsonville Library
- 3/2 Virtual Reality Fitness, 10:00 am, Wilsonville Community Center
 Family Storytime, 10:30 am, Wilsonville Library
 Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
 Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
 Restorative Yoga, 7:15 pm, Wilsonville Library
- 3/3 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
 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
- 3/4 Barre, 9:00 am, Wilsonville Community Center
- 3/6 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center
 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
 Body Sculpt, 5:45 pm, Wilsonville Community Center
- 3/7 Chair Y.E.S! 8:30 am, Wilsonville Community Center
 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
 Quilters, 9:00 am, Tauchman House
 Zumba Gold, 9:40 am, Wilsonville Community Center
 ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
 Toddler & Baby Time, 10:30 am, Wilsonville Library
 English Class, 10:30 am, Wilsonville Library
 Toddler & Baby Time, 11:15 am, Wilsonville Library
 Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
 Oil Painting, 5:30 pm, Parks & Rec Admin. Building
 Gentle Flow Yoga, 7:15 pm, Wilsonville Community Center
- 3/8 Holi (all day recognition – ancient Hindu tradition/festival)
 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
 Sit and Be Fit, 11:00 am, Wilsonville Community Center
 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 STEAM Stuff, 1:00 pm, Wilsonville Library
 Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
 Teen Drop-In Activities, 3:00 pm, Wilsonville Library

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

- 3/9 Virtual Reality Fitness, 10:00 am, Wilsonville Community Center
Family Storytime, 10:30 am, Wilsonville Library
Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
Restorative Yoga, 7:15 pm, Wilsonville Library
- 3/10 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
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center
- 3/11 Soccer Shots, 9:00 am, Memorial Park
Barre, 9:00 am, Wilsonville Community Center
Oil Painting, 10:00 am, Parks & Rec Admin. Building
Book Notes Concert, 2:00 pm, Wilsonville Public Library
- 3/13 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center
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
Body Sculpt, 5:45 pm, Wilsonville Community Center
- 3/14 Chair Y.E.S! 8:30 am, Wilsonville Community Center
Ukulele Jam, 9:00 am, Parks & Rec Admin Building
Quilters, 9:00 am, Tauchman House
Zumba Gold, 9:40 am, Wilsonville Community Center
ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
Toddler & Baby Time, 10:30 am, Wilsonville Library
English Class, 10:30 am, Wilsonville Library
Toddler & Baby Time, 11:15 am, Wilsonville Library
Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
Gentle Flow Yoga, 7:15 pm, Wilsonville Community Center
- 3/15 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
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
Teen Drop-In Activities, 3:00 pm, Wilsonville Library
- 3/16 Virtual Reality Fitness, 10:00 am, Wilsonville Community Center
Family Storytime, 10:30 am, Wilsonville Library
Walking Book Club, 1:00 pm, Wilsonville Library
Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
Restorative Yoga, 7:15 pm, Wilsonville Library
- 3/17 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
Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

- 3/18 Soccer Shots, 9:00 am, Memorial Park
 Barre, 9:00 am, Wilsonville Community Center
 Sounds of Japan, 10:00 am, Wilsonville Community Center
 Stein-Boozier Barn – Open House, 1:00 pm
- 3/20 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center
 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
 Body Sculpt, 5:45 pm, Wilsonville Community Center
- 3/21 Chair Y.E.S! 8:30 am, Wilsonville Community Center
 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
 Quilters, 9:00 am, Tauchman House
 Zumba Gold, 9:40 am, Wilsonville Community Center
 ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
 Toddler & Baby Time, 10:30 am, Wilsonville Library
 English Class, 10:30 am, Wilsonville Library
 Toddler & Baby Time, 11:15 am, Wilsonville Library
 Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
 Gentle Flow Yoga, 7:15 pm, Wilsonville Community Center
- 3/22 Ramadan (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
 Sit and Be Fit, 11:00 am, Wilsonville Community Center
 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 STEAM Stuff, 1:00 pm, Wilsonville Library
 Pinochle/Cribbage, 1:00 pm, Wilsonville Community Center
 Teen Drop-In Activities, 3:00 pm, Wilsonville Library
- 3/23 Virtual Reality Fitness, 10:00 am, Wilsonville Community Center
 Family Storytime, 10:30 am, Wilsonville Library
 Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
 Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
 Parenting the Love and Logic Way, 6:00 pm, Parks & Rec Admin. Building
 Restorative Yoga, 7:15 pm, Wilsonville Library
- 3/24 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
 Lunch at the Community Center, 12:00 noon, Wilsonville Community Center
 Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center
- 3/25 Soccer Shots, 9:00 am, Memorial Park
 Barre, 9:00 am, Wilsonville Community Center

- 3/27 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
 Chess Wizards Spring Break Camp, 9:00 am, Tauchman House
 Bike Clinic / Learn-to-Ride, 9:00 am, Wood Middle School Gym
 Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center
 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
 Body Sculpt, 5:45 pm, Wilsonville Community Center
- 3/28 Chair Y.E.S! 8:30 am, Wilsonville Community Center
 Chess Wizards Spring Break Camp, 9:00 am, Tauchman House
 Bike Clinic / Learn-to-Ride, 9:00 am, Wood Middle School Gym
 Ukulele Jam, 9:00 am, Parks & Rec Admin Building
 Quilters, 9:00 am, Tauchman House
 Zumba Gold, 9:40 am, Wilsonville Community Center
 ODHS Drop-In Assistance, 10:00 am, Wilsonville Library
 English Class, 10:30 am, Wilsonville Library
 Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
 Gentle Flow Yoga, 7:15 pm, Wilsonville Community Center
- 3/29 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
 Chess Wizards Spring Break Camp, 9:00 am, Tauchman House
 Bike Clinic / Learn-to-Ride, 9:00 am, Wood Middle School Gym
 Advanced Healthy Bones and Balance, 9:30 am, Wilsonville Community Center
 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
 Teen Drop-In Activities, 3:00 pm, Wilsonville Library
- 3/30 Chess Wizards Spring Break Camp, 9:00 am, Tauchman House
 Bike Clinic / Learn-to-Ride, 9:00 am, Wood Middle School Gym
 Virtual Reality Fitness, 10:00 am, Wilsonville Community Center
 Ladies Afternoon Out, 1:00 pm, Wilsonville Community Center
 Beginning Tai Chi, 3:00 pm, Wilsonville Community Center
 Parenting the Love and Logic Way, 6:00 pm, Parks & Rec Admin. Building
 Restorative Yoga, 7:15 pm, Wilsonville Library
- 3/31 Cesar Chavez Day, All Day
 International Transgender Day of Visibility, All Day
 Healthy Bones and Balance, 8:30 am, Wilsonville Community Center
 Chess Wizards Spring Break Camp, 9:00 am, Tauchman House
 Bike Clinic / Learn-to-Ride, 9:00 am, Wood Middle School Gym
 Advanced Healthy Bones and Balance, 9:30 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
 Mexican Train Dominoes, 1:00 pm, Wilsonville Community Center



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 6, 2023		Subject: Resolution Nos. 3040, 3041, 3042, 3043 and 3044 Property Tax Exemption Requests for Low-Income Housing Held by Charitable, Nonprofit organization including: Autumn Park Apartments, Charleston Apartments, Creekside Woods, Rain Garden Apartments, and Wiedemann Apartments Staff Member: Katherine Smith, Assistant Finance Director Department: Finance	
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:		<input type="checkbox"/> Adopted Master Plan(s):	
		<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Whether to approve annual property tax exemptions for various properties in the City.

EXECUTIVE SUMMARY:

In 1985, the Oregon legislature authorized a property tax exemption for low-income housing held by charitable, nonprofit organizations (ORS 307.540). The tax exemption is to benefit low-income renters by alleviating the property tax burden on those agencies that provide this housing opportunity. Properties must be owned or leased by a 501(c) charitable corporation and provide housing opportunity limited to persons at or below 60 percent of the area median income (AMI), with an annual exemption application required to the City.

Providing affordable housing in Wilsonville has been a long-standing goal with City Council. The five complexes noted in the chart below have received property tax exemption status in previous years and are in compliance with the requirements stated in ORS 307.540-307.548 (*Nonprofit Corporation, Low Income Housing*) and have submitted the required annual application for exemption continuation. In total, 365 units are currently available for a low-income housing under this program. All properties are required to meet State and Federal funding requirements, which include annual physical inspections, an annual audit of financial activity, and programmatic compliance.

The rate reduction per apartment varies from complex to complex as the reduction is based on the property's tax exemption the property receives and the number of reduced rate units in the complex. The complex passes the tax exemption savings onto their renters and most complexes provide additional services including monthly activities. The properties requesting continuance of the property tax exemption status for low-income housing include:

Apartment	501(c) Corp. Name	Address	No. of Residential Units	2022 Assessed Value	Estimated City Tax Abate
Autumn Park	NW Housing Alternative	10920 SW Wilsonville Rd	144	\$9,724,304	\$42,052
Charleston	NW Housing Alternative	11609 SW Toulouse St	51	\$1,691,451	\$7,314
Creekside Woods	NW Housing Alternative	7825 SW Wilsonville Rd	84	\$2,946,161	\$12,740
Rain Garden	Caritas Community	29197 SW Orleans Ave	29	\$956,148	\$4,135
Wiedemann	Accessible Living Inc.	29940 SW Brown Rd	57	\$3,004,506	\$12,993
TOTALS			365	\$18,322,570	\$79,234

While the State sets the required threshold for low-income housing rental rates, credits such as the Property Tax Abatement allows these organizations to offer rates that are lower than required to qualified tenants. In total, the amount of credit directly related to the property tax exemption from all taxing districts is approximately \$350,480.

EXPECTED RESULTS:

Council approval of consent agenda resolutions for the property tax exemption requests for Autumn Apartments, Charleston Apartments, Creekside Woods, Rain Garden Apartments, and Wiedemann Apartments.

TIMELINE:

Applications for renewal requests were due February 10, 2023. Initial property tax exemption requests are required to pay a \$250 application fee for each property. Renewal requests require a \$50 application fee. The City certifies the property tax exemption with the Assessor's office at Clackamas County immediately following Council's approval. The deadline to certify to the Assessor's office is April 1, 2023.

CURRENT YEAR BUDGET IMPACTS:

The assessed value of the all exempt properties totals \$18,322,570. Based on property estimation methodology including the effects of the division of taxes, under Urban Renewal, the total amount of forgone property tax revenue for the City is approximately \$79,234. This amount is built into the City's financial planning.

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Property tax exemptions assist in the availability of housing for low-income families and individuals.

ALTERNATIVES:

1. Discontinue property tax exemption program.
2. Reduce the number of qualifying units.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3040
 - A. Property Tax Exemption Application
2. Resolution No. 3041
 - A. Property Tax Exemption Application
3. Resolution No. 3042
 - A. Property Tax Exemption Application
4. Resolution No. 3043
 - A. Property Tax Exemption Application
5. Resolution No. 3044
 - A. Property Tax Exemption Application

RESOLUTION NO. 3040**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR AUTUMN PARK APARTMENTS, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY NORTHWEST HOUSING ALTERNATIVES, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and

WHEREAS, Northwest Housing Alternatives (NHA), a not-for-profit organization, has owned and maintained Autumn Park, an affordable housing development located at 10920 SW Wilsonville Road, Wilsonville, Oregon; and

WHEREAS, Autumn Park includes 144 residential units for people with low income; and

WHEREAS, NHA is currently seeking to preserve Autumn Park as affordable housing; and

WHEREAS, a property tax exemption is essential to Autumn Park's continuation as affordable housing; and

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and

WHEREAS, NHA has requested a property tax exemption for its Autumn Park development, pursuant to ORS 307.543(2); and

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Autumn Park Apartments; and

WHEREAS, NHA has received an exempt status from the West Linn-Wilsonville School District for the Autumn Park for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548.

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

Section 1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.

- Section 2. NHA and its affordable housing development, Autumn Park, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.
- Section 3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Autumn Park Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2023.
- Section 4. Effective Date. This Resolution is effective upon adoption for the upcoming 2023/2024 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March 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. Property Tax Exemption Application



2316 SE Willard, Milwaukie, Oregon 97222
p: 503.654.1007 • f: 503.654.1319 • www.nwhousing.org

January 25, 2023

City of Wilsonville
Attn: Finance Department
29799 SW Town Center Loop East
Wilsonville, OR 97070

Dear Katherine,

At the time of submission of our application for property tax exemption, NHA's Wilsonville properties have the following vacancy statistics:

- Autumn Park Apartments – 6 unit vacant, 96% occupancy
- The Charleston Apartments – 1 units vacant, 98% occupancy
- Creekside Woods Apartments – 1 unit vacant, 99% occupancy

These units are intended to be occupied within the year. Like all other units at the properties, they will be available exclusively to eligible low-income persons.

Thank you for your consideration of our application.

Kind Regards,

A handwritten signature in black ink, reading "Trell Anderson", is displayed on a yellow rectangular background.

Trell Anderson, Executive Director

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY
CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee _____

Date Received: 2/3/23 KJS.\$50 Renewal Fee x3 = \$150 ✓

Receipt No. _____

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Section A – Applicant Information

Corporate Name: Northwest Housing AlternativesAddress: 2316 SE Willard Street, Milwaukie, OR 97222Telephone: (503) 654-1007

Business

Residence (Optional)

Email Address: cleveland@nwhousing.orgChief Executive Officer: Trell AndersonContact Person: Ray Hackworth Telephone: (503) 654-1007 x 101

Section B – Property to be Considered for Exemption

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Autumn Park Apartments

Property Address: 10920 SW Wilsonville Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 00818388

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 144

Number of residential units occupied by very low-income people: 144

Total square feet in building: 116,928

Total square feet used to house very low-income people¹ 116,928

Section C – Leasehold Interest in Eligible Property

Do you own the property in question? x Yes No

If you answered "no" to the above question, do you have leasehold interest in the property?
 Yes No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

¹ This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

Section D – Description of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question? ☒ Yes ☐ No If so, by approximately how much? \$90/unit/month

2. Provide greater services to your very low income residential tenants? ☒ Yes ☐ No.

3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents

4. Provide any other benefit to your very low-income residential tenants? ☒ Yes ☐ No

If yes, please explain: NHA provides a robust Resident Services program that directly benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

Section E- Declarations

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

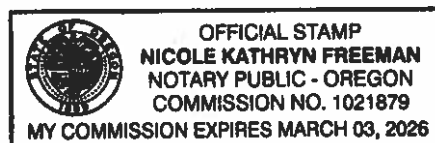
By: Trell Anderson
Agency Chief Executive Officer (Signature)

Trell Anderson
Agency Chief Executive officer (Print or typed)

For: Northwest Housing Alternatives
Corporate Name (Print or type)

Subscribed and sworn to before me this 2ND day of FEBRUARY, 2023.

Nicole Kathryn Freeman
Notary Public For Oregon
My Commission Expires: MARCH 03, 2026



RESOLUTION NO. 3041**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR CHARLESTON APARTMENTS, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY NORTHWEST HOUSING ALTERNATIVES, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and

WHEREAS, Northwest Housing Alternatives (NHA), a not-for-profit organization, constructed the Charleston Apartments, an affordable housing development located at 11609 SW Toulouse Street, Wilsonville, Oregon; and

WHEREAS, Charleston Apartments includes 15 units reserved for people with chronic mental illness and the 36 units designated as affordable housing; and

WHEREAS, NHA is currently seeking to preserve Charleston Apartments as affordable housing; and

WHEREAS, a property tax exemption is essential to Charleston Apartments continuation as affordable housing; and

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and

WHEREAS, NHA has requested a property tax exemption for its Charleston Apartments development, pursuant to ORS 307.543(2); and

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Charleston Apartments; and

WHEREAS, NHA has received an exempt status from the West Linn-Wilsonville School District for the Charleston Apartments for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548.

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

Section 1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.

Section 2. NHA and its affordable housing development, Charleston Apartments, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

Section 3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Charleston Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2023.

Section 4. Effective Date. This Resolution is effective upon adoption for the upcoming 2023/2024 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March 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. Property Tax Exemption Application



2316 SE Willard, Milwaukie, Oregon 97222
p: 503.654.1007 • f: 503.654.1319 • www.nwhousing.org

January 25, 2023

City of Wilsonville
Attn: Finance Department
29799 SW Town Center Loop East
Wilsonville, OR 97070

Dear Katherine,

At the time of submission of our application for property tax exemption, NHA's Wilsonville properties have the following vacancy statistics:

- Autumn Park Apartments – 6 unit vacant, 96% occupancy
- The Charleston Apartments – 1 units vacant, 98% occupancy
- Creekside Woods Apartments – 1 unit vacant, 99% occupancy

These units are intended to be occupied within the year. Like all other units at the properties, they will be available exclusively to eligible low-income persons.

Thank you for your consideration of our application.

Kind Regards,

A handwritten signature in black ink, reading "Trell Anderson", is displayed on a yellow rectangular background.

Trell Anderson, Executive Director

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY
CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee _____

Date Received: 2/3/23 by.\$50 Renewal Fee x3 = \$150 ✓

Receipt No. _____

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Section A – Applicant Information

Corporate Name: Northwest Housing AlternativesAddress: 2316 SE Willard Street, Milwaukie, OR 97222Telephone: (503) 654-1007

Business

Residence (Optional)

Email Address: cleveland@nwhousing.orgChief Executive Officer: Trell AndersonContact Person: Ray Hackworth Telephone: (503) 654-1007 x 101

Section B – Property to be Considered for Exemption

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: The Charleston Apartments

Property Address: 11609 SW Toulouse Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 05021215, 05021232

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 52

Number of residential units occupied by very low-income people: 51

Total square feet in building: 35,493

Total square feet used to house very low-income people² 35,493

Section C – Leasehold Interest in Eligible Property

Do you own the property in question? x Yes No

If you answered "no" to the above question, do you have leasehold interest in the property?
 Yes No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

² This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

Section D – Description of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question? ☒ Yes ☐ No If so, by approximately how much? \$47/unit/month
2. Provide greater services to your very low income residential tenants? ☒ Yes ☐ No.
3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
4. Provide any other benefit to your very low-income residential tenants? ☐ Yes ☐ No
If yes, please explain: NHA provides a robust Resident Services program that directly

benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

Section E- Declarations

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

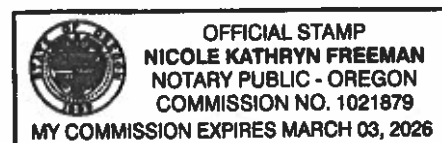
By: Trell Anderson
Agency Chief Executive Officer (Signature)

Trell Anderson
Agency Chief Executive officer (Print or typed)

For: Northwest Housing Alternatives
Corporate Name (Print or type)

Subscribed and sworn to before me this 2ND day of FEBRUARY, 2023.

Nicole Kathryn Freeman
Notary Public For Oregon
My Commission Expires: MARCH 03, 2026



RESOLUTION NO. 3042**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR CREEKSIDE WOODS LP, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY NORTHWEST HOUSING ALTERNATIVES, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and

WHEREAS, Northwest Housing Alternatives (NHA), a not-for-profit organization, constructed the Creekside Woods LP, an affordable housing development located at 8725 SW Wilsonville Road, Wilsonville, Oregon; and

WHEREAS, Creekside Woods LP includes 84 residential units for people with low income; and

WHEREAS, NHA is currently seeking to preserve Creekside Woods LP as affordable housing; and

WHEREAS, a property tax exemption is essential to Creekside Woods LP's continuation as affordable housing; and

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and

WHEREAS, NHA has requested a property tax exemption for its Creekside Woods LP development, pursuant to ORS 307.543(2); and

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Creekside Woods LP; and

WHEREAS, NHA has received an exempt status from the West Linn-Wilsonville School District for the Creekside Woods LP for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548.

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

Section 1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.

Section 2. NHA and its affordable housing development, Creekside Woods LP, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

Section 3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Creekside Woods LP from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2023.

Section 4. Effective Date. This Resolution is effective upon adoption for the upcoming 2023/2024 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March 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. Property Tax Exemption Application



2316 SE Willard, Milwaukie, Oregon 97222
p: 503.654.1007 • f: 503.654.1319 • www.nwhousing.org

January 25, 2023

City of Wilsonville
Attn: Finance Department
29799 SW Town Center Loop East
Wilsonville, OR 97070

Dear Katherine,

At the time of submission of our application for property tax exemption, NHA's Wilsonville properties have the following vacancy statistics:

- Autumn Park Apartments – 6 unit vacant, 96% occupancy
- The Charleston Apartments – 1 units vacant, 98% occupancy
- Creekside Woods Apartments – 1 unit vacant, 99% occupancy

These units are intended to be occupied within the year. Like all other units at the properties, they will be available exclusively to eligible low-income persons.

Thank you for your consideration of our application.

Kind Regards,

A handwritten signature in black ink, reading "Trell Anderson", is displayed on a yellow rectangular background.

Trell Anderson, Executive Director

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY
CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee _____

Date Received: 2/3/23 rya.\$50 Renewal Fee x3 = \$150 ✓

Receipt No. _____

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Section A – Applicant Information

Corporate Name: Northwest Housing AlternativesAddress: 2316 SE Willard Street, Milwaukie, OR 97222Telephone: (503) 654-1007

Business

Residence (Optional)

Email Address: cleveland@nwhousing.orgChief Executive Officer: Trell AndersonContact Person: Ray Hackworth Telephone: (503) 654-1007 x 101

Section B – Property to be Considered for Exemption

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Creekside Woods Limited Partnership

Property Address: 7825 SW Wilsonville Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 05022666

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 84

Number of residential units occupied by very low-income people: 84

Total square feet in building: 73,042

Total square feet used to house very low-income people³ 73,042

Section C – Leasehold Interest in Eligible Property

Do you own the property in question? x Yes No

If you answered "no" to the above question, do you have leasehold interest in the property?
 Yes No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

³ This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

Section D – Description of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question? ☒ Yes ☐ No If so, by approximately how much? \$35/unit/month
2. Provide greater services to your very low income residential tenants? ☒ Yes ☐ No.
3. If yes, in what way(s)? All cost savings are passed directly through to the tenants in the form of reduced rents
4. Provide any other benefit to your very low-income residential tenants? ☒ Yes ☐ No
If yes, please explain: NHA provides a robust Resident Services program that directly

benefits the residents

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

Section E- Declarations

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

By: Trell Anderson

Agency Chief Executive Officer (Signature)

Trell Anderson

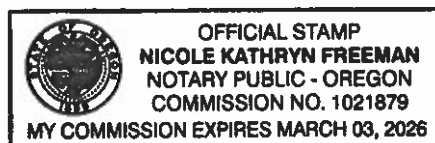
Agency Chief Executive officer (Print or typed)

For: Northwest Housing Alternatives
Corporate Name (Print or type)

Subscribed and sworn to before me this 2ND day of FEBRUARY, 2023.

Nicole Kathryn Freeman
Notary Public For Oregon

My Commission Expires: MARCH 03, 2026



RESOLUTION NO. 3043**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR RAIN GARDEN LIMITED PARTNERSHIP, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY CARITAS COMMUNITY HOUSING CORPORATION.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and

WHEREAS, Caritas Community Housing Corporation, a not-for-profit organization, constructed the Rain Garden Apartments, an affordable housing development located at 29197 SW Orleans Avenue, Wilsonville, Oregon; and

WHEREAS, Rain Garden Apartments includes 29 residential units for people with low income; and

WHEREAS, Caritas Community Housing Corporation is currently seeking to preserve the Rain Garden Apartments as affordable housing; and

WHEREAS, a property tax exemption is essential to Caritas Community Housing Corporation's continuation as affordable housing; and

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and

WHEREAS, Caritas Community Housing Corporation has requested a property tax exemption for its Rain Garden Apartment development, pursuant to ORS 307.543(2); and

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on the Caritas Community Housing Corporation at Rain Garden Apartments; and

WHEREAS, Caritas Community Housing Corporation has received an exempt status from the West Linn-Wilsonville School District for the Rain Garden Apartments for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548.

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

Section 1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.

Section 2. Caritas Community Housing Corporation and its affordable housing development, Rain Garden Apartments qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.

Section 3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Rain Garden Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2023.

Section 4. Effective Date. This Resolution is effective upon adoption for the upcoming 2023/2024 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March 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. Property Tax Exemption Application

CITY OF WILSONVILLE

Instructions and Application for Property Tax Exemption For Low-Income Housing Held by Charitable, Nonprofit Organizations

Please note that the City requires a copy of the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4) for each application.

Instructions and Application for property Tax Exemption For Very Low-Income Housing Held by Charitable, Nonprofit Organizations

What is It?

The 1985 Oregon legislature authorized a property tax exemption for low-income housing held by charitable, non-profit organizations.¹ The tax exemption is intended to benefit low-income renters and is available for qualifying property located within the City of Wilsonville.

Who is Eligible?

- Charitable, non-profit organizations that provide housing to low-income persons² are eligible.
- The organization must be certified by the Internal Revenue Services as 501(c) (3) or (4).
- Organizations must own or have a leasehold interest in the property or participate in a partnership so long as the non-profit organization is responsible for the day-to-day management of the property. The site must be occupy-able during the upcoming tax year by income eligible households, although vacant land intended to be developed as low-income housing is eligible for the exemption provided under this program.
- Applicants who are leaseholders must have a sign leasehold agreement by the April 1st application deadline. *Applicants may also apply for the exemption for properties expected to be acquired by July 1 of the tax year but the application form must be submitted by the February 10th deadline.*

Note: You may already be exempted from taxation under the statutory provision for qualifying benevolent, charitable and scientific institutions or for nonprofit organizations providing housing and *care* to the elderly. These two programs are administered by Clackamas County.

If you qualify for these other programs, please do not complete this application. Questions concerning these exemptions should be directed to the Clackamas County Division of Assessment and Taxation at 503-655-8671

What is Eligible?

Only the residential portion of a property located within the City of Wilsonville, which is used to house low-income people, is eligible for a property tax exemption. For example, the commercial space in a mixed-use building would not be eligible for tax exemption. Application for the exemption must be made *annually*.

Who Administers the Program?

The City of Wilsonville's Finance Department administers this program. Please call Katherine Smith, Assistant Finance Director at (503) 570-1511 if you have questions.

¹ SB 503 Chapter 660 Oregon's Laws 1985 and chapter 108 Oregon Laws 1993 amending Oregon Revised Statutes 307.540-.548.

² "Low-income persons" are individuals earning 60% or less of the area median income. See Income Eligibility Schedule (Attachment A) [U.S.C. Section 1437(a)(b)(2)].

How to Apply?

Submit a completed application, which includes the following:

1. A complete application – complete Section A and E for your organization. Complete Sections B, C, and D for *each* building for which a property tax exemption is being requested.
2. All applications must be signed and notarized – Section E is required to be notarized for each organization and application only, *not for each building*.
3. New applications must include a copy of IRS 501(c)(3) or (4) letter certifying your organization's eligible charitable nonprofit status.
4. Application fee – Attach a check or money order payable to the City of Wilsonville in the amount of \$250 for new applications and \$50 for renewal applications. Application fee is for each organization, not each building, however the renewal fee is per building. Applicants who apply for exemptions by the April 1 deadline do not need to pay an additional fee to apply for exemption for property acquired before the July 1 purchase deadline.
5. **Applications must be received at the City of Wilsonville Finance Department no later than February 10th. *Applications received after this date will not be accepted.*** Submit applications to the address below: City of Wilsonville, Attn: Finance Department, 29799 SW Town Center Loop East, Wilsonville, OR 97070
6. If you have any questions about the application, please call Katherine Smith, Assistant Finance Director at (503) 570-1511.

ATTACHMENT A**2022-23 INCOME ELIGIBILITY SCHEDULE**

The following income eligibility schedule is to be used in determining the amount of eligible property. Only units which are intended for occupancy by households with incomes at or below these income guidelines are eligible for the exemption.

Household Size	Household Income Not To Exceed³
1	\$31,266
2	40,886
3	50,506
4	60,126
5	69,747
6	79,367

Note: Unoccupied housing units at the time of application may be included in the total eligible units if the applicant meets the following conditions:

1. The units will be available exclusively to eligible low-income persons;
2. The units are intended to be occupied within the year;
3. The applicant must provide a written statement to the effect of 1 and 2 above, and attach it to the application.

(Source: <https://www.oregon.gov/ohcs/energy-weatherization/Pages/utility-bill-payment-assistance.aspx>
Oregon Low Income Energy Assistance Program)

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee _____

Date Received: 2/8/23 Hy.\$50 Renewal Fee X

Receipt No. _____

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Section A – Applicant Information

Corporate Name: Rain Garden LP c/o Caritas Community Housing CorporationAddress: 2740 SE Powell BoulevardPortland, OR 97202Telephone: (503) 231-4866BusinessN/AResidence (Optional)Email Address: mpierce@ccoregon.orgChief Executive Officer: Natalie WoodContact Person: Marci Pierce Telephone: (503) 231-4866

Section B – Property to be Considered for Exemption

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Rain Garden LP

Property Address: 29197 SW Orleans Avenue, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): 31W15DB07500

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 29

Number of residential units occupied by very low-income people: 29

Total square feet in building: 21,243

Total square feet used to house very low-income people⁴ 21,243

Section C – Leasehold Interest in Eligible Property

Do you own the property in question? X Yes No

If you answered "no" to the above question, do you have leasehold interest in the property?
 Yes No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

Caritas Community Housing Corporation (CCHC) a subsidiary of Catholic Charities. Catholic Charities is the non-profit sole member of the ownership entity general partner Rain Garden GP LLC. CCHC is responsible for ensuring that all operating costs are paid, including taxes due. The very low-income residents of Rain Garden are charged rents well below market. The savings realized from the property tax exemption are passed through to reduce rents.

⁴ This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

Section D – Description of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question? X Yes No If so, by approximately how much? \$75.00
2. Provide greater services to your very low income residential tenants? X Yes No.
3. If yes, in what way(s)? By reducing costs.
4. Provide any other benefit to your very low-income residential tenants? X Yes No
If yes, please explain: Preserves financial stability, and therefore longevity of the project

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

Section E- Declarations

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

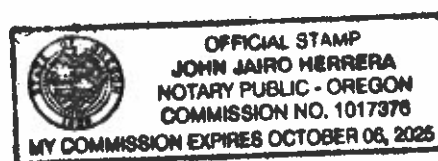
By: Natalie Wood
 Agency Chief Executive Officer (Signature)

Natalie Wood
 Agency Chief Executive officer (Print or typed)

For: Caritas Community Housing Corporation, sole member of Rain Garden GP, LLC, General Partner of Rain Garden LP
 Corporate Name (Print or type)

Subscribed and sworn to before me this 2 day of February, 2023.

[Signature]
 Notary Public For Oregon
 My Commission Expires: October 6, 2025



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: OCT 25 2005

CARITAS COMMUNITY HOUSING
CORPORATION
231 SE 12TH AVE
PORTLAND, OR 97214-0000

Employer Identification Number:

94-3395473

DLN:

17053267784075

Contact Person:

DEL TRIMBLE

ID# 31309

Contact Telephone Number:

(877) 829-5500

Public Charity Status:

170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated OCTOBER 2001, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading between 8:30 a.m. - 5:30 p.m. Eastern time.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

RESOLUTION NO. 3044**A RESOLUTION OF THE CITY OF WILSONVILLE GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR WIEDEMANN PARK, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY ACCESSIBLE LIVING, INC.**

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and

WHEREAS, Accessible Living, Inc., a not-for-profit organization, owns and manages the Wiedemann Park Apartments, an affordable housing development located at 29940 SW Brown Road, Wilsonville, Oregon; and

WHEREAS, Wiedemann Park includes 57 residential units for seniors with low income; and

WHEREAS, Accessible Living, Inc. is currently seeking to preserve Wiedemann Park as affordable housing; and

WHEREAS, a property tax exemption is essential to Wiedemann Park's continuation as affordable housing; and

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and

WHEREAS, Accessible Living Inc. has requested a property tax exemption for its Wiedemann Park development, pursuant to ORS 307.543(2); and

WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise of more than 51% of the total combined rate of taxation on Accessible Living Inc.'s development at Wiedemann Park; and

WHEREAS, Accessible Living, Inc. has received an exempt status from the West Linn-Wilsonville School District for the Wiedemann Park for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548.

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

- Section 1. The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.
- Section 2. Accessible Living, Inc. and its affordable housing development, Wiedemann Park, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.
- Section 3. The Assistant Finance Director is directed to request the Clackamas County Assessor to exempt Wiedemann Park Apartments from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2023.
- Section 4. Effective Date. This Resolution is effective upon adoption for the upcoming 2023/2024 tax year.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March 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. Property Tax Exemption Application

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee _____

Date Received: 1/12/23 Kjs.\$50 Renewal Fee ✓

Receipt No. _____

CONTENTS

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B. Property to be considered for exemption	2
C. Leasehold Interest in Eligible Property	2
D. Description of Charitable Purpose/Project Benefit	3
E. Declarations	4

Section A – Applicant Information

Corporate Name: Accessible Living Inc.

Address: PMB# 258, 9220 SW Barbur Blvd. Ste 119, Portland, OR 97219

Telephone: 503-272-8908
Business503-740-3931
Residence (Optional)

Email Address: karen@housingindependence.org

Chief Executive Officer: Karen Voiss

Contact Person: Karen Voiss Telephone: 503-272-8909

Section B – Property to be Considered for Exemption

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Wiedemann Park Apartments Limited Partnership

Property Address: 29940 SW Brown Rd., Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): #00810590, #05001064

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: 58

Number of residential units occupied by very low-income people: 57

Total square feet in building: 45,999

Total square feet used to house very low-income people⁴ 45,999

Section C – Leasehold Interest in Eligible Property

Do you own the property in question? ☒ Yes ☐ No

If you answered "no" to the above question, do you have leasehold interest in the property?
☐ Yes ☐ No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

⁴ This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

Section D – Description of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question? ☒ Yes ☐ No If so, by approximately how much? _____
2. Provide greater services to your very low income residential tenants? ☒ Yes ☐ No.
3. If yes, in what way(s)? Residents are provided Resident Services to provide individual support to an aging client base with their daily living needs like helping set up doctor appointments, bill paying, transportation, etc.
4. Provide any other benefit to your very low-income residential tenants? ☐ Yes ☒ No
If yes, please explain: _____

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

Section E- Declarations

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

By: Karen C. Voiss

Agency Chief Executive Officer (Signature)

Karen Voiss

Agency Chief Executive officer (Print or typed)

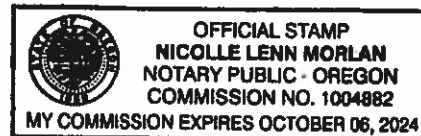
For: Accessible Living Inc.
Corporate Name (Print or type)

Subscribed and sworn to before me this 5 day of January, 2023.

Nicolas Morlan

Notary Public For Oregon

My Commission Expires: October 6, 2024





January 5, 2023

Wiedemann Park is comprised of 34, 1-bedroom apartments and 24, 2-bedroom apartments. One-bedroom allowable rent is \$1,215 per unit for a total allowable of \$41,341 monthly. The two-bedroom allowable rents are \$1,462, for \$35,078. The total allowable monthly rents are \$76,419.

The actual total monthly rents are \$54,665. The difference is $\$21,754 \times 12 = \$261,048$ in annual savings.

Units are exclusively available to low-income people meeting the 2022-2023 income eligibility schedule. Any unit that goes vacant will be occupied within a year.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 6, 2023		Subject: Resolution No.3048 Oregon State Parks Local Government Grant Program Staff Member: Dustin Schull, Parks Supervisor Department: Parks and Recreation	
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 approve the Consent Agenda.			
Project / Issue Relates To: Pursuing a grant from Oregon State Parks			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s):	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

The Parks and Recreation Department is interested in submitting an application to the Oregon State Parks Local Government Grant Program (LGGP) to replace the restroom at Boones Ferry Park. Per the grant requirements, a resolution authorizing staff to pursue the grant for the restroom replacement project must be approved by the City Council.

EXECUTIVE SUMMARY:

The Boones Ferry restroom replacement project will replace the only restroom at Boones Ferry Park. The site currently contains a restroom built in 1986. This restroom no longer meets the needs of the community and has ongoing maintenance problems. The 35 year old restroom is prone to frequent plumbing and mechanical issues. Staff has identified this project as a high priority in the revitalization of Boones Ferry Park and the implementation of the 2018 Boones Ferry Park Master Plan.

The estimated total cost of the project is \$415,000. Staff is seeking a grant that would cover 50% of the project costs. Funding for the City's 50% match will be included in the City's FY 2023-24 proposed budget.

EXPECTED RESULTS:

The new restroom will include two single, non-gender specific, restrooms instead of the current male/female configuration. This shift to non-gender specific restrooms is a step in creating a park that is inclusive for all.

The new restroom will also resolve the current issues associated with water leaks and other plumbing problems. This will result in a cost savings of staff time and reduce the amount of time the restroom is unavailable for public use due to maintenance problems.

TIMELINE:

The grant application is due April 1, 2023 and will be reviewed by the LGGP advisory committee in June. If the project is selected, the funds will be available in FY 2023-24.

CURRENT YEAR BUDGET IMPACTS:

There is no budget impact for the current fiscal year. Any expenditure of funds would occur FY 2023-24.

COMMUNITY INVOLVEMENT PROCESS:

The Boones Ferry Park Master Plan process included a community involvement component and the community identified a new restroom as an important project to be included in the 2018 Boones Ferry Park Master Plan.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The Boones Ferry Restroom Replacement Project will benefit all members of the Wilsonville community ensuring there is an appropriate restroom available for park users.

ALTERNATIVES:

The alternative is to not pursue the LGGP grant and wait until it is financial feasible for the City to fully fund the project.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Resolution No. 3048

RESOLUTION NO. 3048**A RESOLUTION OF THE CITY OF WILSONVILLE SUPPORTING A 2023 GRANT APPLICATION TO THE OREGON STATE PARKS, LOCAL GOVERNMENT GRANT PROGRAM FOR THE BOONES FERRY RESTROOM REPLACEMENT PROJECT.**

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

WHEREAS, the City of Wilsonville desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, The City Council has identified the replacement of the restroom at Boones Ferry Park as a high priority need in Wilsonville; and

WHEREAS, the City of Wilsonville is able to provide the necessary local matching funds for this project if grant funds are awarded; and

WHEREAS, the City of Wilsonville will provide adequate funding for on-going operation and maintenance of the restroom facility; and

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

1. Support the submittal of a grant application to Oregon State Parks and Recreation Department for the Boones Ferry Restroom Replacement Project
2. Commitment of City resources, including matching funds, subject to budget approval, and staff, for the implementation of the project.
4. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting on this 6th day of March 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



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 6, 2023		Subject: Resolution No. 3049 A Resolution Of The City Of Wilsonville Authorizing The Purchase Of One 40' Bucket Truck From Global Rental Co. Staff Member: Scott Simonton, Fleet Manager Department: Fleet Services	
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 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 approve the Consent Agenda.			
Recommended Language for Motion: I move to approve the Consent Agenda.			
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:

Staff is asking Council to award a purchase contract to Global Rental Co., in the amount of \$162,758.32, for the purchase of one 40' bucket truck.

EXECUTIVE SUMMARY:

The City's Public Works Department is in need of a bucket truck (aerial truck) to allow them to safely complete overhead tasks, including tree work, signage, seasonal decorations, and building maintenance. Public Works is currently relying on rental units when needed, but availability of rentals during an emergency is an ongoing concern. Funding for this purchase was requested, and approved, as part of the FY 22-23 budget process.

Although specialty vehicles continue to be difficult to source due to supply chain issues, we have located a vendor through the Sourcewell competitive procurement network, who can provide the vehicle we seek within this fiscal year. Sourcewell is a public purchasing consortium, of which Wilsonville is a member. Use of this contract satisfies competitive procurement rules. The total contract price of \$162,758.32 includes the vehicle optioned as we specified, as well as complete operator and safety training for eight employees. The quoted price is below our budgeted amount.

EXPECTED RESULTS:

N/A

TIMELINE:

Vendor has indicated that the truck will be delivered prior to June 30, 2023.

CURRENT YEAR BUDGET IMPACTS:

\$162,758.32

COMMUNITY INVOLVEMENT PROCESS:

This purchase was discussed at the FY 22-23 budget committee meetings, and was approved.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

N/A

ALTERNATIVES:

N/A

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3049
 - A. Contract

RESOLUTION NO. 3049**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE PURCHASE OF ONE 40' BUCKET TRUCK FROM GLOBAL RENTAL CO.**

WHEREAS, The City of Wilsonville Public Works Department is in need of equipment to perform overhead work; and

WHEREAS, Purchase of this equipment was budgeted in the FY 22-23 adopted budget; and

WHEREAS, Global Rental Co. holds a contract with Sourcewell to provide such equipment to member agencies such as Wilsonville; and

WHEREAS, Global Rental Co. has provided a quote of \$162,758.32 to supply the needed equipment.

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

Section 1. Based on the above recitals, which are incorporated herein, the City Council, acting as the Local Contract Review Board, does hereby award a purchase contract for one 40' bucket truck to Global Rental Co. in the amount of \$162,758.32, which is substantially similar to Exhibit A attached hereto.

Section 2. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 6th day of March, 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. Cooperative Procurement Goods and Services Contract

**CITY OF WILSONVILLE
COOPERATIVE PROCUREMENT
GOODS AND SERVICES CONTRACT**

This Cooperative Purchase Goods and Services Contract (“Contract”) for the 40’ Bucket Truck Purchase Project is made and entered into on this _____ day of February 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 **Global Rental Co, Inc.**, an Alabama corporation (hereinafter referred to as “Supplier”).

RECITALS

WHEREAS, the Oregon Revised Statutes authorize cooperative procurements in accordance with ORS 279A.200, et seq.; and

WHEREAS, the City wishes to purchase equipment that Supplier is capable of providing, under terms and conditions hereinafter described; and

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

WHEREAS, the State of Minnesota solicited proposals from various suppliers of equipment in a manner that complies with Oregon law; and

WHEREAS, the City seeks to purchase equipment from Supplier under the State of Minnesota’s statewide purchasing contract, as authorized by and in compliance with ORS 279A.200; and

WHEREAS, Supplier 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. Contract Documents

This Contract includes and incorporates by reference all of the foregoing recitals and all of the following additional documents: Sourcwell, a State of Minnesota local government agency and service cooperative, contract solicitation Request for Proposals #062320; Contract #062320-ALT, entered into between Sourcwell and Global Rental Co., Inc., dated August 24, 2020, pursuant to which the City elected to purchase the products and services described herein (the “Sourcwell Contract”). Any conflict between this Contract and the Sourcwell Contract shall be resolved in favor of this Contract. This Contract, the attached exhibits, and the Sourcwell Contract shall be collectively referred to as the “Contract Documents.” All Contract Documents should be read in concert and Supplier is required to bring any perceived inconsistencies to the attention of the City before executing this Contract. In the

event a provision of this Contract conflicts with standards or requirements contained in any of the foregoing Contract Documents, the provision that is more favorable to the City, as determined by the City, will apply.

Section 2. Goods and Services Purchased

Supplier will supply the Altec AT40G Bucket Truck described on the Quotation, attached hereto as **Exhibit A** and incorporated by reference herein (“Equipment”). Supplier will also provide Altec Sentry Web/CD based operator training to City staff (“Services”), as described in **Exhibit B** attached hereto and incorporated by reference herein.

Section 3. Equipment Price and Delivery Date

The price of the Equipment is ONE HUNDRED SIXTY-TWO THOUSAND SEVEN HUNDRED FIFTY-EIGHT DOLLARS AND THIRTY-TWO CENTS (\$162,758.32), as shown on **Exhibit A**, and includes delivery to 28879 SW Boberg Road, Wilsonville, Oregon 97070 (“Delivery Location”). Sale shall occur upon inspection of the Equipment and acceptance of delivery at the Delivery Location. The City will pay Supplier in full within 10 days of receipt and acceptance of delivery of the Equipment. Supplier will schedule a date and time for delivery. Delivery must occur on or before June 30, 2023.

The Equipment price is all inclusive and includes, but is 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 all other contributions and benefits, 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 4. Term.

Unless earlier terminated in accordance herewith, the term of this Contract shall be from the Effective Date until June 30, 2023. Any extension option must be exercised by the City, in writing, prior to expiration of the Initial Term of this Contract or any subsequent Extension Term.

Section 5. Warranties.

Equipment warranties include a three (3) year, 36,000 mile bumper-to-bumper warranty on the vehicle and a five (5) year, 100,000 mile warranty on the powertrain, and are further described in **Exhibit C**. A substantially similar complete and final warranty document shall be provided to the City upon execution of this Contract. Supplier hereby represents that Supplier will promptly and thoroughly perform all warranty work at the City’s location in Wilsonville, Oregon. If the work cannot reasonably be performed on site, Supplier will be responsible for transporting the Equipment in need of warranty work from Wilsonville and back to Wilsonville. All warranties are from the date of delivery and acceptance by the City, and are in addition to, and not in lieu of, any other warranties provided by various manufacturers.

Section 6. Contract Modification; Change Orders

Any modification of the provisions of this Contract shall not be enforceable or binding unless reduced to writing and signed by both the City and Supplier.

Section 7. Notices

Any notice required or permitted under this Contract 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: Scott Simonton, Fleet Manager 29799 SW Town Center Loop East Wilsonville, OR 97070
To Supplier:	Global Rental Co, Inc. Attn: Bryce Saddoris 33 Inverness Center Parkway, Suite 250 Birmingham, AL 35242

Section 8. Miscellaneous Provisions

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

8.2. Equal Opportunity. No person shall be discriminated against by Supplier or any subcontractor in the performance of this Contract 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 Contract, in whole or in part, by the City.

8.3. No Assignment. Supplier may not delegate the performance of any obligation to a third party unless mutually agreed, in writing.

8.4. Governing Law. This Contract 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 Contract as if fully set forth herein.

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

8.6. Time of the Essence. Time is expressly made of the essence in the performance of this Contract.

8.7. Entire Agreement. This Contract, all documents attached to this Contract, and all Contract Documents and laws and regulations incorporated by reference herein, represent the entire agreement between the parties.

8.8. Counterparts. This Contract may be executed in one or more counterparts, each of which shall constitute an original Contract but all of which together shall constitute one and the same instrument.

8.9. Authority. Each party signing on behalf of Supplier and the City hereby warrants actual authority to bind their respective party.

The Supplier and the City hereby agree to all provisions of this Contract.

SUPPLIER:

GLOBAL RENTAL CO, INC.

By: _____

Print Name: _____

As Its: _____

EIN/Tax I.D. No. _____

CITY:

CITY OF WILSONVILLE

By: _____

Print Name: _____

As Its: _____

APPROVED AS TO FORM:

Amanda Guile-Hinman, City Attorney
City of Wilsonville, Oregon

EXHIBIT A



Quote Number: 127202202
 Opportunity Number:
 Sourcewell Contract #: 062320-ALT
 Date: 1/27/2023

Item 17.

Quoted for: City of Wilsonville
 Quoted by: Bryce Saddoris
 Phone: / Email: 360-218-6930 / bryce.saddoris@altec.com

REFERENCE MODEL	Sourcewell Price	Commercial List Price	Discount %
AT37-G 4x4, 2022	\$129,049	\$133,040	3%
(A.) Sourcewell Options On Contract			
1			
2			
3			

SOURCEWELL OPTIONS TOTAL: \$129,049 \$133,040 3%

(A.) OPEN MARKET ITEMS (Customer Requested)

1	UNIT	Unit to be Altec AT40G in lieu of AT37G	\$9,930
2	UNIT & HYDRAULIC ACC		
3	BODY		
4	BODY & CHASSIS ACC		
5	ELECTRICAL		
6	FINISHING		
7	CHASSIS	Chassis to be 2023 model in lieu of 2022	\$10,905
8	OTHER	Altec Sentry Training	\$4,474.32
9			
OPEN MARKET OPTIONS TOTAL:			\$25,309.32

SUB-TOTAL FOR UNIT/BODY/CHASSIS: \$150,385.32

Delivery to Customer: \$8400

TOTAL FOR UNIT/BODY/CHASSIS: \$162,758.32

(C.) ADDITIONAL ITEMS (items are not included in total above)

1			
2			
3			
4			

****Pricing valid for 45 days and may be subject to availability at time of order****

NOTES

** Denotes FET fees were paid when unit was new. Global is not FET exempt.

All items listed subject to availability, quote provided at time of request detailing options

Delivery is \$3.00 / mile

Alternate year models may be available in addition to the ones shown here, they will be discounted / priced appropriately to reflect this

Chassis model can be any standard chassis (Ford, Dodge, International, Freightliner, Peterbilt, etc.)

PAINT COLOR: White to match chassis, unless otherwise specified

TO ORDER: To order, please contact the Account Manager listed above.

CHASSIS: Per Altec Commercial Standard

DELIVERY: No later than _____ days ARO, FOB Customer Location

TERMS: Net 10 days

BEST VALUE: Altec boasts the following "Best Value" features: Altec ISO Grip Controls for Extra Protection, Only Lifetime Warranty on Structural Components in Industry, Largest Service Network in Industry, Altec SENTRY Web/CD Based Training, Dedicated/Direct Gov't Sales Manager, In-Service Training with Every Order.

EXHIBIT B
Altec Sentry Program
Insulating Aerial Device Training Summary

The Altec Sentry Program is an OSHA and ANSI compliant training program on safe operating procedures. Prior to operating an aerial device you must read, understand, and follow the safety and operating procedures found in the unit's manual, unit decals, and other materials provided with the unit. In addition, studying this program carefully, with an open mind for safety as it pertains to your individual job needs, can prevent serious work related injuries and can ultimately save your life or the life of a co-worker. Upon successful completion of the training, participants will receive a certificate and wallet card.

Insulating Aerial Device Training Outline

Training for this program consists of an 8-hour, 1-day class. The first four hours are classroom instruction with a 10-minute break each hour. After a lunch break, the final four hours are hands-on training on an Altec Insulating Aerial Device.

- The topics we will present in this program are:
 1. Safety Statements, Hand Signals and OSHA Regulations
 2. Insulating Aerial Device Daily Unit Inspection
 3. Traveling
 4. Job Briefing
 5. Unit Setup and Pre-Operational Inspection
 6. Unit Operation
 7. Material Handling
 8. Load Capacity
 9. Conductor Handling and ISO Grip™
- In between each section, we will ask a few questions to see how well you understand the material. After the last topic, you will be tested on all of the information.
- Each individual will be hands-on evaluated on the aerial device to demonstrate the concepts learned in the classroom instruction.

EXHIBIT C

**ALTEC**

2075 Edsel Ln, Corydon, Indiana, 471122168

Warranty - Selected Equipment & Specs

Warranty*Basic*

Distance	36000 miles	Months	36 months
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Powertrain

Distance	60000 miles	Months	60 months
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Corrosion Perforation

Distance	Unlimited miles	Months	60 months
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Roadside Assistance

Distance	60000 miles	Months	60 months
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Diesel Engine

Distance	100000 miles	Months	60 months
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