



## **AMENDED - CITY COUNCIL AGENDA**

November 18, 2024 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

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### **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](mailto: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)(h) Legal Counsel/Litigation

### **RECESSED [5:30 PM]**

*Break to switch Zoom accounts [5 min.]*

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

### **COUNCILORS' CONCERNS [5:40 PM]**

### **PRE-COUNCIL WORK SESSION [5:45 PM]**

- A. [Child Care in Wilsonville \(Lorenzen\) \[30 min\]](#)
- B. The Arts, Culture, And Heritage Commission (ACHC) FY 2024/25 Five-Year Action Plan And Annual One-Year Implementation Plan. (*Valentine*) [15 min.]
- C. DEQ - Clean Water State Revolving Fund (CWSRF) (*Katko/Weigel*) [10 min]

- D. Capital Improvements Program Amendments (*Guile-Hinman/Weigel*) [10 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, November 18, 2024 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10:00 a.m. on November 5, 2024. 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](#)
- 5. Boards/Commission Appointments/Reappointments - Placeholder

**COMMUNICATIONS [7:15 PM]**

- 6. Wilsonville Historical Society Community Enhancement Program (CEP) Project Update (*Mombert*) [15 min.]

**CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [7:30 PM]**

*This is an opportunity for visitors to address the City Council on any matter concerning City's Business or any matter over which the Council has control. It is also the time to address 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.*

**COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [7:45 PM]**

- 7. Council President Akervall
- 8. Councilor Linville
- 9. Councilor Berry

10. Councilor Dunwell

**CONSENT AGENDA [8:05 PM]**

11. [Resolution No. 3030](#)

[A City of Wilsonville Resolution approving the public bid process, accepting the lowest responsible bidder, and awarding a construction contract with Jesse Rodriguez Construction LLC in the amount of \\$877,500 for the construction of the Priority 1B Water Distribution Improvements project \(Capital Improvement Project 1148\). \(Rauthause\)](#)

12. [Resolution No. 3168](#)

[A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Third Amendment To The Professional Services Agreement With Consor North America, Inc. To Provide Engineering Consulting Services For The Boeckman Creek Interceptor And Trail Project \(Capital Improvement Project No. 2107\). \(Barrett\)](#)

13. [Resolution No. 3174](#)

[A Resolution Of The City Of Wilsonville Adopting The Arts, Culture, And Heritage Commission \(ACHC\) FY 2024/25 Five-Year Action Plan And Annual One-Year Implementation Plan. \(Valentine\)](#)

14. [Resolution No. 3179](#)

[A Resolution Of The City Of Wilsonville Adopting The South Metro Area Regional Transit Public Transportation Agency Safety Plan. \(Brashear\)](#)

15. [Resolution No. 3180](#)

[A Resolution Of The City Of Wilsonville Approving A Funding Plan Forecast For The Stafford Road Improvements – Phase I \(CIP Nos. 1158, 2111, And 4219\). \(Katko/Weigel\)](#)

16. [Minutes of the September 5, 2024 City Council Meeting. \(City Recorder\)](#)

**NEW BUSINESS [8:10 PM]**

17. HYPERLINK "app\Sff338ea68450493c8ea0fe0a8235915d"[Resolution No. 3162](#)

[A Resolution Of The City Of Wilsonville Adopting The Findings And Recommendations Of The “Solid Waste Collection Rate Report, November 2024” And Modifying The Current Republic Services Rate Schedule For Collection And Disposal Of Solid Waste, Recyclables, Organics And Other Materials, Effective January 1, 2025. \(Ottenad\)](#)

18. [Resolution No. 3183](#)

[A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement Between Clackamas County And City Of Wilsonville To Fund City-Led Initiatives Addressing Homelessness. \(Guile-Hinman\)](#)

19. **Resolution No. 3121**

[A Resolution Of The City Of Wilsonville Adopting The Frog Pond East And South Infrastructure Funding Plan. \(Pauly/Pepper\)](#)

**CONTINUING BUSINESS [8:45 PM]**

**PUBLIC HEARING [8:45 PM]**

20. **Ordinance No. 892 - 1st Reading (Legislative Land Use Hearing)**

[An Ordinance Of The City Of Wilsonville Adopting Amendments To Chapter 4, Chapter 6, And Chapter 8 Of The Wilsonville City Code To Implement The Frog Pond East And South Master Plan And Make Related Updates To Residential Development Regulations Citywide. \(Pauly\)](#)

21. **Ordinance No. 896 - Request to Continue**

[An Ordinance Of The City Of Wilsonville Annexing Approximately 9.00 Acres Of Property Located At 7400 SW Frog Pond Lane For Development Of A 28-Lot Residential Subdivision. \(Luxhoj\)](#)

22. **Ordinance No. 897 - Request to Continue**

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 9.00 Acres Located At 7400 SW Frog Pond Lane For Development Of A 28-Lot Residential Subdivision. (Luxhoj)

**CITY MANAGER'S BUSINESS [9:05 PM]**

**LEGAL BUSINESS [9:10 PM]**

**ADJOURN [9:15 PM]**

*Break to switch Zoom accounts [5 min.]*

**RECONVENE EXECUTIVE SESSION [9:20 PM]**

ORS 192.660(2)(h) Legal Counsel/Litigation

**ADJOURN [10:00 PM]**

**INFORMATIONAL ITEMS – No Council Action Necessary**

[National American Indian Heritage Proclamation](#)

[Small Business Saturday Proclamation](#)

[City Manager Reports](#)

**AN EXECUTIVE SESSION MEETING WILL OCCUR PRIOR TO WORK SESSION & WILL**

**RECONVENE IMMEDIATELY AFTER THE CITY COUNCIL MEETING**

*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](mailto: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**

<b>Meeting Date:</b> November 18, 2024		<b>Subject:</b> Child Care in Wilsonville	
		<b>Staff Member:</b> Matt Lorenzen, Economic Development Manager	
		<b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> 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	
		<b>Comments:</b> This report and presentation summarize staff's work with regard to Council Goal #10, including recent survey results. Staff seeks further direction, if any, from Council.	
<b>Staff Recommendation:</b> N/A			
<b>Recommended Language for Motion:</b> N/A			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: 10. Convene a childcare partner consortium to understand the barriers, challenges, and opportunities for increasing childcare opportunities in Wilsonville. Consider the City's role and potential actions for supporting the outcomes.		<input type="checkbox"/> Adopted Master Plan(s):	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

Please provide feedback and/or direction, if any, to guide staff's actions pertaining to this Council goal moving forward.

## EXECUTIVE SUMMARY:

### Background

In late 2022, staff briefed the City Council on child care in Wilsonville, as both a social and economic/workforce issue, sharing data collected during the previous summer through an online survey that received approximately 120 responses. Staff conveyed that access to child care in the City was a growing concern, and that even those seats available through local providers were scarce and increasingly unaffordable.

At the February 2023 goal-setting retreat, the City Council set the following goal:

### Economic Opportunity:

#### **Attract high-quality industry and support economic opportunity for all in Wilsonville**

10. Convene a childcare partner consortium to understand the barriers, challenges, and opportunities for increasing childcare opportunities in Wilsonville. Consider the City's role and potential actions for supporting the outcomes.

### Consortium – 2023-24

Name	Capacity	Type
Siemens Child Dev. Center	120	Center
LuLu's Child Care	16	Home-based
Brighten Montessori	80	Center
Building Blocks ELC	71	Center
Building Blocks ELC (Littles)	30	Center
Building Blocks ELC (Baby)	12	Center
Club K – Boeckman Creek	60	School-based (after school)
Club K – Boones Ferry	75	School-based (after school)
Champions – Lowrie	Unknown	School-based (after school)
Early Years	29	Center
Evergreen Child Dev. Center	111	Center
Kids Cove	26	Center
Kids Cove 2	16	Home-based
New Foundations Preschool	37	Center
Valley Christian Preschool	58	Center
<b>Total</b>	<b>741</b>	-

With Council President Kristin Akervall's leadership and direction, Staff convened a consortium of local child care providers that summer (2023) and held a number of meetings over the course of the next year in order to better understand the challenges and opportunities facing this group of business operators. Above is a list of current local child care providers and their stated capacity. Please note that capacity is not the same as enrollment. Most of these child care providers are undersubscribed—something discussed further on.

Approximately half of these providers have participated in our consortium over the past year. Those that did not participate, in most cases, expressed they wished they could have participated but were unable to do so as their presence was needed in their facilities in order to meet required student-to-teacher ratios.

Through robust exploratory conversation, staff has confirmed many points that are widely known and well-documented regarding the national child care crisis. In addition, local providers also shared valuable information and anecdotes that tell a more nuanced story, including several points that aren't as widely discussed in state and national conversations.

A very succinct summary of the “known” inter-related issues that our consortium fully confirmed:

- **Staffing Challenges**  
A combination of factors related to the nature of the work, low compensation, lack of benefits, stressful working conditions, and competition from other entry-level industries such as retail and service that can pay the same or more, make it difficult to hire and retain quality employees. Yet, families demand affordability which puts downward pressure on wages, an operator's highest cost.
- **High Operating Costs**  
Labor, regulations and licensing, real estate, utilities, insurance, supplies, toys and play equipment, food and snacks, all contribute to a high overhead for operators. Many of these costs do not change, regardless of enrollment levels. Operators must enroll at 90-100% of capacity just to stay in business.
- **Facilities**  
Regulatory requirements as well as parental standards compel operators to use Class A and B properties with accessible locations, good access, and the appropriate utilities, fixtures, room configurations, and perhaps most challenging, an outdoor play area that meets standards and expectations. Even with budgetary flexibility, such facilities are scarce, and extremely costly on the front-end to create from scratch.

As Council President Akervall keenly observed and illustrated in our meetings, these three issues and their subcomponents, create a web of dependent loops that, in most cases, can quickly become negative feedback loops, putting even the best child care provider out of business. The most common pattern occurs when a provider cannot find sufficient, quality staff. In this case, enrollment must be limited due to the high teacher-to-student ratios required in Oregon. When enrollment is limited, revenue is limited, yet most overhead expenses remain constant. If this pattern of understaffing continues, an operator must choose to continue operating at a loss, raise rates, or close completely. In many unfortunate cases, the rational option is to close when families can no longer bear higher tuition costs.

**In short, if child care is to be high quality, affordable for working families, and abundant (all of the above) an injection of funding (aka subsidy) is needed in order to stabilize what is currently a broken private market.**

### Other Discoveries

The phenomena discussed above are fairly broadly understood by those with an interest in the child care crisis. A few other discoveries were made throughout our consortium's conversations:

- Childcare businesses do not have a professional association for support of workers or owners. There is no union or association to support operators when legal issues do arise. Department of Early Learning and Care (DELG) is busy protecting the child. Operators are busy protecting the child. No entity or organization exists to protect the teachers or owners. The laws and rules governing child care businesses are written and enforced by DELG. DELG is also the entity issuing penalties if issues are found valid. Operators and teachers have no legal recourse to manage legal or compliance issues.
- Similarly, when it comes to policy advocacy, privately operated childcare businesses do not have a united voice, nor are they recognized in most policy conversations as a key stakeholder. The list of children's advocacy organizations is long:
  - Child Care for Oregon
  - Family Forward Oregon
  - Our Children Oregon
  - Children's Institute
  - Oregon Childcare Project
  - Oregon Child Development Coalition
  - Oregon Childcare Alliance
  - Oregon Child Care Association
  - Oregon Association for the Education of Young Children
  - Children's Center (Clackamas County)
  - Clackamas County Child Care Coalition
  - Oregon State University – Oregon Child Care Research Partnership

While these organizations (not an exhaustive list) seem to be rowing mainly in the same direction, they seem to be in different boats and do not appear to be coordinating with one another.

- The Oregon Legislature has (thus far) only invested public funding into child care *facilities*. While child care providers recognize facilities as a challenge, they consistently rank facilities as a secondary or tertiary stressor. Local providers expressed concern that injecting funding into facilities could actually exacerbate other issues, such as staffing and wages. If new facilities are built or current facilities expanded, those facilities must be staffed, which will put additional demand on the already shallow pool of talent. Existing businesses may be lost, in which case the public investment will not have accomplished its purpose—to increase the number of child care businesses and available slots in the state.
  - A similar phenomenon is occurring with Preschool for All in Multnomah County. The program mandates that providers pay a generous compensation package for teachers. This requirement, while important, is causing teachers from the tri-county area to terminate their employment in other counties seeking the higher wages in Multnomah County. Providers in the other counties do not have the public subsidy and cannot compete, further destabilizing the regional system.

- Oregon’s **ERDC** (Employment Related Day Care) program is popular among both families and providers. The program offers income-based financial assistance based on household income and family size, which covers a portion of child care expenses. Families get to choose their approved provider, and the program aims to support workforce participation and educational advancement among parents, reducing barriers to stable employment and economic mobility. Many providers believe a massive expansion in funding and family eligibility would solve many issues, as it would help with affordability for families and enrollment for providers.

### 2024 Survey Results

In 2022 the City issued a survey to Wilsonville families in order to understand their experiences with accessing and affording child care in the city. In 2024, the City issued a new survey with different questions designed by members of the Child Care Consortium. Most of the data collected confirms everything discussed in this report, and there are hardly any new revelations; below are a few of the more interesting takeaways. The full survey results data are attached.

- 180 responses
- The most common form of child care utilized is a Child Care Center or Preschool. (52%)
  - Second, is a relative, friend, or neighbor. (28%)
- Over one third of families are paying over \$1,000 per month, per child for care
  - 15% of families are paying more than \$1,500 per month, per child
- 31% of respondents said their current child care setting was not meeting their needs
  - Respondents’ desired setting was quite varied, demonstrating the need for a mixed-delivery solution.
- Nearly 50% of respondents use all-day care at least 2-3 days per week.
  - Many are seeking all-day, 5-day per week care, but cannot find or afford it.
  - Other common needs include after school and/or extended hour care for people working long or odd shifts.
- Most people are seeking child care in order to allow them to work either outside the home or from home.
- The greatest factors affecting families’ ability to secure child care are 1) Cost, 2) Availability, and 3) Schedule/hours of care
- 40% of respondents reported they had to make changes to their child care situation due to circumstance beyond their control (e.g. provider/center closed, tuition increase, etc.)
  - Of that 40% nearly all said those changes affected their ability to work.
- Summer-time and afterschool care were stated repeatedly as needs.
- 75% of respondents had completed college or graduate school
- 30% of respondents have a household income over \$200,000. 30% of Wilsonville does not have that household income. We need to do more to hear from lower-income families.

### **EXPECTED RESULTS:**

N/A

**TIMELINE:**

N/A

**CURRENT YEAR BUDGET IMPACTS:**

None.

**COMMUNITY INVOLVEMENT PROCESS:**

All child care businesses in Wilsonville were invited to participate in the Consortium. All families were invited to participate in the 2024 Survey for Families. The survey was available on the City website, Facebook, and at the August Party in the Park.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Impacts or benefits to the community depend entirely upon Council's choice of action. None has been determined at this time.

**ALTERNATIVES:**

As noted, the child care crisis is a massive, multi-faceted issue that extends far beyond Wilsonville and even the State of Oregon. It is reasonable to conclude that the breadth and depth of the crisis precludes a local response. However, because Council has expressed concern over this issue in the past, below are a few options for how the Council may choose to act in light of the information shared in this report. Of course, other policy or programmatic solutions may be suggested. The Council has already determined to lend lobbying support to child care policy at the Oregon Legislature as part of the Council's adopted 2025 legislative priorities.

- Pursue Community Development Block Grant (CDBG) grant funding to support local providers with technical assistance to be provided by a third-party contractor
- Study the revenue generation capacity of an incremental local payroll tax increase to fund programming to support local providers and/or eligible Wilsonville families
- Direct staff to recommend a grant/incentive to offer a child care business desiring to reoccupy the former YMCA space on Main Street
- Defer the question to the incoming 2025 City Council

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. 2024 Childcare Survey for Families – Results (pages 72-74 redacted for respondent privacy)

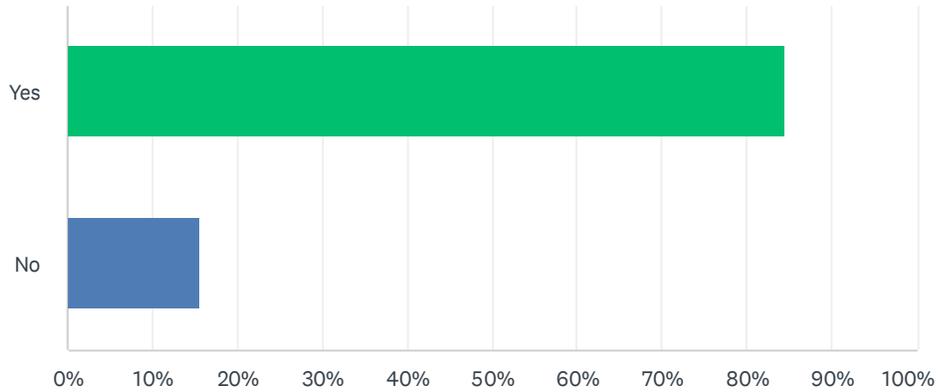


# Childcare in Wilsonville

Survey Findings, Summer 2024

### Q1 Do you live in Wilsonville?

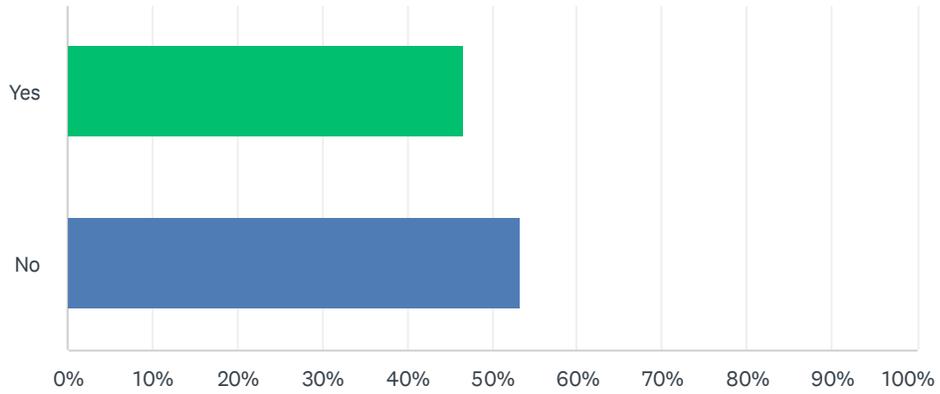
Answered: 180 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	84.44%	152
No	15.56%	28
TOTAL		180

## Q2 Do you work in Wilsonville?

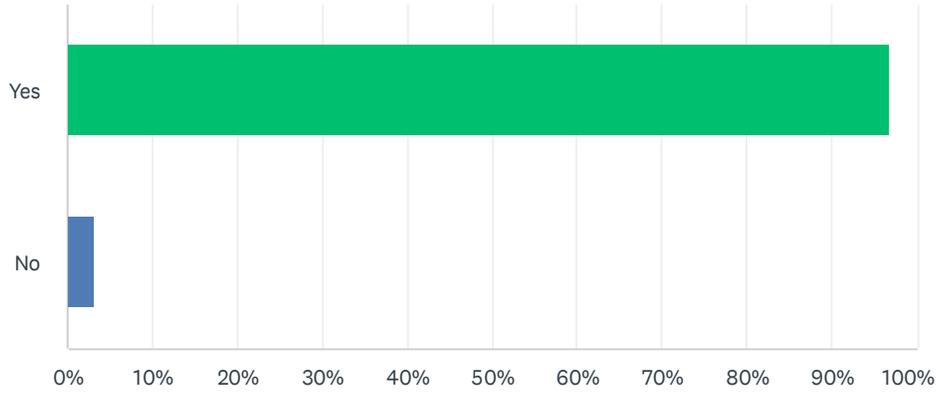
Answered: 180 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	46.67%	84
No	53.33%	96
TOTAL		180

### Q3 Do you participate in making child care decisions for children in your household?

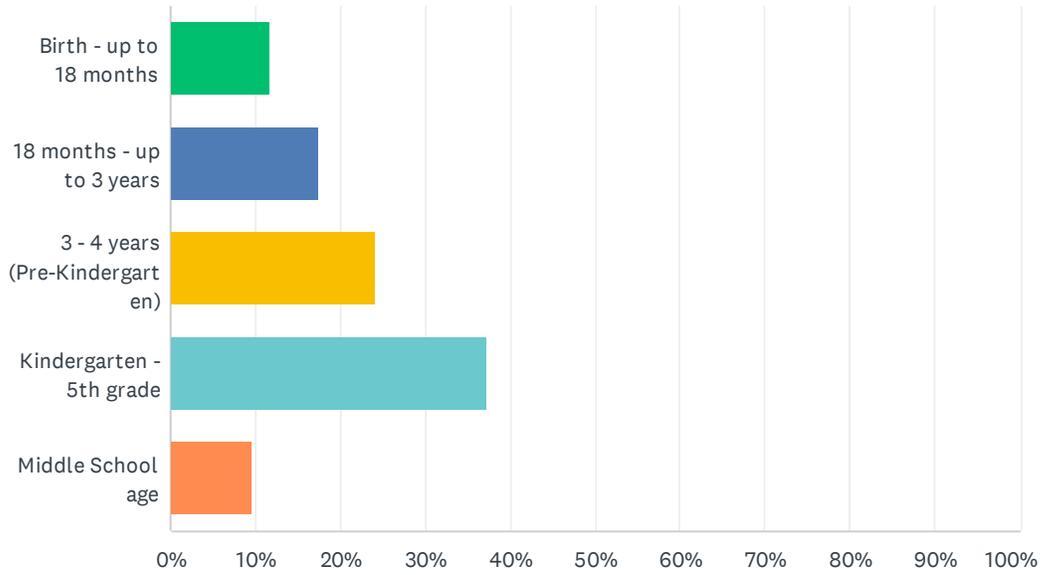
Answered: 160 Skipped: 20



ANSWER CHOICES	RESPONSES	
Yes	96.88%	155
No	3.13%	5
TOTAL		160

### Q4 How old is Child #1?

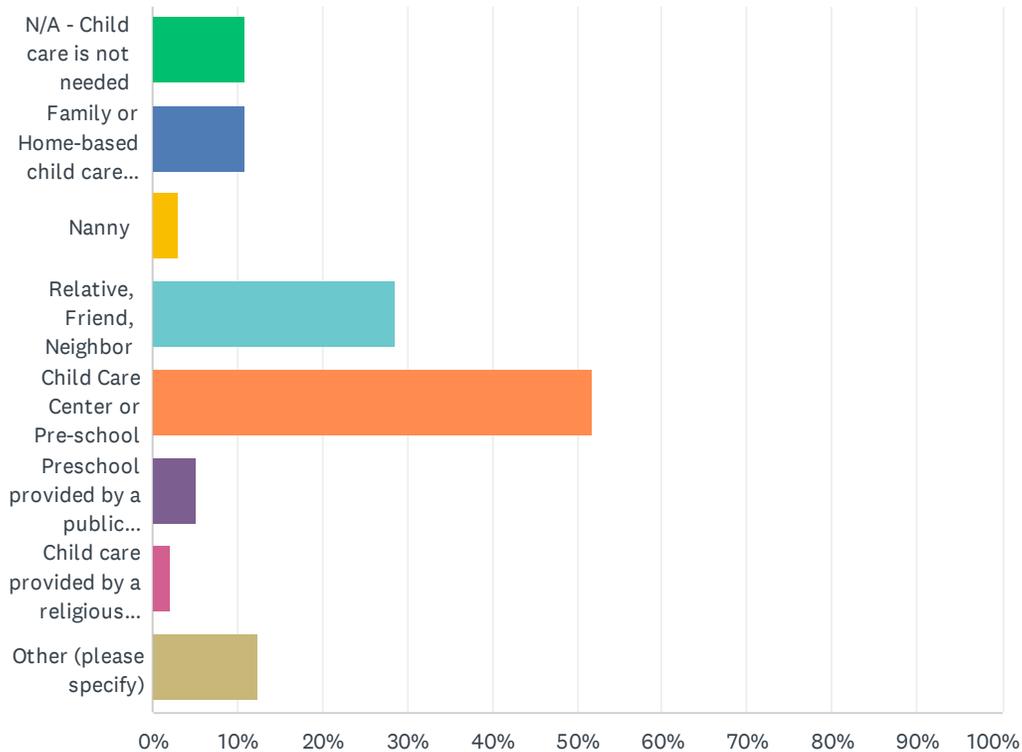
Answered: 137 Skipped: 43



ANSWER CHOICES	RESPONSES	
Birth - up to 18 months	11.68%	16
18 months - up to 3 years	17.52%	24
3 - 4 years (Pre-Kindergarten)	24.09%	33
Kindergarten - 5th grade	37.23%	51
Middle School age	9.49%	13
<b>TOTAL</b>		<b>137</b>

### Q5 What type of care setting are you currently utilizing for this child when a parent is not available? (check multiple boxes as appropriate)

Answered: 137 Skipped: 43



ANSWER CHOICES	RESPONSES	
N/A - Child care is not needed	10.95%	15
Family or Home-based child care program	10.95%	15
Nanny	2.92%	4
Relative, Friend, Neighbor	28.47%	39
Child Care Center or Pre-school	51.82%	71
Preschool provided by a public elementary/primary school	5.11%	7
Child care provided by a religious institution/church	2.19%	3
Other (please specify)	12.41%	17
Total Respondents: 137		

#	OTHER (PLEASE SPECIFY)	DATE
1	App sourced sitters	10/24/2024 5:10 PM
2	none as no childcare can handle his disability	10/23/2024 11:03 AM
3	None yet, looking for child care for future baby	10/22/2024 3:28 PM

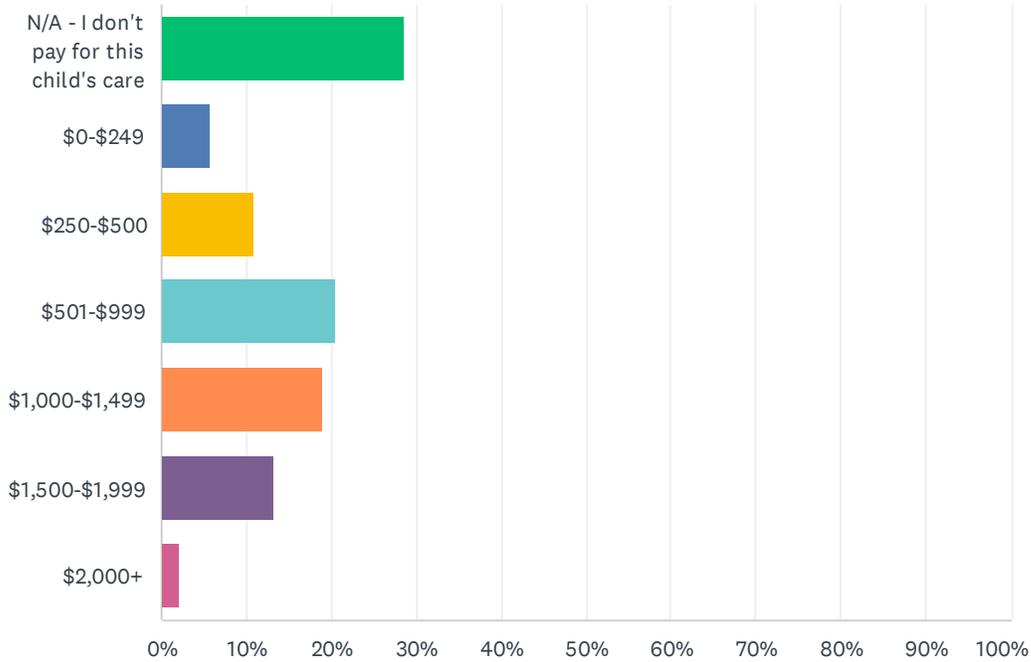
## 2024 Childcare Survey for Families

Item A.

4	Club K	10/21/2024 2:37 PM
5	ClubK	10/21/2024 12:16 PM
6	After school program	10/21/2024 12:12 PM
7	Club k at Boeckman Creek Primary	10/21/2024 11:16 AM
8	Aftercare on school property - Club K	10/21/2024 10:31 AM
9	After school program at their school	10/20/2024 8:46 PM
10	Having to re-arrange my work schedule to be available outside of school hours	10/20/2024 2:30 PM
11	Other parent might have to take care. No family around. Difficult find nanny/price	10/18/2024 4:22 AM
12	Summer care - piecing together camps week by week	10/2/2024 7:21 AM
13	After school care thru Club K	9/13/2024 3:53 PM
14	Stay home mom	9/12/2024 6:02 PM
15	Childcare is expensive and not enough. The good ones have long waiting list. My child is turning 3yr soon, he began to ask me to go school because older sister	9/12/2024 5:46 PM
16	After school care at the school - contracted to Club K	8/22/2024 10:11 PM
17	Trying to find	8/22/2024 6:41 PM

### Q6 If you pay for child care services, how much do you pay monthly for this child's care?

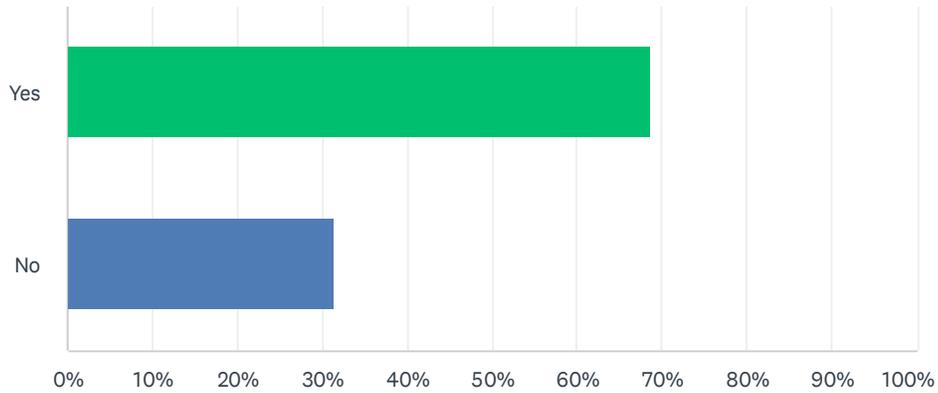
Answered: 137 Skipped: 43



ANSWER CHOICES	RESPONSES	
N/A - I don't pay for this child's care	28.47%	39
\$0-\$249	5.84%	8
\$250-\$500	10.95%	15
\$501-\$999	20.44%	28
\$1,000-\$1,499	18.98%	26
\$1,500-\$1,999	13.14%	18
\$2,000+	2.19%	3
<b>TOTAL</b>		<b>137</b>

### Q7 Does your current type of care setting for this child meet your family's needs?

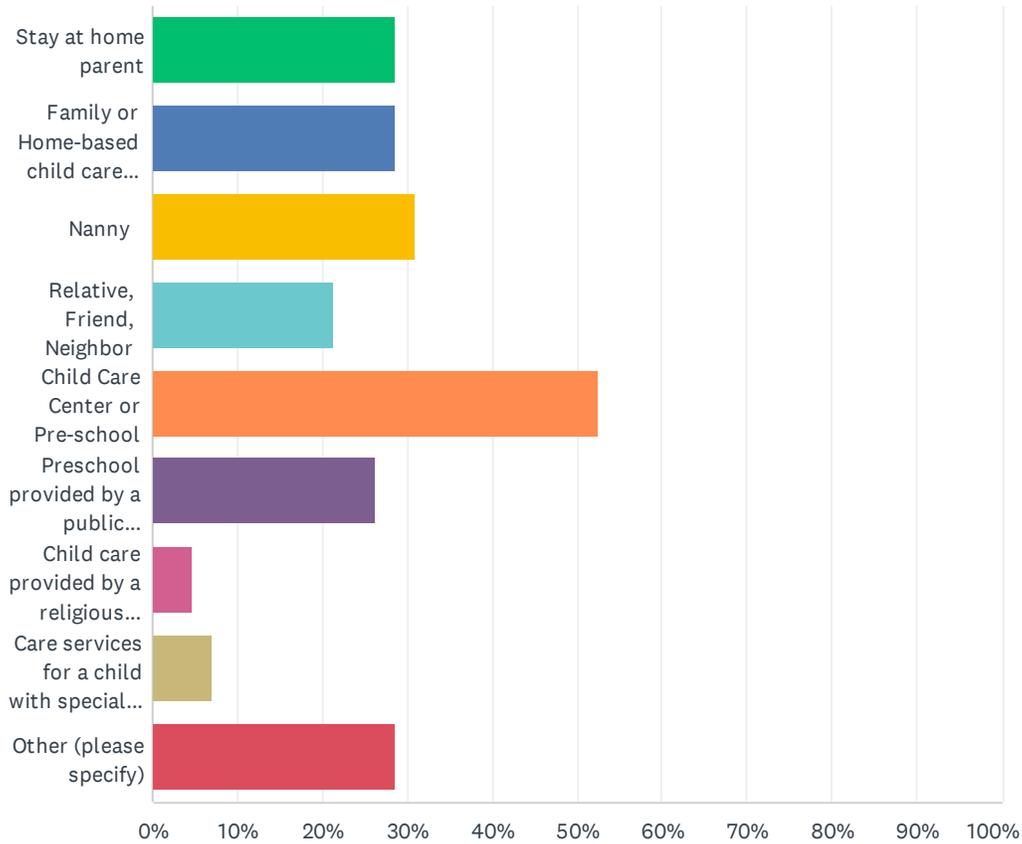
Answered: 137 Skipped: 43



ANSWER CHOICES	RESPONSES	
Yes	68.61%	94
No	31.39%	43
TOTAL		137

### Q8 What type of child care setting would meet your needs?

Answered: 42 Skipped: 138



ANSWER CHOICES	RESPONSES	
Stay at home parent	28.57%	12
Family or Home-based child care program	28.57%	12
Nanny	30.95%	13
Relative, Friend, Neighbor	21.43%	9
Child Care Center or Pre-school	52.38%	22
Preschool provided by a public elementary/primary school	26.19%	11
Child care provided by a religious institution/church	4.76%	2
Care services for a child with special needs	7.14%	3
Other (please specify)	28.57%	12
Total Respondents: 42		

#	OTHER (PLEASE SPECIFY)	DATE
1	Afterschool group programs beyond Champions or private facility	10/24/2024 5:12 PM

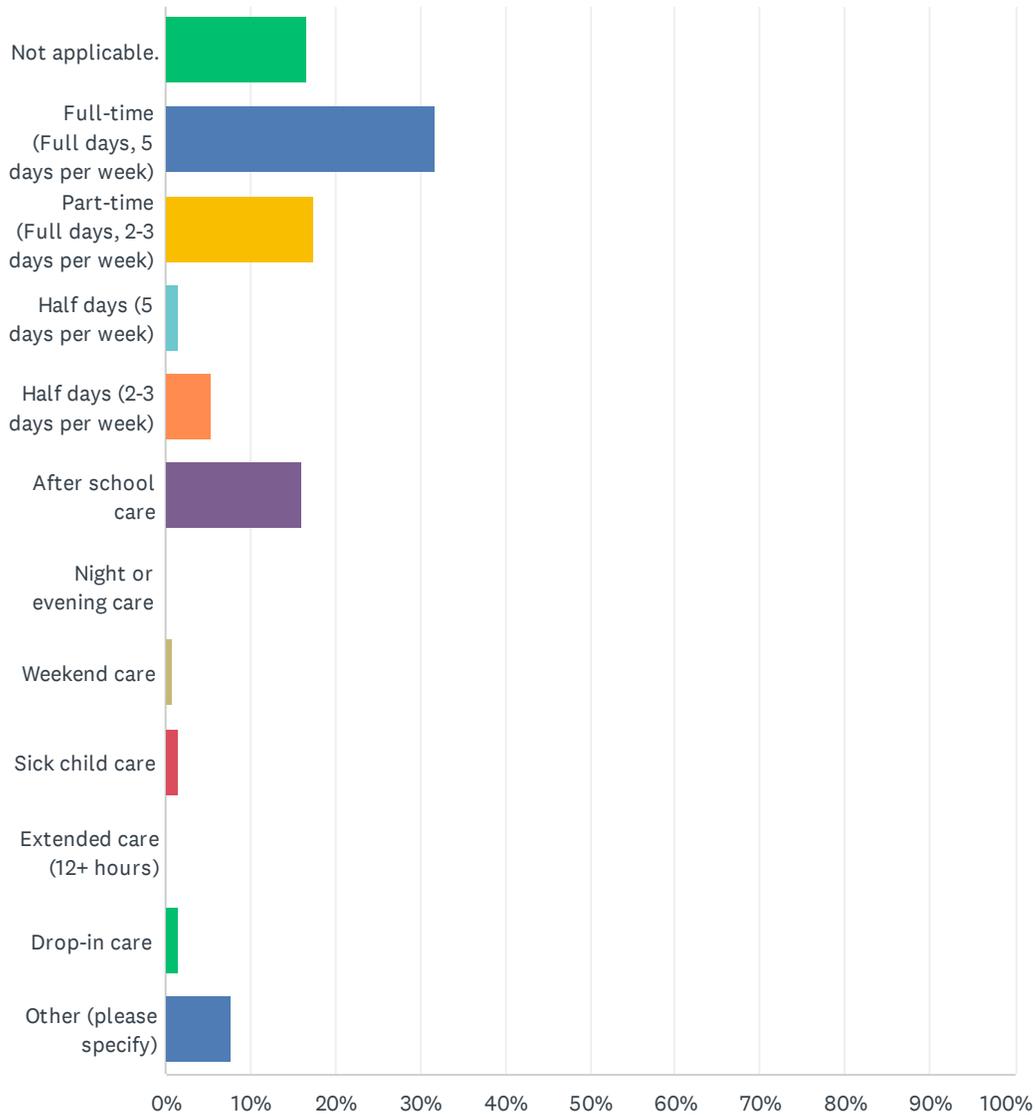
## 2024 Childcare Survey for Families

Item A.

2	Affordable after school care program	10/22/2024 1:05 PM
3	Just need more time	10/21/2024 1:56 PM
4	Afterschool program for older kids	10/21/2024 10:32 AM
5	Something more affordable	10/20/2024 1:04 PM
6	Full time child care center that is affordable.	10/18/2024 3:31 PM
7	I work 30 minutes away and I need a daycare or school based that opens early enough for me to get to work but also provides transportation to my child's school	10/18/2024 1:35 PM
8	More affordable after school options. Club K is too expensive, especially when you have multiple kids.	10/2/2024 8:25 AM
9	"Camp" setting with rotating focus	10/2/2024 7:21 AM
10	It's the hours, not the setting	8/22/2024 10:12 PM
11	More affordable care	8/22/2024 7:09 PM
12	More after school programs	8/22/2024 6:11 PM

### Q9 What schedule or frequency of care are you currently utilizing for this child?

Answered: 132 Skipped: 48



2024 Childcare Survey for Families

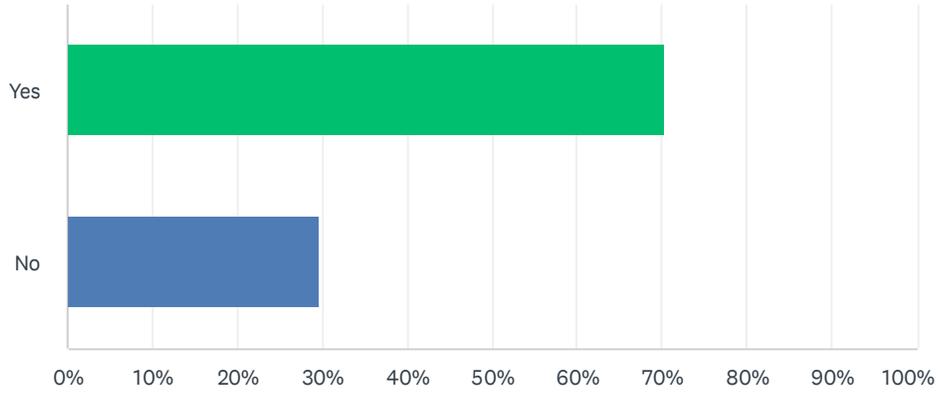
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	16.67%	22
Full-time (Full days, 5 days per week)	31.82%	42
Part-time (Full days, 2-3 days per week)	17.42%	23
Half days (5 days per week)	1.52%	2
Half days (2-3 days per week)	5.30%	7
After school care	15.91%	21
Night or evening care	0.00%	0
Weekend care	0.76%	1
Sick child care	1.52%	2
Extended care (12+ hours)	0.00%	0
Drop-in care	1.52%	2
Other (please specify)	7.58%	10
<b>TOTAL</b>		<b>132</b>

#	OTHER (PLEASE SPECIFY)	DATE
1	After school care	10/22/2024 1:06 PM
2	Summer daycare at horizon Christian since both parents work full time	10/21/2024 7:31 PM
3	4 full days per week	10/21/2024 1:47 PM
4	Summer care! 7:30am - 3pm	10/2/2024 7:22 AM
5	My child doesn't need care anymore.	9/12/2024 9:37 PM
6	I'm unable to work due waiting list for childcare are long and how expensive it is.	9/12/2024 5:47 PM
7	4 days/week	9/6/2024 9:48 PM
8	Variable	9/6/2024 4:48 PM
9	After school 2 days/week	8/22/2024 7:13 PM
10	On no school days; part time after school various days	8/22/2024 6:42 PM

### Q10 Does your current child care schedule or frequency meet your family's needs?

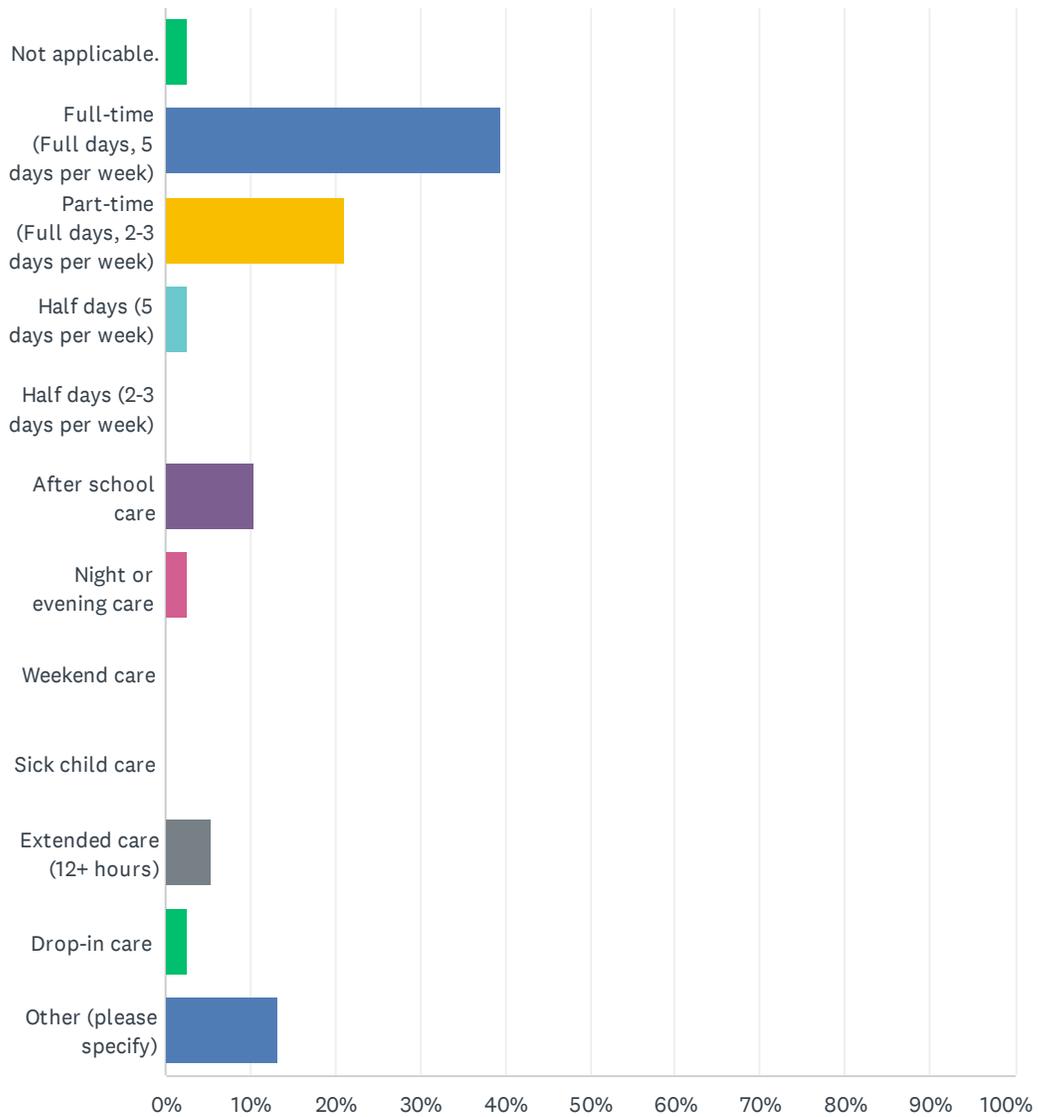
Answered: 132 Skipped: 48



ANSWER CHOICES	RESPONSES	
Yes	70.45%	93
No	29.55%	39
TOTAL		132

# Q11 What schedule or frequency of care would meet your needs?

Answered: 38 Skipped: 142



2024 Childcare Survey for Families

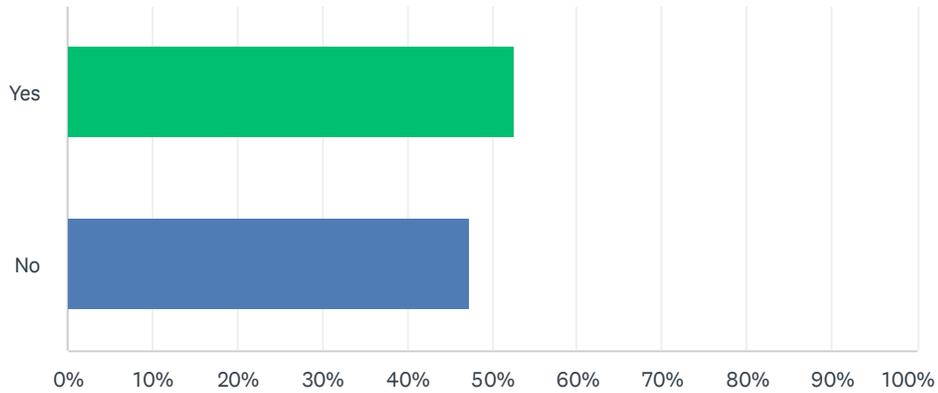
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	2.63%	1
Full-time (Full days, 5 days per week)	39.47%	15
Part-time (Full days, 2-3 days per week)	21.05%	8
Half days (5 days per week)	2.63%	1
Half days (2-3 days per week)	0.00%	0
After school care	10.53%	4
Night or evening care	2.63%	1
Weekend care	0.00%	0
Sick child care	0.00%	0
Extended care (12+ hours)	5.26%	2
Drop-in care	2.63%	1
Other (please specify)	13.16%	5
<b>TOTAL</b>		<b>38</b>

#	OTHER (PLEASE SPECIFY)	DATE
1	Rotating days for healthcare staff	10/21/2024 12:11 PM
2	Undecided	9/6/2024 4:49 PM
3	A mix of extended (evening) care, weekends, and part time with full days	8/22/2024 10:13 PM
4	After school 5 days/week	8/22/2024 7:13 PM
5	A non-school days and after school on various days depending my schedule	8/22/2024 6:42 PM

### Q12 Do you have additional children, middle school age or younger, in your household?

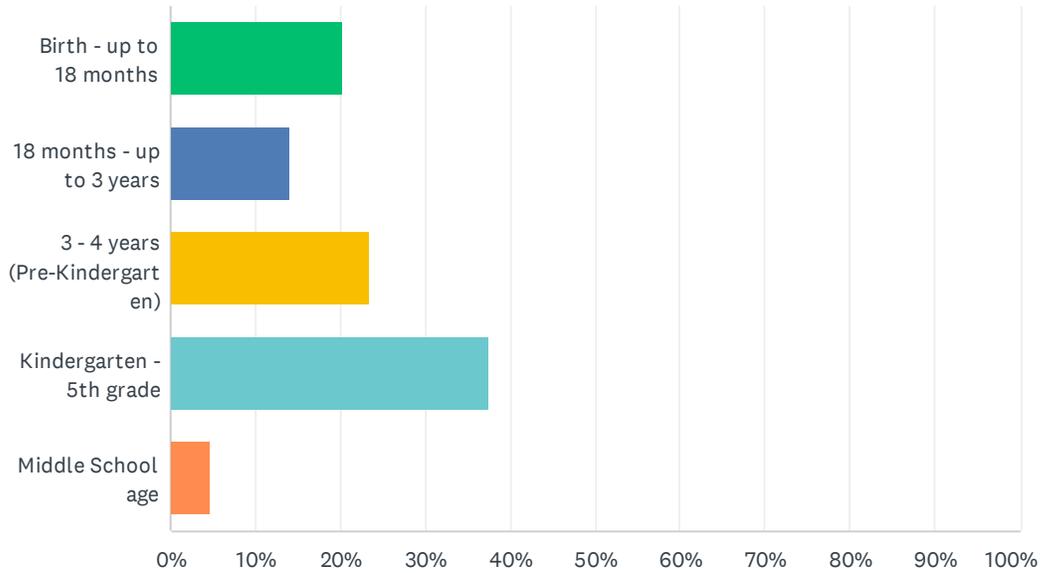
Answered: 131 Skipped: 49



ANSWER CHOICES	RESPONSES	
Yes	52.67%	69
No	47.33%	62
TOTAL		131

### Q13 How old is Child #2?

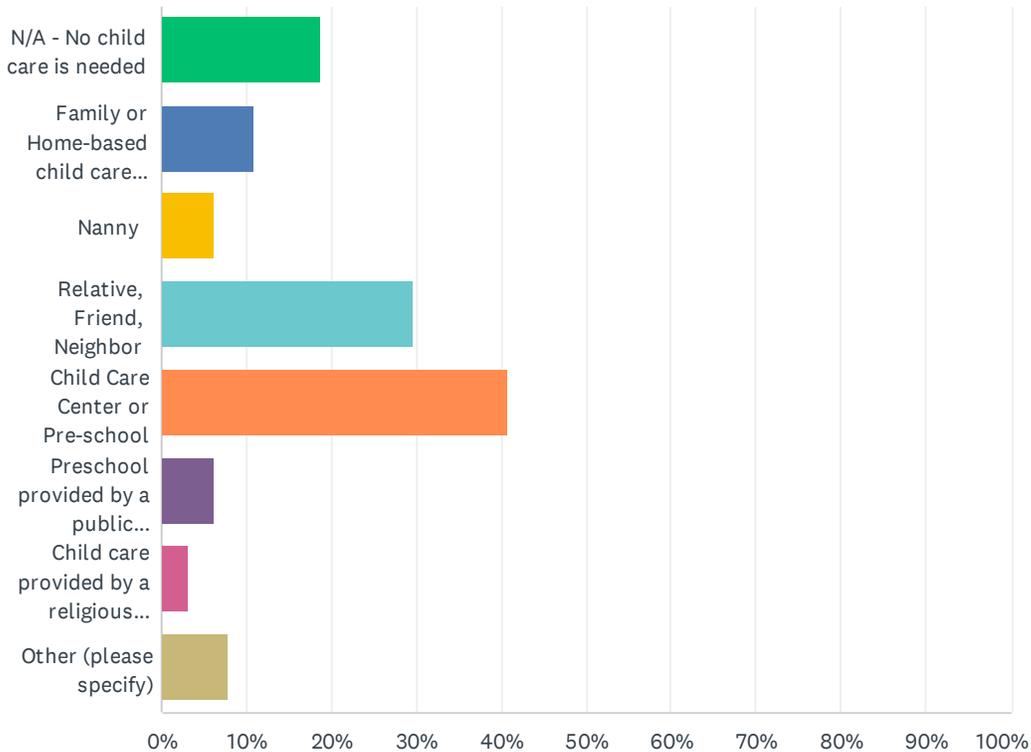
Answered: 64 Skipped: 116



ANSWER CHOICES	RESPONSES	
Birth - up to 18 months	20.31%	13
18 months - up to 3 years	14.06%	9
3 - 4 years (Pre-Kindergarten)	23.44%	15
Kindergarten - 5th grade	37.50%	24
Middle School age	4.69%	3
<b>TOTAL</b>		<b>64</b>

### Q14 What type of care setting are you currently utilizing for this child when a parent is not available? (check multiple boxes as appropriate)

Answered: 64 Skipped: 116



ANSWER CHOICES	RESPONSES	
N/A - No child care is needed	18.75%	12
Family or Home-based child care program	10.94%	7
Nanny	6.25%	4
Relative, Friend, Neighbor	29.69%	19
Child Care Center or Pre-school	40.63%	26
Preschool provided by a public elementary/primary school	6.25%	4
Child care provided by a religious institution/church	3.13%	2
Other (please specify)	7.81%	5
Total Respondents: 64		

#	OTHER (PLEASE SPECIFY)	DATE
1	Afterschool program	10/22/2024 4:47 PM
2	Club K	10/21/2024 2:38 PM
3	Aftercare - Club K	10/21/2024 10:32 AM

# 2024 Childcare Survey for Families

Item A.

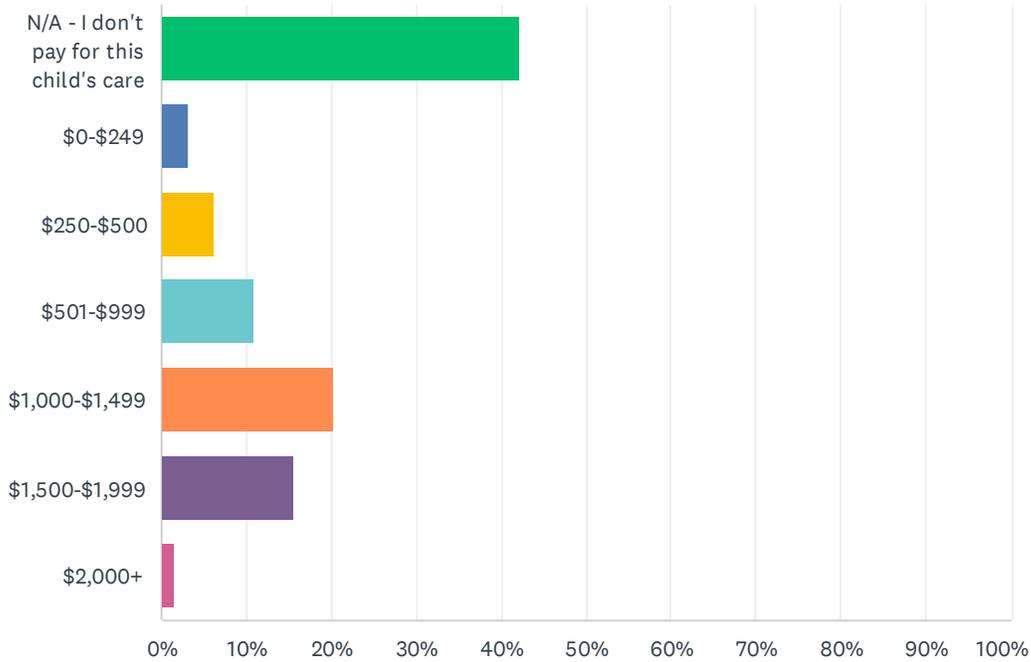
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4	Piecing together summer camps week by week	10/2/2024 7:24 AM
5	The other parents is forced to take a day off work	9/12/2024 5:48 PM

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### Q15 If you pay for child care services, how much do you pay monthly for this child's care?

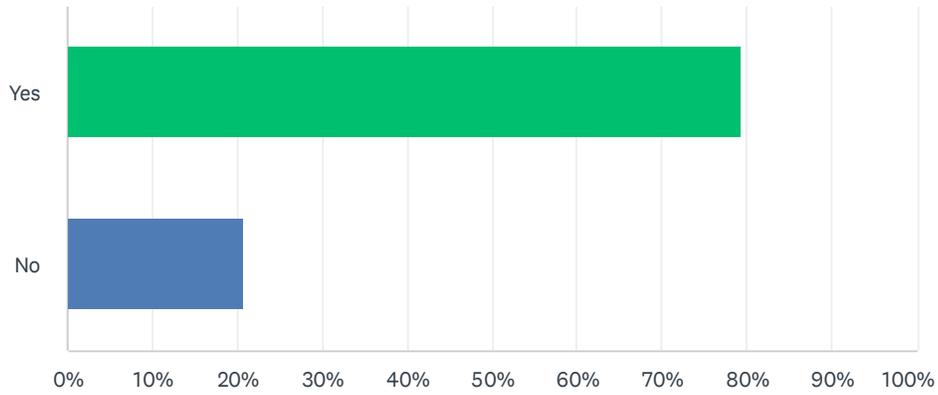
Answered: 64 Skipped: 116



ANSWER CHOICES	RESPONSES	
N/A - I don't pay for this child's care	42.19%	27
\$0-\$249	3.13%	2
\$250-\$500	6.25%	4
\$501-\$999	10.94%	7
\$1,000-\$1,499	20.31%	13
\$1,500-\$1,999	15.63%	10
\$2,000+	1.56%	1
<b>TOTAL</b>		<b>64</b>

### Q16 Does your current type of care setting for this child meet your family's needs?

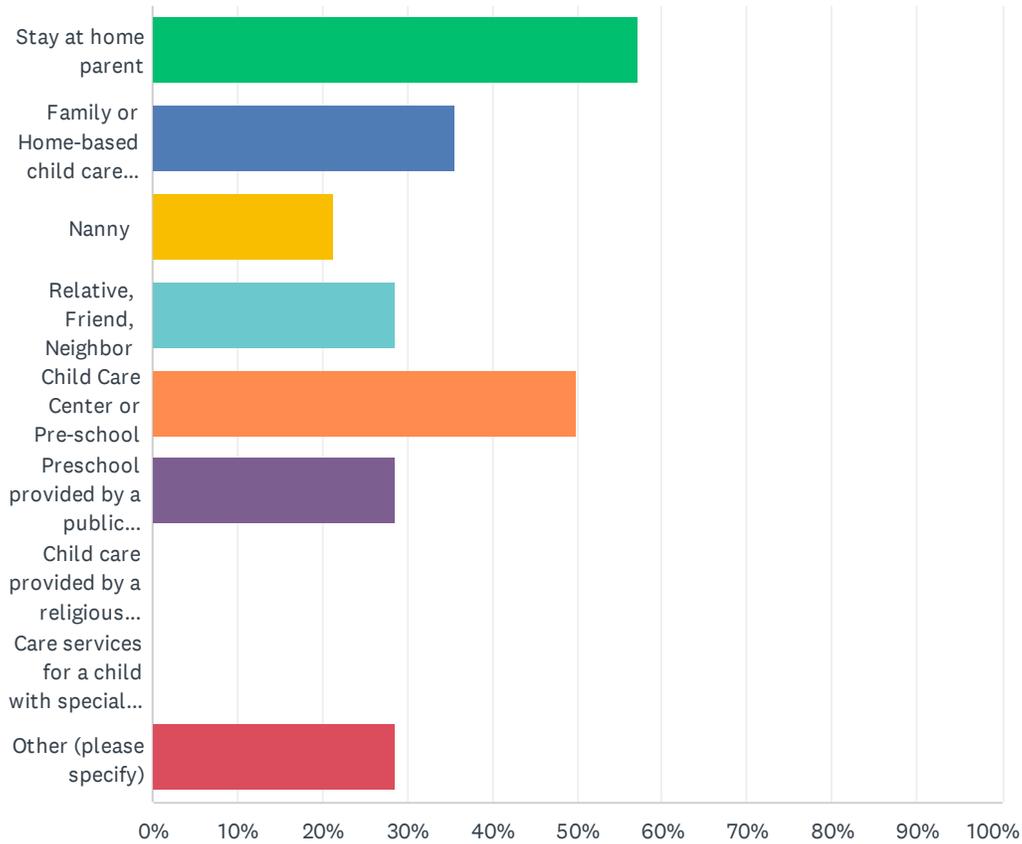
Answered: 63 Skipped: 117



ANSWER CHOICES	RESPONSES	
Yes	79.37%	50
No	20.63%	13
TOTAL		63

### Q17 What type of child care setting would meet your needs?

Answered: 14 Skipped: 166



ANSWER CHOICES	RESPONSES
Stay at home parent	57.14% 8
Family or Home-based child care program	35.71% 5
Nanny	21.43% 3
Relative, Friend, Neighbor	28.57% 4
Child Care Center or Pre-school	50.00% 7
Preschool provided by a public elementary/primary school	28.57% 4
Child care provided by a religious institution/church	0.00% 0
Care services for a child with special needs	0.00% 0
Other (please specify)	28.57% 4
Total Respondents: 14	

#	OTHER (PLEASE SPECIFY)	DATE
1	Afterschool service that splits the older primary school kids away from the	10/21/2024 10:35 AM

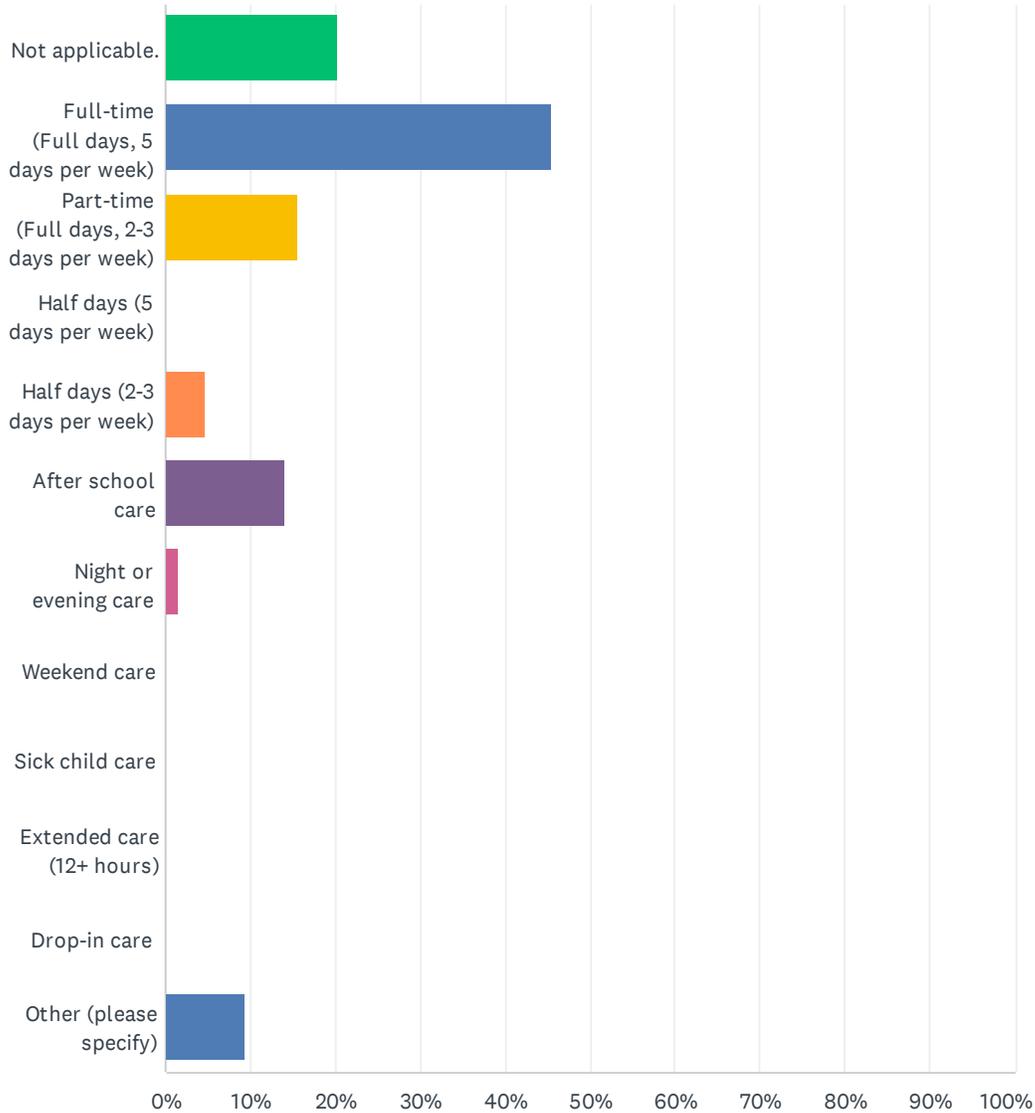
# 2024 Childcare Survey for Families

Item A.

	kindergarteners/younger elementary school kids	
2	More affordable after school options	10/2/2024 8:26 AM
3	Not sure - would love to have after school program at the school location that is high quality and affordable	10/1/2024 6:27 PM
4	On non-school days and after school on various days	8/22/2024 6:43 PM

# Q18 What schedule or frequency of care are you currently utilizing for this child?

Answered: 64 Skipped: 116



2024 Childcare Survey for Families

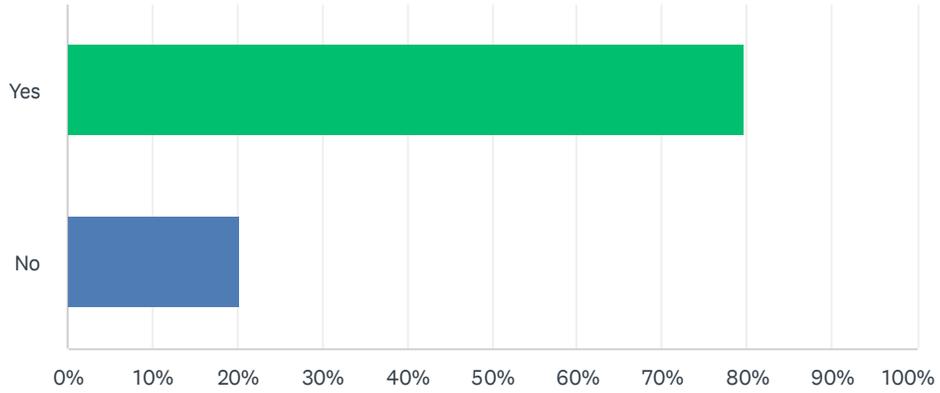
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	20.31%	13
Full-time (Full days, 5 days per week)	45.31%	29
Part-time (Full days, 2-3 days per week)	15.63%	10
Half days (5 days per week)	0.00%	0
Half days (2-3 days per week)	4.69%	3
After school care	14.06%	9
Night or evening care	1.56%	1
Weekend care	0.00%	0
Sick child care	0.00%	0
Extended care (12+ hours)	0.00%	0
Drop-in care	0.00%	0
Other (please specify)	9.38%	6
Total Respondents: 64		

#	OTHER (PLEASE SPECIFY)	DATE
1	Occasional appointments	10/18/2024 12:26 PM
2	Summer program 7-3	10/2/2024 7:24 AM
3	Non school days (there end up being several per month)	10/1/2024 6:27 PM
4	This question came after asking for second child. Not sure if is combine with other child	9/12/2024 5:51 PM
5	4 days/week	9/6/2024 9:49 PM
6	Non-school days and after school and various state	8/22/2024 6:44 PM

### Q19 Does your current child care schedule or frequency meet your family's needs?

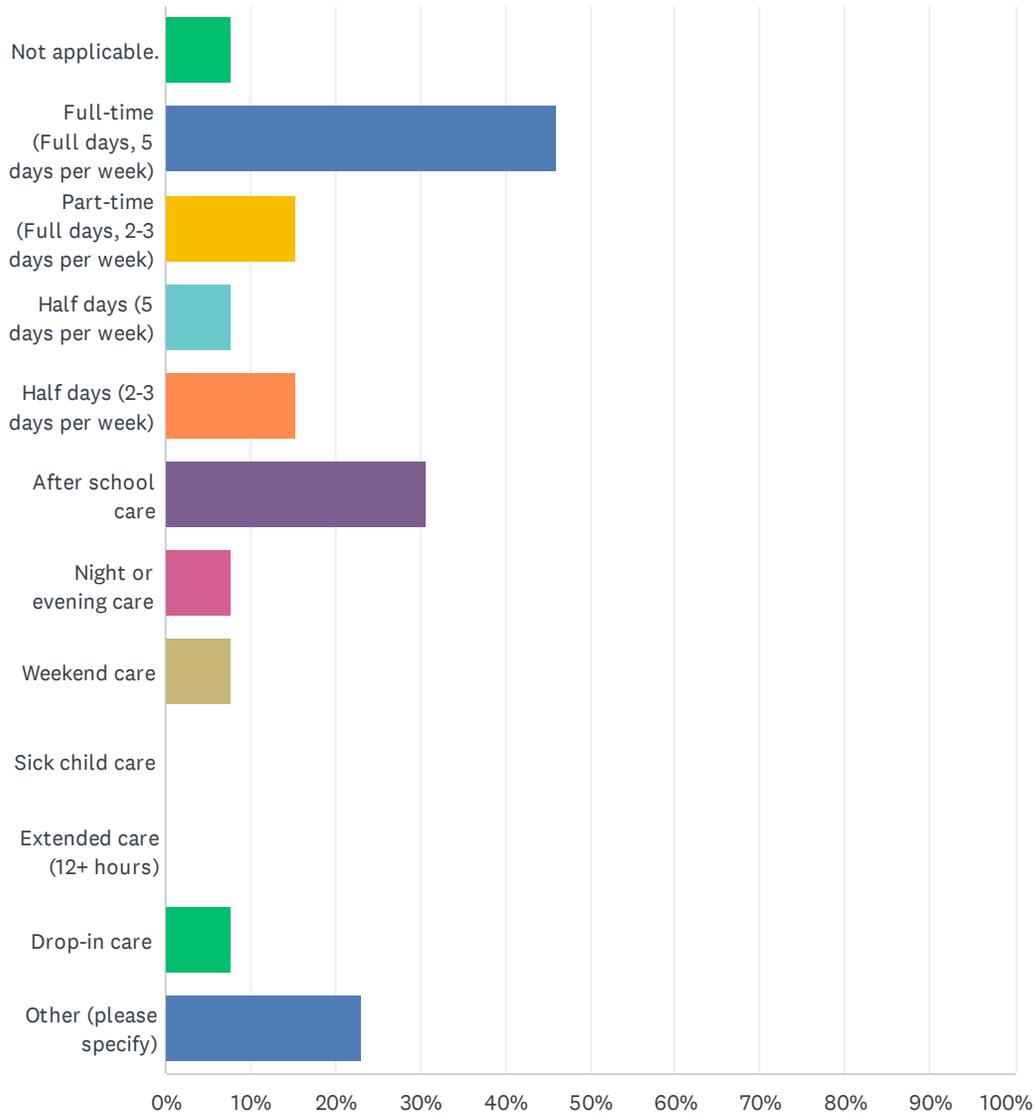
Answered: 64 Skipped: 116



ANSWER CHOICES	RESPONSES	
Yes	79.69%	51
No	20.31%	13
TOTAL		64

### Q20 What schedule or frequency of care would meet your needs?

Answered: 13 Skipped: 167



2024 Childcare Survey for Families

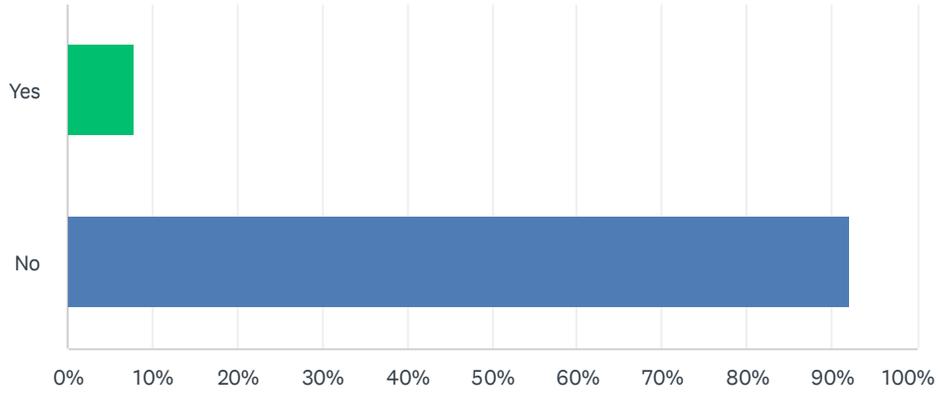
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	7.69%	1
Full-time (Full days, 5 days per week)	46.15%	6
Part-time (Full days, 2-3 days per week)	15.38%	2
Half days (5 days per week)	7.69%	1
Half days (2-3 days per week)	15.38%	2
After school care	30.77%	4
Night or evening care	7.69%	1
Weekend care	7.69%	1
Sick child care	0.00%	0
Extended care (12+ hours)	0.00%	0
Drop-in care	7.69%	1
Other (please specify)	23.08%	3
Total Respondents: 13		

#	OTHER (PLEASE SPECIFY)	DATE
1	Summer program 7-3	10/2/2024 7:25 AM
2	Current after school care takes several of the holidays and school breaks off, which my spouse and I don't get off work, so have to try to take PTO or get friends or family to help but they work too so it is hard	10/1/2024 6:29 PM
3	Non-school days and after school on various days	8/22/2024 6:44 PM

### Q21 Do you have additional children, middle school age or younger, in your household?

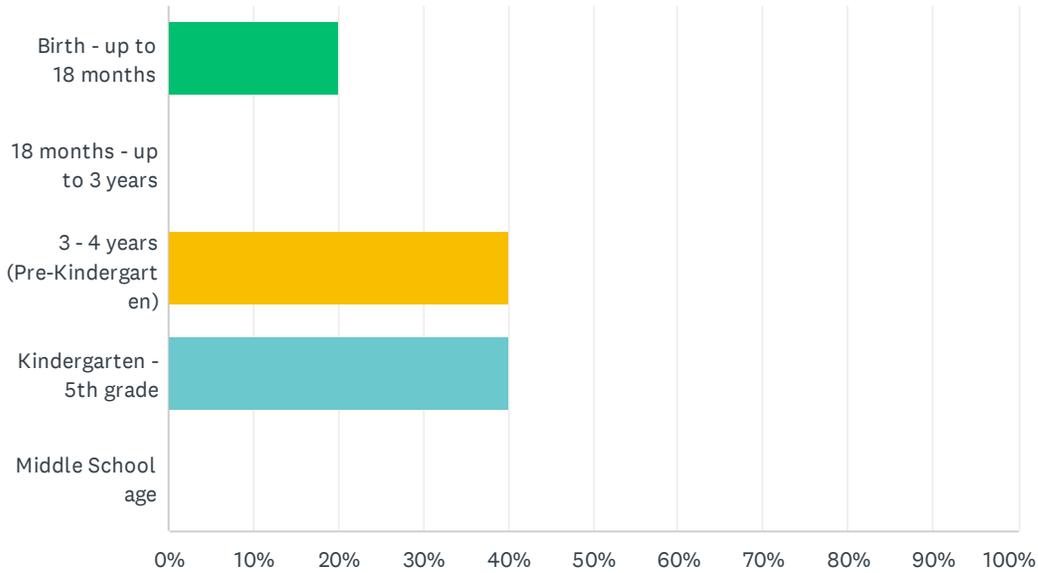
Answered: 63 Skipped: 117



ANSWER CHOICES	RESPONSES	
Yes	7.94%	5
No	92.06%	58
TOTAL		63

### Q22 How old is Child #3?

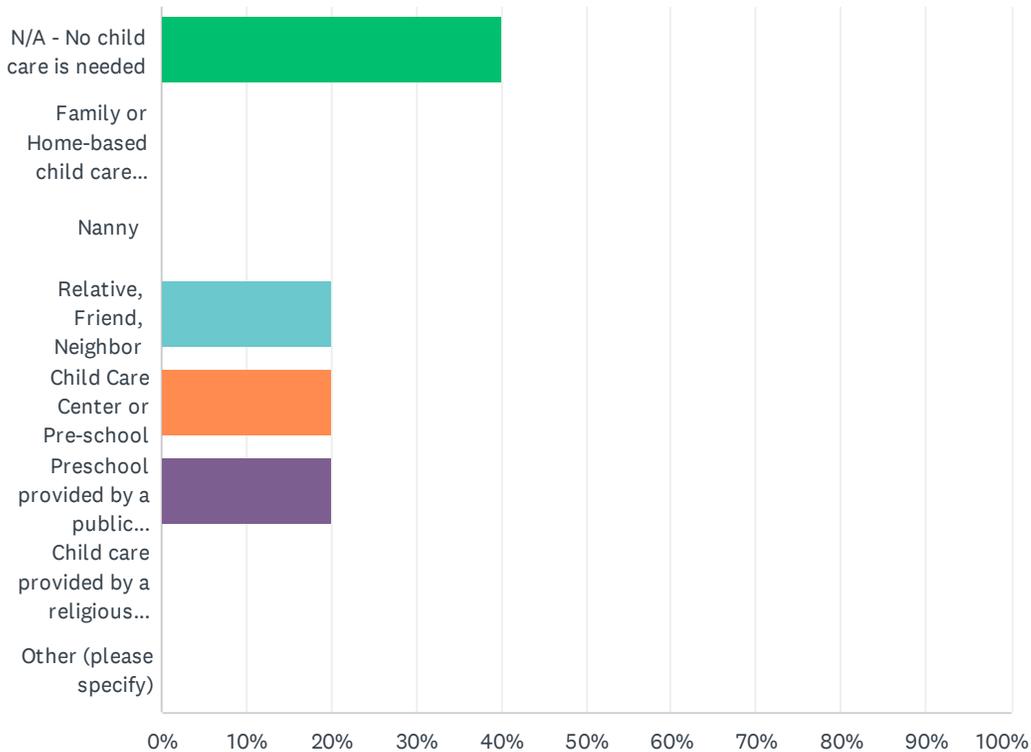
Answered: 5 Skipped: 175



ANSWER CHOICES	RESPONSES	
Birth - up to 18 months	20.00%	1
18 months - up to 3 years	0.00%	0
3 - 4 years (Pre-Kindergarten)	40.00%	2
Kindergarten - 5th grade	40.00%	2
Middle School age	0.00%	0
<b>TOTAL</b>		<b>5</b>

### Q23 What type of care setting are you currently utilizing for this child when a parent is not available? (check multiple boxes as appropriate)

Answered: 5 Skipped: 175

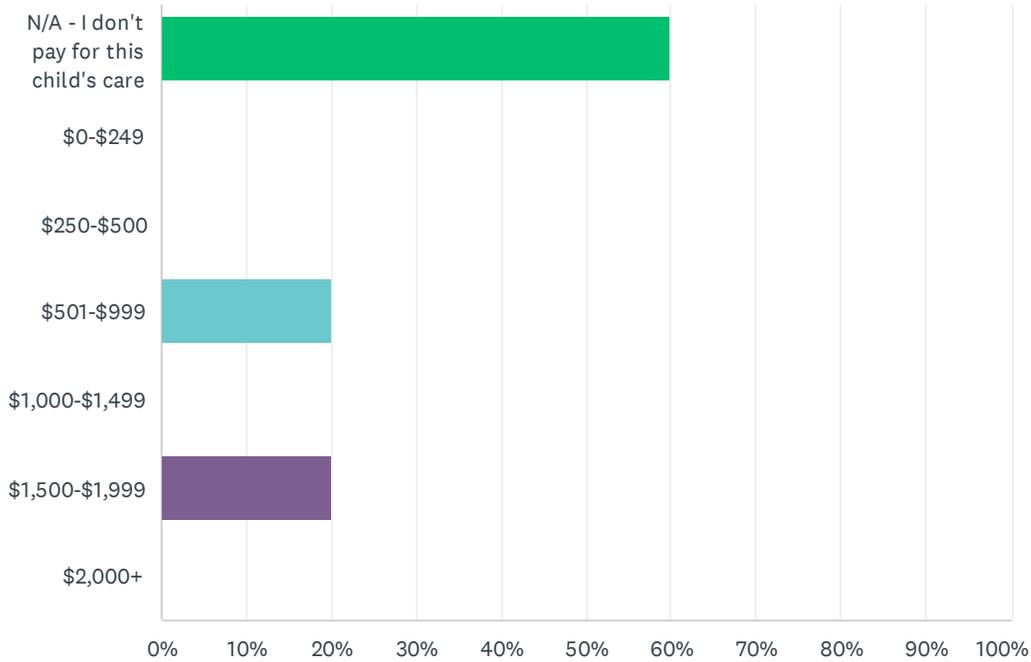


ANSWER CHOICES	RESPONSES	
N/A - No child care is needed	40.00%	2
Family or Home-based child care program	0.00%	0
Nanny	0.00%	0
Relative, Friend, Neighbor	20.00%	1
Child Care Center or Pre-school	20.00%	1
Preschool provided by a public elementary/primary school	20.00%	1
Child care provided by a religious institution/church	0.00%	0
Other (please specify)	0.00%	0
Total Respondents: 5		

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

## Q24 If you pay for child care services, how much do you pay monthly for this child's care?

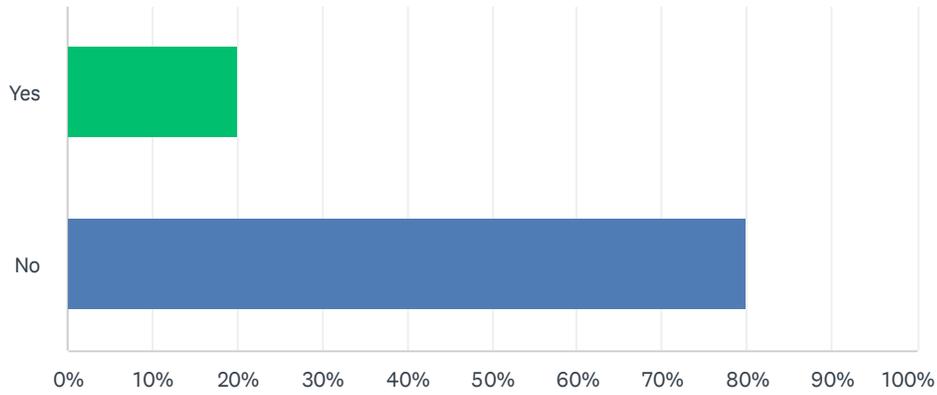
Answered: 5 Skipped: 175



ANSWER CHOICES	RESPONSES	
N/A - I don't pay for this child's care	60.00%	3
\$0-\$249	0.00%	0
\$250-\$500	0.00%	0
\$501-\$999	20.00%	1
\$1,000-\$1,499	0.00%	0
\$1,500-\$1,999	20.00%	1
\$2,000+	0.00%	0
<b>TOTAL</b>		<b>5</b>

### Q25 Does your current type of care setting for this child meet your family's needs?

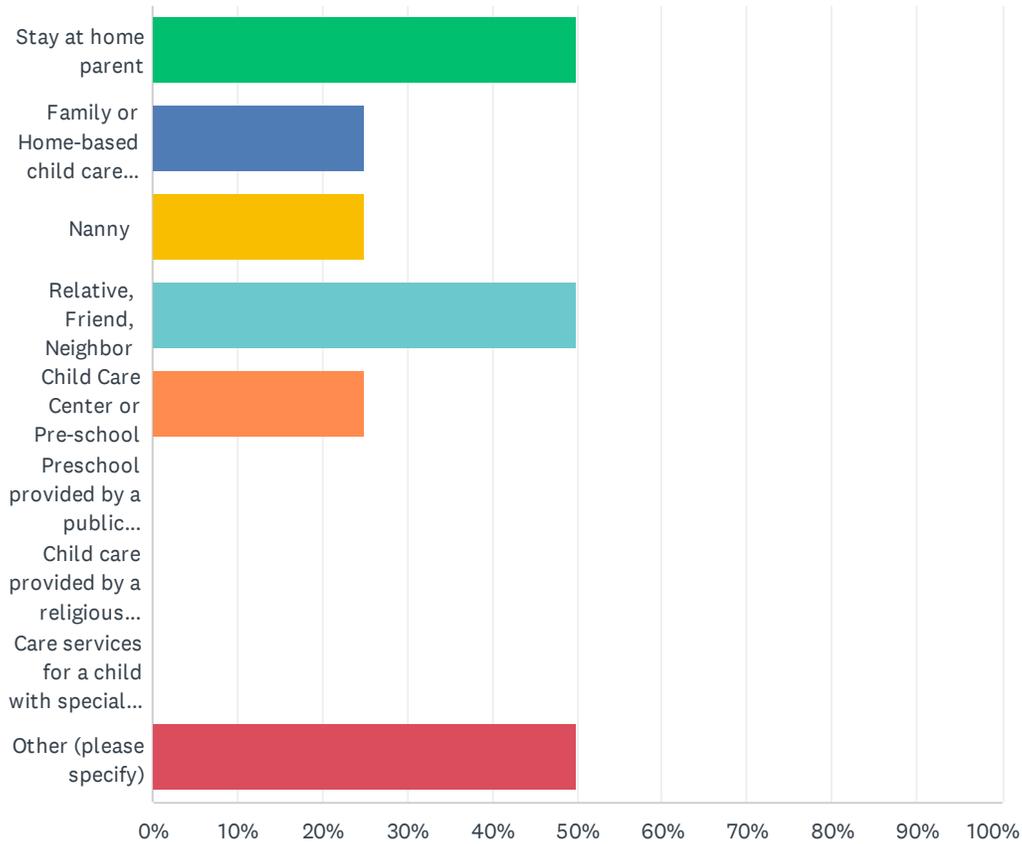
Answered: 5 Skipped: 175



ANSWER CHOICES	RESPONSES	
Yes	20.00%	1
No	80.00%	4
TOTAL		5

### Q26 What type of child care setting would meet your needs?

Answered: 4 Skipped: 176



ANSWER CHOICES	RESPONSES	
Stay at home parent	50.00%	2
Family or Home-based child care program	25.00%	1
Nanny	25.00%	1
Relative, Friend, Neighbor	50.00%	2
Child Care Center or Pre-school	25.00%	1
Preschool provided by a public elementary/primary school	0.00%	0
Child care provided by a religious institution/church	0.00%	0
Care services for a child with special needs	0.00%	0
Other (please specify)	50.00%	2
Total Respondents: 4		

#	OTHER (PLEASE SPECIFY)	DATE
1	closer to home child center	10/23/2024 11:05 AM

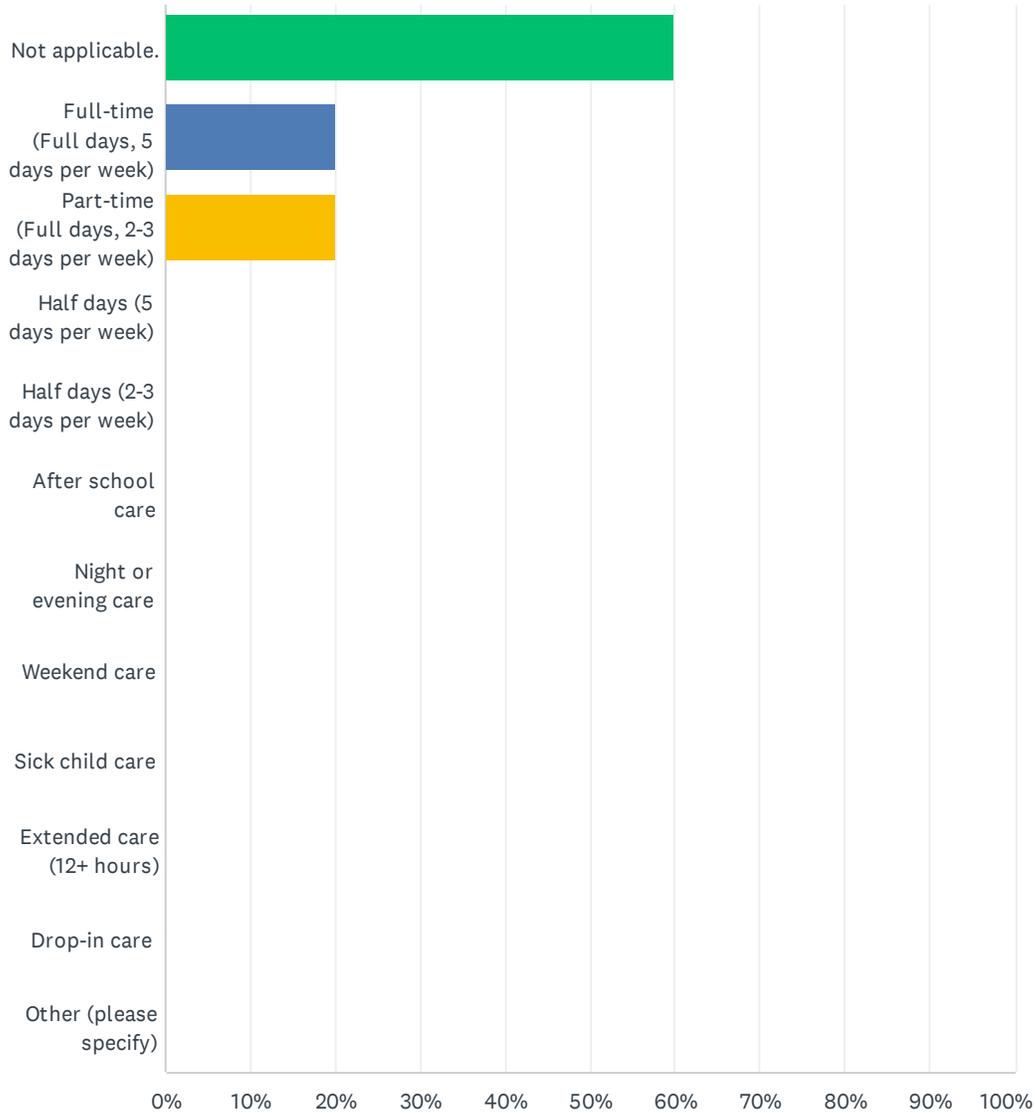
2

Would benefit from drop in care availability

10/18/2024 12:27 PM

# Q27 What schedule or frequency of care are you currently utilizing for this child?

Answered: 5 Skipped: 175



2024 Childcare Survey for Families

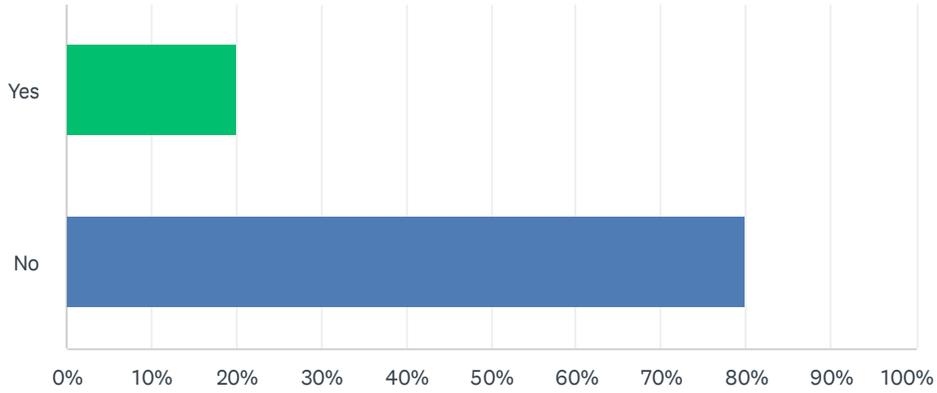
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	60.00%	3
Full-time (Full days, 5 days per week)	20.00%	1
Part-time (Full days, 2-3 days per week)	20.00%	1
Half days (5 days per week)	0.00%	0
Half days (2-3 days per week)	0.00%	0
After school care	0.00%	0
Night or evening care	0.00%	0
Weekend care	0.00%	0
Sick child care	0.00%	0
Extended care (12+ hours)	0.00%	0
Drop-in care	0.00%	0
Other (please specify)	0.00%	0
Total Respondents: 5		

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

## Q28 Does your current child care schedule or frequency meet your family's needs?

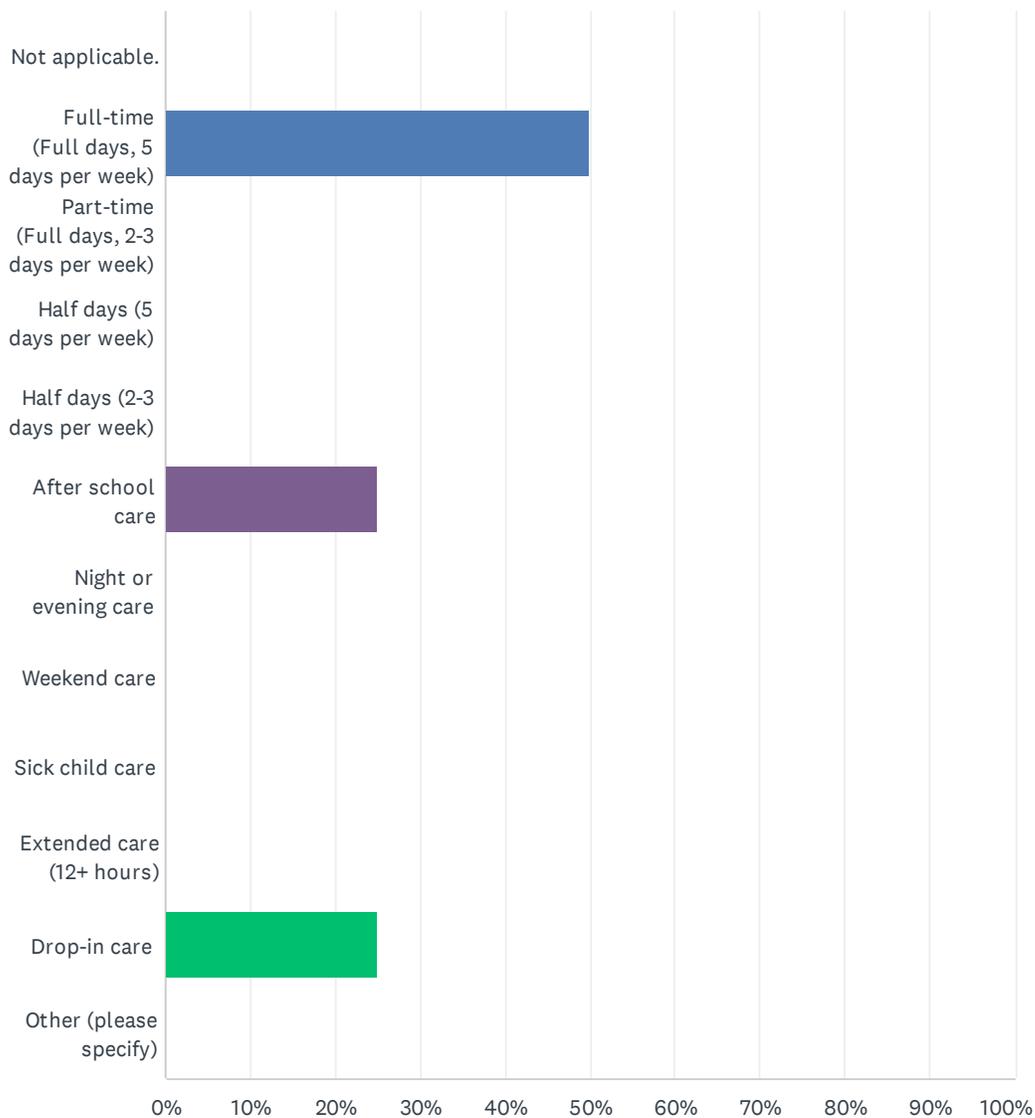
Answered: 5 Skipped: 175



ANSWER CHOICES	RESPONSES	
Yes	20.00%	1
No	80.00%	4
TOTAL		5

### Q29 What schedule or frequency of care would meet your needs?

Answered: 4 Skipped: 176



2024 Childcare Survey for Families

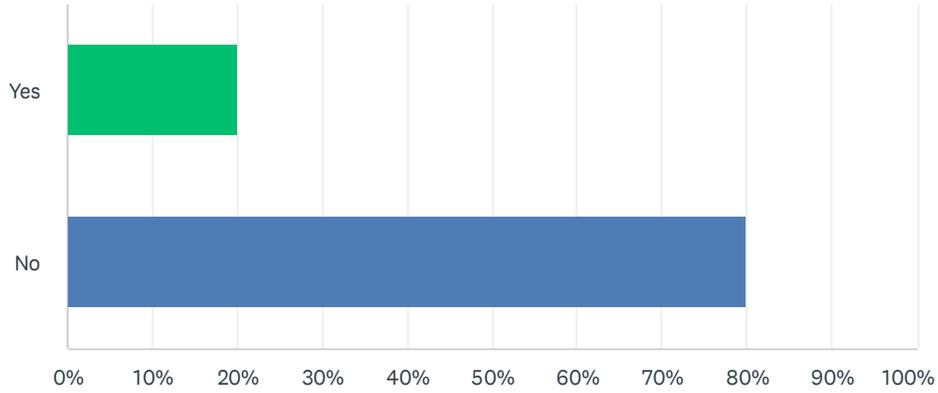
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	0.00%	0
Full-time (Full days, 5 days per week)	50.00%	2
Part-time (Full days, 2-3 days per week)	0.00%	0
Half days (5 days per week)	0.00%	0
Half days (2-3 days per week)	0.00%	0
After school care	25.00%	1
Night or evening care	0.00%	0
Weekend care	0.00%	0
Sick child care	0.00%	0
Extended care (12+ hours)	0.00%	0
Drop-in care	25.00%	1
Other (please specify)	0.00%	0
Total Respondents: 4		

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

### Q30 Do you have additional children, middle school age or younger, in your household?

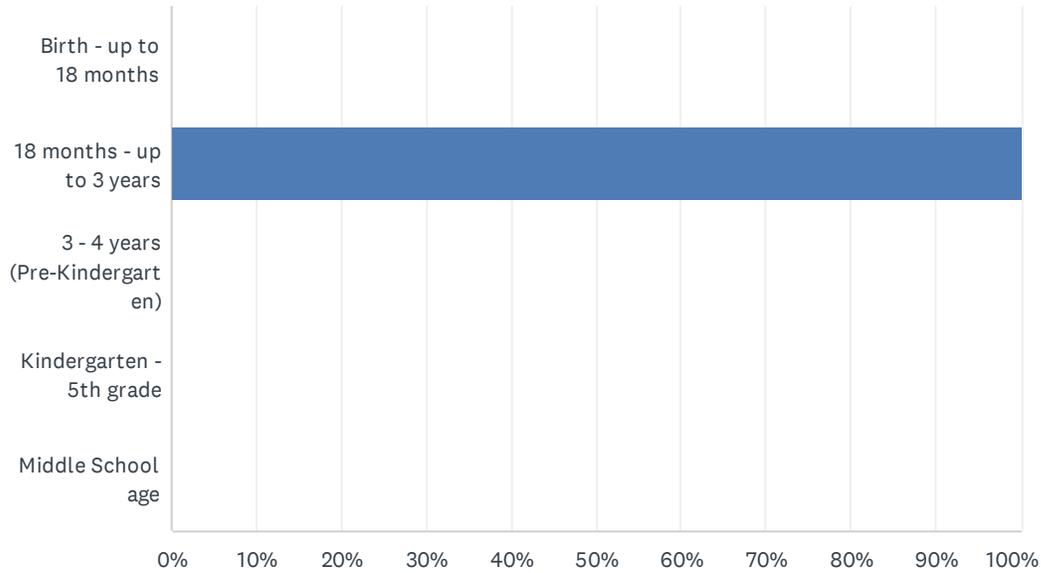
Answered: 5 Skipped: 175



ANSWER CHOICES	RESPONSES	
Yes	20.00%	1
No	80.00%	4
<b>TOTAL</b>		<b>5</b>

### Q31 How old is Child #4?

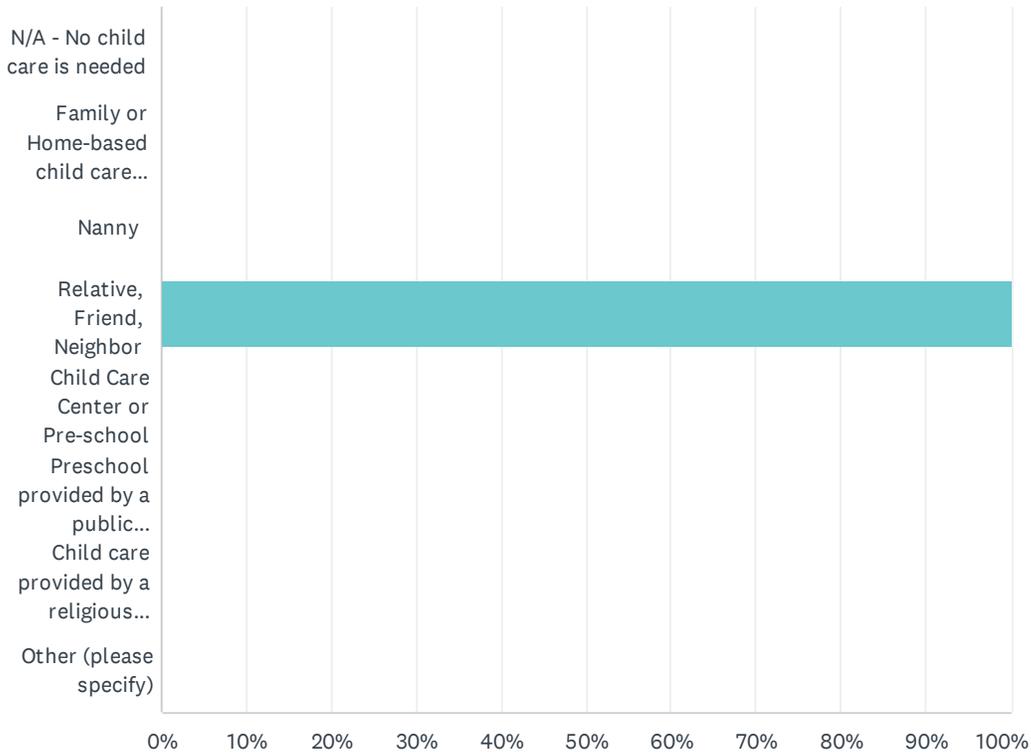
Answered: 1 Skipped: 179



ANSWER CHOICES	RESPONSES	
Birth - up to 18 months	0.00%	0
18 months - up to 3 years	100.00%	1
3 - 4 years (Pre-Kindergarten)	0.00%	0
Kindergarten - 5th grade	0.00%	0
Middle School age	0.00%	0
<b>TOTAL</b>		<b>1</b>

### Q32 What type of care setting are you currently utilizing for this child when a parent is not available? (check multiple boxes as appropriate)

Answered: 1 Skipped: 179

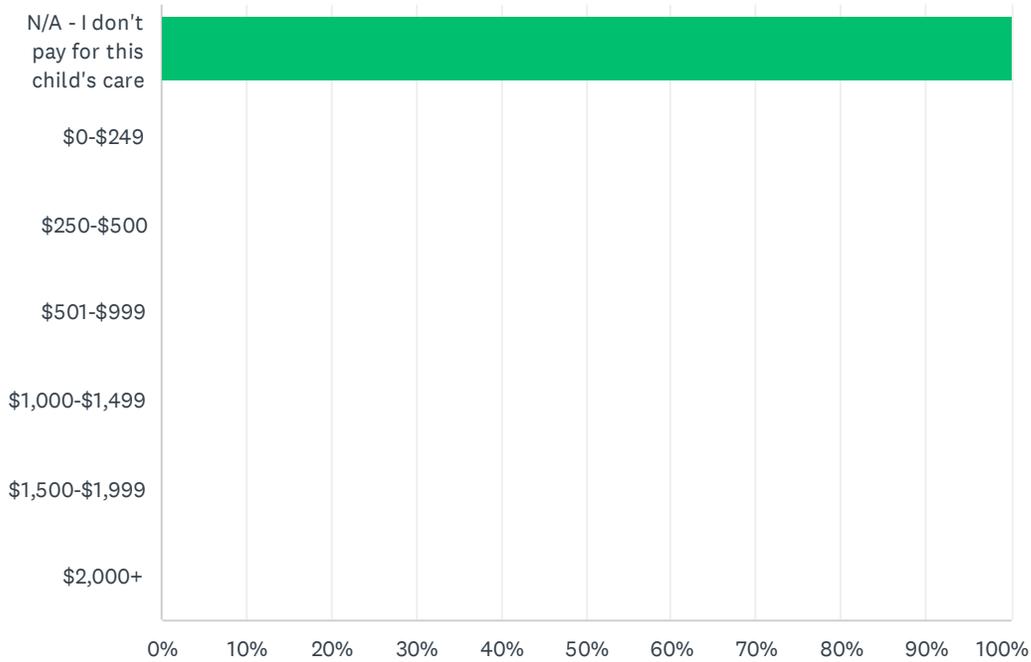


ANSWER CHOICES	RESPONSES
N/A - No child care is needed	0.00% 0
Family or Home-based child care program	0.00% 0
Nanny	0.00% 0
Relative, Friend, Neighbor	100.00% 1
Child Care Center or Pre-school	0.00% 0
Preschool provided by a public elementary/primary school	0.00% 0
Child care provided by a religious institution/church	0.00% 0
Other (please specify)	0.00% 0
Total Respondents: 1	

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

### Q33 If you pay for child care services, how much do you pay monthly for this child's care?

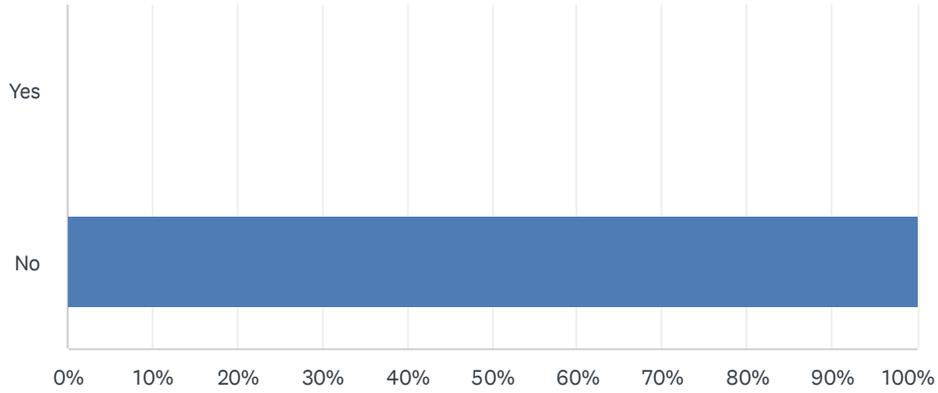
Answered: 1 Skipped: 179



ANSWER CHOICES	RESPONSES	
N/A - I don't pay for this child's care	100.00%	1
\$0-\$249	0.00%	0
\$250-\$500	0.00%	0
\$501-\$999	0.00%	0
\$1,000-\$1,499	0.00%	0
\$1,500-\$1,999	0.00%	0
\$2,000+	0.00%	0
<b>TOTAL</b>		<b>1</b>

### Q34 Does your current type of care setting for this child meet your family's needs?

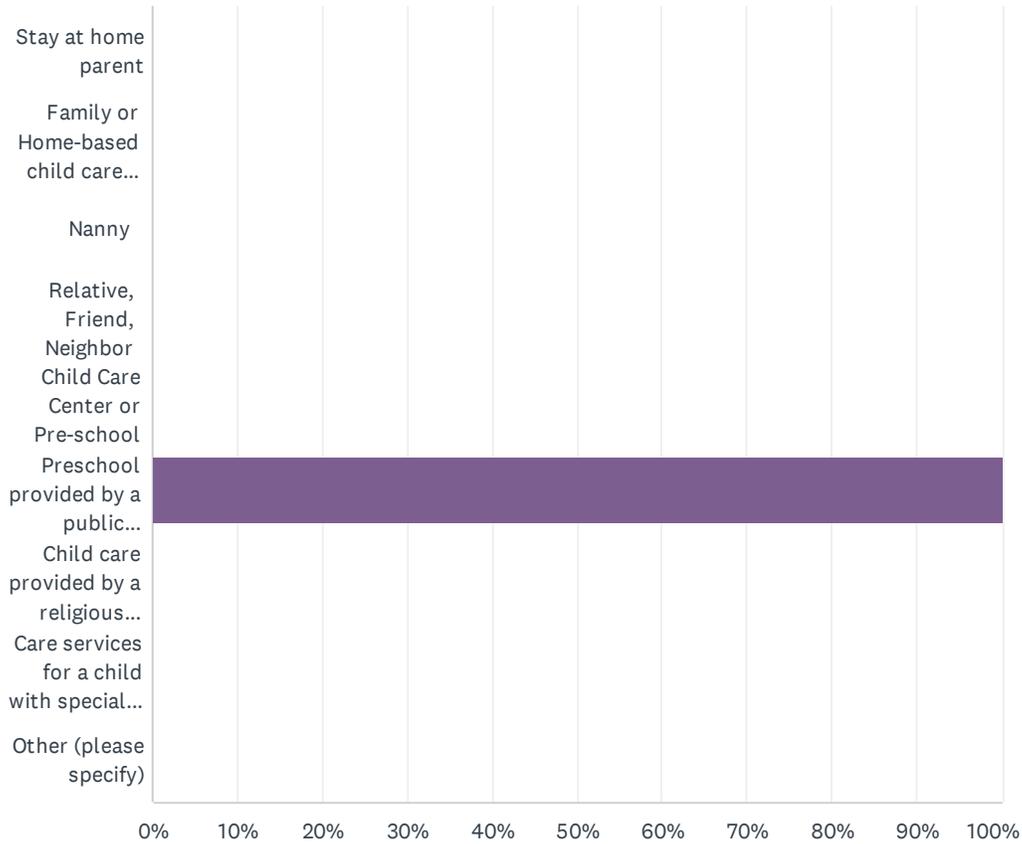
Answered: 1 Skipped: 179



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	1
TOTAL		1

### Q35 What type of child care setting would meet your needs?

Answered: 1 Skipped: 179

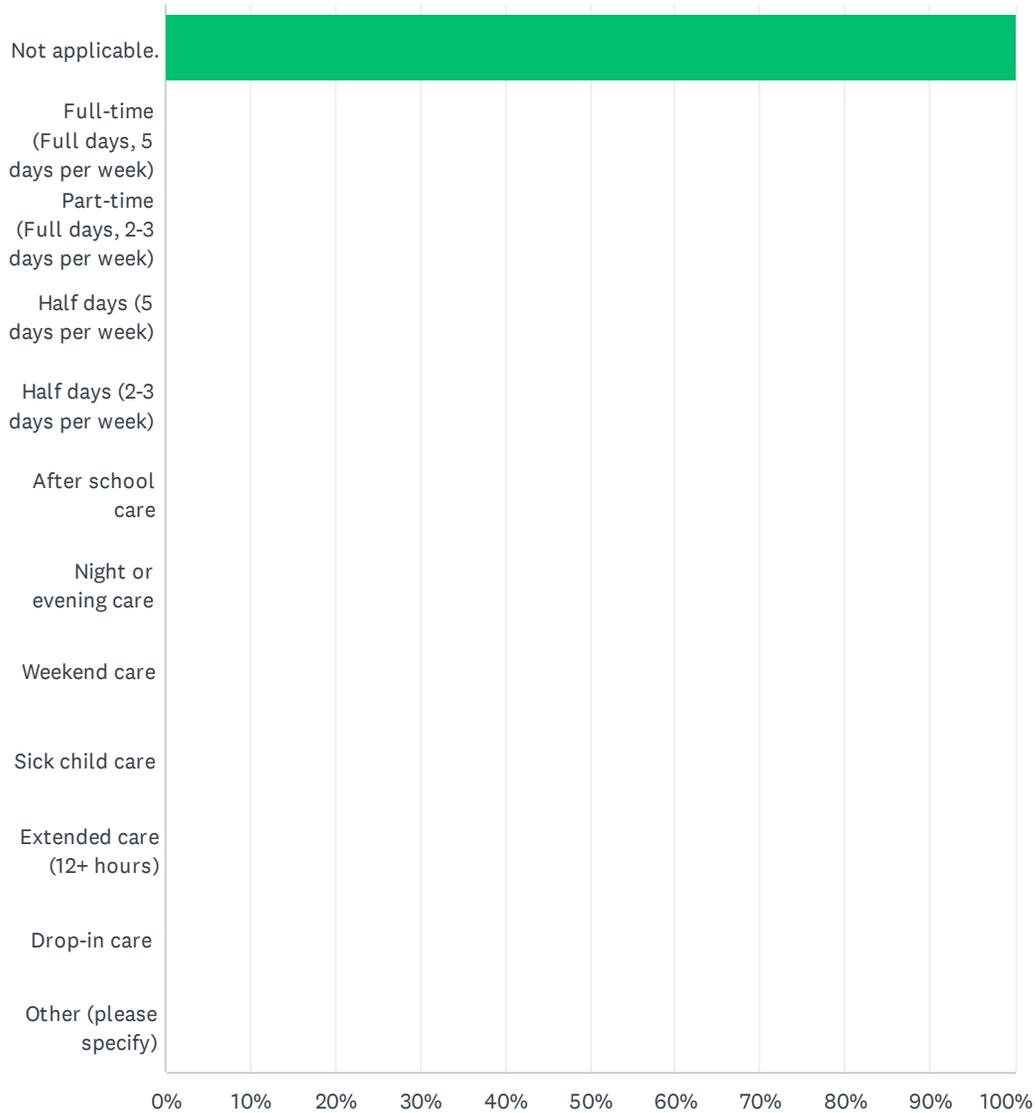


ANSWER CHOICES	RESPONSES
Stay at home parent	0.00% 0
Family or Home-based child care program	0.00% 0
Nanny	0.00% 0
Relative, Friend, Neighbor	0.00% 0
Child Care Center or Pre-school	0.00% 0
Preschool provided by a public elementary/primary school	100.00% 1
Child care provided by a religious institution/church	0.00% 0
Care services for a child with special needs	0.00% 0
Other (please specify)	0.00% 0
Total Respondents: 1	

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

### Q36 What schedule or frequency of care are you currently utilizing for this child?

Answered: 1 Skipped: 179



2024 Childcare Survey for Families

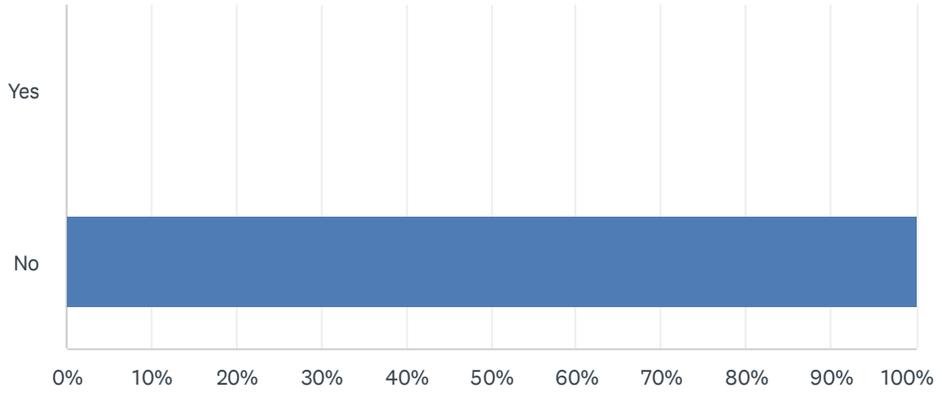
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	100.00%	1
Full-time (Full days, 5 days per week)	0.00%	0
Part-time (Full days, 2-3 days per week)	0.00%	0
Half days (5 days per week)	0.00%	0
Half days (2-3 days per week)	0.00%	0
After school care	0.00%	0
Night or evening care	0.00%	0
Weekend care	0.00%	0
Sick child care	0.00%	0
Extended care (12+ hours)	0.00%	0
Drop-in care	0.00%	0
Other (please specify)	0.00%	0
Total Respondents: 1		

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

### Q37 Does your current child care schedule or frequency meet your family's needs?

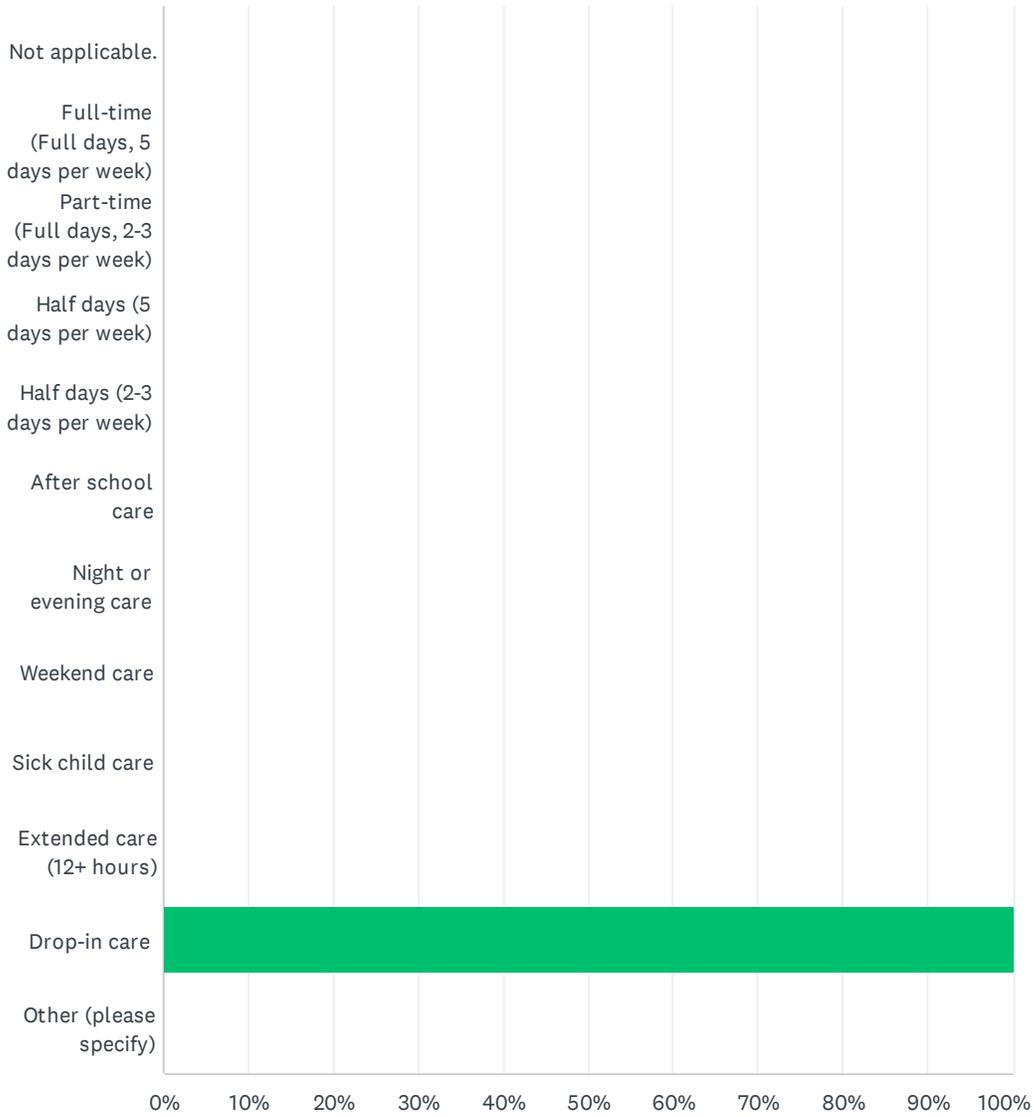
Answered: 1 Skipped: 179



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	1
TOTAL		1

### Q38 What schedule or frequency of care would meet your needs?

Answered: 1 Skipped: 179



2024 Childcare Survey for Families

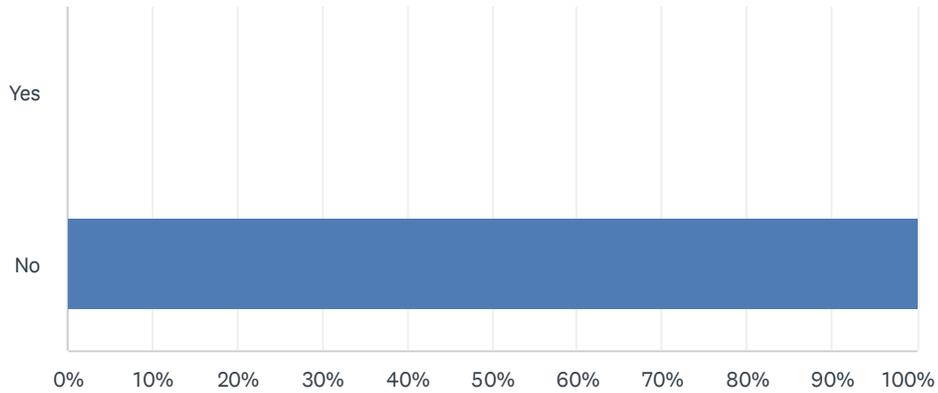
Item A.

ANSWER CHOICES	RESPONSES	
Not applicable.	0.00%	0
Full-time (Full days, 5 days per week)	0.00%	0
Part-time (Full days, 2-3 days per week)	0.00%	0
Half days (5 days per week)	0.00%	0
Half days (2-3 days per week)	0.00%	0
After school care	0.00%	0
Night or evening care	0.00%	0
Weekend care	0.00%	0
Sick child care	0.00%	0
Extended care (12+ hours)	0.00%	0
Drop-in care	100.00%	1
Other (please specify)	0.00%	0
Total Respondents: 1		

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

### Q39 Do you have additional children, middle school age or younger, in your household?

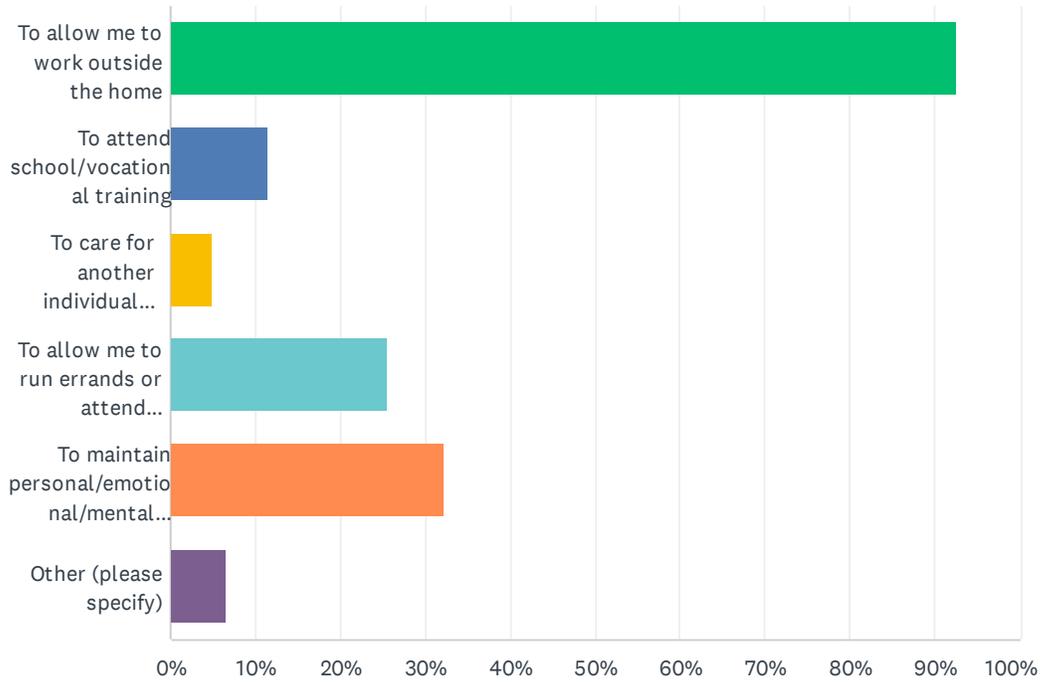
Answered: 1 Skipped: 179



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	1
<b>TOTAL</b>		<b>1</b>

### Q40 Why do you need child care services? (select all that apply)

Answered: 121 Skipped: 59



ANSWER CHOICES	RESPONSES	
To allow me to work outside the home	92.56%	112
To attend school/vocational training	11.57%	14
To care for another individual (relative, friend, neighbor, etc.)	4.96%	6
To allow me to run errands or attend appointments	25.62%	31
To maintain personal/emotional/mental balance	32.23%	39
Other (please specify)	6.61%	8
Total Respondents: 121		

#	OTHER (PLEASE SPECIFY)	DATE
1	Do not need	10/20/2024 7:40 AM
2	Volunteer at older children's school	10/18/2024 12:28 PM
3	My wife would be able to do all the categories selected above	10/18/2024 4:27 AM
4	I don't	10/9/2024 8:23 AM
5	To work within the home. Just because I work from home does not mean my job is not demanding. It requires my full attention during work hours.	10/2/2024 8:28 AM
6	To allow us to work inside the home	10/2/2024 7:25 AM
7	Educate and provide enrichment for my kid. I would love for him to have preschool every day.	9/6/2024 3:48 PM

## 2024 Childcare Survey for Families

Item A.

Both parents also work, but we can't afford full day care (preschool included) 5 days/week, so our 4 year old son has to entertain himself at home while one of us works at home (inefficiently). My wife can't afford to seek another job outside the home because of childcare needs (and the cost therefor)

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8

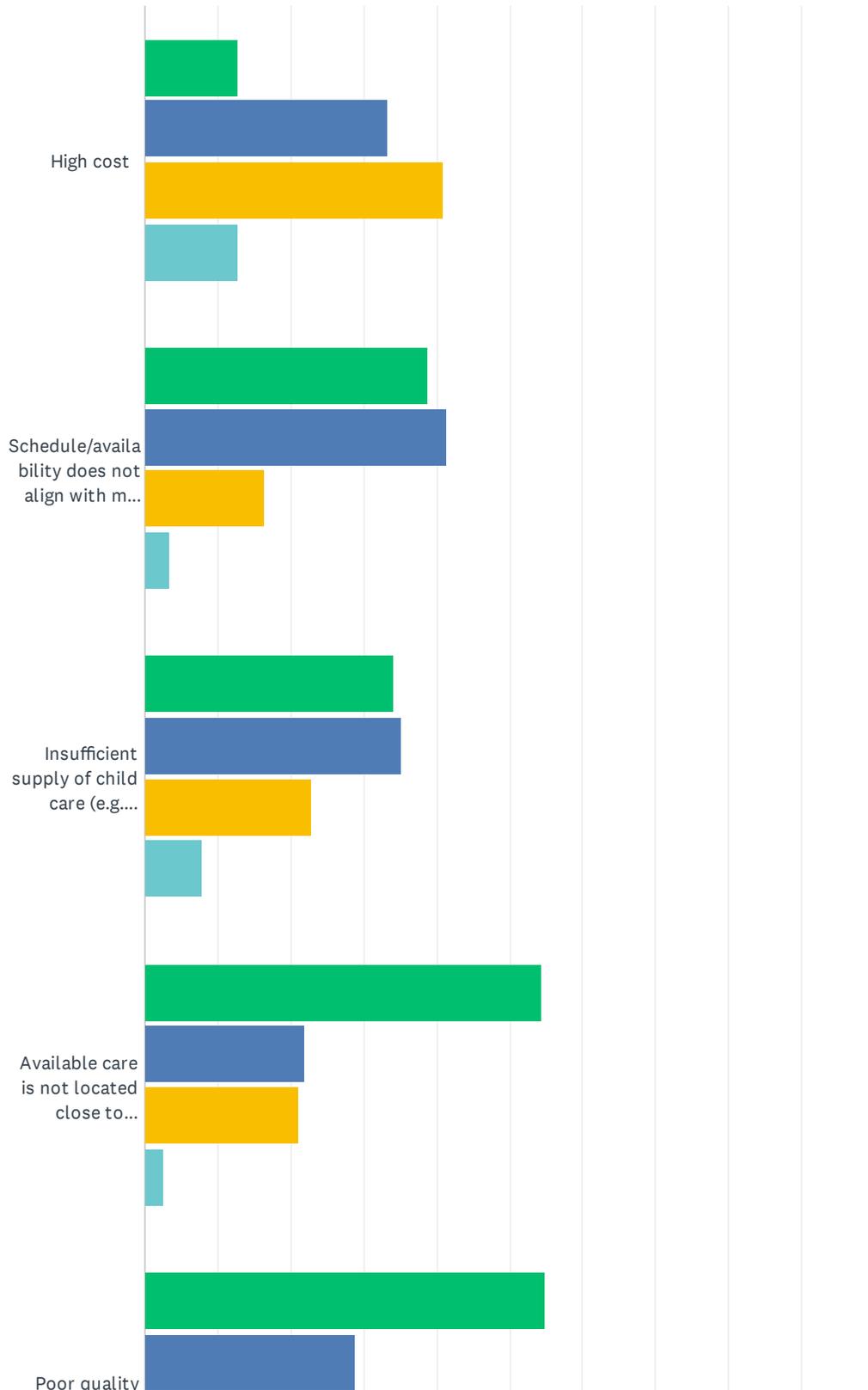
To allow work from home.

8/22/2024 8:16 PM

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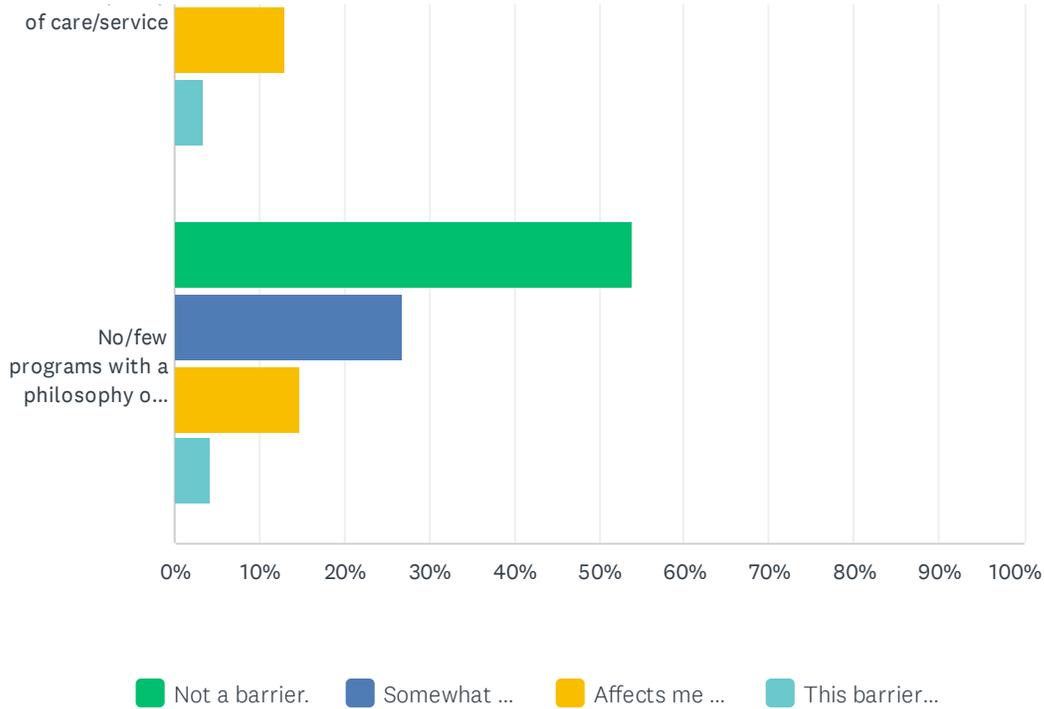
### Q41 To what extent do the following barriers make it difficult for you to access child care services that meet your needs?

Answered: 117 Skipped: 63



## 2024 Childcare Survey for Families

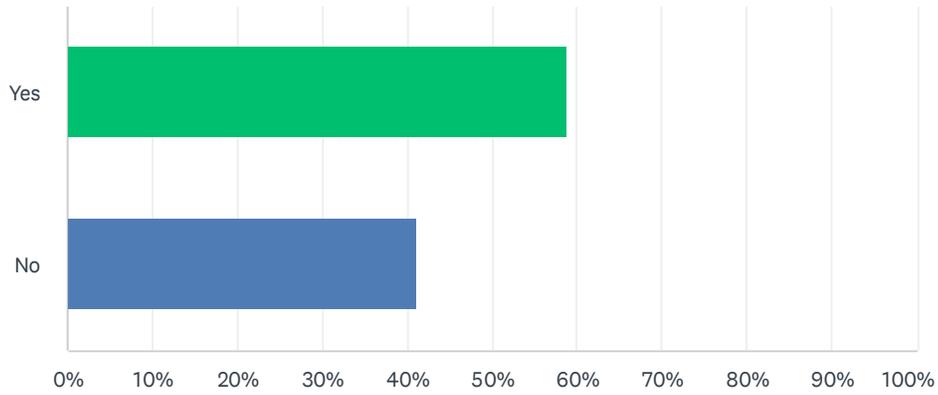
Item A.



	NOT A BARRIER.	SOMEWHAT AFFECTS ME.	AFFECTS ME SIGNIFICANTLY.	THIS BARRIER PRECLUDES ME FROM ACCESSING CHILD CARE SERVICES ENTIRELY.	TOTAL	WEIGHTED AVERAGE
High cost	12.82% 15	33.33% 39	41.03% 48	12.82% 15	117	1.54
Schedule/availability does not align with my family's needs (such as full-time, flexible weekend care, overnight, etc.)	38.79% 45	41.38% 48	16.38% 19	3.45% 4	116	0.84
Insufficient supply of child care (e.g. no/few available slots)	34.21% 39	35.09% 40	22.81% 26	7.89% 9	114	1.04
Available care is not located close to home/work	54.39% 62	21.93% 25	21.05% 24	2.63% 3	114	0.72
Poor quality of care/service	54.78% 63	28.70% 33	13.04% 15	3.48% 4	115	0.65
No/few programs with a philosophy or approach that aligns with my values or preferences (e.g. play-based, Montessori, religious, responsive to cultural or linguistic traditions)	53.91% 62	26.96% 31	14.78% 17	4.35% 5	115	0.70

### Q42 Do you have a support system in place when you have emergency childcare needs?

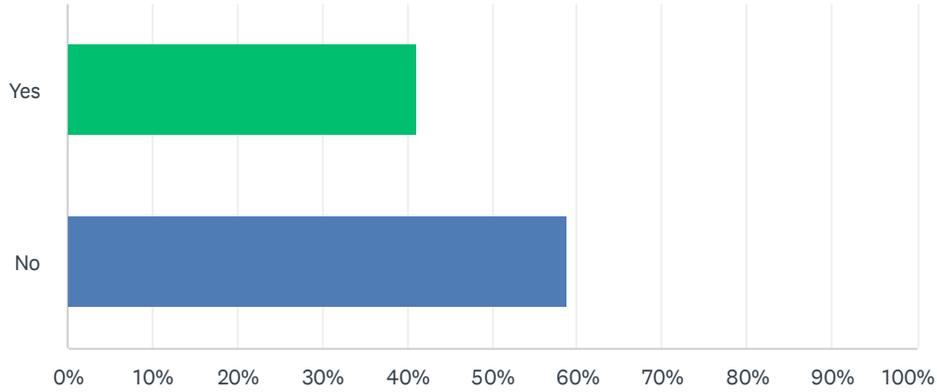
Answered: 112 Skipped: 68



ANSWER CHOICES	RESPONSES	
Yes	58.93%	66
No	41.07%	46
TOTAL		112

Q43 Have you made any major changes to the care plans for your children in the past 12 months, which were caused by circumstances beyond your control? (e.g. provider/center closed, tuition increases, etc.)

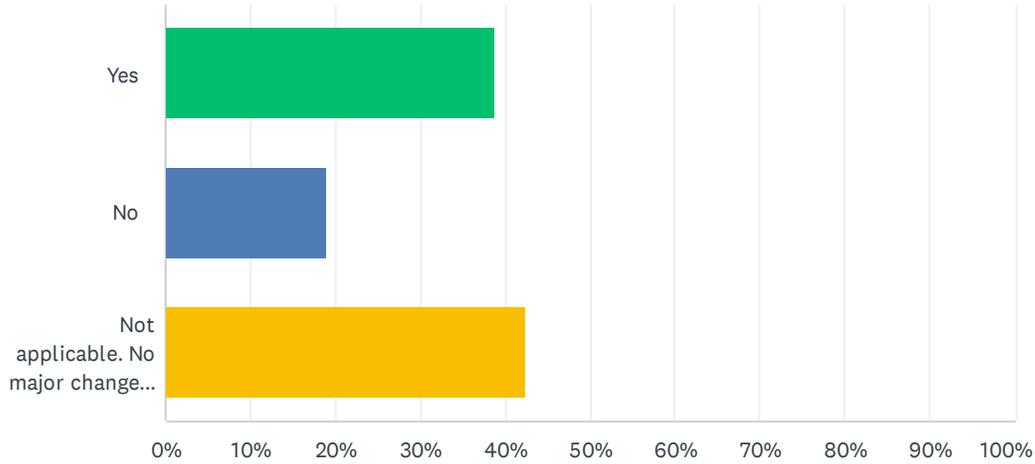
Answered: 112 Skipped: 68



ANSWER CHOICES	RESPONSES	
Yes	41.07%	46
No	58.93%	66
TOTAL		112

Q44 If you've made major changes, have such changes affected your ability to work? (e.g. you had to reduce hours, quit your job, etc.)

Answered: 111 Skipped: 69



ANSWER CHOICES	RESPONSES	
Yes	38.74%	43
No	18.92%	21
Not applicable. No major changes made.	42.34%	47
<b>TOTAL</b>		<b>111</b>

## Q45 What has been your experience in obtaining childcare that meets your family's needs?

Answered: 70 Skipped: 110

#	RESPONSES	DATE
1	Haven't found a center in Wilsonville that works with our work schedule so we have to commute out of our city for child care	11/3/2024 6:52 PM
2	Child care is too expensive for 2 parents so I have to work part time and get grandparents to come over 2 days/week. I could work full time if there was an affordable program. Dad works full time as a forklift operator. Not enough money for apartment and child care as first time young parents	11/3/2024 10:11 AM
3	Have to go out of town for an accredited daycare that had availability. The price is very high, but we have to make it work. The few options in town did not seem to have the level of care we expected to receive when leaving our kids in their charge. Please incentivize accredited daycares to come to our city!	11/1/2024 8:48 PM
4	It's very expensive and the hours aren't long enough for parents who have to commute for work.	10/29/2024 1:31 PM
5	Not many options available for full time care in the Wilsonville area. Most options have a waitlist and cost a good amount of money to get on the waitlist. Unable to afford to get on every waitlist we would like to.	10/23/2024 2:57 PM
6	Our child is reaching an age at which he is more independent and requires less childcare. At earlier ages, we struggled to find daycare, after-school care, and summer programs that offer stimulation and academic focus that is both local and affordable.	10/23/2024 11:48 AM
7	Child care centers in Wilsonville cannot handle many children with special needs. The county only provides the centers help during the school year which makes no sense for children with special needs as they need help all year.	10/23/2024 11:08 AM
8	It was difficult to find an affordable place, close to where we live, hours we need, and just a safe good fit for our little boy where we felt comfortable.	10/22/2024 8:03 PM
9	It is very expensive and I don't qualify for government assistance. I'm middle class	10/22/2024 7:46 PM
10	There is a lack of full-time (8 or 9am-5pm) options during summer. Club K offers after school and care for no-school days but has been increasing rates making it harder for families with multiple kids. During the summer, full day, affordable care was non-existent in Wilsonville. (Club K full days rates were very high and camps were generally 9-3 requiring me to work fewer hours.	10/22/2024 5:09 PM
11	Very few options for childcare in Wilsonville and even then they are very expensive, even for something like me who makes a decent wage. We are having to decide between child care versus a down payment for a home	10/22/2024 3:30 PM
12	I have a child with special needs and it is difficult to find quality child care willing to provide accommodations. We are currently trying to switch programs but everywhere has long wait lists	10/22/2024 1:26 PM
13	Utilizing and paying other parents for care has been unreliable	10/22/2024 1:08 PM
14	The closest place we could get our 2 year old in was Tualatin. We recently transferred him to horizon Christian which is still out of our area but closer because there was and still is nothing available closer to our home.	10/21/2024 7:35 PM
15	We have two special children that sometimes do not get the kids because people aren't trained, or there is not sufficient enough spots in Facilities	10/21/2024 5:53 PM
16	We have been lucky that Club K is at the school and has been good overall.	10/21/2024 2:40 PM

2024 Childcare Survey for Families

Item A.

17	I've had to cut down my working days at work because I can't afford to pay full days full time (5 days a week) I might need to stop working completely bc even working part time position, half my earnings a month is going only to child care.	10/21/2024 2:08 PM
18	It's incredibly expensive and not affordable	10/21/2024 1:40 PM
19	It feels like we are settling for the bare minimum, that is, simply a safe place to keep our kids for another 3 hours in a day until we leave work. An environment without not much expectation of an enhanced social learning environment and cultural enrichment. When looked through that lens, the price of after school care becomes even more exorbitant.	10/21/2024 1:16 PM
20	We love where our son goes and would love him to be there full time but it's very expensive full time	10/21/2024 1:11 PM
21	Obtaining child care is not overly difficult, but the costs are getting to be prohibitive. May need to change younger child's care schedule to accommodate household budget	10/21/2024 10:42 AM
22	There are very limited options for kids of this age (4th and 6th grade). Club K is the most practical, but 6th grader no longer has access. 4th grader strongly dislikes it because of all the much younger children present. I wish ideally there was a club or program for this age bracket that is a little more catered to them specifically. Even though I pay almost \$500/month for childcare, I still have to leave early because my 4th grader is unhappy at Club K.	10/21/2024 10:40 AM
23	Husband had to take lower paying job with more flexibility because of costs of aftercare. Having to pay for 2 part time preschools for 20 month old. Cost is much higher for part time than full time. This is not fair.	10/21/2024 8:31 AM
24	High cost and availability.	10/20/2024 9:04 PM
25	We need 7am-6pm availability. We also lean toward childcare that provides an agenda for learning, respect toward our children, and privacy.	10/20/2024 8:52 PM
26	It is difficult to find childcare that is affordable. We currently spend more on childcare than rent.	10/20/2024 8:40 PM
27	There's not enough in Wilsonville	10/20/2024 5:42 PM
28	Being on a waiting list forever.	10/20/2024 2:33 PM
29	I have a facility that we use however due to cost we are now forced to drop my child from the program and I have to quit my job due to not being able to afford child care.	10/20/2024 1:10 PM
30	Luckily since my first child is currently in my daycare/preschool program it was easy for me to sign my second child up when she was 6 months old. However I did have to sign my first child up while I was still pregnant in order to have a spot and not have to be on a waitlist.	10/20/2024 1:03 PM
31	Facilities have reduced available hours and getting and keep a consistent staff has been challenging. Large staff changeovers have made for horrible facility experiences.	10/20/2024 11:45 AM
32	Few options. As a result, the daycare centers have a lot of pricing power. We've also had hours change without warning or change of price.	10/20/2024 7:21 AM
33	Semi stressful, mainly not wanting to leave my kids that long.	10/19/2024 9:48 AM
34	We can only afford 3 days a week of childcare. My husband and I both work 5 days a week but have managed to be able to work at home Mondays and Fridays. However working and caring for our 9 month old on those days is very challenging. Another childcare struggle we have experienced is CONSTANT illness. We have had RSV, Covid, Norovirus, and countless other less serious viruses. We no longer have PTO for vacation as it as all been used when our baby was as sick from day care or when we were sick from something he brought home from daycare. He even ended up in the hospital with RSV pneumonia.	10/19/2024 9:47 AM
35	My experience has been amazing my child is well taken care of at his daycare they always update me and let me know what my child is doing when his diaper is changed , when he eats , and when he plays the hours of daycare are perfect for my work schedule I would like for childcare cost go down it is really expensive.	10/19/2024 8:41 AM
36	The cost is way too high. My entire paycheck goes to childcare alone. At this point, I'm getting a lay-off to stay home with my child.	10/18/2024 9:54 PM
37	Local building blocks center has been hugely valuable and important to our family	10/18/2024 4:41 PM

## 2024 Childcare Survey for Families

Item A.

38	It was difficult and most places have a wait list. It's also very expensive so you work just to have your child in preschool. There should be more options or at least options that aren't so expensive	10/18/2024 4:28 PM
39	Having to switch child care centers because of low staff and saying they can't dedicate time to my child's high needs	10/18/2024 3:53 PM
40	My husband switched his schedule so that we could make two days a week of daycare work (due to budget). Between him and daycare I have childcare Monday-Thursday and then I must try to work and watch our daughter on Fridays (I work from home). Cost is definitely prohibitive for us.	10/18/2024 3:37 PM
41	Too expensive to find quality childcare for more than just part time.	10/18/2024 3:34 PM
42	Extremely unaffordable and when you work in trades a shift can be 9 to 11 hours. No centers have that availability	10/18/2024 3:33 PM
43	Our number one priority is that we are leaving our child in safe hands and know that he is cared for. We have a child with higher emotional needs, so knowing the staff to child ratio is small as well as well trained teachers to help him emotionally is a priority.	10/18/2024 3:33 PM
44	Finding childcare is such a stressful situation. There aren't enough spots open and the costs are astronomical. The previous location we were at was having issues and notified us of possible closure. The communication that followed was lacking so we had to make the decision to find care elsewhere.	10/18/2024 3:33 PM
45	My job takes me away from home for three days once a week I'm the only provider	10/18/2024 3:32 PM
46	Not a lot of options for as needed babysitter. Often rely on family or try to be flexible with work hours/get appointments before work hours.	10/18/2024 12:31 PM
47	Not enough childcare locations available, price increases this is a huge barrier.	10/18/2024 4:30 AM
48	Very easy.	10/17/2024 8:51 PM
49	Great childcare but there aren't many options in Wilsonville generally, and the options in Wilsonville a) had no availability, and b) didn't feel safe (e.g. safe sleep wasn't practiced and door to parking lot wasn't locked). We had to secure a spot at a daycare in Tualatin to feel comfortable with the entire package.	10/10/2024 7:48 PM
50	There is really only one choice for after school care, Club K, and it is not affordable at all, especially with multiple kids.	10/2/2024 8:30 AM
51	After school programs are cost prohibitive. Summer programs - lack of options for 8+ hours that are close to Wilsonville and don't require a lengthy round trip drive. - lack of consistent options - lack of quality	10/2/2024 7:32 AM
52	Quality after school care is extremely limited in Wilsonville. It is also difficult to get coverage for days off from school, especially around the holidays when the centers are also closed. However, neither my spouse's or my jobs allow me to take 1-2 weeks off around the winter holidays, so it is a struggle every year. It is also very difficult to find summer camps or programs that cover an entire work day. When considering solutions for the city, please do not forget about elementary and middle school aged children. This really becomes an issue that makes it so hard for families to have two full time working parents. And with the high cost of housing, that is essential for many families.	10/1/2024 6:36 PM
53	My family is very fortunate to have family willing to take on this burden	9/14/2024 3:28 PM
54	Expensive. Lots of families don't qualify for ERDC but still can't afford childcare due to high cost.	9/13/2024 7:19 PM
55	Hard to find openings, and when you do they are often at centers that don't properly care for children	9/13/2024 1:23 PM
56	Operating hours that don't fully align with my work hours. Too many closure days, difficult to find alternative/off hour childcare.	9/12/2024 8:23 PM
57	Pay \$3,100 for 2 kids full time, it's not that big of a deal.	9/12/2024 7:38 PM
58	While we're happy where our child goes to daycare the process of getting in was stressful as	9/12/2024 6:40 PM

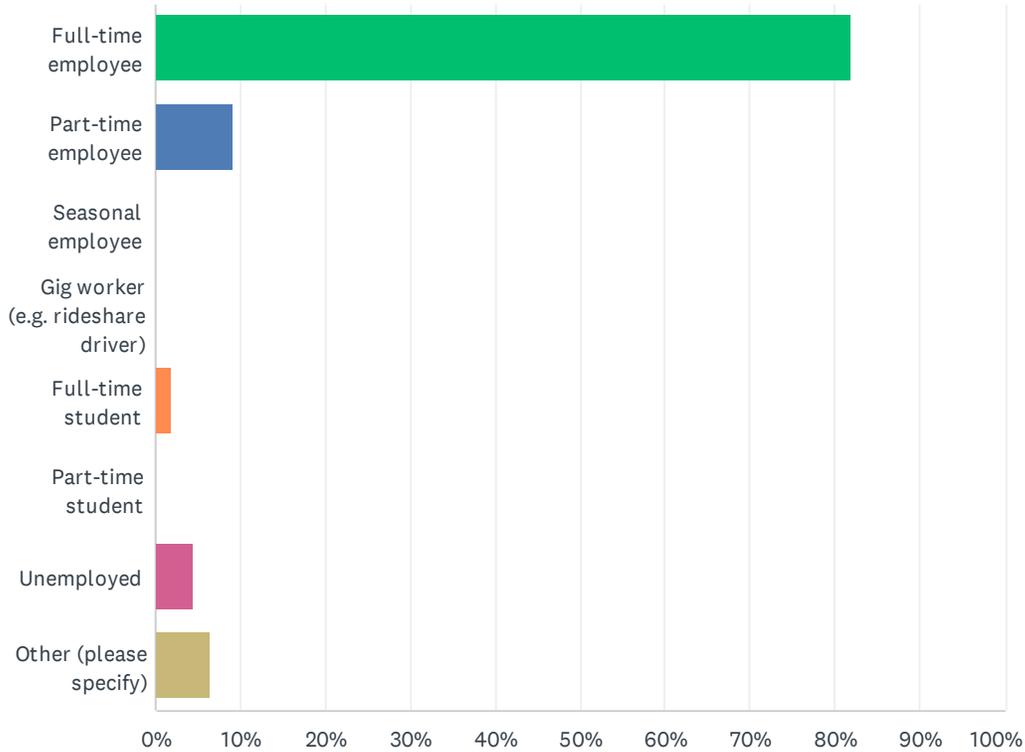
2024 Childcare Survey for Families

Item A.

	most (all? ) options in Wilsonville have large waitlists and we were new to the area.	
59	My oldest child (5yr) attended day care and preschool since 2yr this allow both parents to work. My youngest child is turning 3yr and I had to stop working due is expensive and not only that, the wait timeframe to get into a great childcare is long	9/12/2024 5:55 PM
60	I had to get on a waitlist a year in advance. It was stressful waiting and knowing that schedule determined my ability to return to work. In my case, the stars aligned and it worked perfectly but two weeks before we had no idea and had to pay an additional month before we were ready to secure our spot	9/12/2024 5:31 PM
61	Super easy.	9/12/2024 5:29 PM
62	Quality of care has declined since the pandemic. Teachers seem to be a revolving door.	9/6/2024 9:51 PM
63	We have our kid in a preschool. General speaking is great, the schedules work for us but the price is so high that we had to drive the full time schedule to a 3 days a week before of the increasing prices. And it is very inconvenient since both my husband and I have full times jobs.	9/6/2024 4:09 PM
64	My wife works from home, but her work hours are unpredictable sometimes. The cost of childcare is so high that we can't afford for her to get a job outside the home. Best compromise we can manage now is 3 days/week, but costs go up significantly every year (and salaries don't).	9/6/2024 3:50 PM
65	Impossible.	8/22/2024 10:14 PM
66	It is very expensive. But necessary.	8/22/2024 8:19 PM
67	Tuition increase caused us to cancel our childcare plans which in turn caused me to have to work from home and have decreased capacity to do my job when my child comes home from school.	8/22/2024 7:18 PM
68	Significantly challenged with finding providers. Needing on non school days and various days after school. My schedule changes so it can't be the same days all the time	8/22/2024 6:48 PM
69	Not enough options	8/22/2024 6:12 PM
70	We are very fortunate to have aftercare at the same location where our son attended preschool, and he can bus from BFPS. I know others are not so fortunate.	8/22/2024 5:59 PM

### Q46 Which of the following best describes your employment status? (select all that apply)

Answered: 110 Skipped: 70



ANSWER CHOICES	RESPONSES	
Full-time employee	81.82%	90
Part-time employee	9.09%	10
Seasonal employee	0.00%	0
Gig worker (e.g. rideshare driver)	0.00%	0
Full-time student	1.82%	2
Part-time student	0.00%	0
Unemployed	4.55%	5
Other (please specify)	6.36%	7
Total Respondents: 110		

#	OTHER (PLEASE SPECIFY)	DATE
1	Self-employed contractor on weekends	10/21/2024 10:42 AM
2	Stay at home	10/20/2024 9:06 PM
3	Disabled	10/20/2024 6:17 PM

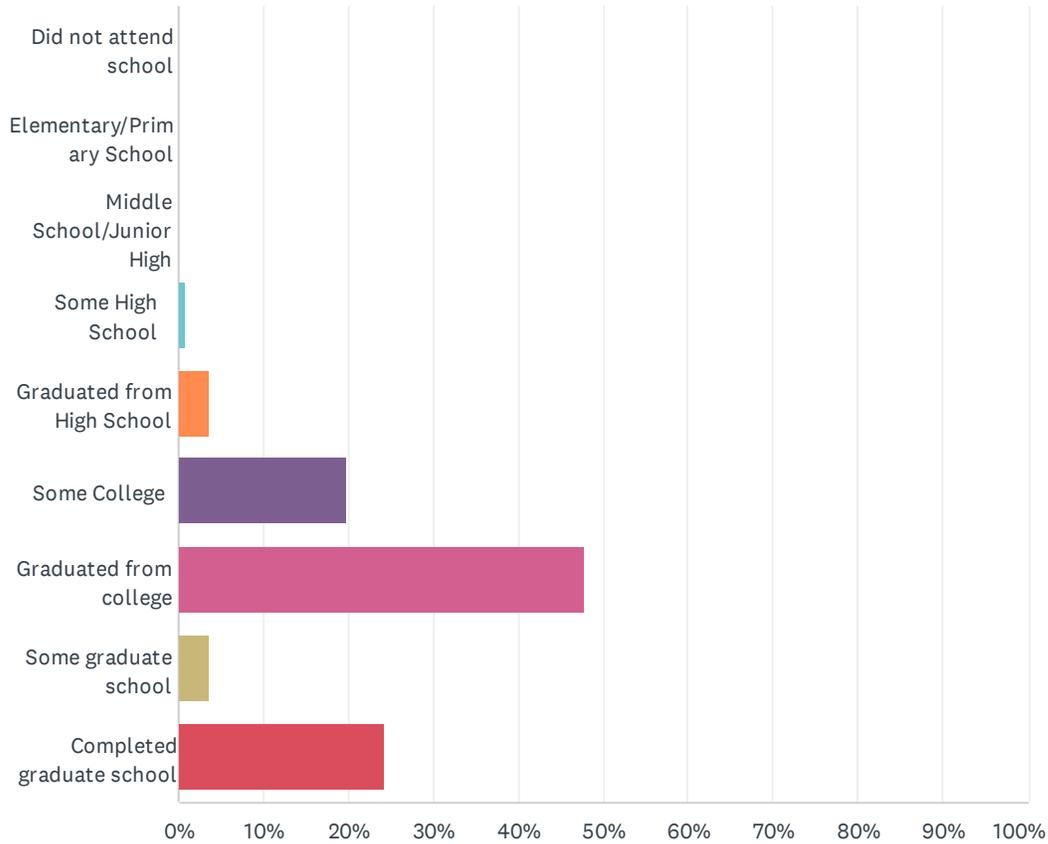
# 2024 Childcare Survey for Families

Item A.

4	Stay at home parent	10/18/2024 12:32 PM
5	Stay at home dad	9/12/2024 9:18 PM
6	Only 1 parent es FT , the other parent can't work	9/12/2024 5:56 PM
7	More than full time	9/6/2024 4:16 PM

### Q47 What is the highest level of education you have completed?

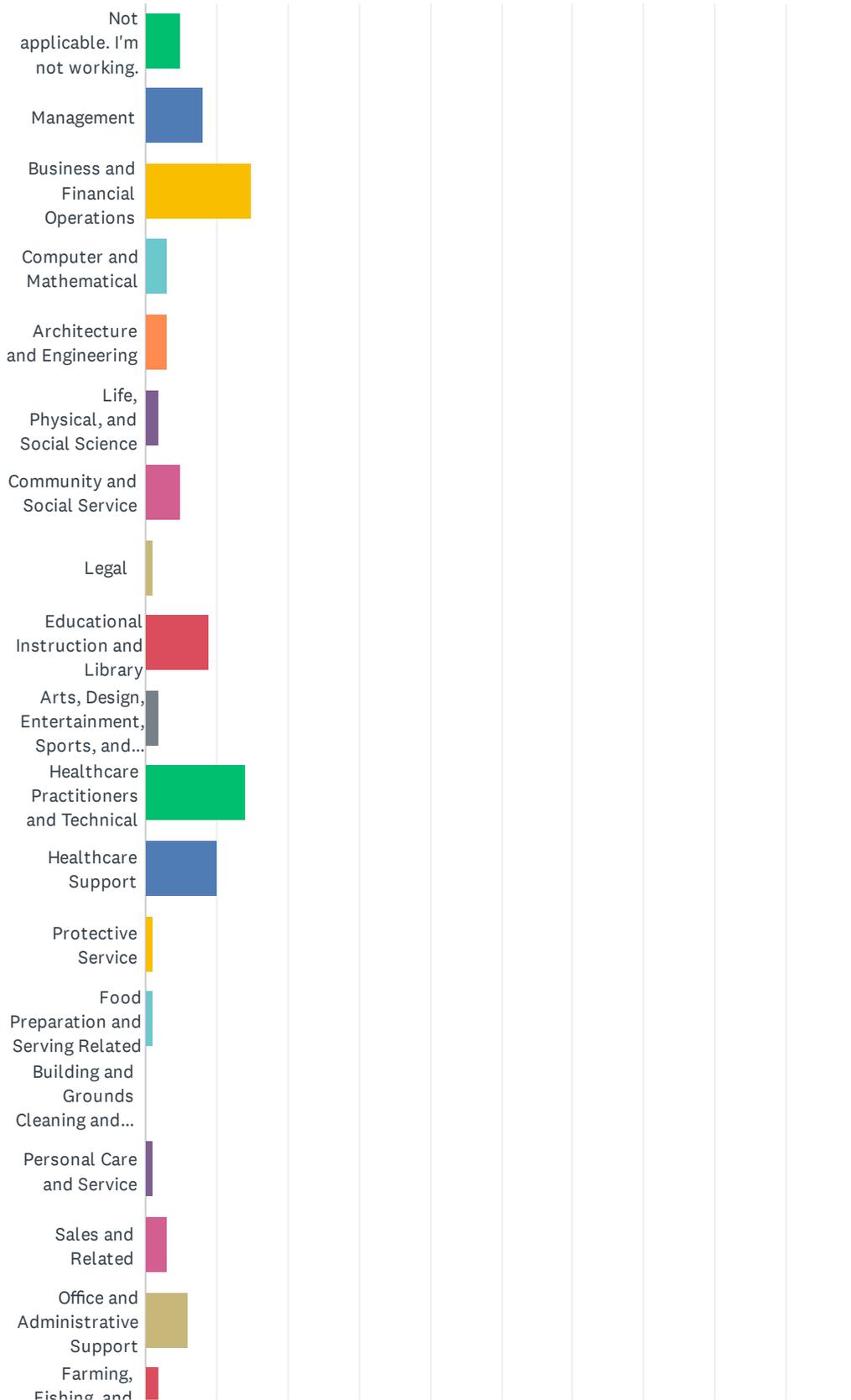
Answered: 111 Skipped: 69



ANSWER CHOICES	RESPONSES	
Did not attend school	0.00%	0
Elementary/Primary School	0.00%	0
Middle School/Junior High	0.00%	0
Some High School	0.90%	1
Graduated from High School	3.60%	4
Some College	19.82%	22
Graduated from college	47.75%	53
Some graduate school	3.60%	4
Completed graduate school	24.32%	27
<b>TOTAL</b>		<b>111</b>

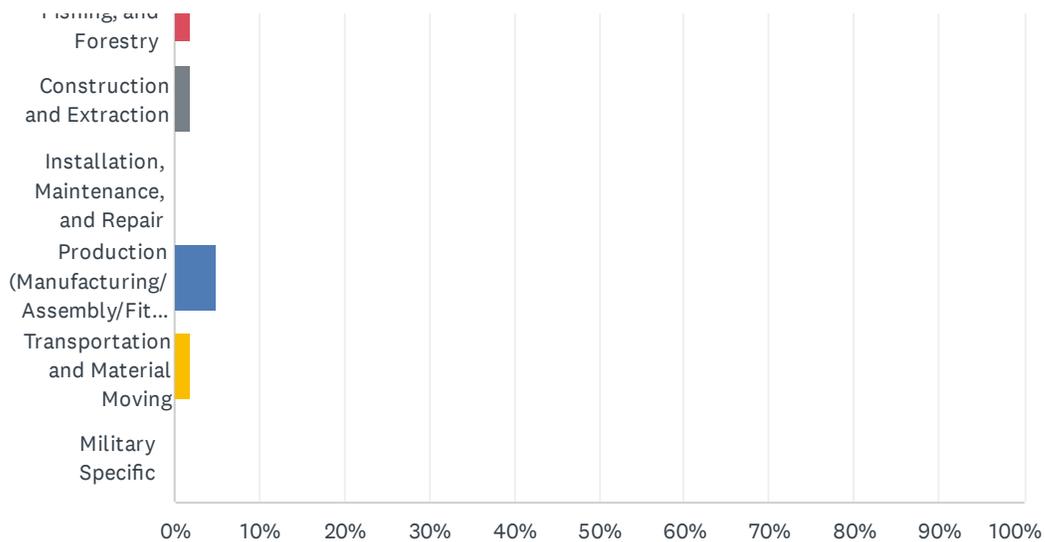
## Q48 If you are working, what industry do you work in?

Answered: 100 Skipped: 80



# 2024 Childcare Survey for Families

Item A.



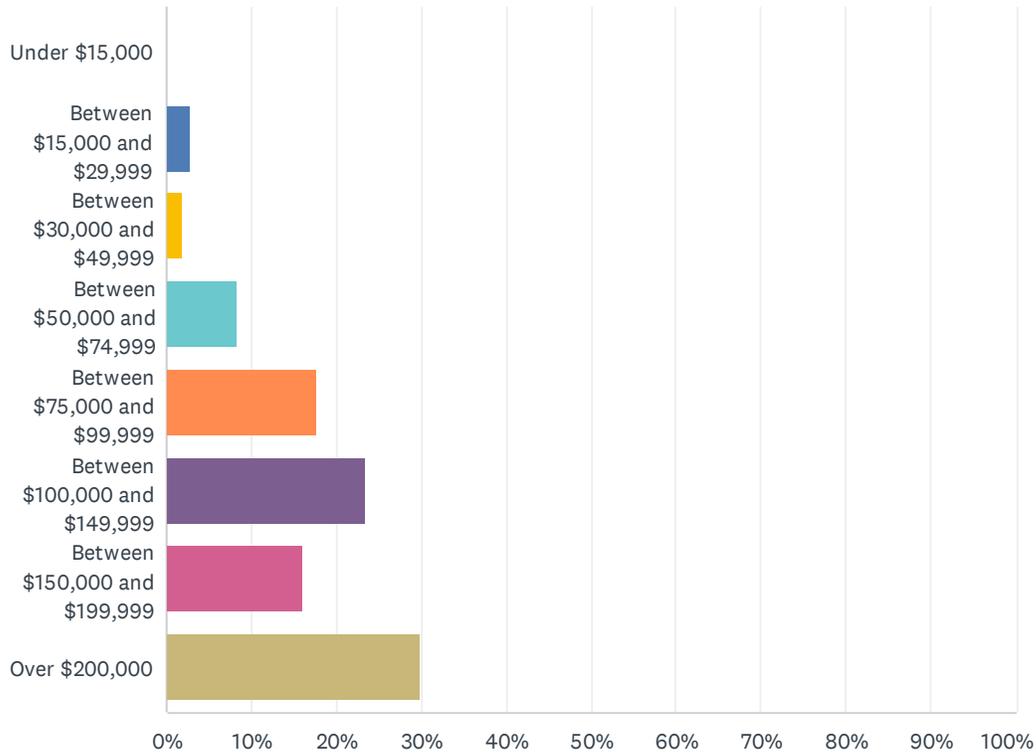
2024 Childcare Survey for Families

Item A.

ANSWER CHOICES	RESPONSES	
Not applicable. I'm not working.	5.00%	5
Management	8.00%	8
Business and Financial Operations	15.00%	15
Computer and Mathematical	3.00%	3
Architecture and Engineering	3.00%	3
Life, Physical, and Social Science	2.00%	2
Community and Social Service	5.00%	5
Legal	1.00%	1
Educational Instruction and Library	9.00%	9
Arts, Design, Entertainment, Sports, and Media	2.00%	2
Healthcare Practitioners and Technical	14.00%	14
Healthcare Support	10.00%	10
Protective Service	1.00%	1
Food Preparation and Serving Related	1.00%	1
Building and Grounds Cleaning and Maintenance	0.00%	0
Personal Care and Service	1.00%	1
Sales and Related	3.00%	3
Office and Administrative Support	6.00%	6
Farming, Fishing, and Forestry	2.00%	2
Construction and Extraction	2.00%	2
Installation, Maintenance, and Repair	0.00%	0
Production (Manufacturing/Assembly/Fitting)	5.00%	5
Transportation and Material Moving	2.00%	2
Military Specific	0.00%	0
<b>TOTAL</b>		<b>100</b>

### Q49 What is your total household income (including income from a spouse or other contributing household member)?

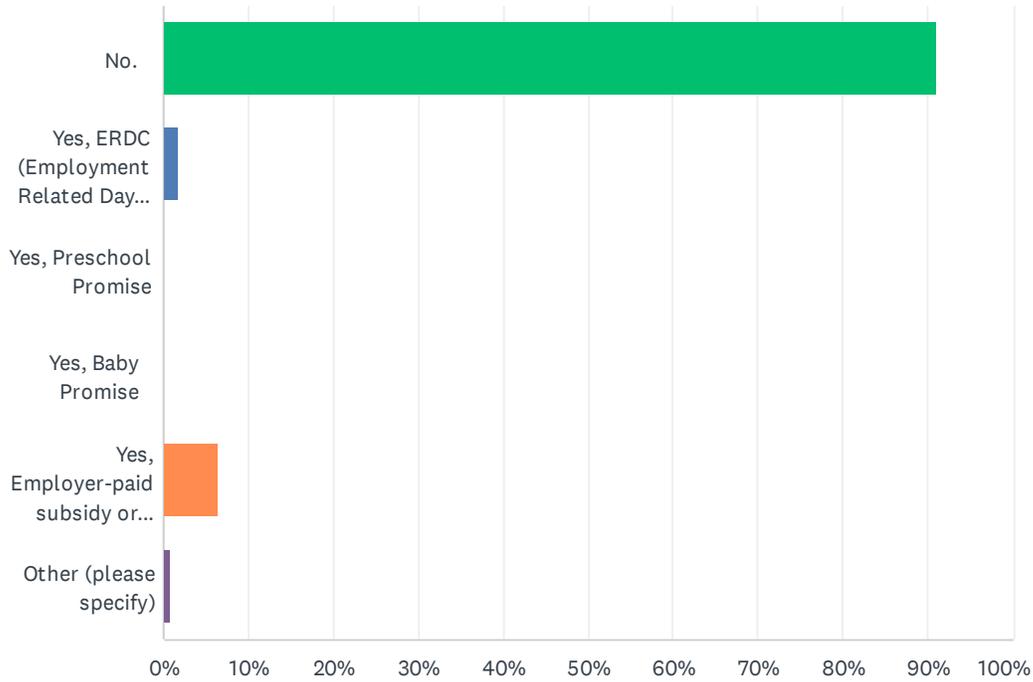
Answered: 107 Skipped: 73



ANSWER CHOICES	RESPONSES	
Under \$15,000	0.00%	0
Between \$15,000 and \$29,999	2.80%	3
Between \$30,000 and \$49,999	1.87%	2
Between \$50,000 and \$74,999	8.41%	9
Between \$75,000 and \$99,999	17.76%	19
Between \$100,000 and \$149,999	23.36%	25
Between \$150,000 and \$199,999	15.89%	17
Over \$200,000	29.91%	32
<b>TOTAL</b>		<b>107</b>

### Q50 Do you receive any form of financial child care subsidy or assistance?

Answered: 111 Skipped: 69



ANSWER CHOICES	RESPONSES	
No.	90.99%	101
Yes, ERDC (Employment Related Day Care)	1.80%	2
Yes, Preschool Promise	0.00%	0
Yes, Baby Promise	0.00%	0
Yes, Employer-paid subsidy or benefit	6.31%	7
Other (please specify)	0.90%	1
Total Respondents: 111		

#	OTHER (PLEASE SPECIFY)	DATE
1	Reduced rate from local care	10/18/2024 4:41 PM

**CITY COUNCIL ROLLING SCHEDULE**  
**Board and Commission Meetings**  
**Items known as of 11/5/2024 11/05/24**

**December**

12/2	Monday	5:00 pm	City Council	Council Chambers
12/10	Tuesday	6:00 pm	DEI Committee	Council Chambers
12/16	Monday	5:00 pm	City Council	Council Chambers

**Community Events:****NOVEMBER****Native American Heritage Month**

- 11/19 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Piecemakers Quilters, 9:00 am, Tauchman House  
 Ukulele Jam, 9:00 am, Parks & Rec  
 Intermediate English Class, 10:00 am, Library  
 ODHS Drop-In Assistance 10:00 am, Library  
 Medicare 101, 10:30 am, Community Center  
 Baby & Toddler Time, 10:30 am, Library  
 Baby & Toddler Time, 11:15 am, Library  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Partners Bridge, 12:30 pm, Community Center  
 ODHS Drop-In Assistance, 1:00 pm, Library  
 Virtual Reality Fitness, 1:00 pm, Community Center  
 Beginning Tai Chi-Season II, 2:00 pm, Community Center  
 Tai Chi Continuing-Season II, 3:00 pm, Community  
 Soccer Shots Fall Season, 3:30 pm, Memorial Park  
 Barre Tone – Session II, 5:45 pm, Community Center  
 Soul Flow Yoga-Season II, 7:15 pm, Community Center
- 11/20 Transgender Day of Remembrance  
 Core, Floor & More + Stretch, 5:45 a.m., Community Center  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Digital Photography Club, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Community Center  
 Conversational Spanish Group, 10:30 am, Community Center  
 Sit and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Pinochle/Cribbage, 1:00 pm, Community Center  
 Bingo, 1:00 pm, Community Center  
 Teen Afterschool Drop-In Activities, 3:00 p.m., Library

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

- 11/21 Body Renew-Session 1, 7:15 am, Community Center  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 I-5 Connection Chorus Group, 10:00 am, Community Center  
 Bridge for Beginners Lessons, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Library  
 Ladies Afternoon Out, 1:00 pm, Community Center  
 Book Walk, 1:00 pm, Library  
 Grief Support Group, 1:00 pm, Community Ce3nter  
 Beginning Tai Chi-Season II, 2:00 pm, Community Center  
 Tai Chi Continuing-Season II, 3:00 pm, Community
- 11/22 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 WIC Pop-Up Clinic, 10:00 am, Library  
 Play Group, 10:30 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Bridge Group Play, 11:30 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 WIC Pop-Up Clinic, 1:00 pm, Library
- 11/23 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
- 11/25 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Estate Planning, 10:30 am, Community Center  
 Beginning English Class, 11:00 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Weight Loss Support Group, 12:30 pm, Community Center  
 Bridge Group Play, 1:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 Body Sculpt, 6:00 pm, Community Center
- 11/26 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Piecemakers Quilters, 9:00 am, Tauchman House  
 Ukulele Jam, 9:00 am, Parks & Rec  
 Intermediate English Class, 10:00 am, Library  
 ODHS Drop-In Assistance 10:00 am, Library  
 Medicare 101, 10:30 am, Community Center  
 Baby & Toddler Time, 10:30 am, Library  
 Baby & Toddler Time, 11:15 am, Library  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Partners Bridge, 12:30 pm, Community Center

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

ODHS Drop-In Assistance, 1:00 pm, Library  
 Virtual Reality Fitness, 1:00 pm, Community Center  
 Beginning Tai Chi-Season II, 2:00 pm, Community Center  
 Tai Chi Continuing-Season II, 3:00 pm, Community  
 Soccer Shots Fall Season, 3:30 pm, Memorial Park  
 Barre Tone – Session II, 5:45 pm, Community Center  
 Soul Flow Yoga-Season II, 7:15 pm, Community Center

11/27 Core, Floor & More + Stretch, 5:45 a.m., Community Center  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Digital Photography Club, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Community Center  
 Conversational Spanish Group, 10:30 am, Community Center  
 Sit and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Pinochle/Cribbage, 1:00 pm, Community Center

11/28 & 11/29 Office, Library, SMART Closed for Thanksgiving

11/30 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools

## DECEMBER

12/1 Rosa Parks Day

12/2 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 AARP Smart Driver, 9:00 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Beginning English Class, 11:00 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Weight Loss Support Group, 12:30 pm, Community Center  
 Bridge Group Play, 1:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 Body Sculpt, 6:00 pm, Community Center

12/3 International Day of Persons with Disabilities (all day)  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Piecemakers Quilters, 9:00 am, Tauchman House  
 Ukulele Jam, 9:00 am, Parks & Rec  
 Intermediate English Class, 10:00 am, Library  
 ODHS Drop-In Assistance 10:00 am, Library  
 Baby & Toddler Time, 10:30 am, Library  
 Baby & Toddler Time, 11:15 am, Library

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

Lunch at the Community Center, 12:00 pm, Community Center  
 Partners Bridge, 12:30 pm, Community Center  
 Poetry Club, 1:00 pm, Community Center  
 ODHS Drop-In Assistance, 1:00 pm, Library  
 Virtual Reality Fitness, 1:00 pm, Community Center  
 Beginning Tai Chi-Season II, 2:00 pm, Community Center  
 Tai Chi Continuing-Season II, 3:00 pm, Community  
 Soccer Shots Fall Season, 3:30 pm, Memorial Park  
 Oil Painting with Judy Stubb – Snowbound Cabin, 5:30 pm, Parks & Rec  
 Barre Tone – Session II, 5:45 pm, Community Center  
 Soul Flow Yoga-Season II, 7:15 pm, Community Center

- 12/4 Core, Floor & More + Stretch, 5:45 a.m., Community Center  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Digital Photography Club, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Community Center  
 Conversational Spanish Group, 10:30 am, Community Center  
 PROFILES (online) 11:00 am  
 Sit and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Pinochle/Cribbage, 1:00 pm, Community Center  
 Bingo, 1:00 pm, Community Center  
 Teen Afterschool Drop-In Activities, 3:00 pm, Library
- 12/5 Body Renew-Session 1, 7:15 am, Community Center  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 I-5 Connection Chorus Group, 10:00 am, Community Center  
 Bridge for Beginners Lessons, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Library  
 Ladies Afternoon Out, 1:00 pm, Community Center  
 Beginning Tai Chi-Season II, 2:00 pm, Community Center  
 Tai Chi Continuing-Season II, 3:00 pm, Community  
 Tree Lighting, 5:30 pm, Town Center Park
- 12/6 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 WIC Pop-Up Clinic, 10:00 am, Library  
 Play Group, 10:30 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Bridge Group Play, 11:30 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 WIC Pop-Up Clinic, 1:00 pm, Library

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

- 12/7 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
Manners Matter: Session I, 9:00 am, Tauchman House  
Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or CC
- 12/9 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
Healthy Bones and Balance, 8:30 am, Community Center  
Advanced Healthy Bones and Balance, 9:30 am, Community Center  
Beginning English Class, 11:00 am, Library  
Sit, Stand and Be Fit, 11:00 am, Community Center  
Lunch at the Community Center, 12:00 pm, Community Center  
Weight Loss Support Group, 12:30 pm, Community Center  
Bridge Group Play, 1:00 pm, Community Center  
Mexican Train Dominoes, 1:00 pm, Community Center  
Body Sculpt, 6:00 pm, Community Center
- 12/10 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
Piecemakers Quilters, 9:00 am, Tauchman House  
Ukulele Jam, 9:00 am, Parks & Rec  
Intermediate English Class, 10:00 am, Library  
ODHS Drop-In Assistance 10:00 am, Library  
Medicare 101, 10:30 am, Community Center  
Baby & Toddler Time, 10:30 am, Library  
Baby & Toddler Time, 11:15 am, Library  
Lunch at the Community Center, 12:00 pm, Community Center  
Partners Bridge, 12:30 pm, Community Center  
Caregiving/Alzheimer's Support Group, 1:00 pm, Community Center  
ODHS Drop-In Assistance, 1:00 pm, Library  
Virtual Reality Fitness, 1:00 pm, Community Center  
Beginning Tai Chi-Season II, 2:00 pm, Community Center  
Tai Chi Continuing-Season II, 3:00 pm, Community  
Soccer Shots Fall Season, 3:30 pm, Memorial Park  
Barre Tone – Session II, 5:45 pm, Community Center  
Soul Flow Yoga-Season II, 7:15 pm, Community Center
- 12/11 Core, Floor & More + Stretch, 5:45 a.m., Community Center  
Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
Healthy Bones and Balance, 8:30 am, Community Center  
Advanced Healthy Bones and Balance, 9:30 am, Community Center  
Digital Photography Club, 10:00 am, Community Center  
Family Storytime, 10:30 am, Community Center  
Conversational Spanish Group, 10:30 am, Community Center  
PROFILES (online) 11:00 am  
Sit and Be Fit, 11:00 am, Community Center  
Lunch at the Community Center, 12:00 pm, Community Center  
Pinochle/Cribbage, 1:00 pm, Community Center  
STEAM Stuff, 2:30 pm, Library  
Teen Afterschool Drop-In Activities, 3:00 pm, Library

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

- 12/12 Body Renew-Session 1, 7:15 am, Community Center  
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 I-5 Connection Chorus Group, 10:00 am, Community Center  
 Bridge for Beginners Lessons, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Library  
 Ladies Afternoon Out, 1:00 pm, Community Center  
 Beginning Tai Chi-Season II, 2:00 pm, Community Center  
 Tai Chi Continuing-Season II, 3:00 pm, Community
- 12/13 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 WIC Pop-Up Clinic, 10:00 am, Library  
 Play Group, 10:30 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Bridge Group Play, 11:30 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 WIC Pop-Up Clinic, 1:00 pm, Library
- 12/14 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools  
 Manners Matter: Session II, 9:00 am, Tauchman House  
 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or CC  
 Oil Painting with Judy Stubb – A Perfect Winder Day, 10:00 am, Parks & Rec  
 Space Talks, 11:00 am, Library  
 Book Notes Concert, 2:00 pm, Library
- 12/16 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Beginning English Class, 11:00 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Weight Loss Support Group, 12:30 pm, Community Center  
 Bridge Group Play, 1:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 Genealogy Club, 1:00 pm, Library  
 Body Sculpt, 6:00 pm, Community Center
- 12/17 Piecemakers Quilters, 9:00 am, Tauchman House  
 Ukulele Jam, 9:00 am, Parks & Rec  
 Intermediate English Class, 10:00 am, Library  
 ODHS Drop-In Assistance 10:00 am, Library  
 Baby & Toddler Time, 10:30 am, Library  
 Baby & Toddler Time, 11:15 am, Library  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Partners Bridge, 12:30 pm, Community Center

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

ODHS Drop-In Assistance, 1:00 pm, Library  
 Virtual Reality Fitness, 1:00 pm, Community Center  
 Soccer Shots Fall Season, 3:30 pm, Memorial Park  
 Las Posadas Celebration, 4:00 pm, Community Center

- 12/18 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Digital Photography Club, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Community Center  
 Conversational Spanish Group, 10:30 am, Community Center  
 Sit and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Pinochle/Cribbage, 1:00 pm, Community Center  
 Bingo, 1:00 pm, Community Center  
 Teen Afterschool Drop-In Activities, 3:00 pm, Library
- 12/19 Body Renew-Session 1, 7:15 am, Community Center  
 I-5 Connection Chorus Group, 10:00 am, Community Center  
 Bridge for Beginners Lessons, 10:00 am, Community Center  
 Family Storytime, 10:30 am, Library  
 Book Walk, 1:00 pm, Library  
 Ladies Afternoon Out, 1:00 pm, Community Center
- 12/20 Healthy Bones and Balance, 8:30 am, Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 WIC Pop-Up Clinic, 10:00 am, Library  
 Play Group, 10:30 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Bridge Group Play, 11:30 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 WIC Pop-Up Clinic, 1:00 pm, Library
- 12/21 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or Comm Ctr  
 Spanish Storytime, 11:00 am, Library
- 12/23 Healthy Bones and Balance, 8:30 am Community Center  
 Advanced Healthy Bones and Balance, 9:30 am, Community Center  
 Blood Drive, 11:00 am, Library  
 Beginning English Class, 11:00 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Weight Loss Support Group, 12:30 pm, Community Center  
 Bridge Group Play, 1:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center
- 12/24 Library Closed (all day)

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).

Piecemakers Quilters, 9:00 am, Tauchman House  
 Ukulele Jam, 9:00 am, Parks & Rec  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Partners Bridge, 12:30 pm, Community Center  
 Virtual Reality Fitness, 1:00 pm, Community Center  
 Soccer Shots Fall Season, 3:30 pm, Memorial Park

12/25 Christmas Day (City Offices, Library and SMART closed)  
 Hanukkah (all day)

12/26 Kwanza (all day)  
 I-5 Connection Chorus Group, 10:00 am, Community Center  
 Bridge for Beginners Lessons, 10:00 am, Community Center  
 Ladies Afternoon Out, 1:00 pm, Community Center

12/27 WIC Pop-Up Clinic, 10:00 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Bridge Group Play, 11:30 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 WIC Pop-Up Clinic, 1:00 pm, Library

12/28 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or Comm Ctr

12/30 Beginning English Class, 11:00 am, Library  
 Sit, Stand and Be Fit, 11:00 am, Community Center  
 Lunch at the Community Center, 12:00 pm, Community Center  
 Mexican Train Dominoes, 1:00 pm, Community Center  
 Bridge Group Play, 1:00 pm, Community Center

12/31 Piecemakers Quilters, 9:00 am, Tauchman House  
 Ukulele Jam, 9:00 am, Parks & Rec  
 Intermediate English Class, 10:00 am, Library  
 ODHS Drop-In Assistance 10:00 am, Library  
 Lunch at the Community Center, 12:00 pm, Community Center  
 ODHS Drop-In Assistance, 1:00 pm, Library  
 Virtual Reality Fitness, 1:00 pm, Community Center  
 Soccer Shots Fall Season, 3:30 pm, Memorial Park

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Resolution No. 3030</b> Authorizing the City Manager to Execute a Construction Contract with Jesse Rodriguez Construction, LLC for construction of the Priority 1B Water Distribution Improvements Project (Capital Improvement Project No. 1148)  <b>Staff Member:</b> Marissa Rauthause, PE, Civil Engineer  <b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> 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  <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: Improve the City's Emergency Preparedness	<input checked="" type="checkbox"/> Adopted Master Plan(s): Water Distribution System Master Plan Projects No. 160, 161, 162, 168, & 169.	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville Resolution approving the public bid process, accepting the lowest responsible bidder, and awarding a construction contract with Jesse Rodriguez Construction, LLC in the amount of \$877,500 for the construction of the Priority 1B Water Distribution Improvements project (Capital Improvement Project No. 1148).

**EXECUTIVE SUMMARY:**

As discussed in the Water Distribution System Master Plan updated in 2012, based on water system modeling, some of the locations within the water distribution system cannot meet the target fire flow standard (1500 gallons per minute for residential, 3000 gallons per minute for commercial/industrial). Most of these locations are dead-end or short lengths of small diameter piping. Priority 1A, Priority 1B, and Priority 2 Water Improvements are outlined in the Water Distribution System Master Plan to address fire flow deficiencies and are to be completed over the timespan of approximately 20 years.

As part of Priority 1B Water Distribution Improvements project, design has been completed for five (5) locations for construction during Fiscal Year 2024-25 (FY 25). The five projects include upgrades to an 8-inch waterline on Jackson Way (Master Plan Project ID #160), an 8-inch waterline on Evergreen Avenue (Master Plan Project ID #161), an 8-inch waterline north of Seely Avenue (Master Plan Project ID #162), a 10-inch waterline at Wilsonville Summit Apartments and Canyon Creek Apartments (Master Plan Project ID #168), and an 8-inch waterline at Sundial Apartments (Master Plan Project ID #169). A map of the work zones is provided as **Attachment 1**.

The City received seven (7) bids by the October 9, 2024, 2:00 pm deadline (**Attachment 2**), of which Jesse Rodriguez Construction LLC submitted the lowest responsive and responsible bid of \$877,500.

**EXPECTED RESULTS:**

Construction of Projects #160, 161, 162, 168, and 169 from the Water Distribution System Master Plan will result in improved fire flow, meeting target fire flow standards and improving Wilsonville’s emergency preparedness.

**TIMELINE:**

Construction is expected to begin in December 2024, with a substantial completion date scheduled for May 31, 2025, and final completion date scheduled for June 20, 2025.

**CURRENT YEAR BUDGET IMPACTS:**

The budget for fiscal year (FY) 2014-2025 includes funding for construction of the Priority 1B Water Distribution Improvements projects as summarized below.

CIP No.	Project Name	Funding Source	FY 24/25 Amended Total Budget
1148	Priority 1B Water Distribution Improvements	Water Operating	\$1,227,928

**COMMUNITY INVOLVEMENT PROCESS:**

This project is included in the City’s 5-Year Capital Improvement Plan (CIP), and the FY 2024-25 Adopted Budget and as such, has been through both Budget Committee and Council Actions; processes that provide opportunity for public conversation and input.

Staff have been coordinating with the surrounding property owners including Swire Coca Cola, the management teams at Wilsonville Summit Apartments, Canyon Creek Apartments, and Sundial Apartments, and the Jaci Park Homeowners Association (HOA) during project design work regarding anticipated impacts during construction. Coordination with surrounding property owners, residents, and businesses will continue through construction. In addition, a project website is being created to communicate project related impacts and updates.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Completion of this project will correct fire flow deficiencies identified in the Water Distribution System Master Plan. This will provide a benefit to the community by increasing water flow to fire hydrants, improving Tualatin Valley Fire and Rescue (TVF&R) ability to fight fires and Wilsonville's emergency preparedness. Additionally, these connections will also provide system resiliency by providing redundancy in the water system.

**ALTERNATIVES:**

The project team considered a number of design alternatives to improve the water flow rate at the identified locations arriving at the most cost-effective design with the least private property impacts to correct the existing fire flow deficiency.

**CITY MANAGER COMMENT:**

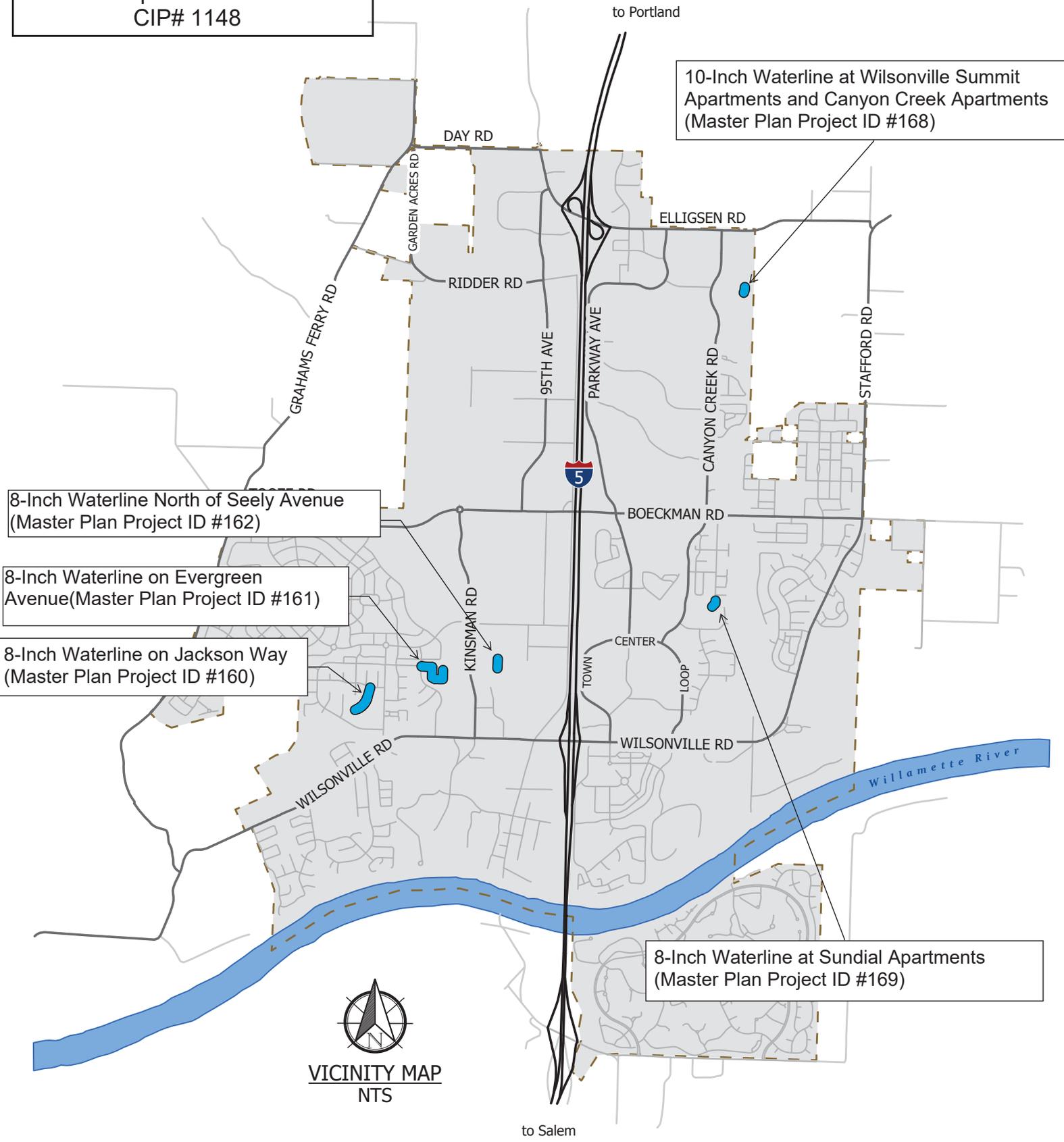
N/A

**ATTACHMENTS:**

1. Project Locations Map
2. Bid Tabulation Summary
3. Resolution No. 3030
  - A. Priority 1B Water Distribution Improvements Construction Contract

Attachment 1  
Priority 1B Water Distribution  
Improvements  
CIP# 1148

Item 11.



VICINITY MAP  
NTS



## Attachment 2 – Bid Tabulation Summary

# BID SUMMARY

**Project Name:** Priority 1B Water Improvements

**CIP #:** 1148

**Bid Opening Date & Time:** October 9, 2024 @ 2:00 pm

**Engineer's Estimate:** \$1,050,000

Order Opened	Bidder Name	Envelope Marked	ODOT EART Prequal	ODOT MHA Prequal	Proposal Complete	Addendums 1 thru 2	Proposal Signed	Bid Security		Oregon CCB	First Tier Disclosure	Bid Amount	Bid Rank
								Amount	Type				
1	Moore Excavation, Inc.	YES	YES	YES	YES	YES	YES	10%	Bond	28397	YES	\$1,058,650.00	6
2	Braun Construction	YES	YES	YES	YES	YES	YES	10%	Bond	167432	YES	\$922,480.00	3
3	Canby Excavating	YES	YES	YES	YES	YES	YES	10%	Bond	77471	YES	\$905,080.00	2
4	Jesse Rodriguez Construction	YES	YES	YES	YES	YES	YES	10%	Bond	226580	YES	\$877,500.00	1
5	Pacific Excavation, Inc.	YES	YES	YES	YES	YES	YES	\$116,800.00	Bond	135018	NO	\$1,168,000.00	7
6	Pacific North Construction	YES	YES	YES	YES	YES	YES	10%	Bond	250674	YES	\$967,050.00	5
7	Trench Line Excavation	YES	YES	YES	YES	YES	YES	10%	Bond	105905	YES	\$951,257.00	4

**RESOLUTION NO. 3030****A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH JESSE RODRIGUEZ CONSTRUCTION LLC FOR CONSTRUCTION OF THE PRIORITY 1B WATER DISTRIBUTION IMPROVEMENTS PROJECT (CAPITAL IMPROVEMENT PROJECT 1148).**

WHEREAS, the City has planned, designed, and budgeted the construction for Capital Improvement Project No. 1148, known as the Priority 1B Water Distribution Improvements project (the Project); and,

WHEREAS, the City solicited sealed bids from qualified contractors for the Project that duly followed State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code; and,

WHEREAS, seven bids were received and opened on October 9, 2024, and Jesse Rodriguez Construction LLC submitted a bid of \$877,500 for the Project, which was subsequently evaluated as the lowest responsive and responsible bid.

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

Section 1. The procurement process for the Project duly followed Oregon Public Contracting Rules, and Jesse Rodriguez Construction LLC has submitted the lowest responsive and responsible bid.

Section 2. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, a Construction Contract with Jesse Rodriguez Construction LLC for a stated value of \$877,500, which is substantially similar to **Exhibit A** attached hereto.

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

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November 2024 and filed with the Wilsonville City Recorder this date.

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JULIE FITZGERALD, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. Priority 1B Water Distribution Improvements Construction Contract

## CITY OF WILSONVILLE CONSTRUCTION CONTRACT

This Construction Contract (“Contract”) for the Priority 1B Water Distribution Improvements Project (“Project”) is made and entered into on this \_\_\_\_ day of November 2024 (“Effective Date”) by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as the “City”), and **Jesse Rodriguez Construction LLC**, an Oregon limited liability company (hereinafter referred to as “Contractor”).

### RECITALS

WHEREAS, the City issued a formal Invitation to Bid for the Project described herein; and

WHEREAS, Contractor represents that Contractor is qualified to perform the services described in the Invitation to Bid on the basis of specialized experience and technical expertise; and

WHEREAS, after reviewing all bids submitted in accordance with the Invitation to Bid, the City has determined this Contract shall be awarded to Contractor; and

WHEREAS, Contractor is prepared to perform this Contract in accordance with all the terms and conditions as set forth below, 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, all of the following additional “Contract Documents,” and any and all terms and conditions set forth in such Contract Documents: Specifications and Contract Documents for the Priority 1B Water Distribution Improvements Project, dated September 18, 2024, including Plans and Details, dated March 5, 2024 and November 15, 2022, bound separately; Addendum No. 1, dated September 27, 2024; Addendum No. 2, dated October 1, 2024; Contractor’s Bid submitted in response, dated September 18, 2024; 2017 City of Wilsonville Public Works Standards; City of Wilsonville Special Provisions; Project Specific Special Provisions; Oregon Department of Transportation 2018 Oregon Standard Specifications for Construction; Special Provisions to ODOT Standards; 2010 ADA Standards for Accessible Design, as amended; and the provisions of Oregon Revised Statutes (ORS) 279C, as more particularly set forth in this Contract. Contractor must be familiar with all of the foregoing and comply with them. Any conflict or inconsistency between the Contract Documents shall be called to the attention of the City by Contractor before proceeding with affected work. All Contract Documents should be read in concert and Contractor 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. Scope of Work**

Contractor will perform the pipeline replacement services, as more particularly described herein and in the other Contract Documents for the Project (the “Work”). Contractor shall diligently perform the Work according to the requirements identified in the Scope of Work and Contract Documents.

## **Section 3. Term**

The term of this Contract shall be from the Effective Date until all Work required to be performed hereunder is completed and accepted, or no later than June 20, 2025, whichever occurs first, unless earlier terminated in accordance herewith or an extension of time is agreed to, in writing, by the City. All Work must be at Substantial Completion by no later than May 31, 2025, and at Final Completion by June 20, 2025. See **Section 24** for the definitions of Substantial Completion and Final Completion.

## **Section 4. Contractor’s Work**

4.1. All written documents, drawings, and plans submitted by Contractor in conjunction with the Work shall bear the signature, stamp, or initials of Contractor’s authorized Project Manager. Any documents submitted by Contractor that do not bear the signature, stamp, or initials of Contractor’s authorized Project Manager, will not be relied upon by the City. Interpretation of plans and answers to questions regarding the Work given by Contractor’s Project Manager may be verbal or in writing, and may be relied upon by the City, whether given verbally or in writing. If requested by the City to be in writing, Contractor’s Project Manager will provide such written documentation.

4.2. The existence of this Contract between the City and Contractor shall not be construed as the City’s promise or assurance that Contractor will be retained for future services beyond the Work described herein.

4.3. Contractor shall maintain the confidentiality of any confidential information that is exempt from disclosure under state or federal law to which Contractor may have access by reason of this Contract. Contractor warrants that Contractor’s employees assigned to perform any of the Work provided in this Contract shall be clearly instructed to maintain this confidentiality. All agreements with respect to confidentiality shall survive the termination or expiration of this Contract.

## **Section 5. Contract Sum, Retainage, and Payment**

5.1. Except as otherwise set forth in this **Section 5**, the City agrees to pay Contractor the not-to-exceed amount of EIGHT HUNDRED SEVENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$877,500.00), based on the unit pricing described in the Contract Documents, for performance of the Work (“Contract Sum”). Any compensation in excess of the Contract Sum will require an express written Change Order between the City and Contractor. Unit Prices are more particularly described in the Contract Documents.

5.2. During the course of Contractor's performance, if the City, through its Project Manager, specifically requests Contractor to provide additional services beyond the Scope of Work described in the Contract Documents, Contractor shall provide such additional services and bill the City a reasonable agreed upon fee, pursuant to a written Change Order, executed in compliance with the provisions of **Section 25**.

5.3. Contractor will be paid for Work for which an itemized invoice is received by the City within thirty (30) days of receipt, unless the City disputes such invoice, less a five percent (5%) withholding for retainage. Retainage shall be as outlined in the Contract Documents and as specified under ORS 279C.550 to 279C.570. If the City disputes an invoice, the undisputed portion of the invoice will be paid by the City within the above timeframe, less the retainage. The City will set forth its reasons for the disputed claim amount and make good faith efforts to resolve the invoice dispute with Contractor as promptly as is reasonably possible. Final payment will be held until completion of the final walkthrough, as described in **Section 24**.

5.4. The City will be responsible for the direct payment of required fees payable to governmental agencies, including but not limited to plan checking, land use, zoning, permitting, and all other similar fees resulting from this Project that are not specifically otherwise provided for in the Contract Documents.

5.5. Contractor's unit prices and Contract Sum are all inclusive and include, but are not limited to, all work-related costs, expenses, salaries or wages, plus fringe benefits and contributions, including payroll taxes, workers compensation insurance, liability insurance, profit, pension benefits, and all other contributions and benefits, office expenses, travel expenses, mileage, and all other indirect and overhead charges, including, but not limited to, the Oregon Corporate Activity Tax (CAT).

5.6. Contract provisions regarding payment policies, progress payments, interest, etc. are as outlined in the Contract Documents and in ORS 279C.570.

## **Section 6. Prevailing Wages**

This is a Contract for a Public Works Project, subject to ORS 279C.800 to 279C.870. Therefore, not less than the current applicable state prevailing wage must be paid on this Project. Wage rates for this Project are those published by the Oregon Bureau of Labor and Industries (BOLI), entitled "Prevailing Wage Rates for Public Works Contracts," effective January 5, 2024, and all subsequent amendments. The BOLI prevailing wage rate for public works contracts can be found at the following website: <http://www.oregon.gov/boli/employers/pages/prevailing-wage-rates.aspx>. Because this is a public works contract subject to payment of prevailing wages, each worker in each trade or occupation employed in the performance of the Work, either by Contractor, a subcontractor, or other person doing or contracting to do, or contracting for the whole or any part of the Work, must be paid not less than the applicable state prevailing wage for an hour's work in the same trade or occupation in the locality where such labor is performed, in accordance with ORS 279C.838 and 279C.840, if applicable. Contractor must comply with all public contracting wages required by law. If applicable, Contractor and any subcontractor, or their sureties, shall file a certificate of rate of wage as required by ORS 279C.845. If the City determines at any time that the prevailing rate of wages has not been

or is not being paid as required herein, it may retain from the moneys due to Contractor an amount sufficient to make up the difference between the wages actually paid and the prevailing rate of wages, and may also cancel the Contract for breach. Contractor shall be liable to the workers affected for failure to pay the required rate of wage, including all fringe benefits under ORS 279C.840(5). If applicable, Contractor must include a contract provision in compliance with this paragraph in every subcontract and shall require each subcontractor to include it in subcontract(s).

See **Contractor's Responsibilities** below and other Contract Documents for additional requirements and responsibilities regarding compliance with wage and hour laws and regulations.

### **Section 7. Filing of Certified Statement**

As required in ORS 279C.845(7), the City will retain twenty-five percent (25%) of any amount earned by Contractor under the Contract until Contractor has filed the certified statements required in ORS 279C.845(1). The City will pay to Contractor the amount withheld within fourteen (14) days after Contractor files the required certified statements. As required in ORS 279C.845(8), Contractor shall retain twenty-five percent (25%) of any amount earned by a first-tier subcontractor on the Project until the first-tier subcontractor has filed with the City the certified statements required in ORS 279C.845(1). Before paying any amount withheld, Contractor shall verify that the first-tier subcontractor has filed the certified statement. Within fourteen (14) days after the first-tier subcontractor files the required certified statement, Contractor shall pay the first-tier subcontractor any amount withheld. Contractor shall require all other sub-subcontractors to file certified statements regarding payment of prevailing wage rates with the City.

### **Section 8. Reports to Department of Revenue**

When a public contract is awarded to a nonresident bidder and the contract sum exceeds Ten Thousand Dollars (\$10,000), Contractor shall promptly report to the Department of Revenue, on forms to be provided by the Department, the total contract sum, terms of payment, length of contract, and such other information as the Department may require, before the City will make final payment on the Contract.

### **Section 9. City's Rights and Responsibilities**

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

9.2. If applicable, the City will pay the required Bureau of Labor and Industries fee of one/tenth of one percent (0.1%) of the Contract Sum, or as required by statute.

9.3. The City reserves the right to reject any bid or to refuse delivery of materials or services at or from any manufacturer, supplier, or contractor with which the City has reasonable grounds to believe is or may be operating in violation of any local, state, or federal law or which is the subject of pending litigation.

9.4. If Contractor fails, neglects, or refuses to make prompt payment of any claim for labor or services furnished to Contractor or a subcontractor by any person in connection with the Contract as such claim becomes due, the City may, but shall not be obligated to, pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due Contractor by reason of the Contract. The payment of a claim in the manner authorized hereby shall not relieve Contractor or its surety from the obligation with respect to any unpaid claim. If the City is unable to determine the validity of any claim for labor or services furnished, the City may withhold from any current payment due Contractor an amount equal to said claim until its validity is determined, and the claim, if valid, is paid by Contractor or the City. There shall be no final acceptance of the Work under the Contract until all such claims have been resolved.

9.5. Award of this Contract is subject to budget appropriation. Funds are approved for Fiscal Year 2024-25. If not completed within this fiscal year, funds may not be appropriated for the next fiscal year. The City also reserves the right to terminate this Contract early, as described in **Section 22**.

### **Section 10. City's Project Manager**

The City's Project Manager is Marissa Rauthause. The City shall give Contractor prompt written notice of any re-designation of its Project Manager.

### **Section 11. Contractor's Project Manager**

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

### **Section 12. Project Information**

Except for confidential information designated by the City as information not to be shared, Contractor agrees to share Project information with, and to fully cooperate with, those corporations, firms, contractors, public utilities, governmental entities, and persons involved in the Project. No information, news, or press releases related to the Project, whether made to representatives of newspapers, magazines, or television and radio stations, shall be made without the written authorization of the City's Project Manager.

### **Section 13. Duty to Inform**

If at any time during the performance of this Contract, Contractor becomes aware of actual or potential problems, faults, environmental concerns, or defects in the Project, Contract Documents, or Work, or any portion thereof; or of any nonconformance with federal, state, or local laws, rules, or regulations; or if Contractor has any objection to any decision or order made by the City with respect to such laws,

rules, or regulations, Contractor shall give prompt written notice thereof to the City's Project Manager. Any delay or failure on the part of the City to provide a written response to Contractor shall neither constitute agreement with nor acquiescence to Contractor's statement or claim, nor constitute a waiver of any of the City's rights.

#### **Section 14. Subcontractors and Assignments**

14.1. Unless expressly authorized in writing by the City, pursuant to **Subsection 15.3**, Contractor shall not subcontract with others for any of the Work prescribed herein. Contractor shall not assign any of Contractor's rights acquired hereunder without obtaining prior written approval from the City. Some Work may be performed by persons other than Contractor, provided Contractor advises the City of the names of such subcontractors and the services which they intend to provide, and the City specifically agrees, in writing, to such subcontracting. Contractor acknowledges such services will be provided to the City pursuant to a subcontract(s) between Contractor and subcontractor(s) and no privity of contract exists between the City and the subcontractor(s). Unless otherwise specifically provided by this Contract, the City incurs no liability to third persons for payment of any compensation provided herein to Contractor. Any attempted assignment of this Contract without the written consent of the City shall be void. Except as otherwise specifically agreed, all costs for services performed by others on behalf of Contractor shall not be subject to additional reimbursement by the City.

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

#### **Section 15. Contractor's Responsibilities**

In addition to the obligations and responsibilities set forth in ORS 279C or any of the Contract Documents, Contractor agrees to the following terms and conditions:

15.1. Except as otherwise provided under ORS 30.265, the performance under this Contract is at Contractor's sole risk. All damages or loss to Work, equipment, or materials incurred during the performance of the Work shall be at Contractor's sole risk. Any injury to persons or property incurred during the performance of the Work shall be at Contractor's sole risk. The service or services to be rendered under the Contract are those of an independent contractor who is not an officer, employee, or agent of the City, as those terms are used in ORS 30.265. Notwithstanding the Oregon Tort Claims Act or provisions of any other contract, Contractor is acting as and assumes liability of an independent contractor as to claims between the City and Contractor. Contractor is solely liable for any workers compensation coverage, social security, unemployment insurance or retirement payments, and federal or state taxes due as a result of payments under the Contract. Any subcontractor hired by Contractor shall be similarly responsible. Contractor shall be liable to the City for any failure of any subcontractor(s) to comply with the terms of the Contract.

15.2. Contractor is an independent contractor for all purposes and shall be entitled to no compensation other than the Contract Sum provided for under **Section 5** of this Contract. Contractor will be solely responsible for determining the manner and means of accomplishing the end result of Contractor's Work. The City does not have the right to control or interfere with the manner or method of accomplishing said Work. The City, however, will have the right to specify and control the results of Contractor's Work so such Work meets the requirements of the Project.

15.3. The City understands and agrees that Contractor may request that some Work be performed on the Project by persons or firms other than Contractor, through a subcontract with Contractor. Contractor acknowledges that if such Work is provided to the City pursuant to a subcontract(s) between Contractor and those who provide such services, Contractor may not utilize any subcontractor(s), or in any way assign its responsibility under this Contract, without first obtaining the express written consent of the City. In all cases, processing and payment of billings from subcontractors is solely the responsibility of Contractor. References to "subcontractor" in this Contract mean a subcontractor at any tier.

15.4. Contractor shall be responsible for, and defend, indemnify, and hold the City harmless against, any liability, cost, or damage arising out of Contractor's use of such subcontractor(s) and subcontractor's negligent acts, errors, or omissions. Unless otherwise agreed to, in writing, by the City, Contractor shall require that all of Contractor's subcontractors also comply with, and be subject to, the provisions of this **Section 15** and meet the same insurance requirements of Contractor under this Contract.

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

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

15.7. No person shall be discriminated against by Contractor 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. Contractor shall comply with all federal, state, and local laws, regulations, executive orders, and ordinances applicable to the Contract or to the implementation of the Project. Without limiting the generality of the foregoing, Contractor expressly agrees to comply with the following laws, regulations, and executive orders to the extent they are applicable to the Contract or the implementation of the Project: (a) all applicable requirements of state civil rights and rehabilitation statutes, rules, and regulations; (b) Titles VI and VII of the Civil Rights Act of 1964, as amended; (c) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; (d) the Americans with Disabilities Act of 1990, as amended, and ORS 659A.142; (e) Executive Order 11246, as amended; (f) the Health Insurance Portability and Accountability Act of 1996; (g) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, as amended; (h) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; (i) all regulations and administrative rules established pursuant to the foregoing laws; and (j) all other applicable requirements of federal civil rights and rehabilitation statutes, rules, and regulations.

15.8. Contractor certifies that Contractor has not discriminated against minority, women, or small business enterprises in obtaining any subcontract.

15.9. Pursuant with ORS 279C.505(2), by execution of this Contract, Contractor agrees to have an employee drug testing program in place at the time of executing the Contract, acknowledges that such a program will be maintained throughout the Contract period, including any extensions, and shall demonstrate to the City that such drug testing program is in place. The failure of Contractor to have, or to maintain, such a drug-testing program is grounds for immediate termination of the Contract. Contractor shall require each subcontractor providing labor for the Project to also comply with this drug testing program requirement.

15.10. Contractor agrees that the City shall not be liable, either directly or indirectly, in any dispute arising out of the substance or procedure of Contractor's drug testing program. Nothing in this drug testing provision shall be construed as requiring Contractor to violate any legal, including constitutional, rights of any employee, including but not limited to selection of which employees to test and the manner of such testing. The City shall not be liable for Contractor's negligence in establishing or implementing, or failure to establish or implement, a drug testing policy or for any damage or injury caused by Contractor's employees acting under the influence of drugs while performing Work covered by the Contract. These are Contractor's sole responsibilities, and nothing in this provision is intended to create any third-party beneficiary rights against the City.

15.11. Contractor is solely responsible for ensuring that any subcontractor selection and substitution is in accordance with all legal requirements. The City shall not be liable, either directly or indirectly, in any dispute arising out of Contractor's actions with regard to subcontractor selection and/or substitution.

15.12. Contractor shall make payment promptly, as due, to all parties supplying to such Contractor labor or material for the prosecution of the Work provided for in the Contract Documents and shall be responsible for payment to such persons supplying labor or material to any subcontractor.

15.13. By execution of this Contract, as required by ORS 305.385(6), Contractor certifies under penalty of perjury that to the best of Contractor's knowledge, Contractor is not in violation of any tax laws described in ORS 305.380(4).

15.14. Contractor agrees that if Contractor or a first-tier subcontractor fails, neglects, or refuses to make payment to a person furnishing labor or materials in connection with this Contract within thirty (30) days after receiving payment from the City or a contractor, Contractor or the first-tier subcontractor shall owe the person the amount due plus interest charges commencing at the end of the ten (10) day period within which payment is due under ORS 279C.580(3)(a) and ending upon final payment, unless payment is subject to a good faith dispute as defined in ORS 279C.580. The rate of interest on the amount due shall be calculated in accordance with ORS 279C.515(2). The amount of interest may not be waived.

15.15. Contractor agrees that if Contractor or a subcontractor fails, neglects or refuses to make payment to a person furnishing labor or materials in connection with this Contract, the person may file a complaint with the Construction Contractors Board, unless payment is subject to a good faith dispute as defined in ORS 279C.580.

15.16. Contractor shall make payment promptly, as due, to any party furnishing medical, surgical, hospital, or other needed care and attention, incident to sickness or injury, to the employees of Contractor, of all sums which Contractor agreed to pay or collected or deducted from the wages of employees pursuant to any law, contract, or agreement for the purpose of providing payment for such service.

15.17. Contractor and all subcontractors shall comply with the provisions of ORS 279C.540 pertaining to maximum hours, holidays, and overtime. With certain exceptions listed below, Contractor shall not require or permit any person to work more than ten (10) hours in any one (1) day, or forty (40) hours in any one (1) week, except in case of necessity, emergency, or where public policy requires it, and in such cases the person shall be paid at least time and a half for:

15.17.1. All overtime in excess of eight (8) hours in any one (1) day or forty (40) hours in any one (1) week when the work week is five (5) consecutive days, Monday through Friday; or

15.17.2. All overtime in excess of ten (10) hours in any one (1) day or forty (40) hours in any one (1) week when the work week is four (4) consecutive days, Monday through Friday; and

15.17.3. All work performed on the days specified in ORS 279C.540(1)(b) for public improvement contracts.

15.18. Contractor and all subcontractors shall comply with the provisions of ORS 279C.545 pertaining to time limitation on claims for overtime and requirements for posting circulars containing said provisions.

15.19. For personal/professional service contracts, as designated under ORS 279A.055, instead of 15.17.1, 15.17.2, and 15.17.3 above, a laborer shall be paid at least time and a half for all overtime worked in excess of forty (40) hours in any one (1) week, except for individuals under these contracts who are excluded under ORS 653.010 to 653.261 or under 29 USC §§ 201 to 209 from receiving overtime.

15.20. Contractor shall follow all other exceptions, pursuant to ORS 279B.235 (for non-public improvement contracts) and ORS 279C.540 (for public improvement contracts), including contracts involving a collective bargaining agreement, contracts for services, and contracts for fire prevention or suppression.

15.21. Contractor must give notice to employees who work on a public contract, in writing, either at the time of hire or before commencement of Work on the Contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

15.22. The hourly rate of wage to be paid by any Contractor or subcontractor to employed workers or other persons doing or contracting to do all or part of the work contemplated by a public contract shall be not less than the applicable wage required by law.

15.23. Contractor, its subcontractors, and all employers working under the Contract are subject employers under the Oregon Workers Compensation Law and shall comply with ORS 656.017 and provide the required workers compensation coverage, unless otherwise exempt under ORS 656.126. Contractor shall ensure that each of its subcontractors complies with these requirements.

15.24. In the performance of this Contract, Contractor shall comply with all applicable federal, state, and local laws, municipal codes, regulations, rules, and ordinances, including but not limited to those dealing with public contracts (ORS Chapter 279C) and with the prevention of environmental pollution and the preservation of natural resources (and avoidance of natural resource damages) in the performance of the Contract, including but not limited to ORS 279C.525. To the extent that known environmental and natural resource risks are specifically noted, shown, or specified in the Contract Documents or on the construction drawings, such risks are allocated to Contractor pursuant with ORS 279C.525(8)(a). If new or amended statutes, ordinances, rules, or regulations are adopted, or Contractor encounters a condition not referred to in this Contract, not caused by Contractor, and that was not discoverable by reasonable site inspection which requires compliance with federal, state, or local laws, codes, or regulations dealing with the preservation of the environment, both the City and Contractor shall have all the rights and obligations set forth in ORS 279C.525.

15.25. Contractor shall be liable for any fine imposed against Contractor, the City or the 'Project' as a result of a violation of any laws or permitting requirements by Contractor or any of its subcontractors or their sub-subcontractors or any suppliers.

15.26. Pursuant to ORS 279B.055, Contractor shall use recyclable products to the maximum extent economically feasible, and in full conformance with the Contract Document Specifications, in the performance of the Work.

15.27. Contractor must maintain a City of Wilsonville or Metro business license at all times while performing Work under this Contract.

15.28. Contractor must maintain and provide proof of a statutory public works bond throughout the term of this Contract.

## Section 16. Subcontractor Requirements

16.1. If subcontractors are permitted, Contractor's relations with subcontractors shall comply with ORS 279C.580. Pursuant with ORS 279C.580(3), each subcontract for property or services that Contractor enters into with a first-tier subcontractor, including a material supplier, for the purpose of performing a construction contract, shall include:

16.1.1. A payment clause that obligates Contractor to pay the first-tier subcontractor for satisfactory performance under the subcontract within ten (10) days out of such amounts as are paid to Contractor by the City under the public improvement contract; and

16.1.2. An interest penalty clause that obligates Contractor, if payment is not made within 30 days after receipt of payment from the City, to pay to the first-tier subcontractor an interest penalty on amounts due in the case of each payment not made in accordance with the payment clause outlined in **Subsection 16.1.1** above. A contractor or first-tier subcontractor may not be obligated to pay an interest penalty if the only reason that the contractor or first-tier subcontractor did not make payment when payment was due is that the contractor or first-tier subcontractor did not receive payment from the City or Contractor when payment was due. The interest penalty period shall begin on the day after the required payment date and end on the date on which payment of the amount due is made and shall be computed at the rate specified in ORS 279C.515(2).

16.2. Contractor shall include in each subcontract, as a condition of performance of such contract, a provision requiring the first-tier subcontractor to include a payment clause and interest penalty clause, conforming to the standards set forth in **Subsections 16.1.1 and 16.1.2** above, in each of its subcontracts and requiring that the same clauses be included in any of the first-tier subcontractors' subcontracts with a lower-tier subcontractor or supplier.

16.3. Contractor shall certify that all subcontractors, as described in ORS 701.005(2), will be registered with the Construction Contractors Board or licensed by the State Landscape Contractors Board in accordance with ORS 701.035 or 701.026, respectively, before the subcontractors commence Work under the Contract.

16.4. In no event shall any subcontract be awarded to any person or entity debarred, suspended, or disqualified from federal, state, or municipal contracting.

16.5. Contractor shall include this Contract by reference in any subcontract and require subcontractors to perform in strict compliance with this Contract.

**Section 17. Environmental Laws**

17.1. Although the City is not aware of any of the following, before beginning construction, Contractor shall determine if there is any asbestos, lead paint, or other hazardous materials that will be removed or disturbed as a part of the Project. If disturbance or removal is required, Contractor will advise the City, in writing, and will provide the City with a detailed written supplemental Scope of Work concerning how such disturbance or removal will be accomplished and how materials, if any, will be disposed of, all in accordance with State and Federal environmental laws. Work required due to the finding of any such hazardous materials will require a written Change Order.

17.2. In compliance with the provisions of ORS 279C.525, the following is a list of federal, state, and local agencies, of which the City has knowledge, that have enacted ordinances or regulations dealing with the prevention of environmental pollution and the preservation of natural resources that may affect the performance of the Contract:

FEDERAL AGENCIES:

Forest Service  
Defense, Department of  
Environmental Protection Agency  
Bureau of Sport Fisheries and Wildlife  
Bureau of Land Management  
Bureau of Reclamation  
Occupational Safety and Health Administration  
Coast Guard

Agriculture, Department of  
Soil Conservation Service  
Army Corps of Engineers  
Interior, Department of  
Bureau of Outdoor Recreation  
Bureau of Indian Affairs  
Labor, Department of  
Transportation, Department of  
Federal Highway Administration

STATE AGENCIES:

Environmental Quality, Department of  
Forestry, Department of  
Human Resources, Department of  
Soil and Water Conservation Commission  
State Land Board

Agriculture, Department of  
Fish and Wildlife, Department of  
Geology and Mineral Industries, Department of  
Land Conservation and Development Commission  
National Marine Fisheries Service (NMFS)  
State Engineer  
Water Resources Board

LOCAL AGENCIES:

County Courts  
Port Districts  
County Service Districts  
Water Districts

City Council  
County Commissioners, Board of  
Metropolitan Service Districts  
Sanitary Districts  
Fire Protection Districts

This list may not be all-inclusive, and it is the responsibility of Contractor to know all applicable laws and to comply with them in the performance of this Contract.

17.3. Pursuant with ORS 279C.510(1), if this Contract calls for demolition work, Contractor shall salvage or recycle construction and demolition debris, if feasible and cost-effective.

17.4. Pursuant with ORS 279C.510(2), if this Contract calls for lawn or landscape maintenance, Contractor shall compost or mulch yard waste material at an approved site, if feasible and cost-effective.

17.5. Contractor shall be responsible for the immediate clean-up, remediation, reporting, and payment of fines, if any, related to the release of any hazardous substance or material by Contractor or any subcontractor.

## **Section 18. Indemnity**

18.1. Indemnification. Contractor acknowledges responsibility for liability arising out of the performance of this Contract, and shall defend, indemnify, and hold the City harmless from any and all liability, settlements, loss, costs, and expenses in connection with any action, suit, or claim resulting or allegedly resulting from Contractor's negligent acts, omissions, errors, or willful or reckless misconduct pursuant to this Contract, or from Contractor's failure to perform its responsibilities as set forth in this Contract. The review, approval, or acceptance by the City, its Project Manager, or any City employee of documents or other work performed, prepared, or submitted by Contractor shall not be considered a negligent act, error, omission, or willful misconduct on the part of the City, and none of the foregoing shall relieve Contractor of its responsibility to perform in full conformity with the City's requirements, as set forth in this Contract, and to indemnify the City as provided above and to reimburse the City for any and all costs and damages suffered by the City as a result of Contractor's negligent performance of this Contract, failure of performance hereunder, violation of state or federal laws, or failure to adhere to the standards of performance and care described in **Subsection 18.2**. Contractor shall defend the City (using legal counsel reasonably acceptable to the City) against any claim that alleges negligent acts, omissions, errors, or willful or reckless misconduct by Contractor. As used herein, the term "Contractor" applies to Contractor and its own agents, employees, and suppliers, and to all of Contractor's subcontractors, including their agents, employees, and suppliers.

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

## **Section 19. Insurance**

19.1. Insurance Requirements. Contractor must maintain insurance coverage acceptable to the City in full force and effect throughout the term of this Contract. Such insurance shall cover all risks arising directly or indirectly out of Contractor's activities or Work hereunder. Any and all agents or subcontractors with which Contractor contracts for any portion of the Work must have insurance that conforms to the insurance requirements in this Contract. Additionally, if a subcontractor is an engineer, architect, or other professional, Contractor must require the subcontractor to carry Professional Errors and Omissions insurance and must provide to the City proof of such coverage.

The amount of insurance carried is in no way a limitation on Contractor's liability hereunder. The policy or policies maintained by Contractor shall provide at least the following minimum limits and coverages at all times during performance of this Contract:

19.1.1. Commercial General Liability Insurance. Contractor and all subcontractors shall obtain, at each of their own expense, and keep in effect during the term of this Contract, comprehensive Commercial General Liability Insurance covering Bodily Injury and Property Damage, written on an "occurrence" form policy. This coverage shall include broad form Contractual Liability insurance for the indemnities provided under this Contract and shall be for the following minimum insurance coverage amounts: The coverage shall be in the amount of **\$2,000,000** for each occurrence and **\$3,000,000** general aggregate and shall include Products-Completed Operations Aggregate in the minimum amount of **\$2,000,000** per occurrence, Fire Damage (any one fire) in the minimum amount of **\$50,000**, and Medical Expense (any one person) in the minimum amount of **\$10,000**. All of the foregoing coverages must be carried and maintained at all times during this Contract.

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

19.1.3. Pollution Liability Coverage. Contractor shall carry sudden and accidental and gradual release pollution liability coverage that will cover, among other things, any spillage of paints, fuels, oils, lubricants, de-icing, anti-freeze or other hazardous materials, or disturbance of any hazardous materials, as that term is defined under Oregon law, during the performance of this Contract. Contractor will be fully responsible for the cost of any clean-up of any released materials or disturbance, in accordance with Oregon Department of Environmental Quality ("DEQ") and Federal Environmental Protection Agency ("EPA") clean-up requirements. The coverage shall be in the amount of **\$2,000,000** for each occurrence and **\$2,000,000** general aggregate.

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

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

19.1.6. Additional Insured and Termination Endorsements. The City will be named as an additional insured with respect to Contractor's liabilities hereunder in insurance coverages. Additional Insured coverage under Contractor's Commercial General Liability, Automobile Liability, Pollution Liability, and Excess Liability Policies, as applicable, will be provided by endorsement. Additional insured coverage shall be for both ongoing operations via ISO Form CG 2010 or its equivalent, and products and completed operations via ISO Form CG 2037 or its equivalent. Coverage shall be Primary and Non-Contributory. Waiver of Subrogation endorsement via ISO Form CG 2404 or its equivalent shall be provided. The following is included as additional insured: "The City of Wilsonville, its elected and appointed officials, officers, agents, employees, and volunteers." An endorsement shall also be provided requiring the insurance carrier to give the City at least thirty (30) days' written notification of any termination or major modification of the insurance policies required hereunder. Contractor must be an additional insured on the insurance policies obtained by its subcontractors performing any of the Work contemplated under this Contract.

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

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

## **Section 20. Bonding Requirements**

20.1. Payment and Performance Bonds. Contractor shall obtain a Payment Bond and a Performance Bond, each in a form acceptable to the City and from a surety acceptable to the City, and each in the full amount of the Contract Sum.

20.2. Maintenance/Warranty Bond. Contractor shall maintain a two (2) year Maintenance/Warranty Bond, in a form acceptable to the City and from a surety acceptable to the City, in the amount of ten percent (10%) of the Contract Sum.

20.3. Public Works Bond. Pursuant to ORS 279C.830(2), in addition to the Payment and Performance bonds, before starting work on this Contract or any subcontract hereunder, Contractor and all subcontractors, unless exempt under ORS 279C.836(4), (7), (8), or (9), must have on file with the Construction Contractors Board a public works bond with a corporate surety authorized to do business in the State of Oregon in the minimum amount of **\$30,000**. The bond must provide that the

Contractor or subcontractor will pay claims ordered by the Bureau of Labor and Industries to workers performing labor upon public works projects. The bond must be a continuing obligation, and the surety's liability for the aggregate of claims that may be payable from the bond may not exceed the penal sum of the bond. The bond must remain in effect continuously until depleted by claims paid under ORS 279C.836 unless the surety sooner cancels the bond. Contractor further certifies that Contractor will include in every subcontract a provision requiring a subcontractor to have a public works bond filed with the Construction Contractors Board before starting work on the Project, unless exempt under ORS 279C.836(4), (7), (8), or (9).

20.4. **Bond Claims.** Any notice of claim on a payment or performance bond or public works bond shall comply with the requirements of ORS 279C.605.

## **Section 21. Warranty**

21.1. In addition to, and not in lieu of, any other warranties provided by various manufacturers and suppliers, Contractor fully warrants all Work and materials for a period of two (2) years from the date of Final Acceptance of the Work and shall make all necessary repairs and replacements to remedy, in a manner satisfactory to the City's Project Manager and at no cost to the City, any and all defects, breaks, or failures of the Work or materials occurring within two (2) years following the date of completion due to faulty or inadequate materials or workmanship. Repair of damage or disturbances to other improvements under, within, or adjacent to the Work, whether or not caused by settling, washing, or slipping, when such damage or disturbance is caused, in whole or in part, from activities of Contractor in performing Contractor's duties and obligations under this Contract, is also covered by the warranty when such defects or damage occur within the warranty period. The two (2) year warranty period shall, with relation to such required repair, be extended two (2) years from the date of completion of such repair.

21.2. If Contractor, after written notice, fails within **ten (10) days** to proceed to comply with the terms of this Section, the City may have the defects corrected, and Contractor and Contractor's surety shall be liable for all expense incurred. In case of an emergency where, in the opinion of the City's Project Manager, delay would cause serious loss or damage, repairs may be made without notice being given to Contractor, and Contractor or Contractor's surety shall pay the cost of repairs. Failure of the City's Project Manager to act in case of an emergency shall not relieve Contractor or Contractor's surety from liability and payment of all such costs.

21.3. Current State Law (ORS 12.135) provides for a ten (10) year period, from the time of substantial completion, as defined in ORS 12.135(4)(b), for the City to file a claim for repairs of defective Work due to Contractor's improper use of materials and/or workmanship, and Contractor agrees it is bound thereby.

## **Section 22. Early Termination; Default**

22.1. This Contract may be terminated prior to the expiration of the agreed upon terms:

22.1.1. By mutual written consent of the parties;

22.1.2. By the City, for any reason, and within its sole discretion, effective upon delivery of written notice to Contractor by mail or in person. The City retains the right to elect whether or not to proceed with actual construction of the Project; or

22.1.3. By the City if Contractor breaches this Contract and fails to cure the breach within ten (10) days of receipt of written notice of the breach from the City.

22.2. If the City terminates this Contract in whole or in part, due to default or failure of Contractor to perform Work in accordance with the Contract, the City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies the City may have, both at law and in equity, for breach of contract, Contractor shall be liable for all costs and damages incurred by the City as a result of the default by Contractor, including, but not limited to all costs incurred by the City in procuring services from others as needed to complete this Contract. This Contract shall be in full force to the extent not terminated by written notice from the City to Contractor. In the event of a default, the City will provide Contractor with written notice of the default and a period of ten (10) days to cure the default. If Contractor notifies the City that it wishes to cure the default but cannot, in good faith, do so within the ten (10) day cure period provided, then the City may elect, in its sole discretion, to extend the cure period to an agreed upon time period, which agreed upon extension must be in writing and signed by the parties prior to the expiration of the cure period. Unless a written, signed extension has been fully executed by the parties, if Contractor fails to cure prior to expiration of the cure period, the Contract is automatically terminated.

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

22.4. Termination under any provision of this Section shall not affect any right, obligation, or liability of Contractor or the City that accrued prior to such termination. Contractor shall surrender to the City items of work or portions thereof, referred to in **Section 28**, for which Contractor has received payment or the City has made payment.

### **Section 23. Suspension of Work**

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

### **Section 24. Substantial Completion, Final Completion, and Liquidated Damages**

24.1. Contractor's Project Manager and City's Project Manager shall conduct a final inspection of the Project when Contractor believes the Work is substantially complete and create a project corrections list ("punch list") of items to be completed before final payment will be made. Substantial Completion means that the Work is completed, and roads or premises are fully functional

and ready to use, with only minor punch list items remaining that do not significantly impact public use. Unless otherwise agreed to, in writing, by both parties, the punch list items will be completed within thirty (30) days thereof, and then a final walk-through will occur to confirm all punch list items have been completed. Final payment will occur upon completion of all punch list items (“Final Completion”) as determined by final acceptance by the City (“Final Acceptance”). Substantial Completion must occur on or before May 31, 2025, or liquidated damages will apply. The parties agree that delay damages can be significant but are often difficult to quantify and costly to litigate; therefore the Contractor and the City agree that the sums set forth below in **Subsections 24.3** and **24.4** shall apply as liquidated damages for every day the Project is not completed beyond the Substantial Completion and Final Completion dates.

24.2. The City and Contractor recognize that time is of the essence of this Contract and that the City will suffer financial loss and public detriment if the Work is not substantially completed within the time specified in the paragraph above, plus any extensions thereof granted, in writing, by the City. Both parties also recognize the delays, expenses, and difficulties involved in proving in a legal proceeding the actual loss suffered by the City if the Work is not substantially completed on time. Accordingly, instead of requiring any such proof, the City and Contractor agree that, as liquidated damages for delay (but not as a penalty), Contractor shall pay the City the amounts listed below for each and every day that expires after the time specified for Substantial and Final Completion.

24.3. Liquidated damages shall apply against Contractor and accrue to the City at the rate of Five Hundred Dollars (\$500) for each day that expires after the time specified for Substantial Completion of all Work until the Work reaches Substantial Completion.

24.4. If Contractor shall neglect, fail, or refuse to complete the remaining Work on the punch list by the Final Completion date of June 20, 2025, or any written extension thereof granted by the City, Contractor shall pay the City Five Hundred Dollars (\$500) for each day that expires after the time specified above for the Work to reach Final Completion and be ready for final payment. Retainage will not be released before Final Completion is established.

24.5. The parties further agree that this amount of liquidated damages is a reasonable forecast of just compensation for the harm caused by any breach and that this harm is one which is impossible or very difficult to estimate. In addition to the liquidated damages above, Contractor shall reimburse the City for all costs incurred by the City for engineering, inspection, and project management services required beyond the time specified for Substantial Completion. Contractor shall also reimburse the City for all costs incurred for inspection and project management services required due to punch list items not completed within the time allotted for Final Completion. If Contractor fails to reimburse the City directly, the City will deduct the cost from Contractor’s final pay request.

24.6. Contractor will not be responsible for liquidated damages or be deemed to be in default by reason of delays in performance due to circumstances beyond Contractor’s reasonable control, including but not limited to strikes, lockouts, severe acts of nature, or actions of unrelated third parties not under Contractor’s direction and control that would preclude any reasonable Contractor from performing the Work (“Force Majeure”). In the case of the happening of any Force Majeure event,

the time for completion of the Work will be extended accordingly and proportionately by the City, in writing. Poor weather conditions, unless extreme, lack of labor, supplies, materials, or the cost of any of the foregoing shall not be deemed a Force Majeure event.

### **Section 25. 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 Contractor. A modification is a written document, contemporaneously executed by the City and Contractor, which increases or decreases the cost to the City over the agreed Contract Sum in **Section 5** of this Contract, or changes or modifies the Work described in the Contract Documents or the time for performance. In the event Contractor receives any communication of whatsoever nature from the City, which communication Contractor contends gives rise to any modification of this Contract, Contractor shall, within five (5) days after receipt, make a written request for modification to the City's Project Manager in the form of a Change Order. Contractor's failure to submit such written request for modification in the form of a Change Order shall be the basis for refusal by the City to treat said communication as a basis for modification or to allow such modification. In connection with any modification to this Contract affecting any change in price, Contractor shall submit a complete breakdown of labor, material, equipment, and other costs. If Contractor incurs additional costs or devotes additional time on Project tasks, the City shall be responsible for payment of only those additional costs for which it has agreed to pay under a signed Change Order. To be enforceable, the Change Order must describe with particularity the nature of the change, any delay in time the Change Order will cause, or any increase or decrease in the Contract Sum. The Change Order must be signed and dated by both Contractor and the City before the Change Order may be implemented.

### **Section 26. Dispute Resolution**

In the event of a dispute concerning performance of this Contract, the parties agree to meet to negotiate the problem. If such negotiation fails, the parties will mediate the dispute using a professional mediator, and the parties will split the cost. If the dispute cannot be resolved in either of the foregoing ways within thirty (30) days, either party may file suit in Clackamas County Circuit Court. In the alternative, at the City's election, the parties may follow the dispute resolution procedures found in the Special Provisions.

### **Section 27. Access to Records**

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

### **Section 28. As-Builts/Property of the City**

Contractor must provide redlined as-builts prior to Final Acceptance. As-builts should be provided in electronic format. All documents, reports, and research gathered or prepared by Contractor under

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

## Section 29. 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: Marissa Rauthause, Civil Engineer  
    29799 SW Town Center Loop East  
    Wilsonville, OR 97070

To Contractor:              Jesse Rodriguez Construction LLC  
    Attn: Jesse Rodriguez  
    201 Airport Rd  
    Silverton, OR 97381

## Section 30. Miscellaneous Provisions

30.1. Integration. This Contract contains the entire and integrated agreement between the parties and supersedes all prior written or oral discussions, representations, or agreements. In case of conflict among these or any other documents, the provisions of this Contract shall control, and the terms most favorable to the City, within the City's sole discretion, will apply.

30.2. 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.

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

30.4. Adherence to Law. This Contract shall be subject to, and Contractor shall adhere to, all applicable federal, state, and local laws (including the Wilsonville Code and Public Works Standards), including but not limited to laws, rules, regulations, and policies concerning employer and employee relationships, workers compensation, and minimum and prevailing wage requirements. Any certificates, licenses, or permits that Contractor is required by law to obtain or maintain in order to perform the Work described in this Contract shall be obtained and maintained throughout the term of the Contract.

30.5. 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.

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

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

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

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

30.10. Modification. This Contract may not be modified except by written instrument executed by Contractor and the City.

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

30.12. Calculation of Time. Except where the reference is to business days, all periods of time referred to herein shall include Saturdays, Sundays, and legal holidays in the State of Oregon, except that if the last day of any period falls on any Saturday, Sunday, or legal holiday observed by the City, the period shall be extended to include the next day which is not a Saturday, Sunday, or legal holiday. Where the reference is to business days, periods of time referred to herein shall exclude Saturdays, Sundays, and legal holidays observed by the City. Whenever a time period is set forth in days in this Contract, the first day from which the designated period of time begins to run shall not be included.

30.13. Headings. Any titles of the sections of this Contract are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

30.14. Number, Gender and Captions. In construing this Contract, it is understood that, if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that, generally, all grammatical changes shall be made, assumed, and implied to individuals and/or corporations and partnerships. All captions and paragraph headings used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of this Contract.

30.15. Good Faith and Reasonableness. The parties intend that the obligations of good faith and fair dealing apply to this Contract generally and that no negative inferences be drawn by the absence of an explicit obligation to be reasonable in any portion of this Contract. The obligation to be reasonable shall only be negated if arbitrariness is clearly and explicitly permitted as to the specific item in question, such as in the case of where this Contract gives the City “sole discretion,” or the City is allowed to make a decision in its “sole judgment.”

30.16. Other Necessary Acts. Each party shall execute and deliver to the other all such further instruments and documents as may be reasonably necessary to carry out this Contract in order to provide and secure to the other parties the full and complete enjoyment of rights and privileges hereunder.

30.17. Interpretation. As a further condition of this Contract, the City and Contractor acknowledge that this Contract shall be deemed and construed to have been prepared mutually by each party and it shall be expressly agreed that any uncertainty or ambiguity existing therein shall not be construed against any party. In the event that any party shall take an action, whether judicial or otherwise, to enforce or interpret any of the terms of the contract, the prevailing party shall be entitled to recover from the other party all expenses which it may reasonably incur in taking such action, including attorney fees and costs, whether incurred in a court of law or otherwise.

30.18. Defined Terms. Capitalized terms not otherwise defined herein shall have the meaning given to them in the Specifications and Contract Documents.

30.19. 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.

30.20. 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.

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

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

**CONTRACTOR:**

**CITY:**

JESSE RODRIGUEZ CONSTRUCTION LLC

CITY OF WILSONVILLE

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

As Its: \_\_\_\_\_

As Its: \_\_\_\_\_

EIN/Tax I.D. No. \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stephanie Davidson, Assistant City Attorney  
City of Wilsonville, Oregon

#252320  
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**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Resolution No. 3168</b> Authorizing the City Manager to Execute a Third Amendment to the Professional Services Agreement with Consor North America, Inc. to provide Engineering Consulting Services for the Boeckman Creek Interceptor and Trail Project (Capital Improvement Project No. 2107)  <b>Staff Member:</b> Andrew Barrett, PE, Capital Projects Engineering Manager  <b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> 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  <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Wastewater Collection System Master Plan Project CIP-05 & 06, Transportation System Plan Project RT-01, Parks and Recreation Master Plan Project 1.2. f.	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville Resolution approving a Third Amendment to the Professional Services Agreement (Amendment) with Consor North America, Inc. in the amount of \$2,669,808 for engineering consulting services for the Boeckman Creek Sanitary Sewer Interceptor and Trail project(CIP No. 2107, No. 9150).

**EXECUTIVE SUMMARY:**

The Boeckman Creek Sanitary Sewer Interceptor and Trail project (Project) consists of two high priority capital improvement projects along the corridor of Boeckman Creek, between Memorial Park and Boeckman Road. These projects are planned improvements, which are necessary to support the Frog Pond development areas.

The Boeckman Creek Sanitary Sewer Interceptor Project is identified in the 2014 Wastewater Collection System Master Plan (Project ID Nos. CIP-05 and CIP-06) and is a critical sanitary sewer system improvement that will upsize the existing gravity sanitary sewer interceptor line primarily located within the Boeckman Creek corridor. The project extends from the newly constructed Memorial Park Lift Station located in Memorial Park to Boeckman Road, approximately 7,500 feet upstream. The primary purpose of the Interceptor Project is to upsize the existing interceptor line to serve development within Frog Pond West and future development within Frog Pond East and South, which are currently being planned.

The Trail Project is identified in the Transportation System Plan (Project RT 01B) as a regional trail linking Memorial Park in the south to Frog Pond East and South. The trail portion of the project consists of a 10 to 12-foot-wide paved shared-use path from Boeckman Road to just north of Wilsonville Road that will mainly follow the alignment of the Interceptor Project. The trail will serve as access to the new interceptor pipeline, allowing Wilsonville Public Works Department to perform regular maintenance on the wastewater infrastructure. Trail amenities including benches, signage, and a trail overlook, and other improvements typical of forested shared use pathway are planned as part of the Project. A future trail project is needed to complete the connection from just north of Wilsonville Road to Memorial Park with construction of a bridge over Boeckman Creek and boardwalk to Wilsonville Road.

Phase I of the Project began the preliminary engineering design. This phase includes verifying design assumptions, mapping existing conditions, selecting sewer and trail alignments, determining the permitting strategy, and completing preliminary design (30%). Now that the preliminary engineering design work is nearing completion, a contract amendment with Consor North America, Inc. for Phase II – Final Engineering and Construction Support Services is necessary to finish design and ready the Project for construction. An additional future contract amendment with Consor North America, Inc. will be necessary for construction support services at the time of the Project construction bid.

**EXPECTED RESULTS:**

The Project will upgrade 7,500 feet of the existing Boeckman Creek Sanitary Sewer Interceptor to provide additional capacity needed to support development within Frog Pond. In addition, the Project will build 6,500 feet of a segment of the Boeckman Creek regional trail, a shared use path between Memorial Park and the Frog Pond neighborhoods.

**TIMELINE:**

Phase II, Final Engineering design is anticipated to be completed by December 31, 2025. Construction is anticipated to begin in the first quarter of 2026 and completed by the third quarter of 2027.

**CURRENT YEAR BUDGET IMPACTS:**

The amended budget for Fiscal Year (FY) 2024-2025 includes \$3,115,900 in sewer operating and sewer System Development Charges (SDC) and \$559,506 in parks SDC for design, property acquisition, and project administration.

CIP No.	Project Name	Funding Source	Amended FY 24/25 Budget	Contract Amount
2107	Boeckman Creek Sanitary Sewer Interceptor	Sewer Ops and SDC	\$3,115,900	\$2,386,058
9150	Boeckman Creek Trail	Parks SDC	\$283,750	\$283,750
		Total	\$3,399,650	\$2,669,808

The contract amount for Phase II, Final engineering work, is within the FY 2024-25 budgeted amount. This project is included in the City’s five-year capital improvement plan and will be carried into subsequent fiscal years.

**COMMUNITY INVOLVEMENT PROCESS:**

The Boeckman Creek Regional Trail is identified as a high priority project in the Bicycle and Pedestrian Master Plan, the last major update to the Wilsonville Transportation System Plan, and the 2018 Parks and Recreation Master Plan. All of the plans included an extensive community involvement process. Likewise, the Boeckman Interceptor project is identified as a high priority project in the 2015 Wastewater Collection System Master Plan and included engagement with the community. An update to the project has been provided to Council on October 7, 2024, describing the public outreach efforts.

Opportunities to participate in the planning and design of the project have occurred through various stages of design, as follows:

- May 25, 2023 – Neighborhood open house for residents and property owners adjacent to the project limits. Gather neighborhood concerns and design considerations to inform project development. Share upcoming fieldwork expectations as design work gets underway.
- July 11, 2023 – Let’s Talk, Wilsonville! pre-design survey (May 26-July 11). Gather community-wide input on trail design preferences and considerations through an online survey.
- August 17, 2023 – Citywide open house to gather trail design preferences, considerations and concerns to help inform project development.
- September 11, 2024 – Citywide open house to provide feedback and input on preliminary sewer and trail alignments.
- Throughout the project - Meetings and other communications with various stakeholders along the project

Additional public engagement activities will occur as the project advances in design and construction, which will include surveys, stakeholder and neighborhood engagement, as well as engagement through Let's Talk, Wilsonville!, Boones Ferry Messenger, a City project webpage, social media, mailers, and door hangers.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

The Project will provide reliable wastewater service, capacity, and support for the Frog Pond neighborhoods, and a segment of regional bike and pedestrian trail between Boeckman Road and Memorial Park. This trail will provide alternative means for the community to travel from the residential areas of the City to essential services and recreational areas, such as Wilsonville Town Center civic, medical, shopping, and employment areas, Wilsonville High School, Boeckman Creek Primary, and Frog Pond Primary, and Memorial Park, while providing maintenance access to the new sanitary sewer interceptor.

**ALTERNATIVES:**

The project work included full engineering design of the selected design alternatives assessed as part of the preliminary engineering work. The sanitary sewer interceptor and trail alignment and design is based on a number of considerations, including capital and operations/maintenance costs, environmental permitting risk, impacts to natural resources, Americans with Disabilities Act compliance, impacts and benefits to the community and others as identified through the public engagement process.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Vicinity Map
2. Resolution No. 3168
  - A. Boeckman Creek Interceptor and Trail Project Second Amendment to Professional Services Agreement

Map Legend

-  Project Extent
-  Streets
-  City Limits

**RESOLUTION NO. 3168**  
**ATTACHMENT #01**

Item 12.



**WILSONVILLE**  
 COMMUNITY DEVELOPMENT

**Boeckman Creek Interceptor and Trail**  
 Project Location Map

**Disclaimer**

This project 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.



**RESOLUTION NO. 3168****A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CONSOR NORTH AMERICA, INC. TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE BOECKMAN CREEK INTERCEPTOR AND TRAIL PROJECT (CAPITAL IMPROVEMENT PROJECT NO. 2107/9150).**

WHEREAS, the City has planned and budgeted for engineering design of Capital Improvement Projects No. 2107 and No. 9150, known as the Boeckman Creek Interceptor and Trail project (the Project); and

WHEREAS, the City solicited proposals from qualified consulting firms for the Project that duly followed State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code; and

WHEREAS, Consor North America, Inc. submitted a proposal on May 11, 2022 and was subsequently evaluated and determined to be the most qualified consultant to perform the work; and

WHEREAS, following the qualifications based selection process and under the direction of the City, a detailed scope of work was prepared, and the fee for the scope was negotiated and found to be acceptable and appropriate for the services to be provided; and

WHEREAS, the City entered into a Professional Services Agreement with Consor North America, Inc. on October 17, 2022 and performed the initial services to the satisfaction of the City; and

WHEREAS, the City desires to amend the Professional Services Agreement contract with Consor North America, Inc. to extend engineering design services through design into the bidding phase of the work.

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

Section 1. The procurement process for the Project duly followed Oregon Public Contracting Rules, and Consor North America, Inc. has provided a responsive and responsible proposal for engineering consulting services.

Section 2. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, a Professional

Services Agreement amendment with Consor North America, Inc. for a not-to-exceed amount of \$2,669,808, which is substantially similar to **Exhibit A** attached hereto.

Section 3. In order to allow future minor contract amendments, if needed, to occur without having to come back to City Council, the authorized Professional Services Agreement contract total is hereby adjusted up to \$3,683,404, allowing for continued Contracting Agency approval of contract amendments that exceed this adjusted amount by fifteen percent (25%) in accordance with City Code requirements.

Section 4. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November, 2024, 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. Third Amendment to the Boeckman Creek Interceptor & Trail PSA Contract

**CITY OF WILSONVILLE  
THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**

**Boeckman Creek Sanitary Sewer Interceptor and Trail  
Design and Construction Support Project**

This Third Amendment to Professional Services Agreement (“Third Amendment”) is effective the \_\_\_\_ day of November 2024 (“Effective Date”), by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (“City”), and **Conсор North America, Inc.**, an Oregon corporation (“Consultant”), upon the terms and conditions set forth below.

**RECITALS**

WHEREAS, the City entered into a Professional Services Agreement (“Agreement”) with Consultant on October 25, 2022, relating to the Boeckman Creek Sanitary Sewer Interceptor and Trail Design and Construction Project (“Project”); and

WHEREAS, the City entered into a First Amendment to Professional Services Agreement (“First Amendment”) with Consultant on February 28, 2024; and

WHEREAS, the City entered into a Second Amendment to Professional Services Agreement (“Second Amendment”) with Consultant on June 7, 2024; and

WHEREAS, the City requires additional services which Consultant is capable of providing, under terms and conditions hereinafter described (“Additional Services”); and

WHEREAS, the City and Consultant anticipate that additional time is needed to complete the Services stated in the Agreement and the Additional Services described in this Third Amendment; and

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

WHEREAS, Consultant is prepared to provide such Additional 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**

The Agreement is amended as follows:

**Section 1. Term**

The term of the Agreement is hereby extended to December 31, 2026.

**Section 2. Additional Services to be Provided**

Consultant will perform the Additional Services for the Project, as more particularly described in **Exhibit A** attached hereto and incorporated by reference herein, pursuant to all original terms of the Agreement, except as modified herein.

**Section 3. Time for Completion of Additional Services**

The Additional Services provided by Consultant pursuant to this Third Amendment shall be completed by no later than December 31, 2026.

**Section 4. Compensation**

The City agrees to pay Consultant on a time and materials basis, guaranteed not to exceed TWO MILLION SIX HUNDRED SIXTY-NINE THOUSAND EIGHT HUNDRED AND EIGHT DOLLARS (\$2,669,808.00), for performance of the Additional Services (“Third Amendment Compensation Amount”) which, when totaled with the Total Compensation Amount from the First Amendment, equals a total not-to-exceed amount of THREE MILLION SIX HUNDRED EIGHTY-THREE THOUSAND FOUR HUNDRED AND FOUR DOLLARS (\$3,683,404.00) for the performance of the Services and Additional Services (“Total Compensation Amount”). The term “Total Compensation Amount,” as defined in the First Amendment, is hereby deleted and replaced with the term “Total Compensation Amount” as defined above. Consultant’s estimate of time and materials is attached hereto as **Exhibit B**, and incorporated herein by reference.

**Section 5. All Other Terms**

All of the other terms and conditions of the Agreement shall remain in full force and effect, as therein written. Unless otherwise defined herein, the defined terms of the Agreement shall apply to this Third Amendment.

The Consultant and the City hereby agree to all provisions of this Third Amendment.

**CONSULTANT:**

CONSOR NORTH AMERICA, INC.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

As Its: \_\_\_\_\_

EIN/Tax I.D. No. \_\_\_\_\_

**CITY:**

CITY OF WILSONVILLE

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

As Its: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephanie Davidson, Assistant City Attorney  
City of Wilsonville, Oregon

#220693

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**EXHIBIT A****AMENDMENT NO. 3****BOECKMAN CREEK SANITARY SEWER INTERCEPTOR & TRAIL  
DESIGN – PHASE 2 FINAL DESIGN & BIDDING  
CITY OF WILSONVILLE****Introduction**

Conсор North America, Inc. (Consultant) has been performing alternatives analysis and preliminary design engineering phase services to the City of Wilsonville (City) for the Boeckman Creek Sanitary Interceptor and Trail Design and Construction Support Project, Project Nos. 2107 and 9150, respectively.

Consultant has completed the data collection portion of the project and prepared alternative preliminary designs for the City to consider for incorporation into the project. Upon consideration, City Engineering staff has determined the project should include the following elements:

- Upsized Boeckman Creek sanitary sewer interceptor:
  - a. Replacement of approximately 7,400 lineal feet (LF) of existing sewer piping between Memorial Park and the recently constructed Boeckman Road sewer trunk, with pipe sizes ranging from 18 to 24 inches in diameter.
  - b. The interceptor will connect to the existing sewer line south of Boeckman Road on the east side of Boeckman Creek. At the southern end, the interceptor will connect to an existing manhole located just west of Memorial Park Pump Station. The project will reconnect existing sewer laterals and side mains to match existing conditions.
  - c. Construction methods to include approximately 3,000 LF of open-cut construction, and 4,400 LF of trenchless pipe bursting construction.
  - d. The existing interceptor crosses Boeckman Creek in three locations as well as wetlands adjacent the creek crossings. Open-cut construction methods will be used to replace the pipe sections in the creek and wetlands.
  - e. Permits with US Army Corps of Engineers (USACE) and State of Oregon Department of State Lands (DSL) are required to be obtained prior to starting construction. Permit conditions are expected to be limitations of construction during the In-Water Work Window (Approximately July - September); protection of fish; and water quality monitoring. The City intends to construct the in-water portions

during the 2026 In-Water Work Window. The construction plans will include creek isolation and flow bypassing.

- f. Specifications for contractor to maintain existing sewer flows during construction will be developed and included in the construction contract documents. Provisions will include providing and maintaining sewer bypassing equipment such as pumps, piping and valves.
  - g. Temporary construction access to the pipeline corridor will be required. Construction accesses will be required through both City-owned corridors and across private property. Where temporary construction access onto private property is identified as necessary, the City will obtain temporary construction access easements from affected property owners.
  - h. Due to conflict with the replacement interceptor, the existing drainage culvert just west of the Memorial Park Pump Station will be replaced with a new culvert with a different configuration. To minimize the need for mitigation due to permanent stream impacts, it is anticipated that a bottomless culvert designed to current fish passage standards will be provided.
  - i. The interceptor will be relocated along a new alignment in the area in the northernmost section of the project near the Arbor Crossing Subdivision, to follow the new trail as it connects to the new trail segment being constructed under the new Boeckman Road bridge.
- New paved trail on the east side of Boeckman Creek:
    - a. The new trail will run south from Boeckman Road south approximately 4,500 lineal feet.
    - b. The trail will be designed to City regional trail standards, featuring a 10-foot wide asphalt paved surface and a 1-foot wide gravel shoulder on each side.
    - c. Where feasible the trail will be designed to guidelines of the Americans with Disabilities Act (ADA), to include grades below 5 percent. Where not feasible, grades will not exceed 8.33 percent and feature intermediate landings and handrails as specified by the ADA guidelines.
    - d. The trail will be designed to accommodate infrequent use by the City's sewer maintenance vacuum truck, and will feature one truck turnaround area at the southern end of the east side trail. The trail surface will be designed to remain within 10 feet of the sewer interceptor manholes.
    - e. Retaining walls will be provided where recommended by the geotechnical engineer to allow excavation of existing ground for construction of the trail.

- f. Existing trees and vegetation will be removed to allow construction of the trail, and a restoration plan for disturbed areas of the project site will be developed.
  - g. A new City waterline extension will be constructed near Gesellschaft Well and extend down to the east side trail. The waterline will be 6 to 8 inches in diameter and will include one hydrant adjacent to the trail.
  - h. Drainage culverts will be replaced as necessary to accommodate the new trail facility. A new box culvert will be installed at the Iron Horse drainage to accommodate City maintenance vehicle traffic.
  - i. Up to 6 paved “overlooks” adjacent to the trail on the creek side may be incorporated into the project as directed by the City. The overlooks may also feature a bench or other trail amenity as determined by the City.
- New path segment on the west side of Boeckman Creek connecting the sewer maintenance road to Wilsonville Road:
    - a. The segment will be approximately 900 LF, connecting the crosswalk at the west end of Wilsonville Road to the new trail on the east side of Boeckman Creek.
    - b. The segment will include a bridge over Boeckman Creek near the Bridge Creek Apartments.
    - c. It will also include timber boardwalk construction through a portion of the alignment to minimize the impacts of grading adjacent the creek, along with the amount of retaining walls required.
    - d. The segment will be designed to regional trail standards similar to the trail on the east side of Boeckman Creek.

The City desires to move forward with final design, natural resource permitting and bidding for the sewer interceptor and trail improvements.

The City also desires to proceed with design of the CIP No. 7054 Gesellschaft Water Well Channel Restoration Project. Severe erosion is occurring in the drainage channel downstream of the Gesellschaft well house due to weekly discharges from the drinking water well and excess stormwater runoff from the surrounding residential development. The City proposes bypassing the channel entirely by piping to the bottom of the slope and restoring the eroded channel with native trees and shrubs. The restoration project is fully within the Boeckman Creek Sanitary Sewer Interceptor and Trail Project area, and the City has determined that it is in their interest to complete the piping and restoration improvements at the same the Boeckman Creek Sewer Interceptor & Trail project is constructed.

## General Assumptions

- Where deliverable documents are identified, hereinafter, four (4) hard copies of the deliverable will be provided in addition to an electronic version in .PDF and original .DOC format.
- The Consultant's standard CAD software (AutoCAD) will be used to produce the drawings, following its own drafting standards. Final record drawings files will be delivered to the City in AutoCAD format.

## Summary of Additional Services

### ***Task 1 - Project Management (Existing Task Supplement)***

Provide overall leadership and team strategic guidance aligned with City staff objectives. Coordinate, monitor, and control the project resources to meet the technical, communication, and contractual obligations required for developing and implementing the project scope.

The following additional project management services will be provided:

- Conduct regular status meetings with City PM. Prepare monthly invoices and progress reports.
- Maintain regular communication with the City through regularly scheduled progress meetings and via voice and emailed communication.
- Manage and coordinate the technical and scope issues of the overall project. Progress meetings will be conducted with staff on a regular basis.
- coordinate with and manage subconsultants on specific tasks, deliverables, scope, schedule and budget. Conduct periodic progress meetings.
- coordinate with other interested parties associated with or on adjacent projects, such as the design team for the City's Boeckman Road Corridor project and as directed or authorized by the City PM.
- Implement QA/QC processes with the goal of increasing the quality of deliverables, and document quality control and quality assurance was performed.
- Develop a risk registry and decision log for use during design of the project, submit to City for review and comment.

### *Task 1 Assumptions:*

- Project duration extended to June 30, 2026, which is 22 months beyond current contract completion date of August 31, 2024.
- Progress meetings with the City staff will be via conference call, generally held bi-weekly, with meeting agenda and summary notes provided within 2 business days of the meeting.

### *Task 1 Deliverables:*

- Monthly invoices with progress report, task-level budget report.

## ***Task 10 – Public Involvement (Existing Task Supplement)***

Provide additional assistance to the City in implementing and coordinating public involvement, outreach and communications strategies.

### *Activities:*

The following additional public involvement assistance will be provided:

#### ***Task 10.1 Public Involvement & Communications Plan***

Update the Public Involvement and Communications Plan with input from the City and engineering team.

#### ***Task 10.2 Portfolio of Information Materials***

Continue development of the Portfolio of Information Materials and deploy the communications tools through 100% design. This will include the following:

- Fact sheet updates
- FAQ updates
- Boones Ferry Messenger articles
- Text alerts
- City Council Reports/Presentation Support
- Neighborhood notifications

### *Task 10.3 Online Open House on Let'sTalkWilsonville*

No additional activities are anticipated.

### *Task 10.4 Public Open House*

Prepare for and attend three additional public open house events to communicate to the public the direction of the project design and receive input from the public regarding preferences, concerns, etc. related to the direction of the project. The additional open house events are a Data Collection Phase Open House, Preliminary Design Phase Open House, and Advanced Design Phase Open House. Prepare open house materials, graphics, promotional materials.

### *Task 10.5 PI Coordination*

Coordinate closely with the City and project team to review and discuss outreach activities and progress.

Coordinate communications with other City projects to ensure a cohesive message.

### *Task 10 Deliverables:*

- Updated public involvement & communications plan
- Fact sheet updates - 3 updates
- FAQ updates - 2 updates
- Boones Ferry Messenger articles – 6 articles
- Project website updates - 6 updates
- Text alerts – 10 alerts
- City Council Reports/Presentation Support – support for 4 Council meetings
- Neighborhood notifications – 4 notifications
- Postcard mailers - 2 mailers
- Meeting graphics, handouts, and exhibits used for Open Houses.

### *Task 10 Assumptions:*

- Open houses will be attended by all relevant design/task leads.
- City will provide address information for residential mailings. Consultant will coordinate printing and mailing of materials.

- City will be responsible for the cost of mass printing and mailing of printed materials.
- City will be responsible for hosting and maintaining the project web page.
- City will publicize project through their communications channels.
- COVID-19 guidelines will be followed.

## ***Task 11 - Geotechnical Investigations***

### ***Objective:***

Perform geotechnical investigations, perform laboratory testing, perform analyses, develop design recommendations, and prepare reports documenting findings and recommendations.

### ***Activities:***

The following additional geotechnical engineering services will be provided:

#### ***Task 11.1 Geotechnical Field Explorations***

Conduct geotechnical field explorations to assess the subsurface conditions within the project area. The field exploration program will consist of:

- Coordinate with subcontracted drilling services, and obtain permits from the local jurisdiction for up to two of the planned explorations.
- Identify boring locations in the field, notify Oregon Utility Notification Center, review potential buried utility locations relative to planned borings, and relocate boring locations due to existing subsurface utilities.
- Construct and dismantle a temporary construction access bridge for use by drilling equipment, to be located along existing trail near the timber pedestrian bridge south of Boeckman Creek.
- Drill eleven (11) solid stem auger borings with Standard Penetration Test (SPT) sampling along the eastern slope of Boeckman Creek between Boeckman and Wilsonville Roads. The depth of the explorations is anticipated to be approximately 50 feet.
  - a. Explorations will be completed using a portable drill.
  - b. Undisturbed thin-walled samples will be obtained if conditions warrant.
  - c. Install up to three (3) 2-inch diameter inclinometers.

- Perform up to two (2) subsequent field visits to obtain readings from inclinometers.
- Drill two (2) borings in public rights-of-way or City property at the top of the east slope of Boeckman Creek to assess the subsurface conditions. The depth of the borings is anticipated to be approximately 80 feet.

### *Task 11.1 Assumptions:*

- The explorations do not include environmental assessments, and the site is assumed to be “clean” regarding contaminated and hazardous materials.
- Access including necessary easements and rights of entry will be provided by the City.
- Drill cuttings from solid stem auger explorations will be left on site.
- Drilling cuttings from mud rotary borings will be removed from site.
- Site access to the Boeckman Creek corridor will be provided by the City, via the existing construction project along Boeckman Road.
- Existing timber pedestrian bridge will be set back into place following exploration work, if conditions warrant. Repairs or rebuilding the existing bridge to safe conditions may be necessary but is not included in this scope of work.

### *Task 11.2 Geotechnical Field Explorations, Foundation Evaluation and Recommendations – Creek Crossing & Wilsonville Road Connection*

Conduct geotechnical field explorations to assess the subsurface conditions within the project area for the proposed creek crossing with bridge and elevated boardwalk to the west side of Boeckman Creek and connection to Wilsonville Road. The field exploration program will consist of:

- Drill four (4) mud rotary soil borings along the western slope of Boeckman Creek north of Wilsonville Road in the project area. The depth of the borings is anticipated to be approximately 100 feet.
  - a. Includes SPT and undisturbed sampling.
  - b. Install 2 inclinometers on the western slope of Boeckman Creek north of Wilsonville Road.
  - c. Includes laboratory testing as discussed in Task 11.3.
- Provide slope stability analyses for the west side of corridor, near the planned bridge crossing under existing and proposed conditions.
- Provide seismic spectral parameters for use in the structural analyses.

- Provide foundation design recommendations for the pedestrian bridge, which are likely to include:
  - a. Pile supported foundations;
  - b. Recommendations for either drilled or driven pile installation;
  - c. Pile and/or shaft size recommendations;
  - d. Pile lateral loading analyses for pile head deflections.
- Provide findings and recommendations in the Project GDR and GER, or separate TMs if preferred.

#### *Task 11.2 Deliverables:*

- Documentation for Project GDR and GER, or separate TMs if preferred.

#### *Task 11.3 Assumptions*

- West slope can be accessed from the Creekside Woods Senior Apartments.

#### *Task 11.3 Geotechnical Engineering and Reporting*

Using the samples and boring logs collected during geotechnical field exploration, perform laboratory testing to evaluate subsurface soil and groundwater conditions, and conduct engineering evaluations.

- Review samples obtained from the geotechnical investigation.
- Perform laboratory testing and development of subsurface logs. Testing may include moisture content, Atterberg limits, percent fines, and direct shear.
- Perform geotechnical engineering analyses to support the design and construction of the project. Analyses will include the following items:
  - a. Lateral earth pressure distribution on retaining walls and embedded structures.
  - b. Coefficient of frictional resistance of the base of gravity retaining walls or other permanent structures.
  - c. Recommendations for bearing capacity and settlement under static conditions for gravity retaining walls and pipeline structures (such as manholes and vaults).
  - d. Slope stability evaluations for up to 6 (six) cross-sections of the east side of the creek corridor.

- e. Develop geotechnical parameters for the design of soldier pile retaining walls:
  - i. Recommended pile installation method (drilled or driven);
  - ii. Tieback grout-to-soil bond strength.
- Prepare draft Geotechnical Data Report (GDR) and Geotechnical Engineering Report (GER) to support the design and construction of the project. The GDR will summarize factual information regarding the results of the subsurface investigations and laboratory testing. The GER will include the following:
  - a. Results of slope stability analyses under existing and proposed conditions.
  - b. Sewer interceptor design and construction recommendations
    - i. Soil parameters to be used in pipeline design
    - ii. Pipeline subgrade preparation.
    - iii. Lateral earth pressure loading and diagrams for temporary shoring, permanent embedded structures, and soldier pile retaining wall design.
  - c. Design criteria for segmental gravity-type retaining walls, including:
    - i. Minimum base width;
    - ii. Assumed individual wall unit dimensions;
    - iii. Total wall height;
    - iv. Wall embedment depth, if applicable;
    - v. Wall batter, if applicable;
    - vi. Maximum supported soil backslope.
  - d. Summary of geotechnical parameters for use in design of soldier pile retaining walls:
    - i. Earth pressure loading and resisting distribution diagrams;
    - ii. Changes in lateral earth pressure coefficients based on soil backslope angle;
    - iii. Recommended pile installation method (drilled or driven);
    - iv. Tieback grout-to-soil bond strength.
  - e. Recommendations for subgrade preparation for:

- i. Gravity retaining walls;
  - ii. Interceptor pipeline;
  - iii. Embedded structures;
  - iv. Trail pavement.
- f. Recommendations for fill materials including:
  - i. Structural fill;
  - ii. Wall backfill;
  - iii. Pipe bedding and pipe zone backfill;
  - iv. Trench backfill;
  - v. Use of onsite soils as fill materials.
- g. Recommendations for trail stability mitigation, such as:
  - i. Deep patch embankment repair;
  - ii. Use of fill materials and geotextile fabrics.
- Attend up to 8 (eight) meetings/workshops to present findings and evaluation results.
- Prepare specifications, revised analyses and recommendations where applicable due to alignment changes.
- Prepare final GDR and GER deliverables.

### ***Task 11.3 Deliverables:***

- Geotechnical Data Report (GDR), Draft and Final (Word and PDF format)
- Geotechnical Engineering Report (GER), Draft and Final (Word and PDF format)

## ***Task 12 –Easement and Property Acquisitions***

### ***Objective:***

Assist the City and their agents with their performance of land acquisition services for the procurement of permanent utility easements, temporary construction easements, and, if necessary, the purchase of Right-of-way (R/W).

***Activities:***

Consultant shall provide labor, equipment and materials as requested by the City to assist the City and its contracted agents to perform valuation and acquisition services. R/W activities shall conform to the standards contained in the Uniform Act of 1970 and amendments, Oregon State Law and the City of Wilsonville policies and procedures. It is assumed that right-of-way acquisition will be required from several properties and will be for permanent and temporary construction easements and will involve coordination with Clackamas County, the City of Wilsonville, and private property owners.

***Assumptions:***

- City to provide services of qualified real estate professionals under a separate contract.
- Prepare legal description and exhibit for up to 48 separate easements on up to 16 properties in the study area, at an assumed 3 exhibits per property.

***Task 13 Environmental Reconnaissance and Permitting******Objective:***

Prepare an table of inventoried existing trees within the project area, prepare a tree removal and preservation plan. Prepare applications for and obtain Federal and State permits for temporary work within and impacts to regulatory bodies of water.

***Activities:******13.1 Tree Removal and Preservation Plan***

Consultant shall perform work to amend the survey and inventory of trees performed in Task 5.3 by further review of trees which were identified through topographic survey as within the area of potential impact (API) but were not tagged and inventoried by the project arborist. The task will involve identification of all trees subject to impact by the project which are also lacking sufficient description of tree type or condition. A field assessment will then be conducted by the Consultant to confirm the location, common and botanical names of trees, and size in Diameter at Breast Height (DBH), and the canopy spread. Trees less than 6 inches DBH will not be included in the tree inventory.

Consultant shall prepare a table showing the inventoried tree information listed above per Section 4.610.40.02.A.2.a of the Wilsonville City Code. Consultant shall include the health and condition of all trees likely to be impacted by the project for inclusion in the Tree Maintenance and Protection Plan and Tree Removal Permit.

Consultant shall prepare plans showing the locations of trees larger than 6 inches DBH, identifying which trees are to be removed and which trees require preservation treatment during construction, including details for the preservation methods, and specifications for preservation and removal.

Consultant will prepare a Tree Removal Permit application as required by City.

### *Task 13.1 Assumptions*

- City will provide tree survey data collected for the Boeckman Road project that extends into the API to Consultant, in digital format compatible with inserting into the AutoCAD-based construction drawing set.
- Trees smaller than 6" DBH are not subject to inventory and are not included in the removal and preservation plan.
- Consultant will not provide studies and documentation regarding project compliance with the City's Significant Natural Resource Overlay ordinance requirements per City feedback provided in the preliminary design phase of the project.
- Additional tree survey field assessment is assumed to be performed north of Wilsonville Road in the area adjacent the proposed trail. The assessment will be conducted by the Consultant over the course of a three-day fieldwork effort.

### *Task 13.1 Deliverables*

- Tree Inventory Table.
- Tree Removal and Preservation Plan.
- Tree Removal Permit application.

### *13.2 Wetland and Stream Function Assessments*

Consultant shall complete an Oregon Rapid Wetland Assessment Protocol (ORWAP) assessment of wetlands in API. The purpose of the ORWAP assessment is to quantify wetland functions and values impacted by proposed permanent fill associated with project construction. Consultant shall complete all required office based ORWAP work prior to the site assessment. Consultant shall collect all required field data for the ORWAP assessment in required DSL format. Consultant shall post-process all ORWAP field data for inclusion in the project Joint Permit Application (JPA) in Task 1.5.

Consultant shall complete a Stream Function Assessment Methodology (SFAM) assessment of Boeckman Creek within the API to quantify lost stream functions and values resulting from permanent project impacts to the creek. Consultant shall complete all required office based

SFAM work prior to the site assessments. Consultant shall post-process all SFAM field data for inclusion in the JPA for the project.

### *Task 13.2 Assumptions*

- Assessment areas are assumed to be in the project area between Memorial Park Pump Station and the proposed regional trail segment crossing Boeckman Creek north of Wilsonville Road.
- Up to three separate ORWAP assessment areas will be required given the size of the project and potential impacts to multiple wetlands.
- Up to three separate SFAM assessment areas will be required given the size of the project and potential impacts to Boeckman Creek.
- Consultant shall collect all required field data for the SFAM and ORWAP assessments using two staff, with an estimated field time not to exceed seven total (7) days. No other site visits or meetings are included in this task.

### *Task 13.2 Deliverables*

- SFAM spreadsheets and mapping for inclusion in JPA.
- ORWAP spreadsheets and mapping for inclusion in JPA.

## *13.3 Joint Permit Application*

Consultant shall prepare a draft and final JPA to apply for a USACE Clean Water Act Section 404 Individual Permit (IP) and for a DSL IP in accordance with requirements set forth in OAR 141-085-0025. Clean Water Act Section 401 certification from the Oregon Department of Environmental Quality (DEQ) will be required for the project. The 401 certification will be facilitated by Consultant's submittal of the JPA, and a Stormwater Management Plan prepared by Consultant assuming the proposed trail will include pollutant-generating impervious surfaces, in DEQ format to DEQ for review and approval.

Preparation of the JPA may include correspondence with regulatory agencies in the form of telephone calls, letters, and memorandums to document permit needs. Consultant will:

- Prepare brief narratives and descriptions on project purpose and need, potential impacts, and project alternatives using information provided by Prime Consultant and City, as necessary to complete the JPA.
- Provide pre-submittal coordination with representatives of the USACE, DSL, ODFW, and DEQ to confirm permitting requirements and application procedures. This coordination will include pre-application correspondence.

- Prepare a Stormwater Management Plan (SWMP) in required DEQ format for submittal to DEQ for the project 401 Certification.
  - a. SWMP work under this task will include evaluation of pre-and post-construction runoff per DEQ standards.
  - b. SWMP will include evaluation of alternatives to meeting stormwater management needs, which may include new stormwater structural controls and/or new facilities in the project corridor, and retrofitting of existing stormwater systems already discharging into the corridor.
- Prepare all necessary drawings, maps, and photographs for inclusion in the JPA.
- Evaluate potential wetland/waters impacts and methods for avoidance or minimization measures.
- Respond to questions or comments raised by the agencies during their review of the JPA. This task may include correspondence and clarification of the JPA and related tasks as necessary to clarify regulatory agency concerns and to facilitate the issuance of USACE's and DSL's permits for the proposed project. Provide the draft JPA to City for review and comment, revise the draft JPA once each per review comments and prepare the final JPA for submittal to the USACE and DSL.

### *Task 13.3 Assumptions*

- Additional fieldwork beyond the wetland/waters delineation effort (conducted in Phase 1) will not be required for this task.
- The project will not require permittee-responsible wetland mitigation or plans. If necessary, permanent wetland and/or waters impact mitigation will be satisfied through City purchase of environmental mitigation bank credits, in-lieu-fee, or payment in-lieu. If on-site restoration is required for permanent or temporary wetland impacts or for any permanent or temporary waters impacts, Consultant will provide a simple restoration planting list with selected species. Any formal landscape plans required for the bid package will be provided by Consultant. No monitoring of restoration or mitigation activities is included in this SOW.
- USACE/DSL permit conditions will not change during the final design phase.
- Payment of the DSL and DEQ permit application review fees will be the responsibility of the City.
- Engineering drawings, cross sections, details, impact calculations and project description support for inclusion in the JPA will be prepared by Consultant.

- Design of stormwater management facilities described in the SWMP will be completed under Tasks 14 through 17 of this scope of work.
- If compensatory wetland/waters mitigation is addressed by use of a mitigation bank, in-lieu-fee, or payment in-lieu, the City is responsible for any payment required.
- The City will acquire signatures from all appropriate parties as required for completion of the JPA, including applicants, landowners, and local planning officials.
- Up to twelve hours of pre- and post-submittal coordination with the DSL, USACE, DEQ and ODWF are included in this task.
- City will provide wetland and waters data collected for the Boeckman Road project that extends into the API to Consultant.

### *13.4 Endangered Species Act Compliance Documentation*

Chinook salmon and steelhead of the Upper Willamette Evolutionary Significant Unit and Distinct Population Segment, respectively, are known to occur in the Willamette River downstream of the project corridor, and at times, enter lower Boeckman Creek. These populations are listed as threatened under the federal Endangered Species Act (ESA). The project could affect the water quality in Boeckman Creek because of project-related in-water work activities, increases in impervious surfaces, and alterations to existing local drainage patterns. The receipt of a permit from the USACE provides a federal nexus with the ESA and the regulatory need for the project to demonstrate compliance with ESA standards for avoiding or minimizing downstream effects on listed Chinook salmon and steelhead.

Consultant will determine if programmatic ESA compliance processes such as the Standard Local Operating Procedures for Endangered Species (SLOPES V) programmatic Biological Opinion (BO) can be used for project ESA compliance. If programmatic ESA compliance cannot be obtained for the project, Consultant will prepare of a Biological Assessment (BA) to initiate individual consultation with the National Marine Fisheries Service (NMFS).

#### *Task 13.4 Assumptions*

- The project will not result in impacts on federally listed wildlife or plant species.
- Use of the SLOPES V programmatic ESA compliance process will be determined shortly after the 30% design milestone.
- SLOPES V BO transportation project compliance standards will not change during project design and construction.
- If the project does not qualify for SLOPES V programmatic ESA compliance, preparation of a BA and individual ESA consultation with NMFS will be required.

- Coordination with NMFS will be conducted via telephone and email transmittals. A site visit or meeting with NMFS will not be required.
- Fieldwork for this task will be completed during Task 13.2.
- SLOPES V documentation will be submitted to the USACE with the project JPA. USACE will deliver the SLOPES V documentation to NMFS for review.

### *Task 13.4 Deliverables*

- Draft/Final ESA compliance documentation

### *13.5 Oregon Fish Passage Law Compliance*

Boeckman Creek is known to support Native Migratory Fish (NMF) per Oregon's Fish Passage Law (OARs 635-412-0005 to 625-412-0040). The construction of new trail crossings over the creek and/or new culverts at the downstream end of the project will trigger application of the Fish Passage rules. Crossing designs must therefore meet Oregon Department of Fish and Wildlife (ODFW) hydraulic or streambed simulation fish passage design criteria. Consultant shall prepare up to three fish passage plans in ODFW format that documents post-project fish conditions and compliance with applicable fish passage criteria.

### *Task 13.5 Assumptions*

- Delineation of the Boeckman Creek Active Channel Width (ACW) and streambed sediment grain size analysis will occur during Task 13.2.
- Up to five new creek crossings will be required: three-open cut sewer line crossings, one culvert crossing and one bridge crossing.
- Three separate fish passage plans will be required: one plan for the culvert crossing, one plan for the bridge crossing, and one plan for the three open trench sewer line crossings.
- Up to five new creek crossings will be required: three open cut sewer line crossings, one culvert crossing and one bridge crossing. Three separate fish passage plans will be required: one plan for the culvert crossing, one plan for the bridge crossing, and one plan for the three open trench sewer line crossings.
- Up to five new creek crossings will be required: three open cut sewer line crossings, one culvert crossing and one bridge crossing. Three separate fish passage plans will be required: one plan for the culvert crossing, one plan for the bridge crossing, and one plan for the three open trench sewer line crossings.
- Trail crossings and replacement culverts will be designed and constructed in compliance with applicable Oregon's Fish Passage Laws.

- The new trails crossings will not require a fish passage exemption, waiver, or mitigation. If a fish passage waiver and mitigation is required, an amendment to the Consultant contract would be required to authorize preparation of and coordination for fish passage waiver/mitigation documentation.

## ***Task 14 – 30% Design Drawings***

### *Objective*

Perform design and prepare engineering drawings to the 30% design level, including general, civil, structural, and landscaping, necessary for the construction of the proposed sanitary sewer interceptor and trial improvements. Specific work under this task include:

### *Activities:*

- Prepare drawings to the 30% design level as noted in the Drawing List provided as Attachment A.
- Develop plans for temporary access to construction site, to include identification of areas available for equipment and materials staging.
- Prepare a 30% level construction cost estimate.
- Conduct 30% design review meeting with City staff. Meeting will be attended by Consor Project Manager, Project Engineer, and multi-disciplinary subconsultants as applicable.

### *Deliverables:*

- 30% Design drawings as identified in Drawing List in Attachment A.
- 30% level construction cost estimate.
- Updated decision log and risk registry.
- Meeting agendas and summaries.

## ***Task 15 – (60%) Design Development Documents***

### *Objective:*

Advance the project design to a 60% completion level.

### *Task 15.1 – Additional Field Surveying (Contingency Task)*

#### *Activities:*

- Perform additional field survey to locate new subsurface explorations and other facilities in the project corridor that are identified to be relevant for the design and construction of the project.

#### *Deliverables:*

- AutoCAD files with additional field survey data, to be incorporated into the project AutoCAD design files.

#### *Assumptions:*

- A maximum of 10 additional days of field work performing surveying in the project corridor will be provided.

### *Task 15.2 – Prepare 60% Design*

#### *Objective:*

Advance the design and prepare documents to the 60% submittal stage. The 60% documents shall include draft specifications for equipment, materials, common details and drawings to the 60% completion level.

#### *Activities:*

- Recommend final alignment and installation method for all pipeline segments.
- Finalize material selection for the sewer pipeline and manholes. Prepare recommendations for installation by open cut and trenchless pipe bursting methods.
- Determine requirements for tree removal and tree protection.
- Prepare design drawings to the 60% design level.
- Develop draft sewer bypass plan to maintain service during construction.
- Prepare drawings as needed for completion of the application for environmental permits as developed in Task 14.
- Assemble City standard details for each required discipline.
- Develop draft Technical Specifications for major project components and materials.

- Prepare bid item list and 60% level construction cost estimate.
- Develop preliminary construction sequence, constraints and construction schedule.
- Conduct 60% design review meeting. Consultant will conduct one two-hour workshop to review the 60% design submittal with City staff. Meeting will be attended by Consor Project Manager, Project Engineer, and multi-disciplinary subconsultants as applicable.

### *Deliverables:*

- 60% Design drawings as identified in Drawing List in Attachment A.
- 60% level construction cost estimate using proposed bid item list.
- 60% estimated construction schedule.
- Meeting agendas and summaries.
- Updated decision log and risk registry.

## **Task 16 –90% Contract Documents**

### *Objective:*

Advance the project design and prepare 90% Contract Documents.

### *Activities:*

- Review and address 60% design review comments from City staff and other stakeholders.
- Prepare design drawings to the 90% design level.
- Prepare bid-ready contract documents using the 2024 Oregon Standard Specifications (OSSC) with City of Wilsonville General Conditions and Special Provisions.
- Update the bid item list and prepare a 90% level construction cost estimate.
- Update the estimated construction schedule.
- Conduct one two-hour meeting to review the 90% design submittal with City staff.

### *Deliverables:*

- 90% Design Development Drawings, see Drawing List in Attachment A.
- 90% Construction Specifications.

- 90% level construction cost estimate using updated bid item list.
- Meeting agenda and summaries.
- Updated decision log and risk registry.
- Documentation of resolution of 60% review comments by City and other external stakeholders.

## ***Task 17 –Final Contract Documents***

### *Objective:*

Prepare final sealed contract documents to be used for publicly bidding the project.

### *Activities:*

- Address and modify the contract documents to address City comments.
- Prepare deliverable documents and submit to City.
- Update the construction cost estimate as necessary.

### *Deliverables:*

- Final sealed construction documents in PDF format
- Design drawing files in AutoCAD
- Updated decision log and risk registry.

## ***Task 18 –Gesellschaft Channel Restoration Design***

### *Objective:*

Perform engineering for CIP #7054 Gesellschaft Water Well Restoration Project. Evaluate the site, analyze flows, and develop a stream restoration design concurrent with proposed well water discharge and potable water pipelines in the same corridor.

### *Task 18.1 – Conceptual Design and Stormwater Analysis*

Establish design and performance criteria for the proposed improvements and present in tabular format for City review/comment. The design criteria will include a summary of pertinent design standards and the proposed project value for each element included in the table.

Develop a conceptual design consistent with the design criteria to facilitate discussion with impacted property owners and permitting agencies.

- a. Establish channel stabilization work boundary that will accommodate stormwater and water piping.
- b. Establish initial concept to balance the following goals:
  - Channel stabilization to stabilize erosion and protect property.
  - Spread peak flows and reduce peak flow velocities.
  - Minimize additional easement acquisitions.
- c. Provide an existing conditions summary (pre-development site condition and drainage patterns, soil conditions, floodplain presence, locations with high flow velocities).
- d. Identify locations that require adjustments to the channel alignment and/or profile to reduce flow velocities and/or flooding.
- e. Consultant will develop conceptual design for the concept to show basic geometry, locations of potential improvements and property boundary, topographical and local access constraints.
- f. Develop conceptual grading plan.
- g. Document conceptual design in a memorandum explaining the costs, benefits, and risks associated with the concept.
- h. Prepare preliminary cost estimate.

Conduct stormwater analysis to determine design requirements to meet project goals. Identify required design elements such as bank engineered banks, natural banks, channel stability logs or constructed riffles, wood material, etc., and locations for design elements.

- a. Develop an existing conditions steady state hydraulic model with up to five flows – water quality storm, the 2-year, 5-year, 25-year, 50-year and 100-year storm events.
- b. Develop up to three standard stream sections to accommodate design flows.
- c. Determine stable bed material gradation and maximum stable channel slope.
- d. Develop up to two standard bed stability elements (including large wood material and/or roughened channel) for use where the channel slope exceeds the maximum stable channel slope.

- e. Develop a proposed conditions steady state hydraulic model with same flows as existing model and evaluate changes in flow velocities and water surface elevations.
- f. Provide hydraulic modeling and stream section and stream stability basis of design narrative for the Draft Drainage Report.
- g. Provide hydraulic modeling and stream section and stream stability basis of design narrative for the Final Drainage Report.

### *Deliverable(s):*

- Draft and Final Design Criteria Summary.
- Conceptual improvement plan and section view graphics.
- Draft and final conceptual design memo.
- Modeling and stream design narrative for Draft Drainage Report
- Modeling and stream design narrative for Final Drainage Report
- Hydraulic model results will be incorporated into an appendix to be included with the draft and final drainage reports.
- Conceptual sketch of stream sections with dimensions, slopes, and roughness, and water surface elevations.
- Stable bed material gradations.

### *Assumption(s):*

- Channel is not a jurisdictional water, as was determined by the project Wetland Determination Report prepared by Mason, Bruce & Girard in May 2024, and the channel restoration work is not subject to environmental permitting.
- City will provide water well discharge flow rates and stormwater GIS data.
- Review of floodplain mapping by the Federal Emergency Management Agency (FEMA) is sufficient to accommodate the project's regulatory requirements. FEMA related analysis modeling is excluded. The project area is not within a FEMA regulated floodplain or floodway, therefore no FEMA analysis or permitting will be required.
- There will be no impervious area impacts and stormwater management will not be required for the project.
- Fish passage will not be required.

- Consultant staff will attend up to 4 meetings related to conceptual design development and alternatives analysis.
- Standard stream sections will be evaluated with normal depth calculations.
- The proposed conditions for the hydraulic model will be developed with the 30% design proposed surface and revised once to incorporate design revisions following Draft Drainage Report submittal.

### *Task 18.3 – 60% Design*

The Consultant will advance the design to the 60% level, to include the following:

- Provide a proposed development (drainage and/or grading improvements) conditions summary (post-construction conditions and drainage patterns).
- Prepare Draft Design Drainage Report including analysis to support permitting, documentation of existing conditions, basis of design analysis, and construction recommendations.
- Prepare 60% Design construction plans, profiles, cross sections, and details necessary to clearly describe the work to be performed.

### *Deliverable(s):*

- Draft 60% design plans in pdf format.
- Updated decision log and risk registry.
- 

### *Task 18.4 – 90% Design*

The Consultant will advance the design to the 90% level, to include:

- Review and address 60% design review comments from City staff and other stakeholders.
- 90% design construction plans, profiles, cross sections, and details necessary to clearly describe the work to be performed.
- Updated Design Drainage Report.
- 90% level construction cost estimate for the restoration work.

### *Deliverables:*

- 90% Drawings, see Drawing List in Attachment A.
- Updated Drainage Design Report.
- 90% level construction cost estimate.
- Updated decision log and risk registry.

### *Assumption(s):*

- Drainage Design Report will provide narrative to support developing environmental permitting strategy by others.

## ***Task 19 –Bidding Phase Assistance***

Under this task, Consultant will provide support to the City during the bidding phase.

### **Assumptions**

- City will conduct project advertising.
- City, with support from consultant, will coordinate pre-construction conference. Consultant will attend pre-construction conference.
- Consultant will provide assistance during project bidding for one (1) pre-bid meeting and two (2) addenda.

## Proposed Project Fee Estimate

Conсор proposes to perform this work on a time and expenses basis with a total not to exceed amount of \$2,669,808, which includes design, permitting, and assistance with bidding. The proposed fee estimate is provided as Attachment B. Fee estimates are based upon Consultant’s standard 2024 labor rates with an assumed annual rate adjustment of 5.0% in the subsequent calendar years. Labor rates are anticipated to be adjusted in January 2025 and January 2026, and actual labor rates will be used in preparing project invoices.

## Project Schedule

Amend the project milestones for completion of the scope of work as proposed:

Complete Draft Trail Preliminary (30%) Design Documents	January 2024
Submit 60% Design Development Documents	May 2025
Prepare and submit JPA Application	May 2025
Submit 90% Contract Documents	August 2025
Submit 100% Final Contract Documents	November 2025
Begin Bidding Phase	December 2026





**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Resolution No. 3174</b> A Resolution of the City of Wilsonville Adopting the Arts, Culture, and Heritage Commission (ACHC) FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan.  <b>Staff Member:</b> Erika Valentine, Arts and Culture Program Coordinator  <b>Department:</b> Parks and Recreation	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> 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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Arts, Culture, and Heritage Commission recommended adoption of the plan on September 18, 2024	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: 5.3 Establish the Arts and Culture Board (and fund a feasibility study for performing arts facility.)	<input checked="" type="checkbox"/> Adopted Master Plan(s): Arts, Culture, and Heritage Strategy – Adopted 2020	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

Consider the proposed Arts, Culture, and Heritage Commission (ACHC) fiscal year (FY) 2024-2025 Five-Year Action Plan and Annual One-Year Implementation Plan, as recommended by the ACHC.

**EXECUTIVE SUMMARY:**

The ACHC FY 2024-25 Five-Year Action Plan and Annual One-Year Implementation Plan summarizes the work accomplished by the ACHC as well as provides a longer-range five-year plan. This includes components for FY 2024-25.

The work of the ACHC is largely guided by the recommendations and priorities within the Arts, Culture, and Heritage Strategy. Over the last year the ACHC significant achievements included:

- Review of grant applications and disbursement of Community Cultural Events and Programs (CCEP) grant funds.
- Development of the Public Art Policy and Guidelines [Resolution No. 3081](#).
- Participation in the artist selection process for the Memorial Park Skatepark Mural.
- Recommendation of Boones Ferry Park as a future site for public art.
- Approval of the HeARTs of Wilsonville Project.
- Selection of the artist for the temporary Pride Month Mural.
- Sponsoring gallery receptions for artists exhibiting at the Wilsonville City Hall Exhibit.

**BACKGROUND INFORMATION:**

The ACHC's purpose is to provide ongoing input and advise to the City Council and other City boards, commissions and committees on matters relating to advancing arts, culture and heritage in Wilsonville. The ACHC also oversees the recommendations outlined in the Arts, Culture & Heritage Strategy (ACHS). The ACHS, a City Council 2019-2020 Goal, provided findings and recommendations for cultivating a sustainable, long-term plan that supports community aspirations for a vibrant cultural scene in Wilsonville. The City Council approved [Resolution No. 2857](#), adopting the ACHS in November 2020, which included many key findings and recommendations on how to achieve this. Within the ACHS, one recommendation states "City forms an Arts and Culture Commission and provides supporting staffing resource." A 2021-2023 Council Goal included: "5.3 5.3 Establish the Arts and Culture Board and fund." The City Council formed the ACHC in December 2021 via [Resolution No. 2941](#). The ACHC began meeting in April 2022, and the City created a new staff position in November 2022 dedicated to arts and culture to propel the recommendations within the Arts, Culture, and Heritage Strategy forward.

FY 2024-25 is the second edition of the Arts, Culture, and Heritage Commission (ACHC) Five-Year Action Plan and Annual One-Year Implementation Plan. The purpose of the plan is to show prioritization and fulfillment of recommendations within the ACHS.

**EXPECTED RESULTS:**

Approving Resolution No. 3174 will adopt the Arts, Culture, and Heritage Commission (ACHC) FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan.

**TIMELINE:**

The Plan will be updated and presented to City Council annually.

**CURRENT YEAR BUDGET IMPACTS:**

There are no current budget year implications specifically related to the adoption of this plan.

**COMMUNITY INVOLVEMENT PROCESS:**

Development of the Arts, Culture, and Heritage Strategy had considerable public engagement, which included the largest citizen task force in City history. Development of the strategy included interviews, meetings, and surveys with residents, artists, arts educators, stakeholders, etc.

The ACHC reviewed the Five-Year Action Plan and Annual One-Year Implementation Plan on September 28, 2024, and recommend it to the City Council for final approval.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Implementation of the City's Arts, Culture, and Heritage Strategy will result in supporting community aspirations for a vibrant cultural scene in Wilsonville. As stated in the Strategy: "Local culture—cumulatively composed of arts, cultural and heritage activities, places, and experiences—is the social adhesive that bonds us together as a community. Growing local culture builds the capacity of a community to come together to learn, celebrate, innovate, grieve, recover, plan, and move forward."

**ALTERNATIVES:**

The City Council could modify the Arts, Culture, and Heritage Commission (ACHC) FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan or choose not to adopt Resolution No. 3174.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3174
  - A. Arts, Culture, and Heritage Commission (ACHC) FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan

**RESOLUTION NO. 3174**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE ARTS, CULTURE, AND HERITAGE COMMISSION (ACHC) FY 2024/25 FIVE-YEAR ACTION PLAN AND ANNUAL ONE-YEAR IMPLEMENTATION PLAN.**

WHEREAS, on November 16, 2020, the Wilsonville City Council (“Council”) approved Resolution No. 2857 which adopted the Arts, Culture, and Heritage Strategy (the “Strategy”); and

WHEREAS, the Strategy includes the recommendation that the “City forms an Arts and Culture Commission and provides support staffing resource,” and set forth a blueprint for implementing arts, culture and heritage in Wilsonville; and

WHEREAS, on December 20, 2021, the Council approved Resolution No. 2941 to create the Arts, Culture, and Heritage Commission that, among other duties, is to oversee the implementation of the Strategy and develop annually for Council approval long-term Five-Year Action Plan and annual One-Year Implementation Plan for prioritizing and fulfilling recommendations of the Strategy; and

WHEREAS, The ACHC voted unanimously on September 20, 2023, to recommend to the City Council adopted the first annual ACHC FY 2023/24 Five-Year Action Plan and Annual One-Year Implementation Plan.

WHEREAS, on November 6, 2023, the Council approved Resolution No. 3083 adopting the Arts, Culture, And Heritage Commission (ACHC) FY 2023/24 five-year action plan and annual one-year implementation plan; and

WHEREAS, The ACHC voted unanimously on September 18, 2024, to recommend to the City Council adopted the second annual ACHC FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan.

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

1. The City Council adopts the Arts, Culture, and Heritage Commission FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan, attached hereto as Exhibit A.
2. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November 2024, and filed with the Wilsonville City Recorder this date.

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JULIE FITZGERALD, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

- A. Arts, Culture, and Heritage Commission FY 2024/25 Five-Year Action Plan and Annual One-Year Implementation Plan, September 18, 2024 with attachment



**Arts, Culture, and Heritage Commission (ACHC)  
FY 2024/25 Five-Year Action Plan and  
Annual One-Year Implementation Plan**

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## A. Introduction

The City of Wilsonville’s Arts, Culture, and Heritage Commission’s (ACHC) purpose is to provide ongoing input and advise the City Council and other City Boards, commissions and committees on matters relating to advancing arts, culture and heritage in Wilsonville and oversee recommendations outlined in the Arts, Culture & Heritage Strategy (ACHS). The ACHS, a City Council 2019-20 Goal, provides findings and recommendations for cultivating a sustainable, long-term plan that supports community aspirations for a vibrant cultural scene in Wilsonville. The City Council approved [Resolution No. 2857](#), adopting the ACHS in November 2020, which included many key findings and recommendations on how to achieve this. Within the ACHS, one recommendation states “City forms an Arts and Culture Commission and provides supporting staffing resource.” A 2021-23 Council Goal included: “5.3 Establish the Arts and Culture Board.” The City Council formed the ACHC in December 2021 via [Resolution No. 2941](#), which began meeting in April 2022, and hired an Arts and Culture staff person in November 2022 to propel the recommendations within the Arts, Culture, and Heritage Strategy forward.

The ACHC also oversees the Community Cultural Events and Programs Grant including the recommendation of disbursement of grant funds. The ACHC is also charged specifically to develop annually for City Council approved fiscal-year plans for a long-term Five-Year Action Plan and annual One-Year Implementation Plan for prioritizing and fulfilling recommendations of the ACHS.

## B. Arts, Culture, and Heritage Commission Members

Supported by the Parks and Recreation Department, the ACHC is composed of nine (9) voting members appointed by the Mayor with Council confirmation and four (4) non-voting ex-officio members who provide advice to the Commission, as stated in the Commission Bylaws established by Resolution No 2941.

### The fiscal year (FY) 2023/2024 members included:

- David Altman
- Joan Carlson
- Jason Jones
- Sageera Oravil Abdulla Koya
- Benjamin Mefford
- Susan Schenk
- Angela Sims
- Deborah Zundel

### The Current FY 2024/2025 members include:

- David Altman

- **Joan Carlson**
- **Nadine Elbitar**
- **Aaron Harris**
- **Jason Jones**
- **Sageera Oravil Abdulla Koya**
- **Benjamin Mefford**
- **Susan Schenk**
- **Deborah Zundel**

**Non-Voting Ex Officio members:**

- **City of Wilsonville City Council:** Mayor Julie Fitzgerald
- **City of Wilsonville Parks and Recreation Department:** Kris Ammerman, Director
- **City of Wilsonville Administration,** Mark Ottenad, Public Affairs Director
- **Wilsonville Public Library,** Ethan Picman, Library Services Manager

**Staff Liaison:**

- **City of Wilsonville Parks and Recreation Department,** Erika Valentine, Arts and Culture Program Coordinator

## **C. Mission & Vision**

In FY 2022/23 the ACHC established a mission and vision statement to provide clarity and direction on their work. The mission is as follows:

*To enhance the Wilsonville community by supporting, advocating and advising on matters relating to advancing arts, culture & heritage. We strongly believe residents' lives are enriched and enhanced through a thriving arts and culture environment.*

The Vision is as follows:

*Lives will be enriched and enhanced through a thriving arts and culture environment in Wilsonville.*

*Our vision for Wilsonville is one that:*

- *Supports all creatives*
- *Fosters a sense of inclusivity for all cultures*
- *Has a vibrant cultural identity*
- *Celebrates local history and heritage*

- *Is recognized for accessible community cultural facilities, parks, and other spaces to host a variety of creative forms and activities*
- *Has a robust Public Art program*

### D. Commission Meetings

The Commission met nine times in FY 2023/24, exceeding the minimum required four meetings per fiscal year pursuant to Resolution No. 2941.

### E. Charge of ACHC

- Make recommendations to City Council and staff on cultural arts programs, activities, services, policies, etc.
- Support and build awareness of cultural arts programs in Wilsonville and work with other agencies and organizations involved in cultural arts programs to build partnerships
- Receive and evaluate input from the community, including input from other individuals and organizations on relevant cultural arts topics and programming
- Advise the City on future Public Art program plans and serve as the City’s review body for public art projects as they move through the approval process
- Serve as a resource to the City on a wide range of visual and performing arts mediums and topics
- Advise the City on facility needs and design regarding to Arts
- Provide feedback to staff on the assessment of current and future needs of the cultural arts community
- Increase opportunities for artists/creatives

### F. Advancing Arts, Culture, and Heritage Strategy (ACHS)

The commission is charged with moving the ACHS forward.

The Commission makes recommendations to the City Council and other City boards, commissions and committees as is appropriate to:

Objective	
A	Provide leadership and coordination to support arts, culture and heritage activities, events, facilities and programs
B	Improve inter-governmental collaboration and coordination to advance arts, culture, and heritage
C	Work with partners to advance an arts and cultural center/facility
D	Develop a long-term, sustainable public art program
E	Suggest ways to make cultural diversity, ethnic inclusivity and accessibility for all community members a priority for cultural programs
F	Provide strategic assistance to Wilsonville cultural nonprofits in order to build organizational capacity
G	Identify and recommend sustainable funding mechanisms to support cultural activities, events and programs
H	Make recommendations concerning the goals and objectives, and the selection and disbursement of funds of the Community Cultural Events and Programs Grant

## G. Past Year's Accomplishments, FY 2023/24

The ACHC had a successful year, advancing key objectives and moving the City's Arts, Culture, and Heritage Strategy Recommendations forward, and getting more established as a newer City Board.

The following is an accounting of accomplishments achieved in 2024/24:

- **Recruit to fill all voting positions for the ACHC**

Six (6) Members of the ACHC have been members since its inception in 2022. There are three (3) new members who started in FY 2023/24.

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

Deborah Zundel was re-elected Chair and Angela Sims was elected Vice Chair during the June 2023. Nadine Elbitar was elected Vice Chair at the beginning of FY 24 – 25 after Angela Sims resigned from the committee due to moving out of the area.

- **Commission continues to oversee the Community Cultural Events and Programs (CCEP) Grant and made fund distribution recommendations to Council**

The ACHC received and reviewed five (5) applications from the following nonprofits: Charbonneau Arts Association (marketing assistance for expanded Arts & Music Festival), Siempre La Guitarra\* (Guitar Concerts/Festival), Wilsonville Choral Arts Society (Advertising and Marketing assistance), Wilsonville Rotary Foundation (Summer Concert Series), and Wilsonville STAGE (Community Awareness).

\*Siempre La Guitarra cancelled their grant due to their organization's volunteer/staffing challenges

- **The ACHC reviewed multiple drafts of the Public Art Program Policy and Guidelines and provided feedback to staff.**

While the City has a robust Public Art Collection of over 20 pieces spanning decades; there has never been a Public Art Policy to guide the program. A public art policy was the first step to legitimize, as well as establish the City's Public art program, which is a charge of the ACHC. Within the policy includes goals of the program as well as outline procedures, processes, best practices and guidelines. Creating a policy was a critical step to guide the work of both City Staff and the ACHC.

The policy also creates transparency for both community members and artists, to understand equity regarding the processes for selecting artists, specific designs, final artwork, etc. The City's Public Art Program is a collaborative endeavor between the City, The ACHC and greater community, and artists. The Policy identifies goals, standards, procedures and best practices for the Public Art Program.

- **The ACHC recommended that the City Council Approve the Public Art Program Policy and Guides (Resolution No. 3081).**

The City Council adopted Resolution No. 3081 as a result of the ACHC's work and recommendation.

- **The ACHC reviewed the Memorial Park Skatepark Mural Request for Qualifications (RFQ) and provided input to staff on the content and requests of the application and project.**

The committee received Wilsonville-Metro Community Enhancement Funds to commission a new permanent mural at the Memorial Park Skate Park. Once staff posted the RFQ, the City received 50 responses from talented muralists from across the Country.

- **The ACHC was the selection panel, along with members from the skate community, to review the top scoring eight Skatepark Mural RFQs and recommend which four artists to advance to the Request for Proposals (RFP) phase to submit their original designs.**

The ACHC went through an extensive scoring system, followed by discussion, to make their selections.

- **The ACHC was again the selection panel, along with members from the skate community, to select which artist should be awarded the final contract to complete the mural at Memorial Park Skatepark.**

The Panel selected Washington based Artist and Skater, Abigail Penfold, for her design that was inspired by the local wildlife and plants. Her design concept showcases the varying creatures holding different components of a skateboard in order to build a board. The artist completed the work in FY 25. This project was funded through the Wilsonville-Metro Community Enhancement Program.

- **The ACHC approved the Boones Ferry Park to be the future site of a permanent Public Art Piece.**

The City is already making a great investment in Boones Ferry Park to redo it, so this is a great location for a larger scale piece public art. There will be multiple locations that are feasible for public art, giving an artist flexibility to conceptualize the space and create a site specific piece(s), as well as creatively interpret art that evokes the history of traveling on the river, which is stated in the Boones Ferry Park Masterplan. The project will be funded by Public Art CIP # 9183.

Additional reasons that this site and project will be a positive first permanent public art project to be undertaken by the ACHC include: the ACHC is housed within the Parks & Recreation Department, making collaboration and communication effective as the site location is a Park and managed by the Parks & Recreation Department, the site is of historic significance, so the project and theme touches on the heritage component of the ACHC , the site does not currently have any public art, the Park will be new, so installation of a new piece of public art would align, the proximity to the river will provide visual interest and inspiration to the artist(s), and the Park visitors include those for the river, trails, Tauchman house, playground, etc. so it will be highly used and the piece will be very visible.

- **The ACHC brainstormed ideas of future small to medium sized community public art projects for potential applications for the Wilsonville-Metro Community Enhancement Program.**

The ACHC recommended staff explore a project having artists paint fiberglass hearts with a theme about celebrating cultures which will be implemented in FY 2025.

- **The ACHC received a presentation on Arts and Economic Prosperity, presented by Clackamas County Arts Alliance’s Executive Director, Dianne Alves which reviewed the positive economic and social impacts of arts and culture.**
- **The ACHC approved staff moving forward on developing a Call for Art Application for a temporary Pride Month mural, in order to provided visual representation for the LGBTQ+ communities during June. The ACHC then selected an artist to be awarded the project based on their design.**

This project was a successful collaboration between ACHC and the DEI Committee. The Selection Panel (ACHC and members from the DEI Committee) selected local artist Lauren ‘Ren’ Kyles. The mural was up for the month of June on the Parks & Recreation Administration Building. There was also a reception event to unveil the mural and celebrate Pride Month.

- **The ACHC selected artist Chalk Artist Brittany Resch for the 2023 and 2024 Party in the Park Event**
- **The City Hall Gallery held exhibits from four talented local artists as part of the Clackamas County Art’s Alliance’s Artist Exhibit Program. The ACHC held three Gallery Receptions.**

The City Hall Gallery Program was recommended by the ACHC and is a strong collaboration with the Clackamas County Arts Alliance. The Gallery Receptions are free to the community, and provide an opportunity to meet the artist and learn more about their work.

## **H. Five-Year Action Plan ACHC: FY 2024/25 – FY2028/29**

The longer-range five-year plan recommended by the Commission focuses on objectives derived from the ACHS.

While the Commission recognizes that adjustments are to be made to the longer-range plan via annual ‘course corrections’—the five-year plan is outlined below in fiscal years, July 1 of one year to June 30 of the following year.

Annually the ACHC will make recommendations on the distribution of the CCEP Funds.

---

### **Year 1 FY 2024/25**

- **Conduct Commission Business**
- **Leadership, Meetings:** Continue recruitment efforts to fill all voting positions for the ACHC. Elect committee chair/vice-chair leadership positions annually.
- **Community Cultural Events and Programs Grant (CCEP):** Commission continues to oversee the CCEP Grant and make funding recommendations to Council.
- **Complete the Memorial Park Skatepark Mural project which was funded through the Wilsonville-Metro Community Enhancement Program** The ACHC will advance this project including engaging with the skate community, reviewing the RFQ, selection process, etc.

- **Complete the HeARTs of Wilsonville, Many Cultures One Heart Project, which was funded through the Wilsonville-Metro Community Enhancement Program.** The ACHC will advance this project by reviewing the Call for Art Application and determining project theme(s), getting the word out about the project to the community, reviewing applications, approving locations, etc.
- **Begin work on the permanent public art sculpture to be installed at Boones Ferry Park.** The ACHC will review the RFQ and be integral in all steps of the project including artist selection.
- **Pride Month Mural Artist Selection and Event**
- **Increase arts classes and arts components of existing special events**
- **Explore possibility of holding a Performance/Speaker Event Series to feature local artists, musicians, dancers, etc.**
- **Attend a Joint-Collaborative Meeting with the DEI Committee**
- **Determine locations for future public art pieces**
- **Assessment of current Public Art Collection**

**Year 2  
FY 2025/26**

- Complete temporary and permanent Public Art projects
- Investigate funding structures and options for advancement of Public Art and Arts programs such as a percent for art ordinance.
- Review and recommend funding of Community Cultural Events and Programs Grant
- Increase awareness of arts, culture and heritage programs through marketing – improve and develop ACHC/Arts website to support local artists, nonprofits, provide education, etc.
- Evaluate and/or expand Gallery Program
- Collaborate and strategize on coordination with the Library, School District, other arts organizations, etc.
- Develop culturally relevant programming/opportunities/events, centering diversity, ethnic inclusivity and accessibility.
- Continuation of assessment of current Public Art Collection

**Year 3  
FY 2026/27**

- Complete temporary and permanent Public Art projects
- Investigate funding structures and options for advancement of Public Art and Arts programs
- Review and recommend funding of Community Cultural Events and Programs Grant
- Identify partners, assess needs and assess existing cultural arts related facilities and assets as they relate to an arts and cultural center/facility
- Develop culturally relevant programming/opportunities/events, centering diversity, ethnic inclusivity and accessibility.

<b>Year 4 2027/28</b>	<ul style="list-style-type: none"><li>• Complete temporary and permanent Public Art projects</li><li>• Investigate funding structures and options for advancement of Public Art and Arts programs</li><li>• Review and recommend funding of Community Cultural Events and Programs Grant</li><li>• Develop culturally relevant programming/opportunities/events, centering diversity, ethnic inclusivity and accessibility.</li></ul>
<b>Year 5 2027/28</b>	<ul style="list-style-type: none"><li>• Complete temporary and permanent Public Art projects</li><li>• Investigate funding structures and options for advancement of Public Art and Arts programs</li><li>• Review and recommend funding of Community Cultural Events and Programs Grant</li><li>• Investigation of feasibility of an arts and cultural center facility</li><li>• Develop culturally relevant programming/opportunities/events, centering diversity, ethnic inclusivity and accessibility.</li></ul>

## I. Annual One-Year Implementation Plan: FY24/25, July 2024 – June 2025

Next fiscal year’s work plan is segmented into four main sections:

- 1. Conduct ACHC Business:** The committee executes all Council-mandated activities, including:
  - **Leadership:** Elect a chair and vice chair at the first meeting of the new fiscal year.
  - **Meetings:** Hold at least four meetings with quorum attendance during the fiscal year.
  - **Plans:** Work with staff to draft for City Council adoption of an updated version of the Five-Year Action Plan and Annual One-Year Implementation Plan.
- 2. Public Art:** The ACHC will work with staff and other stakeholders to advance public art projects while following the City’s Public Art Policy and Guidelines, adopted by Council. Projects include a mural at Memorial Park Skate Park, Fiberglass Hearts Project, and a larger scale project at Boones Ferry Park. The ACHC will continue to assess the existing public art collection, determine goals of future projects, establish future sites of public art, etc.
- 3. Public Awareness:** Cultivating increased local residents’ knowledge and interest in learning about local arts, culture and heritage, as well as increased opportunities to engage with arts, culture and heritage. This will be achieved by increased marketing efforts and additions of arts, culture and heritage programs and classes, such as a speaker/performance event series and additional arts-themed workshops. The ACHC will also continue to collaborate with the DEI Committee on relevant projects and programs such as the Pride Month Mural and other cultural programming.
- 4. Community Cultural Events and Programs Grant:** Review and recommend funding of the grant program.



**CITY COUNCIL MEETING  
STAFF REPORT**

<p><b>Meeting Date:</b> November 18, 2024</p>	<p><b>Subject: Resolution No. 3179</b> Public Transportation Agency Safety Plan (PTASP) Approval</p> <p><b>Staff Member:</b> Dwight Brashear, Transit Director</p> <p><b>Department:</b> Transit</p>
<p><b>Action Required</b></p> <p><input checked="" type="checkbox"/> Motion</p> <p><input type="checkbox"/> Public Hearing Date:</p> <p><input type="checkbox"/> Ordinance 1<sup>st</sup> Reading Date:</p> <p><input type="checkbox"/> Ordinance 2<sup>nd</sup> Reading Date:</p> <p><input checked="" type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input checked="" type="checkbox"/> Consent Agenda</p>	<p><b>Advisory Board/Commission Recommendation</b></p> <p><input type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <hr/> <p><b>Comments:</b> N/A</p>
<p><b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.</p>	
<p><b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.</p>	
<p><b>Project / Issue Relates To:</b></p>	
<p><input type="checkbox"/> Council Goals/Priorities:</p>	<p><input type="checkbox"/> Adopted Master Plan(s):</p>
<p><input checked="" type="checkbox"/> Not Applicable</p>	

**ISSUE BEFORE COUNCIL:**

South Metro Area Regional Transit (SMART) is required by Federal Transit Administration (FTA) to have a Public Transportation Agency Safety Plan (PTASP) certified annually to meet guidelines and continue to receive federal funding.

**EXECUTIVE SUMMARY:**

The Federal Transit Administration (FTA) requires all transit agencies to submit a certified Public Transportation Agency Safety Plan (PTASP) annually.

In this updated safety plan, SMART has improved processes in which it responds to matters of safety and has ensured compliance with FTA standards. SMART’s safety committee has unanimously approved the PTASP prior to December 31, 2024 and the committee will continue to meet regularly to review and revise the safety plan and address safety concerns as necessary.

**EXPECTED RESULTS:**

The adoption of Resolution No. 3179 will provide SMART with a guiding document to enhance safety processes and procedures. Once approved, SMART will seek certification of the document with Oregon Department of Transportation (ODOT) to comply with FTA guidelines.

**TIMELINE:**

October 10, 2024	SMART Safety Committee Approval
October 10, 2024	Director Approval
November 18, 2024	City Council Approval
December 31, 2024	FTA Final Acceptance Date

**CURRENT YEAR BUDGET IMPACTS:**

The PTASP does not have any budget impact to SMART.

**COMMUNITY INVOLVEMENT PROCESS:**

N/A

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Employees and customers are SMART's most precious assets, and their safety and security are among SMART's greatest responsibilities. While the elimination of unsafe conditions and the prevention of accidents in SMART’s transportation system and facilities are the responsibility of each employee, they are first and foremost the responsibility of SMART’s leadership team.

SMART personnel, associated contractors, and vendors are responsible for promoting and ensuring the safety and security of all customers, employees, property, and the public through specific Safety Management Systems as outlined in this Public Transportation Agency Safety Plan.

**ALTERNATIVES:**

The alternative to approving Resolution No. 3179 is to use alternative safety plans that may not meet the Federal Transit Administration’s (FTA) Public Transportation Agency Safety Plan requirements, which may result in loss of federal funding through the FTA.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3179
  - A. SMART Public Transportation Agency Safety Plan

**RESOLUTION NO. 3179****A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE SOUTH METRO AREA REGIONAL TRANSIT PUBLIC TRANSPORTATION AGENCY SAFETY PLAN.**

WHEREAS, the Public Transportation Agency Safety Plan (PTASP) regulation implements a risk-based Safety Management System approach and requires recipients or subrecipients of financial assistance under FTA's Urbanized Area Formula Program (49 U.S.C. § Section 5307) and rail transit agencies to establish and certify that they have an Agency Safety Plan in place that meets statutory requirements no later than December 31, 2024, as required by 49 U.S.C. § 5329(d)(1); and

WHEREAS, South Metro Area Regional Transit (SMART) is a recipient or subrecipient of financial assistance under FTA's Urbanized Area Formula Program (49 U.S.C. § Section 5307); and

WHEREAS, small public transportation providers operating 100 or fewer vehicles in peak revenue service across all non-rail fixed route modes, may have their states draft the PTASP on their behalf; and

WHEREAS, SMART requested Oregon Department of Transportation (ODOT) assist in the development of a PTASP to ensure SMART meets all statutory requirements; and

WHEREAS, states must certify safety plans on behalf of small public transportation providers that operate 100 or fewer vehicles in peak revenue service within their states; and

WHEREAS, ODOT must certify SMART's PTASP no later than December 31, 2024; and

WHEREAS, SMART's PTASP must be approved by SMART's Safety Committee and approved and signed by the Accountable Executive, the Transit Director, and;

WHEREAS, SMART's PTASP must be approved by Wilsonville City Council annually.

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

Section 1. The Wilsonville City Council hereby adopts the Public Transportation Agency Safety Plan, presented as Exhibit A attached hereto and incorporated herein.

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

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November, 2024, and filed with the Wilsonville City Recorder this date.

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JULIE FITZGERALD, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. SMART Public Transportation Agency Safety Plan



2024

## EXECUTIVE SUMMARY STATEMENT

South Metro Area Regional Transit (SMART) mission of providing safe, reliable, and cost-effective transportation services to our customers. Safety and security are paramount to SMART, its employees, its vendors, its contractors, and to the customers it serves. Therefore, all SMART personnel, associated contractors, and vendors are responsible for promoting and ensuring the safety and security of all customers, employees, property, and the public through specific Safety Management Systems as outlined in this Public Transportation Agency Safety Plan.

All employees, vendors, and contractors of SMART are expected to accomplish their tasks safely, with the goal of always preventing, controlling, and minimizing undesired events, such as customer or employee injury, equipment or property damage, or degradation to system safety and security in any of the SMART transportation systems. Employees and our customers are SMART's most precious assets, and their safety and security are among SMART's greatest responsibilities. While the elimination of unsafe conditions and the prevention of accidents in SMART's transportation system and facilities are the responsibility of each employee, they are first and foremost the responsibility of SMART's leadership team. SMART's leadership team is responsible for developing programs to promote the safety and security of all employees and customers. SMART is fully committed to providing a safe and secure work environment, vehicles, systems, and facilities. The SMART leadership team will promote safety and security throughout the organization. The Transit Director, along with the management team, will be continually and directly involved in formulating, reviewing and revising safety and security policies, goals, and objectives. SMART's leadership team will provide the authority, support, and resources to establish and maintain high safety and security standards throughout the organization. To this end, the Transit Director approves the development, distribution, implementation, and administration of a comprehensive and integrated Public Transportation Agency Safety Plan.

Each SMART employee, vendor, and contractor is governed by the requirements and terms of these plans, and must conscientiously learn and follow prescribed safety and security rules and procedures. Each employee must operate safely, use equipment, tools and materials properly, and be trained in the work rules and procedures for his/her area of responsibility, including contingency plans for abnormal and emergency conditions. Each employee shall take an active part in the hazard identification and reporting process, as well as identifying and reporting suspicious packages, behavior, and other security threats. Management shall actively participate in a hazard/threat assessment and resolution process and shall receive the full cooperation and support of the Transit Director to prioritize safety and security.

The Public Transportation Agency Safety Plan is the governing document encompassing all of SMART's modes of transportation including fixed-route, demand response, and non-revenue operations. The document identifies tasks and requirements to be applied at all levels of SMART's organization using specific Safety Management System practices.

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Dwight Brashear, Director/Accountable Executive

Date

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## 1. Purpose

The purpose of the PTASP is to set forth the requirements for identifying, evaluating, and minimizing safety risks throughout all elements of SMART including the relationships and responsibilities with city departments and other organizations and agencies which affect transit system safety. The PTASP is the blueprint for SMART’s efforts in strengthening its overall safety management and its goal of continuous improvement in safety performance using Safety Management Systems (SMS) methods.

## 2. Transit Agency Information

South Metro Area Regional Transit (SMART) is owned and operated by the City of Wilsonville, Oregon and is governed by the Wilsonville City Council. The department is supported by a Wilsonville payroll tax and by State and Federal grant funding, including Federal Transit Administration (FTA) Section 5307, 5310, and 5339 funding. SMART does not provide services on behalf of other agencies or entities.

SMART operates 32 active buses as of October 2024. The number of buses in SMART’s fleet is determined by the projected annual bus schedule requirements with additional spares, to account for buses in maintenance and inspection, or awaiting repair. The average age of the active bus fleet was nine (9) years as of October 2024.

City of Wilsonville’s Fleet Services maintains all SMART vehicles, equipment, and facilities and performs routine maintenance in accordance with manufacturers’ manuals, codes, standards, and established procedures. The overall philosophy is to maintain a level of readiness that will ensure safe, efficient, and reliable public transit for the City of Wilsonville.

<b>Agency Address:</b>	Administrative Office and Fleet Services 28879 Boberg Road, Wilsonville, OR, 97070	
<b>Accountable Executive:</b>	Dwight Brashear, Transit Director	
<b>Chief Safety Officer:</b>	Robin Fryer, Training Supervisor	
<b>Service Type:</b>	<b>Hours of Service:</b>	<b>Type of Funding:</b>
Fixed-Route Bus	5:00 AM – 9:00 PM, M-F 8:30 AM – 6:00 PM, Saturday	5307
Paratransit & Demand Response	5:00 AM – 9:00 PM, M-F	5307, 5310

## 3. Plan Development, Approval, and Updates

<b>Name of Person Who Drafted This Plan:</b>	Brad Dillingham, Operations Manager		Item 14.
<b>Signature by the Accountable Executive:</b>	<b>Signature of Accountable Executive:</b>	<b>Date of Signature:</b>	
	_____		
<b>Approval by the Wilsonville City Council:</b>	<b>Wilsonville City Council (Resolution Number)</b>	<b>Date of Approval:</b>	
	<b>Relevant Documentation (Title and Location)</b>		

<b>Version Number:</b>	<b>Reason for Change:</b>	<b>Date Issued:</b>
2020	New Document	6-15-2020
2022	Update	12-19-2022
2023	Update	12-4-2023
2024	Update	11-18-2024

The PTASP analysis, review, revision, and publication process is the responsibility of the Chief Safety Officer (CSO). The Transit Director is responsible for the control and update of the PTASP. Input for these annual reviews is requested from all SMART managers, the Assistant City Manager, City Manager, the agency safety committee, and other regulatory agencies. SMART will evaluate the Plan in October of each year. Once an update to the plan is drafted, it is reviewed and approved by the safety committee, followed by City Council.

## 4. Safety Performance Targets

<b>Annual Safety Performance Targets</b> <i>Based on the safety performance measures established under the National Public Transportation Safety Plan.</i> Vehicle Revenue Miles (VRM) based on 2022 NTD Data							
Mode of Service	Fatalities (total)	Fatalities (per 100k VRM)	Injuries (total)	Injuries (per 100k VRM)	Safety Events (total)	Safety Events (per 100k VRM)	System Reliability (VRM / failures)
Fixed-Route Bus	0	0	0	0	1	0.20	0
Paratransit & Demand Response	0	0	0	0	1	1.21	0

Safety Performance Target Coordination		
Coordination with the State and Metropolitan Planning Organization (MPO) in the selection of State and MPO safety performance targets.		
SMART coordinates with Oregon Department of Transportation (ODOT) and Metro, Portland’s MPO, to establish and maintain safety performance targets.		
Targets Transmitted to the State	State Entity Name	Date Targets Transmitted
	Oregon Department of Transportation	September 2024
Targets Transmitted to the Metropolitan Planning Organization(s)	Metropolitan Planning Organization	Date
	Oregon Metro	September 2024

## 5. Safety Management Policy Statement

South Metro Area Regional Transit (SMART) is committed to providing safe, secure, clean, reliable, and efficient transportation services to its patrons. This policy statement serves to express management's commitment to and involvement in providing and maintaining a safe and secure transit system using Safety Management Systems (SMS) as its foundation. In the interest of safety and security, SMART has developed and adopted this Public Transit Agency Safety Plan (PTASP and also referred to as 'the Plan'). The Plan is intended to document all policies, functions, responsibilities, etc., of the agency necessary to achieve a high degree of system safety and applies to all areas of the transportation system, including procurement, administration, operations, maintenance, etc.

SMART management is responsible for maintaining a coordinated safety system in order to identify and prevent unsafe acts and conditions that present a potential danger or threat to public safety. Management has responsibility for maintaining and implementing the Plan and complying with the policies, procedures, and standards included in this document. All departments, personnel, and contract service operators are charged with the responsibility of adhering to this Plan. Any violation of safety and security practices is subject to appropriate administrative action. Management is ultimately responsible for enforcing the Plan, ensuring resources are available to sustain the Plan and maintaining a safe and secure system.

The goals of the Plan are to ensure the safety and security of SMART customers, employees, first responders to incidents, the public, equipment, and infrastructure throughout the life of the system.

Plan objectives are to define safety-related activities, management controls, and to plan and establish a process for monitoring and ensuring safety in accordance with SMART's Mission Statement and values.

The purpose of these goals and objectives is to minimize the exposure of the public, personnel, and SMART property to hazards and unsafe conditions; and to ensure that no single point of failure of a system or equipment results in an unsafe condition. These goals and objectives are reflected in the planning, design, construction, operation, and maintenance of the system. The goals and objectives are accomplished through the performance of the following functions:

- Safety, fire protection, and emergency management considerations are incorporated into all design and specification development and design reviews for the system;
- Hazards associated with SMART's system are identified, assessed, and then eliminated or minimized to attain an acceptable level of risk;
- A safety culture is instilled throughout SMART that emphasizes preventive measures over corrective measures to eliminate unsafe conditions;
- All managers, supervisors, and employees comply with Federal and State OSHA Standards, local codes, and environmental regulations.

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Dwight Brashear, Director/Accountable Executive

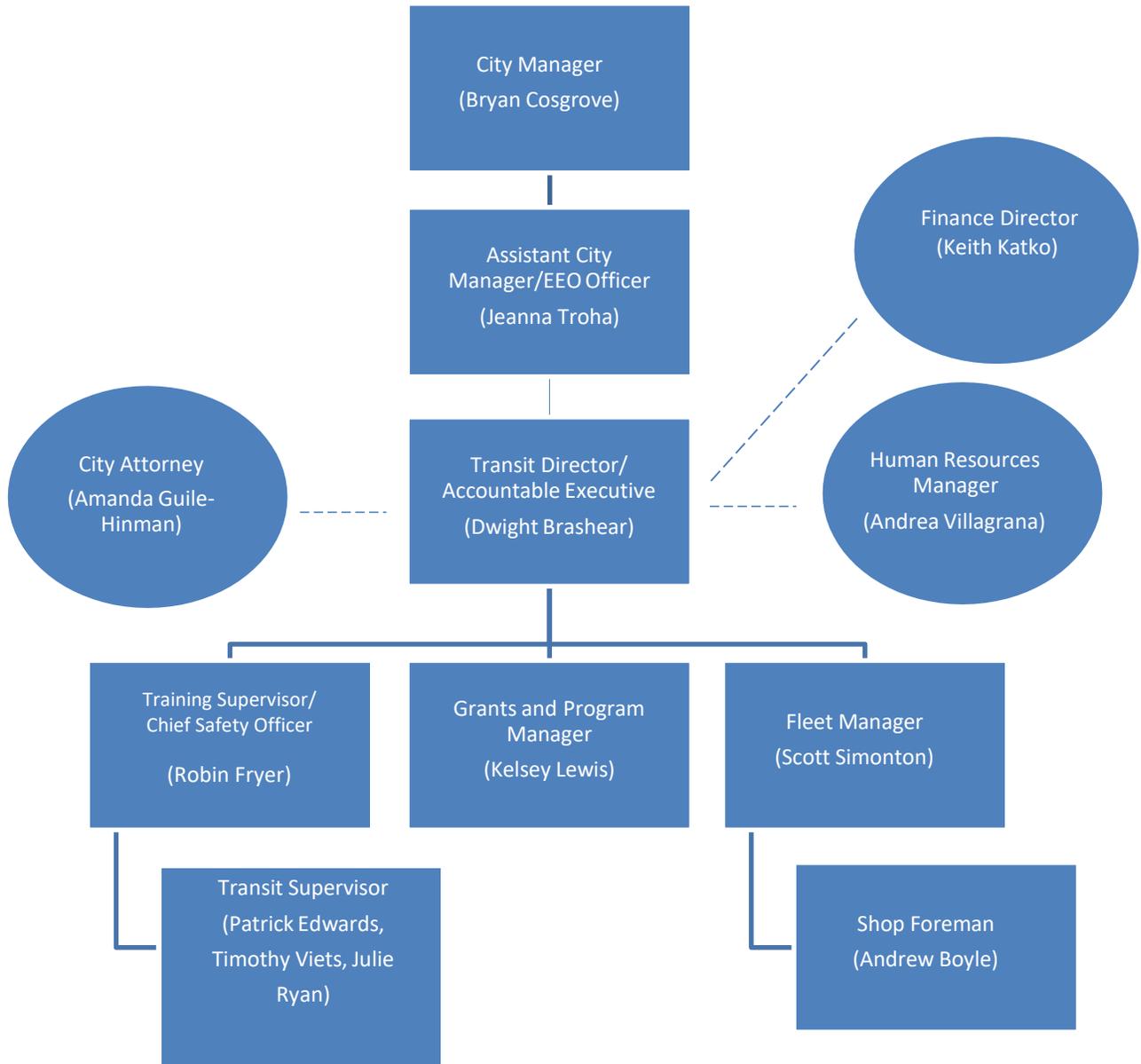
Date

### 5.1 Policy Communication

This PTASP is updated on an annual basis, but modifications may happen at any time during the year. If a change is made to the Plan, SMART notifies all staff through daily communication methods, posted

memos, and daily posted notifications. Depending on the significance of the change, immediate training may take place or be incorporated into the annual training curriculum.

### 5.1.1 Organizational Chart



## 5.2 Authorities, Accountabilities, and Responsibilities

### 5.2.1 Transit Director/Accountable Executive

The Transit Director plans, coordinates, directs, and supervises public transportation system operations and fleet maintenance. Responsibilities include long-range planning and goal setting within the department; implementation of department strategies and the Transit Master Plan; and recommending and implementing SMART policies. The Transit Director manages the budgetary aspects of the Transit department.

The Transit Director has specific responsibilities for the management, oversight, and delegation of system safety, hazard management, occupational safety and health, accident and incident investigation, oversight of construction safety, safety and security certification, environmental management, safety training, and monitoring the effectiveness (internal safety review) of the implementation of the PTASP. The Transit Director has delegated the CSO with the responsibility for establishing and implementing policies, procedures, and programs to ensure that SMART is effectively implementing its responsibilities under the PTASP. The Transit Director has delegated the CSO to collaboratively implement employee safety, industrial safety, and occupational safety training aspects of the PTASP. The Transit Director has delegated to the CSO the responsibility of overseeing all related aspects of the PTASP including the bus operations, bus maintenance, and safety programs for pedestrians and cyclists.

The Transit Director serves as SMART's Accountable Executive with the following authorities, accountabilities, and responsibilities under this plan:

- Controls and directs human and capital resources needed to develop and maintain the ASP and SMS.
- Designates an adequately trained Chief Safety Officer who is a direct report.
- Ensures that SMART's SMS is effectively implemented.
- Ensures action is taken to address substandard performance in CT's SMS.
- Assumes ultimate responsibility for carrying out CT's ASP and SMS. • Maintains responsibility for carrying out the agency's Transit Asset Management Plan.

### 5.2.2 Transit Training Supervisor/Chief Safety Officer (CSO)

The Training Supervisor oversees the day-to-day implementation of SMART's transportation safety and training programs and is designated as the CSO and ensures SMS oversight. All transit drivers and dispatchers report to this position either directly or indirectly. The Training Supervisor oversees the Employee Safety Reporting Program (ESRP) and chairs the SMART Safety Committee.

The Accountable Executive designates the Training Supervisor as SMART's Chief Safety Officer. The Chief Safety Officer has the following authorities, accountabilities, and responsibilities under this plan:

- Develops SMART's ASP and SMS policies and procedures.
- Ensures and oversees day-to-day implementation and operation of SMART's SMS.
- Manages SMART's ESRP.
- Chairs the SMART Safety Committee
  - Coordinates the activities of the committee;
  - Establishes and maintains SMART's Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; and
  - Maintains and distributes minutes of committee meetings.
- Advises the Accountable Executive on SMS progress and status.
- Identifies substandard performance in SMART's SMS and develops action plans for approval by the Accountable Executive.
- Ensures SMART policies are consistent with SMART's safety objectives.
- Provides Safety Risk Management (SRM) expertise and support for other SMART personnel who conduct and oversee Safety Assurance activities.

### 5.2.3 Agency Leadership and Executive Management

Agency Leadership and Executive Management also have authorities and responsibilities for day-to-day SMS implementation and operation of SMART's SMS under this plan. SMART Agency Leadership and Executive Management include:

- Grants and Programs Manager
- Fleet Manager

SMART Leadership and Executive Management personnel have the following authorities, accountabilities, and responsibilities:

- Participate as members of SMART's Safety Committee
- Complete training on SMS and SMART's ASP elements.
- Oversee day-to-day operations of their divisions and workgroups and report safety concerns to the CSO.
- Modify policies in their divisions and workgroups to be consistent with implementation of the SMS, as necessary.
- Provide subject matter expertise to support implementation of the SMS as requested by the Accountable Executive or the Chief Safety Officer, including SRM activities, investigation of safety events, development of safety risk mitigations, and monitoring of mitigation

effectiveness.

#### 5.2.4 Key Staff and Activities

SMART uses the SMART Safety Committee, as well as the semi-annual All-Staff Meetings, to support its SMS and safety programs:

- SMART Safety Committee: See Section 7.1.2.
- Semi-annual All-Staff Meetings: Hazard reports and mitigations will be shared, safety topics will be brought up for open discussion, further feedback solicited, and hazard self-reporting further encouraged. The information discussed in these meetings will be documented.

### 5.3 Employee Safety Reporting Program (ESRP)

SMART's Employee Safety Reporting Program (ESRP) encourages employees who identify safety concerns in their day-to-day duties to report them to senior management in good faith without fear of retribution. There are many ways employees can report safety conditions:

- Report conditions directly to the dispatcher, who will add them to the daily Operations Log.
- Report conditions anonymously via the suggestion box, a locked comment box in the driver area.
- Report conditions through email to SMART@rideSMART.com.
- Report conditions directly to any supervisor, manager, or director.

Examples of information typically reported include:

- Safety concerns regarding the operating environment (for example, county or city road conditions or the condition of facilities or vehicles);
- Policies and procedures that are not working as intended (for example, insufficient time to complete pre-trip inspection);
- Events that may have gone unnoticed (for example, near misses); and
- Information about why a safety event occurred (for example, radio communication challenges).

The CSO reviews the dispatch daily Operations Log daily and checks the suggestion box on a weekly basis. Incidents and Accidents are reviewed as they occur. All Safety conditions are documented in the Safety Risk Register to be reviewed by the SMART Safety Committee. SMART's CSO, supported by the Safety Committee, will review and address each employee report, ensuring that hazards and their consequences are appropriately identified and resolved through SMART's Safety Risk Management process and that reported deficiencies and non-compliance with rules or procedures are managed through SMART's Safety Assurance process. SMART's CSO discusses actions taken to address reported safety conditions during the

biennial All-Staff Meetings.

Additionally, if the reporting employee provided his or her name during the reporting process, the CSO, or designee follows up directly with the employee when SMART determines whether to take action and after any mitigations are implemented.

SMART encourages participation in the ESRP by protecting employees that report safety conditions in good faith. However, SMART may take disciplinary action if the report involves any of the following:

- Willful participation in illegal activity, such as assault or theft;
- Gross negligence, such as knowingly utilizing heavy equipment for purposes other than intended such that people or property are put at risk; or
- Deliberate or willful disregard of regulations or procedures, such as reporting to work under the influence of controlled substances.

Each observation is considered credible unless through assessment and investigation it is found not to be a risk. Employees are encouraged to report suspicious, or unsafe conditions to their immediate supervisor but also may report directly to the CSO.

## 6. Safety Risk Management (SRM)

### 6.1 Safety Risk Management Process

**SMART** uses the SRM process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. It is a process whereby hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to SMART's leadership. SMART's SRM process allows us to carefully examine what could cause harm and determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary.

SMART's Chief Safety Officer leads SMART's SRM process, working with SMART's Safety Committee to identify hazards and consequences, assess safety risks of potential consequences, and mitigate safety risks. The results of SMART's SRM process are documented in our Safety Risk Register and reference materials.

SMART's SRM process applies to all elements of our system including our operations and maintenance; facilities and vehicles; and personnel recruitment, training, and supervision.

In carrying out the SRM process, SMART uses the following terms:

- **Event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure belonging to SMART; or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to SMART property or the environment.

### 6.2 Safety Hazard Identification

The safety hazard identification process offers SMART the ability to identify hazards and potential consequences in the operation and maintenance of our system. Hazards can be identified through a variety of sources, including:

- ESRP;
- Review of vehicle camera footage;
- Review of monthly performance data and safety performance targets;
- Observations from supervisors;
- Maintenance reports;
- Comments from customers, passengers, and third parties, including SMART's transit insurance pool and vendors;

- SMART Safety Committee, Drivers', and All-Staff Meetings;
- Results of audits and inspections of vehicles and facilities;
- Results of training assessments;
- Investigations into safety events, incidents, and occurrences; and
- Federal Transit Administration (FTA) and other oversight authorities (mandatory information source).

When a safety concern is observed by SMART's management or supervisory personnel, whatever the source, it is reported to SMART's Chief Safety Officer. Procedures for reporting hazards to SMART's Chief Safety Officer are reviewed during All-Staff Meetings and in the Safety Committee. SMART's Chief Safety Officer also receives employee reports from the ESRP, customer comments related to safety, and the dispatch daily Operations Log. SMART's Chief Safety Officer reviews these sources for hazards and documents them in SMART's Safety Risk Register.

SMART's Chief Safety Officer also may enter hazards into the Safety Risk Register based on their review of SMART's operations and maintenance, the results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

SMART's Chief Safety Officer may conduct further analyses of hazards and consequences entered into the Safety Risk Register to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, SMART's Chief Safety Officer, or its delegates may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

SMART's Chief Safety Officer will then prepare an agenda to discuss identified hazards and consequences with the Safety Committee. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA or other oversight authorities. Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM process (with or without the full Safety Committee) for safety risk assessment and mitigation. This

means that the Chief Safety Officer believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or Oregon environmental protection standards. Otherwise, the Safety Committee will prioritize hazards for further SRM activity.

### 6.3 Safety Risk Assessment

SMART assesses safety risk associated with identified safety hazards using its safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations, and prioritizing hazards based on safety risk.

The Chief Safety Officer and Safety Committee assess prioritized hazards using SMART's Safety Risk Matrix (Section 9.2). This matrix expresses assessed risk as a combination of one severity category and one likelihood level, also referred to as a hazard rating. For example, a risk may be assessed as "1A" or the combination of a Catastrophic (1) severity category and a Frequent (A) probability level.

This matrix also categorizes combined risks into levels, High, Medium, or Low, based on the likelihood of occurrence and severity of the outcome. For purposes of accepting risk:

- "High" hazard ratings will be considered unacceptable and require action from SMART to mitigate the safety risk,
- "Medium" hazard ratings will be considered undesirable and require SMART's Safety Committee to make a decision regarding their acceptability, and
- "Low" hazard ratings may be accepted by the Chief Safety Officer without additional review.

Using a categorization of High, Medium, or Low allows for hazards to be prioritized for mitigation based on their associated safety risk.

The Chief Safety Officer schedules safety risk assessment activities on the Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the Safety Committee meeting. During the meeting, the Chief Safety Officer reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The Chief Safety Officer may request support from members of the Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the Chief Safety Officer will facilitate the completion of relevant sections of the Safety Risk Register, using the SMART Safety Risk Matrix, with the Safety Committee. The Chief Safety Officer will document the Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard in the Safety Risk Register. The Chief Safety Officer will maintain on file Safety Committee agendas, Safety Risk Assessment Packages, additional information collection, and completed Safety Risk Register sections for a period of three years from the date of generation.

### 6.4 Safety Risk Mitigation

SMART's Accountable Executive and Chief Safety Officer review current methods of safety risk

mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the Safety Committee. SMART can reduce safety risk by reducing the likelihood and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. SMART's Chief Safety Officer tracks and updates safety risk mitigation information in the Safety Risk Register and makes the Register available to the Safety Committee during meetings and to SMART staff upon request. In the Safety Risk Register, SMART's Chief Safety Officer will also document any specific measures or activities, such as reviews, observations, or audits, that will be conducted to monitor the effectiveness of mitigations once implemented.

## 7. Safety Assurance

Through our Safety Assurance process, SMART:

- Evaluates our compliance with operations and maintenance procedures to determine whether our existing rules and procedures are sufficient to control our safety risk;
- Assesses the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended;
- Investigates safety events to identify causal factors; and
- Analyzes information from safety reporting, including data about safety failures, defects, or conditions.

### 7.1 Safety Performance Monitoring and Measurement

SMART has many processes in place to monitor its entire transit system for compliance with operations and maintenance procedures, including:

- Safety audits and assessments,
- Informal inspections,
- ESRP,
- Investigation of safety occurrences,
- Daily data gathering and monitoring of data related to the delivery of service, and
- Regular vehicle inspections and preventative maintenance.

Results from the above processes are compared against recent performance trends quarterly and annually by the Chief Safety Officer to determine where action needs to be taken. The Chief Safety Officer enters any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation by the Safety Committee.

SMART monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. The Chief Safety Officer maintains a list of safety risk mitigations in the Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officer establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director, manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The Chief Safety Officer will endeavor to make use of existing SMART processes and activities before assigning new information collection activities.

SMART's Chief Safety Officer and Safety Committee review the performance of individual safety risk

mitigations during SMART Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. The Chief Safety Officer will approve or modify this proposed course of action and oversee its execution. SMART's Chief Safety Officer and Safety Committee also monitor SMART's operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations;
- Monitoring employee safety reporting;
- Reviewing results of internal safety audits and inspections; and
- Analyzing operational and safety data to identify emerging safety concerns.

The Chief Safety Officer works with the Safety Committee and Accountable Executive to carry out and document all monitoring activities.

The Chief Safety Officer and Safety Committee routinely review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the Chief Safety Officer and Safety Committee ensure that the concerns are investigated or analyzed through SMART's SRM process. The Chief Safety Officer and Safety Committee also review internal and external reviews, including audits and assessments, with findings concerning SMART's safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

#### 7.1.1 Accident Review Board

SMART maintains an Accident Review Board for conducting safety investigations of events (accidents, incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event.

SMART's Accident Review Board consists of five members that represent equally management and the union, and these positions are held by both employees of operations and maintenance. The Chief Safety Officer chairs the board. SMART's Accident Review Board determines whether:

- The accident was preventable or non-preventable;
- Personnel require retraining;
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event; and
- The accident appears to involve underlying organizational causal factors beyond just individual employee behavior.

#### 7.1.2 SMART Safety Committee:

The SMART Safety Committee consists of an equal number of management representatives (4) and frontline employee representatives (4), selected by the labor organization representing the plurality of the frontline transit workforce employed by the City of Wilsonville (SEIU).

In general, the committee meets quarterly. Committee members serve two-year terms to maintain a stable process in reviewing safety data, creating performance targets, and plan approval.

Any safety hazards reported will be jointly evaluated by the SMART Safety Committee and the Chief Safety Officer during the quarterly meeting.

The Safety Committee will establish performance targets for the risk reduction program to improve safety by reducing the number and rates of accidents, injuries, and assaults on transit workers based on data submitted to the national transit database (NTD). Based on NTD data, the committee will work to reduce vehicular and pedestrian accidents involving buses that includes measures to reduce visibility impairments for bus operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments. The committee will also work to mitigate assaults on transit workers, including the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and objects into the workstations of bus operators when a risk analysis performed by the Safety Committee determines that such barriers or other measures would reduce assaults on transit workers and injuries to transit workers.

## 8. Safety Promotion

### 8.1 Competencies and Training

SMART's comprehensive safety training program applies to all SMART employees directly responsible for safety, including:

- Bus vehicle operators,
- Dispatchers,
- Maintenance technicians, and
- Managers and supervisors.

SMART dedicates resources to conduct a comprehensive safety training program, as well as training on SMS roles and responsibilities. The scope of the safety training, including annual refresher training, is appropriate to each employee's individual safety-related job responsibilities and their role in the SMS. Basic training requirements for SMART employees, including frequencies and refresher training, are documented in SMART's Training Program. Safety-related skill training includes the following:

- New-hire bus vehicle operator classroom and hands-on skill training,
- Bus vehicle operator refresher training,
- Bus vehicle operator retraining (recertification or return to work),
- Classroom and on-the-job training for dispatchers,
- Classroom and on-the-job training for operations supervisors and managers, and
- Accident investigation training for operations supervisors and managers.

Vehicle maintenance safety-related skill training includes the following:

- Ongoing vehicle maintenance technician skill training,
- Ongoing skill training for vehicle maintenance supervisors,
- Accident investigation training for vehicle maintenance supervisors,
- Ongoing hazardous material training for vehicle maintenance technicians and supervisors, and
- Training provided by vendors.

### 8.2 Safety Communication

SMART's Chief Safety Officer and the Transit Director coordinate SMART's safety communication activities for the SMS. SMART's activities focus on the three categories of communication activity established in 49 CFR Part 673 (Part 673):

- **Communicating safety and safety performance information throughout the agency:** SMART communicates information on safety and safety performance through staff memos and during All-Staff Meetings. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may

impact SMART's service or safety performance, and updates regarding SMS implementation. SMART also requests information from drivers during these meetings, which is recorded in meeting minutes. Finally, SMART's Training Supervisor posts safety bulletins and flyers within the driver area, advertising safety messages and promoting awareness of safety issues.

- **Communicating information on hazards and safety risks relevant to employees' roles and responsibilities throughout the agency:** As part of new-hire training, SMART distributes safety policies and procedures to all employees. SMART provides training on these policies and procedures and discusses them during safety talks between supervisors and bus operators and vehicle technicians. For newly emerging issues or safety events at the agency, SMART's Chief Safety Officer issues bulletins or messages to employees that are reinforced by supervisors in one-on-one or group discussions with employees.
- **Informing employees of safety actions taken in response to reports submitted through the ESRP:** SMART provides targeted communications to inform employees of safety actions taken in response to reports submitted through the ESRP, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and supervisors.

## 9. Exhibits

### 9.1 SMART Safety Committee Roster (October 2024)

<b>Employee Name</b>	<b>Position</b>	<b>Representative</b>
Vince Espinosa	Driver	SEIU Representative
Karen Kovalik	Driver	SEIU Representative
Jeanette Patton	Dispatcher	SEIU Representative
Katherine Serrano	Driver	SEIU Representative
Brad Dillingham	Operations Manager	City Representative
Robin Fryer	Training Supervisor	City Representative
Scott Simonton	Fleet Services Manager	City Representative
Andrea Villagrana	Human Resources Manager	City Representative

## 9.2 Safety Risk Matrix

Likelihood of Occurrence of the Consequence					
<i>Qualitative Definition</i>	<i>Meaning:</i>	<i>Value</i>			
<b>Frequent</b>	Likely to Occur Frequently ( $>10^{-1}$ )	A			
<b>Probable</b>	Likely to Occur Several Times ( $<10^{-1}$ but $>10^{-3}$ )	B			
<b>Occasional</b>	Likely to Occur Sometime ( $<10^{-3}$ but $>10^{-6}$ )	C			
<b>Remote</b>	Very Unlikely to Occur ( $<10^{-6}$ but $>10^{-8}$ )	D			
<b>Improbable</b>	It is almost inconceivable that the event will occur ( $<10^{-8}$ )	E			
Severity of the Consequence					
<i>Definition Category</i>	<i>Meaning</i>	<i>Value</i>			
<b>Catastrophic</b>	Could result in one or more of the following: death, permanent total disability, irreversible significant environmental impact or monetary loss equal to or exceeding \$10M.	<b>1</b>			
<b>Critical</b>	Could result in one or more of the following: permanent partial disability, injuries or occupational illness that may result in hospitalization of at least three personnel, significant reversible environmental impact, or monetary loss equal to or exceeding \$1M but less than \$10M.	<b>2</b>			
<b>Marginal</b>	Could result in one or more of the following: injury or occupational illness resulting in one or more lost workday(s), reversible moderate environmental impact, or monetary loss equal to or exceeding \$100K but less than \$1M.	<b>3</b>			
<b>Negligible</b>	Could result in one or more of the following: injury or occupational illness not resulting in a lost workday, minimal environmental impact, or monetary loss less than \$100K.	<b>4</b>			
Risk Assessment Matrix					
<i>Likelihood</i>	<i>Severity</i>				
	<b>1 (Catastrophic)</b>	<b>2 (Critical)</b>	<b>3 (Marginal)</b>	<b>4 (Negligible)</b>	
<b>A (Frequent)</b>	1A	2A	3A	4A	
<b>B (Probable)</b>	1B	2B	3B	4B	
<b>C (Occasional)</b>	1C	2C	3C	4C	
<b>D (Remote)</b>	1D	2D	3D	4D	
<b>E (Improbable)</b>	1E	2E	3E	4E	
Risk Assessment Matrix Color Code					
<i>"Tolerability" is based on identified severity and likelihood.</i>					
	Unacceptable under the existing		Acceptable based upon mitigations.		Acceptable with senior management

circumstances. approval.



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Resolution No. 3180</b> Approving a Funding Plan Forecast for the Stafford Road Improvements - Phase I (Capital Improvement Project No. 1158, 2111, and 4219)	
		<b>Staff Member:</b> Keith Katko, Finance Director and Zach Weigel, PE, City Engineer	
		<b>Department:</b> Finance and Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> 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	
		<b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): 2023 Transportation System Plan Projects UU-06, BW-23, and SI-13. 2014 Wastewater Collection System Master Plan Project CIP-34 2012 Water Distribution System Master Plan Project 362	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville resolution approving a funding plan forecast for the Stafford Road Improvements – Phase I Project (Capital Improvement Project (CIP) No. 1158, 2111, and 4219).

**EXECUTIVE SUMMARY:**

The Frog Pond West (FPW) Master Plan, adopted by City Council in 2017, identified public infrastructure necessary to serve the planned residential development within the Frog Pond West neighborhood. The FPW Master Plan includes transportation, water, wastewater, and storm drainage improvements to Stafford Road, along the eastern boundary of the neighborhood. In 2022, City Council adopted the Frog Pond East & South (FPE/S) Master Plan, planning for additional residential and neighborhood commercial development east of FPW. With Stafford Road serving as the boundary between Frog Pond West and East, the public infrastructure requirements were updated as part of FPE/S Master Plan to address the needs of both Frog Pond neighborhoods.

As part of recent subdivision land use applications, traffic studies indicate that the intersection of Frog Pond Lane and Stafford Road (an arterial roadway) will fall below the City's operational standard of Level of Service D with any additional residential development approval within the Frog Pond West neighborhood. Additional traffic analysis indicates that improvements to the Frog Pond Lane/Stafford Road intersection consistent with the Wilsonville Transportation System Plan will then cause the Brisband Street/Stafford Road intersection to fall below Level of Service D. Wilsonville Municipal Code Section 4.140.09.J.2 states that a planned development permit may be granted by the Development Review Board only if it is found that the development location, design, and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D on existing or planned arterial and collector streets for which funding has been approved or committed and that are scheduled for completion within two years of occupancy of the development.

In order to allow development in Frog Pond West to proceed and continue to generate revenue to fund needed infrastructure improvements identified in the Frog Pond Master Plans, City Council authorized a supplemental budget amendment on October 7, 2024, adding the Stafford Road Improvements – Phase I Project to the Fiscal Year 2024-25 (FY25) budget. The Stafford Road Improvements – Phase I Project (Project) represents the first phase of improvements on Stafford Road, providing necessary infrastructure to serve both Frog Pond West and East and address the anticipated Level of Service deficiencies at the Frog Pond Lane and Brisband Street intersections with Stafford Road. This phase of work includes:

- Stafford Road Improvements (Frog Pond Ln. – Brisband St.): Add pedestrian, bike, and transit facilities on the west side of Stafford Rd.
- Frog Pond Ln./Stafford Rd. intersection turn lane restrictions.
- Brisband St./Stafford Rd. intersection single-lane roundabout.
- 12-inch diameter waterline extension Stafford Rd. (Frog Pond Ln. – Boeckman Rd.)
- 12-inch diameter sewer pipeline extension Stafford Rd. (Frog Pond Ln. – Boeckman Rd.)

While the FY25 budget adjustment approves funding for the planned arterial street intersection improvement project required by the development code, further action by City Council is necessary to schedule the intersection improvements for completion within two years of occupancy of the development. Adoption of **Resolution No. 3180** approves a funding plan forecast for the Stafford Road Improvements Phase I Project, completing the Project within two years of occupancy of approved development within Frog Pond West. The funding plan forecast is as follows:

<b>CIP No.</b>		<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>Total</b>
1158	Water Line	\$105,000.11	\$193,935.59	\$199,753.66	\$498,689.36
2111	Sewer Line	\$105,999.92	\$198,093.84	\$204,036.66	\$508,130.41
4219	Roadway	\$1,000,000.00	\$1,802,500.00	\$1,856,575.00	\$4,659,075.00
<b>Total</b>		<b>\$1,211,000.02</b>	<b>\$2,194,529.43</b>	<b>\$2,260,365.32</b>	<b>\$5,665,894.77</b>

<b>Funding Source</b>	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>Total</b>
Water SDC	\$20,412.02	\$37,701.08	\$38,832.11	\$96,945.21
Sewer SDC	\$10,091.19	\$18,858.53	\$19,424.29	\$48,374.02
Transportation SDC	\$681,331.23	\$1,228,099.55	\$1,264,942.54	\$3,174,373.32
Frog Pond Fee	\$499,165.57	\$909,870.27	\$937,166.38	\$2,346,202.22
<b>Total</b>	<b>\$1,211,000.02</b>	<b>\$2,194,529.43</b>	<b>\$2,260,365.32</b>	<b>\$5,665,894.77</b>

Approval of this funding plan forecast in no way limits how the project is funded and only reflects a potential source of funding to ensure the project is constructed within the allotted timeframe based on the current estimated cost of the Project. The Project will be included in the proposed Fiscal Year 2025-26 Five-Year Capital Improvement Program during the next budget cycle where additional funding sources may be evaluated and authorized as part of the budget adoption. In addition, approval of this funding plan forecast in no way limits the City's ability to seek reimbursement for the Project costs that may be attributable to future development within Frog Pond East and South.

#### **EXPECTED RESULTS:**

Approval of the Project funding plan forecast will allow residential development within Frog Pond West to meet required land use requirements by approving funding and scheduling for completion the planned arterial street intersections within two years of occupancy. Continued residential development in Frog Pond West is necessary to meet the City's identified housing needs and generation of revenue to fund needed infrastructure improvements. In addition, the

funding plan forecast will allow high priority transportation improvements on Stafford Road to proceed, reducing vehicle speeds, enhancing neighborhood access, and improving safety through addition of sidewalk and bike facilities and intersection enhancements, a frequent request by the adjacent Stafford Meadows neighborhood.

**TIMELINE:**

Solicitation for an engineering consultant to begin Project design work will occur in January 2025 with design beginning in the second quarter of 2025. Project construction is anticipated to be completed by the end of 2027. The earliest anticipated occupancy of residential development within Frog Pond West which is projected to not meet Level of Service performance standards at the Frog Pond Lane/Stafford Road intersection is in 2027, well within the required two-year occupancy requirement.

**CURRENT YEAR BUDGET IMPACTS:**

The amended FY25 budget includes funding for engineering design and overhead for the Project, including Frog Pond Infrastructure Fee (FPF) and System Development Charges (SDC) funding sources, as summarized below.

CIP No.	Project Name	Funding Source	Amended FY25 Budget
1158	Stafford Water	FPF & Water SDC	\$105,000
2111	Stafford Sewer	FPF & Sewer SDC	\$106,000
4219	Stafford Road	FPF & Transportation SDC	\$1,000,000

**COMMUNITY INVOLVEMENT PROCESS:**

The Stafford Road Improvements were identified as high priority infrastructure projects through the Frog Pond West Master Plan and Frog Pond East & South Master Plan processes, as well as the last major updates to the Wilsonville Transportation System Plan, Water Distribution System Plan, and Wastewater Collection System Master Plan, which included an extensive community involvement process. As part of the Project, additional public engagement will occur to incorporate community input into the design and construction of the needed infrastructure improvements on Stafford Road.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Approval of the Project funding plan forecast will allow residential development within Frog Pond West to continue, providing Wilsonville with needed housing and generating revenue to fund needed infrastructure projects. In addition, infrastructure improvements to Stafford Road can begin, improving safety and access for residents in Frog Pond West.

**ALTERNATIVES:**

City Council could decide either to delay or not approve the Stafford Road Improvements Phase I funding plan forecast. This action is not recommended, as development within Frog Pond West would not be able to meet land use requirements and a development moratorium would likely need to be implemented, resulting in delay in housing production and a decline in revenue necessary to pay for needed public infrastructure.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENT:**

1. Resolution No. 3180

**RESOLUTION NO. 3180****A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING A FUNDING PLAN FORECAST FOR THE STAFFORD ROAD IMPROVEMENTS – PHASE I (CIP NOS. 1158, 2111, AND 4219).**

WHEREAS, in 2017, the City Council adopted the Frog Pond West Master Plan (“FPW Master Plan”) via Ordinance No. 806; and

WHEREAS, the FPW Master Plan includes transportation, water, wastewater, and storm drainage improvements to SW Stafford Road, along the eastern boundary of the neighborhood; and

WHEREAS, in 2022, the City Council adopted the Frog Pond East and South Master Plan (“FPE/S Master Plan”) via Ordinance No. 870; and

WHEREAS, the FPE/S Master Plan also discussed public infrastructure improvements needed along and within SW Stafford Road, which is the boundary between Frog Pond West and East; and

WHEREAS, the FPE/S Master Plan updated the public infrastructure requirements to address the needs of both Frog Pond neighborhoods with regard to infrastructure related to SW Stafford Road; and

WHEREAS, one update in the FPE/S Master Plan included vehicle turn lane restrictions at the SW Frog Pond Lane and SW Stafford Road intersection (“Frog Pond Lane Intersection”) due to its projected failure to meet the required minimum level of service; and

WHEREAS, to further address traffic movement, the FPE/S Master Plan identified installing roundabout at SW Brisband Street and SW Stafford Road (“Brisband Intersection”) to accommodate the vehicle turn lane restrictions of the Frog Pond Lane Intersection and to ensure that the minimum level of service could be met at the Brisband Intersection; and

WHEREAS, as part of recent subdivision land use applications, traffic studies indicate that the Frog Pond Lane Intersection will fall below the City’s operational standard of Level of Service D with any additional residential development approval within the Frog Pond West neighborhood; and

WHEREAS, to allow development in Frog Pond West to proceed and continue to generate revenue to fund needed infrastructure improvements identified in the Frog Pond Master Plans,

City Council authorized a supplemental budget amendment on October 7, 2024, adding the Stafford Road Improvements – Phase I project to the Fiscal Year 2024-25 (FY25) budget (the “Project”); and

WHEREAS, when the Project was added to the FY25 budget, it did not include a funding forecast for the Project, as such forecasts are typically generated when the budget is approved in May-June of each year; and

WHEREAS, for development to continue in Frog Pond West, a funding plan forecast is needed to show that the City plans to complete the Project within two years of development occupancy – requirement under WC 4.140(.09) J. 2.

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

Section 1. Findings. The City Council adopts as its findings the above Recitals and the Staff Report by reference as if fully set forth herein. The City Council further finds that its approval of the following funding plan forecast in no way limits how the Project is ultimately funded and only reflects a potential source of funding to ensure the Project is constructed within the allotted timeframe based on the current estimated cost of the Project. Other funding sources and further refinement of a funding plan may be evaluated and authorized in future City Council actions.

Section 2. The City Council approves the following funding plan forecast for the Stafford Road Improvements – Phase I (CIP Nos. 1158, 2111, and 4219), which anticipates completion of the Project by FY27:

Forecasted Project Expenditure:

<b>CIP No.</b>		<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>Total</b>
1158	Water Line	\$105,000.11	\$193,935.59	\$199,753.66	\$498,689.36
2111	Sewer Line	\$105,999.92	\$198,093.84	\$204,036.66	\$508,130.41
4219	Roadway	\$1,000,000.00	\$1,802,500.00	\$1,856,575.00	\$4,659,075.00
<b>Total</b>		<b>\$1,211,000.02</b>	<b>\$2,194,529.43</b>	<b>\$2,260,365.32</b>	<b>\$5,665,894.77</b>

Potential Project Funding Sources:

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>Total</b>
Water SDC	\$20,412.02	\$37,701.08	\$38,832.11	\$96,945.21
Sewer SDC	\$10,091.19	\$18,858.53	\$19,424.29	\$48,374.02
Transportation SDC	\$681,331.23	\$1,228,099.55	\$1,264,942.54	\$3,174,373.32
Frog Pond Fee	\$499,165.57	\$909,870.27	\$937,166.38	\$2,346,202.22
<b>Total</b>	<b>\$1,211,000.02</b>	<b>\$2,194,529.43</b>	<b>\$2,260,365.32</b>	<b>\$5,665,894.77</b>

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

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November, 2024, 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 MINUTES

September 05, 2024, at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

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### CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday, September 5, 2024. The Mayor called the meeting to order at 7:00 p.m., followed by roll call and the Pledge of Allegiance.

### PRESENT

Mayor Fitzgerald  
Council President Akervall  
Councilor Linville - Excused  
Councilor Berry  
Councilor Dunwell

### STAFF PRESENT

Amanda Guile-Hinman, City Attorney  
Bill Evans, Communications & Marketing Manager  
Bryan Cosgrove, City Manager  
Erica Behler, Recreation Coordinator  
Erika Valentine, Arts & Culture Program Coordinator  
Jeanna Troha, Assistant City Manager  
Kimberly Veliz, City Recorder  
Kris Ammerman, Parks and Recreation Director  
Zoe Mombert, Assistant to the City Manager

3. Motion to approve the following order of the agenda.

**Motion:** Moved to approve the following order of the agenda.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Berry, Councilor Dunwell

**Vote:** Motion carried 4-0.

**MAYOR'S BUSINESS**

## 4. Upcoming Meetings

The Mayor reported on past and upcoming events.

League of Oregon Cities (LOC)

- The Mayor explained that the LOC was a valuable resource for cities across Oregon.
- Furthermore, the Mayor of Hermiston, who was also the LOC President, had an upcoming presentation for cities to address challenges faced in maintaining stable revenue sources.
- It was shared that property taxes are the main revenue source for essential services, but the current tax structure was insufficient for cities' needs.
- The LOC would explore alternative revenue streams and share successes and failures from various cities statewide.

Twist Bioscience Event

- On September 6, 2024, the Mayor, and members of Council along with other elected officials and business leaders would celebrate Twist Bioscience's first full year in operation in Wilsonville.
- The event would recognize the City's innovative Wilsonville Investment Now (WIN) economic development incentive program.
- The WIN program incentivized businesses to operate in Wilsonville by providing limited-duration property tax rebates for qualifying development projects that create family-wage jobs and substantial new assessed value.
- Twist Bioscience, a leading global synthetic biology and genomics company, was the first company to participate in the City's economic development program.
- Twist Bioscience invested over \$100 million in their Wilsonville facility and employed over 270 employees with family-wage jobs.

Boeckman Interceptor and Trail Project Open House

- On Wednesday, September 11, 2024, the City was to host the Boeckman Interceptor and Trail Project Open House at City Hall.
- This project increased the City's sewer capacity to support development of Frog Pond East and South neighborhoods and provided access for crews to clean and maintain sewer pipes.
- The project also added a long-envisioned regional trail link that connects the Frog Pond West area neighborhoods along Boeckman Road to Memorial Park, enabling people to safely walk, run and bicycle along the connected trail system.

- Completing the capital projects together minimized cost as well as time and impacts of construction for the community's benefit.
- The open house event would allow staff to share design progress, gather input from community members, and review the anticipated project timeline.

#### Oregon Department of Transportation (ODOT) Open House

- On September 18, 2024, the City was to host an ODOT Open House on the I-5 Boone Bridge project.
- ODOT had conducted both federal and state required studies in the lead-up to a final federal National Environmental Policy Act or NEPA study and potential funding.
- ODOT had studied the potential impacts of the proposed southbound auxiliary lane, as well as the best alternative transportation facility for bike/pedestrian access.
- In terms of bike/pedestrian facilities, ODOT was looking at either an on-highway sidewalk separated by a concrete barrier from traffic, or the City's long proposed French Prairie Bridge.
- At ODOT's last open house in November 2023, over two-thirds of participants preferred the French Prairie Bridge as the I-5 Boone Bridge's bike/pedestrian facility.
- The Open House event would allow the public to hear about these studies and express their thoughts and preferences.
- It was identified that the main reason for the traffic tie-up on the Boone Bridge was the current design.

#### ESS Ribbon Cutting Event

- On August 5, 2024, the Mayor participated in a ribbon-cutting event at ESS located in Wilsonville.
- ESS hosted a ribbon cutting event with the U.S. Export-Import Bank and Senator Ron Wyden celebrating a \$50M financing package that would fund an expansion at the Wilsonville facility to encourage the export of ESS batteries.
- ESS was a high-tech manufacturer of iron-flow battery technology that allows long-duration energy storage at commercial and utility scale.
- Semi-truck size ESS "Energy Warehouse" batteries were used to store electrical power generated by solar or wind.
- The batteries are then tapped for their power by utilities when the sun is not shining or wind is not blowing, or to supply peak-power demand times.

#### Residential Development Opportunity Tour

- Councilor Berry, the Mayor, and City staff hosted a Wilsonville residential development opportunity tour in August 2024.
- The tour was for members and associates of the Homebuilder's Association, Portland Metro Association of Realtors, Clackamas County Business Alliance, Westside Economic Alliance, and Oregon Smart Growth.
- Others on the tour included Wilsonville's state legislators Senator Aaron Woods and Representative Courtney Neron, and Metro Councilor Christine Lewis.
- In addition, on board were senior housing staff of the Governor's Office and housing managers of the Oregon Department of Land Conservation and Development.

- The tour highlighted a range of residential housing development opportunities in Wilsonville, including at Town Center, the Wilsonville Transit Center Transit Oriented Development project, Villebois, and the new Frog Pond West, South and East areas.
- The tour illustrated the importance of public infrastructure to serve new development. Without water and sewer service, roads and sidewalks, transit and parks, nothing can be developed.
- It was mentioned that City tours helped to build connections between the public and private sectors and improved understanding by local and state leaders of the challenges that local governments encounter to develop housing.
- Oregon cities needed new tools and funding sources if cities were to meet the need for new housing in the state.

### Vuela Ground-Breaking

- Council President Akervall and Councilors Berry and Dunwell and Mayor were joined by several local and state elected officials for the ground-breaking of the new Wilsonville Transit Center Transit Oriented Development known as ‘Vuela,’ which is Spanish for “flying.”
- Other elected officials that attended the event included:
  - Metro Councilor Christine Lewis
  - Clackamas County Commissioner Martha Schrader
  - Senator Aaron Woods
  - Representative Courtney Neron
- The developer of this project, Palindrome, saw an opportunity to help Oregonians soar to new heights with 121 affordable housing units and convenient access to regional transit and social services.
- Residents of Vuela would have ready access to a SMART transit information center on the first floor, and SMART’s top-quality, free in-town transit service right outside their front door.
- Additionally, Vuela would house a permanent home for Wilsonville Community Sharing, the community’s social-service referral agency an Oregon Food Bank affiliate.
- Vuela would offer a range of affordable housing options to households making between 30% and 80% of area median income, with a focus on family-sized units.
- Funding sources for this \$57 million project included:
  - \$28.4 million in State tax-exempt bonds issued by Oregon Housing and Community Services.
  - \$24.6 million in equity from federal low-income housing tax credits allocated by Oregon Housing and Community Services.
  - \$8 million in regional Metro Affordable Housing Bond Funds awarded by Clackamas County.
  - \$1.9 million state legislative grant advanced by Representative Courtney Neron.
  - \$1.4 million City system development charge subsidy and land donation to Palindrome, the project’s developer.
  - \$250,000 Metro Transit Oriented Development grant.

### Aurora State Airport Master Plan

- The Mayor noted the Oregon Department of Aviation's Aurora State Airport Master Plan process had taken some interesting turns.
- In addition to proposing a five hundred feet runway extension to accommodate more larger and heavier aircraft, the Aviation Department wanted to either move the Wilsonville-Hubbard State Highway 551 or the Airport Air Traffic Control Tower to accommodate expansion of the Airport.
- As part of the Airport expansion, the Aviation Department proposed to take over a hundred acres of private property near the Airport that includes lands zone exclusive farm use, rural residential and rural industrial.
- The proposals were multi-million-dollar projects that had questionable benefits for the public.
- The nonprofit land-use conservation organization Friends of French Prairie had started a people's petition opposing expansion of the Aurora State Airport.

### City Council Meeting

- The next City Council meeting was scheduled for Monday, September 16, 2024.
5. City Council Consideration of Endorsement of Clackamas Community College Bond Measure #3-613 on November 2024 Ballot

The Mayor announced next up on the agenda was City Council consideration of endorsement of Clackamas Community College Bond Measure #3-613.

It was shared in the City Council meeting packet was information about the proposed bond measure scheduled for voters' consideration at the November 5, 2024, general election. The bond measure would allow the college to make needed facilities improvements and better support various training and education programs. The Wilsonville campus was specifically noted for improved workforce development and employer outreach efforts.

Property owners in the Clackamas Community College district currently pay \$0.25 per \$1,000 of assessed value. If passed, this measure was estimated to continue at the same rate, meaning the tax rates would stay the same if the measure passed. Additionally, the college would be eligible for up to \$16 million in matching funds from the state. Passing the bond would secure eligibility for these matching funds.

The mayor then called for a motion for the City Council to endorse Clackamas Community College Bond Measure #3-613.

**Motion:** Moved to endorse proposed bond measure, Clackamas Community College 2024 proposed Bond Measure #3-613.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Berry, Councilor Dunwell

The Council discussed their support for the bond measure.

**Vote:** Motion carried 4-0.

**COMMUNICATIONS**

6. Skate Park Mural Community Enhancement Program (CEP) Project Update

Erika Valentine, Arts & Culture Program Coordinator showcased the new Skate Park Mural painted by Abigail Penfold. The art project was funded by the Wilsonville-Metro Community Enhancement Program. The PowerPoint shown has been added to the record.

Council questions and their appreciation for the artwork and dedication event were shared after the staff's presentation.

Staff shared the artist who painted the mural was based in Washington. It was further explained procurement contracting law does not give preference over local artists. The review panel looked specifically at the body of work, and the design aesthetic.

7. Kitakata Sister City Advisory Board FY 2024/25 Goals

Kitakata Sister City Advisory Board Chair Scritsmier and Vice Chair Scarpone, presented the board's 2024/25 fiscal year goals. Prior to sharing the goals, background information on the history of the Wilsonville and Kitakata Sister City relationship was shared.

Following the presentation City Council comments and questions ensued.

**CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS**

*This is an opportunity for visitors to address the City Council on any matter concerning City's Business or any matter over which the Council has control. It is also the time to address 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.*

The following individuals provided public comment:

Adam Cunningham

Paul Fruin

Elizabeth Peters

## COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

### 8. Council President Akervall

Councilor Akervall reported on the following events and activities:

- Skate Park Mural Dedication on August 24, 2024
- Party in the Park on August 22, 2024
- Economic Development Department childcare survey
- Wilsonville Child Care Consortium meeting
- Hispanic Heritage Month
- DEI Speaker Series on September 17, 2024

### 9. Councilor Linville – Excused

### 10. Councilor Berry

Councilor Berry reported on the following meetings and events:

- Housing Our Future meeting on August 6, 2024
- Housing Tour on August 16, 2024
- Skate Park Mural Dedication on August 24, 2024
- Transit-Oriented Development (TOD) Groundbreaking on August 26, 2024
- Emergency Preparedness Fair on September 7, 2024
- DEI Speaker Series on September 17, 2024
- Charbonneau Annual Art Festival on October 11-13, 2024

### 11. Councilor Dunwell

Councilor Dunwell shared the following information:

- Appreciated the attendance and communication of the audience and community members.
- Party in the Park on August 22, 2024
- Tualatin Valley Fire and Rescue Firefighter for a Day program on September 27, 2024
  - Pictures displayed were added to the record.
- French Prairie Forum
- City Council meeting on September 16, 2024

## CONSENT AGENDA

The City Attorney read the title of the Consent Agenda items into the record.

### 12. Resolution No. 3129

A Resolution Of The City Of Wilsonville Adopting The City Of Wilsonville Representation In The Updates To The Clackamas County Multi-Jurisdictional Natural Hazard Mitigation Plan.

**13. Resolution No. 3131**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Musco Athletic Lighting, LLC. To Construct The Memorial Park Athletic Field Lighting Project.

**14. Resolution No. 3155**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Harper Houf Peterson Righellis Inc. (HHPR) For Engineering Consulting Services For The Brown Road Improvements Project (Capital Improvement Project No. 4216).

**15. Resolution No. 3156**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With In Line Commercial Construction, Inc. For The Smart Yard Expansion Project (Capital Improvement Project #8148).

**16. Minutes of the June 17, 2024, City Council Meeting.**

**Motion:** Moved to approve the Consent Agenda as read.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Berry, Councilor Dunwell

**Vote:** Motion carried 4-0.

**NEW BUSINESS**

There was none.

**CONTINUING BUSINESS**

There was none.

**PUBLIC HEARING**

The City Attorney read the title of Ordinance No. 893 into the record.

**17. Ordinance No. 893 - 1<sup>st</sup> Reading (Legislative Non-Land Use Hearing)**

An Ordinance Of The City Of Wilsonville Adding Sections 2.380 Through 2.386 To The Wilsonville Code Concerning The Diversity, Equity And Inclusion Committee.

The Mayor read the public hearing script and opened the public hearing at 8:36 p.m.

Zoe Mombert, Assistant to the City Manager presented a PowerPoint, which had been added to the record summarizing the staff report.

The following individuals provided public testimony in support of Ordinance No. 893:

Erica Pham	Karla Brashear	Aasha Patel	Bob Renfro
Imran Haider	Dina Ochs		

The following individuals provided public testimony opposing Ordinance No. 893:

Paul Fruin	Court Malieke	Steven Hunter
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Elisabeth Garcia Davidson registered to speak but chose not to when called upon.

Council inquiries and comments occurred while receiving the public comment.

It was shared by staff that many of the City's committees are written into code as opposed to being an ad hoc committee.

Councilor Dunwell, as a person of color, shared her experiences growing up near the Pine Ridge reservation, she emphasized her Indigenous heritage, and the challenges faced due to poverty and discrimination. The Councilor highlighted the importance of representation and support. Moreover, the Councilor advocated for Diversity, Equity, and Inclusion (DEI) in Wilsonville, arguing it should be integrated into the community's values and code to ensure all individuals, regardless of appearance, feel included and have opportunities. The Councilor voiced her support for the DEI Committee, believing it aligned with the community's commitment to inclusivity.

The Mayor reflected on her experience as part of the all-women City Council. The Mayor discussed the challenge of raising community awareness about meetings and encouraged more participation.

The audience was reminded that former City Councilor Ben West voted and chaired the committee that oversaw the Equitable Housing Strategic Plan. It was shared the plan, involved a deep dive into demographics and aimed to promote equity and inclusion in City projects. It was shared that the Planning Commission expressed a desire for a committee to review future City plans with an equity lens.

Staff reemphasized the importance of the DEI Committee. It was reported that many City staff and/or committees request letters of support for grant applications, noting that agencies often require an equity lens for funding requests.

The Mayor closed the public hearing at 9:39 p.m.

The City Attorney clarified for the audience the City Charter laid out that any ordinance must be adopted through two separate readings. The first reading has a public hearing tied to it. The second reading of an ordinance is held at a later Council meeting, typically the next council meeting, with exceptions where it can be done the same night as the first reading.

The City Attorney reminded the reading of Ordinance No. 893 that evening was the first reading and public hearing. After receiving testimony on the first reading, the Council would vote on Ordinance No. 893 on the first reading. This was assuming the Council voted for adoption then a second reading would be held at the next Council meeting for the council to again consider the ordinance for adoption.

It was further explained that the reason for a second reading at a future date was to provide Council a chance to explore any added information that may have been submitted at the public hearing.

Next, the Mayor called for a motion on Ordinance No. 893.

**Motion:** Moved to adopt Ordinance No. 893 on first reading.

Motion made by Councilor Akervall, Seconded by Councilor Dunwell.

During the discussion, the Council emphasized the DEI committee's role in fostering community strength and communication, collaborating with City boards and organizations. Councilors highlighted the importance of diversity in decision-making, citing research that shows diverse teams outperform others and enhanced innovation. Council expressed their commitment to anti-racist efforts and acknowledges the need for open discussions to address community issues, like incidents of hate speech. Moreover, they advocated for maintaining the DEI Committee for continued improvement to policies and to break down barriers, ensuring a more inclusive environment.

**Voting Yea:**

Mayor Fitzgerald, Councilor Akervall, Councilor Berry, Councilor Dunwell

**Vote:** Motion carried 4-0.

**CITY MANAGER'S BUSINESS**

There was none.

**LEGAL BUSINESS**

There was none.

**ADJOURN**

The Mayor adjourned the meeting at 9:54 p.m.

Respectfully submitted,

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ATTEST:

\_\_\_\_\_  
Julie Fitzgerald, Mayor

DRAFT



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Resolution No. 3162</b> A Resolution of the City of Wilsonville Adopting the Findings and Recommendations of the <i>Solid Waste Collection Rate Report, November 2024</i> , and Modifying the Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective January 1, 2025.  <b>Staff Member:</b> Mark Ottenad, Public/Government Affairs Director  <b>Department:</b> Administration	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> City Council work session to adopt 2024 Solid Waste Collection Rate Report and new 2025 Republic Service Rate Schedule. Report modified as requested by Council during October 21 work session.	
<b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No. 3162.			
<b>Recommended Language for Motion:</b> I move to adopt Resolution No. 3162.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Solid-Waste Franchise Ordinance No. 883 (2024)	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

City Council consideration of Resolution No. 3162 that adopts the *Solid Waste Collection Rate Report, November 2024*, (“Report”) and the accompanying “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective January 1, 2025.” The effect of the resolution is to increase rates across-the-board by the consumer price index (CPI) rate of inflation of 2.6%.

**EXECUTIVE SUMMARY:**

Solid-Waste Franchise Ordinance No. 883, effective Jan. 1, 2024, (“Franchise Agreement”), provides that collection rates are established to generate for franchisee Republic Services an operating margin of 10% on allowable expenses; however, rates are recalibrated by the City if the margin falls below 8% or above 12%. Article VIII of Ordinance No. 883 provides that if the operating margin, or Rate of Return (“ROR”), is 8% up to, but not including, 10%, then 100% of the CPI will be applied to the service rates.

The applicable CPI inflation rate is 2.6%. As detailed in the Report, the projected ROR is 9.7%, which would justify applying 100% of the CPI (2.6%) to the service rates, pursuant to the terms of the Franchise Agreement, Ordinance No. 883, Article VIII, Section 2, Subsection c, that calls for “If the expected Operating Margin in the next calendar year is equal to or greater than eight percent (8%) but less than ten percent (10%) of Gross Revenues, Service Rates will be adjusted to reflect one hundred percent (100%) of the percentage increase, if any, in the CPI.”

At the October 21 City Council work session to review the Draft Report, the City Council considered proposals to evaluate whether, in addition to the standard CPI, the City should consider factoring the projected impact of pending disposal cost increases into the service rate review. The City Council provided direction to staff to implement Ordinance No. 883 as written using the standard adjustment.

**Overview of Solid Waste Collection Rate Report**

In addition to analyzing franchisee Republic Services’ financial data, consultant Bell & Associates and city staff conducted an on-site review of accounting practices.

Specific line item expenses from the adjusted 2023 report were escalated to project the results for fiscal year 2024-2025 using assumptions based on the February 2024 adopted rate increase, increased disposal, labor agreement between Republic and the union drivers, administrative wages, health insurance, and estimated inflation rate.

Table 2 on page 2 (Exhibit A to Resolution No. 3162) summarizes the key expense assumptions for 2024:

- Union Driver Wages: 1.70% increase
- Health Insurance: 4.00% increase
- Waste Disposal: 6.02% increase
- CPI Inflation Rate: 2.60% increase
- Yard Debris Disposal: 2.60% increase

Table 3 on page 2, “Projected 2024 Financial Performance for Wilsonville,” illustrates adjusted and projected changes in revenue and expenses.

Composite revenue ROR is the combined ROR of Republic Services’ three lines or classes of business:

1. Roll Cart: Residential
2. Container: Commercial
3. Drop Box: Industrial

The Report finds that solid waste franchisee Republic Services' operating margin adjusted for projected 2024 financial performance had a composite ROR of 9.7%, which is below the allowable range of 8% to 12%, with a target of 10% ROR; see Report page 3, Table 4, "Estimated 2024 Financial Results for Collection Services in Wilsonville." Specifically, two of three lines or classes of business — Roll Cart Residential and Industrial Drop Box — fall below the 10% ROR target. Thus a general rate increase of 2.6% CPI is calculated into proposed 2025 rates in the Report.

Table 5 on page 3 compares the disposal costs at Willamette Resources, Inc. (WRI), a wholly-owned subsidiary of Republic Services, to the Metro disposal fee over the last three years.

Table 6 on page 4, "Proposed Rate Increase for Residential Collection Service" proposes a rate increase of 2.6% for all sizes of carts.

Table 7 on page 4, "Proposed Rate Increases for Commercial Container Service," proposes rate increases of 2.6%.

Two new cost-recovery fees are proposed that require City Council approval; City Council members indicated during the October 21 work session that these fees provide for cost-recovery so that other classes of customers are not subsidizing these costs:

- A Drop Box Distance Fee is proposed to supplement the Haul Fee on page 5 of the Report. When collected waste material requires disposal at distant locations, such as Coffin Butte Landfill near Corvallis or the Hillsboro Landfill, the drive time exceeds the allotted time embedded in the haul fee. For 2025, the proposed mileage fee for Wilsonville is \$4.70 (after the first 12 miles). The fee would be assessed for drop box/compactor hauls exceeding 12 miles from the point of collection to the disposal facility.
- Similarly, a Landfill Fee is proposed on page 5 when disposal is required at a landfill, the time expended on-site ranges from 20 to 30 minutes compared to an average dump time at WRI of 10 minutes. Because the drop box rate is calculated on average times, the cost of the additional time expended on site at the landfill over the average time at WRI is to be recovered by assessing a Landfill Fee of \$48.00.

Table 8 on page 5, "Proposed Rate Increase for Drop Box / Roll-Off Compactor," proposes \$5.00 to the Haul Rate to accommodate a projected \$5.14 increase in the cost per haul.

In summary, the Report recommends modifying the current rates for all three classes of solid-waste customers, including residential, commercial and industrial customers, with a CPI inflation rate of 2.6%. The following is a summary of rates of common solid waste collection and disposal services:

Service	Current Monthly Rate	Proposed Rate (with 2.6% CPI)
Residential 20 gallon cart	\$23.20	\$23.80
Residential 35 gallon cart	\$30.56	\$31.35
Residential 65 gallon cart	\$39.75	\$40.78
Commercial 2-yard, weekly	\$196.96	\$202.08
Commercial 4-yard, weekly	\$347.36	\$356.39
Commercial 6-yard, weekly	\$482.51	\$495.06
Industrial 10-29 yard drop box	\$131.00	\$134.41
Industrial 20-29 yard compactor	\$147.00	\$150.82

### Recent Prior Results of Solid Waste Collection Rate Reviews

Since adoption of a modern Solid Waste Franchise in 2019 as Ordinance No. 814, and modified effective Jan. 1, 2024, as Ordinance No. 883, the City has conducted five prior rate reviews (2019, 2020, 2021, 2022 and 2023).

In December 2023, City Council adoption of Resolution No. 3091 for the 2023 solid waste rate review report resulted in an extraordinary rate increase with residential rates increasing an average 9.2% (range of 8.8% to 9.5%, depending on size of the cart), commercial rates increasing an average of 7.5% (range of 6.7% to 8.0%, depending on size of the container), and industrial drop-box rates increasing an average of 5.0%, effective Feb. 1, 2024. Subsequently, City Council adoption of Resolution No. 3124 corrected a scrivener's error to the solid waste rate review report rates appendix that had the effect of reducing certain commercial rates, as amended on Feb. 22, 2024.

In November 2022, City Council adoption of Resolution No. 3004 for the 2022 solid waste rate review report resulted in no modification of rates – all rates maintained the same as the prior year.

In November 2021, City Council adoption of Resolution No. 2931 for the 2021 solid waste rate review report resulted in elimination of the temporary recycling surcharge and across-the-board rate reductions for all classes of customers, with Residential Roll Cart service rates decreased an average of 4.7%, Commercial Container service rates reduced an average of 7.6%, and Industrial Roll Off / Drop Box service rates lowered an average of 10.1%, effective Jan. 1, 2022.

In December 2020, City Council adoption of Resolution No. 2865 for the 2020 solid waste rate review report resulted in no modification of rates – all rates maintained the same as the prior year.

In December 2019, City Council adoption of Resolution No. 2775 for the 2019 solid waste rate review report resulted in a 50% reduction of a temporary recycling surcharge, introduction of

new recycling services, and no modification of rates – all rates maintained the same as the prior year.

**EXPECTED RESULTS:**

Prospective adoption on Nov. 18, 2024, of Resolution No. 3162 has the effect of modifying current solid waste collection and disposal rates for all classes of customers effective Jan. 1, 2025.

**TIMELINE:**

- Oct. 21, 2024: City Council reviews *Draft Solid Waste Collection Rate Report, October 2024*
- Nov. 18, 2024: Prospective Council adoption of Resolution No. 3162, which adopts the *Solid Waste Collection Rate Report, November 2024*, and modifies the current “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials,” effective January 1, 2025.
- Jan. 1, 2025: New rates become effective.

**CURRENT YEAR BUDGET IMPACTS:**

The Report, Attachment B – Projected 2024 Results, page 7, projects City solid waste franchisee revenue (at 5% of franchisee revenue) for calendar year 2024 of \$837,558.

**COMMUNITY INVOLVEMENT PROCESS:**

Adoption of the Solid-Waste Franchise Ordinance No. 883 in 2023 and prior Ordinance No. 814 in 2018 followed standard City public-outreach practices of public notices for an ordinance adoption. The 2024 Report is a by-product of the solid-waste franchise Ordinance No. 883, effective Jan. 1, 2024.

City information on solid waste matters may be found online at [www.ci.wilsonville.or.us/garbage](http://www.ci.wilsonville.or.us/garbage) or [www.ci.wilsonville.or.us/recycling](http://www.ci.wilsonville.or.us/recycling), including information about recycling services, the current rate sheet and a customer service complaint/issue form.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

The community benefits by continuing to receive Republic Services solid waste collection and disposal services. The City benefits with a standard 5% franchise fee as general fund revenue to account for administration expenses of the franchise.

**ALTERNATIVES:**

City Council could not adopt the resolution.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3162
  - A. Solid Waste Collection Rate Report, November 2024
  - B. Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective January 1, 2025

**RESOLUTION NO. 3162**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE FINDINGS AND RECOMMENDATIONS OF THE “SOLID WASTE COLLECTION RATE REPORT, NOVEMBER 2024” AND MODIFYING THE CURRENT REPUBLIC SERVICES RATE SCHEDULE FOR COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES, ORGANICS AND OTHER MATERIALS, EFFECTIVE JANUARY 1, 2025.**

WHEREAS, "Solid Waste Management Ordinance," Ordinance No. 814 adopted on May 21, 2018, and succeeded by Ordinance No. 883, adopted on November 6, 2023, effective January 1, 2024, created a new solid-waste franchise agreement with franchisee Republic Services; and

WHEREAS, Ordinance No. 883, Article VIII, Establishment and Modification of Service Rates, Section 1, provides that “Amendments to Service Rates must be approved by Council, and may be a by approved by resolution”; and

WHEREAS Article VIII, Section 2, provides for an “Annual Service Rate Adjustment” to provide “Franchisee with a target Operating Margin of ten percent (10%) of Gross Revenues, but no less than eight percent (8%) and no greater than twelve percent (12%). Except as provided in Section 3 of this Article, the Service Rate will be adjusted annually under the following circumstances:”

“c. If the expected Operating Margin in the next calendar year is equal to or greater than eight percent (8%) but less than ten percent (10%) of Gross Revenues, Service Rates will be adjusted to reflect one hundred percent (100%) of the percentage increase, if any, in the CPI”; and

WHEREAS, Article VIII, Subsection i, provides that the “City has the authority to commission reviews or analysis of Franchisee's Annual Franchise Reports and other documents supporting a Service Rate adjustment to validate submissions. The City has further authority to review Franchisee's books, records, and accounts to verify the accuracy of Franchise Fees paid to the City, Franchisee's Operating Margin, and/or any Extraordinary Rate Increases as provided in Article XI herein;” and

WHEREAS, the City contracted with Chris Bell, CPA, of Bell and Associates of Camas, WA, to undertake a solid waste franchise rate review of Republic Services’ 2023 financial operations in order to make a determination the franchisee’s operating margin and recommend any rate

modifications in order to achieve the target operating margin of ten percent 10% for the next following calendar year of 2024; and

WHEREAS, the “Solid Waste Collection Rate Report, November 2024,” attached herein as Exhibit 1, found for the following:

- CPI Inflation Rate of 2.6%
- Adjusted 2023 Wilsonville Results:
  - 1.1% margin for residential Roll-Cart service;
  - 16.8% margin for commercial Container service;
  - 3.5% margin for industrial Drop Box service;
  - Cumulatively resulting in a Composite margin of 7.5%
- Estimated 2024 Financial Results for Collection Services in Wilsonville:
  - 5.5% margin for residential Roll-Cart service;
  - 19.1% margin for commercial Container service;
  - 4.0% margin for industrial Drop Box service;
  - Cumulatively resulting in a Composite margin of 9.7%
- Proposed a Drop Box Distance Fee and Landfill Fee for industrial collection disposal when certain kinds of materials require disposal at locations other than franchisee’s local transfer station in Wilsonville operated by franchisee’s subsidiary Willamette Resources, Inc. (WRI); and

WHEREAS, during the October 21, 2024, City Council meeting the City Council reviewed the “Draft Solid Waste Collection Rate Report, October 2024” and directed staff to implement the CPI Inflation increase of 2.6% called for by Ordinance No. 883 with the addition of a Drop Box Distance Fee and Landfill Fee; and

WHEREAS, the “Solid Waste Collection Rate Report, November 2024,” finds that the Franchisee’s composite operating margin for all customer classes of service is lower than the franchise target margin of ten percent (10%) and higher than the minimum eight percent (8%) acceptable rate-of-return, and therefore recommends modifying the current rate schedule by CPI Inflation Rate of 2.6% effective January 1, 2025;

NOW THEREFORE:

- 1) The Wilsonville City Council hereby accepts and adopts the findings and recommendations of the “Solid Waste Collection Rate Report, November 2024,” including the addition of Drop Box Distance Fee and Landfill Fee, attached hereto as Exhibit A; and
- 2) The Wilsonville City Council hereby modifies the “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials,” effective January 1, 2025, attached hereto as Exhibit B.

ADOPTED by the Wilsonville City Council at a regular meeting on November 18, 2024, and filed with the Wilsonville City Recorder on this date.

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JULIE FITZGERALD, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald  
Councilor Akervall  
Councilor Linville  
Councilor Berry  
Councilor Dunwell

EXHIBITS:

- A. “Solid Waste Collection Rate Report, November 2024”
- B. “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective: January 1, 2025”



City of Wilsonville

**2024 Solid Waste Collection Rate Report**

Bell & Associates / November 2024



# City of Wilsonville

## 2024 Solid Waste Collection Rate Report

Bell & Associates / November 2024

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## Background of Solid Waste Review

The City of Wilsonville (City) contracted with Bell & Associates, a consulting firm with expertise in solid waste collection operations, to provide the City with solid waste and recycling consulting services. Republic Services (Republic) submitted the annual detailed cost report to their franchised jurisdictions, including Wilsonville.

## Annual Cost Report

Waste and recycling collection within Wilsonville is accomplished under an exclusive franchise agreement between Republic and the City. An annual cost report is submitted to City managers by Republic to account for the adequacy of the collection rates. Collection rates are established to generate an operating margin of 10% on allowable expenses; however, rates are recalibrated by the City if the margin falls below 8% or above 12%. The annual report provides line-item costs and revenues associated with providing service within the City and financial information for their non-Wilsonville operations. The format of the report furnishes the capacity to calculate the cost of service for each line of business (cart, container, and drop box). Cart collection is primarily for residential customers, whereas business customers are serviced with a container. Reported results were analyzed by Bell & Associates, and the following tasks were completed:

- a. Analyze reported route collection hours to the reported customer counts for each line of business.
- b. Using a predictive test of revenue for each line of business, ensure the reported revenues are reasonable for the number of reported customers.
- c. By thoroughly reviewing the reported direct cost line items, determine if the expense is reasonable in relation to the customer and operational data entered from the detailed cost report.
- d. Utilize a predictive test of disposal to determine if the reported disposal expense is reasonable.
- e. Using the reported administrative line items, determine if the expense is reasonable compared to the operational data entered from the detailed cost report.
- f. Review the costs between Wilsonville and Republic's other franchised collection operations to determine reasonable allocations.
- g. Compare reported revenues and expenses to results from previous years' review.

Report adjustments were made to the submission by Republic from the application of the tasks above that reduced the reported costs and increased the profitability of services provided to Wilsonville customers.

## Adjusted Report for 2023

Table 1 details the return for each collection service provided within the Wilsonville franchise collection system.

**Table 1: Adjusted 2023 Wilsonville Results**

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,175,941	\$2,825,024	\$3,095,244	\$8,096,209
Allowable Costs for Rates	\$2,151,671	\$2,350,075	\$2,988,418	\$7,490,164
Franchise Income	\$24,270	\$474,949	\$106,826	\$606,045
<b>Margin (Income / Revenue)</b>	1.1%	16.8%	3.5%	7.5%

## Projected Results for 2024

Specific line item expenses from the adjusted 2023 report were escalated to project the results for 2024-25 using assumptions based on the February rate increase, increased disposal, labor agreement between Republic and the union drivers, administrative wages, health insurance, and estimated inflation. Table 2 summarizes the assumptions.

The assumptions used for the 2024 projection include:

- Two unions represent Republic drivers. The Teamsters represent Keller Drop Box, the union operating in Wilsonville. Keller's contract was renewed in 2024. Hourly wages increased from \$29.29 in December 2023 to \$30.29 in June 2024 and another increase to \$31.54 in December 2024.
- Union Health insurance will increase by 4%.
- The disposal fee for Republic will increase on January 1, 2025, due to contractual increases. Additionally, fees and taxes assessed by Metro increased by \$2.88 per ton on July 1, 2024. The total increase for disposal is calculated at 6.02% for 2024.
- CPI Inflation increased by 2.60% during the first eight months of 2024. Management and administrative labor costs are projected to grow at the inflation rate.
- Yard debris expense was increased by the rate of inflation, which is 2.60%.

Expense	Change
Union Driver Wages	1.70%
Health Insurance	4.00%
Waste Disposal	6.02%
CPI Inflation	2.60%
Yard Debris Disposal	2.60%

## Projected 2024 Expenses

The estimated increases noted above were applied to the 2023 expenses and summarized in Table 3 for all operations. Table 4 on the next page summarizes the impact of the increased expenses.

**Table 3: Projected 2024 Financial Performance for Wilsonville**

Revenue / Expense Description	Adjusted	Projected	\$ ▲	% ▲
Collection Revenue	\$8,096,209	\$8,622,813	\$526,604	6.5%
SW and Yard Debris Disposal	\$3,583,676	\$3,763,462	\$179,786	5.0%
Recycling Processing	\$323,763	\$323,763	\$0	0.0%
Labor Expenses	\$1,540,865	\$1,574,910	\$34,045	2.2%
Truck, Fuel, and Repair	\$783,609	\$794,596	\$10,987	1.4%
Equipment and Containers	\$115,409	\$126,536	\$11,127	9.6%
Franchise Fees	\$379,529	\$431,141	\$51,612	13.6%
Other Direct Expense	\$148,890	\$149,847	\$957	0.6%
Management & Administration	\$614,423	\$623,604	\$9,181	1.5%
Total	\$7,490,164	\$7,787,859	\$297,695	4.0%
Franchise Income	\$606,045	\$834,954	\$228,909	37.8%
Margin	7.5%	9.7%		2.2%

**Table 4: Estimated 2024 Financial Results for Collection Services in Wilsonville**

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,361,114	\$3,015,996	\$3,245,703	\$8,622,813
Allowable Costs for Rates	\$2,231,678	\$2,438,754	\$3,117,427	\$7,787,859
Franchise Income	\$129,436	\$577,242	\$128,276	\$834,954
Return on Revenues	5.5%	19.1%	4.0%	9.7%

### Solid Waste Disposal Cost

The Metro regional government controls the flow and cost of disposal within the Portland metropolitan service area. Metro has increased the disposal cost by \$55.32 per ton from \$98.35 per ton in 2020 to \$153.67 on July 1. The 56.2% increase has averaged 14.5% annually. The rise in waste disposal for customers with a 35 gallon is an additional \$3.10 to their monthly invoice since July 2020. The total cost of garbage disposal for a 35 gallon customer is \$8.61 per month at \$153.67. Unfortunately, Metro leadership has not provided accountability to local jurisdictions to explain the reasons for the increases.

Disposal in the current rates was calculated with a disposal cost of \$137.69 per ton. The estimated disposal cost in January 2025 will be the same as the Metro disposal fee at \$153.67 plus the transaction fee. Table 5 compares the disposal costs at WRI to the Metro disposal fee over the last three years.

**Table 5: Metro Disposal Fee Compared to WRI Disposal Fee**

Disposal Facility	Metro South			WRI Wilsonville		
	FY23	FY24	FY25	CY23	CY24	Jan 2025
Tonnage Fee	\$78.39	\$89.72	\$104.37	\$91.63	\$98.04	\$104.37
RSF	\$29.37	\$31.41	\$31.72	\$30.39	\$31.57	\$31.72
Excise Tax	\$12.80	\$13.28	\$14.69	\$13.04	\$13.99	\$14.69
Host Fee	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00
DEQ Fees	\$1.89	\$1.89	\$1.89	\$1.89	\$1.89	\$1.89
Disposal Fee	\$123.45	\$137.30	\$153.67	\$137.95	\$146.49	\$153.67
Scale house Fee	\$4.25	\$6.75	\$7.25	\$3.00	\$3.00	\$3.00
Per Ton (7 ton load)	\$0.61	\$0.96	\$1.04	\$0.43	\$0.43	\$0.43
Total \$ per Ton	\$124.06	\$138.26	\$154.71	\$138.38	\$146.92	\$154.10

## Rate Recommendations

The Wilsonville Solid Waste Management Ordinance No. 883, Article VIII, Section 2, Subsection c states:

*If the expected Operating Margin in the next calendar year [2024] is equal to or greater than eight percent (8%) but less than ten percent (10%) of Gross Revenues, Service Rates will be adjusted to reflect one hundred percent (100%) of the percentage increase, if any, in the CPI.*

The results of collection operations for the current year are estimated to generate a return of 9.7% (Table 4); therefore, all rates will be increased by the CPI inflation rate of 2.6%.

Residents are the primary customers with a roll cart for waste, recycling, and yard debris collection services. The proposed rates in Table 6 the current rates to the rates increased by the CPI for the three sizes of garbage carts in Wilsonville.

**Table 6: Proposed Rate Increase for Residential Collection Service**

Garbage Cart Volume	20 gallon	35 gallon	65 gallon
Current Rate	\$23.20	\$30.56	\$39.75
CPI Increase	\$0.60	\$0.79	\$1.03
<b>Proposed Rate</b>	<b>\$23.80</b>	<b>\$31.35</b>	<b>\$40.78</b>
<b>% Increase</b>	<b>2.6%</b>	<b>2.6%</b>	<b>2.6%</b>

Table 7 summarizes the commercial collection increase for some of Wilsonville's most popular service levels.

**Table 7: Proposed Rate Increases for Commercial Container Service**

	2 yd. weekly	4 yd. weekly	6 yd. weekly	8 yd. weekly
Current Rate	\$196.96	\$347.36	\$482.51	\$635.55
CPI Increase	\$5.12	\$9.03	\$12.55	\$16.52
Proposed Rates	\$202.08	\$356.39	\$495.06	\$652.07
<b>% Increase</b>	<b>2.6%</b>	<b>2.6%</b>	<b>2.6%</b>	<b>2.6%</b>

## Drop Box and Roll Off Compactor Service

### Drop Box Distance Fee

The current and proposed fees for drop box service were set assuming that waste would be disposed of at Willamette Resources on Ridder Road in Wilsonville. When the collected waste material requires disposal at distant locations, such as Coffin Butte Landfill near Corvallis or the Hillsboro Landfill, the drive time exceeds the allotted time embedded in the haul fee.

Therefore, many local jurisdictions, such as Clackamas County, have a mileage charge to supplement the haul fee. For 2025, the proposed mileage fee for Wilsonville is **\$4.70**. The fee would be assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility. For example, a customer requiring disposal at Coffin Butte Landfill would be assessed a mileage fee of \$206.80, which the calculation is detailed as follows:

Miles from Wilsonville to Coffin Butte - One-way miles	<b>56</b>
Less the 12 base miles in the rate:	<b>12</b>
Net Miles for Mileage Fee	<b>44</b>
Mileage Calculation – 44 miles x \$4.70	<b>\$206.80</b>

### Landfill Fee

When disposal is required at a landfill, the time expended on-site ranges from 20 to 30 minutes compared to an average dump time at WRI of 10 minutes. Because the drop box rate is calculated on average times, the cost of the additional time expended on site at the landfill over the average time at WRI will be recovered by assessing a Landfill Fee of \$48.00.

### Drop Box Haul Costs

Drop box and roll off compactor rates used primarily by industrial firms are established on the average time expended hauling the drop box or compactor. The proposed increase for the haul fee is detailed in Table 8.

**Table 8: Proposed Rate Increase for Drop Box / Roll-Off Compactor Haul Rates**

Container Size	Current Rate	% Increase	\$ Increase	2025 Rate
10-29 yard drop box	\$131.00	2.60%	\$3.41	\$134.41
30 yard drop box	\$147.00	2.60%	\$3.82	\$150.82
40 yard drop box	\$166.00	2.60%	\$4.32	\$170.32
10-19 yard compactor	\$131.00	2.60%	\$3.41	\$134.41
20-29 yard compactor	\$147.00	2.60%	\$3.82	\$150.82
30-39 yard compactor	\$204.00	2.60%	\$5.30	\$209.30
40+ yard compactor	\$271.00	2.60%	\$7.05	\$278.05

Attachment A – Adjusted 2023 Results

**Adjusted  
Return on Revenues  
City of Wilsonville January 1 to December 31, 2023**

	Residential Service			Yard Debris			Commercial Service			Drop Box	Grand Totals
	Solid Waste	Recycling		Solid Waste	Recycling		Solid Waste	Recycling			
<b>Collection &amp; Service Revenues</b>	<b>2,175,941</b>						<b>2,825,024</b>			<b>3,095,244</b>	<b>8,096,209</b>
<b>Direct Costs of Operations</b>	<b>1,119,537</b>	Monthly \$ per Can/Cart		<b>434,312</b>	Monthly \$ per Can/Cart		<b>429,815</b>	Monthly \$ per Can/Cart			
Disposal Expense	485,622	6.84		146,297	2.06		186,878	3.56		1,946,059	313.27
Labor Expense	320,860	4.52		175,065	2.47		163,259	3.11		421,431	67.84
Truck Expense	163,091	2.30		88,983	1.25		62,694	1.19		227,246	36.58
Equipment Expense	22,278	0.31		12,155	0.17		5,970	0.11		36,912	5.94
Franchise Fees	95,294	1.34		0	-		0	-		146,580	23.60
Other Direct Expense	32,392	0.46		11,812	0.17		11,014	0.21		53,958	8.69
<b>Indirect Costs of Operations</b>	<b>168,753</b>						<b>291,147</b>			<b>156,791</b>	
Management Expense	15,872	0.22		7.8%			14,076	0.10		10,250	1.65
Administrative Expense	74,201	1.05					65,808	0.47		47,925	7.71
Other Overhead Expenses	78,680	1.11		\$ 789.00			211,263	1.49		98,616	15.88
<b>Total Cost</b>	<b>2,152,417</b>						<b>2,351,038</b>			<b>2,988,977</b>	
<b>Less Unallowable Costs</b>	<b>746</b>	(0.01)					<b>963</b>			<b>559</b>	
<b>Allowable Costs</b>	<b>2,151,671</b>						<b>2,350,075</b>			<b>2,988,418</b>	
<b>Franchise Income</b>	<b>24,270</b>						<b>474,949</b>			<b>106,826</b>	
<b>Carts/ Yards/ Drop Box Pulls</b>	<b>5,917</b>			<b>4,372</b>			<b>141,492</b>		<b>129,584</b>	<b>6,212</b>	
<b>Revenues</b>	<b>2,175,941</b>	% of revenue					<b>2,825,024</b>	% of revenue		<b>3,095,244</b>	<b>8,096,209</b>
<b>Direct Costs of Operations</b>	<b>1,983,664</b>	91%					<b>2,059,891</b>	73%		<b>2,832,186</b>	<b>6,875,741</b>
<b>Indirect Costs of Operations</b>	<b>168,753</b>	8%					<b>291,147</b>	10%		<b>156,791</b>	<b>616,691</b>
<b>Total Cost</b>	<b>2,152,417</b>						<b>2,351,038</b>			<b>2,988,977</b>	<b>7,492,432</b>
<b>Less Unallowable Costs</b>	<b>746</b>	0%					<b>963</b>	0%		<b>559</b>	<b>2,268</b>
<b>Allowable Costs</b>	<b>2,151,671</b>						<b>2,350,075</b>			<b>2,988,418</b>	<b>7,490,164</b>
<b>Franchise Income</b>	<b>24,270</b>						<b>474,949</b>			<b>106,826</b>	<b>606,045</b>
<b>Return on revenues</b>	<b>1.12%</b>						<b>16.81%</b>			<b>3.45%</b>	<b>7.49%</b>

Attachment B – Projected 2024

**Projected 2024 Results  
Return on Revenues  
City of Wilsonville**

	Residential Service			Commercial Service			Drop Box	Grand Totals	
	Solid Waste	Recycling	Yard Debris	Solid Waste	Recycling				
		% ▲ from prior year			% ▲ from prior year		% ▲ from prior year		
<b>Collection &amp; Service Revenues</b>	<b>2,361,114</b>	8.5%	<b>0</b>	<b>0</b>	<b>3,015,996</b>	6.8%	<b>0</b>	4.8%	<b>8,620,057</b>
<b>Surcharge Overage</b>									
<b>Direct Costs of Operations</b>	<b>1,180,286</b>		<b>439,539</b>	<b>439,547</b>	<b>1,686,987</b>		<b>456,564</b>		<b>7,158,895</b>
Disposal / Processing Expense	514,031	5.9%	146,297	0.0%	191,737	2.6%	177,466	0.0%	4,082,003
Labor Expense	327,956	2.2%	178,938	2.2%	166,869	2.2%	163,650	2.2%	1,574,910
Truck Expense	165,285	1.3%	90,180	1.3%	63,811	1.8%	91,351	1.3%	794,596
Equipment Expense	22,331	0.2%	12,184	0.2%	5,997	0.5%	14,995	0.5%	126,536
Franchise Fees	118,056	23.9%	0	0	150,800	9.5%	0	10.6%	431,003
Other Direct Expense	32,627	0.7%	11,940	1.1%	11,133	1.1%	9,102	1.1%	149,847
<b>Indirect Costs of Operations</b>	<b>172,227</b>				<b>294,525</b>		<b>159,120</b>		<b>625,872</b>
Management Expense	16,285	2.6%			14,442	2.6%	10,517	2.6%	41,244
Administrative Expense	76,173	2.7%			67,557	2.7%	49,198	2.7%	192,928
Other Overhead Expenses	79,769	1.4%			212,526	0.6%	99,405	0.8%	391,700
<b>Less Unallowable Costs</b>	<b>746</b>				<b>963</b>		<b>559</b>		<b>2,268</b>
<b>Revenues</b>	<b>2,361,114</b>				<b>3,015,996</b>		<b>3,242,947</b>		<b>8,620,057</b>
		% ▲ from prior year				% ▲ from prior year			
<b>Direct Costs of Operations</b>	<b>2,059,372</b>	3.8%			<b>2,143,551</b>	4.1%	<b>2,955,972</b>		<b>7,158,895</b>
<b>Indirect Costs of Operations</b>	<b>172,227</b>	2.1%			<b>294,525</b>	1.2%	<b>159,120</b>		<b>625,872</b>
<b>Total Cost</b>	<b>2,231,599</b>	3.7%			<b>2,438,076</b>	3.7%	<b>3,115,092</b>		<b>7,784,767</b>
<b>Less Unallowable Costs</b>	<b>746</b>				<b>963</b>		<b>559</b>		<b>2,268</b>
<b>Allowable Costs</b>	<b>2,230,853</b>				<b>2,437,113</b>		<b>3,114,533</b>		<b>7,782,499</b>
<b>Franchise Income</b>	<b>130,261</b>				<b>578,883</b>		<b>128,414</b>		<b>837,558</b>
<b>Projected Return on Revenues</b>	<b>5.52%</b>				<b>19.19%</b>		<b>3.96%</b>		<b>9.72%</b>
<b>2023 Return on Revenues</b>	<b>1.12%</b>				<b>16.81%</b>		<b>3.45%</b>		<b>7.49%</b>

## Attachment C – Rate Sheet Comparison of Current Rates and Proposed New Rates

	Current Rate	% Variance	\$ Variance	New Rate
<b>Residential Single-Family Dwelling Garbage Cart</b>	<b>Rate per</b>			
Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service	<b>Month</b>			
20 gallon	\$23.20	2.60%	\$0.60	\$ 23.80
35 gallon	\$30.56	2.60%	\$0.79	\$ 31.35
65 gallon	\$39.75	2.60%	\$1.03	\$ 40.78
<b>Charbonneau Garbage Cart</b>	<b>Rate per</b>			
Charbonneau District only is yard debris/organics exempt due to privately-paid district-wide landscaping debris removal service	<b>Month</b>			
Includes optional 65 gallon recycling cart and 18 gallon glass recycling bin service				
20 gallon	\$20.21	2.60%	\$0.53	\$ 20.74
35 gallon	\$23.95	2.60%	\$0.62	\$ 24.57
65 gallon	\$33.67	2.60%	\$0.88	\$ 34.55
Add Optional 65 gallon yard debris/organics cart service	\$8.52	2.60%	\$0.22	\$ 8.74
<b>Condominium Garbage Cart</b>	<b>Rate per</b>			
Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service	<b>Month</b>			
20 gallon	\$23.20	2.60%	\$0.60	\$ 23.80
35 gallon cart	\$30.56	2.60%	\$0.79	\$ 31.35
65 gallon cart	\$39.75	2.60%	\$1.03	\$ 40.78
<b>Recycle+ Opt-In Additional Recycling Collection Service</b>	<b>Rate</b>			
Base Charge * (billed monthly)	\$2.50	2.60%	\$0.06	\$ 2.57
Curbside Collection placed within 3 feet of street (each time/occurrence)	\$9.25	2.60%	\$0.24	\$ 9.49
Non-Curbside Collection* placed 5-150 feet from street (each time/occurrence)	\$11.70	2.60%	\$0.30	\$ 12.00
Non-Curbside Collection * placed over 150 feet from street (each time/occurrence)	\$13.00	2.60%	\$0.34	\$ 13.34
* Non-Curbside Collection Receptacle is placed in mutually agreed-upon location, such as the door step next to the garage, on the front porch by door, etc.				
<b>Alternative and Special Collection Services</b>	<b>Rate</b>			
On Call (per each pick-up/service)	\$12.87	2.60%	\$0.33	\$ 13.20
Recycling Only (monthly fee; 1-month minimum service)	\$11.53	2.60%	\$0.30	\$ 11.83
Yard Debris/Organics Only (monthly fee; 1 month minimum service)	\$8.52	2.60%	\$0.22	\$ 8.74
Recycling & Yard Debris/Organics Only (monthly fee; 1-month minimum service)	\$17.58	2.60%	\$0.46	\$ 18.04

<b>Residential Single-Family Dwellings and Condominium Communities</b>				
Continued from Prior Page				
	<b>Current Rate</b>	<b>% Variance</b>	<b>\$ Variance</b>	<b>New Rate</b>
<b>Additional / Extra Service</b>	<b>Rate</b>			
Lost or damaged garbage cart (new replacement cart)	\$72.53	2.60%	\$1.89	\$ 74.42
Lost or damaged yard debris cart (new replacement cart)	\$76.01	2.60%	\$1.98	\$ 77.99
Lost or damaged recycling cart (new replacement cart)	\$76.01	2.60%	\$1.98	\$ 77.99
Lost or damaged recycling bin (new replacement cart)	\$12.32	2.60%	\$0.32	\$ 12.64
Return-trip fee outside of normally scheduled route	\$24.30	2.60%	\$0.63	\$ 24.93
All occasional extras (extra box/bag/can per extra item per service/occasion)	\$6.72	2.60%	\$0.17	\$ 6.89
Over-full can/cart charge (per can/cart per service/occasion)	\$6.72	2.60%	\$0.17	\$ 6.89
Yard debris/organics contaminated with garbage (per can/cart per service/occasion)	\$14.55	2.60%	\$0.38	\$ 14.93
Gate opening/roll-out container (monthly)	\$18.13	2.60%	\$0.47	\$ 18.60
Special container (medical waste; per month fee)	\$18.13	2.60%	\$0.47	\$ 18.60
<b>Temporary Clean-Up Container</b>	<b>Rate</b>			
• 3 Yards Maximum Volume for 4 Days of Use				
Delivery & Removal of Container	\$133.32	2.60%	\$3.47	\$136.79
Extra Dump	\$95.94	2.60%	\$2.49	\$ 98.43
Daily Container Rental Charge Past 4 Days (per day fee)	\$6.49	2.60%	\$0.17	\$ 6.66

<b>COMMERCIAL RATES</b>					
<b>Commercial Container Services – Rate per Month</b>					
<b>New Rates (2.6% Increase) Effective January 1, 2025</b>					
1	2	3	4	5	6
119.28	232.19	335.79			
119.28	232.19	335.79			
156.60	299.02	439.73			
156.60	299.02	439.73			
202.08	386.39	570.31	764.92	957.72	1,153.76
202.08	386.39	570.31	764.92	957.72	1,153.76
274.86	531.19	789.00	1,067.58	1,343.66	1,619.18
274.86	531.19	789.00	1,067.58	1,343.66	1,619.18
356.39	697.73	1,038.21	1,406.57	1,771.53	2,135.71
356.39	697.73	1,038.21	1,406.57	1,771.53	2,135.71
432.69	839.14	1,257.21	1,704.26	2,147.58	2,589.25
432.69	839.14	1,257.21	1,704.26	2,147.58	2,589.25
495.06	965.80	1,456.36	1,975.59	2,489.92	3,003.35
495.06	965.80	1,456.36	1,975.59	2,489.92	3,003.35
652.07	1,273.95	1,922.53	2,611.29	3,292.89	3,973.06
652.07	1,273.95	1,922.53	2,611.29	3,292.89	3,973.06

## COMMERCIAL RATES

### Commercial Container Services – Rate per Month

Container Size	Rate - 1 stop per week	% Increase	\$ Increase	Jan 1, 2025 Rate	Rate - 2 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate
1 yard	\$116.26	2.60%	\$ 3.02	\$ 119.28	\$226.31	2.60%	\$ 5.88	\$ 232.19
1.5 yard	\$152.63	2.60%	\$ 3.97	\$ 156.60	\$291.44	2.60%	\$ 7.58	\$ 299.02
2 yard	\$196.96	2.60%	\$ 5.12	\$ 202.08	\$376.60	2.60%	\$ 9.79	\$ 386.39
3 yard	\$267.89	2.60%	\$ 6.97	\$ 274.86	\$517.73	2.60%	\$ 13.46	\$ 531.19
4 yard	\$347.36	2.60%	\$ 9.03	\$ 356.39	\$680.05	2.60%	\$ 17.68	\$ 697.73
5 yard	\$421.73	2.60%	\$ 10.96	\$ 432.69	\$817.88	2.60%	\$ 21.26	\$ 839.14
6 yard	\$482.51	2.60%	\$ 12.55	\$ 495.06	\$941.33	2.60%	\$ 24.47	\$ 965.80
8 yard	\$635.55	2.60%	\$ 16.52	\$ 652.07	\$1,241.67	2.60%	\$ 32.28	\$ 1,273.95

Container Size	Rate - 3 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate	Rate - 4 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate
1 yard	\$327.28	2.60%	\$ 8.51	\$ 335.79				
1.5 yard	\$428.59	2.60%	\$ 11.14	\$ 439.73				
2 yard	\$555.86	2.60%	\$ 14.45	\$ 570.31	\$745.54	2.60%	\$ 19.38	\$ 764.92
3 yard	\$769.01	2.60%	\$ 19.99	\$ 789.00	\$1,040.53	2.60%	\$ 27.05	\$ 1,067.58
4 yard	\$1,011.90	2.60%	\$ 26.31	\$ 1,038.21	\$1,370.93	2.60%	\$ 35.64	\$ 1,406.57
5 yard	\$1,225.35	2.60%	\$ 31.86	\$ 1,257.21	\$1,661.07	2.60%	\$ 43.19	\$ 1,704.26
6 yard	\$1,419.45	2.60%	\$ 36.91	\$ 1,456.36	\$1,925.53	2.60%	\$ 50.06	\$ 1,975.59
8 yard	\$1,873.81	2.60%	\$ 48.72	\$ 1,922.53	\$2,545.12	2.60%	\$ 66.17	\$ 2,611.29

Container Size	Rate - 5 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate	Rate - 6 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate
2 yard	\$933.45	2.60%	\$ 24.27	\$ 957.72	\$1,124.52	2.60%	\$ 29.24	\$ 1,153.76
3 yard	\$1,309.61	2.60%	\$ 34.05	\$ 1,343.66	\$1,578.15	2.60%	\$ 41.03	\$ 1,619.18
4 yard	\$1,726.64	2.60%	\$ 44.89	\$ 1,771.53	\$2,081.59	2.60%	\$ 54.12	\$ 2,135.71
5 yard	\$2,093.16	2.60%	\$ 54.42	\$ 2,147.58	\$2,523.64	2.60%	\$ 65.61	\$ 2,589.25
6 yard	\$2,426.82	2.60%	\$ 63.10	\$ 2,489.92	\$2,927.24	2.60%	\$ 76.11	\$ 3,003.35
8 yard	\$3,209.44	2.60%	\$ 83.45	\$ 3,292.89	\$3,872.38	2.60%	\$ 100.68	\$ 3,973.06

Extra Commercial Pick-Up Rates				
	Current Rate	% Variance	\$ Variance	New Rate
<b>Container Size</b>	<b>Rate per Pick-up</b>			
1 yard	\$25.05	2.60%	\$ 0.65	\$ 25.70
1.5 yard	\$35.07	2.60%	\$ 0.91	\$ 35.98
2 yard	\$45.84	2.60%	\$ 1.19	\$ 47.03
3 yard	\$66.52	2.60%	\$ 1.73	\$ 68.25
4 yard	\$87.31	2.60%	\$ 2.27	\$ 89.58
5 yard	\$108.10	2.60%	\$ 2.81	\$110.91
6 yard	\$128.78	2.60%	\$ 3.35	\$132.13
8 yard	\$169.19	2.60%	\$ 4.40	\$173.59

Extra Commercial Pick-Up Rates for additional container dumps (return trips).  
 Container Compactor rate is 2.2 times the regular rate.  
 Customers subject to Metro Ordinance No. 18-1418 Business Food Waste Requirement contact Republic Services.  
 Extra material beyond the capacity of the container is charged \$28.28 per yard. Contamination fee of \$14.55 is assessed for recycling contamination.

**Multi-Family Communities / Commercial Cart Service**

Includes collection of mixed recyclables and glass; by special arrangement may include collection of yard debris/organics.

	Current Rate	% Variance	\$ Variance	New Rate
<b>Size</b>	<b>Rate per Month</b>			
35 gallon cart	\$23.15	2.60%	\$0.60	\$ 23.75
65 gallon cart	\$35.80	2.60%	\$0.93	\$ 36.73
90 gallon cart	\$44.90	2.60%	\$1.17	\$ 46.07

**Recycling Rates for Multi-Family Communities with Compactors or Train Systems**

	Current Rate	% Variance	\$ Variance	New Rate
<b>Number of Units</b>	<b>Rate per Month</b>			
1-99 *	\$146.18	2.60%	\$3.80	\$149.98
100-199 **	\$2.56	2.60%	\$0.07	\$ 2.63
200-299 **	\$2.02	2.60%	\$0.05	\$ 2.07
300-399 **	\$1.77	2.60%	\$0.05	\$ 1.82
400+ **	\$1.73	2.60%	\$0.04	\$ 1.77

\* minimum

\*\* per unit

Additional Recycling Services – Drop Box and Commercial Customers					
	Current Rate	% Variance	\$ Variance	New Rate	
Container Size	Rate per Month Per Container				
65 gallon *	\$16.90	2.60%	\$0.44	\$ 17.34	
90 gallon *	\$20.50	2.60%	\$0.53	\$ 21.03	
Metal Tote **	\$26.53	2.60%	\$0.69	\$ 27.22	
Cardboard Container for customers that have less than 4 cubic yards of flattened cardboard per month	\$26.53	2.60%	\$0.69	\$ 27.22	
* includes pick up					
** plus hourly rate					

Miscellaneous Service Rates – Hourly Hauling Rate					
	Current Rate	% Variance	\$ Variance	New Rate	
Service	Rate per Hour				
1 truck + 1 driver	\$111.15	2.60%	\$2.89	\$114.04	
1 truck + 1 driver + 1 helper	\$140.37	2.60%	\$3.65	\$144.02	

<b>INDUSTRIAL DROP BOX AND ROLL OFF COMPACTOR SERVICE RATES</b>				
	<b>Current Rate</b>	<b>% Variance</b>	<b>\$ Variance</b>	<b>New Rate</b>
<b>Drop Box / Compactor Rates Haul Rates</b>				
<b>Container Size</b>	<b>Haul Rate</b>			
10-29 yard drop box	\$131.00	2.60%	\$3.41	\$134.41
30 yard drop box	\$147.00	2.60%	\$3.82	\$150.82
40 yard drop box	\$166.00	2.60%	\$4.32	\$170.32
10-19 yard compactor	\$131.00	2.60%	\$3.41	\$134.41
20-29 yard compactor	\$147.00	2.60%	\$3.82	\$150.82
30-39 yard compactor	\$204.00	2.60%	\$5.30	\$209.30
40+ yard compactor	\$271.00	2.60%	\$7.05	\$278.05
<b>Additional Drop Box Fees</b>				
<b>Service</b>	<b>Rate</b>			
Drop Box Delivery Fee	\$59.50	2.60%	\$1.55	\$ 61.05
Fee for less than 1 haul per month	\$22.00	2.60%	\$0.57	\$ 22.57
Round-trip box (per haul)	\$39.50	2.60%	\$1.03	\$ 40.53
<b>Drop Box Rental Fees</b>				
<b>Drop Box Size</b>	<b>Rate/Day</b>			
10 yard - After 48 hours	\$9.50	2.60%	\$0.25	\$ 9.75
20 yard - After 48 hours	\$9.50	2.60%	\$0.25	\$ 9.75
30 yard - After 48 hours	\$10.45	2.60%	\$0.27	\$ 10.72
40 yard - After 48 hours	\$12.50	2.60%	\$0.32	\$ 12.83
<b>Drop Box Size</b>	<b>Rate/ Month</b>			
10 yard - Monthly	\$89.00	2.60%	\$2.31	\$ 91.31
20 yard - Monthly	\$89.00	2.60%	\$2.31	\$ 91.31
30 yard - Monthly	\$94.00	2.60%	\$2.44	\$ 96.44
40 yard - Monthly	\$99.00	2.60%	\$2.57	\$101.57
<b>Rent charged is the lesser of the daily or monthly rent total.</b>				
Mileage Fee (after 12 miles) *	\$4.70			
Landfill Fee **	\$48.00			
* Mileage Fee is assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility.				
** Landfill Fee is assessed when disposal is required at a landfill. The fee is to offset the additional time expended on-site.				



CITY OF WILSONVILLE, OREGON

**Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials**

**Effective January 1, 2025**

Adopted by the Wilsonville City Council on November 18, 2024, via Resolution No. 3162 pursuant to the Solid Waste Franchise Ordinance No. 883 (2024)

**City of Wilsonville Online Information:**

[www.ci.wilsonville.or.us/garbage](http://www.ci.wilsonville.or.us/garbage)

[www.ci.wilsonville.or.us/recycling](http://www.ci.wilsonville.or.us/recycling)

**REPUBLIC SERVICES OF CLACKAMAS AND WASHINGTON COUNTY**

**Sign-up for Services:** [www.republicservices.com/shop](http://www.republicservices.com/shop)

**Customer Service Hours:**

Monday – Friday: 8:00 am to 5:00 pm

Saturday: 8:00 am to 12:00 pm

**Customer Service Phone Numbers:**

503-682-3900

1-800-700-8610 (with Spanish language option)

**Hours of Operation:**

Monday – Friday

8:00 am - 5:00 pm

**Facility Address:**

10295 Ridder Rd

Wilsonville, OR 97070

## ROLL CART SERVICE RATES

### Residential Single-Family Dwellings and Condominium Communities

<b>Residential Single-Family Dwelling Garbage Cart</b>	<b>Rate per Month</b>
<ul style="list-style-type: none"> <li>Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service that includes food waste</li> </ul>	
20 gallon cart	\$23.80
35 gallon cart	\$31.35
65 gallon cart	\$40.78
<b>Charbonneau District Garbage Cart</b>	<b>Rate per Month</b>
<ul style="list-style-type: none"> <li>Charbonneau District only is yard debris/organics exempt due to privately-paid district-wide landscaping debris removal service</li> <li>Includes optional 65 gallon recycling cart and 18 gallon glass recycling bin service</li> </ul>	
20 gallon cart	\$20.74
35 gallon cart	\$24.57
65 gallon cart	\$34.55
Add Optional 65 gallon yard debris/organics cart service that includes food waste	\$8.74
<b>Condominium Garbage Cart</b>	<b>Rate per Month</b>
<ul style="list-style-type: none"> <li>Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service that includes food waste</li> </ul>	
20 gallon cart	\$23.80
35 gallon cart	\$31.35
65 gallon cart	\$40.78
<b>Recycle+ Opt-In Additional Recycling Collection Service</b>	<b>Rate</b>
Base Charge (billed monthly)	\$2.57
Curbside Collection placed within 3 feet of street (each time/occurrence)	\$9.49
Non-Curbside Collection* placed 5-150 feet from street (each time/occurrence)	\$12.00
Non-Curbside Collection * placed over 150 feet from street (each time/occurrence)	\$13.34
<i>* Non-Curbside Collection Receptacle is placed in mutually agreed-upon location, such as the door step next to the garage, on the front porch by door, etc.</i>	
<b>Alternative and Special Collection Services</b>	<b>Rate</b>
On Call (per each pick-up/service)	\$13.20
Recycling Only (monthly fee; 1 month minimum service)	\$11.83
Yard Debris/Organics Only that includes food waste (monthly fee; 1 month minimum service)	\$8.74
Recycling & Yard Debris/Organics Only that includes food waste (monthly fee; 1 month minimum service)	\$18.04

Continued on Next Page

**Residential Single-Family Dwellings and Condominium Communities**

Continued from Prior Page

<b>Additional / Extra Service</b>	<b>Rate</b>
Additional roll cart washout/exchange per cart (one free washout/exchange per cart per year for any type or size of cart)	\$13.20
Lost or damaged garbage cart (new replacement cart)	\$74.42
Lost or damaged yard debris cart (new replacement cart)	\$77.99
Lost or damaged recycling cart (new replacement cart)	\$77.99
Lost or damaged recycling bin (new replacement bin)	\$12.64
Return-trip fee outside of normally scheduled route	\$24.93
All occasional extras (extra box/bag/can per extra item per service/occasion)	\$6.89
Over-full can/cart charge (per can/cart per service/occasion)	\$6.89
Yard debris/organics contaminated with garbage (per can/cart per service/occasion)	\$14.93
Gate opening/roll-out container (monthly)	\$18.60
Special container (medical waste; per month fee)	\$18.60
<b>Temporary Clean-Up Container</b>	<b>Rate</b>
• 3 Yards Maximum Volume for 4 Days of Use	
Delivery & Removal of Container	\$136.79
Extra Dump	\$98.43
Daily Container Rental Charge Past 4 Days (per day fee)	\$6.66

## COMMERCIAL RATES

### Commercial Container Services – Rate per Month

Container Size	Rate - 1 stop per week	Rate - 2 stops per week	Rate - 3 stops per week	Rate - 4 stops per week	Rate - 5 stops per week	Rate - 6 stops per week
1 yard	\$119.28	\$232.19	\$335.79			
1.5 yard	\$156.60	\$299.02	\$439.73			
2 yard	\$202.08	\$386.39	\$570.31	\$764.92	\$957.72	\$1,153.76
3 yard	\$274.86	\$531.19	\$789.00	\$1,067.58	\$1,343.66	\$1,619.18
4 yard	\$356.39	\$697.73	\$1,038.21	\$1,406.57	\$1,771.53	\$2,135.71
5 yard	\$432.69	\$839.14	\$1,257.21	\$1,704.26	\$2,147.58	\$2,589.25
6 yard	\$495.06	\$965.80	\$1,456.36	\$1,975.59	\$2,489.92	\$3,003.35
8 yard	\$652.07	\$1,273.95	\$1,922.53	\$2,611.29	\$3,292.89	\$3,973.06

### Extra Commercial Pick-Up Rates

Container Size	Rate per Pick-up
1 yard	\$25.70
1.5 yard	\$35.98
2 yard	\$47.03
3 yard	\$68.25
4 yard	\$89.58
5 yard	\$110.91
6 yard	\$132.13
8 yard	\$173.59

Extra Commercial Pick-Up Rates for additional container dumps (return trips).

Container Compactor rate is 2.2 times the regular rate.

Customers subject to Metro Ordinance No. 18-1418 Business Food Waste Requirement contact Republic Services.

Extra material beyond the capacity of the container is charged \$29.02 per yard. Contamination fee of \$14.93 is assessed for recycling contamination with garbage.

### Multi-Family Communities / Commercial Cart Service

Includes collection of mixed recyclables and glass; by special arrangement may include collection of yard debris/organics that includes food waste.

Size	Rate per Month
35 gallon cart	\$23.75
65 gallon cart	\$36.73
90 gallon cart	\$46.07

### Recycling Rates for Multi-Family Communities with Compactors or Train Systems

Number of Units	Rate per Month
1-99 *	\$149.98
100-199 **	\$2.63
200-299 **	\$2.07
300-399 **	\$1.82
400+ **	\$1.77

\* minimum amount

\*\* rate per unit

### Additional Recycling Services – Drop Box and Commercial Customers

Container Size	Rate per Month
65 gallon (rate per cart; includes pick up)	\$17.34
90 gallon (rate per cart; includes pick up)	\$21.03
Metal Tote (monthly rent, plus hourly rate)	\$27.22
Cardboard Container (rate per month for customers that have less than 4 cubic yards of flattened cardboard per month)	\$27.22

### Miscellaneous Service Rates – Hourly Hauling Rate

Service	Rate per Hour
1 truck + 1 driver	\$114.04
1 truck + 1 driver + 1 helper	\$144.02

## INDUSTRIAL DROP BOX AND ROLL OFF COMPACTOR SERVICE RATES

### Drop Box / Compactor Rates Haul Rates

Container Size	Haul Rate
10-29 yard drop box	\$134.41
30 yard drop box	\$150.82
40 yard drop box	\$170.32
10-19 yard compactor	\$134.41
20-29 yard compactor	\$150.82
30-39 yard compactor	\$209.30
40+ yard compactor	\$278.05

### Additional Drop Box / Compactor Fees

Service	Rate
Drop Box Delivery Fee	\$61.05
Fee for less than 1 haul per month	\$22.57
Round-trip box (per haul)	\$40.53
Return Trip Fee (fee assessed when customer is not ready at appointed date/time, requiring a second, return trip to customer)	\$24.01
Drop Box Distance Fee (a mileage fee of \$4.70/mile is assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility)	\$4.70
Landfill Fee (fee is assessed when disposal is required at a specific landfill; the fee is to offset the additional time expended on-site)	\$48.00

### Drop Box Rental Fees

Drop Box Size	Rate Per Day
10 yard - After 48 hours	\$9.75
20 yard - After 48 hours	\$9.75
30 yard - After 48 hours	\$10.72
40 yard - After 48 hours	\$12.83
Drop Box Size	Rate Per Month
10 yard - Monthly	\$91.31
20 yard - Monthly	\$91.31
30 yard - Monthly	\$96.44
40 yard - Monthly	\$101.57

Rent charged is the lesser of the daily or monthly rent total.

### SUPPLEMENTAL SERVICES RATES

Type of Service	Rate
<b>Special Services Not Listed:</b> Hauler will charge the reasonable cost of collection and disposal; charge to be related to a similar schedule fee where possible.	Cost of Collection/ Disposal
<b>Appliances:</b>	
Large appliances that contain Freon (accessible at curb)	\$53.97
Large appliances without Freon (accessible at curb, Freon removal certificate required for pick up)	\$30.99
<b>Bathtub / Sink / Toilet:</b>	
Fiberglass tub/shower	\$47.97
Sinks without cabinet	\$18.01
Toilet	\$24.01
<b>Carpets:</b>	
Rug	\$18.01
<b>E-Waste (Electronic Devices) Removal:</b>	
TV under 25", PC monitor, laptop	\$18.01
TV over 25"	\$36.01
TV console, TV projector, copiers	\$47.97
<b>Furniture:</b>	
Hide-a-bed	\$47.97
Small furniture – recliner chair, office chair, crib, coffee table, patio table, cabinets, etc.	\$24.01
Large furniture – full sized couch, dining table, dresser, etc.	\$36.01
<b>Mattresses:</b>	
Twin mattress/box spring (set)	\$24.01
Double/queen mattress/box spring (set)	\$36.01
King mattress/box spring (set)	\$42.07
<b>Miscellaneous / Other:</b>	
Basketball hoop	\$47.97
Bicycle	\$18.01
Christmas tree	\$11.49
Entertainment center	\$59.71
Hot tub cover	\$59.71
Hot water heater	\$47.97
Treadmill, door, furnace, barbeque, satellite dish, lawnmower	\$30.01
Waterbed bag	\$18.01
Windows (per window)	\$18.01
<b>Tires:</b>	
Tires with rims – Passenger or light truck	\$24.01
Tires without rims – Passenger or light truck	\$18.01
Tires – Heavy equipment, semi, etc. charged per ton at current disposal facility gate rate	Gate Rate
<b>Return Trip Fee</b> (fee assessed when customer is not ready at appointed date/time, requiring a second, return trip to customer)	\$24.01
<b>Minimum Charge</b>	\$18.01



**CITY COUNCIL MEETING  
STAFF REPORT**

<p><b>Meeting Date:</b> November 18, 2024</p>	<p><b>Subject: Resolution No. 3183</b>                  A Resolution of the City of Wilsonville Authorizing the City Manager to Enter into an Intergovernmental Agreement Between Clackamas County and City of Wilsonville to Fund City-Led Initiatives Addressing Homelessness</p> <p><b>Staff Member:</b> Amanda Guile-Hinman, City Attorney</p> <p><b>Department:</b> Legal</p>
<p><b>Action Required</b></p> <p><input checked="" type="checkbox"/> Motion</p> <p><input type="checkbox"/> Public Hearing Date:</p> <p><input type="checkbox"/> Ordinance 1<sup>st</sup> Reading Date:</p> <p><input type="checkbox"/> Ordinance 2<sup>nd</sup> Reading Date:</p> <p><input checked="" type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input type="checkbox"/> Consent Agenda</p>	<p><b>Advisory Board/Commission Recommendation</b></p> <p><input type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p><b>Comments:</b> N/A</p>
<p><b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No. 3183.</p>	
<p><b>Recommended Language for Motion:</b> I move to adopt Resolution No. 3183.</p>	
<p><b>Project / Issue Relates To:</b></p>	
<p><input checked="" type="checkbox"/> Council Goals/Priorities:                  Increase housing opportunities for all and reach functional zero homelessness</p>	<p><input type="checkbox"/> Adopted Master Plan(s):</p> <p><input type="checkbox"/> Not Applicable</p>

**ISSUE BEFORE COUNCIL:**

Whether to enter into an intergovernmental agreement with Clackamas County to utilize Metro Supportive Housing Services funding for certain initiatives to reduce and/or prevent homelessness in Wilsonville.

**EXECUTIVE SUMMARY:**

In May 2020, voters within the Portland metro area approved Measure 26-210 to fund services for people experiencing or at risk of homelessness. Metro collaborates with the three counties – Clackamas, Multnomah, and Washington Counties – to fund efforts to reduce and prevent homelessness through this new funding source.

In December 2023, Clackamas County provided notice to cities within Clackamas County of a funding opportunity for city-led homelessness initiatives. The City of Wilsonville submitted a proposal for such funding on January 31, 2024. The City collaborated with two of its local non-profit service providers, Wilsonville Community Sharing and Heart of the City, in preparing its proposal for homelessness initiatives to fund.

The City proposed six (6) initiatives: (1) motel vouchers for individuals and families who seek placement into longer-term housing, but have a gap of time before such placement can occur; (2) funding for auto repair services to aid individuals in maintaining their employment; (3) gas vouchers and clothing vouchers for individuals to maintain or interview for employment opportunities; (4) financial literacy training and services to help individuals maximize their income and plan for unexpected expenses; (5) low-cost mental health counseling; and (6) two charging stations at City facilities/parks to charge personal devices. See **Attachment 1** (January 31, 2024 City of Wilsonville Proposal).

The first five (5) proposals originated from information provided by Wilsonville Community Sharing and Heart of the City regarding the greatest needs they witnessed working with individuals and families experiencing homelessness. The final proposal resulted from the anonymous survey of individuals experiencing homelessness that the City performed when updating its public camping regulations. Respondents overwhelmingly noted the lack of opportunities to charge phones as a significant barrier. The proposals seek to help some of Wilsonville's most vulnerable. For example, the proposed motel vouchers can help up to four families each month with immediate, temporary shelter and the vehicle repair funding can help between two and four requesters each month. These efforts will reduce the likelihood that individuals and families have nowhere to stay or no way to get to and from work.

The County awarded the City funding for all of its proposals except the mental health counseling, and the County committed to working with the City and its local providers on other opportunities within the County to address mental health needs. For the first four (4) proposals, the County authorized funding for two (2) fiscal years (July 1, 2024-June 30, 2026) **totaling \$499,600**. The charging stations are one-time capital expenses for this fiscal year (July 1, 2024-June 30, 2025), **totaling \$7,500**.

**Combined, the County is planning to provide the City \$507,100 over the two fiscal years to fund homelessness reduction and prevention programs.**

The City anticipates that the first four (4) proposals will be managed through subcontract(s) with Wilsonville Community Sharing and Heart of the City. The City will manage the installation of the two charging stations.

**EXPECTED RESULTS:**

Staff anticipates that the funds provided by Metro through Clackamas County will significantly increase the help that the City and its service providers can provide to community members experiencing or at risk of experiencing homelessness. Staff has seen how issues, such as a needed clutch replacement in a vehicle, can have devastating effects on a person who is employed but at risk of homelessness. Staff and local service providers identified the city-led initiatives in the proposal to address needs specific to Wilsonville community members who experience homelessness or are at risk of homelessness.

Wilsonville Community Sharing and Heart of the City have each seen the numbers of people in need seeking services balloon this year compared to last year, which was significantly higher than the year prior. For example, Wilsonville Community Sharing had 252 individuals utilize its food pantry in August, then 275 in September, and 333 in October of this year. The number of families have also increased over the same time period and the number of families who utilized the food pantry more than one time in a month increased from 26 (August) to 34 (September) to 59 (October). The Metro funds will not only free up other funds and donations local service providers currently receive, the Metro funds will also expand the services that local providers are able to offer.

**TIMELINE:**

The necessary agreements and signatures between Clackamas County, the City, and the local providers are anticipated to take a few weeks and local service providers will need to work with the County to obtain access to its reporting system. Staff anticipates that the funds will be available and used at the beginning of calendar year 2025.

**CURRENT YEAR BUDGET IMPACTS:**

Staff anticipated the funds would be made available this fiscal year, and so the funds are already documented in the City's budget.

**COMMUNITY INVOLVEMENT PROCESS:**

Staff collaborated closely with Wilsonville Community Sharing and Heart of the City in developing the proposals to Clackamas County. Staff also relied on the anonymous survey to individuals experiencing homelessness to better understand their needs.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Homelessness is one of the most impactful issues facing communities across the country. The Supportive Housing Services funds represent an opportunity to take meaningful steps to help individuals and families experiencing or at risk of homelessness.

**ALTERNATIVES:**

Council could decide not to accept the funds and forgo these opportunities to help individuals and families experiencing or at risk of homelessness.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. City of Wilsonville Proposal to Clackamas County dated January 31, 2024
2. Resolution No. 3183
  - A. Intergovernmental Agreement



January 31, 2024

**VIA EMAIL**

Clackamas County Health, Housing & Human Services  
Attn: Adam Brown, Vahid Brown  
2051 Kaen Road  
Oregon City, OR 97045  
[ABrown@clackamas.us](mailto:ABrown@clackamas.us)  
[VBrown@clackamas.us](mailto:VBrown@clackamas.us)

**Re: Proposal for City-Led Homelessness Initiatives**

Dear Adam and Vahid:

The City of Wilsonville (“Wilsonville”) is grateful to Clackamas County for the opportunity to collaborate on homelessness initiatives to address the particular needs of Wilsonville’s unhoused community members. In 2023, Wilsonville engaged in extensive public outreach, including targeted outreach to community members experiencing homelessness, to understand the needs, challenges, and opportunities that exist to address the homeless crisis in a meaningful way in Wilsonville. This proposal seeks \$365,300 of funds for several initiatives, which are discussed in the attached chart and ranked by priority. These initiatives are directly related to: (1) input received from local service providers who, if funds are awarded, will administer most of the initiatives; and (2) input received from Wilsonville community members experiencing homelessness. If any funds are awarded, the City intends to serve as the recipient of the funds and enter into an intergovernmental agreement (“IGA”) with Clackamas County, and local service providers will operate as sub-recipients of the funds provided in the IGA.

**1. Wilsonville Community Sharing and Heart of the City**

Wilsonville has two primary service providers that offer a variety of services to persons experiencing homelessness – Wilsonville Community Sharing and Heart of the City. Each of their current operations and services provided are described below.

Wilsonville Community Sharing (“WCS”) is an Oregon non-profit corporation that is currently located in Wilsonville’s Art Tech building across from Wilsonville City Hall. WCS offers, among other services, rental assistance, utility assistance, and operates the local food bank. As with Heart of the City, WCS does so much to help our community with limited resources. In 2023, WCS assisted 85 families with their PGE electric bills, totaling over \$16,511 and

averaging \$194.25 per family assisted. WCS also helped keep people in their homes, providing over \$9,600 in rental assistance in 2023. One of the services WCS is most known for is its food pantry that is open once a week on Tuesdays to individuals and families. In 2023, WCS served 5,136 individuals and families, almost double the people WCS assisted in 2021 (2,676 individuals and families).

Similar to WCS, Heart of the City (“HoC”) does a remarkable job spreading its limited resources to help so many in the Wilsonville community. HoC is financially supported through donations and by Grace Chapel. In 2023, HoC assisted 530 people. HoC coordinates with WCS so as to not duplicate efforts and to ensure that each organization’s funds are used to their maximum potential. Thus, in addition to offering some of the same services as WCS, HoC also offers counseling and financial advisory services, clothing, sleeping materials, and other necessities for people experiencing homelessness or who are vulnerable to becoming unhoused.

## 2. Wilsonville 2023 Project and Outreach Efforts

In response to HB 3115 (2021) and 3124 (2021), Wilsonville undertook a project to examine and amend its prohibition against camping on public property. From the beginning, however, the Wilsonville City Council engaged in a larger conversation about the needs of the community and, in particular, community members experiencing homelessness. The project included an outreach plan that sought to engage several of Wilsonville’s advisory boards and committees; local service providers like WCS and HoC; businesses; religious organizations; other government entities and services such as Clackamas County, the West Linn-Wilsonville School District, Tualatin Valley Fire and Rescue, and the Clackamas County Sheriff’s Office; and Wilsonville community members, including unhoused residents. Wilsonville partnered with WCS to administer an anonymous survey to people who utilize its food pantry so Wilsonville could learn about their needs, challenges, and opportunities. This survey identified a particular need for places to charge electronic devices, such as cell phones, to stay connected to family, work, and resources.

As part of the project, the Wilsonville City Council adopted nine (9) value statements concerning the homelessness crisis. These value statements reflect the City Council’s commitment to collaborating with partners, like Clackamas County, WCS, and HoC, to address homelessness with the “goal that all unhoused people be afforded options for safer, stable housing.”

## 3. Identified Gaps in the Wilsonville Community

WCS and HoC assisted Wilsonville in identifying gaps in services currently available to Wilsonville’s unhoused community members, and Wilsonville also relied on its prior outreach from its 2023 project. The following areas are identified gaps in services that are generally indicated in the funding opportunities in Clackamas County’s call for proposals:

- Lack of overnight housing in emergencies. In 2023, Wilsonville funded the city’s first mental health specialist, Brenda Evans, who works through the Wilsonville Police Department (contracted with Clackamas County Behavioral Health Department). Brenda provides invaluable support to the community to assist when a person is experiencing a mental health crisis, and she has access to resources through the County when a mental

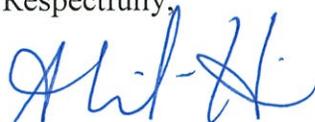
health crisis arises. However, a gap exists when an individual is unhoused and has an emergent circumstance that is unrelated to a mental health issue.

- Employment accessibility issues. WCS, HoC, and Wilsonville identified issues regarding employment, particularly when a person's vehicle breaks down or a person does not have funds to pay for gas and then is unable to work. This is an issue that is often a precursor to a person experiencing homelessness. HoC also provides some financial literacy to people it serves to help better utilize their limited resources to avoid homelessness, but more support is needed.
- Mental health services. For individuals who are experiencing mental health issues but are not in a crisis, they often do not have resources to receive mental health care. Working through issues and connecting individuals to resources before they are in a state of crisis could help them continue to support themselves and reduce the risk of homelessness.
- Basic survival services. The critical item identified during Wilsonville's 2023 project was the need for charging stations for individuals experiencing homelessness to charge devices such as cell phones. Currently, some community members illegally tap into Wilsonville power outlets in Wilsonville parks to charge their devices. These devices are needed for community members to stay connected to family, work, resources, and friends.

#### 4. Proposed Investments

The attached chart provides the proposals generated by Wilsonville in collaboration of WCS and HoC. They are ranked in priority in the event that Clackamas County is unable to fund all requests. Again, Wilsonville, Wilsonville Community Sharing, and Heart of the City thank Clackamas County for the opportunity to propose investments to aid Wilsonville's community members experiencing homelessness.

Respectfully,



Amanda Guile-Hinman  
City Attorney

encl: Attachment of Proposed Projects

cc (w/encl.): Leigh Crosby, Wilsonville Community Sharing  
Lyn Welchel, Heart of the City  
Wilsonville City Council  
Bryan Cosgrove, City Manager

Initiative Category	Identified Gap	Description	Population Served	Connection to Recovery-Oriented Needs	One-Time or Limited-Term	Budget	Community Engagement
Housing Services: Housing Placement	Lack of Overnight Housing in Emergencies	Motel vouchers for individuals willing/seeking to enter into shelters or addiction programs with transportation to the shelters/programs	Specific needs- families with children in the school district, local houseless individuals/families/recently evicted	Start of the homeless to home process meeting the gaps of lack of services or loss of services due to homelessness/losing home. Rent Well will be the starting process to recover from evictions	Limited term until the next phase of placement is established and continuum of services for community members. Longer term support for employees to administer and to provide vouchers may arise.	\$100,800 - \$100 per night x 7 nights x 3 weeks = up to \$2,100 per family, max cost, possibly up to 4 families a month (based on number of intakes in the past month of families indicating they are either homeless or possible eviction).	HoC and WCS. There may be other organizations or the school district that would want to possible be a participating partner for this program/positions.
Employment & Benefits Support: Employment/Retention Services	Employment Accessibility Issues	Funding for auto-repair services to help individuals maintain employment	Individuals are unable to get a job or maintain employment due to transportation. Need to show they work outside of the public transportation system, or their job requires use of personal vehicles	This program will help with the accessibility to gain and maintain employment. By providing support for transportation barriers, both with auto repair or gas cards to ensure employment. Limited income causes gaps in income to be able to cover large costs related to auto repairs or gas	Limited term to determine if they established a continuum of services for community members. Needs to be set up for a 1-2 year program to determine effectiveness and need in community, use of evaluation can determine continued need after that time.	\$72,000 for one year - \$1500 per vehicle, work with local auto repair shops to fix the vehicle. The requests are possibly 2-4 per month, \$6000 a month, for 12 months equals \$72,000 per year.	Both The Heart of the City and Wilsonville Community Sharing have talked about the importance of these services along with city officials. The City has experienced issues with broken-down vehicles where an individual cannot afford the repair to operate the vehicle and get to work.
Employment & Benefits Support: Employment/Retention Services	Employment Accessibility Issues	Gas vouchers/Clothing (Goodwill) vouchers	Gas cards for individuals who cannot make it to work due to insufficient funds for gas. Clothing vouchers to Goodwill will also provide appropriate attire for employment of interviews.	Accessibility to gain and maintain employment. By reducing transportation barriers, both with auto repair or gas cards, gaining and maintaining employment is more likely and reduces risk of homelessness. Limited income causes gaps in income to be able to cover large costs related to auto repairs or gas. Gift cards to Goodwill will help prepare individuals for the workforce with work-appropriate attire.	Same as above	\$12,000 - Gas Cards and Goodwill vouchers, \$25 increments of 20 of each card, a month, each month(25 x 40 x 12 = \$12,000), that are distributed to non profits in the community that are contracted with the city, (documentation and reporting). Long term need for additional personnel for WCS and HoC (\$60,000 for personnel a year) if program is successful.	Same as above

<p>Employment &amp; Benefits Support: Financial Literacy</p>	<p>Lack of Financial Literacy</p>	<p>Financial literacy training/services</p>	<p>Providing financial literacy to increase savings from employment, learning how to maximize income to start saving income, or budgeting within their income limits</p>	<p>The use of evidence based financial education programs can help clients prepare for how to financially handle situations such as unexpected expenses, like auto repair or gas</p>	<p>Same as above</p>	<p>Estimate is <b>\$65,000</b> for one year: The financial literacy program needs a curriculum and educator to teach the class. The cost for personnel to run this program would be \$65,000. That money could be used to pay for one staff or allow organizations to leverage current personnel, materials, and services local organizations already have.</p>	<p>Same as above</p>
<p>Health &amp; Wellness Supports: Mental Health Services</p>	<p>Lack of Mental Health Services</p>	<p>Scholarship low-cost partnership program, providing financial support for individuals needing mental health counseling but cannot afford it. Partnership would be created with local Mental Health Counselors to develop sliding scale services so clients can afford counseling they need. And allocated funds to help start community based support groups to help with mental health needs. Client needs to provide proof of financial need. Database needs to be created to store this information of clients and counselors</p>	<p>Specific needs- all aged individuals and families in the Wilsonville city limits with limited income, or proof of ability to pay for full cost of counseling.</p>	<p>A way to address mental health needs of Wilsonville's most vulnerable population. By providing access to mental health, community members struggling can address correlations to poor mental health such as: employment loss, poverty, and poor physical health. Mental health needs being addressed can also have a positive impact on reduction in drug abuse because individuals develop coping skills to replace addictions</p>	<p>Limited-term to gauge success</p>	<p><b>\$48,000</b> for services; <b>\$60,000</b> for personnel: Based on the 51 people needing counseling last year and average of \$157 per session, the amount needed for a client for 6 sessions is \$942. But that number is for a full session. The sliding scale could drop a client's counseling down to as low as \$10-20 per session depending on the counselor, program, and sliding scale the counselor offers. Based on the full cost and 51 people the cost would be \$48,042 a year for individuals to receive 6 sessions. Personnel would be needed to build, monitor and run the program, \$60,000/yr for employment, possibly for 2 positions with the organizations in the community</p>	<p>Both HoC and WCS have shared the importance of these services. Other organizations or the school district may want to partner in this program/position. There would need to be engagement with local Mental Health Specialist/Counselors that provide therapy in the area to determine if they would like to be a part of this program. This program could also be utilized with local universities that have both social work/psychology programs with student interning to be counselors, this could help boost mental health programs in the region and increase mental health services in the area.</p>

<p>Outreach &amp; Engagement Supports: Basic Survival Supports</p>	<p>Inability to Charge Devices</p>	<p>Pilot program to provide two benches (one in each of Wilsonville's high-use park areas by community members experiencing homelessness - Town Center Park and Murase Plaza) with solar-powered chargers that are timed to provide the ability to charge during open park hours</p>	<p>Specific needs- local houseless individuals/families and individuals in the community that need an ability to charge their devices.</p>	<p>This will allow a gap of houseless individuals needing access to their electronic devices to have accessibility to their community and resources.</p>	<p>One-time cost</p>	<p><b>\$7,500:</b> Estimated costs for two benches/charging stations is \$7,500. City staff would install to minimize installation costs. Example of</p>	<p>This need was identified as a high-priority need in the 2023 anonymous survey of individuals experiencing homelessness in Wilsonville.</p>
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**Total Request for All Proposals: \$365,300**

**RESOLUTION NO. 3183****A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN CLACKAMAS COUNTY AND CITY OF WILSONVILLE TO FUND CITY-LED INITIATIVES ADDRESSING HOMELESSNESS.**

WHEREAS, In May 2020, voters within the Portland metro area approved Measure 26-210 to fund services for people experiencing or at risk of homelessness; and

WHEREAS, Metro provides Clackamas, Multnomah, and Washington Counties with supportive housing services funds generated from Measure 26-210; and

WHEREAS, In December 2023, Clackamas County provided notice to cities within Clackamas County of a funding opportunity for city-led initiatives to address homelessness in their communities; and

WHEREAS, on January 31, 2024, City of Wilsonville, in collaboration with Wilsonville Community Sharing and Heart of the City, submitted a letter for such funding proposing six strategies to prevent and reduce homelessness in the community; and

WHEREAS, Clackamas County awarded the City \$507,100 over fiscal year 2024-25 (July 1, 2024 to June 30, 2025) and 2025-26 (July 1, 2025 to June 30, 2026) to fund five of its six proposals; and

WHEREAS, the City, in its continued collaboration with Wilsonville Community Sharing and Heart of the City, anticipates that the two service providers will carry out the majority of the funded proposals.

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

Section 1. Findings. The City Council of the City of Wilsonville adopts the above recitals and the Staff Report accompanying this Resolution as its findings as if fully set forth herein.

Section 2. The City Council authorizes the City Manager to enter into an intergovernmental agreement with Clackamas County to fund city-led initiatives addressing homelessness, which agreement is similar to **Exhibit A** attached hereto.

Section 3. The City Manager is further authorized to negotiate and execute any additional agreement(s) and/or subcontract(s) to facilitate the participation of Wilsonville Community Sharing and Heart of the City in the city-led initiatives identified in Exhibit A.

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

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November, 2024, and filed with the Wilsonville City Recorder this date.

\_\_\_\_\_  
JULIE FITZGERALD, MAYOR

ATTEST:

\_\_\_\_\_  
Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

- Mayor Fitzgerald
- Council President Akervall
- Councilor Linville
- Councilor Berry
- Councilor Dunwell

EXHIBIT:

- A. Intergovernmental Agreement

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN CLACKAMAS COUNTY  
AND CITY OF WILSONVILLE**

THIS AGREEMENT (this “Agreement”) is entered into and between Clackamas County (“County”), a political subdivision of the State of Oregon, and the City of Wilsonville (“Agency”), a unit of local government, collectively referred to as the “Parties” and each a “Party.”

**RECITALS**

Oregon Revised Statutes Chapter 190.010 confers authority upon local governments to enter into agreements for the performance of any and all functions and activities that a party to the agreement, its officers or agencies have authority to perform.

- A. In working to improve coordination and collaboration, increase geographical distribution of services, and support local leaders in tailoring approaches to addressing housing insecurity and homelessness that best suit their communities, Clackamas County released a Notice of Funding Opportunity for city-led homelessness initiatives.
- B. The funding opportunity is to spur creativity and innovation at the city level, empowering local leaders to supplement the often highly effective but under resourced local efforts to meet the needs of very low-income households.
- C. Proposed city-led initiatives were to have a clearly articulated connection to the needs of low- and extremely low income households experiencing housing instability or homelessness and support Clackamas County’s recovery-oriented system of care.
- D. Clackamas County received more than \$30 million in requests submitted by eleven cities in dozens of distinct proposals.
- E. Proposals were reviewed for:
  - a. Clear alignment with County goals and priorities for its recovery-oriented homeless services system of care.
  - b. Being additive to the system, consistent with the requirement that Supportive Housing Services investments supplement, not supplant, existing investments.
  - c. Leveraging connection points to broader recovery-oriented system of care.
  - d. Having a duration not longer than three years, recognizing that the Notice of Funding Opportunity was for one-time and limited-term investments.
- F. On April 3, 2024, the Clackamas County Board of Commissioners approved of staff funding recommendations for proposals submitted in response to the Notice of Funding Opportunity for city-led homeless services initiatives.

In consideration of the mutual promises set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

**TERMS**

1. **Term.** This Agreement shall be effective upon execution, and shall expire on June 30, 2026, unless otherwise extended by agreement of the Parties. Agency may seek reimbursement for eligible expenses under this Agreement during the period between July 1, 2024, and June 30, 2026, subject to the additional terms and conditions set forth in this Agreement.

2. **Scope of Work.** Agency agrees to provide the services further described in Exhibit A (the “Program”), attached hereto and incorporated by this reference herein. The Program will be provided solely within Metro jurisdictional boundaries.
3. **Funding.** The maximum amount County may pay Agency is Five Hundred Seven Thousand and One Hundred dollars (\$507,100.00) (the “Funds”). Funds will be distributed on a reimbursement basis in accordance with the budget set forth in Exhibit A. Agency shall use the funds awarded under this Agreement solely for reimbursement of eligible expenses incurred in performing the Program, as further set forth in Exhibit A.

Budget line items within categories may be changed with written agreement by both parties. County may approve, in writing, adjustments to budget line-item amounts provided the maximum Agreement amount is not exceeded.

4. **Payment.** Unless otherwise specified, the Agency shall submit monthly requests for reimbursement, on a form provided by County. A request for reimbursement must include a description of work performed with particularity, by whom it was performed, and shall itemize and explain all expenses for which reimbursement is claimed. Payments shall be made to Agency following the County’s review and approval of the requests for reimbursement submitted by Agency. Agency shall not submit requests for reimbursement for, and the County will not pay, any amount in excess of the maximum compensation amount set forth above. Agency’s failure to provide County information reasonably necessary for County to review a request for reimbursement for compliance with this Agreement may result in the County withholding payment, requiring Agency provide additional information, or treating this Agreement in default and pursuing any and all rights and remedies available to the County at law, in equity, or under this Agreement.

Invoices shall reference the above Contract Number and be submitted to: HCDD-AP@Clackamas.us

#### 5. **Representations and Warranties.**

- A. *Agency Representations and Warranties:* Agency represents and warrants to County that Agency has the power and authority to enter into and perform this Agreement, and this Agreement, when executed and delivered, shall be a valid and binding obligation of Agency enforceable in accordance with its terms.
- B. *County Representations and Warranties:* County represents and warrants to Agency that County has the power and authority to enter into and perform this Agreement, and this Agreement, when executed and delivered, shall be a valid and binding obligation of County enforceable in accordance with its terms.
- C. The warranties set forth in this section are in addition to, and not in lieu of, any other warranties provided.

#### 6. **Termination.**

- A. Either the County or the Agency may terminate this Agreement at any time upon thirty (30) days written notice to the other party. In the event a Party terminates this Agreement under this Section 6, Agency shall immediately return all unspent funds to the County.
- B. Either the County or the Agency may terminate this Agreement in the event of a default of the Agreement by the other, as defined below. Prior to such termination however, the Party seeking the termination shall give the other Party written notice of the breach and of the Party’s intent to terminate. If the breaching Party has not entirely cured the breach within thirty (30) days of deemed or actual receipt of the notice, then the Party giving notice may

terminate the Agreement at any time thereafter by giving written notice of termination stating the effective date of the termination. If the default is of such a nature that it cannot be completely remedied within such thirty (30) day period, this provision shall be complied with if the breaching Party begins correction of the default within the thirty (30) day period and thereafter proceeds with reasonable diligence and in good faith to affect the remedy as soon as practicable. The Party giving notice shall not be required to give more than one (1) notice for a similar default in any twelve (12) month period. Upon termination for Agency's breach, County shall have all remedies available to it at law, in equity, or under this Agreement including, but not limited to, requiring Agency to return all unspent funds and to repay County for any funds used by Agency in violation of this Agreement.

- C. The County or the Agency shall not be deemed to have waived any breach of this Agreement by the other Party except by an express waiver in writing. An express written waiver as to one breach shall not be deemed a waiver of any other breach not expressly identified, even though the other breach is of the same nature as that waived.
- D. The County may terminate this Agreement in the event the County fails to receive expenditure authority sufficient to allow the County, in the exercise of its reasonable administrative discretion, to continue to perform under this Agreement, or if federal or state laws, regulations or guidelines are modified or interpreted in such a way that performance by County is prohibited.
- E. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.

## 7. **Default.**

- A. **Agency's Default.** Agency will be in default under this Agreement upon the occurrence of the following:
  - i. Agency fails to use the Funds for eligible purposes described in Exhibit A;
  - ii. Any representation, warranty or statement made by Agency in this Agreement or in any documents or reports relied upon by County to measure the Program, the expenditure of the Funds, or the performance by Agency is untrue in any material respect when made;
  - iii. After thirty (30) days' written notice with an opportunity to cure, Agency fails to comply with any term or condition set forth in this Agreement;
  - iv. A petition, proceeding, or case is filed by or against Agency under federal or state bankruptcy, insolvency, receivership, or other law.
- B. **County's Default.** County will be in default under this Agreement if, after thirty (30) days' notice and opportunity to cure, County fails to perform a material obligation under this Agreement provided, however, that failure to disburse grant funds due to non-default termination, including lack of appropriation, shall not constitute a default of County.

## 8. **Remedies.**

- A. **County's Remedies.** In the event of Agency's default, County may, at its option, pursue any or all remedies available to it under this Agreement, at law, or in equity including, but not limited to: (1) withholding Agency additional Funds until compliance is met; (2) reclaiming Funds in the case of omissions or misrepresentations in financial or programmatic reporting; (3) requiring repayment of any Funds used by Agency in violation of this Agreement; (4) termination of this Agreement; (5) declaring Agency ineligible for receipt of future awards

from County; (6) initiation of an action or proceeding for damages, declaratory, or injunctive relief.

- B. Agency's Remedies:** In the event County is in default, and whether or not Agency elects to terminate this Agreement, Agency's sole remedy for County's default, subject to the limits of applicable law or in this Agreement, is reimbursement for eligible costs incurred in accordance with this Agreement, less any claims County may have against Agency. In no event will County be liable to Agency for expenses related to termination of this Agreement or for any indirect, incidental, consequential or special damages.

## 9. Indemnification.

- A. Indemnification and Defense of County.** Agency shall be responsible for all damage to property, injury to persons, and loss, expense, inconvenience, and delay which may be caused by, or result from, the conduct of Work, or from any act, omission, or neglect of Agency, its subcontractors, agents, or employees. The Agency agrees to indemnify, hold harmless and defend Clackamas County, and their officers, elected officials, agents and employees from and against all claims and actions, and all expenses incidental to the investigation and defense thereof, arising out of or based upon damage or injuries to persons or property caused by the errors, omissions, fault or negligence of the Agency or the Agency's employees, subcontractors, or agents.

However, neither Agency nor any attorney engaged by Agency shall defend the claim in the name of County or any department of County, nor purport to act as legal representative of County or any of its departments, without first receiving from the Clackamas County Counsel's Office authority to act as legal counsel for County, nor shall Agency settle any claim on behalf of County without the approval of the Clackamas County Counsel's Office. County may, at its election and expense, assume its own defense and settlement.

- B. Indemnification and Defense of Metro.** The Agency agrees to indemnify, defend, save and hold harmless Metro Regional Government ("Metro"), and its officers, elected officials, agents and employees from and against all claims, actions, losses, liabilities, including reasonable attorney and accounting fees, and all expenses incidental to the investigation and defense thereof, arising out of or based upon Agency's acts or omissions in performing under this Agreement. However, neither Agency's nor any attorney engaged by Agency shall defend the claim in the name of Metro, nor purport to act as legal representative of Metro, without first receiving from the Metro attorney's office authority to act as legal counsel for Metro, nor shall Agency settle any claim on behalf of Metro without the approval of the Metro attorney's office. Metro may, at its election and expense, assume its own defense and settlement.

- 10. Insurance.** The parties agree to maintain levels of insurance, or self-insurance, sufficient to satisfy their obligations under this Agreement and all requirements under applicable law. Both parties agree to name the other as an additional insured under their self-insurance policies.
- 11. Notices; Contacts.** Any notice provided under this Agreement shall be delivered by email or by first class US mail to the individuals identified below. Any communication or notice mailed by first class US mail shall be deemed to be given three days after the date it is sent. Any communication or notice sent by electronic mail is deemed to be received on the date sent,

unless the sender receives an automated message or other indication that the email has not been delivered. Either Party may change the Party contact information, or the invoice or payment addresses, by giving prior written notice to the other Party.

Vahid Brown or their designee will act as liaison for the County.

**Contact Information:**

Housing and Community Development Division Administrator  
Vahid Brown  
Email: [vbrown@clackamas.us](mailto:vbrown@clackamas.us)  
Phone: (971) 334-9870

Copy to:  
County Counsel  
2051 Kaen Road, 4<sup>th</sup> Floor  
Oregon City, OR 97045

Amanda Guile-Hinman or their designee will act as liaison for the Agency.

**Contact Information:**

Amanda Guile-Hinman  
Email: [guile@ci.wilsonville.or.us](mailto:guile@ci.wilsonville.or.us)  
Phone# (503) 682-1011

12. **Monitoring.** Agency agrees to allow access to conduct financial and performance audits for the purpose of monitoring use of the Funds in accordance with Generally Accepted Auditing Standards (“GAAS”). County, and its duly authorized representatives, shall have access to such records and other books, documents, papers, plans, records of shipments and payments and writings of Agency that are pertinent to this Agreement, whether in paper, electronic or other form, to perform examinations and audits and make excerpts, copies and transcripts. Agency also agrees to provide reasonable access to Agency’s employees for the purpose of monitoring. Audits may be performed onsite or offsite, at the County’s discretion. If any audit or financial review finds that payments to Agency were in excess of the amount to which Agency was entitled, then Agency shall repay that amount to County. Agency agrees to allow County access to conduct site visits and inspections of financial records for the purpose of monitoring. Depending on the outcomes of the financial monitoring processes, this Agreement shall either (a) continue pursuant to the original terms, (b) continue pursuant to the original terms and any additional conditions or remediation deemed appropriate by County, or (c) be de-obligated and terminated
13. **Reporting.** In performance of the Work related to the Motel Vouchers, Agency remains responsible for data reporting, and shall ensure subcontractors follow the steps below:
- a. Execute a Homeless Management Information System (“HMIS”) Participation Agreement for purposes of using regionally administered HMIS software through a contract with regional partners and ensuring such use is in accordance with the HMIS provider’s policies and procedures. County anticipates a new HMIS regional structure and contract will be implemented and upon such implementation and transfer, Agency shall, if determined by County to be necessary, execute a new HMIS Participation Agreement;
  - b. Participate in the HMIS or, for domestic violence service providers, an HMIS

comparable database. As used herein, “participation” means:

- i. Completing all necessary initial HMIS data entry training within one month of Contract execution;
  - ii. Collecting participant demographics and enter data electronically into HMIS into appropriate HMIS providers, which will be determined by HCDD;
  - iii. Complying with current HMIS Policy and Procedures and adhere to all HMIS reporting requirements;
  - iv. Ensuring that data entry into HMIS occurs in an accurate and timely manner within three (3) business days of program entry date;
  - v. Correcting data quality, missing information, and null data errors as specified by HCDD’s SHS Data team within 14 days after the end of each fiscal quarter or as requested;
  - vi. Collecting and entering universal data elements, which include demographic information on all clients at entry, and all required SHS elements required by HUD, Metro, or other applicable federal, state, or local funding sources;
  - vii. Complying with all confidentiality policies and procedures regarding HMIS and the use of participant data;
  - viii. Ensuring only authorized Agency staff, trained by HCDD, access the HMIS software.
- c. Work with HCDD to improve on performance targets.
  - d. Work cooperatively with HCDD to prepare an annual participant feedback report.
  - e. Submit to monitoring for contract compliance.

For all other Work, Agency will collect and summarize all data points and document transactions according to principles on Section 14 of this Agreement, and demonstrating progress toward program goals identified in Exhibit A, to be submitted to County on a quarterly basis. Agency will provide records to the County, upon request.

Reporting shall reference the above Agreement Number and be submitted to:  
[Housingservices@Clackamas.us](mailto:Housingservices@Clackamas.us).

14. **Financial Management.** Agency shall comply with Generally Accepted Accounting Principles (GAAP) or another equally accepted basis of accounting, use adequate internal controls, and maintain necessary sources documentation for all uses of the Funds.
15. **Period of Availability.** Agency may charge to the award only allowable costs resulting from obligations incurred during the funding period.
16. **Closeout.** County will closeout this Agreement when County determines that all applicable administrative actions and all required work have been completed by Agency. Agency must liquidate all obligations incurred under this award and must submit all financial, performance, and other reports as required by County, no later than 90 calendar days after the end date of this Agreement.
17. **General Provisions.**
  - A. **Oregon Law and Forum.** This Agreement, and all rights, obligations, and disputes arising out of it will be governed by and construed in accordance with the laws of the State of Oregon and the ordinances of Clackamas County without giving effect to the conflict of law

provisions thereof. Any claim between County and Agency that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Clackamas County for the State of Oregon; provided, however, if a claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this section be construed as a waiver by the County of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the Eleventh Amendment to the Constitution of the United States or otherwise, from any claim or from the jurisdiction of any court. Agency, by execution of this Agreement, hereby consents to the in personam jurisdiction of the courts referenced in this section.

- B. Compliance with Applicable Law.** Both Parties shall comply with all applicable local, state and federal ordinances, statutes, laws and regulations. All provisions of law required to be a part of this Agreement, whether listed or otherwise, are hereby integrated and adopted herein. Failure to comply with such obligations is a material breach of this Agreement.
- C. Non-Exclusive Rights and Remedies.** Except as otherwise expressly provided herein, the rights and remedies expressly afforded under the provisions of this Agreement shall not be deemed exclusive, and shall be in addition to and cumulative with any and all rights and remedies otherwise available at law or in equity. The exercise by either Party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach, or for any other default or breach, by the other Party.
- D. Debt Limitation.** This Agreement is expressly subject to the limitations of the Oregon Constitution and Oregon Tort Claims Act, and is contingent upon appropriation of funds. Any provisions herein that conflict with the above referenced laws are deemed inoperative to that extent.
- E. Severability.** If any provision of this Agreement is found to be unconstitutional, illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken. The Court or other authorized body finding such provision unconstitutional, illegal or unenforceable shall construe this Agreement without such provision to give effect to the maximum extent possible the intentions of the Parties.
- F. Integration, Amendment and Waiver.** Except as otherwise set forth herein, this Agreement constitutes the entire agreement between the Parties on the matter of the Program. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of either Party to enforce any provision of this Agreement shall not constitute a waiver by such Party of that or any other provision.
- G. Interpretation.** The titles of the sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

- H. **Independent Contractor.** Each of the Parties hereto shall be deemed an independent contractor for purposes of this Agreement. No representative, agent, employee or contractor of one Party shall be deemed to be a representative, agent, employee or contractor of the other Party for any purpose, except to the extent specifically provided herein. Nothing herein is intended, nor shall it be construed, to create between the Parties any relationship of principal and agent, partnership, joint venture or any similar relationship, and each Party hereby specifically disclaims any such relationship.
- I. **No Third-Party Beneficiary.** Agency and County are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.
- J. **Subcontract and Assignment.** Agency shall not enter into any subcontracts for any of the work required by this Agreement, or assign or transfer any of its interest in this Agreement by operation of law or otherwise, without obtaining prior written approval from the County, which shall be granted or denied in the County's sole discretion. County's consent to any subcontract shall not relieve Agency of any of its duties or obligations under this Agreement.
- K. **Counterparts.** This Agreement may be executed in several counterparts (electronic or otherwise), each of which shall be an original, all of which shall constitute the same instrument.
- L. **Survival.** All provisions in Sections 5, 7, 8, 9, 10 and 17 (A), (C), (D), (E), (F), (G), (H), (I), (J), (L), (O) and (Q), shall survive the termination of this Agreement, together with all other rights and obligations herein which by their context are intended to survive.
- M. **Necessary Acts.** Each Party shall execute and deliver to the others all such further instruments and documents as may be reasonably necessary to carry out this Agreement.
- N. **Time is of the Essence.** Agency agrees that time is of the essence in the performance this Agreement.
- O. **Successors in Interest.** The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective authorized successors and assigns.
- P. **Force Majeure.** Neither Agency nor County shall be held responsible for delay or default caused by events outside of the Agency or County's reasonable control including, but not limited to, fire, terrorism, riot, acts of God, or war. However, Agency shall make all reasonable efforts to remove or eliminate such a cause of delay or default and shall upon the cessation of the cause, diligently pursue performance of its obligations under this Agreement.

Q. **No Attorney Fees.** In the event any arbitration, action or proceeding, including any bankruptcy proceeding, is instituted to enforce any term of this Agreement, each party shall be responsible for its own attorneys' fees and expenses.

**IN WITNESS HEREOF**, the Parties have executed this Agreement by the date set forth opposite their names below.

**Clackamas County**

**City of Wilsonville**

\_\_\_\_\_  
Chair, Board of County Commissioners

\_\_\_\_\_  
[name/title]

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to Form:

\_\_\_\_\_  
County Counsel

\_\_\_\_\_  
Date

**EXHIBIT A**  
**Program**  
**City of Wilsonville – City-Led Homelessness Initiatives Program Design**

Agency shall contact County in writing for clarification and/or approval for any contemplated expense not covered by the following descriptions of allowable uses of funds prior to incurring the expense. Correspondence from Agency seeking clarification or approval should be directed to [housingservices@clackamas.us](mailto:housingservices@clackamas.us). Upon receipt of the written request for clarification and/or approval, County may either approve or deny the expense as eligible for reimbursement, as determined by County in its sole discretion.

**1. Emergency Shelter services (Motel Vouchers)**

**Program Description**

To address the lack of overnight locations during housing emergencies, the City of Wilsonville (“Agency”) will provide households struggling with homelessness with motel vouchers, and transportation to shelter for individuals seeking to enter into shelter or addiction programs. Agency anticipates it will perform the motel voucher program using third party nonprofits, including The Heart of the City (“HoC”). Any use of a third party to perform motel voucher work is subject to the requirements of Section 17.J, **Subcontract and Assignment** of this Agreement.

Agency will refer individuals participating in the motel voucher program to the County’s Rent Well tenant education program. Rent Well, a program of Transition Projects, Inc., is a 15-hour tenant education curriculum that provides individuals with the support, knowledge, and expertise they need to become successful tenants.

**Program Goals**

Agency will provide Motel vouchers and transportation to shelter for approximately 48 households/year. Each household will be sheltered in motels for approximately 7 nights a week for 3 weeks.

**Data Collection & Reporting**

Agency will ensure that data will be collected and entered into the HMIS system, following the requirements of Section 13. **Reporting** of this Agreement.

**Budget**

The budget to provide for Motel Vouchers is \$100,800 per year, for two years. The total not to exceed amount for these services is \$201,600.00 for two years.

**2. Employment & Benefit Support Services**

**a. Job Training and Retention services**

Funding to reduce barriers related to personal transportation (auto repairs, gas cards) to help individuals maintain employment. Specifically for individuals who work outside of areas served by the public transit system.

**i. Auto/Transportation Repairs**

### **Program Description**

Agency will address employment accessibility issues by funding for auto-repair services to help individuals maintain employment. This program will serve individuals who are unable to get a job or maintain employment due to transportation issues, and who are able to show they work outside of the public transportation system, or their job requires use of personal vehicles.

Agency has experienced issues with broken-down vehicles where an individual cannot afford the repair to operate the vehicle and get to work. This program will help participants gain and maintain employment by providing support against transportation barriers, with auto repair.

To be eligible for the benefits of this program, all participants must show that they are also engaged in an employment program with the non-profits that contract with the Agency or other verified employment program, to get their car repaired.

Agency will partner with third parties, including HoC and Wilsonville Community Sharing (“WCS”), to provide these services. Agency may subcontract with third parties subject to the requirements of Section 17.J, **Subcontract and Assignment** of this Agreement.

### **Program Goals**

Agency will serve between 2 and 4 participant vehicles per month, at a cost of approximately \$6,000.00 per month, for 12 months. That will result in auto repairs for 24 – 48 vehicles/year.

### **Data Collection & Reporting**

Agency will be responsible for collecting data for this program and reporting back to the County, upon request, following the requirements of Section 13. **Reporting** of this Agreement.

### **Budget**

The budget for the auto repairs program is \$72,000.00 for one year, for two years. The total not to exceed amount is \$144,000.00 for two years.

#### **ii. Clothing and Gas Vouchers**

To address employment accessibility issues, Agency will provide gas cards to individuals who cannot make it to work due to insufficient funds for gas. Agency will also provide clothing vouchers to Goodwill to individuals in need of appropriate attire for employment or interviews.

### **Program Description**

Agency has experienced issues with broken-down vehicles where an individual cannot afford the repair to operate the vehicle and get to work. This program aims to facilitate participants gaining and maintaining employment by reducing transportation barriers; therefore, reducing their risk of struggling with homelessness. Gift cards to Goodwill will help prepare individuals for the workforce with work appropriate attire.

Participants will be provided with gas cards and Goodwill vouchers, in the amount of \$25.00 increments of each card. The program will provide 20 sets of each card per month, totaling 40 cards per month to the subcontracted non-profits in the community to distribute to participants of the employment retention program.

Agency may contract with third party non-profit organizations to provide these services subject to all requirements of Section 17.J, **Subcontract and Assignment** of this Agreement.

**Program Goals**

The program will provide gas cards and Goodwill vouchers in \$25.00 increments of 20 of each card, per month, for 12 months, for participants, depending on their need, for two years.

**Data Collection & Reporting**

Agency will be responsible for collecting data for this program and reporting back to the County, upon request, following the requirements of Section 13. **Reporting** of this Agreement.

**Budget**

The budget to provide for automobile transportation employment retention services is \$84,000 per year, for two years. The total not to exceed amount for this service is \$168,000.00 for two years.

**b. Financial Literacy Services**

Funding for financial education programming to help individuals budget within their income limits, maximize income, and start saving.

**Program Description**

To address the lack of financial literacy, Agency will provide financial literacy training to participants to increase savings from employment, learn how to maximize income to start saving income, or budgeting within their income limits. The use of evidence-based financial education programs can help clients prepare for how to financially handle situations such as unexpected expenses, like auto repair or gas.

The financial literacy program will research and utilize an evidence based financial education curriculum and will hire an educator to teach the class. The funds will pay for personnel to run this program, and that money could be used to pay for one staff or to allow the non-profit organizations that Agency contracts with to leverage current personnel, materials, and services that the local organizations already have.

Agency may subcontract with other non-profit organizations to provide these services, subject to the requirements of Section 17.J, **Subcontract and Assignment** of this Agreement.

**Program Goals**

This program will provide for staff, operations, and materials for Financial Literacy training for participants.

**Data Collection & Reporting**

Agency will be responsible for collecting data for this program and reporting back to the County, upon request, following the requirements of Section 13. **Reporting** of this Agreement.

**Budget**

The Agency's budget to provide for financial literacy services is \$65,000.00 per year, for two years. The total not to exceed amount for these services is \$130,000.00 for two years.

**3. Outreach and Engagement Supports (Device Charging)**

Funding two benches equipped with solar powered charging timed to allow charging during open park hours, to be installed in Town Center Park and Murase Plaza.

**Program Description**

The inaccessibility of device charging stations interfere with the ability of participants to fully engage in employment, financial literacy, and other basic needs. This gap in services was identified as a high priority need in the 2023 anonymous survey of individuals experiencing homelessness in Wilsonville.

This program will provide two benches with solar powered chargers that are timed to provide the ability to charge during open park hours to serve the specific needs of local individuals and families struggling with homelessness and individuals in the community that need an ability to charge their devices. The charging benches will be located in Wilsonville's high-use park areas; one at Town Center Park and one at Murase Plaza. This will allow individuals needing access to their electronic devices to charge their cell phones, etc. and allow them to access and partake in their community resources.

**Program Goals**

The program will procure and install the two charging benches within the first year of this agreement.

**Data Collection & Reporting**

Agency will be responsible for collecting data for this program and reporting back to the County, upon request, following the requirements of Section 13. **Reporting** of this Agreement.

**Budget**

The Agency’s budget to provide for the device charging is a one-time total of \$7,500.00.

<b>Services</b>	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>Total</b>
<b>Motel Vouchers</b>	\$ 100,800.00	\$ 100,800.00	\$ 201,600.00
<b>Employment Retention - Auto repairs</b>	\$ 72,000.00	\$ 72,000.00	\$ 144,000.00
<b>Employment Retention - Gas vouchers and Clothing</b>	\$ 12,000.00	\$ 12,000.00	\$ 24,000.00
<b>Financial Literacy</b>	\$ 65,000.00	\$ 65,000.00	\$ 130,000.00
<b>Outreach - Device Charging</b>	\$ 7,500.00	\$ -	\$ 7,500.00
<b>Subtotals</b>	<b>\$ 257,300.00</b>	<b>\$ 249,800.00</b>	<b>\$ 507,100.00</b>
<b>Total Contract Value:</b>			<b>\$ 507,100.00</b>



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Resolution No. 3121 Frog Pond East and South Infrastructure Funding Plan</b>	
		<b>Staff Member:</b> Daniel Pauly, Planning Manager; Amy Pepper, Development Engineering Manager	
		<b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Adopt Resolution No. 3121.			
<b>Recommended Language for Motion:</b> I move to adopt Resolution No. 3121, adopting the Frog Pond East and South Infrastructure Funding Plan.			
<b>Project / Issue Relates To:</b>			
<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 important implementation step in realizing the vision of the Frog Pond East and South Master Plan, adopted in December 2022, is to adopt an Infrastructure Funding Plan. The Infrastructure Funding Plan will guide the creation of more detailed financing plans and development agreements for individual infrastructure projects and developments as the Frog Pond East and South neighborhoods develop. The proposed resolution will adopt the Frog Pond East and South Infrastructure Funding Plan.

## EXECUTIVE SUMMARY:

The Frog Pond East and South Master Plan, adopted by City Council in December 2022, provides clear policy direction and guidance for future development in Frog Pond East and South. An important implementation step is to develop an Infrastructure Funding Plan to guide how the needed road, sewer, storm, water, park, and trail projects, previously adopted in the Frog Pond East and South Master Plan and incorporated into respective infrastructure Master Plans, will be funded to serve the future development. The Funding Plan will be the guide to more detailed finance plans and development agreements for individual infrastructure projects and developments as they get planned, designed, and built over the next couple decades.

Attached to the Resolution the Council will find four documents. First is the proposed Frog Pond East and South Infrastructure Funding Plan (Exhibit A to the Resolution). Second, is an attachment to the Infrastructure Funding Plan with additional technical information including assumptions about timing of development, type of development, and planned infrastructure as well as an analysis of System Development Charges (SDCs) revenue over the build out of the neighborhoods (Attachment 1 to Exhibit A). Third is a document providing an explanation of methodology in Attachment 1 of Exhibit A (Attachment 2 to Exhibit A). Finally, is the Compliance Findings Report (Exhibit B to the Resolution).

### *Background*

On November 15, 2015, the City Council adopted the Frog Pond Area Plan, which includes an Infrastructure Funding Plan (Appendix H of the Area Plan, see Attachment 2). The funding plan adopted with the Area Plan evaluates the infrastructure needs for the entire 500-acre Frog Pond Area and offers initial, general strategies of how to fund those infrastructure improvements subject to iterative refinement and additional detail as neighborhood-specific master plans were completed in the future. Accordingly, the Frog Pond West Master Plan, adopted by Council in July 2017, included a neighborhood-specific refined infrastructure project list for the neighborhood, associated costs, and a more detailed, refined, and vetted funding mechanisms necessary to implement the Frog Pond West Master Plan (see Attachment 3). Like Frog Pond West, council's adoption of the Frog Pond East and South Master Plan included a refined and specific list of infrastructure necessary to serve the Frog Pond East and South planning area. Since adoption of the Master Plan staff, consultants, and stakeholders have invested time to work through the necessary details of how to fund the specific, necessary infrastructure for Frog Pond East and South in a manner that ensures efficient, cost effective, and equitable infrastructure funding.

### *Nature and Intention of the Funding Plan*

Both infrastructure funding plans in the Area Plan and Frog Pond West Master Plan rely on and reflect the general citywide policies and practices regarding provision of infrastructure improvements as part of development. The baseline assumptions from these infrastructure funding plans carry through to the Frog Pond East and South Infrastructure Funding Plan and are discussed in detail in **Exhibit A** to the Resolution.

The Frog Pond East and South Infrastructure Funding Plan intends to provide an overarching strategy for future financing tools and strategies that may be used to support specific development projects and related infrastructure needs; it is not intended to limit or to define the specific financial package that may be needed to construct infrastructure projects. Additional details will be worked out as specific development projects are proposed and necessary infrastructure needs identified to serve those specific development projects. Further, this Infrastructure Funding Plan does not provide details of financing of individual projects, as those details cannot be known until individual projects are closer to construction.

#### *Frog Pond East and South Infrastructure Summary*

The infrastructure needed to serve the Frog Pond East and South area has been grouped into three different categories: off-site infrastructure, on-site infrastructure, and “Framework” or “Master Plan” infrastructure. The Framework or Master Plan infrastructure projects are the primary focus of this Infrastructure Funding Plan. The Frog Pond East and South Infrastructure Funding Plan uses the term “framework projects” or “framework infrastructure” to refer to these projects.

Off-site Infrastructure includes large projects that serve the broader Wilsonville community, are funded through System Development Charges (SDCs) generated by development throughout the City and through other City resources and are generally located outside of the Frog Pond East/South area. Examples include:

- Water line crossing Boeckman Creek at the west end of Frog Pond Lane
- Water line crossing of Meridian Creek south of Meridian Creek Middle School
- Boeckman Creek sanitary sewer trunk line
- West side water reservoir
- Boeckman “Dip” Bridge
- Stafford-65th-Elligsen Roundabout
- Advance Road Community Park

On-site Infrastructure includes local projects which serve development of individual properties. Individual developers are responsible for construction and costs of construction of these projects. Examples include:

- Local streets and sidewalks
- Sanitary sewer mains
- Water mains
- Stormwater management
- Neighborhood parks

“Framework” or “Master Plan” Infrastructure includes projects that do not fall within the previously described off-site or on-site infrastructure categories due to one or more of the following factors:

- The project includes an “oversize” component that provides capacity beyond the City’s minimum standard to serve future development in Frog Pond East and South or other offsite areas.
- The project crosses multiple property ownerships not expected to develop concurrently.
- The project may be too large and expensive for any single developer to complete.
- The project may have geographically concentrated costs, but benefits all of Frog Pond East, South, or both.

The Frog Pond East and South Infrastructure Funding Plan focuses on funding policy and funding options for the following Framework Infrastructure projects:

- SW Stafford Road, including sanitary sewer and water
- SW Advance Road, including sanitary sewer and water
- Frog Pond East Neighborhood Park
- Frog Pond East BPA Easement Trail
- Frog Pond South Neighborhood Trail
- SW 60th Avenue, including water and storm
- Frog Pond East - Kahle East sanitary lift stations and force main
- Frog Pond East - Advance East sanitary lift station and force main
- Frog Pond South sanitary lift station and force main

#### *Recommended Baseline Funding Strategy*

Based on the anticipated timeline of development in the planning area it is projected that there will be sufficient SDC revenue generated from development within Frog Pond East and South to account for both City SDC infrastructure funding responsibilities and SDC credits issued to developers for the “oversized” portion of developer-constructed infrastructure, in accordance with existing City policies and practices for development (see Attachment 1 to Exhibit A for timeline details and SDC analysis). City staff recommends an Infrastructure Funding Strategy for Frog Pond East and South focusing on the well-established methodology whereby the developer constructs the required infrastructure and is issued SDC credits for the “oversized” portion. Staff further recommends utilizing development agreements to fund developer construction of the City’s identified infrastructure responsibilities where efficiencies, minimized neighborhood impacts, and cost savings can be realized through such an agreement.

It should be noted that if the Frog Pond East and South development and/or infrastructure phasing assumptions change, the City’s SDC cash flow may be affected and should be reassessed as development occurs to ensure City SDC commitments can be met. Consideration of additional funding strategies may be necessary to finance specific projects and ensure adequate funding.

As staff met with housing development stakeholders regarding the Infrastructure Funding Plan, concerns were raised regarding private development carrying more than its proportionate share of the infrastructure costs for the identified projects. However, as noted above, the Funding Plan does not and cannot analyze unknown, individual future developments. Rather, it

documents the recommended options available to fund infrastructure in Frog Pond East and South. Financing of public infrastructure for each private development is determined when the private development application is submitted to, and reviewed by, the City. The Wilsonville Code and state and federal case law already make clear that private development can only be responsible to fund public infrastructure in rough proportionality to its impact to and benefit from the public infrastructure.

#### *Additional Alternative Funding Strategies for Consideration*

As discussed above, the default and anticipated primary funding strategy in Frog Pond East and South is issuing SDC credits for developer-built infrastructure that is the City's responsibility. However, Staff recommends the Council approve a menu of alternative strategies for potential use. These strategies would be approved by Council on a case-by-case basis through future development agreements or detailed project-specific financing plans. Use of the alternative strategies would be most relevant with large capital costs early in the Frog Pond East and South development phases, when additional infrastructure funding support is desired by the City to support housing production goals, or if there are changes to infrastructure phasing assumptions that affect SDC cash flow as development occurs over time.

The following are funding strategies that have been assessed as part of this analysis and are recommended as potential alternative strategies. The Infrastructure Funding Plan (Exhibit A) contains further detail of each of these strategies as well as examples of framework projects for which they may be well suited.

- Supplemental Infrastructure Fee
- Reimbursement District
- Local Improvement District (LID)
- Direct Capital Improvement Program (CIP) Investment Using Citywide SDCs
- Localized Utility Rate Surcharge
- Urban Renewal District
- Grants and Investments by Other Governments

If any of these alternative fundings strategies are utilized in Frog Pond East and South, they may include funding for one or more Framework Infrastructure projects. For example, and for explanatory purposes only and not as an indication of any future action, a supplemental infrastructure fee could be recommended to recover costs for certain Stafford Road improvements.

Use of any of these alternative tools for project funding would require additional Council action to authorize.

#### *Conclusion*

The exact timing and costs of Frog Pond East and South infrastructure is still unknown, despite the City gathering the best information available to date. The proposed Infrastructure Funding

Plan finds that building out the infrastructure can primarily rely on existing policies revolving around SDC credits, but also provides a menu of optional strategies for use, in partnership with developers, as needed and desired. As land use entitlements are pursued the City will partner with developer(s) to establish specific financing plans and agreements for the subject development(s) using the framework established in the proposed Infrastructure Funding Plan.

**EXPECTED RESULTS:**

Adoption of the Frog Pond East and South Infrastructure Funding Plan.

**TIMELINE:**

With adoption of the resolution, the Infrastructure Funding Plan will be in effect. Exact timing of private development and infrastructure projects impacted by the Infrastructure Funding Plan will be determined as development proposals come forward in the coming years.

**CURRENT YEAR BUDGET IMPACTS:**

The infrastructure funding work is funded by remaining funds from the \$350,000 Metro grant for the Frog Pond East and South Master Plan and matching City funds in the form of staff time. No budget for design or construction of infrastructure discussed in the Funding Plan is included or needed for the current budget year beyond those associated with development of Frog Pond West.

**COMMUNITY INVOLVEMENT PROCESS:**

During this implementation phase the primary focus is on honoring past input. However, the project team continues to engage key stakeholders for input on the Infrastructure Funding Plan, particularly developers.

**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. This includes furthering of the City's Equitable Housing Strategic Plan and Council's goal of affordable home ownership.

**ALTERNATIVES:**

The project team considered a number of alternatives as part of the preparation of the Infrastructure Funding Plan, and the Infrastructure Funding Plan proposed reflects the recommended alternatives.

**CITY MANAGER COMMENTS:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3121
  - Exhibit A: Frog Pond East and South Master Plan Infrastructure Funding Plan (November 5, 2024)
  - Attachment 1. Technical Attachment (November 5, 2024)

Attachment 2. Supporting Documentation for Technical Attachment  
(November 5, 2024)

Exhibit B: Compliance Findings Report (November 5, 2024)

2. Frog Pond Area Plan Infrastructure Funding Plan (for reference)
3. Frog Pond West Infrastructure Funding Plan (for reference)

**RESOLUTION NO. 3121****A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE FROG POND EAST AND SOUTH INFRASTRUCTURE FUNDING PLAN.**

WHEREAS, The City adopted the Frog Pond Area Plan “Area Plan” in 2015 setting a vision for urban growth on the East side of Wilsonville; and

WHEREAS, the Area Plan included Appendix H, an Infrastructure Funding Plan “Area Plan IFP”; and

WHEREAS, at the time of adoption a portion of the land covered by the Area Plan was within the Urban Growth Boundary (UGB) and a portion was designated as Urban Reserve; and

WHEREAS, in 2017 the City adopted the Frog Pond West Master Plan, “West Master Plan”, for the area within the UGB which included more detail about transportation and other infrastructure for the subject area; and

WHEREAS, the Frog Pond West Master Plan included Appendix D, an Infrastructure Funding Plan “West IFP” further refining the Area Plan IFP for the area covered by the West Master Plan; and

WHEREAS, both the Area Plan and West Master Plan set a foundation for future master planning of and infrastructure funding planning for the Urban Reserve land not yet in the UGB; and

WHEREAS, in 2018 Metro, through Ordinance 18-1427, expanded the UGB to include the Urban Reserve area covered by the Area Plan; and

WHEREAS, the area added to the UGB in 2018 became known as Frog Pond East and South; and

WHEREAS, on December 19, 2022, the City Council adopted a Master Plan for Frog Pond East and South “East and South Master Plan” in Ordinance No. 870; and

WHEREAS, the East and South Master Plan provides for, among other things, the provision of necessary infrastructure; and

WHEREAS, on April 17, 2023, the City Council adopted an amendment to the Transportation System Plan in Ordinance No. 877 integrating transportation infrastructure from the East and South Master Plan; and

WHEREAS, the City desires, building on the Area Plan IFP and West IFP, to create a Infrastructure Funding Plan specific to infrastructure as shown in the East and South Master Plan and Transportation System Plan “East and South Infrastructure”; and

WHEREAS, both the Area Plan IFP and West IFP rely on and reflect the general citywide policies and practices regarding provision of infrastructure improvements as part of development; and

WHEREAS, these previously adopted City policies will continue to establish the baseline assumptions for the East and South IFP; and

WHEREAS, the East and South IFP intends to provide an overarching strategy for future financing tools or strategies that may be used to support specific development projects and related infrastructure; and

WHEREAS, the East and South IFP is not intended to limit or to define the specific financial package that may be needed to support particular developments and projects; and

WHEREAS, the East and South Infrastructure has been grouped into three different categories: off-site infrastructure, on-site infrastructure, “Framework” or “Master Plan” infrastructure; and

WHEREAS, the Framework or Master Plan infrastructure projects are the primary focus of the East and South IFP; and

WHEREAS, in accordance with existing City policies and practices, there will be sufficient SDC revenue generated from development within the East and South Master Plan area to account for both City SDC infrastructure funding responsibilities and SDC credits issued to developers for the “oversized” portion of developer-constructed infrastructure, based on the anticipated development phasing as documented in Attachment 1 to Exhibit A; and

WHEREAS, the City finds it prudent to focus on the well-established methodology of a developer constructing the required infrastructure and the City issuing SDC credits for the “oversized” portion as well as a menu of alternative infrastructure financing strategies for potential use on a case-by-case basis; and

WHEREAS, the City Council held a public hearing on November 18, 2024 regarding the East and South IFP; and

WHEREAS, the City Council, at the November 18, 2024, public hearing, afforded all interested parties an opportunity to be heard, duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

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

Section 2. The City Council does hereby adopt the Frog Pond East and South Infrastructure Funding Plan and its Attachments as presented in Exhibit A to the Resolution.

Section 2. The City Council does hereby adopt the findings as presented in Exhibit B to the Resolution.

Section 3. Effective Date. This Resolution shall take effect upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 18th day of November, 2024, and filed with the Wilsonville City Recorder on this date.

\_\_\_\_\_  
Julie Fitzgerald, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Berry

Councilor Dunwell

Councilor Linville

EXHIBITS:

- A. Frog Pond East and South Master Plan Infrastructure Funding Plan (November 1, 2024)
  - Attachment 1. Technical Attachment (November 1, 2024)
  - Attachment 2. Supporting Documentation for Technical Attachment (November 1, 2024)
- B. Compliance Findings Report (November 5, 2024)



# FROG POND EAST AND SOUTH INFRASTRUCTURE FUNDING PLAN

On November 15, 2015, the Wilsonville City Council (Council) adopted the Frog Pond Area Plan, which includes an Infrastructure Funding Plan (Appendix H of the Frog Pond Area Plan). The funding plan evaluates the infrastructure needs for the entire 500-acre Frog Pond area and offers strategies of how to fund those infrastructure improvements. As part of the Frog Pond West Master Plan, adopted by Council in July 2017, the Infrastructure Funding Plan was updated with revised infrastructure projects, associated costs, and more detailed and refined funding mechanisms necessary to implement the Frog Pond West Master Plan. In December 2022, Council approved the Frog Pond East and South (“FPE/S”) Master Plan (“Master Plan”). However, the FPE/S update to the Infrastructure Funding Plan was deferred, allowing staff, consultants, and stakeholders additional time to work through the necessary details to ensure efficient, cost effective, and equitable implementation of the infrastructure necessary to realize the FPE/S Master Plan vision.

This FPE/S Infrastructure Funding Plan (“Funding Plan”) memorializes the analysis done for the FPE/S infrastructure identified in the Master Plan and how this Funding Plan relates to, refines or changes the information available and assumptions made as part of the Frog Pond Area Plan, Appendix H: Infrastructure Funding Plan and Frog Pond West Infrastructure Funding Plan update. Both infrastructure funding plans in the Area Plan and Frog Pond West Master Plan rely on and reflect general citywide policy and practice regarding provision of infrastructure improvements as part of development. These previously adopted City policies and practices will continue to establish the baseline assumptions for the FPE/S Funding Plan.

In addition, review of the previous Frog Pond funding plan assumptions is intended to provide the foundation for developing the FPE/S Funding Plan, helping to inform and to establish funding needs and assess potential funding mechanisms needed to support implementation of the FPE/S Master Plan. This analysis is based on work by City staff from the Community Development Department, including Engineering and Planning, the Community Development Director, City Attorney, and Finance Director. City staff was supported by experts on municipal finance from FCS Group. Infrastructure costs were prepared as part of the FPE/S Master Plan by DKS Associates and Consor. Together this group is referred to in the memo as the “Project Team.” This Funding Plan is intended to provide an overarching strategy for future financing tools that may be used to support specific development projects and related infrastructure needs but is not intended to limit the specific financial package that may be needed to support those particular developments and projects.

## Summary of Frog Pond East and South

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The Frog Pond East and South planning area, as shown in Figure 1 below is approximately 300 acres in size with approximately 176 acres gross development area, which excludes known development constraints including natural resource and the extensive Bonneville Power Administration (BPA) easement areas. The Master Plan area includes the following general attributes, which influence the



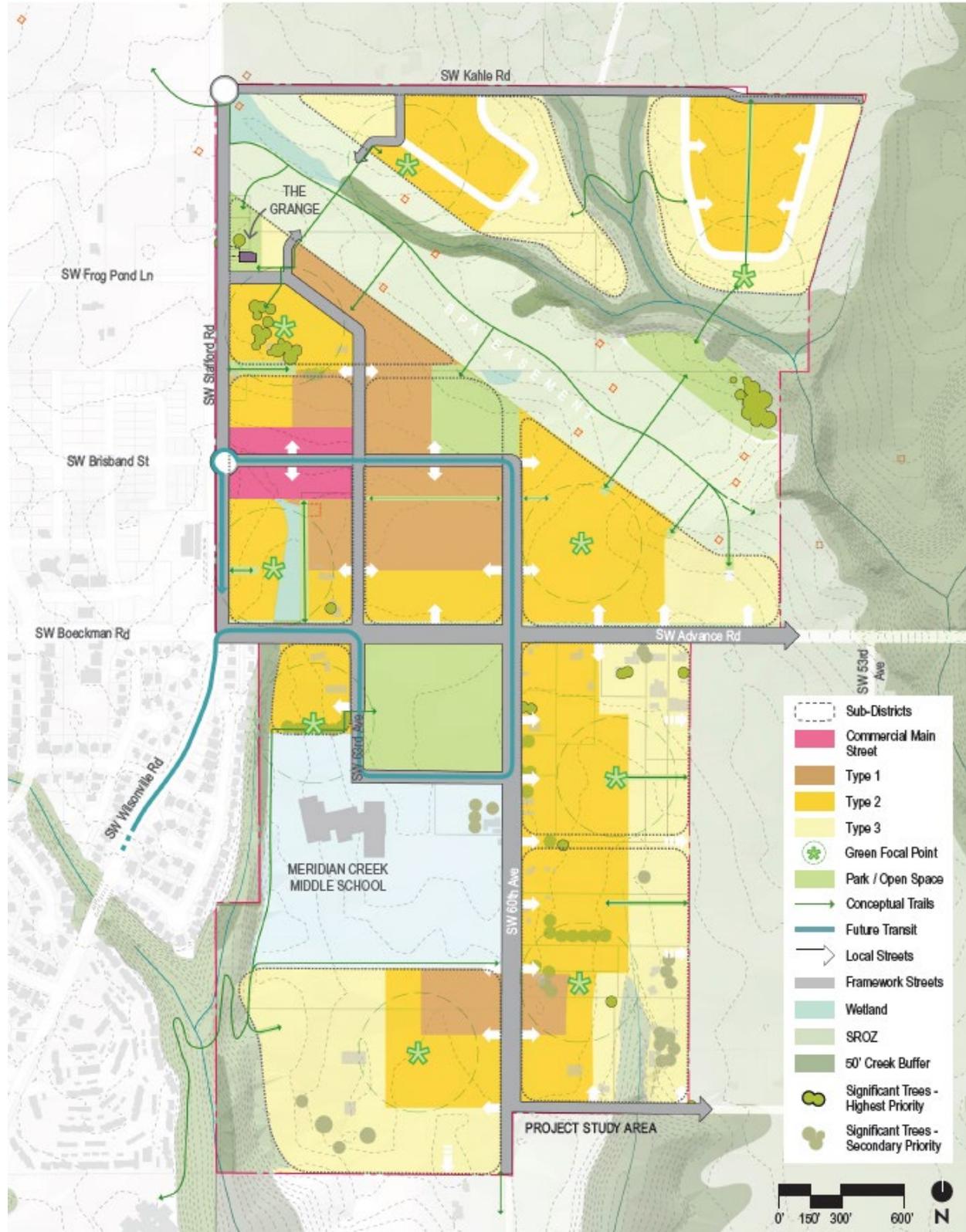
Funding Plan. More information about development assumptions can be found in Section 1 of Attachment 1. Here are some highlights of the Master Plan area:

- A minimum of 1325 housing units are required to be built under the Master Plan pursuant to a Condition of Approval in Metro Ordinance No. 18-1427. The assumed split is 926 within the Frog Pond East area and 399 within the Frog Pond South area.
- The housing units are anticipated to include a wide variety of types including apartments, middle-housing, detached homes, cottages and accessory dwelling units (ADUs), resulting in more housing variety than Frog Pond West.
- A vertical mixed-use development is planned on Brisband Street at the intersection with Stafford Road, estimated to have up to 22,000 square feet of ground floor commercial space with up to four floors of residential above. This is identified in Figure 1 as “commercial main street.”
- There are 8 different property owners (as of 2024) in Frog Pond East and 31 property owners in Frog Pond South. Parcels range in size from just over an acre to 94 acres.
- The West-Linn Wilsonville School District owns a 27-acre site within Frog Pond South, which is home to Meridian Creek Middle School and a 2-acre land banked parcel e adjacent to the middle school site.
- The City owns a 10-acre site in Frog Pond South at the corner of Boeckman Road and 65<sup>th</sup> Avenue, which is planned as a future park site.
- Most of the Frog Pond East and South area is currently outside the city limits, with the exception of the middle school site.
- The entirety of the Frog Pond East and South area is within the Urban Growth Boundary.
- Property owners, particularly in the Frog Pond East area, have expressed an interest in development of their properties in the near term.

This information provides the basis for the development phasing schedule included in the FPE/S Funding Plan, informing the location and pace of development and helping determine when and where infrastructure will be needed first.



Figure 1. Frog Pond East and South Land Use Plan





## Frog Pond East and South Infrastructure Summary

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Consistent with the approach in the Frog Pond West Funding Plan, the infrastructure needed to serve the Frog Pond East/South area has been grouped into three different categories, as described below. “Off-site” and “Framework” or “Master Plan” infrastructure projects have been previously identified and adopted in the City’s infrastructure master plan documents for Transportation, Water, Sanitary Sewer, and Stormwater.

- **Off-site Infrastructure** includes large projects that serve the broader Wilsonville community, are funded through System Development Charges (SDCs) generated by development throughout the City and through other City resources, and are generally located outside of the Frog Pond East/South area. While these projects serve a broader area than Frog Pond East/South, development within Frog Pond East/South will utilize this infrastructure as well and does have a responsibility to contribute to this infrastructure. Examples include:
  - Water line crossing Boeckman Creek at the west end of Frog Pond Lane
  - Water line crossing of Meridian Creek south of Meridian Creek Middle School
  - Boeckman Creek sanitary sewer trunk line
  - West side water reservoir
  - Boeckman “Dip” Bridge
  - Stafford-65<sup>th</sup>-Elligsen Roundabout
  - Advance Road Community Park
- **On-site Infrastructure** includes local projects which serve development of individual properties. Individual developers are responsible for construction and costs of construction of these projects. Examples include:
  - Local streets and sidewalks
  - Sanitary sewer mains
  - Water mains
  - Stormwater management
  - Neighborhood parks
- **“Framework” or “Master Plan” Infrastructure** is the primary focus of this FPE/S Funding Plan. These are called “Framework Projects” in the Area Plan Funding Strategy and “Master Plan Infrastructure” in the Frog Pond West Funding Plan. For this memo and the FPE/S Funding Plan the term “framework projects” or “framework infrastructure” will be used. These projects differ from off-site and on-site infrastructure due to the following factors:
  - Serves the Frog Pond East/South development and includes an “oversize” component that provides capacity beyond the City’s minimum standard to serve future development in FPE/S or other offsite areas.
  - Crosses multiple property ownerships
  - May be too large and expensive for any single developer to complete
  - May have geographically concentrated costs (sanitary lift station), but benefits all of Frog Pond East, South, or both.

The emphasis of the FPE/S Funding Plan is to identify strategies and tools appropriate to fund Framework Infrastructure. While discussed briefly below, Section 1 of Attachment 1 includes a list of needed FPE/S



Framework Infrastructure projects and estimated costs. Funding for off-site and on-site infrastructure is addressed through the City's existing policies.

## Frog Pond East and South Framework Infrastructure Projects

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The FPE/S Funding Plan focuses on funding options for the following key framework infrastructure projects. Infrastructure Funding Strategy framework projects within the FPE/S area:

1. Stafford Road, including sanitary sewer and water
2. Advance Road, including sanitary sewer and water
3. Frog Pond East Neighborhood Park
4. Frog Pond East BPA Easement Trail
5. Frog Pond South Neighborhood Trail

Additional framework infrastructure projects not part of the Frog Pond Area Plan added as part of the FPE/S Master Plan include:

6. 60<sup>th</sup> Avenue, including water and storm
7. Frog Pond East - Kahle East sanitary lift stations and force main
8. Frog Pond East - Advance East sanitary lift station and force main
9. Frog Pond South sanitary lift station and force main

## Citywide Policies and Practices Related to Infrastructure Funding

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Consistent with the Frog Pond Area Plan Infrastructure Funding Strategy and Frog Pond West Funding Plan, the Frog Pond East/South Funding Plan uses the City's existing policies and practices as a basis for planning, as summarized below:

- Developers pay for and construct the "local portion" of infrastructure required to serve their developments, as explained in adopted City policies (Wilsonville Code, Transportation System Plan, and Public Works Standards).
- Developers also initially pay for and construct the "oversize portion" (infrastructure that exceeds the minimum required), and then receive credits against System Development Charges (SDC) due at the time of each building permit ("SDC credits").
- When necessary, the City may pay for infrastructure elements that are:
  - Identified by existing adopted citywide infrastructure master plans (e.g. Water Distribution Master Plan or the Transportation System Plan) and included in the City's five-year Capital Improvement Program (CIP); or
  - Abutting already-developed areas, city-owned land, or land not expected to develop/redevelop by 2045.
- The City may implement a variety of tools to facilitate and coordinate infrastructure delivery, including SDCs and SDC credits, a supplemental fee, reimbursement districts/agreements, Local Improvement Districts (LID), and development agreements.



## Frog Pond East and South Framework Infrastructure Cost Allocation – Current City Policy

The total cost of the nine FPE/S framework infrastructure projects is allocated to different parties under current City policy. The FPE/S Infrastructure Funding Plan Technical Attachment (Attachment 1) details estimated costs, allocates those costs, and includes a revenue analysis based on anticipated development to inform the FPE/S infrastructure funding plan. Each FPE/S framework infrastructure project is described below with relevant cost allocation information. The following funding allocation, per current City policy, does not preclude the City from considering additional funding strategies to assist developers with construction of needed framework infrastructure as detailed in “Additional Funding Sources for Consideration” section of this Plan.

1. Stafford Road (including sanitary sewer and water). Stafford Road includes a local portion attributable to Frog Pond East and a local portion attributable to Frog Pond West. In addition, there is an oversized portion in excess of the local portion for both East and West. Stafford Road improvements also include two roundabouts at SW Kahle Road and SW Brisband Street, as well as intersection improvements at SW Frog Pond Lane.
  - a. West Portion of Stafford Road
    - i. The Frog Pond West Infrastructure Funding Plan implemented a supplemental fee assessed for each equivalent dwelling unit built within the Frog Pond West neighborhood. This supplemental fee will pay for the construction of the western “local portion” of Stafford Road, including a water and sewer pipeline from Kahle Rd. to Boeckman Rd.
    - ii. City will provide an SDC contribution for the west portion of Stafford Road that exceeds the “local portion” of the road and any oversized portion of the water and sewer pipeline.
    - iii. The west portion of Stafford Road, including the water and sewer pipeline, could be built by the City as a standalone phase of the planned Stafford Road improvements or funded by the City and constructed with the east portion of Stafford Road and/or intersection improvements as part of an agreement with FPE/S local development.
  - b. East Portion of Stafford Road
    - i. Current City policy states developers along Stafford Road are responsible to develop their “local portion” of Stafford Road. Since the relevant Stafford Road frontage serves Frog Pond East, developing the “local portion” of the east side of Stafford Road is the responsibility of the adjacent developers.
    - ii. Also, under current City policy, developers may receive SDC credits for constructing the remainder of the east side of Stafford Road, which exceeds the “local portion” of the road.
    - iii. Establishment of a Frog Pond East per door infrastructure fee to pay for the east portion of Stafford Road, like was implemented in Frog Pond West to pay for the west portion of Stafford Road, is not recommended for the following reasons:



- a) Frog Pond West consisted of many smaller development lots, many internal to the area without direct frontage on the higher classified roadways, such as Boeckman Road and Stafford Road, but such internal developments utilize the facilities and should be responsible for contributing to the “local portion” cost of the western portion of Stafford Road. The Frog Pond West supplemental infrastructure fee allowed for roadway improvements to occur in less phases and an equitable distribution of costs across the entire area. Frog Pond East is dominated by two large development properties with no internal lots without major roadway frontage. As a result, the phasing and equitable distribution of costs issues of Frog Pond West are not present in Frog Pond East and do not necessitate creation of a supplemental infrastructure fee.
  - b) A supplemental infrastructure fee results in major roadway improvements being constructed after development has already occurred. As experienced with Frog Pond West, the City receives numerous complaints from the new residents regarding vehicle speeding, poor neighborhood access, lack of safe pedestrian and bike facilities, and impacts of major road construction when roadway improvements are made after development has occurred. Construction of major roadway improvements as part of development is desirable in order to prevent these types of post-development safety, level of service (LOS), and livability issues.
  - c) As experienced with Frog Pond West, construction cost inflation that occurs between the time the supplemental infrastructure fee is collected and the time the infrastructure improvement is constructed creates a significant funding gap that must be backfilled with other City funds in order to complete the infrastructure project. This results in current City residents and businesses subsidizing the cost responsibilities of private development, which is not in line with City policy that “growth pays for growth.”
  - d) Analysis shown and documented in Attachment 1 finds that there is sufficient SDC revenue generated through development within Frog Pond East and South to pay for both City SDC infrastructure funding responsibilities and SDC credits issued to developers for the “oversized” portion of developer-constructed infrastructure. As a result, a supplemental infrastructure fee is not necessary to assist with funding FPE/S framework projects, including the east portion of Stafford Road.
- c. Stafford/Kahle Roundabout
- i. Current City policy states development along Stafford Road are responsible to ensure the City Level of Service (LOS) standard of LOS D is met for all intersections impacted by the development.
  - ii. Also, under current City policy, developments are responsible for providing mitigation for intersections not meeting LOS D proportional to the impact of the development.



- iii. According to the FPE/S Master Plan, any development in Frog Pond East taking access from Kahle Road will cause the intersection of Stafford Road and Kahle Road to fall below LOS D.
  - iv. The mitigation needed at the Stafford Road and Kahle Road intersection is due to development within Frog Pond West and Frog Pond East, not due to existing or future traffic conditions on Stafford Road. If not for the Frog Pond development, mitigation at this intersection would not be needed and is therefore the responsibility of development within Frog Pond to provide mitigation.
  - v. LOS mitigation at the Stafford Road and Kahle Road intersection is a single-lane roundabout per the FPE/S Master Plan and Wilsonville Transportation System Plan.
  - vi. Based on traffic impacts at this intersection documented in the FPE/S Master Plan, Frog Pond West is responsible for 40% of the project cost and Frog Pond East is responsible for 60% of the project cost.
  - vii. Frog Pond West share of mitigation costs may be provided as SDC credits issued to Frog Pond East developer(s) that build the roundabout project as part of the adjacent development.
  - viii. The roundabout could instead be built by the City pursuant to City CIP prioritization and fund availability. However, in this scenario, development failing to meet LOS standards at the intersection could not occur unless the roundabout is scheduled for completion within two years of certificates of occupancy for homes in the development. In such a scenario, Frog Pond East development will be responsible for contributing to Frog Pond East development's financial responsibility for this roundabout.
- d. Stafford/Brisband Roundabout
- i. According to the FPE/S Master Plan, any development taking access from Brisband Street will cause the intersection of Stafford Road and Brisband Street to fall below LOS D.
  - ii. As with the Stafford/Kahle Roundabout, the mitigation needed at the Stafford Road and Brisband Street intersection is due to development within Frog Pond West and Frog Pond East, not due to existing or future traffic conditions on Stafford Road.
  - iii. LOS mitigation at the Stafford Road and Brisband intersection is a single-lane roundabout per the FPE/S Master Plan and Wilsonville Transportation System Plan.
  - iv. Based on traffic impacts at this intersection documented in the FPE/S Master Plan, Frog Pond West is responsible for 35% of the project cost and Frog Pond East is responsible for 65% of the project cost.
  - v. As with the Stafford/Kahle Roundabout, the Frog Pond West share of mitigation costs may be provided as SDC credits issued to the Frog Pond East developer(s) that build the roundabout project as part of the adjacent development.
  - vi. Also similar to the Stafford/Kahle Roundabout instead of developer(s) building the roundabout, it could be built by the City pursuant to City CIP prioritization and fund availability. However, in this scenario, development failing to meet LOS standards at the intersection could not occur unless the roundabout is scheduled for completion within two years of certificates of occupancy for homes in the development. In such a scenario, Frog Pond East development will be responsible



for contributing to Frog Pond East development’s financial responsibility for this roundabout.

2. Advance Road (including sanitary sewer and water). Advance Road includes a local portion attributable to Frog Pond East and a local portion attributable to Frog Pond South. In addition, there is an oversized portion in excess of the local portion for both East and South. Advance Road improvements also include a roundabout at 60<sup>th</sup> Avenue.
  - a. North Portion of Advance Road
    - i. As with the eastern portion of Stafford Road, developers in Frog Pond East developing adjacent to Advance Road are responsible for the “local portion” of Advance Road, including sanitary sewer and water.
    - ii. Developers may receive SDC credits for constructing the remainder (“oversize portion”) of the north side of Advance Road, which exceeds the “local portion” of the road.
    - iii. Any oversizing of sanitary sewer and water installed by the developers along Advance Road may also be subject to SDC credits.
  - b. South Portion of Advance Road
    - i. The south portion of Advance Road between Wilsonville Road and 63<sup>rd</sup> Avenue was constructed with development of Meridian Creek Middle School. Since that time, the Advance Road roadway cross-section has been modified as part of the FPE/S Master Plan to better match the Boeckman Road roadway cross-section to the west of Stafford Road.
    - ii. Developers in Frog Pond South developing adjacent to Advance Road between Wilsonville Road and 63<sup>rd</sup> Avenue may be required to make improvements to Advance Road consistent with the Advance Road cross-section requirements per the FPE/S Master Plan. Any oversizing would be compensated through SDC credits.
    - iii. The south portion of Advance Road between 63<sup>rd</sup> Avenue and 60<sup>th</sup> Avenue is adjacent to City-owned property planned for a community park. The City, as owner and developer of the property adjacent to Advance Road, is responsible for this section of the south portion of Advance Road as part of the park development.
    - iv. It is preferable to build the south portion of Advance Road between 63<sup>rd</sup> Avenue and 60<sup>th</sup> Avenue concurrent with the developer-funded and constructed north portion of Advance Road. An agreement between the developer and City outlining compensation through City contribution (using available SDC funds) or issuance of SDC credits may be necessary for developer construction of this south portion of Advance Road. Should the City and developer not reach agreement regarding joint construction of both the north and south portions of Advance Road, the south portion can be constructed as a separate, standalone project.
    - v. The properties fronting the south portion of Advance Road between 60<sup>th</sup> Avenue and the east limits of Frog Pond South are largely built out with little opportunity to redevelop in the near future. However, should redevelopment of these properties occur, developers) in Frog Pond South are responsible for the “local portion” of Advance Road. Any oversizing can be compensated through SDC credits. If redevelopment does not occur over time, the City could construct this south



portion of Advance Road utilizing Transportation SDC funds as budget and demand allows.

- c. Advance/60<sup>th</sup> Roundabout
  - i. The FPE/S Master Plan and Wilsonville Transportation System Plan identify a single-lane roundabout at the intersection of Advance Road and 60<sup>th</sup> Avenue, necessary to provide slower speed and improved neighborhood access and visibility.
  - ii. Local development in Frog Pond East or South are responsible for providing the roundabout at the Advance Road and 60<sup>th</sup> Avenue intersection as part of any development that accesses 60<sup>th</sup> Avenue.
  - iii. According to the FPE/S Master Plan, the intersection of Advance Road and 60<sup>th</sup> Avenue is not anticipated to fall below LOS D at full build out.
  - iv. The Advance Road and 60<sup>th</sup> Avenue roundabout is not needed to address level of service performance standards and therefore does not solely address impacts related to development within Frog Pond East and Frog Pond South. As a result, developers may receive SDC credits for constructing the roundabout based on the volume of traffic moving through the intersection not associated with development within Frog Pond East and Frog Pond South.
  - v. Based on traffic impacts at this intersection documented in the FPE/S Master Plan, Frog Pond East is responsible for 27.5% of the project cost, Frog Pond South is responsible for 27.5% of the project cost, and 45% eligible for SDC credit.
  - vi. An agreement between the City and the developer that constructs the roundabout may be necessary to compensate for the proportional project costs from the remaining FPE/S development areas. Formation of a reimbursement district or supplemental infrastructure fee, as discussed later, are potential tools to recoup these costs from future Frog Pond developments accessing 60<sup>th</sup> Avenue.
3. Frog Pond East Neighborhood Park
  - a. In accordance with the City's Comprehensive Plan, Parks and Recreation Master Plan, and Parks SDC methodology, neighborhood parks are provided by local development to serve the immediate neighboring area and are most often owned and maintained by a nearby neighborhood homeowner's association. Community and regional parks that serve the Wilsonville community as a whole are built/funded and maintained by the City.
  - b. The FPE/S Master Plan identifies a neighborhood park near the intersection of 60<sup>th</sup> Avenue and Brisband Street in Frog Pond East.
  - c. The developer of the large parcel south of the BPA easement and north of Advance Road, referred to as the "Azar Property", is responsible for providing the planned neighborhood park.
  - d. As with the east portion of Stafford Road, establishment of a Frog Pond East per door infrastructure fee to pay for the neighborhood park like was implemented in Frog Pond West is not recommended for the same reasons as stated previously, including less parcelized development area, avoiding delayed infrastructure construction, and reducing construction inflation factors.
4. Frog Pond East BPA Easement Trail



- a. The Frog Pond East BPA Easement Trail is included in the Parks SDC methodology at 100% funding and is included in the FPE/S Master Plan. As a result, the trail does not require any contribution from developers beyond the standard Park SDC.
  - b. Under current City policy, developers may receive SDC credits for constructing portions of the BPA Easement Trail adjacent to the development. Local development is responsible for funding and building the trail connections between the development and the BPA Easement Trail in accordance with the FPE/S Master Plan.
5. Frog Pond South Neighborhood Trail
- a. As with the Frog Pond East BPA Easement Trail, the Frog Pond South Neighborhood Trail (Meridian Creek crossing) is included in the Parks SDC methodology at 100% funding and is included in the FPE/S Master Plan. As a result, the trail does not require any contribution from developers beyond the standard Park SDC.
  - b. Developers may receive SDC credits for constructing portions of the South Neighborhood Trail crossing of Meridian Creek adjacent to the development.
6. 60<sup>th</sup> Avenue (including water and storm drainage). 60<sup>th</sup> Avenue includes a local portion attributable to Frog Pond East and a local portion attributable to Frog Pond South. In addition, there is an oversized portion in excess of the local portion for both East and South.
- a. Portion of 60<sup>th</sup> Avenue, North of Advance Road
    - i. As with the eastern portion of Stafford Road, developments in Frog Pond East constructed adjacent to 60<sup>th</sup> Avenue are responsible for the “local portion” of 60<sup>th</sup> Avenue, including water.
    - ii. Developers may receive SDC credits for constructing the remainder (“oversize portion”) of 60<sup>th</sup> Avenue, which exceeds the “local portion” of the road.
    - iii. Any oversizing of water installed by the developers along 60<sup>th</sup> Avenue may also be subject to SDC credits.
  - b. Portion of 60<sup>th</sup> Avenue, South of Advance Road.
    - i. The west portion of 60<sup>th</sup> Avenue between Advance Road and Hazel Street is adjacent to City-owned property for a planned community park. The City is responsible for this section of the west portion of 60<sup>th</sup> Avenue as part of the park development.
    - ii. The west portion of 60<sup>th</sup> Avenue from Hazel Street to the south property boundary, approximately 960 feet south of Hazel Street, fronts property owned by the West Linn-Wilsonville School District (School District). The School District is responsible for the “local portion” of 60<sup>th</sup> Avenue, including water, with any future development on the school-owned property adjacent to 60<sup>th</sup> Avenue.
    - iii. The School District may receive SDC credits for constructing the remainder (“oversize portion”) of the west side of 60<sup>th</sup> Avenue, which exceeds the “local portion” of the road.
    - iv. Currently, the School District does not have plans to further develop the property adjacent to 60<sup>th</sup> Avenue. The City may construct this portion of 60<sup>th</sup> Avenue utilizing Transportation SDCs as funding is available and demand for the project is



- met. Formation of a reimbursement district or supplemental infrastructure fee, as discussed later, are potential tools to recoup the “local portion” of 60<sup>th</sup> Avenue costs from future Frog Pond South developments accessing 60<sup>th</sup> Avenue.
- v. The west portion of 60<sup>th</sup> Avenue, south of the School District property boundary does not exceed the “local portion” of roadway and is the responsibility of adjacent developer(s) to fund and build.
  - vi. As with the north portion of 60<sup>th</sup> Avenue, developments in Frog Pond South constructed adjacent to the east portion of 60<sup>th</sup> Avenue, south of Advance Road, are responsible for the “local portion” of 60<sup>th</sup> Avenue.
  - vii. The properties fronting the east portion of 60<sup>th</sup> Avenue between Advance Road and Hazel Street are largely built out with little opportunity to redevelopment within the near future. However, should redevelopment of these properties occur, developments in Frog Pond South are responsible for the “local portion” of 60<sup>th</sup> Avenue. If redevelopment does not occur over time, the City could construct this east portion of 60<sup>th</sup> Avenue utilizing Transportation SDC funds as budget and demand allows. Formation of a reimbursement district or supplemental infrastructure fee, as discussed later, are potential tools to recoup the “local portion” of 60<sup>th</sup> Avenue costs from future Frog Pond South developments accessing 60<sup>th</sup> Avenue.
  - viii. Developers may receive SDC credits for constructing the remainder (“oversize portion”) of 60<sup>th</sup> Avenue, which exceeds the “local portion” of the road.
  - ix. Any oversizing of water installed by the developers along 60<sup>th</sup> Avenue may also be subject to SDC credits.
- c. 60<sup>th</sup> Avenue Stormwater Pipeline
- i. Under current City policy, stormwater infrastructure within a development area, such as Frog Pond East and South, that serves the development is the responsibility of the local development and is not considered “oversized” unless the infrastructure provides a basin-wide benefit outside the development area, such as a regional stormwater facility.
  - ii. The Kruse Creek drainage basin (Basin K1 in Figure 3 below) south of Advance Road encompasses 60<sup>th</sup> Avenue and areas to east, incorporating only the City-owned property planned for a future community park, west of 60<sup>th</sup> Avenue. The Kruse Creek drainage basin extends north of Advance Road, encompassing a small area centered on 60<sup>th</sup> Avenue. A storm drainage pipeline is envisioned along 60<sup>th</sup> Avenue, serving development within the Kruse Creek drainage basin.
  - iii. The 60<sup>th</sup> Avenue storm drainage pipeline only serves development within Frog Pond East and South and is therefore not considered “oversized”. As a result, a developer is not eligible to receive Storm SDC credits for construction of the 60<sup>th</sup> Avenue storm drainage pipeline.
  - iv. Per the anticipated construction phasing outlined in the FPE/S Infrastructure Funding Plan Technical Appendix (Appendix C), it is likely development will occur within the upper Kruse Creek basin (Basin K1 in Figure 3) in Frog Pond East (north of Advance Road) before Frog Pond South, requiring the developer to construct the offsite portion of the 60<sup>th</sup> Avenue storm drainage pipeline between Advance Road

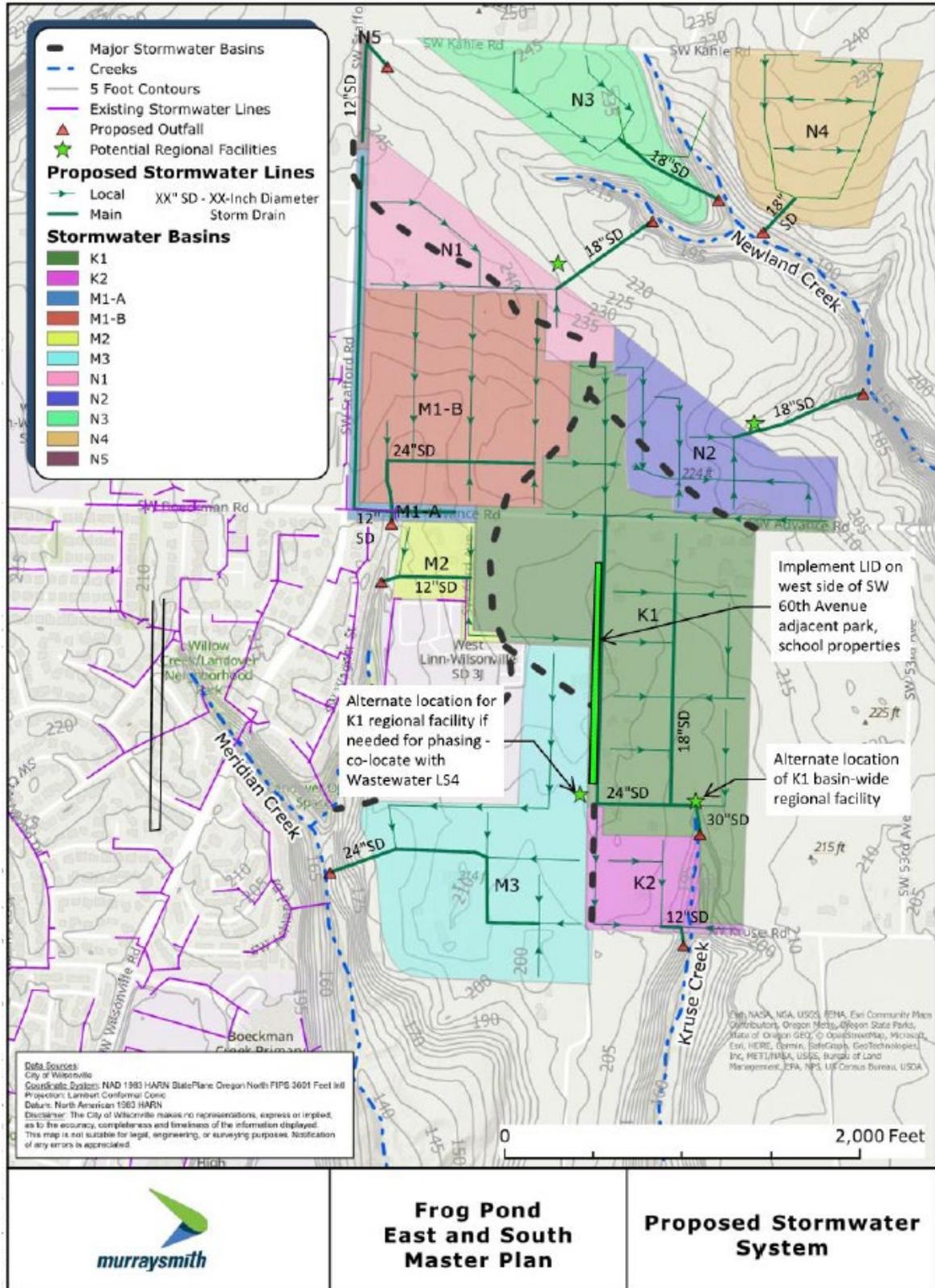


and the Kruse Creek outfall. Formation of a reimbursement district by the developer or creation of a supplemental infrastructure fee for Frog Pond South by the City, as discussed later, are potential tools to reimburse a developer (reimbursement fee) or City (supplemental infrastructure fee) for offsite construction of the 60<sup>th</sup> Avenue storm drainage pipeline should the Kruse Creek basin (Basin K1 in Figure 3) in Frog Pond East develop before Frog Pond South.

- v. The 60<sup>th</sup> Avenue Stormwater Pipeline project is identified as a needed project in the Stormwater Master Plan and is eligible to be added to the Stormwater SDC project list and methodology. If the project is incorporated into the Stormwater SDC project list and methodology prior to installation, the City may construct the stormwater pipeline utilizing Stormwater SDC funds as budget and demand allows, enter into a development agreement to compensate a developer with SDC funds for the portion of the project serving an area larger than the development site, or issue SDC credits to the developer for construction of the oversized portion of the stormwater pipeline as part of a development project.



Figure 3. Proposed Stormwater System, Figure 35 of the Master Plan

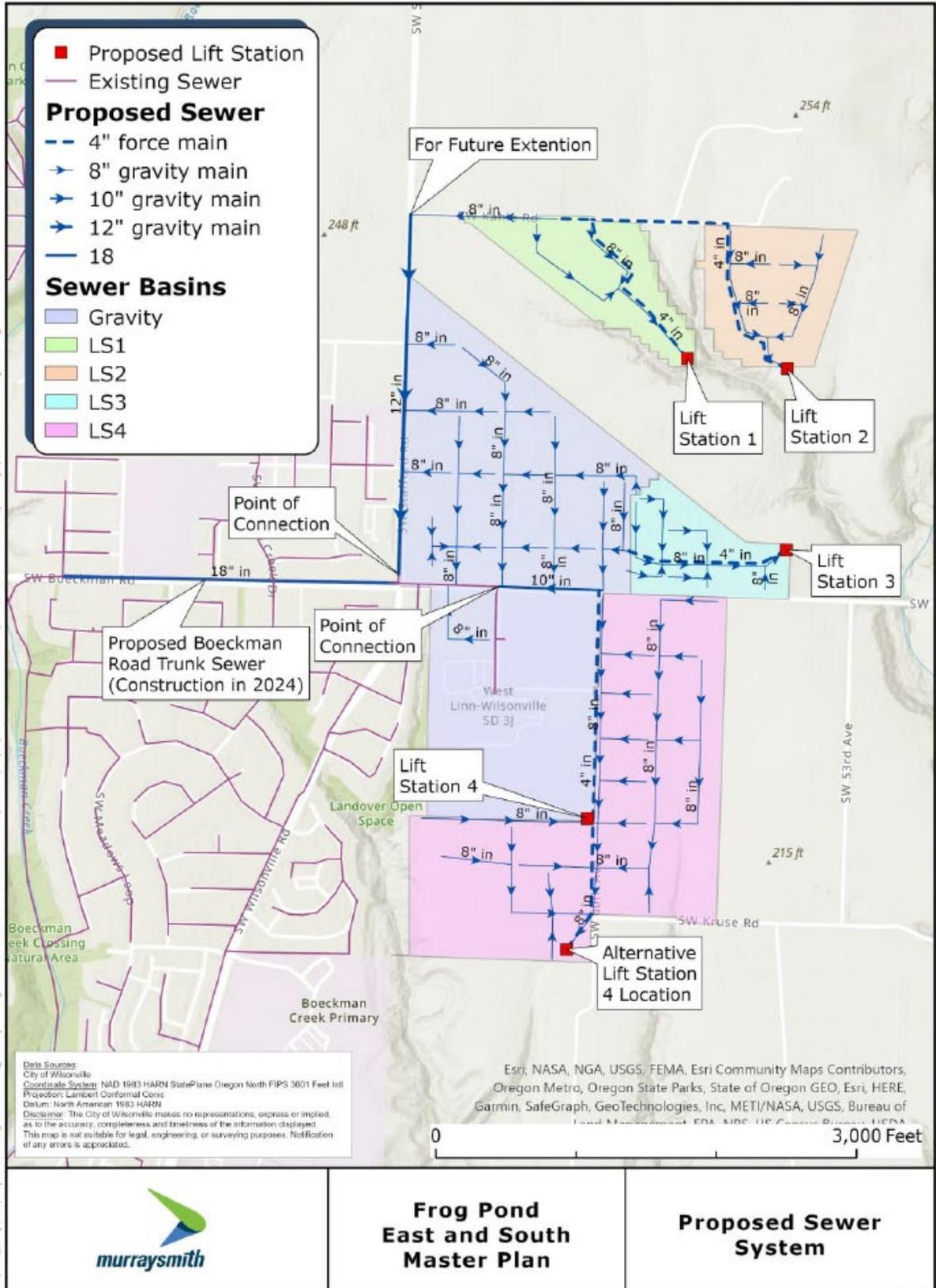




7. Frog Pond East - Kahle East Sanitary Lift Stations (Lift Stations 1 and 2 in Figure 4 below) and Force Main
  - a. The FPE/S Master Plan identifies the need for two sanitary lift stations (Lift Stations 1 and 2 in Figure 4) and 4-inch force main to serve development within Frog Pond East, north of Newland Creek.
  - b. The two sanitary lift stations and force main serve a single, developable property with no potential for an expanded service area in the future. As a result, Frog Pond East development is responsible for providing the two sanitary lift stations and force main and is not eligible to receive Wastewater SDC credits for its construction.
  
8. Frog Pond East - Advance East Sanitary Lift Station (Lift Station 3 in Figure 4 below) and Force Main
  - a. The FPE/S Master Plan identifies the need for a sanitary lift station (Lift Station 3 in Figure 4) and 4-inch force main to serve development at the east end of Frog Pond East, between Newland Creek and Advance Road.
  - b. As with the Kahle East Sanitary Lift Stations (Lift Stations 1 and 2), the Advance East Sanitary Lift Station (Lift Station 3) and force main serve a single, developable property with no potential for an expanded service area in the future and is therefore the Frog Pond East development responsibility and is not eligible to receive Wastewater SDC credits.
  
9. Frog Pond South Sanitary Lift Station (Lift Station 4 in Figure 4 below) and Force Main
  - a. The FPE/S Master Plan identifies the need for a sanitary lift station (Lift Station 4 in Figure 4) and 4-inch force main to serve all development within Frog Pond South, east of 60<sup>th</sup> Avenue and south of the West Linn-Wilsonville School District property.
  - b. The Frog Pond South Sanitary Lift Station (Lift Station 4) and Force Main only serves development within Frog Pond South and is fully the responsibility of development within Frog Pond South to fund the necessary sanitary lift station and force main.
  - c. Any development within Frog Pond South, with the exception of the property west of 63<sup>rd</sup> Avenue, will require the sanitary lift station to provide wastewater service to the area.
  - d. Current City policy would allow the Frog Pond South Sanitary Lift Station (Lift Station 4) and Force Main to be included on the Wastewater SDC project list. If included, the City may construct the lift station and force main utilizing Wastewater SDC funds as budget and demand allows, enter into a development agreement to compensate a developer for the portion of the project serving an area larger than the development site, or issue SDC credits to the developer that constructs the lift station as part of a development project.
  - e. Alternatively, the Frog Pond South sanitary lift station (Lift Station 4) could be omitted from the Wastewater SDC project list. Under this scenario, formation of a reimbursement district by the developer or creation of a supplemental infrastructure fee for Frog Pond South by the City, as discussed later, are potential tools to reimburse a developer (reimbursement district) or City (supplemental infrastructure fee) for construction of the lift station and force main beyond the developer's responsibility for capacity needs to serve their development.



Figure 4. Frog Pond East and South Proposed Sewer System, Figure 34 of the Master Plan





## Recommended Funding Strategy

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As documented in the FPE/S Infrastructure Funding Plan Technical Attachment (Attachment 1), there is sufficient SDC revenue generated through development within Frog Pond East and South to account for both City SDC infrastructure funding responsibilities and SDC credits issued to developers for the “oversized” portion of developer-constructed infrastructure, in accordance with existing City policies and practices for development. Having no other identified funding sources, the City recommends an infrastructure funding strategy for Frog Pond East and South utilizing the traditional methodology whereby the developer constructs the required infrastructure and is issued SDC credits for the “oversized” portion consistent with current City policy. The City further recommends utilizing development agreements to fund developer construction of the City’s identified infrastructure responsibilities where efficiencies, minimized neighborhood impacts, and cost savings can be realized through such an agreement.

It should be noted that if the Frog Pond East & South development and/or infrastructure phasing assumptions change, the City’s required SDC cash flow may be affected and should be reassessed to ensure City SDC commitments can be met as development occurs over time. Consideration of additional funding strategies may be necessary to finance specific projects and ensure adequate funding.

## Additional Funding Sources for Consideration

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Although the FPE/S Infrastructure Funding Plan Technical Attachment (Attachment 1) determined there is sufficient SDC revenue generated in Frog Pond East and South to fund the required infrastructure projects, additional funding strategies may be further considered by the City to assist developers. Use of these strategies would be most relevant with large capital costs early in the Frog Pond East and South development phases, when additional infrastructure funding support is desired by the City, or if there are changes to infrastructure phasing assumptions that affect SDC cash flow as development occurs over time. The following are a number of infrastructure funding strategies that have been assessed as part of this analysis and can be re-examined in the future for implementation within the Frog Pond East and South area as necessary.

### 1. Supplemental Infrastructure Fee

This funding tool was utilized in Frog Pond West and included assessment of a supplemental fee per equivalent dwelling unit (EDU), collected by the City with each building permit and used to build City-led framework infrastructure projects including Boeckman Road, a neighborhood park, and the west side of Stafford Road. This supplemental fee was in lieu of the Frog Pond West developments constructing the “local portion” of these infrastructure improvements as otherwise required.

Frog Pond West consisted of many small parcel ownerships making “framework project” construction by a private developer infeasible and necessitating an alternative to the traditional developer build/SDC credit methodology to provide the needed infrastructure. Also, the City determined that the “framework projects” were not essential to support initial development of Frog Pond West and could be deferred, allowing time for a supplemental fee to accrue until a sufficient fund balance was accumulated to construct the needed infrastructure at a later date.

In practice, construction of deferred “framework projects” through collection of a supplemental fee has not been successful, resulting in a substantial increase in the permit fee package for each new housing unit, rising infrastructure costs over time due to inflation, and under collection of the



supplemental fee leading to City subsidy of the Frog Pond West developments' "local portion" responsibility. As a result, a supplemental infrastructure fee, as implemented in Frog Pond West, is not recommended as a primary tool to assist in construction of infrastructure needed for Frog Pond East and South.

However, should the City be able to identify a sufficient source of funds and there is enough demand for a specific infrastructure project(s), a supplemental infrastructure fee could be established to help reimburse the City's infrastructure expenditures. Once the infrastructure project is constructed, the supplemental infrastructure fee could be established based on the actual project costs and applied over the area that would benefit or be served by the infrastructure. As development occurs within the designated area, the City's infrastructure costs could be reimbursed through collection of the fee with each building permit.

This practice would resolve the delayed infrastructure construction, inflation pressures, and revenue under-collection associated with the supplemental fee as implemented in Frog Pond West. However, the City would have to identify a sufficient source of funds to construct the initial infrastructure project to establish the supplemental fee. Consideration of the timing of development and the potential payback period is recommended prior to implementing such a strategy.

Examples where this funding tool could be implemented include:

- Stafford and Brisband Roundabout – Frog Pond East Fee
- Frog Pond South share of Advance/65<sup>th</sup> Roundabout – Frog Pond South Fee
- 60<sup>th</sup> Ave. Roadway (Advance Rd. – South WLWSD Prop. Boundary) – Frog Pond South Fee
- 60<sup>th</sup> Ave. Storm Pipe (Advance Rd. – Kruse Creek Outfall) – Frog Pond South Fee
- Frog Pond South Sanitary Lift Station & Force Main – Frog Pond South Fee

Notably all these examples are primarily in Frog Pond South. Frog Pond South has some similar conditions as Frog Pond West that make supplemental infrastructure fees a potential option. A primary one is that, unlike Frog Pond East that is mostly in two ownerships, Frog Pond South has many smaller ownerships leading to anticipated incremental development similar to Frog Pond West. This makes the ability for an individual developer to pay for a large infrastructure project that serves a larger area difficult. In addition, some of the Frog Pond South projects, particularly the lift station and force main, need to occur prior to most development, and the likelihood that a single developer would tie up sufficient land for it to make financial sense for the developer to pay for the entire lift station prior to development is low.

## 2. Reimbursement District

A reimbursement district is an area where one party, typically a developer or a City, fronts capital improvements/investment within a designated Zone of Benefit District (ZBD). The party that establishes the reimbursement district, the developer or City, is then partially reimbursed as new land use development approvals are granted within the ZBD over a period that extends up to 10 years from the date of construction of the improvement (see Wilsonville Code 3.116). While ZBDs have been successfully utilized in Wilsonville in the past, the developer or City would want to assess timing of development within the ZBD and the potential payback period within the reimbursement district period, as there is no guarantee that future revenues will be steady and



reliable. For this reason, establishment of a supplemental infrastructure fee would be preferable to a City initiated reimbursement district.

Examples where a developer-initiated reimbursement district could be implemented include:

- Frog Pond South share of Advance/65<sup>th</sup> Roundabout – Frog Pond South ZBD
- 60<sup>th</sup> Ave. Roadway (Advance Rd. – South WLWSD Prop. Boundary) – Frog Pond South ZBD
- 60<sup>th</sup> Ave. Storm Pipe (Advance Rd. – Kruse Creek Outfall) – Frog Pond South ZBD
- Frog Pond South Sanitary Lift Station & Force Main – Frog Pond South ZBD

### 3. Local Improvement District (LID)

Cities in Oregon have the statutory authority to establish local improvement districts within city limits and levy special assessments on the benefited property to pay for improvements. These are payable in annual installments for up to 30 years. LIDs are generally used for capital improvement projects that involve numerous large tenants and/or private property owners.

The advantage of LIDs is the ability to attain a consistent level of revenue generation early in the development process. Financial intermediaries, such as banks, now view LIDs as a more reliable funding source than some funding sources (such as SDCs) and therefore are more apt to provide loans based on future LID revenue streams. LIDs also allow a developer to spread the infrastructure cost over the development period with the ability to pay the balance at the time the profits are realized from the development, avoiding high upfront capital expenditures at the start of a development project.

LID assessments become a lien on real property until they are paid in full at the time of property transaction, development, or final installation payment. LIDs cannot be established outside jurisdictional boundaries, so annexation and developer agreements may be necessary to implement LIDs in expansion areas. Additionally, Oregon law (ORS 223) and Wilsonville Code require several procedural steps, including notice and public hearing, prior to establishing a LID. Thus, developer and property owner support is key for successful LID implementation. Furthermore, any lending obtained for City projects within a LID will likely require full faith and credit of the City, and so City liabilities have to be evaluated before obtaining financing backed by a LID.

While not a necessary tool to implement in Frog Pond East and South, local improvement districts could be utilized to build the framework infrastructure for larger construction projects instead of a phased approach with each development. This would result in potentially more efficient, less costly infrastructure construction, with reduced impacts to traffic and neighboring residents. These projects include:

- Stafford Road
- Advance Road (including sanitary sewer and water)
- 60<sup>th</sup> Avenue (including water and storm drainage)
- Frog Pond South Sanitary Lift Station & Force Main

### 4. Direct CIP Investment Using Citywide SDCs

Under this scenario, the City constructs “framework projects” utilizing SDCs collected from development across the City. Many of the framework projects are included within the City’s Capital Improvement Program and are eligible to be funded with SDCs. While the City does utilize SDC



funds on eligible projects as the funds accrue over time, the SDC funds cannot typically supplant infrastructure funding that is the responsibility of the developer. Because SDCs are used to fund needed capacity improvement projects across the City, the Frog Pond infrastructure projects need to be prioritized and balanced with other infrastructure needs throughout the City. SDC funds collected from development in Frog Pond East and South will not necessarily go to fund area-specific projects, just as not all SDC funds that will pay for Frog Pond East and South projects will come from development within Frog Pond East and South.

This tool is challenging to implement in Frog Pond East and South as many of the “framework projects” are needed to be in place prior to or as development occurs. This means the City would need to have enough SDC funds on hand to construct the needed infrastructure with development. SDC fees are typically collected at the time of building permit, after infrastructure is already in place, meaning the SDCs needed to construct the “framework projects” would be solely limited to fees collected from development in other parts of the City. In addition, the Frog Pond “framework projects” may not have a higher priority than needed infrastructure in other parts of the City, placing further demand on available SDC funds.

5. Localized Supplemental SDCs

In addition to citywide SDCs specific to each infrastructure system, a special district or overlay supplemental SDC for each relevant infrastructure system may be considered in the area. Like citywide SDCs, the supplemental SDC can only be used to fund the “oversize” portion of the constructed infrastructure. Typically, a supplemental SDC is considered for implementation when there is not enough SDC revenue within a district to fund the needed infrastructure to serve the development area. Per the analysis in Appendix C, FPE/S generates sufficient SDC revenue and a supplemental SDC is not necessary to fund the needed infrastructure.

6. Localized Utility Rate Surcharge

Though not previously used in Wilsonville, area-specific supplemental utility rates for water, sewer, storm, parks and/or transportation facilities are a way to raise local revenues to pay for infrastructure capital costs or operations within a defined district. Rate surcharges require approval and adoption by the City Council and must meet state and local regulations.

There is a heightened administrative cost to collect the surcharge over time and the higher rates increase monthly costs for residents of the defined district over an extended period. Any added monthly costs for future rate payers in the area would need to not be unreasonably high and burdensome, otherwise default rates and costs for collections would increase beyond the relative reduction of housing affordability for residents.

While not a necessary tool to implement in Frog Pond East and South, a utility rate surcharge could be utilized to reimburse the cost of framework infrastructure projects. Careful consideration prior to implementation is needed as the utility rate surcharge cannot be assessed outside of jurisdictional boundaries and shifts the infrastructure funding responsibility from the developer to the future homeowner. However, a utility rate surcharge does provide a more stable, predictable source of revenue than other infrastructure funding tools, such as a reimbursement district.

Examples where a localized utility rate surcharge could be used are:

- 60<sup>th</sup> Ave. Water line – Frog Pond South
- Frog Pond South Sanitary Lift Station & Force Main – Frog Pond South



7. Urban Renewal District

There may be opportunities to utilize funding from the creation of a new Frog Pond Area Urban Renewal District (URD). A key advantage of URD funding is that it is less restrictive than SDCs with respect to the uses of funds. As such, URDs can be used to fund almost any form of capital investment that is authorized by the adopted URD plan. City of Wilsonville urban renewal funding for Frog Pond is not likely, due to the City's urban renewal task force identifying investments elsewhere in the City as higher priority. This tool should be re-evaluated for use in FPE/S if the other infrastructure funding tools are not resulting in the development envisioned for this area or is not generating sufficient infrastructure funding.

8. Grants and Investments by Other Governments

To the extent available, grants should be continuously evaluated and where applicable, aggressively pursued for use within FPE/S. There is a great need for infrastructure funding across the region, resulting in grant opportunities that are highly competitive and currently, have a low chance of award. As a result, the FPE/S infrastructure funding does not include any grant funding as part of the financial analysis. However, the City will continue to partner with the development community to pursue grants or other funding opportunities in the coming years to help offset the infrastructure costs needed to support development within FPE/S.

## Conclusion and Next Steps

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With exact timing and costs of infrastructure development still unknown, the FPE/S Funding Plan to be adopted by Council will rely primarily on existing policies and provide a menu of options for use, in partnership with developers, to fund framework infrastructure over time. As land use entitlements are pursued the City will partner with developer(s) to establish specific financing plans and agreements for the subject development(s) using the framework established in this Funding Plan.

## Attachments:

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Attachment 1: Technical Attachment

Attachment 2: Supporting Documentation for Technical Attachment

# FROG POND EAST AND SOUTH INFRASTRUCTURE FUNDING PLAN TECHNICAL ATTACHMENT

This document details the Frog Pond East and South infrastructure estimated costs, assesses the amount of revenue generated by anticipated development, and includes the technical analysis necessary to inform the Frog Pond East and South Funding Plan. This analysis is representative of the City's existing policies and practices for development where developers construct the improvements and pay for the "local portion" of infrastructure required to serve their development and receive credits against future system development charges (SDCs) for the "oversized" portion of the constructed infrastructure. Care was taken by consultants and staff to be as accurate as reasonable in developing the assumptions and calculations used to inform this technical analysis. However, these assumptions are based on the most accurate information available at the time of this analysis and may not reflect the actual magnitude of development, cost of infrastructure, or timing of construction. Calculations and analysis were performed by FCS Group with input from City staff and are summarized as follows.

## Section 1 Assumptions and Inputs

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The Frog Pond East and South Infrastructure Funding Plan include assumptions, such as timing of development and type of private development, that are based on a "reasonable worst case" development scenario. The analysis assumes that the least amount of development will occur over the longest timeframe. However, it is likely that a greater amount of development will occur over a shorter period of time, resulting in greater revenue generation to support infrastructure construction on an earlier timeframe.

### Timing of Development

The Project Team assigned each area of development a five-year time increment representing when development is most likely to occur between 2025 and 2045 (see **Figure 1: Anticipated Construction Phasing for Infrastructure Planning**). This development timing is based upon the availability of infrastructure necessary to serve the development area, as well as discussions with developers and property owners regarding the level of interest in property development and where interest exists, the desired timeframe for development to occur.



## Amount and Type of Development

The Frog Pond East and South Master Plan (Master Plan) adopted by Wilsonville City Council in December 2022 contemplates the addition of at least 1,325 housing units and 22,000 square feet of commercial development at ultimate buildout. While development of Frog Pond East and South will likely result in a greater number of housing units (1800 units) and commercial floor area (44,000 square feet), these minimum values provide the basis for the infrastructure funding plan technical analysis, representing the most conservative revenue generation to construct needed infrastructure projects.

The 1325 housing units represent the minimum number of units required by Metro as a condition of approval for the addition of the Frog Pond East and South area to the Urban Growth Boundary in 2018. The 22,000 square feet of commercial area represents half of the 44,000 square feet of retail estimated in the Master Plan.

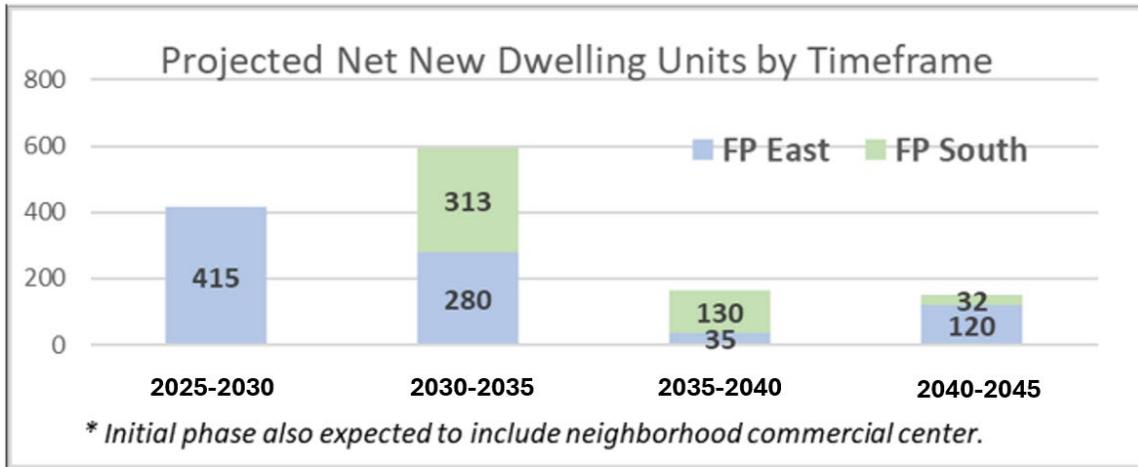
Table 1 below further refines the anticipated development by mix of residential unit types per the Master Plan. Each development is then categorized into the 5-year phasing timeline sub-areas as shown in Figure 1. The total number of housing units for each 5-year increment is provided in Table 2. The assumption for the minimum build-out scenario is developers would prefer to construct detached single-family and this unit type would be maximized (at 60% net area development). The analysis assumes that the developer's second preferred housing type to build in this area is townhouses and that other unit types (including multi-family, ADUs, cottage clusters, and plexes) would be added as required or where site geometry, site access, or utility constraints (i.e. the need for a private sewer pump station) makes sense for their development.

**Table 1: Projected Minimum Net New Development by Timeframe**

Timing	Single Family Homes	Townhomes	Apartments	Small Lot (Cottages)	Subtotal (for SDCs)	ADUs	Total Housing	Commercial
<b>Phase 2025-2030</b>								
Frog Pond East	137 DUs	92 DUs	181 DUs	1 DUs	411 DUs	4 DUs	415 DUs	22,000 SF
Frog Pond South	0 DUs	0 DUs	0 DUs	0 DUs	0 DUs	0 DUs	0 DUs	
<b>Phase 2030-2035</b>								
Frog Pond East	122 DUs	104 DUs	23 DUs	6 DUs	255 DUs	25 DUs	280 DUs	
Frog Pond South	130 DUs	121 DUs	22 DUs	8 DUs	281 DUs	32 DUs	313 DUs	
<b>Phase 2035-2040</b>								
Frog Pond East	16 DUs	11 DUs	7 DUs	0 DUs	34 DUs	1 DUs	35 DUs	
Frog Pond South	55 DUs	43 DUs	0 DUs	6 DUs	104 DUs	26 DUs	130 DUs	
<b>Phase 2040 - 2045</b>								
Frog Pond East	50 DUs	47 DUs	2 DUs	4 DUs	103 DUs	17 DUs	120 DUs	
Frog Pond South	12 DUs	12 DUs	4 DUs	1 DUs	29 DUs	3 DUs	32 DUs	
<b>Total</b>								
Frog Pond East	325 DUs	254 DUs	213 DUs	11 DUs	803 DUs	47 DUs	850 DUs	22,000 SF
Frog Pond South	197 DUs	176 DUs	26 DUs	15 DUs	414 DUs	61 DUs	475 DUs	
<b>GRAND TOTAL</b>	<b>522 DUs</b>	<b>430 DUs</b>	<b>239 DUs</b>	<b>26 DUs</b>	<b>1,217 DUs</b>	<b>108 DUs</b>	<b>1,325 DUs</b>	<b>22,000 SF</b>

\* Source: Wilsonville planning staff, November 20, 2023. ADUs = accessory dwelling units. DU = dwelling units.

**Figure 2. Bar Chart of Projected New Dwellings**



### Planned Infrastructure

The Master Plan identifies all public infrastructure that is necessary to support development of the Frog Pond East and South area. The following figures document these needs by infrastructure type, including transportation, parks and trails, sewer, water, and stormwater. Each figure is followed by a table summarizing the assumed year of construction, estimated infrastructure costs prepared by DKS Associates and Consor Engineers, LLC, and the responsible share of infrastructure costs between the City and the developer.

The assumed year of infrastructure construction is based on the construction of infrastructure necessary to serve the development sub-areas at the anticipated development timeframe identified in Figure 1. Detailed infrastructure cost estimates and cost share calculations and assumptions are provided in the Supporting Documents section below.

Transportation

Figure 3. Transportation Layout from Frog Pond East and South Master Plan



**Table 2. Frog Pond East and South Transportation Project List with Timing and Costs**

Timing	Project Name	Project Type	Builder	Total Cost Estimate	City Costs		Developer Costs		Notes
					CIP or Other Funds	SDC Credits	FP East	FP South	
2025-2030	Stafford Road	Urban Upgrade	Developer	\$ 3,421,575	\$ -	\$ 585,089	\$ 2,836,486	\$ -	
2030-2035	Stafford Road / Kahle	Roundabout	Developer	\$ 4,500,000	\$ -	\$ 1,800,000	\$ 2,700,000	\$ -	
2025-2030	Stafford Road / Brisband	Roundabout	Developer	\$ 4,500,000	\$ -	\$ 1,575,000	\$ 2,925,000	\$ -	
2025-2030	Advance Road (North Side - 800 ft)	Urban Upgrade	Developer	\$ 1,252,695	\$ -	\$ 261,813	\$ 990,882	\$ -	
2030-2035	Advance road (North Side - 1700 ft)	Urban Upgrade	Developer	\$ 2,661,978	\$ -	\$ 556,353	\$ 2,105,625	\$ -	
2035-2040	Advance road (North Side - 250 ft)	Urban Upgrade	Developer	\$ 391,467	\$ -	\$ 81,817	\$ 309,650	\$ -	
2030-2035	Advance road (South Side - 850 ft)	Urban Upgrade	Developer	\$ 1,534,651	\$ -	\$ 425,098	\$ -	\$ 1,109,553	
2030-2035	Advance road (South Side - 750 ft)	Urban Upgrade	City	\$ 1,354,103	\$ 1,354,103	\$ -	\$ -	\$ -	1
2040-2045	Advance road (South Side - 500 ft)	Urban Upgrade	Developer	\$ 902,735	\$ -	\$ -	\$ -	\$ 902,735	
2030-2035	Advance Road/60th Avenue	Roundabout	Developer	\$ 2,900,000	\$ -	\$ 1,305,000	\$ 797,500	\$ 797,500	2
2030-2035	60th Avenue (South of Advance)	Neighborhood Collector	City	\$ 6,839,040	\$ 3,419,520	\$ 382,986	\$ -	\$ 3,036,534	3
2030-2035	60th Avenue (North of Advance)	Neighborhood Collector	Developer	\$ 2,235,840	\$ -	\$ 382,329	\$ 1,853,511	\$ -	
<b>Totals</b>				<b>\$ 32,494,084</b>	<b>\$ 4,773,623</b>	<b>\$ 7,355,486</b>	<b>\$ 14,518,654</b>	<b>\$ 5,846,321</b>	
<i>Notes:</i>									
1. ROW adjacent to City Park Property									
2. Developer constructs roundabout with Frog Pond East.									
3. ROW adjacent to City Park and School District Property									
Source: City of Wilsonville Engineering Division.									

### Parks/Trails

Figure 4. Park Layout from Frog Pond East and South Master Plan

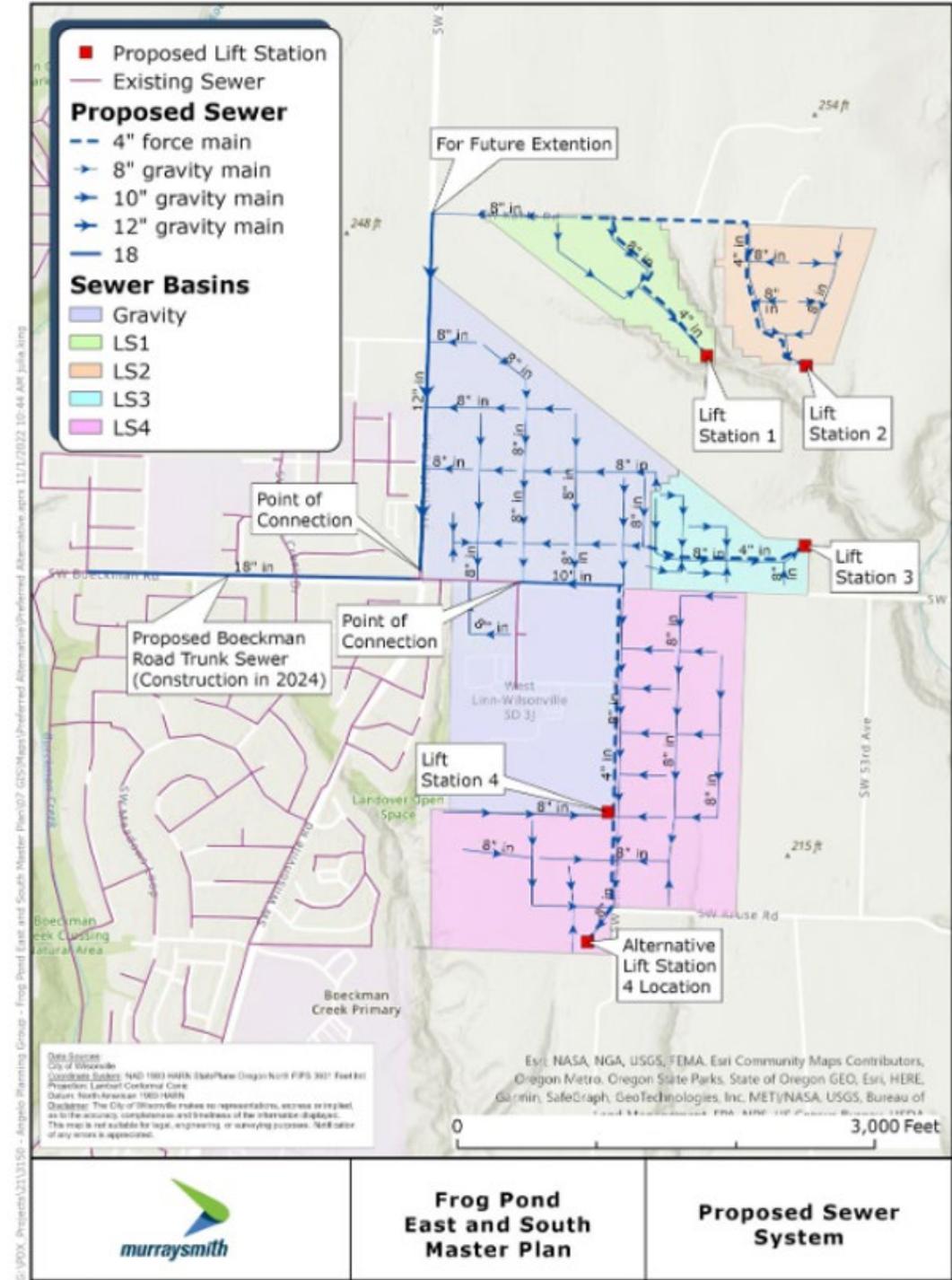


**Table 3. Frog Pond East and South Trails Project List with Timing and Costs**

Timing	Project Name	Project Type	Builder	Total Cost Estimate	City Costs		Developer Costs		Notes
					CIP or Other Funds	SDC Credits	FP East	FP South	
2030-2035	Frog Pond East	Trails	Developer	\$ 2,373,525	\$ -	\$ 2,373,525	\$ -	\$ -	1
2030-2035	Frog Pond South	Trails	Developer	\$ 2,244,060	\$ -	\$ 2,244,060	\$ -	\$ -	1
<b>Totals</b>				<b>\$ 4,617,585</b>	<b>\$ -</b>	<b>\$ 4,617,585</b>	<b>\$ -</b>	<b>\$ -</b>	
<i>Notes:</i>									
1. Trail neighborhood connection costs not included and are responsibility of developer to fund and construct.									
Source: City of Wilsonville Engineering Division.									

Sanitary Sewer

Figure 5. Sanitary Sewer Layout from Frog Pond East and South Master Plan

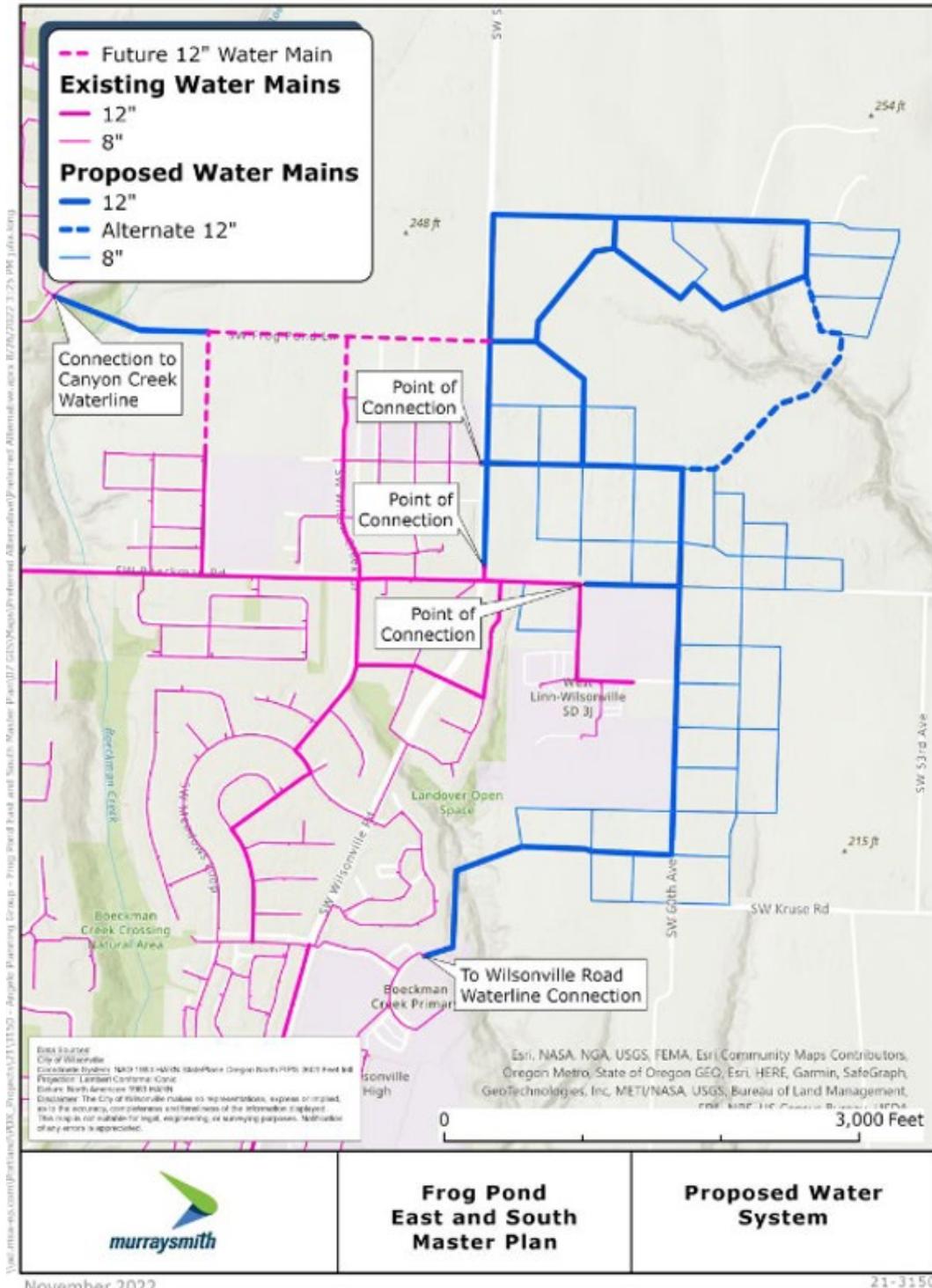


**Table 4. Frog Pond East and South Sanitary Sewer Project List with Timing and Costs**

Timing	Project Name	Project Type	Builder	Total Cost Estimate	City Costs		Developer Costs		Notes
					CIP or Other Funds	SDC Credits	FP East	FP South	
2025-2030	Advance Road	10" Sewer Main	Developer	\$ 492,230	\$ -	\$ 46,171	\$ 446,059	\$ -	
2025-2030	Stafford Road	12" Sewer Main	Developer	\$ 1,447,380	\$ -	\$ 212,910	\$ 1,234,470	\$ -	
2030-2035	Kahle West Neighborhood	Lift Station & Force Main	Developer	\$ 3,178,660	\$ -	\$ -	\$ 3,178,660	\$ -	
2040-2045	Kahle East Neighborhood	Lift Station & Force Main	Developer	\$ 2,485,400	\$ -	\$ -	\$ 2,485,400	\$ -	
2030-2035	Advance East Neighborhood	Lift Station & Force Main	Developer	\$ 2,485,400	\$ -	\$ -	\$ 2,485,400	\$ -	
2030-2035	South Neighborhood	Lift Station & Force Main	City	\$ 2,764,064	\$ -	\$ -	\$ -	\$ 2,764,064	1
<b>Totals</b>				<b>\$ 12,853,134</b>	<b>\$ -</b>	<b>\$ 259,081</b>	<b>\$ 9,829,989</b>	<b>\$ 2,764,064</b>	
<i>Notes:</i>									
1. Project needed in advance to serve entirety of Frog Pond South development area									
Source: City of Wilsonville Engineering Division.									

Water

Figure 6. Water Layout from Frog Pond East and South Master Plan

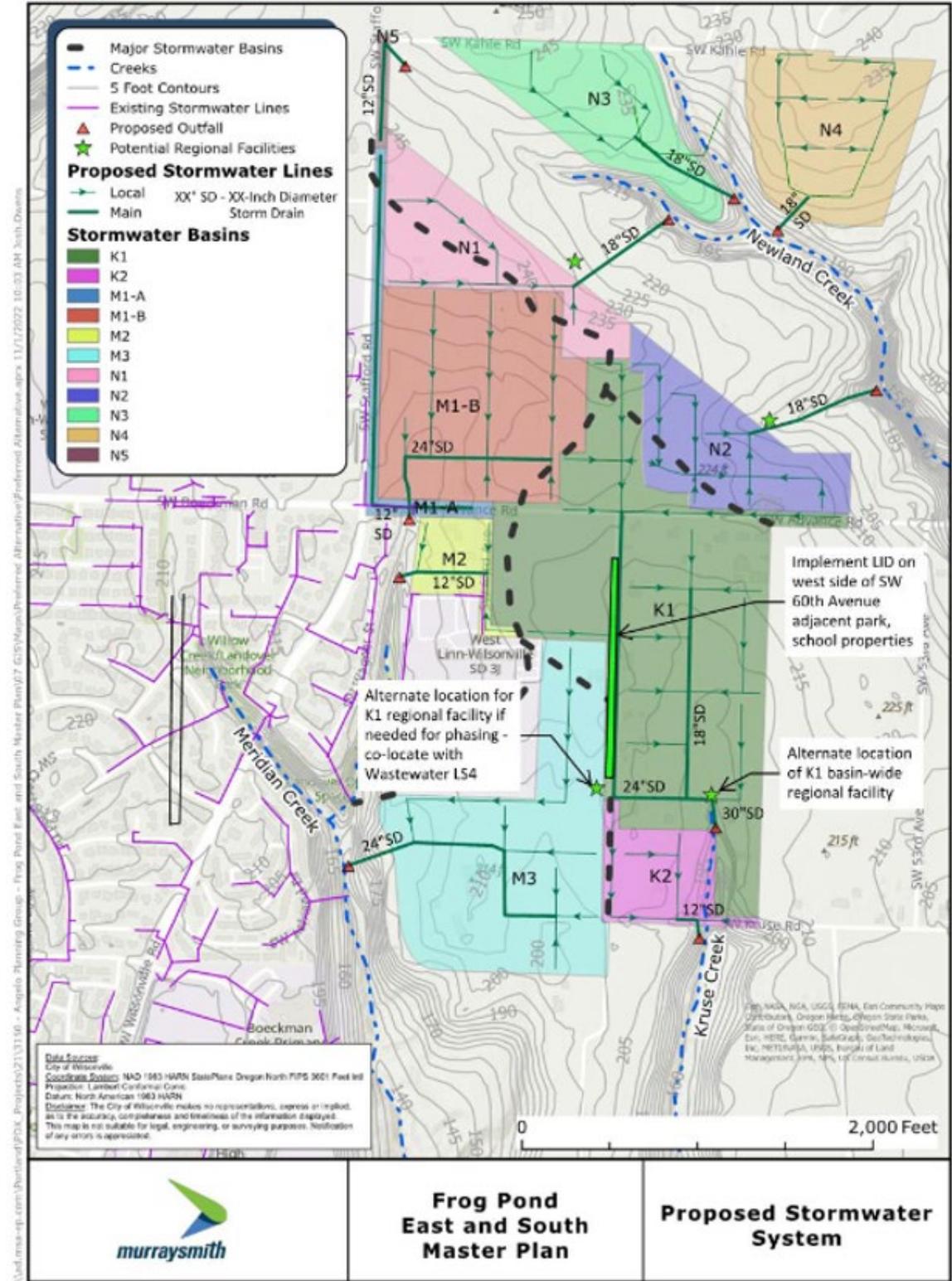


**Table 5. Frog Pond East and South Water Project List with Timing and Costs**

Timing	Project Name	Project Type	Builder	Total Cost Estimate	City Costs		Developer Costs		Notes
					CIP or Other Funds	SDC Credits	FP East	FP South	
2025-2030	Stafford Road	12" main	Developer	\$ 1,170,620	\$ -	\$ 386,305	\$ 784,315	\$ -	
2030-2035	Advance Road	12" main	Developer	\$ 425,680	\$ -	\$ 140,474	\$ 285,206	\$ -	
2030-2035	Kahle West Neighborhood	12" main - Kahle Road	Developer	\$ 585,310	\$ -	\$ 193,152	\$ 392,158	\$ -	
2030-2035	Kahle West Neighborhood	12" main - Interior	Developer	\$ 601,800	\$ -	\$ 198,594	\$ 403,206	\$ -	
2040-2045	Kahle East Neighborhood	12" main	Developer	\$ 1,311,720	\$ -	\$ 432,868	\$ 878,852	\$ -	
2030-2035	SW 60th Avenue, Brisband	12" main	Developer	\$ 1,504,500	\$ -	\$ 496,485	\$ 1,008,015	\$ -	
2030-2035	Frog Pond West Extension	12" main	Developer	\$ 372,470	\$ -	\$ 122,915	\$ 249,555	\$ -	
2030-2035	Boeckman Creek X-ing (Frog Pond Lane)	12" main	City	\$ 1,360,000	\$ 1,360,000	\$ -	\$ -	\$ -	
2030-2035	60th Avenue (South of Advance)	12" main	City	\$ 1,755,250	\$ -	\$ 579,233	\$ -	\$ 1,176,018	1
2030-2035	Meridian Creek X-ing	12" main	City	\$ 340,000	\$ -	\$ 112,200	\$ -	\$ 227,800	1
<b>Totals</b>				<b>\$ 9,427,350</b>	<b>\$ 1,360,000</b>	<b>\$ 2,662,226</b>	<b>\$ 4,001,307</b>	<b>\$ 1,403,818</b>	
<i>Notes:</i>									
1. Project needed in advance to serve entirety of Frog Pond South development area									
Source: City of Wilsonville Engineering Division.									

Stormwater

Figure 7. Stormwater Layout from Frog Pond East and South Master Plan



**Table 6. Frog Pond East and South Stormwater Project List with Timing and Costs**

Timing	Basin / Project Name	Project Type	Builder	Total Cost Estimate	City Costs		Developer Costs		Notes
					CIP or Other Funds	SDC Credits	FP East	FP South	
2025-2030	K1 / Advance/60th	30" Storm Main	City	\$ 249,008	\$ -	\$ -	\$ 62,252	\$ 186,756	1
2025-2030	K1 / Advance/60th	24" Storm Main	City	\$ 1,359,925	\$ -	\$ -	\$ 339,981	\$ 1,019,944	1
2030-2035	K1 / Advance/60th	18" Storm Main	Developer	\$ 837,795	\$ -	\$ -	\$ -	\$ 837,795	
2025-2030	K1 / East of 60th, South of Advance	24" Storm Main	City	\$ 796,670	\$ -	\$ -	\$ 199,168	\$ 597,503	1
2025-2030	K1 / East of 60th, South of Advance	18" Storm Main	Developer	\$ 2,903,600	\$ -	\$ -	\$ -	\$ 2,903,600	
2030-2035	K1 / East of 60th, South of Advance	Regional Facility	City	\$ 475,125	\$ -	\$ -	\$ -	\$ 475,125	
2025-2030	K1	30" Outfall	City	\$ 131,250	\$ -	\$ -	\$ 32,813	\$ 98,438	1
2030-2035	K2	Storm Mains	Developer	\$ 1,304,256	\$ -	\$ -	\$ -	\$ 1,304,256	
2025-2030	M1	Storm Mains, Outfall	Developer	\$ 4,021,918	\$ -	\$ -	\$ 4,021,918	\$ -	
2030-2035	M2	Storm Mains, Outfall	Developer	\$ 767,575	\$ -	\$ -	\$ -	\$ 767,575	
2035-2040	M3	24" Storm Main	Developer	\$ 609,140	\$ -	\$ -	\$ -	\$ 609,140	
2035-2040	M3	18" Storm Main	Developer	\$ 369,600	\$ -	\$ -	\$ -	\$ 369,600	
2030-2035	M3	18" Storm Main	Developer	\$ 1,924,808	\$ -	\$ -	\$ -	\$ 1,924,808	
2025-2030	M3	24" Outfall	Developer	\$ 131,250	\$ -	\$ -	\$ -	\$ 131,250	
2025-2030	N1	Storm Mains, Regional Facility, Outfall	Developer	\$ 659,225	\$ -	\$ -	\$ 659,225	\$ -	
2025-2030	N1	18" Storm Main	Developer	\$ 1,924,808	\$ -	\$ -	\$ 1,924,808	\$ -	
2030-2035	N2	Storm Mains, Regional Facility, Outfall	Developer	\$ 2,485,196	\$ -	\$ -	\$ 2,485,196	\$ -	
2030-2035	N3	Storm Mains, Outfall	Developer	\$ 2,279,571	\$ -	\$ -	\$ 2,279,571	\$ -	
2040-2045	N4	Storm Mains, Outfall	Developer	\$ 2,127,148	\$ -	\$ -	\$ 2,127,148	\$ -	
2030-2035	N5	Storm Mains, Outfall	Developer	\$ 350,259	\$ -	\$ -	\$ 350,259	\$ -	
<b>Totals</b>				<b>\$ 25,708,127</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 14,482,338</b>	<b>\$ 11,225,789</b>	
<i>Notes:</i>									
1. Project needed in advance to serve a portion of Frog Pond East development area									
Source: City of Wilsonville Engineering Division.									

Table 7 summarizes the previously detailed transportation, parks and trails, sewer, water, and storm water infrastructure timing and cost estimate tables, and totals the complete infrastructure costs to serve Frog Pond East and South for both the City and developer responsibilities by 5-year increment of development phasing.

**Table 7: Summary of Estimated Infrastructure Cost by 5-Year Phase and Type**

Timing	Total Cost Estimate	City Costs		Developer Costs	
		CIP or Other Funds	SDC Credits	FP East	FP South
<b>Phase 2025-2030</b>	<b>\$ 24,462,154</b>	<b>\$ -</b>	<b>\$ 3,067,288</b>	<b>\$ 16,457,376</b>	<b>\$ 4,937,490</b>
Transportation	\$ 9,174,270	\$ -	\$ 2,421,903	\$ 6,752,367	\$ -
Trails	\$ -	\$ -	\$ -	\$ -	\$ -
Sanitary Sewer	\$ 1,939,610	\$ -	\$ 259,081	\$ 1,680,529	\$ -
Water	\$ 1,170,620	\$ -	\$ 386,305	\$ 784,315	\$ -
Stormwater	\$ 12,177,654	\$ -	\$ -	\$ 7,240,164	\$ 4,937,490
<b>Phase 2030-2035</b>	<b>\$ 52,440,916</b>	<b>\$ 6,133,623</b>	<b>\$ 11,312,405</b>	<b>\$ 20,573,861</b>	<b>\$ 14,421,027</b>
Transportation	\$ 22,025,612	\$ 4,773,623	\$ 4,851,767	\$ 7,456,636	\$ 4,943,586
Trails	\$ 4,617,585	\$ -	\$ 4,617,585	\$ -	\$ -
Sanitary Sewer	\$ 8,428,124	\$ -	\$ -	\$ 5,664,060	\$ 2,764,064
Water	\$ 6,945,010	\$ 1,360,000	\$ 1,843,053	\$ 2,338,139	\$ 1,403,818
Stormwater	\$ 10,424,585	\$ -	\$ -	\$ 5,115,026	\$ 5,309,559
<b>Phase 2035-2040</b>	<b>\$ 1,370,207</b>	<b>\$ -</b>	<b>\$ 81,817</b>	<b>\$ 309,650</b>	<b>\$ 978,740</b>
Transportation	\$ 391,467	\$ -	\$ 81,817	\$ 309,650	\$ -
Trails	\$ -	\$ -	\$ -	\$ -	\$ -
Sanitary Sewer	\$ -	\$ -	\$ -	\$ -	\$ -
Water	\$ -	\$ -	\$ -	\$ -	\$ -
Stormwater	\$ 978,740	\$ -	\$ -	\$ -	\$ 978,740
<b>Phase 2040-2045</b>	<b>\$ 6,827,003</b>	<b>\$ -</b>	<b>\$ 432,868</b>	<b>\$ 5,491,400</b>	<b>\$ 902,735</b>
Transportation	\$ 902,735	\$ -	\$ -	\$ -	\$ 902,735
Trails	\$ -	\$ -	\$ -	\$ -	\$ -
Sanitary Sewer	\$ 2,485,400	\$ -	\$ -	\$ 2,485,400	\$ -
Water	\$ 1,311,720	\$ -	\$ 432,868	\$ 878,852	\$ -
Stormwater	\$ 2,127,148	\$ -	\$ -	\$ 2,127,148	\$ -
<b>Totals</b>	<b>\$ 85,100,280</b>	<b>\$ 6,133,623</b>	<b>\$ 14,894,377</b>	<b>\$ 42,832,288</b>	<b>\$ 21,239,992</b>

Source: City of Wilsonville Engineering Division.

## Section 2 System Development Charge Revenue Analysis

Development within the Frog Pond East and South area will generate revenue in the form of System Development Charges (SDC) to fund citywide infrastructure capacity improvements across all of the City’s public infrastructure systems, including transportation, parks, water, sewer, and storm water. Table 8 below summarizes the anticipated SDC revenue to be generated by each residential unit type and commercial floor area within Frog Pond East and South. These revenues are based on current SDC methodology and rates structure in place at the time of this analysis and do not reflect potential SDC fee updates in the future, including annual inflation corrections. Actual SDC revenue generated within Frog Pond East and South will be based on the SDC methodology and rates in place at the time building permits for approved development projects are issued. The purpose of this analysis is to compare anticipated SDC revenue at current rates against the present day cost of planned infrastructure.

**Table 8 Current System Development Charges by Development Type**

Public Facility Type	Single Family Detached	Townhome or Small Lot	Apartment Unit	Commerical (1000 SF)*	Notes
Transportation	\$16,099	\$9,630	\$11,076	\$36,484	1
Parks	\$14,000	\$14,000	\$9,404	\$583.96	2
Sanitary Sewer	\$6,631	\$6,631	\$4,975	\$19,235	3
Water	\$11,492	\$11,492	\$7,309	\$8,358	4
Stormwater	\$2,227	\$1,485	\$742	\$1,245	5
ISA per unit	1,500 SF	1,000 SF	500 SF	1,500 SF	
<i>Acornyms: kSF = 1,000 square feet of building floor area, ISA = impervious surface area</i>					
Notes:	*commerical based on 1,000 SF of retail commerical.				
	1 Charge per EDU for non res. And per dwelling unit for res.				
	2 Charge per 1000 SF for non res. And per dwelling unit for res.				
	3 Single family charge assumes 5/8" x 3/4" meter size				
	4 Water SDC for SFD with 5/8" x 3/4" meter, assumes 2" meter for Apt. & Com. Bldgs.				
	5 Charge per SF of impervious surface area (ISA)				
Source: Adopted Wilsonvilled Charges.					

Based on the number and type of residential dwelling units and anticipated commercial floor space within Frog Pond East and South as identified in Table 1, the total estimated SDC revenue for each type of infrastructure on 5-year increments of development phasing is provided in Table 9.

**Table 9. Estimated Frog Pond East and South SDC Revenue**

	Single Family Homes	Town- homes	Apartments	Small Lot (Cottages)	Total Residential	Commerical	Total
<b>Phase 2025-2030</b>							
Transportation	\$ 2,205,563	\$ 885,960	\$ 2,004,756	\$ 9,630	\$ 5,105,909	\$ 802,648	\$ 5,908,557
Parks	\$ 1,918,000	\$ 1,288,000	\$ 1,702,124	\$ 14,000	\$ 4,922,124	\$ 12,847	\$ 4,934,971
Santiary Sewer	\$ 908,447	\$ 610,052	\$ 900,475	\$ 6,631	\$ 2,425,605	\$ 423,170	\$ 2,848,775
Water	\$ 1,574,404	\$ 1,057,264	\$ 1,322,929	\$ 11,492	\$ 3,966,089	\$ 183,876	\$ 4,149,965
Stormwater	\$ 305,099	\$ 136,620	\$ 134,302	\$ 1,485	\$ 577,506	\$ 27,390	\$ 604,896
<b>Phase 2030-2035</b>							
Transportation	\$ 4,056,948	\$ 2,166,750	\$ 498,420	\$ 134,820	\$ 6,856,938	\$ -	\$ 6,856,938
Parks	\$ 3,528,000	\$ 3,150,000	\$ 423,180	\$ 196,000	\$ 7,297,180	\$ -	\$ 7,297,180
Santiary Sewer	\$ 1,671,012	\$ 1,491,975	\$ 223,875	\$ 92,834	\$ 3,479,696	\$ -	\$ 3,479,696
Water	\$ 2,895,984	\$ 2,585,700	\$ 328,905	\$ 160,888	\$ 5,971,477	\$ -	\$ 5,971,477
Stormwater	\$ 561,204	\$ 334,125	\$ 33,390	\$ 20,790	\$ 949,509	\$ -	\$ 949,509
<b>Phase 2035-2040</b>							
Transportation	\$ 1,143,029	\$ 520,020	\$ 77,532	\$ 57,780	\$ 1,798,361	\$ -	\$ 1,798,361
Parks	\$ 994,000	\$ 756,000	\$ 65,828	\$ 84,000	\$ 1,899,828	\$ -	\$ 1,899,828
Santiary Sewer	\$ 470,801	\$ 358,074	\$ 34,825	\$ 39,786	\$ 903,486	\$ -	\$ 903,486
Water	\$ 815,932	\$ 620,568	\$ 51,163	\$ 68,952	\$ 1,556,615	\$ -	\$ 1,556,615
Stormwater	\$ 158,117	\$ 80,190	\$ 5,194	\$ 8,910	\$ 252,411	\$ -	\$ 252,411
<b>Phase 2040 - 2045</b>							
Transportation	\$ 998,138	\$ 568,170	\$ 66,456	\$ 48,150	\$ 1,680,914	\$ -	\$ 1,680,914
Parks	\$ 868,000	\$ 826,000	\$ 56,424	\$ 70,000	\$ 1,820,424	\$ -	\$ 1,820,424
Santiary Sewer	\$ 411,122	\$ 391,229	\$ 29,850	\$ 33,155	\$ 865,356	\$ -	\$ 865,356
Water	\$ 712,504	\$ 678,028	\$ 43,854	\$ 57,460	\$ 1,491,846	\$ -	\$ 1,491,846
Stormwater	\$ 138,074	\$ 87,615	\$ 4,452	\$ 7,425	\$ 237,566	\$ -	\$ 237,566
<b>Total</b>							
Transportation	\$ 8,403,678	\$ 4,140,900	\$ 2,647,164	\$ 250,380	\$ 15,442,122	\$ 802,648	\$16,244,770
Parks	\$ 7,308,000	\$ 6,020,000	\$ 2,247,556	\$ 364,000	\$ 15,939,556	\$ 12,847	\$15,952,403
Santiary Sewer	\$ 3,461,382	\$ 2,851,330	\$ 1,189,025	\$ 172,406	\$ 7,674,143	\$ 423,170	\$ 8,097,313
Water	\$ 5,998,824	\$ 4,941,560	\$ 1,746,851	\$ 298,792	\$ 12,986,027	\$ 183,876	\$13,169,903
Stormwater	\$ 1,162,494	\$ 638,550	\$ 177,338	\$ 38,610	\$ 2,016,992	\$ 27,390	\$ 2,044,382
<b>GRAND TOTAL</b>	<b>\$ 26,334,378</b>	<b>\$ 18,592,340</b>	<b>\$ 8,007,934</b>	<b>\$ 1,124,188</b>	<b>\$ 54,058,840</b>	<b>\$ 1,449,931</b>	<b>\$55,508,771</b>

Source: City of Wilsonville SDC rates as of 12/1/2023.

Table 10 below compares the SDC revenue generated over the estimated construction timeframe for Frog Pond East and South against the SDC credits due to the developer for infrastructure “oversizing” as shown in Table 7. The analysis indicates that sufficient SDC revenue is generated within Frog Pond East and South to cover the SDC credits due to the developer for each 5 year increment of development phasing.

Table 10 Summary of SDC Revenue and Credits by 5-year Phasing and Infrastructure Type

	Gross SDC Revenue	Less Developer SDC Credits	Net SDC Revenue
<b>Phase 2025-2030</b>			
Transportation	\$5,908,557	(\$2,421,903)	\$3,486,654
Parks	\$4,934,971	\$0	\$4,934,971
Santiary Sewer	\$2,848,775	(\$259,081)	\$2,589,694
Water	\$4,149,965	(\$386,305)	\$3,763,660
Stormwater	\$604,896	\$0	\$604,896
<b>Phase 2030-2035</b>			
Transportation	\$6,856,938	(\$4,851,767)	\$2,005,171
Parks	\$7,297,180	(\$4,617,585)	\$2,679,595
Santiary Sewer	\$3,479,696	\$0	\$3,479,696
Water	\$5,971,477	(\$1,843,053)	\$4,128,424
Stormwater	\$949,509	\$0	\$949,509
<b>Phase 2035-2040</b>			
Transportation	\$1,798,361	(\$81,817)	\$1,716,544
Parks	\$1,899,828	\$0	\$1,899,828
Santiary Sewer	\$903,486	\$0	\$903,486
Water	\$1,556,615	\$0	\$1,556,615
Stormwater	\$252,411	\$0	\$252,411
<b>Phase 2040 - 2045</b>			
Transportation	\$1,680,914	\$0	\$1,680,914
Parks	\$1,820,424	\$0	\$1,820,424
Santiary Sewer	\$865,356	\$0	\$865,356
Water	\$1,491,846	(\$432,868)	\$1,058,978
Stormwater	\$237,566	\$0	\$237,566
<b>Total</b>			
Transportation	\$16,244,770	(\$7,355,486)	\$8,889,284
Parks	\$15,952,403	(\$4,617,585)	\$11,334,818
Santiary Sewer	\$8,097,313	(\$259,081)	\$7,838,232
Water	\$13,169,903	(\$2,662,226)	\$10,507,678
Stormwater	\$2,044,382	\$0	\$2,044,382
<b>GRAND TOTAL</b>	<b>\$55,508,771</b>	<b>(\$14,894,377)</b>	<b>\$40,614,394</b>

Table 11 below compares the net SDC revenue generated in Frog Pond East and South after developer credits are issued against the City's SDC contribution to Frog Pond East and South infrastructure projects as provided in Table 7. Generally, the SDC revenue collected within Frog Pond East and South is adequate to cover the City's responsibility for capital outlay of all infrastructure types and all 5-year increments of development phasing with the exception of Transportation improvements between the 2030-35 timeframe. During this development phase, the City's SDC funding responsibility for transportation infrastructure projects exceeds the estimated SDC revenue to be collected. However, the prior development phase timeframe, 2025-30, generates sufficient SDC revenue to account for City infrastructure responsibilities during this earlier timeframe and the projected shortage in the 2030-35 timeframe.

Table 11 Summary of SDC Revenue by Frog Pond East &amp; South Capital Outlay

	Net SDC Revenue	Less Frog Pond Capital Outlay	SDC Revenue for Citywide CIP
<b>Phase 2025-2030</b>			
Transportation	\$3,486,654	\$0	\$3,486,654
Parks	\$4,934,971	\$0	\$4,934,971
Saniary Sewer	\$2,589,694	\$0	\$2,589,694
Water	\$3,763,660	\$0	\$3,763,660
Stormwater	\$604,896	\$0	\$604,896
<b>Phase 2030-2035</b>			
Transportation	\$2,005,171	(\$4,773,623)	(\$2,768,452)
Parks	\$2,679,595	\$0	\$2,679,595
Saniary Sewer	\$3,479,696	\$0	\$3,479,696
Water	\$4,128,424	(\$1,360,000)	\$2,768,424
Stormwater	\$949,509	\$0	\$949,509
<b>Phase 2035-2040</b>			
Transportation	\$1,716,544	\$0	\$1,716,544
Parks	\$1,899,828	\$0	\$1,899,828
Saniary Sewer	\$903,486	\$0	\$903,486
Water	\$1,556,615	\$0	\$1,556,615
Stormwater	\$252,411	\$0	\$252,411
<b>Phase 2040 - 2045</b>			
Transportation	\$1,680,914	\$0	\$1,680,914
Parks	\$1,820,424	\$0	\$1,820,424
Saniary Sewer	\$865,356	\$0	\$865,356
Water	\$1,058,978	\$0	\$1,058,978
Stormwater	\$237,566	\$0	\$237,566
<b>Total</b>			
Transportation	\$8,889,284	(\$4,773,623)	\$4,115,661
Parks	\$11,334,818	\$0	\$11,334,818
Saniary Sewer	\$7,838,232	\$0	\$7,838,232
Water	\$10,507,678	(\$1,360,000)	\$9,147,678
Stormwater	\$2,044,382	\$0	\$2,044,382
<b>GRAND TOTAL</b>	<b>\$40,614,394</b>	<b>(\$6,133,623)</b>	<b>\$34,480,771</b>

## Section 3 Summary of Findings

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Under the City's existing policies and practices for development, there is sufficient SDC revenue generated through development within Frog Pond East and South to account for both City SDC infrastructure funding responsibilities and SDC credits issued to developers for the "oversized" portion of developer constructed infrastructure. As a result, consideration of additional infrastructure funding options is not required under current City policy and practice, but may be further considered by the City to assist developers with potentially large capital costs early in the Frog Pond East and South development phases and when additional support is desired by the City. It should be noted that if the Frog Pond East & South development and/or infrastructure phasing assumption made as part of this analysis change, the City's required SDC cash flow may be affected and should be reassessed to ensure City SDC commitments can be met as development occurs overtime.

# FROG POND EAST AND SOUTH INFRASTRUCTURE FUNDING PLAN SUPPORTING DOCUMENTATION FOR TECHNICAL ATTACHMENT

## Transportation

### Transportation Improvements Funding

Facility Name	Project	Total Capital Cost (2023\$)	Local Elements (non creditable) %	TSDC Credit %	CIP Funds %	Developer Cost \$	TSDC Credit \$	City Cost \$	Total Cost \$
<b>STAFFORD ROAD (East Side)</b>	Urban Upgrade	\$ 3,421,575	82.9%	17.1%	0.0%	\$ 2,836,486	\$ 585,089	\$ -	<b>\$ 3,421,575</b>
<b>STAFFORD ROAD/ KAHLE ROAD</b>	Roundabout	\$ 4,500,000	60.0%	40.0%	0.0%	\$ 2,700,000	\$ 1,800,000	\$ -	<b>\$ 4,500,000</b>
<b>STAFFORD ROAD/ BRISBAND STREET</b>	Roundabout	\$ 4,500,000	65.0%	35.0%	0.0%	\$ 2,925,000	\$ 1,575,000	\$ -	<b>\$ 4,500,000</b>
<b>ADVANCE ROAD/60TH AVENUE</b>	Roundabout	\$ 2,900,000	55.0%	45.0%	0.0%	\$ 1,595,000	\$ 1,305,000	\$ -	<b>\$ 2,900,000</b>
<b>ADVANCE ROAD (North Side)</b>	Urban Upgrade	\$ 4,306,140	79.1%	20.9%	0.0%	\$ 3,406,157	\$ 899,983	\$ -	<b>\$ 4,306,140</b>
<b>ADVANCE ROAD (South Side)</b>	Urban Upgrade	\$ 3,791,489	53.1%	11.2%	35.7%	\$ 2,012,287	\$ 425,098	\$ 1,354,104	<b>\$ 3,791,489</b>
<b>60th AVENUE (North Side)</b>	Neighborhood Collec	\$ 2,235,840	82.9%	17.1%	0.0%	\$ 1,853,511	\$ 382,329	\$ -	<b>\$ 2,235,840</b>
<b>60th AVENUE (South Side)</b>	Neighborhood Collec	\$ 6,839,040	44.4%	5.6%	50.0%	\$ 3,036,534	\$ 382,986	\$ 3,419,520	<b>\$ 6,839,040</b>
<b>TOTAL COST</b>		<b>\$32,494,084</b>				<b>\$20,364,975</b>	<b>\$ 7,355,485</b>	<b>\$ 4,773,624</b>	<b>\$32,494,084</b>

### Transportation Improvements Funding Assumptions:

STAFFORD ROAD (EAST SIDE)



Total Right of Way Width (East Side) = 41 feet

Developer Responsibility (Local Portion)

- 20 feet of Pavement
  - Travel Lane = 11 feet
  - Bike Lane = 7 feet
  - Median = 2 feet
- 9 feet of Planter
- 5 feet of Sidewalk

Total = 34 feet (82.9%)

Oversized Portion (SDC Credit Eligible)

- 4 feet of Median
- 3 feet of Sidewalk

Total = 7 feet (17.1%)

STAFFORD/KAHLE ROUNDABOUT

Kahle West Traffic = 65 trips  
 Kahle East Traffic = 95 trips  
 Total Traffic = 160

Frog Pond East Developer Responsibility = 95/160 (60%)

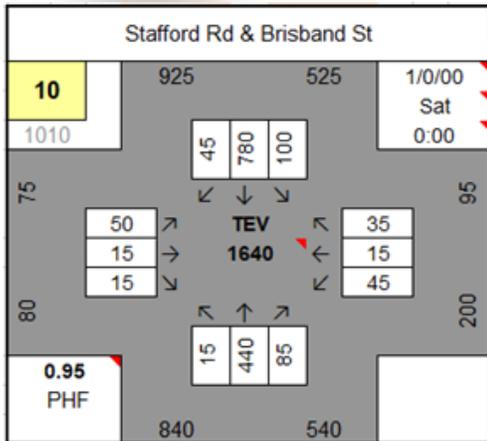
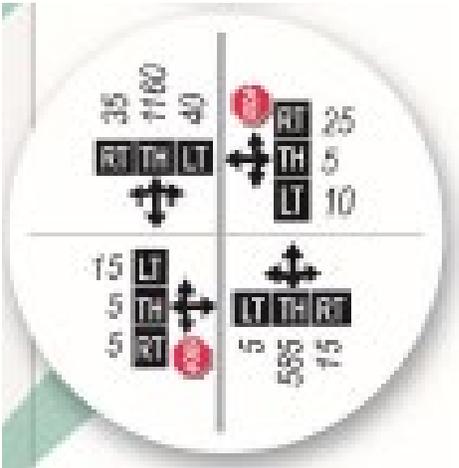
Frog Pond West Responsibility = 65/160 (40%)

Note: Not included in Frog Pond West Infrastructure Fee, so eligible for TSDC Credit.

STAFFORD/BRISBAND ROUNDABOUT

STAFFORD RD/BRISBAND ST	LOS D	0.85	>120	A/F
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STAFFORD RD/KAHLE RD	LOS D	0.65	>120	B/F
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Brisband West Traffic = 140 trips

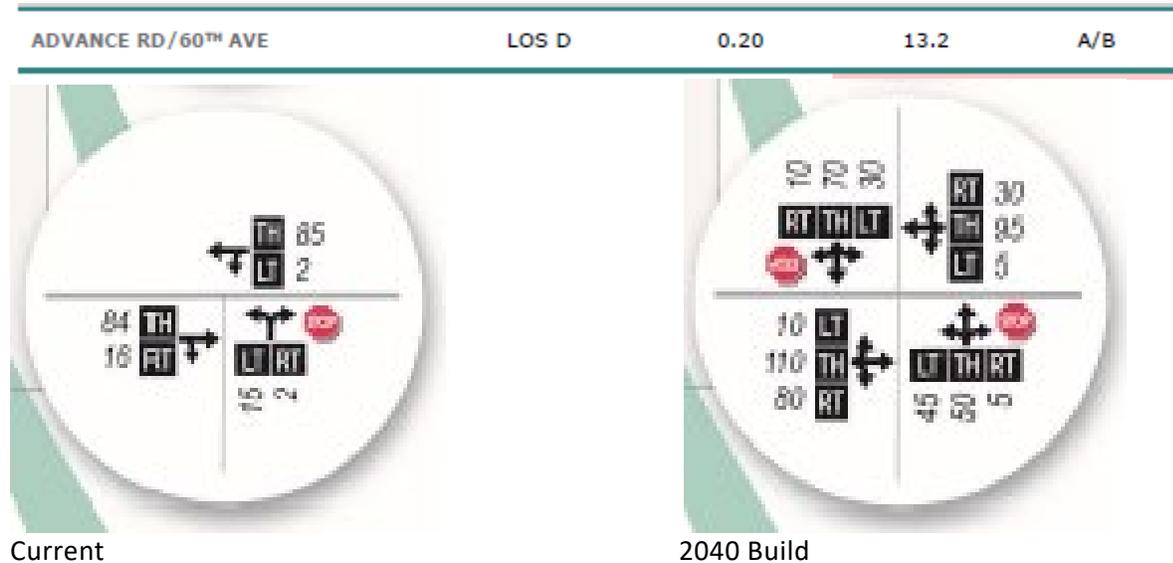
Brisband East Traffic = 260 trips  
 Total Traffic = 400 trips

Frog Pond East Developer Responsibility 260/400 (65%)

Frog Pond West Responsibility 140/400 (35%)

Note: Not included in Frog Pond West Infrastructure Fee, so eligible for TSDC Credit.

ADVANCE/60TH ROUNDABOUT



Frog Pond East New Development Traffic = 150 trips  
 Frog Pond South New Development Traffic = 150 trips  
 Frog Pond South Existing Traffic = 35 trips  
 Advance Road Through Traffic = 205 trips

Roundabout is for safety and circulation, not for capacity. As a result, the portion of the roundabout serving existing traffic unrelated to development can be eligible for TSDC Credit.

Frog Pond East Developer Responsibility 150/540 (27.5%)  
 Frog Pond South Developer Responsibility 150/540 (27.5%)  
 Frog Pond Developer Responsibility Total 300/540 (55.0%)

TSDC Credit Eligible 240/540 (45.0%)

ADVANCE ROAD (NORTH SIDE)

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.



Total Right of Way Width (North Side) = 43 feet

Developer Responsibility (Local Portion)

- 20 feet of Pavement
  - Travel Lane = 11 feet
  - Bike Lane = 9 feet
- 9 feet of Planter
- 5 feet of Sidewalk

Total = 34 feet (79.1%)

Oversized Portion (SDC Credit Eligible)

- 6 feet of Median
- 3 feet of Sidewalk

Total = 9 feet (20.9%)

ADVANCE ROAD (SOUTH SIDE)

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.



Total Right of Way Width (South Side) = 47 feet

Developer Responsibility (Local Portion)

Oversized Portion (SDC Credit Eligible)

20 feet of Pavement  
 Travel Lane = 11 feet  
 Bike Lane = 9 feet  
 9 feet of Planter  
 5 feet of Sidewalk

6 feet of Median  
 7 feet of Sidewalk

Total = 34 feet (72.3%)

Total = 13 feet (27.7%)

Undeveloped Property West of 63<sup>rd</sup> Avenue – Advance Road Frontage = 500 feet  
 Frontage already improved with Meridian Creek Middle School Construction  
 However, Advance Road Crosssection Modified with Frog Pond East and South Master Plan  
 Advance Road Frontage Modifications are Anticipated with Development, but not oversized.  
 Developer responsible for 100% of Advance Road Frontage

Planned Frog Pond Park – Advance Road Frontage = 750 feet  
 City responsible for 100% of Advance Road Frontage

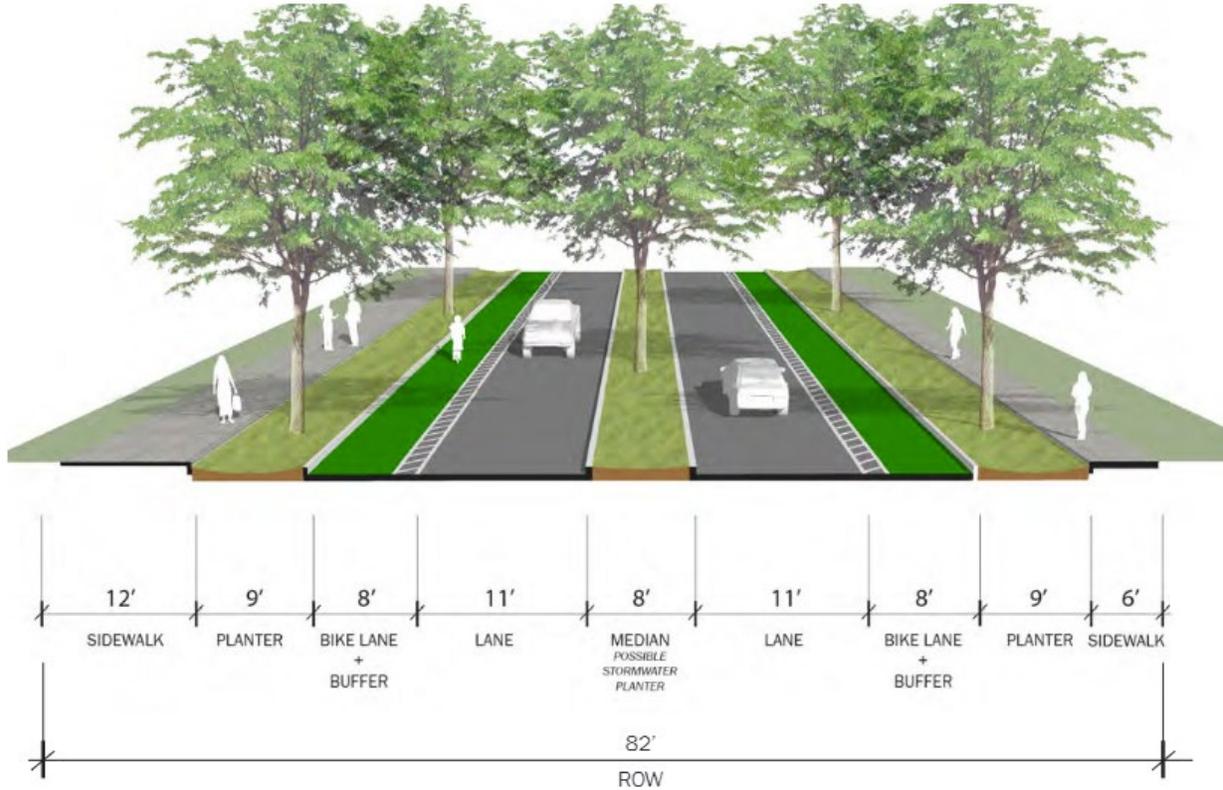
Remainder of Advance Road Frontage = 850 feet  
 Developer responsible for Local Portion, with Oversized Portion Eligible for SDC Credit

City Transportation CIP = 750/2100 (35.7143%)

Developer Responsibility =  $(500/2100) * 100\% + (850/2100) * 72.3\% = (53.07381\%)$   
 Oversized Portion (SDC Credit Eligible) =  $(850/2100) * 27.7\% = (11.2119\%)$

60<sup>TH</sup> AVENUE (NORTH OF ADVANCE ROAD)

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



### SW 60TH AVENUE

Total Right of Way Width (West Side) = 44 feet

Developer Responsibility (Local Portion)

- 20 feet of Pavement
  - Travel Lane = 11 feet
  - Bike Lane = 8 feet
  - Median = 1 feet

9 feet of Planter  
 5 feet of Sidewalk

Total = 34 feet (77.3%)

Oversized Portion (SDC Credit Eligible)

- 3 feet of Median
- 7 feet of Sidewalk

Total = 10 feet (22.7%)

Total Right of Way Width (East Side) = 38 feet

Developer Responsibility (Local Portion)

- 20 feet of Pavement
  - Travel Lane = 11 feet
  - Bike Lane = 8 feet
  - Median = 1 feet
- 9 feet of Planter
- 5 feet of Sidewalk

Total = 34 feet (89.5%)

Oversized Portion (SDC Credit Eligible)

- 3 feet of Median
- 1 feet of Sidewalk

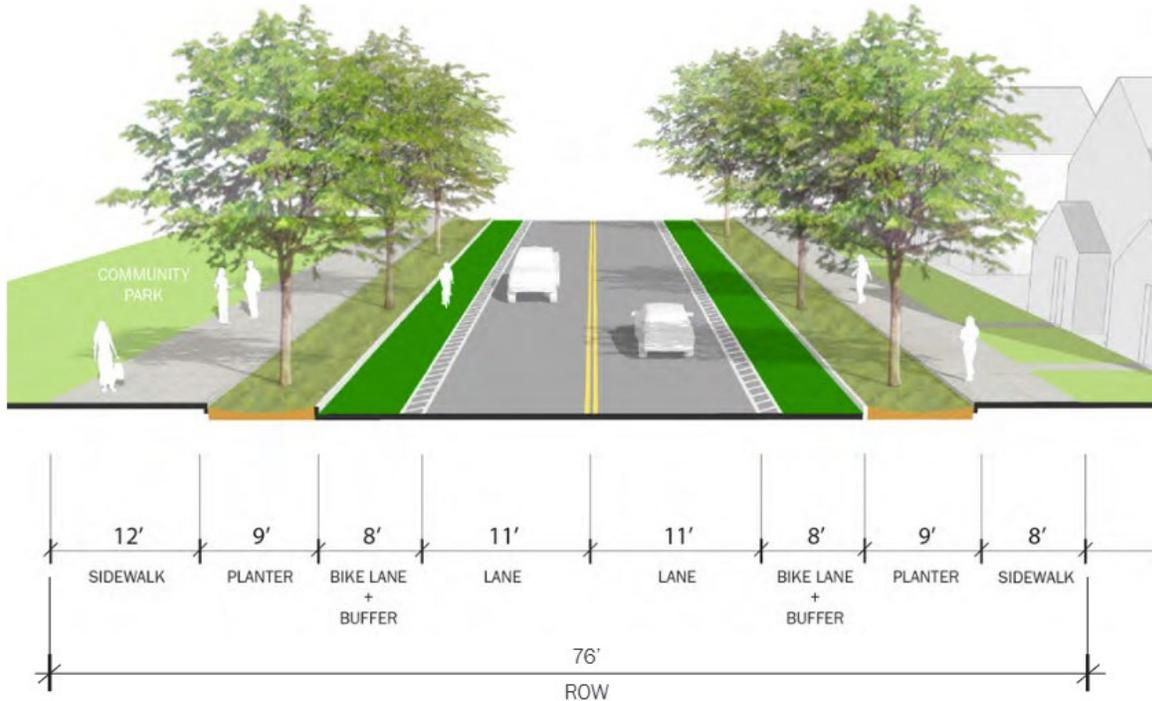
Total = 4 feet (10.5%)

Total Developer Responsibility (Local Portion) = 68/82 (82.9%)

Total Oversized Portion (SDC Credit Eligible) = 14/82 (17.1%)

60<sup>TH</sup> AVENUE (SOUTH OF ADVANCE ROAD)

Figure 24. Cross Section of SW 60th Avenue Collector



**SW 60TH AVENUE COLLECTOR**

The entirety of the west half of the 60<sup>th</sup> Avenue fronts the Planned Frog Pond Park owned by the City of Wilsonville and the already developed Meridian Creek Middle School property owned by the

West Linn-Wilsonville School District. For the purposes of this analysis, it is assumed that the City will be 100% responsible of the 60<sup>th</sup> Avenue Road Frontage.

Total Right of Way Width (East Side) = 36 feet

Developer Responsibility (Local Portion)

- 20 feet of Pavement
  - Travel Lane = 11 feet
  - Bike Lane = 8 feet
  - Sidewalk = 1 feet
- 9 feet of Planter
- 5 feet of Sidewalk

Total = 34 feet (94.4%)

Oversized Portion (SDC Credit Eligible)

- 2 feet of Sidewalk

Total = 2 feet (5.6%)

Total

City Transportation CIP = 50%

Developer Responsibility = 44.4%

Oversized Portion (SDC Credit Eligible = 5.6%

Parks

Parks Improvements Funding

Facility Name	Project	Total Capital Cost (2023\$)	Local Elements (non creditable) %	Parks SDC Credit %	CIP Funds %	Developer Cost \$	Parks SDC Credit \$	City Cost \$	Total Cost \$
FROG POND EAST NEIGHBORHOOD	Trails	\$ 2,373,525	0.0%	100.0%	0.0%	\$ -	\$ 2,373,525	\$ -	\$ 2,373,525
FROG POND SOUTH NEIGHBORHOOD	Trails	\$ 2,244,060	0.0%	100.0%	0.0%	\$ -	\$ 2,244,060	\$ -	\$ 2,244,060
<b>TOTAL COST</b>		<b>\$ 4,617,585</b>				<b>\$ -</b>	<b>\$ 4,617,585</b>	<b>\$ -</b>	<b>\$ 4,617,585</b>

Parks Improvements Funding Assumptions:

FROG POND EAST NEIGHBORHOOD TRAILS

BPA Trail is 100% Parks SDC Credit Eligible.

Connections between the BPA Trail and neighborhood is 100% developer responsibility.

FROG POND SOUTH NEIGHBORHOOD TRAILS

Main Trail is 100% Parks SDC Credit Eligible.

Connections between the Main Trail and neighborhood is 100% developer responsibility.

Sanitary Sewer

Sanitary Sewer Improvements Funding

Facility Name	Project	Total Capital Cost (2023\$)	Local Elements (non creditable) %	Sewer SDC Credit %	CIP Funds %	Developer Cost \$	Sewer SDC Credit \$	City Cost \$	Total Cost \$
ADVANCE ROAD	10" Sewer Main	\$ 492,230	90.62%	9.38%	0.00%	\$ 446,059	\$ 46,171	\$ -	\$ 492,230
STAFFORD ROAD	12" Sewer Main	\$ 1,447,380	85.29%	14.71%	0.00%	\$ 1,234,470	\$ 212,910	\$ -	\$ 1,447,380
KAHLE WEST NEIGHBORHOOD	Lift Station & Force M	\$ 3,178,660	100.00%	0.00%	0.00%	\$ 3,178,660	\$ -	\$ -	\$ 3,178,660
KAHLE EAST NEIGHBORHOOD	Lift Station & Force M	\$ 2,485,400	100.00%	0.00%	0.00%	\$ 2,485,400	\$ -	\$ -	\$ 2,485,400
ADVANCE EAST NEIGHBORHOOD	Lift Station & Force M	\$ 2,485,400	100.00%	0.00%	0.00%	\$ 2,485,400	\$ -	\$ -	\$ 2,485,400
SOUTH NEIGHBORHOOD	Lift Station & Force M	\$ 2,764,064	100.00%	0.00%	0.00%	\$ 2,764,064	\$ -	\$ -	\$ 2,764,064
<b>TOTAL COST</b>		<b>\$12,853,134</b>				<b>\$12,594,053</b>	<b>\$ 259,081</b>	<b>\$ -</b>	<b>\$12,853,134</b>

**Sanitary Sewer Improvements Funding Assumptions:**

The oversize portion of a pipeline that is eligible for Sewer SDC Credit for the purposes of this analysis is based on the linear foot cost difference for different sizes of sewer pipe according 2022 Oregon Department of Transportation average construction bid pricing as follows. Sewer SDC Credits will be based on actual oversize costs at the time of construction.

- 8" Sanitary Sewer Pipe - \$145.00 per linear foot (Developer Responsibility – Local Portion)
- 10" Sanitary Sewer Pipe - \$160.00 per linear foot (9.38% Oversize)
- 12" Sanitary Sewer Pipe - \$170.00 per linear foot (14.71% Oversize)

**Water**

**Water Improvements Funding**

Facility Name	Project	Total Capital Cost (2023\$)	Local Elements (non creditable) %	Water SDC Credit %	CIP Funds %	Developer Cost \$	Water SDC Credit \$	City Cost \$	Total Cost \$
STAFFORD ROAD	12" main	\$ 1,170,620	67.0%	33.0%	0.0%	\$ 784,315	\$ 386,305	\$ -	\$ 1,170,620
ADVANCE ROAD	12" main	\$ 425,680	67.0%	33.0%	0.0%	\$ 285,206	\$ 140,474	\$ -	\$ 425,680
KAHLE WEST NEIGHBORHOOD	12" main - Kahle Road	\$ 585,310	67.0%	33.0%	0.0%	\$ 392,158	\$ 193,152	\$ -	\$ 585,310
KAHLE WEST NEIGHBORHOOD	12" main - Interior	\$ 601,800	67.0%	33.0%	0.0%	\$ 403,206	\$ 198,594	\$ -	\$ 601,800
KAHLE EAST NEIGHBORHOOD	12" main	\$ 1,311,720	67.0%	33.0%	0.0%	\$ 878,852	\$ 432,868	\$ -	\$ 1,311,720
60th AVENUE, BRISBAND	12" main	\$ 1,504,500	67.0%	33.0%	0.0%	\$ 1,008,015	\$ 496,485	\$ -	\$ 1,504,500
FROG POND WEST EXTENSION	12" main	\$ 372,470	67.0%	33.0%	0.0%	\$ 249,555	\$ 122,915	\$ -	\$ 372,470
BOECKMAN CREEK X-ING (Frog Pond Ln)	12" main	\$ 1,360,000	0.0%	0.0%	100.0%	\$ -	\$ -	\$ 1,360,000	\$ 1,360,000
60th AVENUE (South of Advance)	12" main	\$ 1,755,250	67.0%	33.0%	0.0%	\$ 1,176,018	\$ 579,233	\$ -	\$ 1,755,250
MERIDIAN CREEK X-ING	12" main	\$ 340,000	67.0%	33.0%	0.0%	\$ 227,800	\$ 112,200	\$ -	\$ 340,000
<b>TOTAL COST</b>		<b>\$ 9,427,350</b>				<b>\$ 5,405,125</b>	<b>\$ 2,662,226</b>	<b>\$ 1,360,000</b>	<b>\$ 9,427,350</b>

**Water Improvements Funding Assumptions:**

The oversize portion of a pipeline that is eligible for Water SDC Credit for the purposes of this analysis is based on the linear foot cost difference for different sizes of water pipe according 2022 Oregon Department of Transportation average construction bid pricing as follows. Water SDC Credits will be based on actual oversize costs at the time of construction.

- 8" Water Pipe - \$146.41 per linear foot (Developer Responsibility – Local Portion)

12" Water Pipe - \$218.52 per linear foot (67% Oversize)

**Storm Drainage**

**Storm Drainage Improvements Funding**

Facility Name	Project	Total Capital Cost (2023\$)	Local Elements (non creditable) %	Storm SDC Credit %	CIP Funds %	Developer Cost \$	Storm SDC Credit \$	City Cost \$	Total Cost \$
K1 / Advance/60th	30" Storm Main	\$ 249,008	100.0%	0.0%	0.0%	\$ 249,008	\$ -	\$ -	\$ 249,008
K1 / Advance/60th	24" Storm Main	\$ 1,359,925	100.0%	0.0%	0.0%	\$ 1,359,925	\$ -	\$ -	\$ 1,359,925
K1 / Advance/60th	18" Storm Main	\$ 837,795	100.0%	0.0%	0.0%	\$ 837,795	\$ -	\$ -	\$ 837,795
K1 / East of 60th, South of Advance	24" Storm Main	\$ 796,670	100.0%	0.0%	0.0%	\$ 796,670	\$ -	\$ -	\$ 796,670
K1 / East of 60th, South of Advance	18" Storm Main	\$ 2,903,600	100.0%	0.0%	0.0%	\$ 2,903,600	\$ -	\$ -	\$ 2,903,600
K1 / East of 60th, South of Advance	Regional Facility	\$ 475,125	100.0%	0.0%	0.0%	\$ 475,125	\$ -	\$ -	\$ 475,125
K1	30" Outfall	\$ 131,250	100.0%	0.0%	0.0%	\$ 131,250	\$ -	\$ -	\$ 131,250
K2	Storm Mains	\$ 1,304,256	100.0%	0.0%	0.0%	\$ 1,304,256	\$ -	\$ -	\$ 1,304,256
M1	Storm Mains, Outfall	\$ 4,021,918	100.0%	0.0%	0.0%	\$ 4,021,918	\$ -	\$ -	\$ 4,021,918
M2	Storm Mains, Outfall	\$ 767,575	100.0%	0.0%	0.0%	\$ 767,575	\$ -	\$ -	\$ 767,575
M3	24" Storm Main	\$ 609,140	100.0%	0.0%	0.0%	\$ 609,140	\$ -	\$ -	\$ 609,140
M3	18" Storm Main	\$ 369,600	100.0%	0.0%	0.0%	\$ 369,600	\$ -	\$ -	\$ 369,600
M3	18" Storm Main	\$ 1,924,808	100.0%	0.0%	0.0%	\$ 1,924,808	\$ -	\$ -	\$ 1,924,808
M3	24" Outfall	\$ 131,250	100.0%	0.0%	0.0%	\$ 131,250	\$ -	\$ -	\$ 131,250
N1	St. Mains, Reg. Facili	\$ 659,225	100.0%	0.0%	0.0%	\$ 659,225	\$ -	\$ -	\$ 659,225
N1	18" Storm Main	\$ 1,924,808	100.0%	0.0%	0.0%	\$ 1,924,808	\$ -	\$ -	\$ 1,924,808
N2	St. Mains, Reg. Facili	\$ 2,485,196	100.0%	0.0%	0.0%	\$ 2,485,196	\$ -	\$ -	\$ 2,485,196
N3	Storm Mains, Outfall	\$ 2,279,571	100.0%	0.0%	0.0%	\$ 2,279,571	\$ -	\$ -	\$ 2,279,571
N4	Storm Mains, Outfall	\$ 2,127,148	100.0%	0.0%	0.0%	\$ 2,127,148	\$ -	\$ -	\$ 2,127,148
N5	Storm Mains, Outfall	\$ 350,259	100.0%	0.0%	0.0%	\$ 350,259	\$ -	\$ -	\$ 350,259
<b>TOTAL COST</b>		<b>\$25,708,127</b>				<b>\$25,708,127</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$25,708,127</b>

**Storm Drainage Improvements Funding Assumptions:**

All identified storm drainage facilities do not provide additional capacity and only serve the Frog Pond East and South development areas. As a result, the identified storm drainage facilities are 100% developer responsibility.



# FROG POND EAST AND SOUTH INFRASTRUCTURE FUNDING PLAN: COMPLIANCE FINDINGS REPORT FOR MINIMUM INTERSECTION IMPROVEMENTS

These findings address particular public improvements required by the City of Wilsonville (“City”) as part of planned future development in Frog Pond East and South, which are more particularly described in Appendix I of the Frog Pond East and South Master Plan (“Master Plan”).

Wilsonville Code (WC) requires that, when development occurs, the applicant must construct roads fronting the site to meet current, applicable City standards, which are established through the City’s Transportation System Plan (“TSP”). The TSP provides the required improvements and necessary steps for development (See Figure 2). Further, the Master Plan Transportation Analysis<sup>1</sup> (“Transportation Analysis”) provides data and standards to ensure the City meets its goals of providing a safe and efficient transportation system to the Wilsonville community. These standards are clearly supported and necessary for safe, functioning streets in the community.

Among other improvements, the Master Plan identifies three (3) intersection improvements that are needed to develop Frog Pond East and South:

- Roundabout Construction at SW Kahle Road/SW Stafford Road
- Roundabout Construction at SW Brisband Street/SW Stafford Road
- Roundabout Construction at SW 60<sup>th</sup> Avenue/SW Advance Road

When, as is the case here, the City TSP requires construction of roundabouts, it is the developer responsibility to meet city standards for safety and neighborhood cohesion in all construction projects. These Findings establish the “essential nexus” between the city’s governmental interests and these three (3) intersection improvements.

As will be explained more fully below, federal and state case law explain that, when a government requires a property owner to dedicate property or construct off-site public improvements as a condition of development, those requirements must have an “essential nexus” to a legitimate government interest for the government to then impose certain requirements on development. This concept is referred to as *Nollan* findings based on the US Supreme Court case from which it is derived. See *Nollan v. California Coastal Commission*, 483 US 825 (1987).

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<sup>1</sup> See Appendix I to the Frog Pond East & South Master Plan, “Transportation Analysis: Existing and Future Conditions” (December 2022).

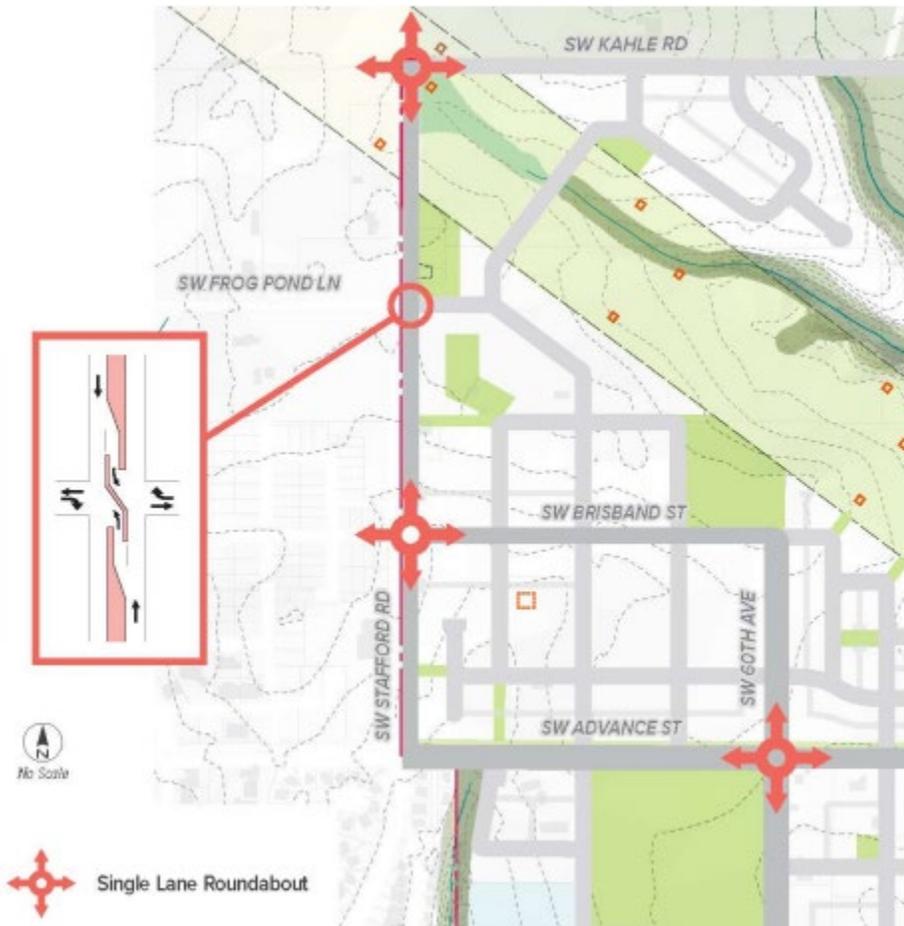


To demonstrate essential nexus between legitimate government interests and the intersection improvements, these Findings are laid out as follows: (1) existing conditions of SW Stafford Road and SW Advance Road and adjacent land uses; (2) safety and effectiveness of roundabouts; and (3) the essential nexus between the City’s legitimate governmental interests and the three proposed roundabouts in Frog Pond East and South.

### Section 1 Existing Conditions

For the Frog Pond East and South development to occur, roadways and intersections must be constructed or reconstructed to connect the neighborhood to the larger Wilsonville transportation network. Figure 1 below provides the required intersection improvements in Frog Pond East and South.

Figure 1: Frog Pond East and South Intersection Improvements, *Transportation Analysis*, p. 2.



#### A. Existing Traffic and Transportation System

SW Stafford Road and SW Advance Road were previously under the jurisdiction of Clackamas County and built to county standards; that is, they each have two travel lanes,



no dedicated bicycle lanes, and no sidewalks for pedestrians. They currently have a speed designation of 45 mph. Anyone turning off of or onto these streets faces vehicle traffic traveling at high rates of speed with no intersection enhancements to reduce speed or potential vehicle crashes.

SW Stafford Road is designated a Major Arterial in the TSP (p. 3-5). Major arterials represent the City's largest roadway cross-section of the four road classifications. They generally have four or more travel lanes, bicycle lanes, and limited direct access. As identified below and in the Transportation Analysis, the significant multimodal traffic concerns regarding SW Stafford Road are expected and understandable because it is a Major Arterial that transitions traffic from a rural to urban setting and is currently built to rural county standards.

The City has received direct resident complaints about the intersections at both Stafford Road and Frog Pond Lane and Stafford Road and Brisband Street becoming more difficult and dangerous. Residents note long delays when turning onto Stafford Road and have further emailed the City about "near misses," almost resulting in collisions. Questions about traffic flow have been brought to the City Council, and residents have demanded improved safety along Stafford Road.

Residents' concerns are supported by the data – the Transportation Analysis examined existing road conditions and traffic flow during peak roadway conditions. The Transportation Analysis predicts increased traffic delays by 2040.<sup>2</sup> With planned development in Frog Pond East and South, two-way stop controlled intersections along the length of SW Stafford Road at SW Kahle Road, SW Frog Pond Lane, and SW Brisband Street will fall below Level of Service D if no improvements are made.<sup>3</sup> Thus, enhanced intersection treatments are needed to meet the minimum level of service (LOS D) required in the City.<sup>4</sup>

SW Advance Road is designated a Collector in the TSP (p. 3-5). Collectors provide traffic circulation within residential, commercial, and industrial areas and serve to funnel traffic from neighborhoods to the arterial street network. They have two or three travel lanes, bicycle lanes, and consolidated access to larger developed areas and neighborhoods. Like SW Stafford Road, SW Advance Road is currently built to county standards, which do not provide multimodal safety enhancements that are appropriate for an urban setting, particularly considering the surrounding land uses, such as two nearby schools.

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<sup>2</sup> The Transportation Analysis compares Metro's regional travel demand forecast that is based on current Metro land use assumptions through 2040 (the "2040 Baseline scenario") to the anticipated additional build in Frog Pond East and South being added to the transportation system by 2040 (the "2040 Build scenario"). See Transportation Analysis, pp. 9-15.

<sup>3</sup> Transportation Analysis, p. 15.

<sup>4</sup> TSP Policy 5, p. 2-4; see also WC 4.140(.09) J. 2.



These two roads are at the rural/urban edge and represent a higher likelihood of vehicle and pedestrian crashes at high speeds due to this transition. In just the last month (October 12, 2024), a fatal crash occurred on SW Advance Road near the SW 60<sup>th</sup> Avenue and SW Advance Road intersection.<sup>5</sup> The City's only other known fatality on one of its roads between 2017 and 2022 occurred on SW Wilsonville Road right at the city limits when a vehicle traveling from outside the city limits struck and killed a pedestrian crossing at a crosswalk to go to an adjacent park.

### **B. Schools**

The Frog Pond area (inclusive of Frog Pond West, East, and South) includes two schools that impact decisions regarding transportation infrastructure. A middle school is located in Frog Pond South adjacent to SW Advance Road and a new primary school in Frog Pond West adjacent to SW Boeckman Road will open in Fall 2025. Thus, students commute by bicycle and walking across a busy and underdeveloped Major Arterial (SW Stafford Road) and Collector (SW Advance Road).

### **C. BPA Easement**

An additional existing condition that impacts intersection treatment at SW Stafford Road and SW Kahle Road is the presence of a Bonneville Power Administration (BPA) easement that contains towers and high-voltage powerlines. The easement restricts the type and height of improvements within the easement area.

As explained in detail below, the anticipated development in Frog Pond East and South will only exacerbate traffic delays and increase risk of crashes given vehicles' rate of speed, the transition from rural to urban, and significant intersections for the new Frog Pond East and South neighborhoods, as the Transportation Analysis predicts that the 2040 Build scenario will see the number households in Frog Pond East and South increase by 130 percent. Transportation Analysis, p. 13. Utilizing roundabouts to address traffic delays and safety concerns is not only prudent, it is supported by data both from existing city roundabouts and national studies.

## **Section 2 Effectiveness of Roundabouts**

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Roundabouts have proven effective at addressing travel delays at failing intersections and providing safe multimodal transportation opportunities. This section examines studies on the efficacy of roundabouts and roundabouts currently existing in the city.

### **A. Studies Demonstrate Roundabouts Are Effective Tools for Safe, Efficient Multimodal Transportation**

Several transportation agencies have studied the effectiveness of roundabouts and found that roundabouts are safer intersection enhancements than traffic signals or stop signs. Roundabouts naturally slow and calm traffic, as opposed to stoplights, which cause traffic

<sup>5</sup> <https://www.clackamas.us/sheriff/2024-10-14-Case-24-021407>



to speed up. The Federal Highway Administration (FHWA), the Oregon Department of Transportation (ODOT), and several other state departments of transportation provide the following data regarding the effectiveness of roundabouts:

- FHWA reported a study by Insurance Institute for Highway Safety and other organizations analyzing 24 intersections from states across the US and found a 39 percent decrease in crashes, 76 percent decrease in injury crashes, and 90 percent reduction in crashes involving fatal or incapacitating injuries. A second study the FHWA noted examined 15 roundabouts in Maryland and discovered a 60 percent decrease in crashes, 82 percent decrease in injury crashes, and 100 decrease in fatal crashes.<sup>6</sup>
- FHWA further reported that roundabouts reduce severe crashes (those resulting in injury or loss of life) by 78-82%.<sup>7</sup>
- The FHWA explains that roundabouts have fewer conflict points, making them safer for multimodal transportation. A single lane roundabout (like the three identified for Frog Pond East and South) has 50% fewer pedestrian-vehicle conflict points than a comparable stop or signal controlled intersection. Conflicts between bicycles and vehicles are reduced as well.<sup>8</sup> Roundabouts require vehicles to travel at lower speeds, which is associated with better yielding rates, reduced vehicle stopping distance, and lower risk of collision injury or fatality.<sup>9</sup>
- Roundabouts also provide shorter crossing distances for pedestrians that other types of intersection enhancements between there is only one direction of traffic.<sup>10</sup>
- The FHWA also notes that roundabouts are a very efficient type of intersection enhancement because they do not require the same stop-and-go conditions as traditional intersections.<sup>11</sup>
- Roundabouts are particularly impactful along rural roads, like SW Stafford Road and SW Advance Road, where the roads are transitioning from rural to urban settings. The FHWA reviewed a previous stop-controlled intersection in Wisconsin that was reconstructed to a roundabout. Thirty crashes occurred in the five years before the improvement (17 injuries and one fatality), and only 11 total crashes

<sup>6</sup> US Department of Transportation, Federal Highway Administration Priority, Market Ready Technologies and Innovations, Roundabouts, (2006), available at <https://highways.dot.gov/media/9206#:~:text=demonstrating%20success%20in%20reducing%20crashes&text=The%20study%20revealed%20a%2039,involving%20fatal%20or%20incapacitating%20injuries>

<sup>7</sup> FHWA, "Roundabouts with Pedestrians and Bicycles," available at <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/fhwasa15016.pdf>

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> FHWA, "Roundabouts and First Responders," available at <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/fhwasa14098.pdf>



- (1 injury and zero fatalities) occurred in the following six years after the improvement.<sup>12</sup>
- The FHWA has further identified the following real-world results of roundabouts<sup>13</sup>:
    - Roundabouts constructed at intersections along high-speed, two-lane rural highways reduced overall crashes by up to 68% and reduced injury crashes by up to 88%.
    - Roundabouts constructed at intersections along high-speed, two-lane rural highways eliminated 83% of angle-type crashes.
    - There were 11 fatal crashes in the 5 year “before” period and zero fatal crashes in the 5 year “after” period at 19 roundabouts constructed along highspeed, two-lane rural highways in six different states (KS, MD, MN, OR, WI, and WA).
    - Researchers compared traffic speeds of approaches to roundabouts and stop-controlled intersections. At one hundred feet before the yield or stop lines, the speed of traffic at the roundabouts was 2.5 mph lower than at the stop-controlled locations.
    - Roundabouts are designed for slower speeds, require entering traffic to yield to vehicles already in the circular roadway, and to eliminate the need to weave or change lanes to exit.
    - Since the late 1990s, an ever-growing number of State DOTs and local road agencies are finding that roundabouts work in their jurisdictions. Their potential for saving lives is too significant to ignore.
  - The FHWA also reported on twenty-six roundabouts installed in Wisconsin due to concerns of traffic conflicts with adjacent schools and the presence of school children. A follow-up study showed that at one of the roundabout locations, the number of vehicles entering the intersection increased from 5,600 per day in 1998 before the roundabout construction to 10,800 per day in 2001, and yet crashes and injuries decreased significantly, from an average of three crashes and five injuries per year during the 1996-1998 period to no reported crashes between August 1999 and October 2001.<sup>14</sup> Importantly, from the installation of roundabouts, a prior policy prohibiting students to walk and bike to school was reversed.<sup>15</sup>
  - The FHWA published a report in 2015 reviewing fatal and serious injury crashes at roundabouts.<sup>16</sup> It made the following findings:

<sup>12</sup> FHWA, “Roundabouts and Rural Highways,” available at <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/fhwasa14097.pdf>

<sup>13</sup> *Id.*

<sup>14</sup> FHWA, “Wisconsin Roundabouts Calm Traffic, Improve School Zone Safety,” available at <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/fhwasa11031.pdf>

<sup>15</sup> *Id.*

<sup>16</sup> FHWA, “A Review of Fatal and Severe Injury Crashes at Roundabouts,” (Sept 2015), available at <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/fhwasa15072.pdf>



- Fatal roundabout crashes are less likely to involve pedestrians or bicyclists when compared to fatal intersection crashes.<sup>17</sup>
- The FHWA's website contains many additional case studies of the effectiveness of roundabouts for safe and effective multimodal transportation.<sup>18</sup>
- The Minnesota Department of Transportation published a report in 2017 reviewing roundabouts throughout Minnesota.<sup>19</sup> Not only did Minnesota see over an 80 percent reduction in fatal and serious injury crashes, at the time of the report, there still had not been a multi-vehicle fatality in a roundabout in Minnesota. Other key findings included:
  - An 86% reduction in the fatal crash rate at intersections where roundabouts have been installed. This includes all roundabout types (Single Lane, Unbalanced, and full Dual Lane Roundabouts).
  - An 83% reduction in the serious injury crash rate at intersections where roundabouts have been installed.
  - A 69% reduction in the Right Angle crash rate at intersections where Single Lane Roundabout have been installed.
  - An 83% reduction in the Left Turning crash rate at intersections where Single Lane Roundabout have been installed.
  - A 61% reduction in the injury crash rate at intersections where Single Lane Roundabout have been installed.
  - A 42% reduction in the injury crash rate at intersections where Single Lane Roundabout have been installed.<sup>20</sup>

ODOT has also reported why roundabouts are more effective than signalized intersections<sup>21</sup>:

- In rural areas, new traffic signals are associated with a 77 percent reduction in angle crashes, but also a 58 percent increase in rear-end crashes, which can be severe and fatal in high-speed areas.
- Traffic signals do not address speeds at an intersection - roundabouts do reduce speeds. Often drivers accelerate through an intersection to try to make it through before the signal turns red, which is dangerous.

The U.S. Department of Transportation has also studied the effects of speed on roadway fatalities, particularly involving pedestrians.<sup>22</sup> The US DOT found that speeding is a

<sup>17</sup> *Id.* at p. 12.

<sup>18</sup> See FHWA webpage on Roundabouts, <https://highways.dot.gov/safety/intersection-safety/intersection-types/roundabouts>

<sup>19</sup> Derek Leuer, "A Study of the Traffic Safety at Roundabouts in Minnesota" Office of Traffic, Safety, and Technology, Minnesota Department of Transportation (Oct 30, 2017), available at <https://rosap.nrl.bts.gov/view/dot/35084>

<sup>20</sup> *Id.* at p. 2.

<sup>21</sup> ODOT, "All about roundabouts," (Summer 2021), available at <https://www.bendoregon.gov/home/showpublisheddocument/53080/637885692091270000>

<sup>22</sup> U.S. DOT, "Safer Speeds," available at <https://www.transportation.gov/NRSS/SaferSpeeds>



significant contributor to roadway fatalities and is especially hazardous to pedestrians.<sup>23</sup> To counteract speeding and promote safer speeds, US DOT undertook key actions. One of these action items was to: “Promote safer speeds through improvements to Proven Safety Countermeasures and the Manual on Uniform Traffic Control Devices.”<sup>24</sup> One of the “proven safety countermeasures” identified by US DOT is utilizing roundabouts.<sup>25</sup>

To the extent reports discuss some concerns regarding roundabouts and conflicts with pedestrian or bicycle traffic, those concerns are generally limited to multilane roundabouts. None of the three roundabouts discussed here are planned to be multilane. Rather they are all planned to be single-lane roundabouts. National studies have consistently shown that single-lane roundabouts are safe for multimodal transportation.

## **B. Roundabouts Are Present Throughout the City**

The City of Wilsonville has historically required installing roundabouts throughout the city as the minimum requirement when necessary to ensure multimodal transportation conditions. Roundabouts have been part of a cohesive plan to create safe travel conditions for all travelers in Wilsonville. In other words, requiring roundabouts as the minimum standard for intersection improvements is not new to the City. Currently, the City has six (6) roundabouts located throughout the city, with a seventh under construction at SW Canyon Creek Road and SW Boeckman Road. Five (5) additional roundabouts are planned in the TSP. These findings provide two examples of current roundabouts and their effectiveness.

### **1. Roundabout at Lowrie Primary School**

One of the six current roundabouts in Wilsonville is located near Lowrie Primary School. The City chose to have the developer install a single-lane roundabout at that location particularly because of the school’s presence and safety concerns for students. From the most recent five-year data from ODOT, from 2017 to 2022, the roundabout near Lowrie has only experienced two (2) vehicle crashes<sup>26</sup>. These crashes were property damage only, meaning no injuries or fatalities occurred. Compared to the overall number of

<sup>23</sup> *Id.*

<sup>24</sup> See National Roadway Safety Strategy dashboard, available at [https://explore.dot.gov/views/NRSSDashboard/Dashboard/404b2e9e-1546-438d-bc5c-6187adf13880/d0d14747-2b89-4bba-ba1b-7ae9470069f8?%3Aembed=y&%3AisGuestRedirectFromVizportal=y%3AshowAppBanner&%3Adisplay\\_content=n&%3AshowVizHome=n&%3Aorigin=viz\\_share\\_link&%3Atoolbar=no&%3A%3Aembed=yes](https://explore.dot.gov/views/NRSSDashboard/Dashboard/404b2e9e-1546-438d-bc5c-6187adf13880/d0d14747-2b89-4bba-ba1b-7ae9470069f8?%3Aembed=y&%3AisGuestRedirectFromVizportal=y%3AshowAppBanner&%3Adisplay_content=n&%3AshowVizHome=n&%3Aorigin=viz_share_link&%3Atoolbar=no&%3A%3Aembed=yes)

<sup>25</sup> FHWA, “Roundabouts,” available at <https://highways.dot.gov/safety/intersection-safety/intersection-types/roundabouts>

<sup>26</sup> ODOT crash data, available at <https://tvc.odot.state.or.us/tvc/>



crashes within the Wilsonville city limits, which totaled 1320 during the same time period, the roundabout at Lowrie represents 0.15% of all crashes in Wilsonville.

To ensure student safety, the City worked with the West Linn-Wilsonville School District on an education campaign with students, teachers, and parents on the safe use of roundabouts.

## 2. Roundabout at SW Canyon Creek Road and SW Boeckman Road

The latest roundabout being constructed in Wilsonville is a single-lane roundabout at the intersection of SW Canyon Creek Road and SW Boeckman Road. This intersection is one of the worst in the city for crashes; in the last 5 years of data (2017-2022), there have been over 16 crashes, including five minor injury crashes and one serious injury crash.<sup>27</sup> Prior to constructing the roundabout, the intersection was a four-way stop intersection. The City undertook an alternatives analysis to examine whether to construct an intersection with traffic signals or as a single-lane roundabout.<sup>28</sup> Ultimately, the alternatives analysis found that a roundabout was the preferred alternative because a traffic signal was found to be more dangerous than a four-way stop or a roundabout: “More than twice as many fatal and injury crashes are expected with a traffic signal compared to an all-way stop-controlled intersection or roundabout.”<sup>29</sup> To reiterate, the alternatives analysis for this intersection found that a signalized intersection would be more dangerous than current conditions.

The alternatives analysis also found that, while initial construction costs would likely be somewhat higher for a roundabout than traffic signals, the overall life-cycle costs, inclusive of construction are lower, with an expectant savings of over \$600,000. *Id.* at 13. Importantly, the analysis estimated that approximately \$14,000 would be spent annually to maintain the traffic signals (lighting and signal maintenance) and \$10,000 would be spent every three years on signal retiming. These expenses are not incurred for roundabouts.

Based on the improved safety and the lower life-cycle cost, the City elected to construct a roundabout at SW Canyon Creek Road and SW Boeckman Road.

## 3. Roundabouts Compared to Overall Transportation System

In examining the most recent ODOT crash data (2017-2022), the evidence demonstrates that roundabouts are safe intersection enhancements. As noted above, in the five-year reporting period, the City saw 1,320 crashes within the Wilsonville city limits. Only seven (7) of those crashes occurred in an intersection with a roundabout. Of those seven (7)

<sup>27</sup> *Id.*

<sup>28</sup> Attachment 1 to Staff Report, Canyon Creek/Boeckman Intersection Design Update (Dec. 19, 2022), available at: <https://mccmeetings.blob.core.usgovcloudapi.net/wlsnvlleor-pubu/MEET-Packet-86924897ee0f44a9a0683b5a34327a6a.pdf>.

<sup>29</sup> *Id.* at p. 9 of Attachment 1.



crashes, none resulted in significant injuries or fatalities. Only three (3) of the seven (7) included minor injuries.

### Section 3 Roundabouts Needed for Frog Pond East and South

The City's standards requiring roundabouts are located within the TSP and the Master Plan. Wilsonville Code Section 4.236 requires conformity with the TSP. All development within the City must meet the minimum requirements for street improvements in accordance with the TSP. Moreover, the Master Plan emphasizes Principles for the community.<sup>30</sup> "Convenient, Safe and Low-Stress Transportation Options" are a guiding principle of the Master Plan, which identifies:

"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."

These goals can only be attained with the addition of roundabouts. Roundabouts will create safer neighborhood speeds, and better crosswalk access for all residents. Roundabouts slow the speed of traffic with certainty. These established policies demonstrate the essential nexus between the intersection improvements and the City's interest in providing safe, reliable, well-constructed streets, bicycle lanes, and sidewalks.

#### A. Safety

The City has a legitimate governmental interest in providing a safe and efficient multimodal transportation system.

##### 1. Vehicle Safety

The numerous studies cited above conclude that roundabouts are safe intersection enhancements that see the number of crashes significantly decrease. In particular, they are safer than traffic signals. The City's own analysis of one of its most dangerous intersections found that a signalized intersection would likely increase the number of vehicle crashes, as opposed to installing a roundabout. When approaching traffic signals, drivers often speed up to make it through the timing of the signal.<sup>31</sup> While drivers are required by law to stop at a stop sign or stoplight, there is no barrier to keep them from running through a red light or stop sign. Roundabouts force traffic to slow down to continue on the roadway. Drivers must reduce speed when entering a roundabout to

<sup>30</sup> Master Plan, p. 6.9

<sup>31</sup>US Department of Transportation, Federal Highway Administration Priority, Market Ready Technologies and Innovations, Roundabouts (2006), available at <https://highways.dot.gov/media/9206#:~:text=demonstrating%20success%20in%20reducing%20crashes&text=The%20study%20revealed%20a%2039,involving%20fatal%20or%20incapacitating%20injuries.>



navigate the roundabout. Signalized intersections create points of tension between oncoming traffic, such as left turns. Roundabouts do not have the same points of tension because instead traffic flows in a one-directional path. The studies reiterate these safety markers of roundabouts. Typical circulating speeds for a roundabout are 15 – 20 mph, which would help to calm traffic in the vicinity of the Frog Pond development area.<sup>32</sup>

## **2. Bicycle and Pedestrian Safety and Nearby Schools**

Slower speeds mean safer conditions for drivers, bicyclists, and pedestrians, particularly as vehicles transition between the urban and rural settings around Frog Pond. Frog Pond East and South are at the rural/urban edge. Vehicles will be transitioning from 45 mph into urban residential neighborhoods with a middle school and primary school in close proximity. Not only are vehicle crashes of significant concern, pedestrian and bicycle safety are also concerns given the presence of nearby schools. As previously noted, roundabouts reduce the number of conflict points between vehicles and between vehicles and pedestrians or bicycles. Roundabouts also have shorter crossings for pedestrians than signalized intersections.

### **B. Cost and Resiliency**

Currently, the City of Wilsonville spends \$200,000 per year updating and performing maintenance on signalized intersections. Roundabouts do not require the same maintenance costs. The alternatives analysis for SW Canyon Creek Road and SW Boeckman Road bear out this cost differential. While initially more expensive to build, roundabouts have lower overall life-cycle costs than traffic signals.

Furthermore, a stoplight requires electricity, which means increased maintenance, cost, and the possibility of power outages. Power outages do not stop roundabouts from working.<sup>33</sup> Roundabouts are resilient to weather conditions in ways traffic signals are not. They are not vulnerable to high winds, fires, or other natural disasters that can prevent traffic signals from working. In most natural disasters, roundabouts are still operational and navigable. Again, given the rural/urban transition, having reliable and resilient intersection enhancements are necessary for a safe and effective transportation system.

### **C. Particularities for Roundabout at SW Kahle Road and SW Stafford Road**

Not only must the intersection at SW Kahle Road and SW Stafford Road manage the rural/urban transition, but it is also encumbered by the BPA easement. The BPA easement does not allow for the construction of metal poles or other structures within the easement area. Even the top of vegetation must have a 25-foot clearance to the lowest point of any BPA wires. Thus, a signalized intersection is not allowed at SW Kahle Road and SW Stafford Road due to the BPA easement.

<sup>32</sup> Transportation Analysis, p. 18.

<sup>33</sup> US Department of Transportation, Federal Highway Administration Priority, Market Ready Technologies and Innovations, Roundabouts (2006), available at <https://highways.dot.gov/media/9206#:~:text=demonstrating%20success%20in%20reducing%20crashes&text=The%20study%20revealed%20a%2039,involving%20fatal%20or%20incapacitating%20injuries.>



## Section 4 Conclusion

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The City has analyzed whether roundabouts represent an appropriate intersection enhancement for SW Kahle Road/SW Stafford Road, SW Brisband Street/SW Stafford Road, and SW 60<sup>th</sup> Avenue/SW Advance Road due to the intersections along SW Stafford Road falling below LOS D when development in Frog Pond East and South occurs and due to significant safety concerns related to the rural-to-urban transition. The City finds that the roundabouts further the City's legitimate governmental interests by meeting the City's required minimum level of service for the three intersections; increasing vehicle, bicycle, and pedestrian safety; decreasing overall intersection life-cycle costs; ensuring resiliency in the City's transportation system in the event of power outages and weather-related incidents; and complying with the terms of the BPA easement.



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## Appendix H. Infrastructure Funding Plan



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## Memorandum

Date 3 June 2015  
To Chris Neamtzu, City of Wilsonville  
From Brian Vanneman, Leland Consulting Group  
CC Joe Dills, Angelo Planning Group  
Subject **Frog Pond Area Plan: Infrastructure Funding Strategy**  
Project 5462 Frog Pond

### INTRODUCTION AND EXECUTIVE SUMMARY

The Frog Pond Area Plan, led by the City of Wilsonville, will establish a vision for the 500-acre Frog Pond area and define expectations for the type of community it will be in the future. This memorandum is a part of the Frog Pond Area Plan and summarizes Leland Consulting Group's (LCG) infrastructure funding analysis and proposed strategy, which has been developed in collaboration with City of Wilsonville Community Development, Public Works, and Economic Development staff, and the Angelo Planning Group (APG) team. The types of infrastructure evaluated in this memorandum are transportation, sanitary sewer, water, stormwater, and parks.

Key findings and recommendations of this funding strategy include:

- **Funding strategies vary depending on the category and scale of infrastructure.** *“Local”* infrastructure will be paid for by developers, *“framework”* infrastructure such as Frog Pond arterial roads will be shared between developers and the City when oversizing is involved, and *“major off-site”* infrastructure will be built and paid for by the City through the Capital Improvement Projects (CIP) program. Descriptions of these three infrastructure categories and who pays for what infrastructure begins on page 4.
- **There are more than 40 different infrastructure projects proposed for the 500-acre Frog Pond Area.** The costs of these facilities have been estimated by DKS Associates (DKS), Murray, Smith & Associates, Inc. (MSA), and the City. Each of these facilities falls into one of the three categories listed above. A complete list of the infrastructure facilities and the recommended funding strategy for each begins on page 10.
- **This funding strategy defines two “reimbursement areas”—one for the West (“RA-W”) and East and South (“RA-E”) Neighborhoods—along with several infrastructure funding strategies that could be used in these areas.** In each reimbursement area, a number of framework infrastructure projects will benefit properties throughout the area. Therefore, the costs of these projects should be equitably distributed among multiple property owners, since there is currently no major, well-capitalized master developer capable of undertaking major infrastructure improvements within Frog Pond. For example, upgrades to Boeckman and Stafford Roads, and two new Neighborhood Parks, will benefit the entire West Neighborhood (and the City as a whole), and their cost cannot be carried by any single property owner.
- **The primary tools by which framework projects in the RA are likely to be funded are developer-initiated reimbursement districts, local improvement districts (LID), and city-initiated reimbursement districts.** These options can also be mixed and matched—both reimbursement districts and LIDs could be implemented to fund different projects in RA-W and –E. Both reimbursement districts and LIDs are tools whereby infrastructure is built upfront by a developer or the City, and the developer is then reimbursed for cost via fees or assessments from property

owners over time. A description of framework infrastructure and potential funding strategies begins on page 5.

- **The total cost of framework projects proposed to be paid for through reimbursement districts or LIDs is estimated to be \$10.6 and \$11.0 million respectively in the RA-W and RA-E, so these projects will therefore be a significant funding obligation for the developer or City.** However, these investments will be phased; while the RA-W improvements could be needed within the next few years, the RA-E may not be needed for some time.
- **Development in the Frog Pond area will generate significant SDC revenues, ranging from \$46.8 to \$55.4 million depending on which land use option is selected.** Several different variations of CIP-related revenues and costs are evaluated beginning on page 14. In this context, “revenues” are Systems Development Charges (SDCs, fees paid by developers when applying for building permits) and “costs” are infrastructure paid for by the CIP fund. (Costs associated with reimbursement districts or LIDs are not considered in this calculation since they will be financed and reimbursed separately.) If projected revenues from all three Frog Pond neighborhoods (West, East, and South) are taken into account, SDC revenues should exceed allocated CIP costs. If only the West Neighborhood is considered, then there is a funding gap for transportation, of \$1 million for Option D and \$1.95 million for Option E, due to CIP contributions to the Boeckman Road Bridge, and Boeckman and Stafford Road Urban Upgrade projects. There is a small sanitary sewer surplus (just under \$160,000 for Option E). Water, Stormwater, and Parks SDCs show a surplus.
- **The proposed reimbursement areas will likely pass on most of the framework infrastructure costs to the developers and homebuilders who invest in Frog Pond via a cost allocation (fee or assessment) for each unit of housing.** Because different costs will be passed on to the West and East/South Neighborhoods, and there are different land use options (D and E), this per-unit cost allocation can vary. In the West Neighborhood, this reimbursement district fee is likely to be between \$14,100 (Option D) and \$17,000 (Option E), for the East and South Neighborhoods, it is likely to be between (\$7,500 and \$9,100), since more homes and commercial development are planned East of Stafford Road, but comparatively less infrastructure costs. This calculation is shown on page 18. It should be noted that there are different approaches (i.e., per acre) to calculating proportionate shares for reimbursement districts. For purposes of this memo, a per-door cost has been used.

## TYPES OF INFRASTRUCTURE

This memorandum proposes a funding strategy for the following five types of infrastructure: transportation, sanitary sewer, water, stormwater, and parks. These are the types of infrastructure that are essential to new residential communities, and the City will play some role in the provision of this infrastructure. Collectively, this infrastructure includes arterial and collector roads, sanitary sewer pipes and pump stations, water pipes and reservoirs, stormwater detention ponds and detention basins, and trails and parks. Other types of infrastructure—particularly utilities such as power and cable—will be needed for Frog Pond, but are not paid for in whole or part by the City of Wilsonville and are therefore not considered here.

Infrastructure cost estimates for Frog Pond were completed by DKS Associates (transportation), Murray, Smith & Associates, Inc. (sanitary sewer, water, and stormwater), and the City of Wilsonville (parks). The City of Wilsonville’s Engineering Division provided actual costs (engineering estimates or contractor bids) for more than 20 completed residential subdivision projects that were built in the city between 2005 and 2014. The primary sources for the cost estimates used here are listed below. Additional supplementary sources used can be found in the Appendices.

- *Frog Pond Area Plan – Future Transportation Analysis*, September 24, 2014, DKS Associates, and subsequent refinements to cost estimates (received May 27, 2015).
- *Frog Pond Area Plan – Concept Plan Infrastructure Analysis*, Murray, Smith & Associates, Inc., March 18, 2015.

Figures 1 and 2 below are representative images from the analysis prepared by DKS and MSA that show the location and types of infrastructure planned for Frog Pond. They are intended to be illustrative rather than a complete catalog of infrastructure. Figure 1 shows transportation infrastructure such as streets and trails. Figure 2 shows the sanitary sewer, water, and stormwater infrastructure proposed for the Frog Pond West Neighborhood (as red, blue, and green lines, respectively).

This memorandum does not contain detailed descriptions or specifications about the infrastructure to be funded. For example, DKS' recommendation is that the Advance Road Urban Upgrade project would upgrade "the existing road to a 3-lane cross section with sidewalks and bike lanes, which would be similar for either a Collector or Minor Arterial..." For such detailed descriptions of Frog Pond infrastructure, please consult the work prepared by DKS, MSA, and Angelo Planning Group (APG).

**Figure 1. Auto, Bicycle and Pedestrian Transportation Infrastructure Diagram (DKS)**

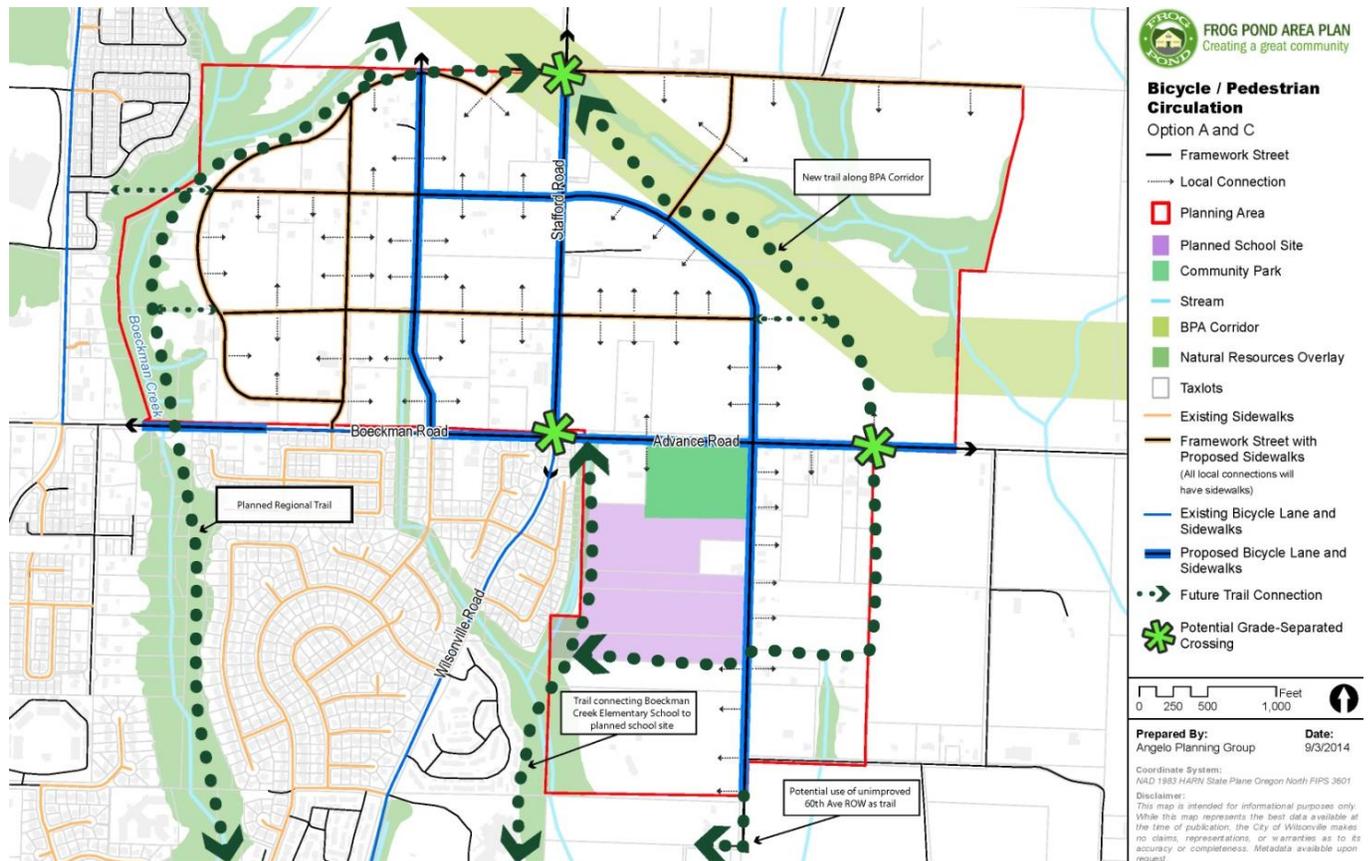
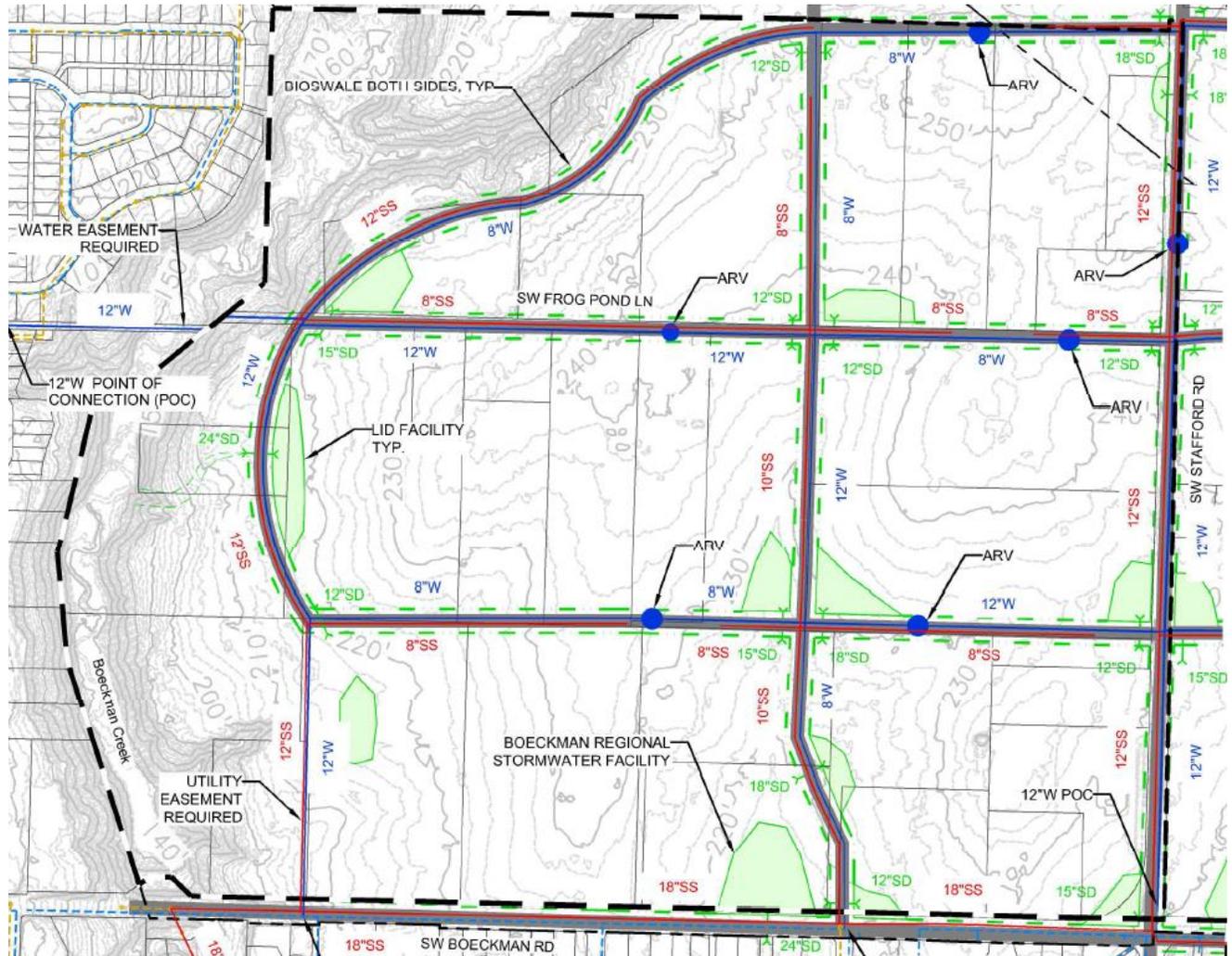


Figure 2. Frog Pond Composite Utility Plan – West Neighborhood (MSA)



### INFRASTRUCTURE CATEGORIES AND FUNDING APPROACHES

There are three different categories or scales of infrastructure, which are listed below. It is important to distinguish between each of these infrastructure categories because different approaches to and sources of funding (e.g., City or developer) are typically used for each of the different categories. This funding strategy also recommends different approaches for each of these infrastructure categories.

- “Local” or “on-site” infrastructure;
- “Major off-site” infrastructure; and
- “Framework” or “major framework” infrastructure.

#### Local or On-Site Infrastructure

- “Local” or “on-site” infrastructure is located on or adjacent to a development property and largely serves the development (residential or commercial) that is on the site. This infrastructure may be of any type—transportation, sanitary sewer, water, stormwater, or parks.

- The City’s policy is that this infrastructure is built and largely paid for by developers. The City may participate via SDC credits for oversized components (explained in the Framework Infrastructure section below).
- An example of local infrastructure is a local street 8-inch water line or sewer line that will serve a development site.
- The costs of the most local level of on-site infrastructure (with no oversized component) are not considered in this funding strategy since these are the responsibility of individual developers. These developer costs, are however, considered separately, in the Land Development Financial Analysis memorandum.
- This funding strategy recommends that developers continue to pay for local infrastructure up front, while receiving SDC credits for oversized components, in keeping with the City’s policies.

### Major Off-Site Infrastructure

- Major off-site infrastructure is infrastructure that is located outside of the 500-acre Frog Pond concept plan boundary.
- Examples include the West Side (water) Reservoir, Boeckman Trunk Sewer Line, Memorial Park Pump Station (MPPS), Boeckman Road Bridge, and Stafford Road—65th Ave Intersection Improvements.
- One reason this infrastructure is different from framework infrastructure is that a greater share of its capacity is needed to serve other parts of the City. Put another way, these are projects of citywide importance. For example, MSA has estimated that 25 percent of the capacity of the West Side Reservoir is needed for Frog Pond; the other 75 percent is needed to support growth in other parts of the City.
- For this reason, major off-site infrastructure is built and paid for by the City of Wilsonville through the CIP. SDCs are the primary source of funding for CIP facilities intended to provide capacity for growth; additional funding may come from utility rate funds, general fund reserves, transfers from other government agencies, and urban renewal funds (within urban renewal areas).
- Information on the City’s capital projects program can be found at:  
<http://www.ci.wilsonville.or.us/DocumentCenter/View/7317>

### Framework Infrastructure

- “Framework” or “major framework” infrastructure is larger than local infrastructure, serves many properties within Frog Pond, and is located within or adjacent to the Frog Pond boundary.
- Examples include upgrades to Boeckman and Stafford Roads, which will serve all of the homes planned for Frog Pond, as well as (to some degree) residents and businesses elsewhere in the City. Another example is the “oversized” water line in Stafford Road.
- In terms of scale and location, framework infrastructure is between local and major off-site infrastructure. However, there are likely to be more policy and logistical choices associated with framework than local or major off-site infrastructure.
- There is a developer and City share of most framework infrastructure, meaning that some part of the costs is paid for by both parties. This is in recognition that this larger infrastructure serves both the immediately surrounding development, as well as current and future residents and businesses. The developer share is the minimum size of the facility that is required by the City to serve the proposed development. For roads, the minimum required size is 24 feet from face of curb, or 48 feet if developers control both sides of the road. For sewer and water pipes, the minimum required pipe size

is 8 inches. The size of the facility beyond this minimum required size is the “oversize” amount, which is the City’s responsibility.

- These facilities may be built and paid for by developers, or by the City. If developers build the facility, they typically pay directly for the entire facility; the City contributes its (oversize) share via SDC credits, which developers can count against the SDC fees they owe at the time of building permit issuance. Several additional framework infrastructure funding strategies are described in the section below.
- This funding strategy recommends that the City consider taking an assertive and creative approach to coordinate the building of framework infrastructure and consider the tools described below, such as developer- and City-initiated reimbursement districts, and local improvement districts (LIDs). This is in part because there is at present no master developer at Frog Pond, and thus no known, well-capitalized party capable of financing major framework infrastructure.

## FRAMEWORK INFRASTRUCTURE FUNDING STRATEGIES

While the appropriate funding strategy for local and major off-site improvements is relatively straightforward (developer and CIP funding, respectively), funding for framework infrastructure requires more careful consideration for several reasons:

- Framework infrastructure costs are significant—greater than local infrastructure—and must be paid for early in the development process, while the revenues that offset those costs (such as fees, lot or home sales) come later and may take place over many years, inferring that a financing mechanism or other approach is needed.
- The infrastructure will benefit multiple properties. The costs and benefits of infrastructure are not necessarily evenly divided among parties. For example, a 2.5-acre neighborhood park could theoretically be sited on a 5-acre property. While the land and construction cost for this park would typically fall to the developer, property owners and future residents throughout the West Neighborhood will benefit from the park. Thus, the cost would be concentrated and the benefit widespread. A mechanism that can distribute the costs among multiple parties is therefore needed.
- At this time, the City cannot rely on a “master developer” who would fund major projects as part of developing a significant part of Frog Pond West. As stated above, there is as yet no master developer or major land owners in the Frog Pond Area and thus no known, well-capitalized party capable of financing such major framework infrastructure. Currently, property is divided amongst many land owners. There are 26 property owners in the West Neighborhood, and the average property size is 5 acres. The largest ownership is 25 acres and the smallest is 0.9 acres.
- City action that helps to implement framework infrastructure will show momentum and public commitment to moving Frog Pond forward in a phased and logical manner. Cities often use their ability to invest in infrastructure to strategically advance the development of employment, residential, and mixed use areas.
- Without a larger funding strategy, small early developers in Frog Pond could struggle to make the infrastructure improvements necessary to develop their sites.

## Reimbursement Areas

Given this context for framework infrastructure, an important component of this funding strategy is two “reimbursement areas”—one that encompasses infrastructure related to the West Neighborhood (RA-W), and one that encompasses infrastructure related to the East and South Neighborhoods (RA-E).

These reimbursement areas could incorporate some or all of the following specific funding tools, several of which are described in greater detail below:

- Reimbursement districts (RD), either developer or city initiated. Within each reimbursement *area* (West and East), numerous individual reimbursement *districts* could exist.
- LID, either developer or city initiated; or Advance Finance Districts (AFD), a variation on LID.
- Supplemental SDC.
- Expansion of the types of facilities that are considered SDC creditable by the City.
- Direct CIP investments.

The basic principles behind RD, LID, and supplemental SDCs are relatively similar: infrastructure is built and paid for in advance, and fees paid by property owners or developers over time serve to pay the principal, interest, and administrative costs associated with funding the original infrastructure.

There are approximately \$10.6 million of major framework project costs within the RA-W, associated with the projects listed below. A detailed list of all projects, and the portion that RA-W would pay, is included in Tables 1 through 3, which begin on page 11.

- Two Neighborhood Parks in the West Neighborhood;
- Boeckman Road Urban Upgrade, including associated sewer and water lines in the right of way;
- Stafford Road Urban Upgrade, including associated sewer and water lines in the right of way; and
- Boeckman/Stafford Traffic Signal.

There are approximately \$11.0 million of major framework project costs within the RA-E, as shown in Tables 1 through 3.

Improvements and funding mechanisms for the RA-W are likely to be needed before RA-E. Improvements and funding mechanisms for RA-W could be initiated following the adoption of the Frog Pond Area Plan and subsequent West Neighborhood Master Plan (Phase 2 of this project). The RA-E would only be initiated when the East and South Neighborhoods are brought into the Urban Growth Boundary and ready for development, which could be many years.

### Reimbursement Districts

A reimbursement district is an area within which one party (a developer or the City) builds infrastructure that benefits multiple property owners. The other benefiting property owners pay a reimbursement fee—a pro rata share of the infrastructure costs (determined on a per-unit, lineal foot, or per-acre basis)—to the original developer or City, typically at the time when property owners seek public works permits for development. A single reimbursement district could cover all of the infrastructure in RA-W, or there could be numerous districts to cover different pieces of road, park, sewer, and water infrastructure. Reimbursement district fees are in addition to SDCs.

The City has used reimbursement districts in the past, for example, the City formed the Coffee Lake Drive Sewer Improvements Reimbursement District in 2012. The City's Reimbursement District policies are set forth in section 3.116 of the City Code.

LCG recommends that the following approaches and mechanisms be included in reimbursement districts, which should help to mitigate the costs and risk to the City:

- Developers should be encouraged to form and provide funding for reimbursement district improvements.
- RA-W improvements can be phased. For example, Boeckman Road might be improved before Stafford Road, which would enable developers or the City to stagger or phase its investments and take on smaller amounts of debt at any one time.

- Include an inflationary factor in the calculation of the reimbursement fee, which can help cover the developers or the City's interest carrying costs over time.
- Be prepared to extend the "sunset" time period for the reimbursement district, so that developers or the City can recapture all costs. The sunset time period is pre-set at ten years currently, and can be extended by the City Council for "good cause."

In a developer-initiated reimbursement district, a developer pays directly for the entire facility; the City contributes its (oversize) share via Systems Development Charge (SDC) credits, which developers can count against the SDC fees they owe at the time of building permit issuance.

In a city-initiated reimbursement district, the City would build and pay for the entire facility upfront. The developer (non-oversized) portion would then be charged back to developers via a reimbursement district.

In either case, the upfront capital that pays for reimbursement district improvements must be advanced by developers (from private sources) or the City (from the CIP fund, general fund, or other source), without a secure form of repayment. Therefore, there is financial risk to the party that initiates the district and developers may avoid initiating large-scale reimbursement districts. If development is slower than expected, the developer or City will have to carry the cost of debt service payments for a longer period of time. Fee revenue will also be lower if the amount of development is less than expected (for example, if a property owner is permitted to build 100 homes but only chooses to build 50). However, this particular issue could be addressed by different methodologies, including calculating costs on a per acre basis.

### Local Improvement Districts

An LID is similar to a reimbursement district in that the cost of infrastructure that benefits multiple property owners is divided among those property owners in an equitable manner, and paid by an assessment. Like reimbursement districts, LIDs may be initiated by property owners or the City. One or more LIDs could be used in RA-W and RA-E, in conjunction with or in place of reimbursement districts.

LIDs differ from reimbursement districts in the following important ways:

- Typically, a majority (50% plus one) of property owners (weighted by the amount of area they own) must sign a petition in support of initiating the district. (The establishment of a reimbursement district is a discretionary decision made by the city council.) Naturally, this requires the support of property owners, and outreach and discussion among property owners may require considerable time.
- Assessments may be paid in a lump sum or financed over time at the property owner's discretion. Assessments are due upon allocation of costs. As noted above, fees are typically due later in a reimbursement district, when property owners seek public works permits.
- The LID creates a lien against each individual's property until all assessments are paid in full. This is seen as a negative by lenders, whose strong preference is that there be no other claims on the property on which they are making a loan, and often by property owners. This is a positive since the lien creates a secure income stream against which the City can issue bond debt. Whether an LID is initiated by property owners or the City, LID debt is always issued by a government agency, and thus takes advantage of low interest rates.

Thus, LIDs are a financing mechanism that can create capital for construction. By contrast, the capital for a reimbursement district must be advanced by the City (from the City's various infrastructure-related funds and may or may not include issuance of City debt) or developers (from private sources).

Additional details regarding LIDs can be found in Oregon Revised Statutes (ORS) Chapter 223: Local Improvements and Works.

## Other Approaches to Framework Infrastructure

In addition to the reimbursement district and LID funding tools described above, the following tools help with the funding of framework infrastructure in the two reimbursement areas:

- *Supplemental SDC.* The City could establish an additional, supplemental SDC specific to Frog Pond. Functionally, this would be similar to a reimbursement district that covered all of the major framework costs associated with the entire RA-W or RA-E—a new fee would be put in place to help pay for these costs.
- *Expansion of the types of facilities that are considered SDC creditable by the City.* For example, certain park improvements could be considered SDC creditable, which would provide an extra incentive for developers to make those improvements. Such an approach was taken in Villebois, where certain park improvements were creditable. This could reduce SDC receipts which would be used to help fund CIP projects elsewhere.
- *Direct CIP investments.* As described elsewhere, the City could potentially fund additional projects or portions of projects, such as the Boeckman or Stafford Road upgrades, through the CIP. An analysis of each infrastructure component may be appropriate to determine if doing so would require deferring or reprioritizing other projects already on the list.

## OTHER FUNDING SOURCES

In a small number of cases, there are additional funding sources that are expected to supplement those described above. These additional funding sources are:

- *West Linn - Wilsonville School District.* Two schools will be built within Frog Pond, and the school district is anticipated to pay for some infrastructure needed to serve these schools, such as improvements to Advance Road, Boeckman-Stafford traffic signal, South Neighborhood Collector roads, 12" water main extension, and a pump station and force main. It is important to note that what infrastructure the District will build is subject to the school project's plans and phasing, and the City's review of impacts—all of which are in the pre-application stages. All citations of costs and revenues related to the schools are preliminary and subject to change.
- *Clackamas County.* The County has identified the Stafford Road—65th Avenue Improvements in the agency's transportation system plan. While this project is not likely to be built in the short or medium term (before 10 years), it is included in the list of relevant (off-site) projects in this strategy, and this strategy assumes that the County will take a major role in funding and building the project, with some participation from the City. The cost estimate used in this plan was developed by the County.
- *Urban Renewal.* No City of Wilsonville urban renewal funding for Frog Pond has been assumed as a part of this funding strategy. Conversations with City staff indicate that the City's urban renewal task force has identified investments elsewhere in the City that are likely to be higher priorities.
- *Grants and investments by other government agencies.* Grants are a potential funding source. However, no specific grants have yet been identified that the planning team believes will provide significant infrastructure funding for Frog Pond. Metro's Metropolitan Transportation Improvement Program (MTIP) is one such grant program, which guides how a range of federal and local transportation funds are invested in the region. MTIP funds could be used for major projects associated with Frog Pond, such as the Boeckman Road Bridge, but the collective judgment of City staff and the planning team is that it will be difficult to secure such funds since demand for MTIP funds typically outstrips availability. Nonetheless, it may be worthwhile for project stakeholders to continue to pursue grants and investments by other government agencies.

## LIST OF FROG POND INFRASTRUCTURE PROJECTS

Tables 1 through 3 below contain a list of all the infrastructure projects associated with Frog Pond. Projects are grouped by type—transportation, sanitary sewer, water, stormwater, and parks—and then by category—local, framework, and major off-sites.

The “Funding Approach and Notes” column describes LCG’s recommended approach to funding each project, which has been developed in collaboration with the City’s Community Development and Public Works staff and APG team. Much of the information in this column is a recap of the Infrastructure Categories section above. An important premise is that the funding strategy for area within the UGB (the West Neighborhood, Schools, and community park) must stand on its own. The timing of development of the urban reserve areas is too uncertain to rely on for funding of projects that are needed for development of the area within the UGB.

The “Estimates” column shows who produced the cost estimate; in some cases, two cost estimates were completed. The costs columns show what entity or fund is expected to pay for the project.

Total estimated developer costs for RA-W and RA-E are highlighted in yellow at the bottom of Table 3.

Table 1. Frog Pond Infrastructure Cost Summary - Transportation

Project Category and Name		Who Builds?	Timing Facility Built with:	Funding Approach and Notes	Estimates by		Total Cost Est	City Costs			Developer Costs			Other Costs		City Cost Attributable to FP	
					Est 1	Est 2		CIP or Other Fund	SDC Credits	Collectors Locals	RA West (RA-W)	RA East (RA-E)	Amount	Source			
<b>Transportation</b>																	
Local	West Neighborhood Collectors	Developer	West	Developers build and receive SDC credits for oversize (generally, roadway > 24' or 48', and bike lanes).	DKS	City	\$9,510,000		\$1,585,000	\$7,925,000						\$0	
	East Neighborhood Collectors	Developer	East		DKS	City	\$8,160,000		\$1,360,000	\$6,800,000						\$0	
	South Neighborhood Collectors	Developer	South	As above; school also pays for proportionate share.	DKS	City	\$3,900,000		\$450,000	\$2,650,000			\$800,000	School D.		\$0	
	Local roads	Developer	Varies	Developers build. No city costs, so costs are not included here.		City	-									-	
Framework	Boeckman Road Urban Upgrade UU-02 (Part 1)	City	West	City builds. South side is city responsibility, north side is developers responsibility and is charged to RDW.	DKS		\$3,700,000	\$1,850,000			\$1,850,000					\$1,850,000	
	Boeckman/Stafford Traffic Signal UU-02 (Part 2)	City	West	City builds, charges proportionate shares to RDW, RDE, and school district; city pays for remainder of project via CIP. This could be a gateway treatment than a roundabout.	DKS		\$500,000				\$70,000	\$305,000	\$125,000	School D.		\$0	
	Stafford Road Urban Upgrade UU-06 Phase 1	City	West	City builds with West Neighborhood; places reimbursement district on RDW, City (CIP) pays for 14' of 38'.	DKS		\$3,000,000	\$1,000,000			\$2,000,000					\$1,000,000	
	Advance Road Urban Upgrade UU-P1 Phase 1A and 1B	City	School	Phase 1A and 1B is the facilities on the south side of Advance that are west of 60th. City builds, school district pays pro rata share.	DKS		\$1,087,500	\$543,750					\$543,750	School D.		\$0	
	Stafford Road Urban Upgrade UU-06 Phase 2	City	East	City builds with East Neighborhood, places reimbursement district on RDE, developers pays for all additional roadway.	DKS	City	\$2,000,000					\$2,000,000				\$0	
	Potential Single-Lane Roundabout or Gateway Treatment on Stafford Road	City	East	Project is only built when E neighborhood develops. City builds, charges proportionate share to RDE. This could be more of a gateway treatment than a roundabout.	DKS		\$600,000	\$600,000									\$0
	Advance Road Urban Upgrade UU-P1 Phase 2	City	East	Phase 2 is the facilities on the north side of Advance, and all facilities (north and south) east of 60th. City builds, pays for portion outside of FP (south side), charges developer costs to RDE.	DKS		\$3,262,500	\$543,750					\$2,718,750				\$0
Major Off Site	Boeckman Road Bridge Improvements UU-01	City	TBD	City builds via CIP. This project is of citywide importance and addresses safety issues.	OBEC		\$12,200,000	\$12,200,000								\$4,270,000	
	Stafford Rd./65th Ave Improvements SI-03	County	TBD	Future project, not directly associated with FP. 10% attributable to FP.	County		\$5,500,000	\$1,000,000		\$0			\$4,500,000	County		\$100,000	
<b>Subtotal</b>							<b>\$53,420,000</b>	<b>\$17,737,500</b>	<b>\$3,395,000</b>	<b>\$17,375,000</b>	<b>\$3,920,000</b>	<b>\$5,023,750</b>	<b>\$5,968,750</b>			<b>\$8,907,500</b>	

Source for all subsequent tables and figures: Leland Consulting Group, based on cost estimates provided by DKS, MSA, and City of Wilsonville.

All figures and funding strategies are preliminary and subject to change.

Table 2. Frog Pond Infrastructure Cost Summary – Sanitary Sewer and Water

Project Category and Name		Who Builds?	Timing Facility Built with:	Funding Approach and Notes	Estimates by		Total Cost Est	City Costs		Developer Costs			Other Costs		City Cost Attributable to FP
					Est 1	Est 2		CIP or Other Fund	SDC Credits	Collectors Locals	RA West (RA-W)	RA East (RA-E)	Amount	Source	
<b>Sanitary Sewer</b>															\$0
Local	Major Sanitary Lines: West	Developer	West	Developers build, receive SDC credits for oversized components (>8")	MSA	City	\$1,370,000		\$80,000	\$1,290,000					\$0
	Major Sanitary Lines: East	Developer	East	"	MSA	City	\$630,000		\$40,000	\$590,000					\$0
	Major Sanitary Lines: South	Developer	South	"	MSA	City	\$660,000		\$35,000	\$625,000					\$0
	Local SS (8" and smaller)	Developer	Varies	Developers build. No city costs, so costs are not included here.	MSA	City	-								-
Framework	Boeckman Road SS	City	West	City builds as part of road rebuild, charges developer (non-oversize) portion to RDW.	MSA		\$680,000	\$120,000			\$560,000				\$120,000
	Stafford Road SS	City	West	City builds with Stafford Road Phase 1, charges developer (non-oversize) costs to RDW and RDE. Rough proportionality of 1/3 demand in West, and 2/3 in East assumed here.	MSA		\$640,000	\$50,000			\$196,667	\$393,333			\$50,000
	Advance Road SS	City	School	City builds, charges developer (non-oversize) portion to RDE. This project only extends to 60th Ave; SS to the east is not oversized.	MSA		\$780,000	\$40,000				\$740,000			\$40,000
	Pump station and force main	School	School	School builds, serves school properties.	MSA		\$1,290,000						\$1,290,000	School D.	\$0
Major Off Site	Boeckman Trunk Sewer	City	East	Major off site project, paid by City via CIP. 52% attributable to FP. Likely does not need to be built for the West Neighborhood, Schools, and Parks alone; can be built with East and South Neighborhoods.	MSA		\$8,000,000	\$8,000,000		\$0					\$4,160,000
	Memorial Park Pump Station	City	West	Major off site project, paid by City via CIP. 48% attributable to FP; however project is not growth related per se; it is in the flood plain and should be upgraded. Does not need to be in place until 40% of West Neighborhood and School is in place.	MSA		\$5,200,000	\$5,200,000		\$0					\$2,496,000
	<b>Subtotal</b>						<b>\$19,250,000</b>	<b>\$13,410,000</b>	<b>\$155,000</b>	<b>\$2,505,000</b>	<b>\$756,667</b>	<b>\$1,133,333</b>	<b>\$1,290,000</b>		<b>\$6,866,000</b>
<b>Water</b>															\$0
Local	Major Water Lines: West	Developer	West	Developers build, receive SDC credits for oversized components (>8" pipe size).	MSA	City	\$2,580,000		\$460,000	\$2,120,000					\$0
	Major Water Lines: East	Developer	East		MSA	City	\$2,580,000		\$470,000	\$2,110,000					\$0
	Major Water Lines: South	Developer	South		MSA	City	\$1,860,000		\$330,000	\$1,530,000					\$0
	Local Water (8" and smaller)	Developer	Varies	Developers build. No city costs, so not included here.	MSA	City	\$0								\$0
Framework	Boeckman Road W	City	NA	NA. Water line in Boeckman already exists.	MSA		\$0								\$0
	Stafford Road W	City	West	Same as Stafford SS. City builds with Stafford Road Phase 1, charges developer (non-oversize) costs to RDW and RDE. Rough proportionality of 1/3 demand in West, and 2/3 in East assumed here.	MSA		\$1,080,000	\$200,000			\$293,333	\$586,667			\$200,000
	Advance Road W	Shared	School	City builds, charges developer (non-oversize) portion to RDE.	MSA		\$890,000	\$160,000				\$730,000			\$160,000
Major Off Site	West Side Reservoir	City	West	Major off site project, paid by City via CIP. 25% attributable to FP.	MSA		\$5,800,000	\$5,800,000							\$1,450,000
	<b>Subtotal</b>						<b>\$14,790,000</b>	<b>\$6,160,000</b>	<b>\$1,260,000</b>	<b>\$5,760,000</b>	<b>\$293,333</b>	<b>\$1,316,667</b>	<b>\$0</b>		<b>\$1,810,000</b>

Source for all subsequent tables and figures: Leland Consulting Group, based on cost estimates provided by DKS, MSA, and City of Wilsonville. All figures and funding strategies are preliminary and subject to change.

Table 3. Frog Pond Infrastructure Cost Summary – Stormwater and Parks

Project Category and Name	Who Builds?	Timing Facility Built with:	Funding Approach and Notes	Estimates by		Total Cost Est	City Costs			Developer Costs			Other Costs		City Cost Attributable to FP
				Est. 1	Est. 2		CIP or Other Fund	SDC Credits	Collectors Locals	RA West (RA-W)	RA East (RA-E)	Amount	Source		
<b>Stormwater</b>															\$0
Local	Developer	Varies	Developers build. No city costs, so not included here.	MSA	City	\$0			\$0						\$0
Major	NA	NA	Included in DKS' roadway cost estimates	MSA	DKS	\$0									\$0
Framework	NA	NA	"	MSA	DKS	\$0									\$0
			<b>Subtotal</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$0</b>
<b>Parks</b>															\$0
Local	City	West	City acquires land, pays for construction, charges cost to RDW. Cost estimates include land and construction costs.	City		\$3,375,900				\$3,375,900					\$0
	City	West	As above. Linear park with fewer built amenities, adjacent or connected to the Boeckman Creek Trail.	City		\$2,286,900				\$2,286,900					\$0
	City	East	As above, city charges cost to RDE.	City		\$3,375,900					\$3,375,900				\$0
	City	West	Developer builds, receives City share (2/3) from either SDC credits (assumed here) or CIP.	DKS		\$850,000		\$570,000	\$280,000						\$0
	City	East		DKS		\$700,000		\$460,000	\$240,000						\$0
	City	East	City builds since trail is in BPA right of way, charges developer portion (1/3) to RDE.	DKS		\$670,000	\$450,000				\$220,000				\$450,000
	City	School	School builds and pays for this trail.	DKS		\$700,000						\$700,000	School D.		\$0
Framework	City	West	Major project, paid via City CIP. 25% attributable to FP.	City		\$5,410,000	\$5,410,000								\$1,352,500
			<b>Subtotal</b>			<b>\$17,368,700</b>	<b>\$5,860,000</b>	<b>\$1,030,000</b>	<b>\$520,000</b>	<b>\$5,662,800</b>	<b>\$3,595,900</b>	<b>\$700,000</b>			<b>\$1,802,500</b>
<b>Total Costs</b>						<b>\$104,828,700</b>	<b>\$43,167,500</b>	<b>\$5,840,000</b>	<b>\$26,160,000</b>	<b>\$10,632,800</b>	<b>\$11,069,650</b>	<b>\$7,958,750</b>			<b>\$19,386,000</b>

Source for all subsequent tables and figures: Leland Consulting Group, based on cost estimates provided by DKS, MSA, and City of Wilsonville.  
All figures and funding strategies are preliminary and subject to change.

**CIP COSTS AND REVENUES**

This section compares estimates of the System Development Charge (SDC) revenues that would be generated by development in Frog Pond, with the Capital Improvement Projects (CIP) costs associated with Frog Pond, in order to estimate a funding surplus or gap for the City.

Since the primary revenue source for Capital Improvements Projects is SDCs—paid when building permits are obtained—these estimates depend in part on the land use density option selected. The estimates also depend on whether we consider the entire Frog Pond Area, or just the West Neighborhood. Note that in cases where current SDCs do not meet CIP needs, SDCs can be increased, or supplemental SDCs or reimbursement fees can be assigned to particular areas.

Table 4 below shows the two most recent land use options prepared by Angelo Planning Group, Options D and E. Option D is the working draft Concept Plan that was shared at the recent Open House. Option E is a lower density option that has been prepared for Planning Commission review. The primary difference in the two options, from an infrastructure funding point of view, is the amount of single family housing—Option D has approximately 21 percent more dwelling units, and therefore, significantly more SDC revenue.

**Table 4. Land Use Options D and E**

	<b>D</b>	<b>E</b>	
<b>Frog Pond - All Neighborhoods</b>			
<b>Single Family (units)</b>	<b>2,078</b>	<b>1,716</b>	<b>dus</b>
Multifamily (units)	-	-	dus
Commercial Area (sf)	69,150	69,150	SF
Elementary School (sf)	67,000	67,000	SF
Middle School (sf)	92,500	92,500	SF
Community Parks	10.0	10.0	acres
Neighborhood Parks	7.5	7.5	acres
<b>West Neighborhood</b>	754	625	dus
<b>South and East Neighborhoods</b>	1,324	1,091	dus

*Source: Angelo Planning Group, Leland Consulting Group*

Table 5 shows the current SDC fees paid by one single family home in Wilsonville, as well as the SDC revenues projected for Frog Pond under both land use options. Total SDC revenues are \$56.0 and \$47.3 million for Options D and E respectively.

**Table 5. SDC Revenues - Options D and E**

Plan and Area	Transp.	Sewer	Water	Storm	Parks	Total
<b>Single Family Home</b>	\$7,381	\$4,647	\$5,300	\$1,458	\$5,150	\$23,936
<b>Option D</b>						
West Neighborhood	\$5,568,594	\$3,503,838	\$4,079,178	\$1,129,280	\$3,883,100	\$18,163,990
East & South Neighborhoods	\$13,766,649	\$6,701,320	\$7,542,193	\$2,357,992	\$6,910,522	\$37,278,676
<b>Total</b>	<b>\$19,335,243</b>	<b>\$10,205,158</b>	<b>\$11,621,371</b>	<b>\$3,487,272</b>	<b>\$10,793,622</b>	<b>\$55,442,665</b>
<b>Option E</b>						
West Neighborhood	\$4,616,445	\$2,904,375	\$3,395,478	\$941,198	\$3,218,750	\$15,076,246
East & South Neighborhoods	\$12,046,876	\$5,618,569	\$6,307,293	\$2,018,278	\$5,710,572	\$31,701,588
<b>Total</b>	<b>\$16,663,321</b>	<b>\$8,522,944</b>	<b>\$9,702,771</b>	<b>\$2,959,476</b>	<b>\$8,929,322</b>	<b>\$46,777,833</b>

Source: City of Wilsonville, Leland Consulting Group

Note that not all SDC revenue comes from single family home development. About 10 percent of the total revenue comes from other types of development, including commercial and schools.

Tables 6 through 9 below compare SDC revenue (from Table 5) to the City’s CIP costs (see “City Cost Attributable to FP” column at far right of infrastructure cost summary tables).

Note that not all City costs are considered to be attributable to Frog Pond. Rather, a percentage of the demand for *major off site* projects has been allocated to Frog Pond; notes are shown in the Funding Approach and Notes column of the infrastructure cost summary tables. For example, as mentioned above, only 25 percent of the West Side Reservoir is estimated to be attributable to new demand from Frog Pond, and thus, only 25 percent of the cost has been attributed to Frog Pond. Other examples include: 52 percent of the flow managed by the Boeckman Trunk Sewer, and 48 percent of the flow managed by the Memorial Park Pump Station, is attributable to Frog Pond, per MSA’s analysis. The City has estimated that 35 percent of the PM peak hour traffic on the Boeckman Road Bridge is attributable to Frog Pond.

100 percent of the City’s CIP costs associated with Framework and local infrastructure is considered to be attributable to Frog Pond, since this infrastructure likely would not be built if the area were not developed.

Tables 6 and 7 show that, when the entire Frog Pond area (all three neighborhoods) is taken into account, there is a funding surplus in each of the infrastructure types. Note that this funding surplus will be directed to the CIP, and thereby to other projects of citywide importance from which Frog Pond residents and businesses will benefit.

**Table 6. Revenues and Costs – Option D, All Neighborhoods**

	Transportation	Sewer	Water	Stormwater	Parks	Total
<b>Sources</b>						
SDCs Generated within FP Area	\$19,335,243	\$10,205,158	\$11,621,371	\$3,487,272	\$10,793,622	\$55,442,665
- SDCs credited to developers	\$3,395,000	\$155,000	\$1,260,000	\$0	\$1,030,000	\$5,840,000
<b>Net Sources</b>	\$15,940,243	\$10,050,158	\$10,361,371	\$3,487,272	\$9,763,622	\$49,602,665
<b>Uses (CIP Costs Attributable to Frog Pond)</b>	\$8,907,500	\$6,866,000	\$1,810,000	\$0	\$1,802,500	\$19,386,000
<b>Funding Surplus or (Gap)</b>	<b>\$7,032,743</b>	<b>\$3,184,158</b>	<b>\$8,551,371</b>	<b>\$3,487,272</b>	<b>\$7,961,122</b>	<b>\$30,216,665</b>

Source: City of Wilsonville, Leland Consulting Group

**Table 7. Revenues and Costs – Option E, All Neighborhoods**

	Transportation	Sewer	Water	Stormwater	Parks	Total
<b>Sources</b>						
SDCs Generated within FP Area	\$16,663,321	\$8,522,944	\$9,702,771	\$2,959,476	\$8,929,322	\$46,777,833
- SDCs credited to developers	\$3,395,000	\$155,000	\$1,260,000	\$0	\$1,030,000	\$5,840,000
<b>Net Sources</b>	\$13,268,321	\$8,367,944	\$8,442,771	\$2,959,476	\$7,899,322	\$40,937,833
<b>Uses (CIP Costs Attributable to Frog Pond)</b>	\$8,907,500	\$6,866,000	\$1,810,000	\$0	\$1,802,500	\$19,386,000
<b>Funding Surplus or (Gap)</b>	<b>\$4,360,821</b>	<b>\$1,501,944</b>	<b>\$6,632,771</b>	<b>\$2,959,476</b>	<b>\$6,096,822</b>	<b>\$21,551,833</b>

Source: City of Wilsonville, Leland Consulting Group

Tables 8 and 9 show that, when just the West Neighborhood is considered, there is a funding surplus in most of the infrastructure types. The exception is transportation, in which there is a \$1 million gap for Option D, and a \$1.95 million gap for Option E due to CIP contributions to the Boeckman Road Bridge, and Boeckman and Stafford Road Urban Upgrade projects (\$4.95 million in Frog Pond West attributable costs). There are funding surpluses, sometimes slight, in the other infrastructure categories.

The sanitary sewer infrastructure surplus is very small—just under \$160,000 for Option E. This is because the Memorial Park Pump Station and framework sewer lines in Boeckman and Stafford Roads (\$2.66 million in Frog Pond West attributable costs) would need to be built along with the West Neighborhood.

**Table 8. Revenues and Costs – Option D, West Neighborhood**

	Transportation	Sewer	Water	Stormwater	Parks	Total
<b>Sources</b>						
SDCs Generated within FP Area	\$5,568,594	\$3,503,838	\$4,079,178	\$1,129,280	\$3,883,100	\$18,163,990
- SDCs credited to developers	\$1,585,000	\$80,000	\$460,000	\$0	\$570,000	\$2,695,000
<b>Net Sources</b>	\$3,983,594	\$3,423,838	\$3,619,178	\$1,129,280	\$3,313,100	\$15,468,990
<b>Uses (CIP Costs Attributable to Frog Pond)</b>	\$4,985,000	\$2,666,000	\$1,650,000	\$0	\$1,352,500	\$10,653,500
<b>Funding Surplus or (Gap)</b>	<b>(\$1,001,406)</b>	<b>\$757,838</b>	<b>\$1,969,178</b>	<b>\$1,129,280</b>	<b>\$1,960,600</b>	<b>\$4,815,490</b>

**Table 9. Revenues and Costs – Option E, West Neighborhood**

	Transportation	Sewer	Water	Stormwater	Parks	Total
<b>Sources</b>						
SDCs Generated within FP Area	\$4,616,445	\$2,904,375	\$3,395,478	\$941,198	\$3,218,750	\$15,076,246
- SDCs credited to developers	\$1,585,000	\$80,000	\$460,000	\$0	\$570,000	\$2,695,000
<b>Net Sources</b>	\$3,031,445	\$2,824,375	\$2,935,478	\$941,198	\$2,648,750	\$12,381,246
<b>Uses (CIP Costs Attributable to Frog Pond)</b>	\$4,985,000	\$2,666,000	\$1,650,000	\$0	\$1,352,500	\$10,653,500
<b>Funding Surplus or (Gap)</b>	<b>(\$1,953,555)</b>	<b>\$158,375</b>	<b>\$1,285,478</b>	<b>\$941,198</b>	<b>\$1,296,250</b>	<b>\$1,727,746</b>

**REIMBURSEMENT DISTRICT COST ALLOCATION**

An important issue for developers considering building in Frog Pond is the allocated cost of the reimbursement districts that they will need to pay in addition to SDCs and the other costs associated with land development. Developers must pay for infrastructure costs somehow, and developers' likely responses to higher-than-typical infrastructure costs will be to try to negotiate a lower cost for land, pass higher costs on through a higher home sale price (if possible), or look for other places where they can find buildable residential land. The impact of infrastructure costs on development feasibility is further explored in the Frog Pond Land Development Financial Analysis memorandum.

Table 10 shows the total cost of projects proposed to be paid for by RA-W and RA-E, and the "residential allocation." These figures come from the last row in Table 3. For RA-W, all costs paid for by the district are allocated to residential development. In RA-E, some costs (about 10 percent) are paid by commercial development, schools, and parks. The cost per unit is significantly higher in the West than East, since a smaller residential cost allocation is divided among many more units.

The reimbursement district cost per dwelling unit varies depending on the land use option. Because there are more housing units in Option D, the cost of all infrastructure projects is divided among more units, and the "cost allocation per unit" is lower. This allocation is the approximate reimbursement fee that a developer would have to pay for each housing unit.

**Table 10. Reimbursement District Costs**

	<b>RA West</b>	<b>RA East</b>
Cost of Projects Paid for by RD	\$10,632,800	\$11,069,650
- Commercial and School Allocation	\$0	\$1,138,789
= Residential Allocation	\$10,632,800	\$9,930,861
<b>Option D</b>		
Dwelling Units	754	1,324
RD Cost Allocation per Unit	\$14,102	\$7,501
<b>Option E</b>		
Dwelling Units	625	1,091
RD Cost Allocation per Unit	\$17,012	\$9,103

## APPENDICES AND INFORMATION SOURCES

The following source documents were used in the preparation of this memorandum and are cited throughout when appropriate:

- Frog Pond Area Plan web site: <http://www.ci.wilsonville.or.us/628/Frog-Pond-Area-Plan>
- City of Wilsonville Capital Improvement Projects program, <http://www.ci.wilsonville.or.us/150/Capital-Projects>
- City of Wilsonville City Code, Section 3.116 Reimbursement for Extensions of Streets, Water, Storm Drainage and Sewer Lines or Other Utility Services. <http://www.ci.wilsonville.or.us/DocumentCenter/View/34>
- Adopted Budget, FY 2013-14, Capital Improvement Projects (CIP) section, pages 165 – 218.
- *Transportation Infrastructure – Street Credits/Reimbursements*, Steve R. Adams, P.E., Development Engineering Manager, City of Wilsonville, September 5, 2014.
- *Frog Pond Area Plan – Concept Plan Infrastructure Analysis*, Murray, Smith & Associates, Inc., March 18, 2015.
- *Wilsonville Transportation System Plan (TSP)*, adopted June 17, 2013.
- *Wilsonville Parks & Recreation Master Plan*, adopted September 17, 2007.
- *Market Analysis*, Frog Pond Area Plan, Leland Consulting Group, August 2014.
- Land use plans, Angelo Planning Group.
- Discussions with City staff and Frog Pond consultant team members regarding required infrastructure and associated costs.

## APPENDIX D - INFRASTRUCTURE FUNDING PLAN

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## Frog Pond West: Infrastructure Funding Plan

Date July 19, 2017  
To Chris Neamtzu, City of Wilsonville  
From Andy Parks, GEL Oregon  
Brian Vanneman, Leland Consulting Group  
Joe Dills, Angelo Planning Group



### Introduction

The City of Wilsonville has engaged GEL Oregon, Leland Consulting Group, and Angelo Planning Group to prepare an infrastructure funding plan for the Frog Pond West Master Plan ("Master Plan"). The purposes of the Frog Pond West Infrastructure Funding Plan ("Funding Plan") are to:

- Describe strategies and options that provide adequate funding to complete infrastructure (transportation, water, sewer, parks, and storm water) requirements identified in the Master Plan in a timely manner;
- Increase confidence for all parties regarding the projects, costs, resources, and timing required to make Frog Pond West a success;
- Provide flexibility by identifying both primary strategies and tools for funding, as well as additional alternatives, tools, and approaches that could be implemented over time; and
- Provide an equitable distribution throughout Frog Pond West of the costs and benefits of Master Plan infrastructure.

This plan is based on analysis of funding options and discussions with developers and property owners, and is intended to be adopted as part of the final Frog Pond West Master Plan.

### Project Summary

The Frog Pond West planning area, shown in Figure 1 below, is approximately 180 acres in total, with approximately 150 acres outside of the natural resource areas shown in green. The Master Plan area includes the following general attributes, which influence this funding plan:

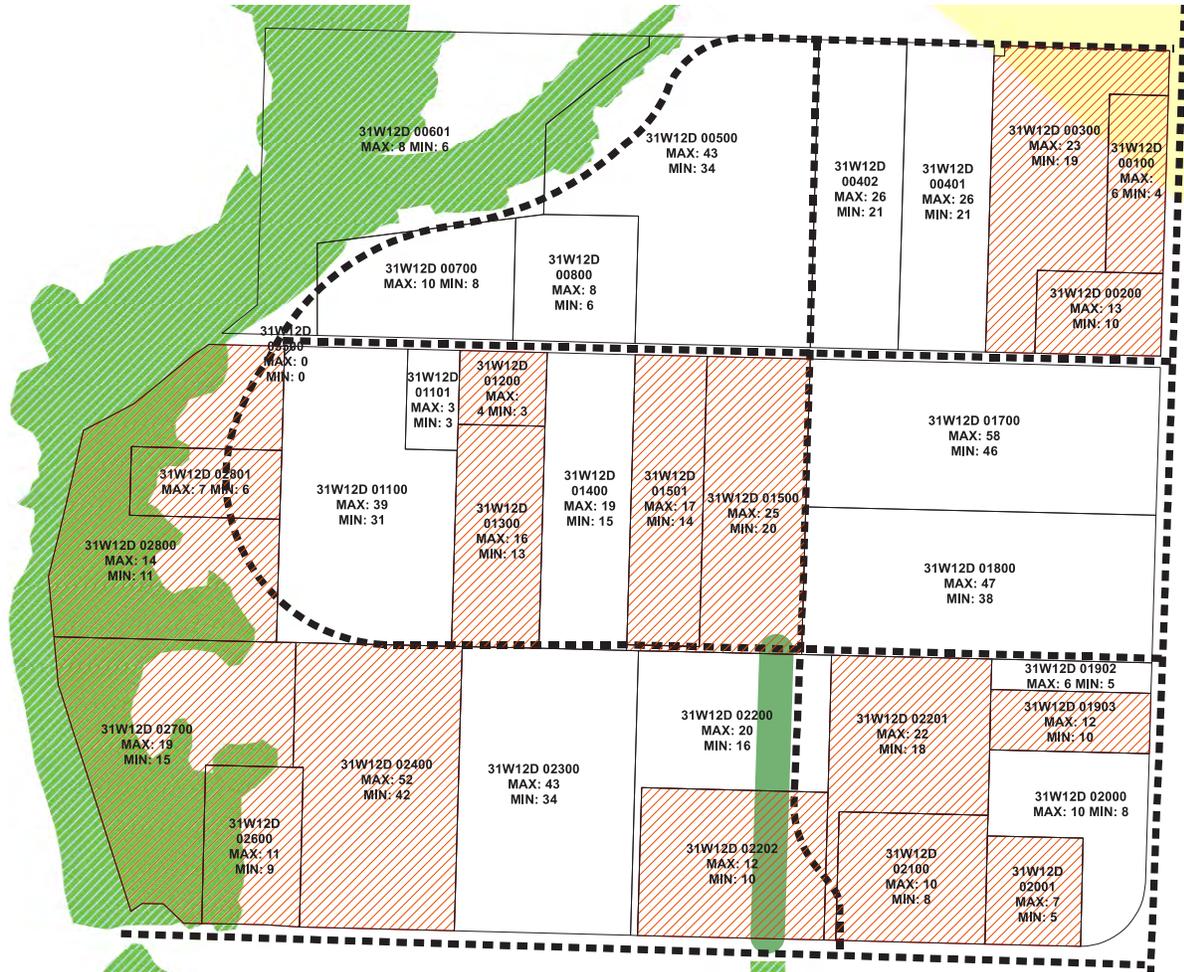
- 571 housing lots would be allowed to be built under the Master Plan.
- The site is currently outside the city limits, but within the Urban Growth Boundary.
- 26 different property owners (as of 2015) control properties that vary widely in size. The largest single ownership is 25 acres (school district) and the smallest is 0.9 acres.
- The School District owns 25 acres, including a 10-acre future school site adjacent to Boeckman Road, a 5-acre land banked site adjacent to the future school site, and a 10-acre land banked site adjacent to Stafford Road.<sup>1</sup>
- Owners of the parcels highlighted in Figure 1 have shown an interest in development. Property owner intent to develop has been taken into account in this Funding Plan since it is likely to drive the location and pace of development and the locations where infrastructure will be needed first.

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<sup>1</sup> In this Funding Plan, a portion of the 5-acre land banked site is assumed to be used for a future neighborhood park and the 10-acre land banked site is assumed for future residential development. These assumptions are subject to change based on future decisions by the West Linn-Wilsonville School District and the City of Wilsonville.

**Figure 1. Frog Pond West**

This map shows the maximum and minimum number of housing units that can be built on each property, pursuant to the Frog Pond West Master Plan. Properties shaded in orange indicate that owners have contacted the City to express an interest in development.



**Infrastructure Summary**

For purposes of this Funding Plan, the infrastructure necessary to serve Frog Pond West has been put into three different categories, shown below. The emphasis of this Funding Plan is to identify strategies and tools appropriate to fund “Master Plan” infrastructure (the third bullet point below); the strategies and tools necessary to fund the other infrastructure categories are adequately addressed through the City’s existing methods.

- **Off-site Infrastructure** includes large projects that serve the broader community, are funded through Systems Development Charges (SDCs) generated by development throughout the City and through other City resources, and are generally located outside of the 180-acre boundary of Frog Pond West. Examples include:
  - Memorial Park pump station
  - Boeckman Creek sanitary sewer trunk line
  - West side water reservoir (funding pending)
  - Boeckman Bridge (the potential Frog Pond West contribution is summarized below)

- **On-site Infrastructure** includes local projects which serve individual properties. The costs of these projects are funded by individual developers. Examples include:
  - Local streets and sidewalks
  - Sanitary sewer lines
  - Water lines
  - Stormwater management
- **Master Plan Infrastructure** is the focus of this Funding Plan. Master Plan infrastructure differs from the above because it typically:
  - Crosses multiple property ownerships
  - May be too large and expensive for any single developer to complete
  - May have geographically concentrated costs (e.g. a park on a single property), but benefits all of Frog Pond West
  - May be adjacent to or within Frog Pond West development parcels

As stated, the focus of this Funding Plan is to identify the Master Plan infrastructure projects and to provide strategies and options for funding those Master Plan infrastructure projects that currently do not have any identified funding source or are not fully funded.

### Master Plan Projects

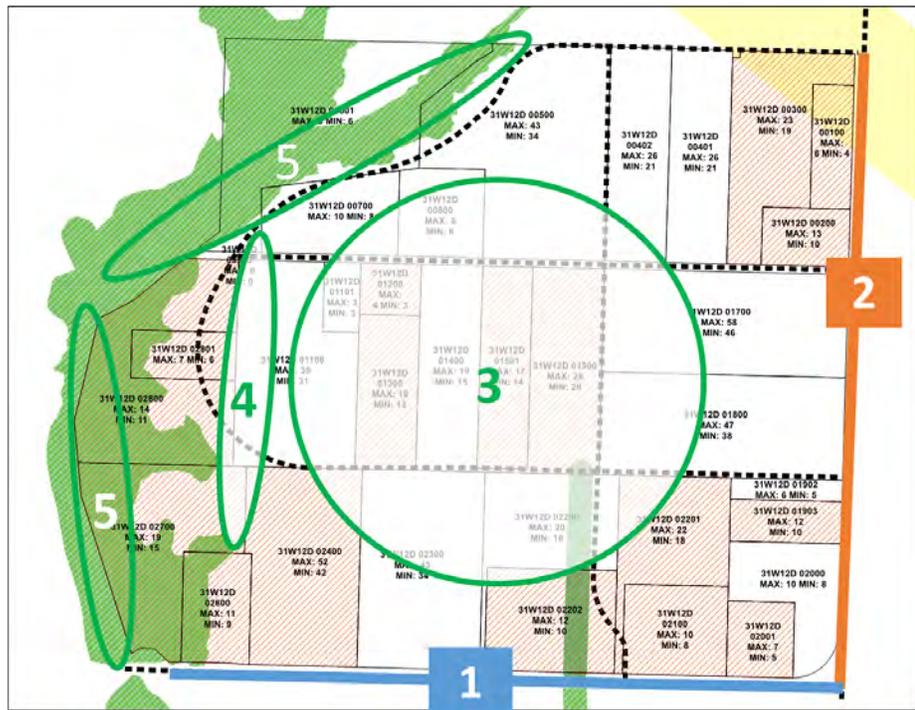
This Funding Plan focuses on funding strategies for the following five key Master Plan projects, which are conceptually represented in the adjacent figure:

1. Boeckman Road, including sanitary sewer
2. Stafford Road, including sanitary sewer and water
3. Neighborhood Park
4. Trailhead Park
5. Boeckman Trail

In addition, this Funding Plan specifically addresses one off-site infrastructure facility, due to its location adjacent to Frog Pond West:

- Boeckman Bridge

Figure 2. Map of Master Plan Projects



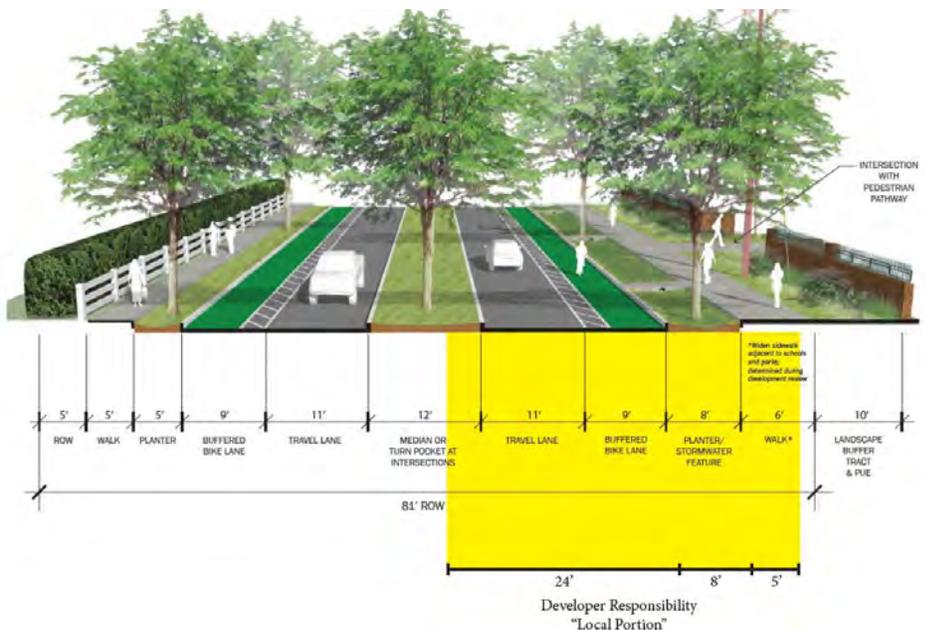
### Current City Policy

This Funding Plan uses the City’s existing policy and practices as a starting point, summarized below:

- Developers pay for the “local portion” of infrastructure required to serve their developments. For example, the local portion of Boeckman Road is shown below in Figure 3 as the yellow highlighted portion of the road. Typically, this is the first 24 feet of roadway from face of curb, plus planter strips and sidewalks, and including the pavement and road base associated with the local street standard, and water and sewer lines up to 8” in size.
- Developers also pay for the “oversize portion” (infrastructure that exceeds the minimum required), and then receive credits against SDCs due (“SDC credits”).
- Where necessary, the City may pay for infrastructure elements that are:
  - Identified by existing adopted citywide infrastructure master plans (e.g. the Transportation System Plan or Parks and Recreation Master Plan) and included in the City’s five-year Capital Improvement Program (CIP); and
  - Abutting already-developed areas (e.g. the component of Boeckman Road that fronts the Arbor Crossing neighborhood to the south) and therefore not the responsibility of Frog Pond developers.
- The City may implement a variety of tools to facilitate and coordinate infrastructure delivery including SDCs and SDC credits, a supplemental fee, reimbursement districts/agreements, Local Improvement Districts (LIDs), development agreements, etc.

In addition to SDCs and SDC credits, a supplemental fee is the primary funding tool recommended for Frog Pond West and is described further below.

**Figure 3. Boeckman Road, including developer responsibility/local portion**



*Note: Roadway may include other “oversize” elements that are not shown (e.g. additional structural section).*

## Infrastructure Cost Allocation-Current City Policy

The total cost of the five Master Plan infrastructure projects and the Boeckman Bridge is allocated to different parties under *current* City policy as follows. Recommendations for how these current policies should be adjusted to fit specific conditions in Frog Pond begin on page 6.

1. Boeckman Road (including sanitary sewer)
  - a. Southern Portion of Boeckman Road
    - i. The City will pay for the construction of the southern portion of Boeckman Road, which is identified in the City’s Transportation System Plan (TSP) as a “higher priority project.”
  - b. Northern Portion of Boeckman Road
    - i. Current City policy states developers along Boeckman Road are responsible to develop their “local portion” of Boeckman Road (see Figure 3 above). Since most of the relevant Boeckman Road frontage and in-street utilities serve Frog Pond West, developing the “local portion” of the north side of Boeckman Road is the responsibility of the adjacent developers.
    - ii. Also under current City policy, developers may receive SDC credits for constructing the remainder of the north side of Boeckman Road, which exceeds the “local portion” of the road.
    - iii. Any oversizing of sanitary sewers installed by the developers along the northern portion of Boeckman Road is also subject to SDC credits.
  - c. Alternative strategies for funding Boeckman Road are outlined on page 6.
2. Stafford Road (including sanitary sewer and water)
  - a. Western Portion of Stafford Road
    - i. As with the northern portion of Boeckman Road, developers in Frog Pond West developing adjacent to Stafford Road are responsible for the “local portion” of Stafford Road, including sanitary sewer and water. Any oversizing can be compensated through SDC credits.
  - b. Eastern Portion of Stafford Road
    - i. Under current City policy, the “local portion” of the east side of Stafford Road will be the responsibility of the developers of Frog Pond East adjacent to Stafford Road.
  - c. Alternative strategies for funding Stafford Road are outlined on page 10.
3. Neighborhood Park
  - a. The cost of the Neighborhood Park is the responsibility of developers within Frog Pond West because the City’s Comprehensive Plan, the Parks and Recreation Master Plan, and the Parks SDC methodology require the cost of neighborhood parks to be the responsibility of the local neighborhood, and not borne by the entire City. Strategies for funding the Neighborhood Park Road are outlined on page 11.
4. Trailhead Park
  - a. The cost of the Trailhead Park is accounted for in the Parks SDC and is included in the Parks and Recreation Master Plan, and so does not require any contribution from developers beyond the standard Parks SDC.

5. Boeckman Trail
  - a. Along with the Trailhead Park, the Boeckman Trail is accounted for in the Parks SDC and is included in the Parks and Recreation Master Plan, and so does not require any contribution from developers beyond the standard Parks SDC.
6. Boeckman Bridge
  - a. Frog Pond West's costs for Boeckman Bridge are allocated based on the neighborhood's traffic demand (average daily trips or ADT). Strategies for funding Boeckman Bridge are outlined on page 12.

## Master Plan Infrastructure Funding Strategies

Master Plan infrastructure such as Boeckman and Stafford Roads will need to be improved across many properties, and are likely too large and expensive for any single developer to complete alone. Therefore, in order to realize the goals of the Frog Pond Area Plan and the Master Plan, the City has a role to play in coordinating the provision and funding of that infrastructure. The sections below describe strategies for funding the four projects that either exceed the ability of an individual developer to fund, do not have any identified funding source, or would be only partially funded by known sources. Those four projects are: (1) the northern portion of Boeckman Road; (2) the western portion of Stafford Road; (3) the Neighborhood Park; and (4) Boeckman Bridge.

## Overall Preferred Strategy: Establish a Supplemental Fee to Distribute Costs Equitably

As described above, existing City policy would require funding for Master Plan infrastructure to generally be borne by developers. This Funding Plan proposes a variation on that policy in which the funding for specified projects would be: (1) borne by all new development in Frog Pond West through an equitable distribution of the costs on an equivalent dwelling unit (EDU) basis; and (2) collected through a supplemental fee that applies to new development. The supplemental fee will generate funds for three projects: Boeckman Road (including sanitary sewer improvements); Stafford Road (including water and sanitary sewer improvements); and the Neighborhood Park. (The funding for Boeckman Bridge is described further below, and includes a separate, dedicated supplemental fee for the bridge.)

The supplemental fee will create revenue that is fungible for use across different Master Plan infrastructure projects so that the timing of project construction would be as flexible as possible. The supplemental fee is a different funding instrument than a supplemental SDC or reimbursement district fee; however, the City retains the option of using those tools if desired.

Figure 4 below summarizes the Frog Pond West supplemental fee, including associated projects, preliminary cost estimates, and allocation per equivalent dwelling unit (EDU). The City reserves the right to complete additional infrastructure design and engineering analysis, which may result in changes to the cost estimates below.

**Figure 4. Frog Pond West Estimated Supplemental Fee: Preliminary Cost Estimates and Allocation**

All costs shown assume that projects will be built by the City, and therefore public-sector construction cost estimates are used. Additional notes regarding EDUs and costs are below.

Projects	Total Project Cost Public Sector Construction	Oversize Components (City CIP)	City Share	Net Project Cost to Recover (rounded)	Number of EDUs	Allocation per EDU	Admin Overhead 12.0%	Total Allocation per EDU
Boeckman Rd	3,747,161	122,986	2,026,941	1,597,000	538	2,970	356	3,326
Boeckman Rd sanitary sewer	690,625	265,756	-	425,000	490	870	104	974
Stafford Rd	2,585,548	439,544	-	2,146,000	538	3,990	479	4,469
Stafford Rd sanitary sewer	213,281	20,312	-	193,000	490	390	47	437
Stafford Rd water	365,625	71,094	-	295,000	472	630	76	706
Neighborhood parks	2,407,221	-	-	2,407,000	457	5,270	632	5,902
<b>Total</b>	<b>10,009,461</b>	<b>919,692</b>	<b>2,026,941</b>	<b>7,063,000</b>		<b>14,120</b>	<b>1,694</b>	<b>15,814</b>

EDUs. An EDU is an approximation of the infrastructure demand generated by one dwelling unit, and is useful since EDUs can also be estimated for non-residential (e.g. school, commercial, or industrial) development. In the case of the Neighborhood Park, costs are allocated across 457 EDUs in Frog Pond West, which is 80 percent of the 571 total homes allowed in the Master Plan, and accounts for a potential 20 percent “underbuild.” Assuming that 80 percent or more of the allowed homes in Frog Pond West are built, they will generate adequate supplemental fees for the Neighborhood Park, along with the other Master Plan infrastructure projects. In the case of other infrastructure elements (roads, sewer, water), the proposed school will generate infrastructure demand in addition to demand from residential development. For that infrastructure, the City and project team have estimated school demand (in EDUs) based on comparable past projects, and added this to the housing demand. Therefore, the road, sanitary sewer, and water projects are allocated across a greater number of EDUs.

Notes regarding costs. The cost estimates in Figure 4 assume that projects will be funded via the supplemental fee and built by the City, in the year 2019. These fees may adjust for the time cost of money or other inflationary factors if the projects are built beyond that time horizon. Based on input from third-party engineers and City staff, public-sector construction costs are assumed to be approximately 25 percent higher than private-sector construction costs, and therefore, if any components were to be built by the private sector, it is possible that the costs and the associated fees could be reduced. Cost estimates in Figure 4 include hard (construction) costs, plus external engineering (25 percent of hard costs), contingency (30 percent of hard costs), and city overhead (12 percent of all costs, to account for internal City engineering, finance, and related services). The City’s review indicates that total Frog Pond West development fees (the above supplemental fees plus base City SDCs) are comparable to the total fees that developers are paying in comparable master-planned development areas such as South Cooper Mountain

in Beaverton, and River Terrace in Tigard. The City's current SDCs are \$25,388<sup>2</sup> for a single-family home (EDU), including streets, sanitary sewer, water, stormwater, and parks, and adjust each year to account for inflation.

### Boeckman Road Preferred Funding Strategy

The following strategies were prepared after analysis of various options and coordination meetings with the three major property owners/developers on the north side of Boeckman Road. During these meetings, the City explored multiple options and strategies for funding Boeckman Road, working from the foundation of existing City policy and applying the principle of equitable distribution of costs. The Boeckman Road strategies are:

- The City will lead the construction of the Boeckman Road improvements. This strategy evolved out of meetings with property owners/developers during which they stated the following concerns and challenges about the private sector leading construction of Boeckman Road: (1) existing properties are small, so infrastructure costs (even if reimbursed over time) cannot be easily carried or offset against revenues; (2) borrowing money without certainty of repayment is not possible; and (3) they do not have experience working jointly with adjacent developers, which makes coordination difficult. The property owners/developers stated a preference to pay a higher fee and have the City build the improvements, as opposed to a lower fee and private sector construction.

From the City's perspective, a benefit of City-led construction is that the phasing and timing of the improvements can be determined by the City and is flexible. The City would also retain more control over the project to ensure it complies with the Frog Pond West Master Plan and City standards. In addition, City-led construction translates into greater risk for the City. If development does not take place at the pace expected and therefore revenue from the supplemental fee is less than the amount necessary to construct the projects, the City will carry the cost of construction and financing.

In summary, the preferred strategy is for the City to lead the Boeckman Road improvements. The City retains the option for a private sector lead if circumstances are conducive to it in the future. The additional strategies listed below reflect the City's consideration of the trade-offs described above and the crafting of an approach that will, on balance, work for all parties.

- A preference for fewer phases; the preferred approach is two phases; with options for how phasing occurs. The City prefers that Boeckman Road be built in as few phases as possible. This will minimize disruption and reduce costs. The City's specific preference is for a two-phase approach where two of the three major frontages are built simultaneously. The City realizes that individual projects may need to move ahead, and is open to proposals to improve a single frontage. The City will work with the School District to try to coordinate its frontage improvement with either of the adjacent frontages. The City will also work with the owner/developer of the western-most frontage to coordinate its improvements with the Boeckman Bridge replacement.

<sup>2</sup> Reflects adopted SDCs as of June 4, 2017. On June 5, 2017, the City Council adopted an updated Transportation SDC of \$11,772 per Single Family home (an increase of \$4077 above the previous SDC).

- City funding for the southern part of Boeckman Road. The City will contribute funds for completion of the southern portion of Boeckman Road, which abuts the Arbor Crossing neighborhood and, under current City policy, would not be the responsibility of Frog Pond West developers. An estimate of this cost is shown as the “City share” of Boeckman Road in Figure 4.
- Equitable distribution and reimbursement of costs. Boeckman Road costs will be distributed equitably to all development in Frog Pond West, as described above.
- Coordination of the western portion of Boeckman Road with the Boeckman Bridge replacement. When the Boeckman Bridge is replaced, the project will extend east to include part of the western-most frontage. The City will strive to coordinate the design for the bridge and the road improvement by whichever project is designed first.
- Funds may be sourced from all applicable fees. For City (or private sector) construction of Boeckman Road, funding will be available from supplemental fee revenue, plus applicable SDCs collected or credited. This will help reduce or eliminate carrying costs associated with the construction of Boeckman Road and sanitary sewer facilities.
- Phase 1 construction may be deferred to a time-certain date. At the discretion of the City, the construction of Boeckman Road may be deferred to a time-certain date or number of completed lots in order to accumulate supplemental fees needed to build the project. For the purposes of this Funding Plan, construction is preliminarily set for 2019. Developers will be required to construct interim improvements necessary to support safe pedestrian, bicycle, and motor vehicle movement prior to the full improvements being completed.
- Development agreements will be the implementing instruments and will be established at the time of annexation. The City plans to create an infrastructure supplemental fee, which will require developers to enter into development agreements as a condition of annexation. These development agreements will require developers to pay the supplemental fee at the time of issuance of a building permit. The development agreement template and infrastructure supplemental fee resolution should be approved by the City Council prior to processing any annexation applications.
- Options for Council Consideration. Based on discussions with the three major property owners on the north side of Boeckman Road and analysis by the City team, the strategies listed above are recommended. The key issues for which there are options are:
  - Option A – City leads construction, with improvements deferred to 2019 or a defined number of lots in order to build up funds. The project team estimates that an issuance of permits of 142 EDUs will be required in order to receive sufficient supplemental fees to cover the City’s costs associated with the north side of Boeckman Road.
  - Option B – City leads construction, with improvements not deferred; Boeckman Road would be constructed early and concurrent with development. This option is not recommended due to the risk of delayed pay-back to the City.

- Option C – Private sector leads construction, with improvements deferred to 2019 or a defined number of lots in order to build up funds. This option is not recommended, but is available to the Council for consideration.

### Stafford Road Preferred Funding Strategy

There are several challenges associated with the construction of Stafford Road. There is no certainty that Frog Pond East will develop in the near future, and the road is currently under county jurisdiction. Frog Pond East is outside the Urban Growth Boundary and is designated “urban reserve,” defined by Metro as land that is suitable for development in the next 50 years. The developer’s portion of Stafford Road infrastructure on the east side would not be required until annexation and development. Likewise, Frog Pond West developers/property owners along Stafford Road are not as advanced in their planning for development as those along Boeckman Road; therefore, this funding strategy cannot be as specific in its recommendations for Stafford Road.

This Funding Plan recommends that Stafford Road be built and funded via a strategy similar to Boeckman Road:

- Preference for the fewest number of phases that are practicable, with interim improvements to be considered at the discretion of the City. Phasing may be tailored to improve the west side of the road prior to the east side. The specific timing of improvements and phasing is to be determined. The City generally intends to build up funds through the collection of the supplemental fee prior to making improvements to Stafford Road.
- Equitable distribution of costs: Stafford Road improvement costs will be included in the Frog Pond West supplemental fee, and supplemental fee revenues will be used to pay for Stafford Road improvements (roadway, sanitary sewer, water).
- Options for the construction of Stafford Road improvements by either the private sector or the City. Private developers who build segments of the road will be reimbursed via the supplemental fee and SDC credits.
- Development agreements will be the implementing instruments and executed at the time of annexation.

#### Timing of Stafford Road Improvements

Given that the east side of Stafford Road is not within the Urban Growth Boundary (UGB) it is challenging to provide a time certain, or even a target “threshold” of the number of equivalent dwelling units (EDUs) for required permanent improvements to Stafford Road. Decisions by the City that will impact the timing of Stafford Road improvements include but are not limited to the following:

- Completing Boeckman Road in its entirety prior to Stafford Road improvements.
- Acquiring park land for the Neighborhood Park prior to Stafford Road improvements.
- The timing of improvements to the Neighborhood Park.
- Completing Stafford Road improvements in one or possibly two phases.
- The availability of Transportation System Development Charges for the “oversize” portion of Stafford Road.

Decisions by others that will impact the timing and availability of funding for Stafford Road improvements include but are not limited to the following:

- School District siting and timing decision for a school, including the size and equivalent dwelling units determined.
- Location of and timing of development by property owners.
- Pace of development.
- Inclusion of Stafford Road along with the East and South Neighborhoods into the UGB.

Per the estimated development pace shown below, which reflects feedback received from property owners and developers, development of eighty percent (457 EDUs) of Frog Pond West’s homes plus development of a primary school (43 EDUs) is anticipated by year fifteen. The number of EDUs estimated to fully fund the west side of Stafford Road is 186, or 93 EDUs for two separate phases.

**Figure 5. Projected number of Equivalent Dwelling Units to Fund Projects and Project Timing**

	Estimated Total Project Cost (000s)	Less: City Portion (000s)	Net Project Cost paid with Supplemental Fee (000s)	Number of EDUs to Fully Fund	Cumulative EDUs to Fully Fund	Estimated Year to Construct
Boeckman Road/sewer	4,438	2,416	2,022	143	143	2-5
Neighborhood Park - land	980	-	980	69	212	2-5
Neighborhood Park – improvements	1,427	-	1,427	101	313	6-10
Stafford Road/water/sewer-phase I	1,582	265	1,317	93	406	11-15
Stafford Road/water/sewer-phase II	1,582	265	1,317	93	499	11-15
	10,009	2,946	7,063	499		

**Figure 6. Estimated Development Pace**

Years	Boeckman Rd frontage	Other	Total	Cumulative
0-5	138	36	174	174
6-10	43	150	193	367
11-15	0	135	135	502
16-20	0	0	0	502*

\* Total lots on the two tables above vary due to rounding.

The City could choose to move forward sooner with Stafford Road improvements (west side) under various scenarios, for example: the project is funded from sources other than the infrastructure supplemental fee; the east side is brought within the UGB before year 15; the project is split into more than one phase; or, the Neighborhood Park improvements are deferred or phased.

### Neighborhood Park Preferred Funding Strategies

As stated above, both the Trailhead Park and Boeckman Trail are eligible to use Park SDC funding, including SDC credits, because they are considered to be “regional” park facilities pursuant to the City’s

Parks & Recreation Master Plan and SDC methodology. However, the Neighborhood Park is not eligible to use Park SDCs or Park SDC credits as a funding resource.

It is very unlikely that any single developer or group of developers/property owners will have the financial wherewithal to complete the Neighborhood Park project. Moreover, without a funding strategy, the costs of this park—which would be located on one or several properties—would be concentrated, while the benefits would be throughout Frog Pond West. Therefore, as shown in Figure 4, this Funding Plan recommends including the Neighborhood Park acquisition and improvement costs in the Frog Pond West supplemental fee. This will enable the project to move forward while minimizing the impact on funding for parks projects elsewhere in the City. The priorities of acquisition and construction would be as follows:

- Acquire needed land first. Work proactively with the School District (and/or property owners as necessary) to acquire the land. This may require negotiations with the School District to secure the site via a memorandum of understanding (MOU), intergovernmental agreement (IGA), or other agreement.
- Design and complete park improvements next. Consider building the Neighborhood Park when residential build-out reaches a target, such as 50 percent. Work proactively with the School District, developers, and property owners willing and able to make park improvements in exchange for supplemental fee credits.

Development agreements addressing the supplemental fee (including a Neighborhood Park component) would be signed with each property owner at the time of annexation, as described above. Additional development agreements may be necessary in the event that property owners deed land for or make improvements to the Neighborhood Park that would be creditable against supplemental fee payments, or make other contributions to the Neighborhood Park.

### **Boeckman Bridge Preferred Funding Options**

The proposed Boeckman Bridge is a major piece of transportation infrastructure—significantly greater in cost than the other elements discussed above. Frog Pond West should contribute a modest share of funding for the bridge, consistent with the fact that it is expected to generate a small percentage (less than 15 percent) of the transportation demand for the bridge, with the remainder of the demand generated by existing and new development elsewhere in the City. The majority of funding will be generated by citywide sources, possibly urban renewal funds or other sources.

This Frog Pond West share should be generated by a supplemental fee that would be similar to the fee described above, but likely separate and dedicated to the Boeckman Bridge only. The fee associated with Boeckman Bridge is recommended to be separate from the Frog Pond West supplemental fee (for Boeckman and Stafford Roads, and Neighborhood Park) because a funding strategy for Boeckman Bridge has not been finalized. The selected funding for Boeckman Bridge (e.g. Urban Renewal or CIP) may be comingled in ways that are different from the other Master Plan infrastructure, causing potential accounting challenges if there is just one supplemental fee. Citywide and local (Frog Pond West) funding recommendations are described below.

#### **Citywide Funding Share**

While the City’s funding strategy for Boeckman Bridge is still being refined, the City is currently considering funding a significant share of Boeckman Bridge via urban renewal funds (tax increment financing), that

would be generated by substantially amending the Year 2000 urban renewal area plan (Year 2000 URA) to include the cost of Boeckman Bridge. The City estimates that the Year 2000 URA could generate enough funds to pay for either the entire cost of Boeckman Bridge, or that cost less the cost associated with Frog Pond West. Other funding mechanisms—primarily SDCs/CIP—could be used to supplement URA funds. The City recently updated the Transportation SDC (TSDC) methodology and rate and elected to exclude Boeckman Bridge from the TSDC project list at this time. While the City is pursuing the citywide component of Boeckman Bridge funds through the Year 2000 URA, the funding specifics will continue to be refined for this major piece of transportation infrastructure. This Funding Plan estimates a supplemental fee based on the portion of the cost to construct Boeckman Bridge that is not funded through other revenue sources (the “Unfunded Portion”).

**Frog Pond West Share of Unfunded Portion: Boeckman Bridge Supplemental Fee Estimate**

Traffic generated by Frog Pond West is expected to make up a modest portion of the total traffic carried by Boeckman Bridge. The average daily trips (ADT) forecast for Boeckman Bridge in 2035 is 12,750. Frog Pond West’s 571 housing units are expected to generate 1,170 ADT over Boeckman Bridge, or 9.2 percent of the total forecast ADT. At 80 percent development, or 457 units, the ADT is expected to amount to 7.3 percent of the total. The school is estimated to generate 645 ADT, or 5.0 percent of the total. In all, the estimated ADT generated by Frog Pond West, at full build out, is 1,815, or 14.3 percent of total forecasted trips.

The current cost estimate for Boeckman Bridge is \$14.0 million. If the City captures a proportional share of bridge funding from Frog Pond West, a separate supplemental fee appears to be the most appropriate tool. The amount to be raised by housing development in Frog Pond West would be 9.2 percent of the total Unfunded Portion, divided equally between 571 units.<sup>3</sup> For each \$1 million of “net unfunded” bridge cost (not covered by URA or other citywide sources), the fee would be \$161 (9.2 percent times \$1,000,000 divided by 571 housing units). The actual fee will depend on the Unfunded Portion of Boeckman Bridge, for example:

- If \$2 million unfunded, the fee per EDU would be \$322
- If \$10 million unfunded, the fee per EDU would be \$1,610
- If \$14 million unfunded, the fee per EDU would be \$2,254

The estimated contribution by the School District is approximately five percent of the Unfunded Portion; however, details regarding the District’s precise share have yet to be worked out.

**Summary of Strategies and Recommendations**

As described above, this Funding Plan provides the following findings and recommendations:

- Frog Pond West will require that a variety of infrastructure—including transportation, sanitary sewer, water, and parks—be built at the local, Master Plan, and off-site levels. Master Plan improvements are the primary focus of this Funding Plan, as they affect multiple property ownerships, are costly, and require a coordinated plan. Such a coordinated strategy will increase all parties’ confidence that the

<sup>3</sup> These calculations, including supplemental fee amount, are the same if both development and ADT are reduced to 80 percent of the full build-out values (i.e., 457 units and 7.3 percent of ADT) since a smaller share of traffic impact would be divided among a proportionately smaller number of units. Since transportation analysis was completed assuming full build out, the figure 571 housing units is used here.

Master Plan will be implemented in a timely manner, and equitably allocate major costs across numerous different development sites.

- The primary funding tool recommended for three key Master Plan infrastructure elements—Boeckman Road (including sanitary sewer improvements), Stafford Road (including sanitary sewer and water improvements), and the Neighborhood Park—is a supplemental fee. This fee would be equitably distributed across all residential and school development in Frog Pond West, commensurate with each development’s demand for the infrastructure. The total costs are allocated on the basis of equivalent dwelling units (EDUs) and summarized in Figure 4 above.
- This Funding Plan recommends and assumes that the City will collect supplemental fees and lead the construction of the Boeckman Road and Stafford Road projects. However, it is also possible that developers could build those projects in exchange for credits against supplemental fees and City SDCs; this would also likely result in lower construction costs.
- Boeckman Bridge is considered to be an “off-site” infrastructure element. Frog Pond West will generate a modest share of demand (15 percent or less) for Boeckman Bridge, with other demand coming from elsewhere in the City, and it is costlier than the Master Plan transportation infrastructure described above. The City is continuing to refine the design and funding strategy for Boeckman Bridge, with most of the funding expected to come from a substantial amendment to the Year 2000 URA. The City is also considering other funding mechanisms (primarily SDCs/CIP). This Funding Plan recommends that an additional and separate supplemental fee be charged to Frog Pond West development for the Boeckman Bridge. This supplemental fee amount will depend on the final design and cost of the bridge, and the amount generated by the URA and/or other sources. Based on Frog Pond West’s transportation demand, the estimated supplemental fee is approximately \$161 per \$1 million of cost that is not provided by the URA and/or other sources.



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Ordinance No. 892 – 1<sup>st</sup> Reading Frog Pond East and South Master Plan Code Amendments</b>	
		<b>Staff Member:</b> Daniel Pauly, Planning Manager	
		<b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: November 18, 2024, continued from August 5, 2024 <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: November 18, 2024 <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: December 2, 2024 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	
		<b>Comments:</b> At their October 9 meeting Planning Commission held a public hearing and unanimously recommended the City Council approve the proposed amendments.	
<b>Staff Recommendation:</b> Staff recommends Council adopt Ordinance No. 892 on first reading.			
<b>Recommended Language for Motion:</b> I move to adopt Ordinance No. 892 on first reading.			
<b>Project / Issue Relates To:</b>			
<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	

**ISSUE BEFORE COUNCIL**

City Council will consider a recommendation from the Planning Commission and related proposals to amend the City’s Code to support implementation of the Frog Pond East and South Master Plan and residential development citywide.

## EXECUTIVE SUMMARY:

The Frog Pond East and South Master Plan, adopted by City Council in December 2022, provides clear policy direction and guidance for future development in Frog Pond East and South. An important implementation step is to develop a detailed set of Development Code standards consistent with the Master Plan. These standards will be relied on by developers to plan and design development. These standards will also be relied on by City reviewers to ensure development meets City expectations.

In addition to the Development Code standards recommended by approval by the Planning Commission (Exhibits A and B), the City Council is also considering amendments to Chapters 6 (Exhibit C) and 8 (Exhibit D) of the City Code. The Chapter 6 amendments align with new Development Code language regarding fencing and access through narrow side yards by specifically calling out that it is a public nuisance violation to allow vegetation or junk to block through access in narrow side yards. The Chapter 8 amendments make clear that waivers to stormwater standards are a technical review by the City Engineer rather than a waiver granted by the Development Review Board.

**Housing is the focus** of the Frog Pond East and South Master Plan and implementing Development Code amendments. The Master Plan and implementing Development Code intend to create **a variety of housing options**. The housing efforts reflected in the Master Plan and proposed Code amendments intend to provide more **attainable housing options** for households making moderate to low incomes, including purchasing options. This housing focus is a key action (Action 1C) from the 2020 Equitable Housing Strategic Plan. It also follows up on the 2021 Middle Housing in Wilsonville project by including strategies and regulations to deliver a variety of middle housing types in Frog Pond East and South. The Master Plan and implementing Development Code address housing affordability in two specific ways.

First, they require development of specific housing types expected to provide market-rate options for households making between 80 percent and 120 percent of median family income (MFI) with potentially some market-rate units for households between 60 percent and 80 percent MFI. These specific housing types include middle housing such as townhouses and small units such as cottages and Accessory Dwelling Units (ADUs). Second, the Master Plan and implementing Development Code remove regulatory barriers to development of housing affordable for households making less than 80 percent of MFI. Examples of removing barriers include allowing different housing types throughout the Master Plan area and allowing ADUs to be built with all townhouses. However, realization of these lower-cost units for residents earning less than 80 percent will require other actions that go beyond regulations and zoning.

Beyond housing, the Frog Pond East and South Master Plan and the proposed implementing Development Code intend to carry forward key elements of the Frog Pond Area Plan including:

- **Great neighborhoods** that are a connected part of Wilsonville.
- **A cohesive place** where individual private development and public realm improvements fit seamlessly together in a coordinated whole.

- **Neighborhoods with walkable and active streets**, extensive walking and biking routes, quality parks, open spaces, and natural areas.
- **Quality development and community design** that is an attractive and valued addition to the City.
- **Easy access to nature, parks and open spaces** for all neighborhood residents.

The proposed Code Amendments support and enable the transportation system called for in the Master Plan by requiring certain public realm amenities, defining block size and street spacing, and addressing potential design conflicts. Proposed language requires the parks and open space envisioned in the Master Plan, including the Green Focal Points throughout the neighborhoods. Proposed clear and objective design standards support quality and attractive development, including both siting standards like setbacks and architectural standards.

While most of the proposed amendments are specific to development in Frog Pond East and South, a number of them also apply to the entirety of the Residential Neighborhood (RN) zone or to residential land citywide as follows:

- Updating the review authority, review process, and design standards for apartments and other multi-family housing, making them more consistent with the review authority, review process, and design standards for other types of housing.
- Clarifying that the City's general Site Design Review standards and process do not apply where residential design standards apply.
- Preventing future private covenants, like CC&Rs, from restricting housing types any more than City zoning, consistent with State law.
- Establishing stormwater design standards for residential development consistent with the City's Public Works Standards.
- Expanding the allowance of Accessory Dwelling Units to all townhouses, rather than just townhouses on larger lots and detached single-family homes.
- Establishing specific requirements regarding maintenance of and access to narrow residential side yards.

The City Council has held 11 work sessions, and the Planning Commission held 13, on the proposed Development Code amendments, and the feedback, as well feedback from other stakeholders, has been incorporated into the proposed amendments included in Exhibits A and B to the Ordinance. In Exhibit A, staff has included information boxes for each amendment or group of amendments to help the Council and interested parties navigate the amendment package. The example below includes an explanation of what each field in the box is intended to portray.

<b>Amendment Description:</b>	A short description of the proposed amendment for reference and orientation of the reader
<b>Applicability:</b>	Provides clarity to whether the proposed amendment applies to citywide residential development, Frog Pond West, and/or Frog Pond East and South.
<b>Impacted Code Section(s):</b>	Provides a reference to the code section, and any applicable subsection, in which the amendment is proposed. Where the section or subsection is new, “(new)” is added after the reference.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Explains how the proposed amendment relates to implementation of the Frog Pond East and South Master Plan. The vast majority relate, with a couple unrelated minor amendments included because it is more efficient than going through a separate code amendment process.
<b>Rationale for Amendment Text:</b>	Provides a summary of the why and how of the chosen code text.
<b>Impact on Housing Cost:</b>	This field was added since the City Council’s last work session. The information explains, as applicable, how the proposed amendment complies with State rules regarding impacts on housing cost as well as less formally discusses potential impact on the cost of housing.
<b>Compliance Notes:</b>	This field was added since the City Council’s last work session. The information calls out any notable statute, rules, or other regulations that the proposed amendment seeks to comply with.
<b>Recent Edits:</b>	This field calls attention to recent edits. <u>Edits between June work session and July public hearing:</u> Under this heading edits are described that occurred between the draft amendments published June 5, 2024 for the June 12 Planning Commission work session (which was the same version included in the City Council’s June 17, 2024 work session packet) and the version of the proposed amendments published July 3, 2024 for the July 10 Planning Commission hearing.

Since July public hearing: Under this heading edits are described that occurred after the July 3 publication of the proposed amendments for Planning Commission, including those made since the City Council's last work session.

*Summary of Additional Edits Since Council's Final Work Session.*

Since the last City Council work session on this topic, the project team has made the following additional edits to the proposed Development Code amendments, which are reflected in the version recommended for adoption by the Planning Commission:

Section 4.001 Definitions:

- Modified the existing definition of "Dwelling Unit" to better define what "housekeeping facilities are" by replacing "housekeeping facilities" with "living and sleeping space as well as sanitary, bathing, and food preparation facilities". Also, the word "family" was updated to "household". Both changes are more consistent with definitions in State statute and rules related to housing.
- Updated proposed definition of "Mobility-Ready Unit" to be consistent with the language used in the modified definition of "Dwelling Unit".
- Corrected prior scrivener's error wherein "Dwelling Unit, Detached" was exactly the same as "Dwelling Unit". New definition states it is a dwelling unit that does not meet the existing definition of "Dwelling Unit, Attached."

Section 4.118 Standards for all Planned Development Zones:

- Staff discovered waiver language in this section that specifically relates to open space waivers in the Residential Neighborhood (RN) Zone. The existing language is intended for Frog Pond West where a specific approach to open space was used. Frog Pond East and South open space requirements function the same as other residential areas in the City. The language in this section was updated to state that the existing RN Zone reference only applies to the Frog Pond West Neighborhood.
- Added language to identify where housing variety standards land within the waiver process. They are most like density waivers, so they have been grouped accordingly, requiring any waiver to show the intent of the standards are met in an alternative way.

Subsection 4.113 (.05) Residential Stormwater Standards:

- The following are updates to the residential stormwater standards based on continued staff and stakeholder review:
  - Added language to the purpose statement to further clarify the intent of mimicking predevelopment hydrology;
  - Added language to prioritize use of low impact development (LID)
  - Added the allowance of ponds as a priority facility type with a clear and objective size limitation of being sized to serve 4 acres;

- Consolidated and simplified conflicting use language; and
- Added language to be clearer about stormwater design waiver process and authority to refer to updated language in Chapter 8.

#### Section 4.127 (.22) Waivers for Frog Pond East and South:

- Language is added to allow earlier granting of certain waivers during review of Stage I Preliminary Plan prior to some of the Stage II Final Plan and associated applications being filed. The earlier granting of waivers for land use standards that substantially alter site design and layout can give developers more certainty as they invest money in design and engineering. This modification was recommended by a development stakeholder and staff supports. Language is also added to be clear about what criteria to consider from the Master Plan when reviewing waiver applications. Exhibit B to the Ordinance in a memo describing an additional edit presented at the Planning Commission public hearing to clarify how being complementary and compatible to a given Urban Form Type is determined when considering a waiver request.

In addition to the Exhibits containing the proposed Code amendments (Exhibits A through D), the Ordinance includes Exhibit E, which provides findings of compliance with applicable Federal, State, Metro, and City law, and Exhibits F and G which are the approved Planning Commission Resolution and the record the Planning Commission considered in their recommendation to City Council.

#### **EXPECTED RESULTS:**

Adoption of Ordinance No. 892, adopting City Code amendments to support implementation of the Frog Pond East and South Master Plan and related updates to residential development regulations Citywide.

#### **TIMELINE:**

The City has been working on the proposed City Code amendments since adoption of the Frog Pond East and South Master Plan in December of 2022. Land use applications using the new Code standards are anticipated in Frog Pond East within the next couple years as supporting infrastructure gets completed with the first homes in Frog Pond East and South being completed in approximately 2028.

#### **CURRENT YEAR BUDGET IMPACTS:**

This work is funded by remaining funds from the \$350,000 Metro grant for the Frog Pond East and South Master Plan and matching City funds in the form of staff time.

#### **COMMUNITY INVOLVEMENT PROCESS:**

During this implementation phase the primary focus is on honoring past input. However, the project team continued to engage key stakeholders for input on draft Development Code amendments. Public notice was provided for the hearing enabling added public input and awareness. The notice included a link to the proposed amendments on the City's *Let's Talk, Wilsonville!* website with a space to provide feedback.

**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. This includes furthering of the City's Equitable Housing Strategic Plan and City Council's goal of affordable home ownership.

**ALTERNATIVES:**

A number of different alternative Code amendments are possible and many were considered. After careful consideration the proposed amendments are the alternatives recommended for adoption.

**CITY MANAGER COMMENTS:**

N/A

**ATTACHMENTS:**

## 1. Ordinance No. 892:

Exhibit A: Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Exhibit B: October 9, 2024 Memorandum from Daniel Pauly AICP, Planning Manager to Planning Commission RE: Additional Edits to Frog Pond East and South Master Plan Implementing Development Code Amendments, Resolution No. LP24-0003

Exhibit C: Proposed Nuisance Code amendments (July 3, 2024)

Exhibit D: Proposed Stormwater Code amendments (October 2, 2024)

Exhibit E: Findings Report (October 15, 2025)

Exhibit F: Adopted Planning Commission Resolution No. LP24-0003

Exhibit G: Frog Pond East and South Development City Code Amendments Planning Commission Record

**ORDINANCE NO. 892****AN ORDINANCE OF THE CITY OF WILSONVILLE ADOPTING AMENDMENTS TO CHAPTER 4, CHAPTER 6, AND CHAPTER 8 OF THE WILSONVILLE CITY CODE TO IMPLEMENT THE FROG POND EAST AND SOUTH MASTER PLAN AND MAKE RELATED UPDATES TO RESIDENTIAL DEVELOPMENT REGULATIONS CITYWIDE.**

WHEREAS, The City adopted the Frog Pond Area Plan in 2015 setting a vision for urban growth on the east side of Wilsonville; and

WHEREAS, at the time of adoption a portion of the land covered by the Area Plan was within the Urban Growth Boundary (UGB) and a portion was designated as Urban Reserve; and

WHEREAS, in 2017 the City adopted the Frog Pond West Master Plan for the area within the UGB; and

WHEREAS, both the Frog Pond Area Plan and Frog Pond West Master Plan set a foundation for future master planning of the Urban Reserve land not yet in the UGB; and

WHEREAS, in 2018 Metro, through Ordinance 18-1427, expanded the UGB to include the Urban Reserve area covered by the Area Plan; and

WHEREAS, a condition of approval of the 2018 UGB expansion was that the City adopt a Master Plan for the area added to the UGB within four years; and

WHEREAS, the area added to the UGB in 2018 became known as Frog Pond East and South; and

WHEREAS, on December 19, 2022 the City Council adopted a Master Plan for Frog Pond East and South via Ordinance No. 870; and

WHEREAS, the Master Plan provides the guiding principles and policies for future land uses, public realm development, and provision of necessary infrastructure; and

WHEREAS, the Master Plan focused on the provision of a variety of housing throughout the Master Plan area, including lower-cost options; and

WHEREAS, the Master Plan directs addressing housing affordability in two specific ways: first, it requires development of specific housing types expected to provide market-rate options for households making between 80 percent and 120 percent of median family income "MFI" with potentially some units for households between 60 percent and 80 percent MFI; and second, it

removes regulatory barriers to development of housing affordable for households making less than 80 percent of MFI; and

WHEREAS, Ordinance No. 870 added Implementation Measure 4.1.7.D. to the City's Comprehensive Plan Text that includes specific requirements for implementation of the Master Plan, specifically with Development Code amendments; and

WHEREAS, the Master Plan contains other language providing specific direction for implementing Development Code amendments, including, but not limited to, those under *Coding For Variety and Priority Housing Types* and *Coding for Main Street* in Chapter 8 of the Master Plan; and

WHEREAS, in Chapter 8 of the Master Plan, *Coding For Variety and Priority Housing Types* includes six specific strategies: 1. Permit a wide variety of housing types, 2. Define "categories" of housing units to be used for implementing variety standards, 3. Establish minimum dwelling unit requirements, 4. Create development standards for lots and structures that regulate built form according to the mapped Type 1, Type 2, and Type 3 urban form typologies, 5. Establish minimum housing variety standards by subdistrict and development area, and 6. Encourage variety at the block level; and

WHEREAS, Chapter 8 of the Master Plan, *Coding for Main Street*, includes specific design and development strategies of: permitting neighborhood-scale retail, services, mixed-use, and multi-family residential, prohibiting drive-through uses and facilities, and adopting development and design standards that emphasize the "main street" design through standards setbacks, entrances, pedestrian amenities like weather coverings, and small plazas; and

WHEREAS, the City desires to fully implement the Development Code amendments as directed by the Master Plan; and

WHEREAS, a number of Development Code amendments necessary for and supportive of implementation of the Master Plan can be applied similarly to the entirety of the Residential Neighborhood (RN) Zone or all residential land in Wilsonville, as applicable; and

WHEREAS, the City finds it prudent where amendments can be applied similarly to residential land beyond Frog Pond East and South to adopt amendments in a manner that make

such regulations apply more broadly, either to the entirety of the Residential Neighborhood (RN) Zone or Citywide; and

WHEREAS, the City desires to ensure that residential development can be reviewed using clear and objective criteria; and

WHEREAS, the City is obligated to satisfy requirements related to stormwater in its National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit “NPDES MS4 Permit” and the City desires and is required to take a stormwater management approach that prioritizes a low impact development in addition to using green infrastructure; and

WHEREAS, low impact development stormwater management approach is best served by having standards integrated into the Development Code in addition to being in the Public Works Standards to support clear consideration and integration during land use planning and site planning; and

WHEREAS, the City finds that waivers to the residential stormwater design standards are best handled based on technical considerations, as evaluated by the City Engineer or their designee under authority granted in Chapter 8 of the City Code; and

WHEREAS, to correspond with amendments to new fencing and access standards for side yards in Subsection 4.113 (.07) it is prudent to add nuisance regulations to Chapter 6 of the City Code specific to maintaining the side yards in a manner to allow the access required by Subsection 4.113 (.07); and

WHEREAS, this additional nuisance language in Section 6.221 provides for orderly development and maintenance of residential property in a manner that protects the public health and welfare by preventing derelict and inaccessible narrow, fenced areas; and

WHEREAS, the Planning Commission held thirteen public work sessions and the City Council eleven work sessions to review the proposed Code amendments; and

WHEREAS, interested parties have been afforded the opportunity to participate and inform the development of the proposed Development Code amendments; and

WHEREAS, required notice of a public hearing has been provided to affected property owners and nearby properties as well as published in the *Wilsonville Spokesman*, posted on the City’s website, and posted in a variety of public areas in City buildings, all in accordance with the

public hearing and notice procedures that are set forth in Sections 4.012, and 4.197 of the Wilsonville Code; and

WHEREAS, the Planning Commission held a public hearing on July 10, 2024 meeting to review the proposed Development Code amendments at which time the Planning Commission continued the public hearing to October 9, 2024; and

WHEREAS, the Planning Commission held the continued public hearing on October 9, 2024; and

WHEREAS, the Planning Commission, at the October 9, 2024 public hearing, afforded all interested parties an opportunity to be heard, duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties, and adopted Planning Commission Resolution No. LP24-0003, recommending adoption of the proposed Development Code amendments to City Council; and

WHEREAS, the City Council held a public hearing at their August 5, 2024 meeting to review the proposed Development Code amendments and recommendations from Planning Commission, at which time the City Council, due to lack of a Planning Commission Recommendation, continued the public hearing to November 18, 2024; and

WHEREAS, the City Council held the continued public hearing on November 18, 2024; and

WHEREAS, the City Council, during the November 18, 2024 public hearing, duly considered the Planning Commission's recommendation, information and recommendations regarding the amendment to Chapter 6, Nuisance Code, and Chapter 8, Stormwater Code, not under the Planning Commission's purview, and other available information, including the staff recommendation and all the exhibits and testimony introduced and offered by all interested parties.

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

- Section 1. The City Council does hereby adopt the Exhibits to this Ordinance, as presented at the November 18, 2024, public hearing, including the findings in Exhibit E.
- Section 2. Chapter 4 of the Wilsonville City Code is hereby amended as shown in Exhibits A and B.

- Section 3. Chapter 6 of the Wilsonville City Code is hereby amended as shown in Exhibit C.
- Section 4. Chapter 8 of the Wilsonville City Code is hereby amended as shown in Exhibit D.
- Section 5. The City Recorder and other City staff designated by the City Recorder is hereby authorized to make numbering edits, capitalization edits, formatting edits, and other grammatical edits, not changing the meaning of the text, prudent in their judgement to incorporate the amendments into the City Code and ensure they correlate with existing code text, definitions, and numbering.
- Section 6. Effective Date. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of November 2024, and scheduled the second reading on December 2, 2024, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

\_\_\_\_\_  
 Kimberly Veliz, City Recorder

ENACTED by the City Council on the \_\_\_ day of \_\_\_\_\_, 2024, by the following

votes:

Yes: \_\_\_\_\_ No: \_\_\_\_\_

\_\_\_\_\_  
 Kimberly Veliz, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2024

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JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Berry

Councilor Dunwell

Councilor Linville

EXHIBITS:

- A. Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)
- B. Memorandum RE: additional edits to proposed Development Code amendments (October 9, 2024)
- C. Proposed Nuisance Code amendments (July 3, 2024)
- D. Proposed Stormwater Code amendments (October 2, 2024)
- E. Findings Report (October 15, 2024)
- F. Adopted Planning Commission Resolution No. LP24-0003
- G. Frog Pond East and South Code Update Planning Commission Record

### ***Frog Pond East and South Development Code Amendments***

- Text proposed for deletion is ~~struckthrough~~
- Text proposed for addition is **bolded and underlined**
- Figures proposed for deletion have a red "X" over them
- Existing text not proposed for amendments is in plain text
- Staff notes to reviewers for navigation or clarification is *(italicized text is in parathesis)*
- Any other italics is existing or proposed formatting and is not an indicator of amendments

Section 4.001 Definitions

<b>Amendment Description:</b>	Define Net Development Area. Applies Citywide.
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	Net area is a component for implementation of variety standards called for in the Master Plan.
<b>Rationale for Amendment Text:</b>	The language builds on the existing definition of Gross Development Area, and identifies what specifically is excluded from the Gross Development Area to calculate the Net Development Area.
<b>Impact on Housing Cost:</b>	No direct impact noted
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Added additional language clarifying yard space is limited to that on individual lots rather than common tracts, etc. <u>Since July public hearing:</u> None

**(.XXX) Development Area, Net: The portion of Gross Development Area that is not required for open space in tracts, stormwater facilities in tracts, other similar common-use tracts, or public right-of-way. Net Development Area includes areas used for off-street parking, alleyways and off-street circulation areas, areas covered by primary and accessory structures, private and semi-private yard space on individual lots, and landscaping and hardscape not otherwise excluded by this definition.**

<b>Amendment Description:</b>	Refining terms used in definition of “ Dwelling Unit”. Also correcting prior scribner error wherein the definition of “ Dwelling unit, Detached” is a word for word repeat of the “ Dwelling Unit” definition.
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	None, technical edits
<b>Rationale for Amendment Text:</b>	The revised code text provides consistency across definitions with language used in State statute and rules and provides more clarity than “housekeeping facilities”
<b>Impact on Housing Cost:</b>	No direct impact noted
<b>Compliance Notes:</b>	Not directly driven by any compliance standards, however improves consistency with definitions in State law and provides additional clarity in support of clear and objective standards.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Edits to these definitions added.

- (.XXX) *Dwelling Unit:* A building or portion thereof providing ~~complete housekeeping facilities~~ **living and sleeping space as well as sanitary, bathing, and food preparation facilities** for one ~~family household, including a kitchen and bathroom,~~ but not a trailer house or other recreational vehicle.
- (.XXX) *Dwelling Unit, Attached:* A dwelling unit which (1) shares one or more common or abutting wall, floor, or ceiling with one or more dwelling units and/or (2) has a shared roof structure with or a roof without a spatial gap between one or more dwelling units. The common or abutting walls, floors, ceilings, and roofs includes those of attached garages, storage areas, or other accessory uses. When a dwelling unit is attached only to an accessory dwelling unit and the accessory dwelling unit is not attached to any other dwelling unit, the dwelling unit is not "Attached" under this definition while the accessory dwelling unit is "Attached" under this definition.
- (.XXX) *Dwelling Unit, Detached:* ~~A building or portion thereof providing complete housekeeping facilities for one household, including a kitchen and bathroom, but not a trailer house or other recreational vehicle.~~ **A dwelling unit not meeting the definition of Dwelling Unit, Attached.**

<b>Amendment Description:</b>	Definition of Frog Pond Neighborhoods
<b>Applicability:</b>	All of Frog Pond
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	Some proposed Residential Neighborhood (RN) Zone regulations apply differently to Frog Pond West than Frog Pond East and South. These definitions provide for clear delineation in applying the regulations.
<b>Rationale for Amendment Text:</b>	The language clearly defines the geographic extent of each Frog Pond neighborhood.
<b>Impact on Housing Cost:</b>	No direct impact noted
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Definitions added to provide additional clarity to the proposed Code standards as suggested by City legal staff. <u>Since July public hearing:</u> None

**(.XXX) Frog Pond West Neighborhood: The geographic area covered by the Frog Pond West Master Plan. The area is bounded on the south by SW Boeckman Road, on the west by Boeckman Creek, on the north by a line extending directly west from the intersection of SW Stafford Road and SW Kahle Road, and on the east by SW Stafford Road.**

**(.XXX) Frog Pond East Neighborhood: The portion of the geographic area covered by the Frog Pond East and South Master Plan north of SW Advance Road. The area is bounded on the south by SW Advance Road, on the west by SW Stafford Road, on the north by east-west portion SW Kahle Road and a line extending directly east from the point where SW Kahle road turns to the north, and on the east by the eastern boundary of the Urban Growth Boundary established by Metro Ordinance No. 18-1427.**

**(.XXX) Frog Pond South Neighborhood: The portion of the geographic area covered by the Frog Pond East and South Master Plan south of SW Advance Road, including park land owned by the City of Wilsonville south of Advance Road between SW 63<sup>rd</sup> Avenue and SW 60<sup>th</sup> Avenue and Meridian Creek Middle School and surrounding land owned by the West Linn-Wilsonville School District. The area is bounded on the north by SW Advance Road, on the west by a line extending directly south of the intersection of SW Stafford Road and SW Advance Road, excluding land that is part of the 1995 Landover Subdivision Plat, on the south by SW Kruse Road east of SW 60<sup>th</sup> Avenue and west of SW 60<sup>th</sup> Avenue by an east-west property line approximately 314 feet south of SW Kruse Road, and on the east by property lines paralleling SW 60<sup>th</sup> Avenue approximately 863 feet to the east (also, the southern and eastern boundaries of the Urban Growth Boundary established by Metro Ordinance No. 18-1427).**

<b>Amendment Description:</b>	Clean up and clarify definitions regarding lots, lot lines, and yards
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	Ensures development standards such as setbacks function as intended in all development scenarios contemplated.
<b>Rationale for Amendment Text:</b>	To clean up and clarify certain definitions around lots, lot lines, and yards based on questions that have arisen in implementation of the current code. No policy change.
<b>Impact on Housing Cost:</b>	Moving potential unintended setbacks limit need for custom design and similar cost-increasing design actions.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor typographical and clarifying word choice edits. <u>Since July public hearing:</u> None

- (.XXX) **Lot, Corner: A lot either (1) where two intersecting lot lines each abut a street or private drive or (2) where the shortest lot line abuts a tract with a non-vehicular pathway and an intersecting lot line abuts a street or private drive. Private drives which are bounded on two opposite sides by a single lot shall not be considered in determining if a lot is a corner lot.**
- (.XXX) **Lot, Through: A lot where multiple non-intersecting lot lines abut a street, other than a freeway, or private drive.** Any lot, except a corner lot, that abuts two or more streets or private drives other than a freeway. Private drives which are bounded on two sides by a single lot shall not be considered in determining if a lot is a through lot.
- ~~(.XXX) **Lot, Front: The boundary line of a lot abutting a street, other than a boundary line along a side or rear yard. If the lot does not abut a street, the narrowest boundary line shall be considered to be the front.**~~
- (.XXX) **Lot Line, Front: Except for Corner Lots and Through Lots, ~~the~~ The boundary line of a lot abutting a street or private drive, other than a boundary line along a side or rear yard. If no boundary lines of a lot abut a street or private drive, but do abut a tract with a non-vehicular pathway with vehicle access to the lot provided via an alley, then the boundary line abutting the tract with a pathway is the Front Lot Line.** ~~the narrowest boundary line shall be considered to be the front. In the Village zone: the case of an interior lot, the lot line separating the lot from the public space, street or private drive, other than an alley. In the case of a corner lot~~ **Corner Lot**, the shortest lot line along a public space **tract with a pathway**, street, or private drive **is the front lot line**, other than an alley. **In the case of a Through Lot, the narrowest boundary line abutting a street or private drive, and if multiple boundary lines abutting a street or private drive are of the same length, the boundary line on the lower classification street, and if both of equal length and on the same street classification, the boundary line indicated as the front on a final plat.** A private drive bounded on two sides by a single lot shall not be considered in determining lot lines.

<b>Amendment Description:</b>	Define live-work
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	Clarifies allowance of live-work units as it relates to implementation of the Commercial Main Street.
<b>Rationale for Amendment Text:</b>	Establishes a clear definition for this type of use allowed in the Frog Pond East Commercial Main Street and elsewhere in the City. The definition is adapted from one from Oregon City with feedback from City staff who have worked with approval of other live-work units in Villebois and Town Center.
<b>Impact on Housing Cost:</b>	Provides flexibility to provide additional units in areas not directly zoned for residential, which increases supply which generally is understood to support the reduction of housing cost.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor clarifying edits. <u>Since July public hearing:</u> None

**(.XXX) Live-Work Dwelling Unit (LWDU): A dwelling unit where (1) the ground-level front façade has a commercial-type store front determined by having at least sixty percent glazing and a permanent architectural cover over the entry (2) the interior along the building frontage is designed for workspace and no kitchen, bathroom, bedroom, closet, or storage is adjacent to the front façade and (3) all or a portion of the dwelling unit meets the commercial building code to support an accessory commercial or light industrial use. This is differentiated from a home occupation or home business in that the dwelling unit is specifically designed to accommodate a commercial or light industrial use, whereas a home occupation or home business takes place in a residential structure without such specific design. This is differentiated from a Business-Integrated Dwelling Unit in that in a Live-Work Dwelling Unit the residential and commercial uses are not required to be fully divided physically.**

**(.XXX) Business-Integrated Dwelling Unit(s) (BIDU): A dwelling unit integrated with a non-residential use where (1) the dwelling unit is the secondary use to the non-residential use, (2) the dwelling unit consists of a ground floor footprint less than or equal to 40 percent of the ground floor non-residential use, (3) the dwelling unit is separated from the non-residential use by a demising wall, and (4) the dwelling unit has direct interior entry from the non-residential use. This is differentiated from a Live-Work Dwelling Unit in that the dwelling unit must be fully divided from the non-residential use and that the space designed to be non-residential cannot be used for residential.**

<b>Amendment Description:</b>	Mobility-Ready Definition
<b>Applicability:</b>	Citywide, but primarily Frog Pond East and South at this time
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	Mobility-ready units is one of the “target” unit types identified to require a minimum of to help ensure accessible housing is available within the planned variety in Frog Pond East and South.
<b>Rationale for Amendment Text:</b>	The definition seeks to define a unit that can be adaptable for use of individuals with limited mobility without getting into details that would be under the jurisdiction of the building code like counter heights, doorway widths, and bathroom grab bars.
<b>Impact on Housing Cost:</b>	No direct impact noted for definition. See addition discussion of requiring this type of unit in Section 4.127.
<b>Compliance Notes:</b>	Definition not driven by any compliance standards. See addition discussion of requiring this type of unit in Section 4.127.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor clarifying edits. <u>Since July public hearing:</u> Additional minor clarifying edit to be consistent with definition of dwelling unit.

**(.XXX) Mobility-Ready Unit: A dwelling unit with living and sleeping space as well as sanitary, bathing, and food preparation facilities on one level and that level is accessible from a parking space or public sidewalk without the use of stairs or with up to two stairs with space to add a wheelchair accessible ramp.**

<b>Amendment Description:</b>	Urban Form Type definitions
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.001 Definitions
<b>Relationship to Frog Pond East and South Master Plan:</b>	Key definitions to implement the different residential urban forms identified in the Master Plan.
<b>Rationale for Amendment Text:</b>	Detailed definitions consistent with the language and intent in the Master Plan.
<b>Impact on Housing Cost:</b>	No direct impact noted for definition. See addition discussion of requiring this type of unit in Section 4.127.
<b>Compliance Notes:</b>	Definitions not driven by any compliance standards. See addition discussion of requiring this type of unit in Section 4.127.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Removed unnecessary reference to the RN Zone from definitions. <u>Since July public hearing:</u> None

**(.XXX) Urban Form: The physical characteristics of an area determined by the bulk, placement, and spacing of buildings and related site improvements.**

**(.XXX) Urban Form Type: A categorization between different planned Urban Forms with Type 1 having the most urban look and feel and Type 3 having the least urban look and feel.**

**(.XXX) Urban Form Type Designation: A designation applied to land that determines Urban Form Type and what lot and structure standards apply to guide Urban Form.**

<b>Amendment Description:</b>	Administrative review of multi-family structures
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.030
<b>Relationship to Frog Pond East and South Master Plan:</b>	Reflects the allowance of a wide variety of housing types, including various types of multi-family, throughout the Master Plan area.
<b>Rationale for Amendment Text:</b>	<p>The language intends to provide clarity that all residential buildings are subject to administrative review. The primary policy change is making multi-family housing (apartments) throughout the City subject to administrative review consistent with other residential structures subject to clear and objective standards, rather than subject to Site Design Review like commercial and industrial buildings. Multi-family buildings with seven or more units will require Class II Administrative Review, which requires public notice.</p> <p>The new process for multi-family applies only to the building and the immediately surrounding site improvements like landscaping. Site design and layout for apartment complexes remains subject to Development Review Board review.</p>
<b>Impact on Housing Cost:</b>	Reduces process and provides more certainty for multi-family housing, reducing cost in the development process
<b>Compliance Notes:</b>	Ensures clear and objective standards for a needed housing type as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<p><u>Between June work session and July public hearing:</u> Added “previously” to lots that had been legally created to be clearer the new Class II process only applies where the multi-family building is going on an existing lot.</p> <p><u>Since July public hearing:</u> None</p>

Section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director

- (.01) *Authority of Planning Director.* The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
    - 4. Building permits for **residential structures in residential zones not subject to Site Design Review, except for multi-family structures with seven or more units**, ~~single family dwellings, middle housing, and in the Village zone, row houses or apartments~~, meeting clear and objective zoning, siting, and design requirements standards and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development

Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.

- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
12. **Architectural and site plans, including modifications and remodels, for multi-family residential structures in residential zones with seven or more units not subject to Site Design Review, meeting clear and objective zoning, siting, and design standards, and located on lots that have previously been legally created. This does not include review of Stage I and Stage II Planned Development Master Plans and Site Design Review of open space and other common improvements, which are subject to review by the Development Review Board.**

Section 4.113. Standards Applying to Residential Developments in any Zone.

<b>Amendment Description:</b>	Clarify exceptions to open space requirements for multi-family development
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.01)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports the broader code amendments allowing multi-family development to be reviewed similar to middle housing and detached single-family homes, which in turn supports the variety of housing throughout Frog Pond East and South called for in the Master Plan.
<b>Rationale for Amendment Text:</b>	These code edits avoid applying open space requirements to multi-family development twice, once when a subdivision or complex is approved, and once when a building permit is applied for. The new Subsection 2.c. makes clear that no additional open space requirements are applicable when a multi-family building is proposed in a previously approved subdivision or complex.
<b>Impact on Housing Cost:</b>	Ensures development does not have to meet the open space requirement both at a master plan level and an individual development level, ensuring the cost of providing open space is not inadvertently increased.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

(.01) *Open Space:*

- A. *Purpose.* The purposes of the following standards for open space are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development.
- B. *Applicability and Review.*
  - 1. The open space standards of this subsection shall apply to all residential development with the following exceptions:
    - a. Partitions for non-Multi-family development. However, serial or adjacent partitions shall not be used to avoid the open space requirements.
    - b. Development **within a previously approved Stage II Planned Development area so long as the Gross Development Area of the Stage II Planned Development area does not increase, the land being developed was previously designated for residential development, and there is no decrease in area of the previously approved required open space.**
  - 2. **The amount and location of open space required in this subsection is determined at the time of Stage II Final Plan review.**
  - 3. **The design of required open space is reviewed through Site Design Review.**

...

D. *Required Open Space Characteristics:*

...

2. *Types of Open Space and Ownership.* The following types of areas count towards the minimum open space requirement if they are or will be owned by the City, a homeowners' association or similar joint ownership entity, or the property owner for Multi-family Development.

...

<b>Amendment Description:</b>	Clarify stormwater facilities in the right-of-way do not count as required open space
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.01)
<b>Relationship to Frog Pond East and South Master Plan:</b>	None, except that it will ensure required open space planned is provided consistent with this citywide update.
<b>Rationale for Amendment Text:</b>	Minor edit to be clear that stormwater facilities in the right-of-way do not count as required open space, which is the same approach to other landscaped areas within the public right-of-way.
<b>Impact on Housing Cost:</b>	No direct impact, just increasing clarity of existing standard.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

- c. Non-fenced vegetated stormwater features outside the public right-of-way.

...

<b>Amendment Description:</b>	Consistent setback allowance for ADUs
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.02)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports the Master Plan direction of removing barriers to development of ADUs.
<b>Rationale for Amendment Text:</b>	Ensures larger rear yard setbacks are not a barrier to ADU development everywhere they are permitted by establishing that a 10-foot rear setback is allowed in zones otherwise requiring a larger rear yard setback for purposes of constructing an ADU. The language also applies to other setbacks, including front and side. However, side setbacks are generally already 10-feet or less, and ADUs have historically not been built frequently in front yards.
<b>Impact on Housing Cost:</b>	Removes additional barriers to ADUs, which can be a lower cost housing option.
<b>Compliance Notes:</b>	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Added text addressing relationship between ADU and garage setbacks where an ADU is either built over a garage or is a garage conversion. <u>Since July public hearing:</u> None

(.02) *Building Setbacks* (for Fence Setbacks, see subsection .08). The following provisions apply unless otherwise provided for by the Code or a legislative master plan.

A. *For lots over 10,000 square feet:*

...

5. Minimum setback to garage door or carport entry: 20 feet. Except, however, in the case of an alley where garages or carports may be located no less than four feet from the property line adjoining the alley

...

7. Cottage Cluster **and ADU** Setbacks: Setbacks in 1.—3. and 6. above do not apply to cottage clusters **and ADUs**. For cottage clusters **and ADUs**, minimum front, rear, and side setbacks are ten (10) feet. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access as established in 5. above. Garage setbacks in 5. above continue to apply regardless of relationship to a Cottage Cluster or ADU.**

B. *For lots not exceeding 10,000 square feet:*

...

5. Minimum setback to garage door or carport entry: 20 feet. Wall above the garage door may project to within 15 feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four feet from the property line adjoining the alley.

...

7. Cottage Cluster **and ADU** Setbacks: Any minimum setback in 1.—3. or 6. above that would exceed ten feet for a cottage cluster **or ADU** shall be ten feet. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access as established in 5. above. Garage setbacks in 5. above continue to apply regardless of relationship to a Cottage Cluster or ADU.**

<b>Amendment Description:</b>	Remove redundant parking standards reference
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.05) existing parking language removed and replaced with stormwater standards.
<b>Relationship to Frog Pond East and South Master Plan:</b>	None
<b>Rationale for Amendment Text:</b>	The language is redundant.
<b>Impact on Housing Cost:</b>	No direct impact, as State rules remove parking requirements regardless of what is in the code, but removing parking does reduce the potential over consumption of land by parking, thus reducing the cost of the associated housing.
<b>Compliance Notes:</b>	Reflects compliance with CFEC rules.
<b>Recent Edits:</b>	None

<b>Amendment Description:</b>	Establish residential stormwater design standards
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.05) existing language replaced in its entirety.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Consistent with the stormwater component of the Master Plan and the assumption of land area dedicated to stormwater in the calculations for minimum unit and variety requirements (in 4.127 (.06) Table 6B).
<b>Rationale for Amendment Text:</b>	The language aims to clearly express the City’s stormwater design requirements within the Development Code to provide greater clarity to the development community on the City’s stormwater policy and how it interacts with residential development.
<b>Impact on Housing Cost:</b>	Some stormwater infrastructure required by these standards may cost more than alternative designs without the same standards. The cost includes both construction costs and long term maintenance costs. The standards however are applied consistently to all unit types, as well as all development types, not showing in prejudice towards increasing housing costs. The stormwater standards have been carefully crafted to meet legally defensible and reasonable policy objectives as laid out in PW Standards and Stormwater Permits to meet the objectives and offering flexibility in type of facility in a manner that meets the specific policy objectives in a reasonable and flexible manner without unnecessary standards that do not specifically relate to policy objectives.

**Compliance Notes:**

Not driven by any land use compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).

**Recent Edits:**

Between June work session and July public hearing:

- Established clear and objective measurement of what Maximum Extent Practicable is, which is 10 percent of new and redeveloped impervious area. This measurement is consistent with the definition of Maximum Extent Practicable in the Public Works Standards.
- Addition of areas that qualify as high priority locations, including areas on private lots.
- Added clear threshold of 12 feet in width to be considered a high priority linear facility.
- Additional edits to add clarity and direction on how to prioritize conflicting uses with stormwater management facilities.
- Added language reflecting existing policy that stormwater management facilities are to be maintained by homeowners associations or similar entities.
- Simplification of the waiver language.

Since July public hearing:

- Added language to the purpose statement to further clarify the intent of mimicking predevelopment hydrology
- Added the allowance of swales or ponds as a priority facility type with a clear and objective size limitation of being sized to serve a typical larger block (4 acres).
- Consolidated and simplified conflicting use language
- Added language to provide the appropriate code reference and clarify waivers to Residential Stormwater Design Standards are reviewed by the City Engineer and not the Development Review Board. All waiver criteria applicable to stormwater standards are now in Section 8.310, which will be adopted with City Council concurrent with Development Code amendments.

(.05) Off-Street Parking. ~~Off-street parking shall be provided as specified in Section 4.155~~ Residential Stormwater Design Standards:

**A. Purpose.** The purpose of these standards is to protect the public health and welfare by appropriate management of stormwater to prevent flooding and property damage, and the pollution of streams, groundwater, wetlands, and other natural water features through the use of low impact development design and decentralized stormwater treatment and flow control as required by the City's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. The purpose of these standards, further, is to thoughtfully integrate the design of stormwater management facilities into the overall design of neighborhoods in a manner that mimics the predevelopment hydrology by treating and controlling the stormwater as close to the source as practicable. These standards work in concert with related Public Works Standards and intend to better integrate the Public Works Standards requirements with land use planning and site layout.

- B. Low Impact Development.** All stormwater management facilities for treatment and flow control related to residential development shall follow low impact development design standards as described herein and in the City's Public Works Standards.
- C. Ownership and Maintenance.** All stormwater management facilities shall be owned and maintained by a homeowners association or similar entity and are subject to ownership and maintenance agreements with the City.
- D. Sizing.** Stormwater management facility sizing requirements shall be determined in accordance with the City's Public Works Standards. Use of impervious area reduction strategies in the Public Works Standards, including pervious hard surfaces and green roofs and tree credits, is encouraged.
- E. Locating.** Stormwater management facilities are required to be dispersed and integrated with development in order for stormwater to be managed and treated close to the source mimicking predevelopment hydrology. Stormwater management facilities shall be located pursuant to 1. and 2. below while considering conflicting uses pursuant to 3. below. See also Subsection (.01) D. for the extent stormwater management facilities can be counted as required open space. No stormwater management facilities shall be counted as required usable open space in (.01) D. 3 unless a waiver is granted pursuant to Subsection G.
- 1. High Priority Locations.** Stormwater management facilities at locations listed a. through h. in no particular order shall, at minimum, have a combined surface area equal to the required sizing pursuant to Subsection D or 10 percent of new and redeveloped impervious surface in the development, whichever is less.
- a. Street medians;
  - b. Planter strips;
  - c. Curb extensions or bulb outs on streets;
  - d. Shoulder/planter areas up to 12 feet wide, as measured from the top of the facility, along midblock bike and pedestrian connections, and along other off-street trails;
  - e. Facilities up to 12 feet wide, as measured from the top of the facility, around the edges of or within parks and open space;
  - f. Separate tracts for stormwater management facilities that are either:
    - i. No more than 12 feet in width, as measured from the top of the facility; or
    - ii. Sized to serve an area no larger than four acres.
  - g. Private yard areas on lots so long as all the following criteria are met:
    - i. A stormwater management facility is not more than 12 feet wide, as measured from the top of the facility;
    - ii. Foundations of habitable structures are not within five feet of a stormwater management facility; and
    - iii. The yard area with the stormwater management facility is unfenced is visible and accessible from the street.
- 2. Low priority.** If additional stormwater management facilities are needed after meeting the minimum surface area requirement in 1. above, the following locations can also be used:
- a. Landscaped areas within five feet of multi-family residential and commercial building foundations; and
  - b. Separate tracts for stormwater facilities besides those considered high priority under 1. f. above.

**3. Conflicting Uses To Be Located Prior to Stormwater Facilities.** When locating stormwater facilities, particularly in locations 1. a.-b. above, the locating of the following uses, according to established standards, shall occur prior to locating stormwater facilities on land not occupied by one of these uses.

- a. Street lights and other required lighting, including a buffer around the base of the light as required by Portland General Electric;
- b. Street trees and other required landscape trees, including associated mounds as established in the Public Works standards;
- c. Driveways and associated curb cuts; and
- d. Pedestrian walkways and bicycle paths.

**4.** While not required to be located prior to stormwater facilities, the applicant is encouraged to plan for locating other potential conflicting uses when locating stormwater facilities to avoid later design changes to stormwater facilities. Such potential conflicting uses include but are not limited to: fire hydrants and fire department connections (FDCs); mailboxes; utility access structures, clean outs, pedestals, and vaults for public and franchise utilities; and public utility easements for gas, electricity, and communication.

**F. Prohibited Design Elements.** To support the integration of stormwater facilities into site design, the following design elements are prohibited unless they are approved by the City Engineer, or designee, as part of a waiver request;

- 1. Fences**
- 2. Retaining walls over two feet in height as measured from the bottom of the footing to the top of the wall.**

**G. Waivers to the Standards of this Subsection.** Waivers to the Residential Stormwater Design Standards in this Subsection shall be processed by the City Engineer, or designee, pursuant to Wilsonville Code Section 8.130 and are not subject to waiver review by the Development Review Board as established in Sections 4.118.

(.07) Fences:

...

<b>Amendment Description:</b>	Special requirements for narrow fenced areas.
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.07)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Accommodates a variety of housing configurations as called for in the Master Plan.
<b>Rationale for Amendment Text:</b>	This language, together with new language in Chapter 6, nuisances, provides a simple means to ensure narrow fenced areas are maintained and do not become nuisance areas. The concept is that ensuring access will increase use and with increased use there is a greater propensity for maintenance.
<b>Impact on Housing Cost:</b>	Minimal increase in cost to meet a specific policy objective.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

E. When fences create an enclosed side yard area five feet or less in width, gates or other openings shall be provided creating a through connection to either a rear yard or alley.

...

<b>Amendment Description:</b>	Removing additional barriers to ADU development
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.10)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Frog Pond East and South included ADU-focused work to better facilitate construction of these units that can provide a lower cost housing alternative throughout the city. The Master Plan work included identification of specific code edits that can further remove barriers to ADU development. Removing these barriers, together with variety requirements in Frog Pond East and South, will very likely result in ADU development at a higher level than elsewhere in the City.
<b>Rationale for Amendment Text:</b>	The specific changes to remove barriers to ADU development identified as part of the Frog Pond East and South Master Plan include: allowing ADUs for all townhouses, not just those on larger lots; exempting ADUs from maximum lot coverage requirements, which is a common regulatory barrier; and removing any special review process, making their review the same as detached homes or middle housing.
<b>Impact on Housing Cost:</b>	Removing additional barriers to ADU development supports the development of a lower cost housing option.
<b>Compliance Notes:</b>	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Removed redundant process language to be more consistent with how process is described in code for other residential development such as detached homes. Other minor renumbering and typographical edits. <u>Since July public hearing:</u> None

(.10) *Accessory Dwelling Units:*

- A. Accessory Dwelling Units, are permitted subject to standards and requirements of this Subsection.
- B. *Standards:*
  - 1. Number Allowed.
    - a. For detached single-family dwelling units and for townhouses ~~on lots meeting the minimum lot size for detached single family in the zone:~~ One per dwelling unit.
    - b. For all other dwelling units: None.
  - 2. Maximum Floor Area: per definition in Section 4.001, 800 square feet of habitable floor area. Per Subsection 4.138(.04)C.1., in the Old Town Overlay Zone the maximum is 600 square feet of habitable floor area. Larger units shall be subject to standards applied to duplex housing.

3. Accessory dwelling units shall be on the same lot as the dwelling unit to which they are subordinate.
4. Accessory Dwelling Units may be either attached or detached, but are subject to ~~all zone~~ standards for **the underlying zone except that ADUs are exempt from lot coverage maximums setbacks, height, and lot coverage, unless those requirements are specifically waived through the Planned Development waiver or Variance approval processes.**
5. *Design Standards:*
  - a. Roof pitch shall be 4:12 to 12:12. No flat roofs allowed.
    - i. Where the primary dwelling unit has a roof pitch of less than 4:12 the minimum roof pitch does not apply.
  - b. Roof and siding materials shall match the respective material of one or more of the following: (1) the primary dwelling unit on the same lot, (2) a primary dwelling unit on an immediately adjacent lot, or (3) a primary dwelling unit within the same subdivision.
    - i. For the purpose of the requirement to match material, fiber cement siding made to appear like wood, stucco, or masonry may be used to match wood, stucco, or masonry respectively.
  - c. Where design standards established for a zone or overlay zone are more restrictive and/or extensive than a. and b. above the more restrictive and/or extensive design standards shall apply. This includes design standards for the Village (V) Zone, the Residential Neighborhood (RN) Zone, and the Old Town Overlay Zone.
- ~~6. Where an Accessory Dwelling Unit is proposed to be added to an existing residence and no discretionary land use approval is being sought (e.g., Planned Development approval, Conditional Use Permit approval, etc.) the application shall require the approval of a Class I Administrative Review permit.~~
6. Authorization to develop Accessory Dwelling Units does not waive Building Code requirements. Increased firewalls or building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.
7. Each accessory dwelling unit shall provide complete, independent permanent facilities for living, sleeping, eating, cooking, bathing and sanitation purposes, and shall have its own separate secure entrance.
- ~~8. Reserved.~~
9. Accessory dwelling units may be short-term rentals, but the owner/local operator must be in compliance with Chapter 7 of Wilsonville Code, which may include an active business license with the City of Wilsonville for a short-term rental business and payment of all applicable lodging and other taxes.

(.14) Design Standards for Detached Single-family and Middle Housing.

<b>Amendment Description:</b>	Clarify applicability of certain residential design standards by zone
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.14) A.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to the applicability of design standards for the variety of housing types called for in Frog Pond East and South in the Master Plan.
<b>Rationale for Amendment Text:</b>	The minor edits provide more clarity to where alternative design standards are provided and thus the citywide standards do not apply. This includes being clear of all the standards that do apply in Frog Pond East and South.
<b>Impact on Housing Cost:</b>	Clarifying edit, no change to how standards apply to any specific housing.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits for readability and clarity. <u>Since July public hearing:</u> None

- A. The standards in this subsection apply in all zones, except as indicated in 1.—2 **3.** below:
1. The Façade Variety standards in Subsection C.1. do not apply in the Village Zone or **the area regulated by the Frog Pond West Master Plan zoned Residential Neighborhood Zone**, as these zones/**areas** have their own variety standards, except that the **variety** standards do apply to middle housing development with multiple detached units on a single lot for which the **variety** standards of these zones/**areas** do not address.
  2. The entry orientation ~~and window standards~~ for triplexes, quadplexes, and townhouses in Subsections D.1-2. and E. 2-3. do not apply in the Village Zone or Residential Neighborhood Zone as these zones have their own related standards applicable to all single-family and middle housing.
  - 3. The window standards for triplexes, quadplexes, and townhouses in Subsection D. 2. And E. 3. do not apply in the Village Zone or the Frog Pond West neighborhood in the Residential Neighborhood Zone as these zones/areas have their own related standards applicable to all single-family and middle housing.**

...

D. Standards applicable to Triplexes and Quadplexes except as noted in I. below.

...

<b>Amendment Description:</b>	Clarify measurement of garage doors
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.14)
<b>Relationship to Frog Pond East and South Master Plan:</b>	None, but ensures consistency in implementing similar standards throughout the City, including Frog Pond East and South.
<b>Rationale for Amendment Text:</b>	These minor edits provide consistency with similar proposed amendments in the RN Zone (Section 4.127) text.
<b>Impact on Housing Cost:</b>	Reduces construction cost by enabling the wider use of lower cost standard-sized garage doors rather than custom-sized garage doors.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

3. *Garages and Off-Street Parking Areas.* The combined width of all garages **(measured from the interior of the garage door frame)** and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of any street frontage (other than an alley) (see Figure 6. Width of Garages and Parking Areas).

...

F. Standards applicable to Cottage Clusters.

...

12. *Parking Design (see Figure 15. Cottage Cluster Parking Design Standards).*

...

d. *Garages and carports.*

...

iv. Garage doors for attached and detached individual garages must not exceed 20 feet in width **as measured from the interior of the garage door frame.**

G. Standards applicable to Cluster Housing besides Cottage Clusters.

...

4. *Garages and Off-Street Parking Areas.* The combined width of all garages **(measured from the interior of the garage door frame)** and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of any street frontage (other than an alley). Garages and off-street parking areas that are separated from the street property line by a dwelling are not subject to this standard. (See Figure 6. Width of Garages and Parking Areas).

...

<b>Amendment Description:</b>	Clarify process for alternative discretionary review of residential design standards
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.14) J.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Consistent with language in the RN Zone (4.127) related to the Master Plan language regarding alternative discretionary review.
<b>Rationale for Amendment Text:</b>	Minor edits provide clarity for process to require alternative discretionary review of residential design standards.
<b>Impact on Housing Cost:</b>	Clarifying process can reduce time, and thus permitting costs, for approving housing. The alternative process allows a path for relief where any individual standard does have a unique undesired impact on a specific project.
<b>Compliance Notes:</b>	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4).
<b>Recent Edits:</b>	None

- J. Alternative Discretionary Review: As an alternative to meeting one or more design standards of this subsection an applicant may request **a waiver as part of** Site Design Review by the Development Review Board of a proposed design. In addition to the **waiver criteria in Sections 4.118 and 4.140 and applicable** Site Design Review Standards, affirmative findings shall be made that the following standards are met:
1. The request is compatible with existing surrounding development in terms of placement of buildings, scale of buildings, and architectural design;
  2. The request is due to special conditions or circumstances that make it difficult to comply with the applicable Design Standards, or the request would achieve a design that is superior to the design that could be achieved by complying with the applicable Design Standards; ~~and~~
  3. The request continues to comply with and be consistent with State statute and rules related to Middle Housing, including being consistent with State definitions of different Middle Housing types; and
  4. **The request remains substantially consistent with any legislative master plan the property is included within.**

<b>Amendment Description:</b>	Design standards for multi-family housing
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.113 (.15) (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to the applicability of design standards for the variety of housing types called for in Frog Pond East and South in the Master Plan.
<b>Rationale for Amendment Text:</b>	The detailed design standards allow for the administrative review of multi-family development consistent with how other residential development is reviewed. The standards below were adapted by expert consultants from the design standards for buildings of similar bulk in the City’s existing design standards, particularly townhouses. In addition, consideration was given for typical larger parking areas for multi-family development.
<b>Impact on Housing Cost:</b>	Having clear and objective design standards to be used as part of an administrative process reduces review timelines and uncertainty during review, thus reducing design and permitting cost for housing. The established standards are based on model code in Oregon Administrative Rules for middle housing of similar bulk. These model code standards have been found by the State to be reasonable requirements that do not unduly increase the cost of housing.
<b>Compliance Notes:</b>	Establishes clear and objective standards for a needed housing type as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Clarification that standards do not apply to buildings with ground floor live-work units, which are subject to Site Design Review the same as other mixed-use buildings. Other minor edits to increase clarity. <u>Since July public hearing:</u> None

**(.15) Design Standards for Multi-Family Housing:**

- A. Purpose and Intent.** The purpose of the multi-family design standards is to create and maintain street frontages that are varied and attractive, create an environment that is conducive to walking, and provide natural surveillance of public spaces. The standards will also promote building details in multi-family development that provide visual interest, contribute to a high-quality living environment for residents, give a sense of quality and permanence, and enhance compatibility with the surrounding community. The design standards also aim to create consistency with design standards for other residential unit types that multi-family housing may be built adjacent to.
- B. Applicability.** These standards apply to all multi-family development except for the following:
  - 1. Mixed-use buildings that include ground floor non-residential uses or live-work units and multi-family residential above.**
  - 2. Multi-family buildings in the Village and Town Center Zones which are subject to zone-specific standards in Section 4.125 or 4.132, respectively.**

- C. Entrance Orientation.**
- 1. At least one main entrance for each multi-family structure must either meet the standards in subsections a. and b. below, or must meet the alternative standard in subsection C.2.**
    - a. The entrance must be within eight feet of the longest street-facing exterior wall of the structure; and**
    - b. The entrance must either:**
      - i. Face the street;**
      - ii. Be at an angle of up to 45 degrees from the street; or**
      - iii. Open onto a porch. The porch must:**
        - a. Be at least 25 square feet in area; and**
        - b. Have at least one entrance facing the street or have a roof.**
  - 2. Alternative standard. As an alternative to subsection 1., a main entrance to a multi-family structure may face a courtyard if the courtyard-facing entrance is located within 60 feet of a street and the courtyard meets the following standards:**
    - a. The courtyard must be at least 15 feet in width;**
    - b. The courtyard must abut a street; and**
    - c. The courtyard must be landscaped or hard-surfaced for use by pedestrians.**
- D. Windows. A minimum of 15 percent of the area of all public-facing façades must consist of windows or entrance doors, including associated frames and trim. Façades separated from the street or public space by a dwelling are exempt from meeting this standard. Required windows shall be clear glass and not mirrored or frosted, except for bathrooms.**
- E. Articulation.**
- 1. Minimum Articulation. All public-facing façades shall incorporate a selection of the following design elements at a minimum interval of every 30 feet. The minimum number of design elements from this list that will be required is determined by dividing the façade length (in feet) by 30 and rounding up to the nearest whole number.**
    - a. Varying rooflines.**
    - b. Offsets of at least 12 inches.**
    - c. Balconies.**
    - d. Projections of at least 12 inches and width of at least three feet.**
    - e. Porches.**
    - f. Entrances that are recessed at least 24 inches or covered.**
    - g. Dormers at least three feet wide.**
  - 2. Articulation Element Variety. Different articulation design elements shall be used as provided below, based on the length of the facade. For the purpose of this standard, a "different element" is defined as one of the following: a completely different element from the list in subsection E.1. above; the same element but at least 50 percent larger; or varying rooflines that are vertically offset by at least three feet.**
    - a. Where two to four elements are required on a façade by E.1., at least two different elements shall be used.**
    - b. Where more than four elements are required on a façade by E.1., at least three different elements shall be used.**
- F. Pedestrian Access and Circulation. The following standards are intended to ensure safe and efficient circulation for pedestrians within multi-family development.**
- 1. Each multi-family development shall contain an internal pedestrian circulation system that makes connections between individual units and parking areas, green focal points and other common open space areas, children's play areas, and public rights-of-way. All pedestrian connections (walkways) shall meet the following standards:**
    - a. Except as required for crosswalks, per subsection 3., where a walkway abuts a vehicle circulation area, it shall be physically separated by a curb that is raised at least six inches or by bollards.**

- b. Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.
2. All walkways shall comply with the requirements of the Americans with Disabilities Act.
3. In order to provide safe crossings of driveways and parking areas, crossings shall be clearly marked with either contrasting paving materials (such as pavers, light-color concrete inlay between asphalt, or similar contrasting material) or reflective striping that emphasizes the crossing under low light and inclement weather conditions.
4. Pedestrian connections shall be provided between buildings within the development, and between the development and adjacent rights-of-way, transit stops, parks, schools, and commercial developments. At least one connection shall be made to each adjacent street and sidewalk for every 200 linear feet of street frontage. Sites with less than 200 linear feet of street frontage shall provide at least one connection to the street and/or sidewalk.
- G. Off-Street Parking Location and Design. The following standards are intended to support a pedestrian-friendly street environment and to minimize the visual impacts of parking areas and garages.
1. Off-street parking spaces and drive aisles shall not be located in the Front Yard.
2. Off-street parking areas shall not occupy more than 50% of the total length of each street frontage as measured 20 feet from the street property line. Drive aisles are only counted as parking areas if:
- a. parking spaces adjacent to the drive aisle are provided; and
- b. the drive aisle is between a building and street.
3. Off-street parking spaces shall not be located within ten feet of any property line, except alley property lines. Driveways and drive aisles necessary to connect to the street are permitted within ten feet of property lines.
4. Landscaping, fencing, or walls at least three feet tall shall separate parking areas from useable open space, green focal points, and public streets (except alleys).
5. If garages are attached to a street-facing facade, they may not be located closer to the street property line than the building facade.
6. Driveways associated with attached garages that take direct individual access from a public or private street must meet the townhouse driveway and access standards in Subsection 4.113 (.14) E. 5. For the purpose of those standards, each individual multi-family garage shall meet the standards applicable to a townhouse or townhouse lot.

<b>Amendment Description:</b>	Clarify that residential design and variety standards are among the standards subject to waivers
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.118
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports the allowance for alternative discretionary review called for in the Master Plan.
<b>Rationale for Amendment Text:</b>	Residential design standards did not exist in the way they do now when this code language in Section 4.118 was created. This provides clarity that an applicant can apply for a waiver for residential design standards.
<b>Impact on Housing Cost:</b>	Makes clear that even if a residential design standard increases cost in a manner that makes a project unfeasible, that a clear process exists to waive it to remove the barrier.
<b>Compliance Notes:</b>	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Clarified that variety standards are most like density standards rather than other standards, and a similar level of review applies. Previously it was unclear what language in 4.118 applied to variety standards, which is allowed to be waived consistent with language in 4.127 (.22)

4.118 Standards Applying to all Planned Development Zones

- (.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:
- A. Waive the following typical development standards:
    - ...
    - 13. Architectural design standards, **including residential design standards;**
  - B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:
    - ...
    - 2. Minimum density standards and **housing variety standards in** ~~of~~ residential zones. The required minimum density may be reduced by the Board in the Residential Neighborhood zone in compliance with [Section] 4.127(.06) B; and

<b>Amendment Description:</b>	Clarifying existing special waiver process for open space in the RN Zone
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.118
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports implementation of open space consistent with the Master Plan.
<b>Rationale for Amendment Text:</b>	In Frog Pond West open space requirements were primarily met by specific spaces planned as part of the Master Plan, and the Master Plan area is exempt from open space standards applicable to other residential areas in the City. See Subsection 4.127 (.09). As such specific waiver language related to open space in Section 4.118 states it is not applicable to the RN zone. While this is accurate for Frog Pond West, it is not for Frog Pond East and South. Frog Pond East and South are subject to the open space requirements applicable citywide, therefore this existing exemption in 4.118 should not apply to the plan area.
<b>Impact on Housing Cost:</b>	None, the edit keeps consistency with other code language and does not change policy.
<b>Compliance Notes:</b>	None, edit is for consistency.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Recently discovered additional reference to the RN zone and the need for the additional edit.

4.118 Standards Applying to all Planned Development Zones

- (.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:
- A. Waive the following typical development standards:
    - ...
    - 17. Open space in the **Frog Pond West Neighborhood in the** Residential Neighborhood zone; and;
    - ...
  - B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:
    - 1. Open space requirements in residential areas, except that the Board may waive or reduce open space requirements in the **Frog Pond West Neighborhood in the** Residential Neighborhood zone. Waivers in compliance with [Section] 4.127(.08)(B)(2)(d);

<b>Amendment Description:</b>	Consistent setback allowance for ADUs
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.120 and 4.123
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports the Master Plan direction of removing barriers to development of ADUs.
<b>Rationale for Amendment Text:</b>	Ensures larger rear yard setbacks are not a barrier to ADU development everywhere they are permitted by establishing that a 10-foot rear setback is allowed in zones otherwise requiring a larger rear yard setback for the purposes of constructing an ADU.
<b>Impact on Housing Cost:</b>	Further removes barriers to building ADUs, which can be an affordable housing option.
<b>Compliance Notes:</b>	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Additional language addresses relationship between ADU and garage setbacks where an ADU is either built over a garage or is a garage conversion. <u>Since July public hearing:</u> None

Section 4.120 (.05) FDA-H Dimensional Standards

- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three feet. **Minimum front and rear setback for ADUs is 10 feet. Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access in B.1. above. Garage setbacks in B.1. above continue to apply regardless of relationship to an ADU.**

Old Town Residential Design Standards footnote (noted by \*) on page 19

For Cottage Clusters **and ADUs**, minimum front and rear setbacks are 10'. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access. Garage setbacks continue to apply regardless of relationship to a Cottage Cluster or ADU.**

Section 4.127. Residential Neighborhood (RN) Zone.

...

(.02) Permitted uses:

A. Open Space.

<b>Amendment Description:</b>	Updated residential permitted uses for RN Zone
<b>Applicability:</b>	The entirety of Frog Pond, however there is no change to permitted uses in Frog Pond West
<b>Impacted Code Section(s):</b>	4.127 (.02)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Reflects the variety of residential unit types encouraged in the Master Plan
<b>Rationale for Amendment Text:</b>	Rather than the prior allowed unit types one by one, this revised language reflects that the entire array of unit type are allowed, and then addresses certain limitations including: existing restrictions in Frog Pond West from the Frog Pond West Master Plan, the variety standards for Frog Pond East, and the commercial nature of the Commercial Main Street area.
<b>Impact on Housing Cost:</b>	No policy change, thus no impact on housing cost. However, it does reflect the wide allowance of a variety of housing including lower-cost options.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits to increase clarity and remove a typographical error. <u>Since July public hearing:</u> None

**B. Residential dwelling units with the following limitations:**

**1. Frog Pond West Neighborhood:**

**a. During initial development:**

**i. a maximum of two townhouses may be attached, except on corner lots, a maximum of three townhouses may be attached.**

**ii. triplexes are permitted only on corner lots, and quadplexes are not permitted.**

**iii. only two-unit cluster housing is permitted except on corner lots where three-unit cluster housing is permitted.**

**b. Multi-family dwelling units are not permitted within the Frog Pond West Neighborhood, consistent with the Frog Pond West Master Plan.**

**2. In the Frog Pond East and South Neighborhoods, the extent and mix of different types of dwelling units is limited and controlled by the variety standards in Subsection (.06) C. – E. and related standards.**

- 3. Multi-family dwelling units are only allowed in the Commercial Main Street Area in the Frog Pond East Neighborhood if contained within a mixed-use development. The Commercial Main Street Area is as described in Subsection (.07) A. 1. and shown in Figure A-7.**
- C. Public or private parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than 45 feet from any other lot.

<b>Amendment Description:</b>	Define permitted uses for the Commercial Main Street in Frog Pond East
<b>Applicability:</b>	Commercial Main Street area of Frog Pond East
<b>Impacted Code Section(s):</b>	4.127 (.02)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Implements the Commercial Main Street requirement from the Master Plan
<b>Rationale for Amendment Text:</b>	The language intends to clearly layout the amount of the ground floor space for the Commercial Main Street that must be commercial and what is a permitted commercial use that counts toward that minimum amount requirement.
<b>Impact on Housing Cost:</b>	This is a Commercial Area meant to serve housing, rather than an area meant to provide housing. However, like other commercial areas of the City housing is allowed. The requirement that some commercial be provided does increase the overall cost of a mixed-use building versus a residential only building. If commercial space does not lease up the cost of the space has to be carried by the residential portion. To limit the impact of the cost of adding commercial while still honoring the policy choice of providing commercial space in the Master Plan, flexibility for the allowance of ground floor live-work units and Business Integrated Dwelling Units is provided.
<b>Compliance Notes:</b>	No State or Regional requirements drive the inclusion of commercial. The inclusion reflects the Frog Pond Area Plan and Frog Pond East and South Master Plan, and the resulting Commercial Comprehensive Plan Designation previously adopted for the subject land.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Updated numbering, removed unnecessary code reference to 4.127 (.02) B. 3. <u>Since July public hearing:</u> None

**D. For the Commercial Main Street area described in Subsection (.07) A. 1. and shown in Figure A-7, the ground floor allows commercial uses listed under 1.-9. below. Drive-through commercial uses are prohibited. A minimum of 50% of the building frontage along SW Brisband Street must be occupied by these uses with the remainder of the frontage allowed to be Live-Work Dwelling Units.**

- 1. Retail sales and service of retail products, under a footprint of 30,000 square feet per tenant.**
- 2. Office, including medical facilities.**
- 3. Personal and professional services.**
- 4. Child and/or day care.**
- 5. Food or Beverage service (e.g., restaurants, cafes, brewpubs, bars).**
- 6. Community services and community centers.**
- 7. Commercial recreation.**
- 8. Religious institutions.**

**9. Business-Integrated Dwelling Units accessory to uses listed 1.-9. above.**

(.05) *Residential Neighborhood Zone Sub-districts:*

- A. RN Zone sub-districts may be established to provide area-specific regulations that implement legislative master plans.
  - 1. For the Frog Pond West Neighborhood, the sub-districts are listed in Table 1 of this Code and mapped on Figure 6 of the Frog Pond West Master Plan. The Frog Pond West Master Plan Sub-District Map serves as the official sub-district map for the Frog Pond West Neighborhood.

<b>Amendment Description:</b>	Clear and Objective Identification of the Subdistrict Boundaries
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.05)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Subdistricts are a key regulatory and design component identified in the Master Plan. This language provides the necessary detail to ensure there is clarity in the boundaries of the subdistricts, which in turn is the basis for housing variety requirements and other standards.
<b>Rationale for Amendment Text:</b>	Initially, only a map was planned. However, feedback received indicated that only a map is likely to still leave too much unclarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the subdistricts.
<b>Impact on Housing Cost:</b>	On their own subdistricts are neutral on housing costs. However, a number of regulations are applied on a sub-district level that can impact housing cost. See discussion elsewhere in this Section.
<b>Compliance Notes:</b>	The concept of regulating housing variety and other standards by subdistrict is not driven by State or Regional requirements. It reflects the neighborhood within a neighborhood similar to the Villebois SAP concept. The implementation measures adopted into the Comprehensive Plan with the Frog Pond East and South Master Plan do specifically require mapping of subdistricts and their use for regulations including minimum number of units, housing variety, and min and max of target units. See Implementation Measure 4.1.7.D. 1. and 2.
<b>Recent Edits:</b>	None

**2. The area of the Frog Pond East and South Master Plan is divided into subdistricts described below, as shown for reference in Figure A-5:**

- a. Subdistrict E1. The area south of SW Kahle Road and the BPA Easement, east of SW Stafford Road, and north of an existing east-west property line approximately 1,232 feet north of SW Advance Road and 1,315 south of SW Kahle Road.**
- B. Sudistrict E2. The area outside the SROZ south of SW Kahle Road, north of the BPA Easement, and west of a creek intersecting SW Kahle Road approximately 1,580 feet east of SW Stafford Road.**
- C. Subdistrict E3. The area outside the SROZ south of SW Kahle Road, north of the BPA Easement, east of Subdistrict E2, and west of and abutting the eastern edge of the Master Plan area.**
- D. Subdistrict E4. The area south of Subdistrict E1, east of SW Stafford Road, north of SW Advance Road, and west of future 63<sup>rd</sup> Avenue extension from the intersection of SW Advance Road and SW 63<sup>rd</sup> Avenue north to Subdistrict 1.**

**E. Subdistrict E5.** The area south of Subdistrict E1 and the BPA Easement, east of Subdistrict E4, north of SW Advance Road, and west of future 60<sup>th</sup> Avenue extension from the intersection of SW Advance Road and SW 60<sup>th</sup> Avenue north to the BPA Easement.

**F. Subdistrict E6.** The area south of the BPA Easement, east of Subdistrict E5, north of SW Advance Road, and west of and abutting the eastern edge of the Master Plan area.

**G. Subdistrict S1.** The area south of SW Advance Road, east of and abutting the western edge of the Master Plan area, north of the Meridian Creek Middle School property, and west of SW 63<sup>rd</sup> Avenue.

**H. Subdistrict S2.** The area south of SW Advance Road, east of SW 60<sup>th</sup> Avenue, and north of an existing property line approximately 956 feet south of SW Advance Road, and west of and abutting the eastern edge of the Master Plan area.

**I. Subdistrict S3.** The area south of Subdistrict S2, east of SW 60<sup>th</sup> Avenue, north of SW Kruse Road, and west of and abutting the eastern edge of the Master Plan area.

**J. Subdistrict S4.** The area south of the Meridian Creek Middle School property, east of and abutting the western edge of the Master Plan area, north of and abutting the southern edge of the Master Plan area, and west of SW 60<sup>th</sup> Avenue.



Figure A-5. Frog Pond East and South Land Uses and Subdistrict Boundaries

<b>Amendment Description:</b>	Clarification that certain existing code language relates only to Frog Pond West.
<b>Applicability:</b>	Frog Pond West
<b>Impacted Code Section(s):</b>	4.127 (.06) A.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Ensures existing language applicable to Frog Pond West is clearly separate from new language for Frog Pond East and South implementing the Master Plan.
<b>Rationale for Amendment Text:</b>	Insert the necessary references clarifying what language only applies to the Frog Pond West neighborhood.
<b>Impact on Housing Cost:</b>	This is a clarification of applicability of standards that does not impact housing cost.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

(.06) *Development Allowances:*

- A. The minimum and maximum number of residential lots approved shall be consistent with this Code and applicable provisions of an approved legislative master plan.
  - 1. For initial development of **the Frog Pond West Neighborhood, Table 6A** in this Code and Frog Pond West Master Plan Table 1 establish the minimum and maximum number of residential lots for the sub-districts.
  - 2. For areas that are a portion of a sub-district **in the Frog Pond West Neighborhood**, the minimum and maximum number of residential lots are established by determining the proportional gross acreage **outside of the SROZ** and applying that proportion to the minimums and maximums listed in Table 1. The maximum density of the area may be increased, up to a maximum of ten percent of what would otherwise be permitted, based on an adjustment to an SROZ boundary that is consistent with 4.139.06.
- B. The City may allow a reduction in the minimum density for a sub-district **in the Frog Pond West Neighborhood** when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses and similar physical conditions.

Area Plan Designation	Frog Pond West Sub-district	Minimum Lots in Sub-district <sup>a,b</sup>	Maximum Lots in Sub-district <sup>a,b</sup>
R-10 Large Lot	3	26	32
	7	24	30
	8	43	53
R-7 Medium Lot	2	20	25
	4	86	107
	5	27	33
	9	10	13
	11	46	58

R-5 Small Lot	1	66	82
	6	74	93
	10	30	38
Civic	12	0	7 <sup>a</sup>
Public Facilities (PF)	13	0	0

- a. Each lot must contain at least one dwelling unit but may contain additional units consistent with the allowance for ADUs and middle housing.
- b. For townhouses, the combined lots of the townhouse project shall be considered a single lot for the purposes of the minimum and maximum of this table. In no case shall the density of a townhouse project exceed 25 dwelling units per net acre.
- c. These metrics apply to infill housing within the Community of Hope Church property, should they choose to develop housing on the site. Housing in the Civic sub-district is subject to the R-7 Medium Lot Single Family regulations.

<b>Amendment Description:</b>	Minimum Unit Table
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C.
<b>Relationship to Frog Pond East and South Master Plan:</b>	<p>Ensures minimum of 1325 units are built consistent with a Metro Condition of Approval. Establishes minimum amounts of certain target unit types consistent with Implementation Measure 4.1.7.D 2. c. and d. to require minimum amounts of target unit types and middle housing. The table sets the minimums at the subdistrict and tax lot level consistent with Implementation Measure 4.1.7.D. 2. a, which ensures this variety is achieved throughout the planning area.</p>
<b>Rationale for Amendment Text:</b>	<p>Table 6B incorporates a number of requirements into a single table for ease of reference of different requirements, with minimums listed by the smaller of subdistrict or tax lot as directed in the Master Plan.</p> <p>The minimum unit count of 1325 is proportioned to each subdistrict or tax lot based on the amount of assumed net area in each Urban Form Type, with subdistricts or tax lots with Urban Form Type 1 receiving proportionally the most and Urban Form Type 3 receiving proportionally the least.</p> <p>Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is 20%, small units is 5%, and mobility-ready units is 10%. These percentages are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions.</p>
<b>Impact on Housing Cost:</b>	<p>While the Table does require a development level and variety that will produce lower-cost housing options, this analysis focuses on how the variety required by the table may increase housing costs. Housing Variety requirements indicated by the minimums in the table do require additional unit types than might otherwise be built, which can increase certain design and construction costs. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. See examples of how care was taken below. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more types of units leading to higher housing costs is off-set. It is better to have relatively higher design and construction costs on lower cost units than only have larger higher-cost housing that may</p>

be more cost-efficient to design and build, but do not provide lower cost unit types to the market. The following are specific steps the proposed requirements take to balance the variety requirements with the potential to increase cost of a given housing unit to do less design and construction efficiency.

- Not generally requiring variety within a block, but allowing “block level variety” as required in the Master Plan to be substantially met with variety on adjacent blocks and “across the street.”
- Thoughtfully choosing geographic size and number of units per certain geographic size that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built.
- Exempting small developments from requirements such as small unit and mobility-ready unit minimums to avoid forcing too many unit types in small areas.
- Allowing each variety requirement to be met by different unit types, thus providing flexibility and reducing the likelihood a new custom home design will be needed to meet a given standard.
- Allowing a single unit to be counted against meeting multiple requirements. For example, a cottage in a cottage cluster could meet middle housing, small unit, and mobility-ready requirements. This allows more land to be used by other units as well as if a developer does create a new home design for the development, they are able to maximize its use and not have to create multiple new home designs.

Beyond the variety-related concerns, the mobility-ready unit requirement does have potential to increase costs as a similarly square foot unit on a single floor takes up more land and has more roof area (an expensive portion of the construction) than a multi-floor unit. However, the regulations allow multiple ways for the requirement to be met minimizing this impact on cost by allowing more units, such as ADUs and ground floor apartments, as well as primary-on-main units that have an upstairs portion, to help meet the requirement. The requirement is tailored to be directly responsive to a policy goal of more mobility-friendly units while minimizing impact on costs.

**Compliance Notes:**

The minimum of 1325 units is required Metro Condition of Approval F. 1. In Ordinance No. 18-1427.

Metro Condition of Approval A. 2. Requires the City allow middle housing throughout, similar to what is required in House Bill 2001 (2019) and implementing rules. The requirement that 20% of likely build out is middle housing is not required by the State or Region, nor does the Master Plan establish a specific amount. 20% is similar to what was built in

Villebois, and where possible the City relied on precedents in the City and from comparable cities when establishing numeric standards.

The minimum amounts of certain target unit types are required by Implementation Measure 4.1.7.D 2. c. and d.. The table sets the minimums at the subdistrict and tax lot level consistent with Implementation Measure 4.1.7.D. 2. a, which ensures this variety is achieved throughout the planning area. The definition of small unit, mobility-ready unit, and the percent required by each of these are not driven by State or Regional requirements nor are they defined or specified in the Master Plan. The definitions and requirements were determined in consultation with the Planning Commission and City Council after looking for similar precedents, sales data from Zillow, and testing for feasibility. The numbers were chosen to balance having in impactful amount of the target unit types and market feasibility.

**Recent Edits:**

None

- C. Table 6B establishes the minimum number of housing units that must be developed within each subdistrict and tax lot in the Frog Pond East and South neighborhoods. This includes the minimum number of units of various housing types needed to ensure a variety of housing options throughout the neighborhoods consistent with the Frog Pond East and South Master Plan. Housing unit types are defined in Section 4.001 and the footnotes to Table 6B.

<b>Table 6B. Minimum Number of Units in Frog Pond East and South Sub-districts</b>				
<u>Sub-Districts</u>	<u>Minimum Total Number of Units</u>	<u>Minimum Number of Middle Housing Units</u> <sup>A, B, G</sup>	<u>Minimum Number of Small Units</u> <sup>B, C, D, G</sup>	<u>Minimum Number of Mobility-Ready Units</u> <sup>B, C, E, F, H</sup>
<b><u>E1</u></b>	<b><u>104</u></b>	<b><u>26</u></b>	<b><u>7</u></b>	<b><u>13</u></b>
<b><u>E2</u></b>	<b><u>110</u></b>	<b><u>28</u></b>	<b><u>7</u></b>	<b><u>14</u></b>
<b><u>E3</u></b>	<b><u>133</u></b>	<b><u>34</u></b>	<b><u>9</u></b>	<b><u>17</u></b>
<b><u>E4<sup>H</sup></u></b>	<b><u>211</u></b>			
<b><u>E4 TL 1101 (portion)<sup>I</sup></u></b>	<b><u>185</u></b>	<b><u>15</u></b>	<b><u>4</u></b>	<b><u>8</u></b>
<b><u>E4 TL 1200</u></b>	<b><u>24</u></b>	<b><u>6</u></b>	<b><u>2</u></b>	<b><u>3</u></b>
<b><u>E4 TL 1000</u></b>	<b><u>2</u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>0</u></b>
<b><u>E5</u></b>	<b><u>227</u></b>	<b><u>57</u></b>	<b><u>15</u></b>	<b><u>29</u></b>
<b><u>E6</u></b>	<b><u>141</u></b>	<b><u>36</u></b>	<b><u>9</u></b>	<b><u>18</u></b>
<b><u>S1</u></b>	<b><u>25</u></b>	<b><u>7</u></b>	<b><u>2</u></b>	<b><u>4</u></b>
<b><u>S2<sup>E</sup></u></b>	<b><u>91</u></b>			
<b><u>S2 TL 1000 28050 SW 60<sup>th</sup> Ave</u></b>	<b><u>6</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 800 5890 SW Advance Rd</u></b>	<b><u>6</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 500 5780 SW Advance Rd</u></b>	<b><u>5</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 300 5738 SW Advance Rd</u></b>	<b><u>5</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 100 5696 SW Advance Rd</u></b>	<b><u>5</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 900</u></b>	<b><u>5</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 700</u></b>	<b><u>33</u></b>	<b><u>9</u></b>	<b><u>3</u></b>	<b><u>5</u></b>
<b><u>S2 TL 400</u></b>	<b><u>4</u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>0</u></b>
<b><u>S2 TL 200</u></b>	<b><u>4</u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>0</u></b>
<b><u>S2 TL 1100 28152 SW 60<sup>th</sup> Ave</u></b>	<b><u>5</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>
<b><u>S2 TL 1200</u></b>	<b><u>5</u></b>	<b><u>2<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>	<b><u>1<sup>J</sup></u></b>

<u>S2 TL 1300</u> <u>28300 SW</u> <u>60<sup>th</sup> Ave</u>	<u>8</u>	<u>2<sup>J</sup></u>	<u>1<sup>J</sup></u>	<u>1<sup>J</sup></u>
<u>S3<sup>E</sup></u>	<u>125</u>			
<u>S3 TL 1400</u> <u>28424 SW</u> <u>60<sup>th</sup> Ave</u>	<u>25</u>	<u>7</u>	<u>2<sup>J</sup></u>	<u>4</u>
<u>S3 TL 1500</u> <u>28500 SW</u> <u>60<sup>th</sup> Ave</u>	<u>25</u>	<u>7</u>	<u>2<sup>J</sup></u>	<u>4</u>
<u>S3 TL 1600</u>	<u>8</u>	<u>2<sup>J</sup></u>	<u>1<sup>J</sup></u>	<u>1<sup>J</sup></u>
<u>S3 TL 1800</u> <u>28668 SW</u> <u>60<sup>th</sup> Ave</u>	<u>8</u>	<u>2<sup>J</sup></u>	<u>1<sup>J</sup></u>	<u>2<sup>J</sup></u>
<u>S3 TL 1700</u> <u>28580 SW</u> <u>60<sup>th</sup> Ave</u>	<u>10</u>	<u>3</u>	<u>1<sup>J</sup></u>	<u>2<sup>J</sup></u>
<u>S3 TL 1900</u> <u>5899 SW</u> <u>Kruse Rd</u>	<u>33</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S3 TL 2000</u> <u>5691 SW</u> <u>Kruse Rd</u>	<u>16</u>	<u>4</u>	<u>1<sup>J</sup></u>	<u>2<sup>J</sup></u>
<u>S4<sup>D</sup></u>	<u>158</u>			
<u>S4 TL 2600</u>	<u>35</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S4 TL 2700</u> <u>28901 SW</u> <u>60<sup>th</sup> Ave</u>	<u>123</u>	<u>31</u>	<u>8</u>	<u>16</u>

Notes: (see following pages with explanatory information)

<b>Amendment Description:</b>	Table 6B Note Re: Clarification that certain middle housing that is substantially the same as detached single-family homes does not count as middle housing for the purpose of Table 6B.
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Note A.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. d. to require middle housing. Without the clarification, a loophole would exist to allow units that are substantially the same as detached single-family homes to be counted toward the middle housing requirement.
<b>Rationale for Amendment Text:</b>	The language is drafted to clarify that a certain type of middle housing called cluster housing can be substantially similar to detached single-family homes and, while technically middle housing by definition, should not be counted for middle housing for the purpose of the middle housing requirement in Table 6B due to its similarity to detached single-family units.
<b>Impact on Housing Cost:</b>	Without this clarification the standards meant to require lower cost middle housing may be used to build homes that are substantially similar to detached single-family homes on their own lots. This language ensures the requirement actually produces middle housing types expected to be lower cost than detached homes on their own lot.
<b>Compliance Notes:</b>	Not driven by any compliance standards.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

A Cluster Housing is among the housing types defined as Middle Housing in Section 4.001, but only Cluster Housing meeting at least one of the criteria in this footnote shall be counted as Middle Housing for the purpose of meeting the minimum number of Middle Housing units in Table 6B. The purpose of this requirement is to prevent Cluster Housing that is substantially the same as Single-family Dwelling Units from being counted.

Criteria to Determine if Cluster Housing can be counted towards the minimum number of Middle Housing units in Table 6B:

Criterion 1: No Middle Housing Land Division is dividing the lot on which the Cluster Housing is placed. A future land division is not considered if it occurs at least three years after occupancy is granted for the last dwelling unit on the lot.

Criterion 2: A Middle Housing Land Division is proposed but at least of half of the resulting Middle Housing Land Division Units do not front on a street, tract with a private drive, or open space tract.

Criterion 3: A Middle Housing Land Division is proposed, but more than half of the dwelling units on the lot on which the Cluster Housing unit or units are placed are attached Middle Housing units or Cottage Cluster units.

<b>Amendment Description:</b>	Table 6B Note Re: Counting a single unit to meet multiple requirements in Table 6B.
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Note B.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. Also, encourages certain desired housing types such as ADUs and cottages because they can be counted in multiple categories.
<b>Rationale for Amendment Text:</b>	The language is drafted to clarify that when a unit happens to meet the definition of multiple of the target unit types it can be counted towards meeting each one for which it qualifies. For example, a single-level 900 square foot cottage in a cottage cluster would qualify to be counted as a middle housing unit, a small unit, and a mobility-ready unit. The language intends to incentivize units that represent a small portion of the existing housing supply, are much needed, and can meet multiple categories, such as ADUs.
<b>Impact on Housing Cost:</b>	The ability to double count units helps encourage ADUs and cottages, which would be lower cost housing options. It also offers flexibility in meeting the variety standards helping to minimize the impact of variety standards on design and construction efficiencies discussed under the analysis of Table 6B.
<b>Compliance Notes:</b>	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The double counting of ADUs helps encourage them.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edit. <u>Since July public hearing:</u> None

**B. A single dwelling unit may be counted to meet the minimum requirement in multiple categories. For example, a 900 square foot cottage in a cottage cluster could be counted as a middle housing unit, a small unit, and a mobility-ready unit.**

<b>Amendment Description:</b>	Table 6B Note Re: Defining Small Unit.
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Note C.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types.
<b>Rationale for Amendment Text:</b>	“Small unit” is not defined elsewhere in the Code, while both middle housing and mobility-ready are. Rather than clutter the Table 6B heading with specifics about what qualifies as a “small unit” the definition is added as a footnote. The 1200 square feet was found to be a threshold at which there has been a notable historic under production.
<b>Compliance Notes:</b>	The threshold is not driven by compliance. Rather after careful review of data such as Zillow sales data and discussion with the Planning Commission and City Council, 1,200 square feet was chosen as the threshold for a small unit that meets the intent of it being a target unit type from the Master Plan.
<b>Impact on Housing Cost:</b>	Setting the threshold for small unit at 1,200 square feet ensures it is substantially different than a typical detached home and having limited size will ensure the small units are lower cost than large units.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

C. Small dwelling units must be 1,200 square feet or less of Habitable Floor Area, as defined in Section 4.001.

<b>Amendment Description:</b>	Table 6B Note Re: Certain minimum requirements are only required for larger lots and when there is lot consolidation during development
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Notes D. E. and J.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types.
<b>Rationale for Amendment Text:</b>	The notes clarifies and acknowledges that for certain small lots or developments minimum targets would be difficult to meet, but are less difficult when the lot area is combined with a larger development area.
<b>Impact on Housing Cost:</b>	These footnotes remove certain variety requirements when a development of a certain small size. This footnote specifically removes the impact of variety standards on design and construction efficiencies discussed under the analysis of Table 6B.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edit. <u>Since July public hearing:</u> None

- D. \_\_\_\_\_ Only required if the Net Development Area for the Stage I Master Plan area is greater than 2 acres
- E. \_\_\_\_\_ Only required if the Net Development Area for the Stage I Master Plan area is greater than 5 acres
- J. \_\_\_\_\_ Only required if a tax lot is combined with another tax lot in a Stage I Master Plan. Multiple Stage I Master Plans for adjacent tax lots with the same owner or related owners (i.e. LLCs with the same ownership interest) shall not be allowed concurrently or within 12 months.

<b>Amendment Description:</b>	Table 6B Note Re: Flexibility to have an upstairs portion for a certain percentage of required mobility-ready units.
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Note F.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types
<b>Rationale for Amendment Text:</b>	Note added to give flexibility for developers to have units with an upstairs count as mobility-ready as long as the portion of the unit not accessed by stairs has everything to qualify as an independent mobility-ready unit. The allowance is limited to one third of mobility-ready units to ensure there is a healthy amount of smaller and fully mobility-ready units.
<b>Impact on Housing Cost:</b>	This footnote limits the potential added cost of mobility-ready requirements by allowing a portion of mobility-ready units to be primary on main type units that do have an upstairs, thus increasing the flexibility to use unit types the developer may already be building to meet this requirement supporting efficiency in design and construction.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

F. Up to 33% of the minimum number of mobility-ready units, or up to 1 unit where only 1 or 2 units are required, may have portions of the habitable floor area accessible by stairs so long as the dwelling unit would still otherwise meet the definition of mobility-ready unit without the habitable floor area accessed by stairs.

<b>Amendment Description:</b>	Table 6B Note Re: Flexibility to blend certain minimum requirements over subdistrict boundaries
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Note G. and H.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. The variety throughout the Master Plan and block-level variety called for in Strategy 6 under Coding for Variety and Priority Housing Types.
<b>Rationale for Amendment Text:</b>	Note added to give flexibility for developers to blend requirements along subdistrict lines when the development includes all or portions of multiple subdistricts while not allowing a level of flexibility that would substantially decrease the variety throughout, including block-level type variety, called for in the Master Plan.
<b>Impact on Housing Cost:</b>	These footnotes allow flexibility that limit potential cost impact variety standards can have on design and construction efficiencies discussed under the analysis of Table 6B.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

G. Where a Stage I Master Plan area covers portions of multiple subdistricts, one of either the middle housing OR small dwelling unit requirement for a subdistrict may be partially or fully met by excess dwelling units meeting the requirement from a neighboring subdistrict within the same Stage I Master Plan so long as the following eligibility requirements are met:

1. the dwelling unit category variety in Subsection (.06) E. will continue to be met for each Subdistrict or portion thereof.
2. the minimum for the requirement in the subdistrict from which the excess is credited is exceeded by at least the same amount as is being counted in the receiving subdistrict so as to ensure no dwelling unit is counted towards meeting the minimum in both subdistricts.
3. the number and type of dwelling units equal to the amount credited are adjacent to the receiving subdistrict determined by being across a proposed shared property line at a subdistrict boundary or across and fronting the street where a street forms the subdistrict boundary.

H. Where a Stage I Master Plan area covers portions of multiple subdistricts, the mobility-ready requirement for a subdistrict may be partially or fully met by counting excess mobility-ready dwelling units from a neighboring subdistrict within the same Stage I Master Plan so long as the following eligibility requirements are met:

1. the minimum for the requirement in the subdistrict from which the excess is credited is exceeded by at least the same amount as is being counted in the receiving subdistrict so as to ensure no dwelling unit is counted towards meeting the minimum in both subdistricts.
2. the number of mobility-ready dwelling units equal to the amount credited are near the receiving subdistrict determined by being within a block of the subdistrict boundary.

<b>Amendment Description:</b>	Table 6B Note Re: Clarification concerning geography in which minimums must be met
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C. Table 6B Note I.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. The variety throughout the Master Plan and block-level variety called for in Strategy 6 under Coding for Variety and Priority Housing Types.
<b>Rationale for Amendment Text:</b>	This footnote is drafted to clarify that the minimum standards of multiple tax lots can be combined together as long as they are within the same subdistrict. This adds necessary flexibility and clarifies the intent is for the minimums to be focused on the subdistrict geography and are only provided for tax lot level out of necessity as some tax lots may develop independently.
<b>Impact on Housing Cost:</b>	These footnotes allow flexibility that limit potential cost impact variety standards can have on design and construction efficiencies discussed under the analysis of Table 6B.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

I. Where an application includes two or more adjacent tax lots within the same subdistrict, the minimum does not need to be met on each individual tax lot so long as the total number of units proposed for all the included tax lots within the same subdistrict is equal to or greater than the sum of the minimums in this table for the included tax lots.

<b>Amendment Description:</b>	Adjusting Table 6B minimums when the development does not include as much net area as assumed.
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) C.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports housing variety implementation in Table 6B
<b>Rationale for Amendment Text:</b>	In order to establish the clear and objective numerical requirements in Table 6B some assumptions had to be made. This included an assumption that the Net Development Area of each subdistrict and tax lot is equal to 70% of the Gross Development Area. The 30% non-net area includes 20% for public right-of-way and 10% for stormwater facilities. For most development the net area is expected to be 70% or more of gross. However, there may be unanticipated situations where the net is less than 70%, especially for smaller developments. This language is drafted to provide a clear calculation of what to do when the net is less than anticipated, thus providing less land for residential development making it difficult to meet the minimums. The simple calculation provided should be abundantly clear and prevent any uncertainty.
<b>Impact on Housing Cost:</b>	The flexibility in this Subsection ensure the minimum unit count requirements in Table 6B are applied as intended and that they are proportionately reduced if the amount of land is less. This maintains the housing cost balance designed into the regulations as discussed under the analysis of Table 6B.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

**1. As an alternative to Table 6B when the Net Development Area is less than 70% of the Gross Development Area, the applicant may adjust the minimum requirements in Table 6B using the following steps:**

**Step 1. Determine the Reduction Ratio. Divide the Net Development Area by a number equal to 70% of the Gross Development Area, round to the nearest 100<sup>th</sup>. This is the Reduction Ratio.**

**Step 2. Multiply each applicable minimum in Table 6B by the Reduction Ratio determined in Step 1. Round each result up to the nearest whole number. These are the new alternative minimum requirements.**

<b>Amendment Description:</b>	Establishing housing unit categories and types for Frog Pond East and South
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) D. (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, including Strategy 1 to permit a wide variety of housing types and Strategy 2 to categorize types of housing.
<b>Rationale for Amendment Text:</b>	The new subsection establishes the purpose of the housing variety standards and creates a table that clearly establishes the different categories and types of housing to be used in the variety standards
<b>Impact on Housing Cost:</b>	Establishing these categories supports the variety requirements that ensure lower-cost housing types are built. At the same time the organization of the housing types support the ability to use a variety of unit types to meet variety standards ensuring options are available for developers to develop units responsive to the market and that provide a reasonable level of design and construction efficiency.
<b>Compliance Notes:</b>	Not required by State or Regional policy, but specifically called out in the Master Plan.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits to increase clarity. <u>Since July public hearing:</u> None

**D. Housing Unit Types for Frog Pond East and South Neighborhoods**

**1. Purpose: As further expressed in the Frog Pond East and South Master Plan, the variety requirements create opportunities for a variety of housing choices in each neighborhood and subdistrict focusing on mixing and integrating different housing choices throughout the Frog Pond East and South Neighborhoods rather than having separate areas for separate housing unit categories.**

**2. Housing Unit Types and Categories for Housing Variety Standards are in Table 6C.**

**Table 6C Housing Unit Categories and Types**

<b><u>Multi-family Category</u></b>
<b><u>Multi-family Types:</u></b>
<ul style="list-style-type: none"> <li>• <b><u>Elevator-served attached multi-family</u></b></li> <li>• <b><u>Other attached multi-family (10 or more units per building)</u></b></li> <li>• <b><u>Other attached multi-family (5-9 units per building)</u></b></li> </ul>
<b><u>Middle Housing Category</u></b>
<b><u>Middle Housing Types:</u></b>
<ul style="list-style-type: none"> <li>• <b><u>Townhouses and side by side duplex, triplex, quadplex</u></b></li> <li>• <b><u>Stacked duplex, triplex, quadplex</u></b></li> <li>• <b><u>Cluster housing, excluding cottage cluster, or mix of attached and detached middle housing. Does not include Cluster Housing classified as Other Detached Units<sup>A</sup>.</u></b></li> <li>• <b><u>Cottage cluster</u></b></li> </ul>
<b><u>Accessory Dwelling Units (ADUs) Category</u></b>

<b>ADU Types:</b> <ul style="list-style-type: none"><li>• <b>All ADUs</b></li></ul>
<b>Other Detached Units Category</b>
<b>Other Detached Units Types:</b> <ul style="list-style-type: none"><li>• <b>All other detached units including detached single-family homes, cluster housing that looks and functions similar to single-family detached units<sup>A</sup>, and detached multi-family</b></li></ul>

Notes:

<sup>A</sup> For the purpose of this table and related variety requirements, when a lot with cluster housing is divided using a Middle Housing Land Division and a resulting Land Division Unit has frontage on a street, tract with a private drive, or open space tract, the housing unit on the resulting land division unit shall be classified the same as a detached dwelling unit on its own lot. To qualify as a Middle Housing Unit, there must not be a Middle Housing Land Division or the resulting land division unit is a configuration dissimilar to a lot for a detached single-family home, determined by the resulting land division unit not having frontage on a street, tract with a private drive, or open space tract. A future middle housing land division would not alter the housing unit type as long as such middle housing land division is applied for at least 24 months after occupancy is granted for the dwelling unit.

**Amendment Description:**

Establishing housing variety standards for Frog Pond East and South, including required number of unit types and maximum for any single unit type.

**Applicability:**

Frog Pond East and South

**Impacted Code Section(s):**

4.127 (.06) E. (new)

**Relationship to Frog Pond East and South Master Plan:**

Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, particularly Strategy 5 regarding minimum housing variety that includes the concept of a minimum number of unit types and a maximum of a single unit type. Also specific language relates to incentivizing ADUs.

**Rationale for Amendment Text:**

The new subsection clearly defines the number of unit types required, generally three, with practical flexibility added for smaller development were it may be infeasible to have the three unit types. The 60% maximum of net area is anticipated to enable about half of the units to be a single unit type and prevent any one unit type to dominate any area, consistent with the Master Plan.

The language relating to how net area is calculated with two unit types on a lot intends to incentivize ADUs by allowing them to count as half the net area of the lot.

**Impact on Housing Cost:**

The minimum housing variety standards can lead to more house types in a given geography than the market would otherwise deliver. While this supports housing variety, there is expense tied to each new unit type introduced because of added costs in design and engineering different units and loss in efficiency during construction as construction laborers need to understand different plans and use different size elements and potentially use different construction methods. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. Geographic size and number of units per certain geographic size were chosen that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more units, which has been carefully limited, leading to higher housing costs is off-set. It is better to have relatively higher design and construction costs on lower cost units than only have larger higher-cost housing that may be relatively cheaper to design and build, but do not provide lower cost unit types to the market. In regards to the variety of units provided to the market, the proposed variety standards will result in similar variety as other master-planned communities, including Villebois in Wilsonville.

**Compliance Notes:**

Not required by State and Regional policy, however directly called out in the Master Plan. Also supports Metro Condition of Approval regarding the encouraging of ADUs by allowing ADUs to count for more land area than they take up.

**Recent Edits:**

Between June work session and July public hearing: Minor edits.  
Since July public hearing: None

**E. Unit Type Variety for East and South Neighborhoods:**

**1. Required Number of Unit Types in a Development.** To ensure variety throughout the Master Plan area, while accommodating efficient site planning for smaller developments, the following is the number of Unit Types, listed in Table 6C, required based on the Net Development Area in the smaller of a Stage I Master Plan Area or Subdistrict. To be counted towards the minimum Unit Type requirement, the applicable dwelling units must represent, at a minimum, either 5% of the Net Development Area or 10% of the planned units within the development.

**2 Acres or less - 1 Unit Type Required**

**More than 2 acres up to 5 acres - 2 Unit Types Required**

**More than 5 acres - 3 Unit Types Required**

**2. Maximum Net Area for A Single Unit Type.** These standards help ensure no single housing unit type dominates any Subdistrict or large portion thereof. Except for small developments requiring only 1 Unit Type under E.1. above, no more than 60% of the Net Development Area of the smaller of a Stage I Master Plan Area or Subdistrict shall be planned for the development a single Unit Type listed in Table 6C.

**a. Where an individual lot in a development has multiple unit types (e.g. ADU on same lot as Detached Unit Type), the Net Development Area shall be assigned by dividing the net area of the lot and adjacent area (i.e. alleys) proportionally based on number of each unit type. For example, for an ADU on a detached home lot, 50% of the net area would be assigned to the ADU and 50% of the net area would be assigned to the detached home regardless of the relative percent of the lot they each occupy.**

**3. In Subdistrict E4, Net Development Area (parking, drive aisles, landscaping) associated with the Commercial Main Street does not count towards Net Development Area for the purpose of these standards, but the building footprint of the mixed-use buildings does.**

<b>Amendment Description:</b>	Ensuring Variety Standards Comply with State Middle Housing Law
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.06) F. (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to the State requirement to include middle housing.
<b>Rationale for Amendment Text:</b>	The language directly clarifies and reflects the State statute and rules that any land zoned or designated for detached single-family homes must also allow middle housing. If the Master Plan allowed designation of land for detached single-family homes without this clarification the code would be out of compliance with State law.
<b>Impact on Housing Cost:</b>	Minimal to no impact anticipated, including for compliance purposes.
<b>Compliance Notes:</b>	<p>Directly driven to comply with HB 2001 (2019) Middle Housing requirements and implementing OARs.</p> <p>OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South qualifies as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots."</p>
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edit to reference state law by title rather than by ORS and OAR reference.

Since July public hearing: None

**F. Pursuant to State of Oregon middle housing statute and administrative rules, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots.**

<b>Amendment Description:</b>	Clear and Objective Identification of the Urban Form Type Boundaries
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.07) all text is new, this Subsection was previously “Development Standards Generally” which language has now been consolidated into Subsection (.08)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Urban Form Type Designations are a key regulatory and design component identified in the Master Plan. This language provides the necessary detail to ensure there is clarity in the boundaries of the different Urban Forms, which in turn is the basis for a number of development standards.
<b>Rationale for Amendment Text:</b>	Initially, only a map was planned. However, feedback received indicated that only a map is likely to still leave lack of clarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the Urban Form Type Designations. Language is also added to state the purpose of Urban Form Types overall and the purpose of each different Urban Form Type.
<b>Impact on Housing Cost:</b>	The added clarity can reduce the time and cost of the land use review process., which contributes to lower development costs.
<b>Compliance Notes:</b>	Establishes clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

**(.07) Frog Pond East and South Urban Form Types:**

- A. The Frog Pond East and South Neighborhoods are divided into different Urban Form Type designations whose boundaries are described by Subdistrict in B. below and illustrated for reference in Figure A-7 below. Applicability of development standards are based on these designations. The designations and their purpose are as follows:**
  - 1. Commercial Main Street: This urban form is for a limited area along SW Brisband Street between SW Stafford Road and the extension of SW 63<sup>rd</sup> Avenue. Its purpose is to create a pedestrian-oriented, mixed-use commercial street feel.**
  - 2. Urban Form Type 1: The purpose of this Urban Form Type is to create the most compact and urban of the three residential forms. This is primarily represented by larger buildings, including full block width, with less setbacks than other residential Urban Form Types.**
  - 3. Urban Form Type 2: The purpose of this Urban Form Type is to create a moderately compact and urban look and feel between Urban Form Type 1 and Type 3. This is primarily represented by allowing moderate building widths, including not allowing buildings to be block length as allowed in Urban Form Type 1, and requiring moderate setbacks.**
  - 4. Urban Form Type 3: The purpose of this Urban Form is to create a less compact and urban look and feel. This is primarily represented by limiting the width of buildings, encouraging shorter building height, and providing for larger setbacks.**
- B. Urban Form area boundary descriptions:**
  - 1. Subdistrict E1:**

- a. Urban Form Type 1: The area of the Subdistrict east of the framework street that is an extension of SW 63<sup>rd</sup> Avenue and connecting to the framework street crossing the BPA easement.
- b. Urban Form Type 2: The area of the Subdistrict west and south of the framework street(s) that are an extension of SW 63<sup>rd</sup> Avenue and SW Frog Pond Lane.
- c. Urban Form Type 3: The area of the Subdistrict west of the framework street connecting across the BPA easement and north of the framework street that is an extension of SW Frog Pond Lane, except for the Frog Pond Grange area described in Subsection (.24) A. below.

**2. Subdistrict E2:**

- a. Urban Form Type 2: A contiguous area of between 6 and 6.5 gross development acres, as proposed by the developer based on the location of non-framework local streets, extending the south to north extent of the Subdistrict from the BPA easement to SW Kahle Road, and located immediately to the east of and adjacent to the framework street connecting across the BPA easement.
- b. Urban Form Type 3: The far west and east area of the Subdistrict that is not Urban Form Type 2.

**3. Subdistrict E3:**

- a. Urban Form Type 2: A contiguous area of between 8 and 8.5 gross development acres, as proposed by the developer based on the location of non-framework local streets, centered in the Subdistrict immediately south of and adjacent to SW Kahle Road, and not being within 125 feet of the eastern edge of the Subdistrict or the SROZ.
- b. Urban Form Type 3: The surrounding area of the Subdistrict that is not Urban Form Type 2.

**4. Subdistrict E4:**

- a. Commercial Main Street: The area of existing Tax Lot 1101 centered on SW Brisband Street extending east to west across the Subdistrict and extending between 125 feet and 160 feet both north and south of SW Brisband Street. The exact boundary north and south of SW Brisband Street will be proposed by the developer.
- b. Urban Form Type 1:
  - i. The eastern half of the Subdistrict area north of the Commercial Main Street area.
  - ii. The eastern half of the Subdistrict area (east of the SROZ) south of the Commercial Main Street area extending south to within approximately 250 feet of SW Advance Road. The exact southern limit will be proposed by the developer based on the location of any local streets, and if no local street, based on proposed property lines. The southern limits must be between 235 feet and 265 feet north of SW Advance Road. If at time of development of this area a local street is established in Subdistrict E5 serving as a boundary between Urban Form Type 1 and Urban Form Type 2 in that Subdistrict, then the boundary for this area shall be the closest street or property line to the centerline of that street measured at the intersection of SW 63<sup>rd</sup> Avenue.
- c. Urban Form Type 2:
  - i. The western half of the Subdistrict area north of the Commercial Main Street area.

- ii. The western half of the Subdistrict area south of the Commercial Main Street area and west of the SROZ.
- iii. The eastern half of the Subdistrict area south of the Commercial Main Street area, east of the SROZ, and south of the Urban Form Type 1 area that is south of the Commercial Main Street area.

**5. Subdistrict E5:**

- a. Urban Form Type 1: the northern portion of the Subdistrict extending south to within approximately 250 feet of SW Advance Road and extending east to west across the entire Subdistrict. The exact southern limit will be proposed by the developer based on the location of an east-west local street which would be the boundary between Urban Form Type Areas. The centerline of this boundary street must be between 230 feet and 270 feet north of SW Advance Road and is encouraged to be as close as possible to 250 feet north.
- b. Urban Form Type 2: The southern portion of the Subdistrict south of the Urban Form Type 1 area and north of SW Advance Road.

**6. Subdistrict E6:**

- a. Urban Form Type 2: the western portion of the Subdistrict extending east approximately 680 feet east from SW 60<sup>th</sup> Avenue. The exact eastern limit will be proposed by the developer based on the location of a local street or property lines which would be the boundary between Urban Form Type Areas. The boundary must be between 660 feet and 700 feet east of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 680 feet.
- b. Urban Form Type 3: The eastern portion of the Subdistrict east of the Urban Form Type 2 area, north of SW Advance Road and south of the BPA Easement.

**7. Subdistrict S1:**

- a. Urban Form Type 2: The entire Subdistrict is Urban Form Type 2.

**8. Subdistrict S2:**

- a. Urban Form Type 2: The western portion of the Subdistrict, extending east of SW 60<sup>th</sup> Avenue approximately 360 feet east from the northern boundary of SW Advance Road to a point 340 feet south of SW Advance Road and approximately 500 feet east of SW 60<sup>th</sup> Avenue from that point to the southern boundary of the Subdistrict. The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be, respectively, between 480 feet and 520 feet east of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 500 feet in the southern portion, and between 320 and 360 feet east of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 340 feet in the northern portion of the Subdistrict.
- b. Urban Form Type 3: The eastern portion of the Subdistrict, east of the Urban Form Type 2 area.

**9. Subdistrict S3:**

- a. Urban Form Type 1: a west central portion of the Subdistrict extending approximately 220 feet east of SW 60<sup>th</sup> Avenue between a point directly east of the northern boundary of Subdistrict S4 (the southern property line of the Meridian Creek Middle School property) and a point approximately 320 feet north of SW Kruse Road. The exact limits will be proposed by the developer based on the location of local streets or property lines which would be the boundary between Urban Form Type areas. The east

boundary must be between 200 feet and 240 feet east of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 220 feet. The north boundary must be within 20 feet of the northern boundary of Subdistrict S4 and is encourage to be as close as possible to that boundary. The south boundary must be between 300 feet and 340 feet north of SW Kruse Road and is encouraged to be as close as possible to 320 feet.

b. Urban Form Type 2: The description is broken into a northern and southern area, with the boundary between northern and southern area being a line extending east from the northern boundary of Subdistrict S4 (the southern property line of the Meridian Creek Middle School property).

i. For the northern area of the Subdistrict: The western portion of the Subdistrict extending from SW 60<sup>th</sup> Avenue to the east approximately 500 feet. The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be, respectively, between 480 feet and 520 east of SW 60<sup>th</sup> Avenue and is encouraged to be a close as possible to 500 feet

ii. For the southern area of the Subdistrict: The western portion of the Subdistrict, excluding the Urban Form Type 1 area, extending from SW 60<sup>th</sup> Avenue to the east approximately 340 feet The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be between 320 and 360 feet east of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 340 feet.

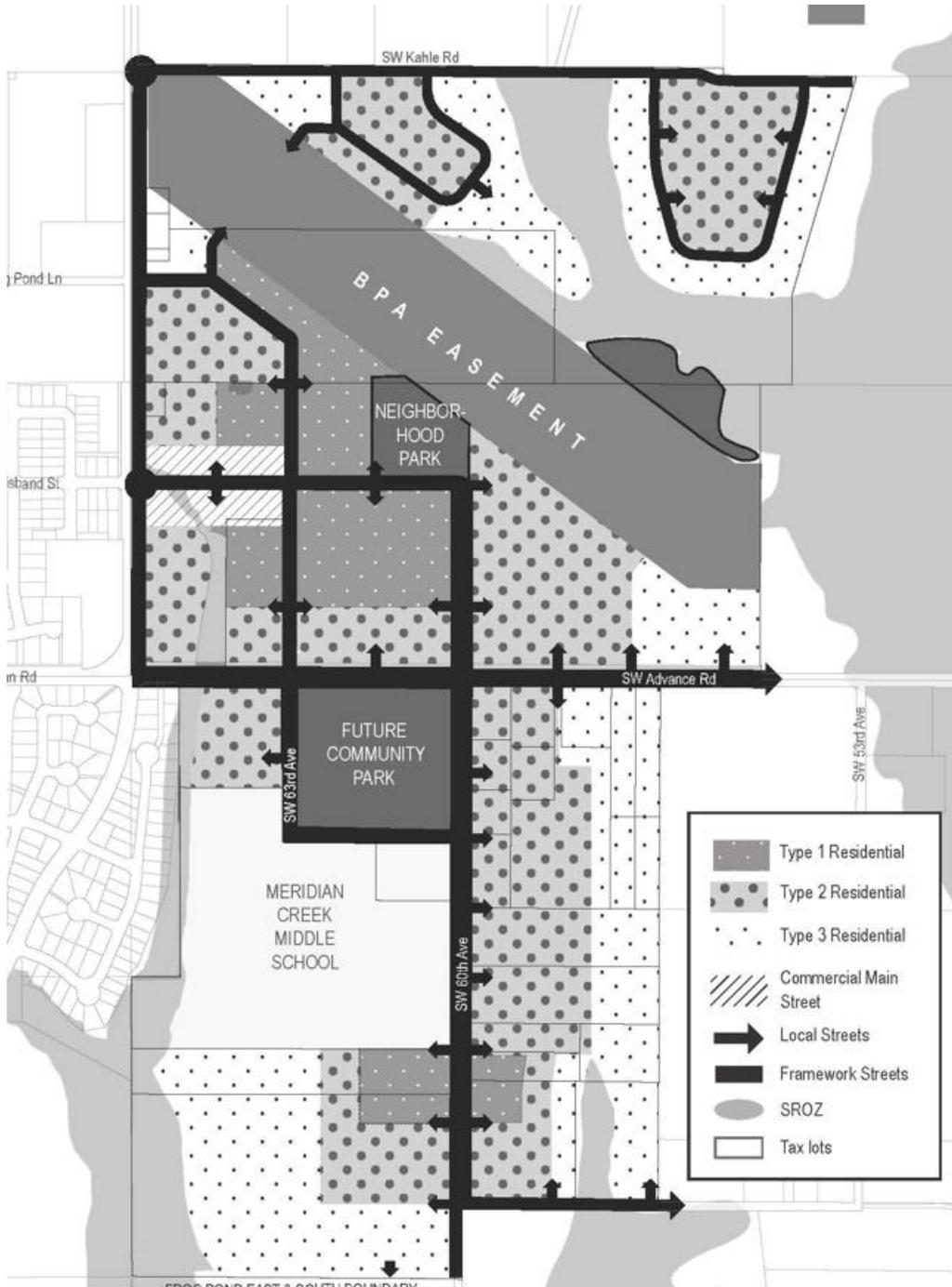
c. Urban Form Type 3: The eastern portion of the Subdistrict, east of the Urban Form Type 2 areas.

#### 10. Subdistrict S4:

a. Urban Form Type 1: The northeastern portion of the Subdistrict extending west of SW 60<sup>th</sup> Avenue approximately 380 feet and south to approximately 320 feet north of SW Kruse Road. The exact western and southern limit will be proposed by the developer based on the location of local streets or property lines which would be the boundary between Urban Form Type areas. The west boundary must be between 360 feet and 400 feet west of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 380 feet. The south boundary must be between 300 feet and 340 feet north of SW Kruse Road and is encouraged to be as close as possible to 320 feet.

b. Urban Form Type 2: The northeastern portion of the Subdistrict west and south of the Urban Form Type 1 area, extending west from the Urban Form Type 1 boundary to approximately 570 feet west of SW 60<sup>th</sup> Avenue and south to a future local street extension of SW Kruse Road. The exact western limit will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The west boundary must be between 550 feet and 590 feet west of SW 60<sup>th</sup> Avenue and is encouraged to be as close as possible to 570 feet.

c. Urban Form Type 3: The western and southern portions of the Subdistrict, west and south of the Urban Form Type 2 area.



**Figure A-7 Urban Form Type Land Use Designation Boundaries**

(.08) Development Standards:

<b>Amendment Description:</b>	Clarifications of existing Development Standards Language
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.08)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, including Strategy 4 to development standards based on the Urban Form Type designations.
<b>Rationale for Amendment Text:</b>	<p>This language includes technical edits to:</p> <ul style="list-style-type: none"> <li>• Consolidate existing language in Subsection (.07) into this subsection</li> <li>• Provide for differentiation between development standards for Frog Pond West and Frog Pond East and South</li> </ul> <p>Make language generally more clear and concise</p>
<b>Impact on Housing Cost:</b>	The added clarity can reduce the time and cost of the land use review process., which contributes to lower development costs.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<p><u>Between June work session and July public hearing:</u> Minor edits.</p> <p><u>Since July public hearing:</u> None</p>

- A. Unless otherwise specified by the regulations in this Residential Neighborhood (RN) Zone section, all development must comply with Section 4.113, Standards Applying to Residential Development in Any Zone.**
- B. ~~Lot and~~ Development shall be consistent with this Code and applicable provisions of an approved legislative master plan.
- C. ~~Lot Standards Generally. For the Frog Pond West Neighborhood, Table 2 establishes the lot development standards.~~ **Unless superseded or supplemented by other provisions of the Development Code the lot and development standards for the Frog Pond West Neighborhood are established by Table 28A and lot and development standards for the Frog Pond East and South Neighborhoods are established by Table 8B.**
- D. Lot Standards for Small Lot Sub-districts **in the Frog Pond West Neighborhood**. The purpose of these standards is to ensure that development in the Small Lot Sub-districts includes varied design that avoids homogenous street frontages, creates active pedestrian street frontages and has open space that is integrated into the development pattern.
- Standards. Planned developments in the Small Lot Sub-districts shall include one or more of the following elements on each block:
1. Alleys.
  2. Residential main entries grouped around a common green or entry courtyard (e.g. cluster housing).

3. Four or more residential main entries facing a pedestrian connection allowed by an applicable legislative master plan.
4. Garages recessed at least four feet from the front façade or six feet from the front of a front porch.

Table 8A: Frog Pond West Neighborhood Zone Lot Development Standards										
Neighborhood Zone Sub-District	Min. Lot Size (sq. ft.) <sup>A,B</sup>	Min. Lot Depth (ft.)	Max. Lot Coverage (%)	Min. Lot Width <sup>J, N</sup> (ft.)	Max. Bldg. Height <sup>H</sup> (ft.)	Setbacks <sup>K, L, M</sup>				
						Front Min. (ft.)	Rear Min. (ft.)	Side Min. (note)	Garage Min Setback from Alley (ft.)	Garage Min Setback from Street <sup>O, P</sup> (ft.)
R-10 Large Lot	8,000	60'	40% <sup>E</sup>	40	35	20 <sup>F</sup>	20	<sup>M</sup>	18 <sup>G</sup>	20
R-7 Medium Lot	6,000 <sup>C</sup>	60'	45% <sup>E</sup>	35	35	15 <sup>F</sup>	15	<sup>M</sup>	18 <sup>G</sup>	20
R-5 Small Lot	4,000 <sup>C, D</sup>	60'	60% <sup>E</sup>	35	35	12 <sup>F</sup>	15	<sup>M</sup>	18 <sup>G</sup>	20

Notes:

- A. Minimum lot size may be reduced to 80% of minimum lot size for any of the following three reasons: (1) where necessary to preserve natural resources (e.g. trees, wetlands) and/or provide active open space, (2) lots designated for cluster housing (Frog Pond West Master Plan), (3) to increase the number of lots up to the maximum number allowed so long as for each lot reduced in size a lot meeting the minimum lot size is designated for development of a duplex or triplex.
- B. For townhouses the minimum lot size in all sub-districts is 1,500 square feet.
- C. In R-5 and R-7 sub-districts the minimum lot size for quadplexes and cottage clusters is 7,000 square feet.
- D. In R-5 sub-districts the minimum lot size for triplexes is 5,000 square feet.

<b>Amendment Description:</b>	Clarifications of bonus lot coverage for Frog Pond West and larger Frog Pond East and South detached home lots where multiple buildings are proposed.
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.08)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates generally to the acknowledgement of variety of housing allowed.
<b>Rationale for Amendment Text:</b>	Change mirrors similar language in PDR zone that states bonus is when multiple buildings are on a lot rather than just when one is accessory to another. This comes into play on larger lots with lower lot coverage when multiple units of a similar size are proposed.
<b>Impact on Housing Cost:</b>	Removes a potential barrier to lower-cost middle housing development.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

- E. On lots where ~~detached accessory~~ **multiple** buildings are built, maximum lot coverage may be increased by 10%. Cottage clusters are exempt from maximum lot coverage standards.
- F. Front porches may extend 5 feet into the front setback.
- G. The garage setback from alley shall be minimum of 18 feet to a garage door facing the alley in order to provide a parking apron. Otherwise, the rear or side setback shall be between 3 and 5 feet.
- H. Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.
- I. For townhouses in all sub-districts minimum lot width is 20 feet.
- J. May be reduced to 24' when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive or a public pedestrian access in a cluster housing (Frog Pond West Master Plan) development.
- K. Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.

<b>Amendment Description:</b>	Limit of setbacks required for ADUs
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.08)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Relates to removing barriers to ADUs and encouraging them as a desired unit type.
<b>Rationale for Amendment Text:</b>	Where a larger lot has a setback, especially rear setback, greater than 10 feet, it allows ADUs to have a reduced setback of 10 feet. This removes a barrier to potentially locating an ADU. It makes the requirement the same as the existing allowed setback for cottage clusters which are a similar size.
<b>Impact on Housing Cost:</b>	Reduces potential barriers to ADU development, which are a lower cost housing type.
<b>Compliance Notes:</b>	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. This code amendment reduces a potential barrier to ADU construction thus helping encourage.
<b>Recent Edits:</b>	None

- L. For cottage clusters and ADUs all setbacks otherwise greater than 10 feet for other housing types are reduced to 10 feet
- M. On lots greater than 10,000 SF with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 20 ft. with a minimum of 10 ft. On other lots, minimum side setback shall be 5 ft. On a corner lot, minimum side setbacks are 10 feet.
- N. For cluster housing (Frog Pond West Master Plan) with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right-of-way or a public pedestrian access easement linking the courtyard with the Public Way.
- O. All lots with front-loaded garages are limited to one shared standard-sized driveway/apron per street regardless of the number of units on the lot.
- P. The garage shall be setback a minimum of 18 feet from any sidewalk easements that parallels the street.

**Amendment Description:**

Tables 8B and 8C Development Standards for Frog Pond East and South

**Applicability:**

Frog Pond East and South

**Impacted Code Section(s):**

4.127 (.08)

**Relationship to Frog Pond East and South Master Plan:**

Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, Strategy 4 create development standards based on the Urban Form Type designations.

**Rationale for Amendment Text:**

Wherever appropriate, and where not otherwise noted, the standards are mirrored after similar standards in other residential zones in Wilsonville or Frog Pond West and precedent unit examples shared during the Master Planning and Code development process. Special attention was paid to ensure standards create meaningful differentiation between the different residential Urban Form Type Designations. In addition, consideration was given to the wide array of housing types allowed throughout Frog Pond East and South and the desired variety. Notable unique standards include:

- An independent numerical lot size requirement is not established, rather lot size must be of sufficient size to meet other applicable development standards. This simplifies the code, removes barriers to proposed housing variety, and prevents complexities and likely contradictions in the standards.
- Front setbacks that are uniform on any given street to create a more consistent streetscape. See Table 8C.
- Creating a maximum building width that becomes a key standard controlling building bulk and differentiating between different Urban Form Types.
- Creating a minimum distance between buildings when multiple buildings are on a lot that mirror required setbacks to create consistency in built form regardless of lot patterns.

**Impact on Housing Cost:**

Development standards have the potential to significantly increase housing costs because of less efficient use of land or driving to more expensive construction methods and materials. In general, the proposed standards for Frog Pond East and South are similar to or less restrictive than other residential zones which have been deemed acceptable as not unduly increasing housing costs. Examples of less standards less restrictive than other residential zones include lot size, allowed building height, and lot coverage.

One notable standard that does not exist in other residential zones is maximum building width. Care was taken to establish these widths to mirror the type of development anticipated in the different urban forms while creating differentiation between the different urban forms. Designing to enable the anticipated development in each Urban Form will prevent this

<b>Compliance Notes:</b>	standard from being a barrier or increasing costs as a vast majority of development will easily meet it. The standard is applied equally to all unit types, which is a consideration in State rules to determine if a standard unduly increases cost.
	The table establishes clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

<b>Table 8B. Frog Pond East and South Neighborhoods Development Standards</b>										
<u>Land Use Map Urban Form Type Designation</u>	<u>Lot size requirements</u>	<u>Min. lot width/ street frontage per lot (ft.)</u>	<u>Max height (ft.)</u>	<u>Front Setbacks</u>	<u>Maximum Building Width Facing Street, or park when front of lot faces a park (ft.)</u>	<u>Rear Min. (ft.)</u>	<u>Garages (note)</u>	<u>Side Min. (ft.)<sup>A B</sup></u>	<u>Min. distance Between multiple Buildings on same lot along street frontages and public viewsheds</u>	<u>Max. Lot Coverage (percent)<sup>C D</sup></u>
<u>Urban Form Type 1</u>	<u>Lots sized to accommodate at least a one-unit residential building meeting building code requirements as well as setbacks and lot coverage requirements.</u>	<u>10</u>	<u>50, 4 story</u>	<u>See Table 8C.</u>	<u>None</u>	<u>10</u>	<u>E</u>	<u>5<sup>F</sup></u>	<u>Double the min. side yard setback that would be required for the larger of the two buildings on its own lot.</u>	<u>80 except for detached homes on lots with an area 4,000 square feet or greater.<sup>J</sup></u>
<u>Urban Form Type 2</u>		<u>15</u>	<u>40, 3-story</u>		<u>125 except that buildings over 100 feet cannot occupy entire block face.<sup>G</sup></u>	<u>10</u>		<u>5<sup>F</sup></u>		
<u>Urban Form Type 3</u>		<u>15</u>			<u>100</u>	<u>15<sup>I</sup></u>		<u>5 for structures up to 25 feet in height, 10 for structures over 25 feet in height.</u>		

**Notes:**

- A.** On corner lots, minimum side setbacks facing the street are the same as minimum front setback. Maximum setbacks equivalent to front maximums also apply. See Table 8C.
- B.** Side setbacks do not apply to shared walls at property lines between townhouse units.
- C.** Cottage clusters and ADUs are exempt from maximum lot coverage standards.

- D. For townhouses maximum lot coverage is calculated for the combined lots on which a single townhouse building sits rather than for each townhouse lot.
- E. Setbacks for residential garages are as follows:
1. Front (street loaded): minimum 20 feet.
  2. Alley loaded with exterior driveway: minimum 18 feet or as necessary to create a 18 foot deep parking space not including alley curb.
  3. Alley loaded without exterior driveway: minimum 3 feet and maximum 5 feet.
- F. For Urban Form Type 1 and 2, side setbacks may be reduced to either: (1) down to a minimum of 3.5 feet for residential structures less than 70 feet wide, or (2) down to a minimum of five percent of the building width at the front building line for buildings greater than 70 feet and less than 100 feet wide.
- G. For Urban Form Type 2, in lieu of meeting the maximum building width, an applicant may elect to articulate the facade and roof in a manner to create architectural separation of building masses. Such articulation shall include a minimum 2-foot setback of the wall from the primary façade as well as interruption of the roof plane. The setback articulation shall, at a minimum, be equal in width to the building separation required. The depth and width of articulation is not adjustable or subject to waiver or administrative relief under local or state law as it is an optional compliance method in lieu of meeting the standard maximum building width and separation standards. For the purpose of applying other articulation standards in Section 4.113, the portions of a building on either side of the articulation in lieu of building separation shall be considered separate buildings.
- I. The minimum rear setback for a cottage cluster and Accessory Dwelling Unit (ADU) is 10 feet.
- J. For lots 4,000 square feet in area or more with only units classified as “Other Detached Units” in Table 6C, the following lot coverage standards from Table 8A shall apply: 4,000 square feet or more but less than 6,000 square feet: standards of R-5 Small Lot; 6,000 square feet or more but less than 8,000 square feet: standards for R-7 Medium Lot; 8,000 square feet or more, standards for R-10 Large Lot.

<b>Table 8C. Frog Pond East and South Neighborhoods Development Standards - Front Setbacks including Special Front Setbacks For Uniformity on Framework Streets</b>		
	<b>Front Min. (ft.)<sup>A</sup></b>	<b>Front Max.<sup>C</sup> (ft.)</b>
<ul style="list-style-type: none"> <li>• <u>Lot frontages along east-west oriented portion of SW Brisband Street between SW 63<sup>rd</sup> Avenue and its eastern most point. Setbacks for SW Brisband Street between SW Stafford Road and SW 63<sup>rd</sup> Avenue can be found in Table 23A.</u></li> <li>• <u>Lot frontages along SW 63<sup>rd</sup> Avenue from southern edge of Subdistrict E1 to SW Advance Road</u></li> <li>• <u>Lot frontages on lots with Urban Form Type 1 Designation not fronting a framework street listed in this table</u></li> </ul>	<b>6<sup>B</sup></b>	<b>10<sup>D</sup></b>
<ul style="list-style-type: none"> <li>• <u>Lot frontages along SW 60<sup>th</sup> Avenue</u></li> <li>• <u>Lot frontages along SW 63<sup>rd</sup> Avenue south of SW Advance Road</u></li> <li>• <u>Lot frontages along SW Stafford Road except the Brisband Main Street buildings</u></li> <li>• <u>Lot frontages along SW Advance Road</u></li> <li>• <u>Lot frontages along SW Kahle Road</u></li> <li>• <u>Lot frontages along framework street in Subdistrict E1 extending SW Frog Pond Lane and SW 63<sup>rd</sup> Avenue</u></li> <li>• <u>Lot frontages along Framework Street connecting across the BPA easement area from SW Kahle Road to SW Frog Pond Lane extension</u></li> <li>• <u>Lot frontages on lots with Urban Form Type 2 Designation not fronting a framework street listed in this table</u></li> </ul>	<b>10</b>	<b>25<sup>E</sup></b>
<ul style="list-style-type: none"> <li>• <u>Lot frontages on lots with Urban Form Type 3 Designation not fronting a framework street listed in this table</u></li> </ul>	<b>10<sup>E</sup></b>	<b>No max</b>

**Notes:**

**A.** Where a front (street) loaded garage exists, the minimum garage setback in Table 8B takes precedence over the minimums in this table.

**B.** Where the minimum front setback is 6 feet it is intended to accommodate a public utility easement (PUE) for franchise utilities. If the City requires a wider PUE the minimum setback shall increase to accommodate the PUE. If a finding can be made that no PUE is necessary and access stairs or ramps can be accommodated without impeding on the public right of way, no setback is required.

**C.** Where a maximum setback exists, and the property line it is measured from is either curvilinear or intersects with a connecting property line at anything besides a right angle, the maximum setback need only be met at one point along the property line.

**D.** This maximum assumes no front (street loaded) garage, which is anticipated to be the typical condition in Urban Form Type 1. However, if a front facing garage is proposed, the front maximum may be exceeded to accommodate the minimum garage setback of 20 feet from Table 8B.

**E.** In Urban Form 3, buildings or portions thereof greater than either 2 stories or 25 feet in height shall have a minimum front setback of 20 feet.

E. Development Standards Specific to Relationships with Collectors and Arterial Streets.

<b>Amendment Description:</b>	Clarification that existing language applies to Frog Pond West
<b>Applicability:</b>	Frog Pond West
<b>Impacted Code Section(s):</b>	4.127 (.08) E.
<b>Relationship to Frog Pond East and South Master Plan:</b>	None
<b>Rationale for Amendment Text:</b>	Direct language to differentiate between Frog Pond West and the subsequent new language regarding Frog Pond East and South.
<b>Impact on Housing Cost:</b>	Clarifies applicability, does not change policy that would impact housing cost.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

**1. Frog Pond West Neighborhood:**

- a. Lots adjacent to SW Boeckman Road and SW Stafford Road shall meet the following standards:
  - i. Rear or side yards adjacent to SW Boeckman Road and SW Stafford Road shall provide a wall and landscaping consistent with the standards in Figure 10 of the Frog Pond West Master Plan.
- b. Lots adjacent to the collector-designated portions of SW Willow Creek Drive and SW Frog Pond Lane shall not have driveways accessing lots from these streets, unless no practical alternative exists for access. Lots in Large Lot Sub-districts are exempt from this standard.

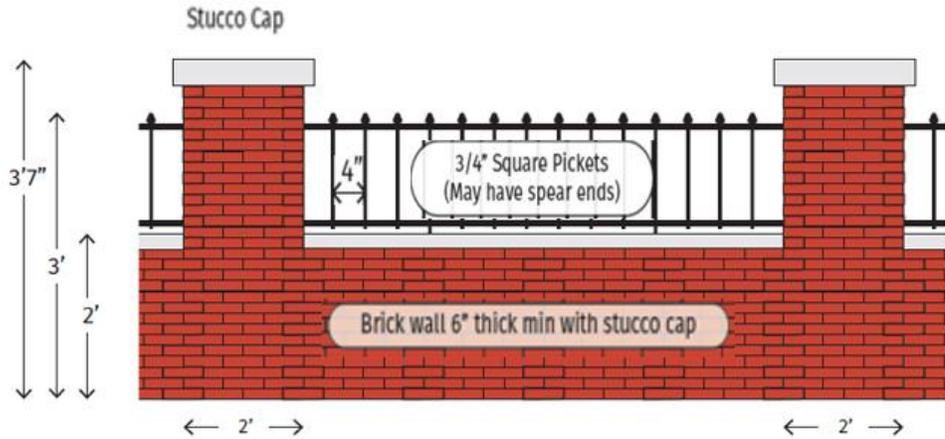
<b>Amendment Description:</b>	Fence treatments along Stafford and Advance Roads
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.08) E.
<b>Relationship to Frog Pond East and South Master Plan:</b>	The Master Plan calls for treatments consistent with the walls used in Frog Pond West but adapted for units primarily facing the streets. It also has specific requirements regarding building orientation towards the subject roads.
<b>Rationale for Amendment Text:</b>	For Stafford Road the wall is half the height and same materials as Frog Pond West, as directed in the Master Plan. For Advance Road a similar style is continued, but it is more open with metal to create semi-private front yards consistent with Advance Road being a collector rather than an arterial like Stafford Road and Boeckman Road. This also creates an enhanced interface with the community park across SW Advance Road.
<b>Impact on Housing Cost:</b>	These standards increase the cost of materials and construction for fencing associated with residential development. However, they are narrowly tailored to meet prescribed policy objectives and use materials and styles extensively used in Villebois and Frog Pond West where no note of unduly increasing housing cost was noted.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however establishes clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Added detail to graphics, minor edits. <u>Since July public hearing:</u> None

**2. Frog Pond East and South Neighborhoods:**

**a. Special Design Standards for east side of SW Stafford Road as well as the north side of SW Advance Road from SW Stafford Road to the wetland approximately 250 feet east of SW Stafford Road:**

**i. Courtyard Walls and Pedestrian Access Points:**

- 1. Except for pedestrian access points, the frontage of each lot or tract (not counting any landscape tract running parallel with the road) shall have a wall/fence matching Figure A-8. below.**



**Figure A-8. Wall/Fence Along SW Stafford Road**

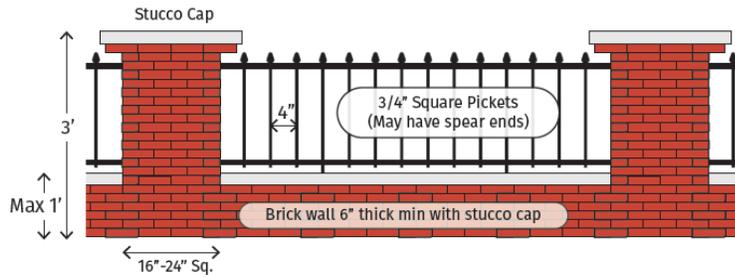
2. Except for corner lots at the intersection of SW Stafford Road and SW Brisband Street, each lot shall have at least one paved walkway extending from the lot to the Stafford Road sidewalk providing a pedestrian access point. Any gates at pedestrian access points shall have a black "iron style" gate matching the style shown in Figure B-8. below.



**Figure B-8. Gate for Pedestrian Access Points along SW Stafford Road**

- ii. Structure and Entry Orientation: Except for corner lots at the intersection of SW Stafford Road and SW Brisband Street, the facades of structures facing SW Stafford Road shall meet all design standards for front facades. Generally this will be the front façade of the structure, but if it is the side or rear façade, the façade must still meet front façade standards including having at least one building entrance oriented towards SW Stafford Road.
- b. Special Design Standards for SW Advance Road, except for the portion on the north side included in the SW Stafford Road special design standards in a. above:

- i. Only front yards shall be oriented towards SW Advance Road with front entrances facing the street, except for corner lots at intersecting streets where side yards and side facades may front SW Advance Road, as necessary.
- ii. Lots shall have courtyard fencing matching Figure C-8. including any side yards for lots oriented on intersecting streets.



**Figure C-8.**

- iii. No motor vehicle access is allowed directly to a lot or tract from SW Advance Road except for emergency access requested by the Fire District and approved by the City Engineer.
- iv. Lots directly adjacent to SW Advance Road shall be considered to front SW Advance Road even if a landscape tract exists between the lot and the SW Advance Road right-of-way.

<b>Amendment Description:</b>	Public Realm Elements
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.08) F. (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Chapter 7 Public Realm
<b>Rationale for Amendment Text:</b>	The Master Plan provides clear and detailed language regarding the public realm. The language intends to direct the reader back to these specifics in the Master Plan.
<b>Impact on Housing Cost:</b>	These standards can increase the cost of materials and construction for the public realm associated with residential development. However, they are narrowly tailored to meet prescribed policy objectives and are of a similar level of other developments such as Frog Pond West and Villebois where such standards have not been noted to unduly increase the cost of housing.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4). Less clear and objective language regarding gateway treatment is in Commercially zoned land and does not directly relate to needed housing.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Incorporation of specifics about East Neighborhood Park. Removal of Arts, Heritage, and Cultural review requirement for gateway feature due to lack of clear criteria and timeline for their consideration. Language encourages consultation. Added flexibility to gateway feature height as long as it remains clearly and prominently visible 1,000 feet away. Other minor edits. <u>Since July public hearing:</u> None

**F. Public Realm Requirements for Frog Pond East and South Master Plan area**

- 1. Development in Frog Pond East and South shall conform with the public realm element in Chapter 7 of the Frog Pond East and South Master Plan in the following ways with the referenced figures, tables, and text from the Frog Pond East and South Master Plan incorporated into this Subsection by reference as if fully stated herein:**
  - a. Active transportation connections shall be provided as shown in Figure 20.**
  - b. Street trees shall be provided consistent with Figure 26 and the text on pages 91 through 94.**
  - c. Public lighting shall be provided consistent with Figure 27 and the text on pages 95 through 99.**
  - d. Gateway treatment and monument signs shall be provided consistent with and limited to what is shown and described in Figure 28, Table 6, and the text on page 102.**

- e. Sign toppers or “sign caps” shall be provided on street signs as described on page 102 and shown in Figure D-8 below consistent with the City’s Public Works Standards.



**Figure D-8. Frog Pond Street Sign Topper**

- f. Consistent with Figure 18 and the text on page 77, the East Neighborhood Park shall be a minimum of three acres in size, not including the BPA easement area, and located directly adjacent to the BPA easement in Subdistricts E5 and/or E6. The park shall also have frontage on SW Brisband Street. Park location shall provide a terminal vista on the north end of SW 60<sup>th</sup> Avenue and may provide a terminal vista on the east end of SW Brisband Street. Park features and amenities shall be consistent with the description on Page 78.
- g. A “Main Street Gateway” feature shall be provided on SW Brisband Street at SW Stafford Road. The feature shall:
- i. be at least 20 feet in height so as to be visible from a distance, the Development Review Board may approve height shorter than 20 feet upon the finding that the gateway feature remains clearly and prominently visible from 1,000 feet away;
  - ii. be at least 3 feet in width and length, on average;
  - ii. incorporate both sides of SW Brisband Street or be centered within the round-a-bout;
  - iii. include materials and other design elements representative of Frog Pond East and South as outlined and depicted in the Frog Pond East and South Master Plan; and
  - iv. be professionally designed by a professional(s) with experience designing such gateway features. An affidavit of such professional’s credentials shall be included in the development application material.
  - v. The “Main Street Gateway” design is subject to Site Design Review. Additionally, the design is encouraged, but not required, to be coordinated with and reviewed by the Arts, Cultural, and Heritage Commission. Any review comments by the Arts, Cultural, and Heritage Commission shall be forwarded to the Development Review Board as part of the record for Site Design Review.

(.09) *Open Space:*  
 ...

<b>Amendment Description:</b>	Frog Pond East and South open space requirements, including green focal points.
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.09)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Implements the green focal points identified in the Master Plan including in Chapter 9, Public Realm, Parks and Open Space and Figure 18.
<b>Rationale for Amendment Text:</b>	Generally the standard open space requirements that apply to most residential development in Wilsonville. Beyond the general open space requirements specific green focal point requirements reflecting the Master Plan language are added.
<b>Impact on Housing Cost:</b>	Open space requirements do use land that could otherwise be housing and the cost of their development does increase the cost of associated housing. However, open space and parks are generally accepted as reasonable amenity in residential development to be required of development when the primary purpose of parks or open space are to serve the immediate nearby residents. The open space requirements are consistent with the general requirements in the City and do not add atypical cost to this development. The standards do require Green Focal Points even if open space requirements are otherwise met, but with a required minimum size of 2,000 square feet for an entire subdistrict the added cost per unit is minimal.
<b>Compliance Notes:</b>	Green focal points are identified in Chapter 9 of the Master Plan, and well as Figure 18 of the Master Plan. Implementation Measure 3.1.11.p. of the Comprehensive Plan further states, "New developments shall be responsible for providing specified amounts of usable on-site open space depending on the density characteristics and location of the development, <i>considering the provisions of applicable legislative Master Plans.</i> " (emphasis added)
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor reordering for clarity. Added reference to standards for East Neighborhood Park in Subsection (.08). <u>Since July public hearing:</u> None

**C. Within the Frog Pond East and South Master Plans open space shall be provided consistent with the requirements in Subsection 4.113 (.01) C. - F., and designed and located according to the following criteria:**

- 1. Green Focal Points. For the East and South Neighborhoods, Green Focal Points are intended to serve as central neighborhood destinations or gathering places that contribute to neighborhood character and identity. Green Focal Points can take a variety of forms, including community garden plots, small playgrounds or splash pads, nature play areas, pocket parks or plazas, and central green courtyards within housing developments. As part of meeting the open space**

requirements in Subsection 4.113 (.01) C. – F. for a Stage I Master Plan Area, each Subdistrict in Frog Pond East and South shall have at least one Green Focal Point meeting the 2,000 square foot size requirement in Subsection 4.113 (.01) D. 1. Even if the usable open space requirement is otherwise met, each subdistrict shall still have the minimum 2,000 square foot Green Focal Point. In addition to the standards in Subsection 4.113 (.01) C.-F., the following requirements apply:

a. Location requirements by Subdistrict:

- Subdistrict E1: Green Focal Point to be located north of the Frog Pond Grange building or in the tree grove near the existing home at 27480 SW Stafford Road.
- Subdistrict E3: A Green Focal Point to be located at trailhead adjacent to SROZ leading to the south.
- Subdistrict E4: A plaza space to be integrated with the Brisband Street Main Street mixed-use development.
- Subdistrict S2: A Green Focal Point to be located and aligned with terminus of future extension of SW Hazel Street.
- Subdistrict S3: A Green Focal Point to be located near northern end of Kruse Creek.
- If Subdistrict is not listed above, a Green Focal Point is still required, but there is no special locational requirement.

b. Direct access to one or more Green Focal Points shall be provided from each residential lot in the neighborhood. Direct access, for the purpose of this requirement, means: a pedestrian would need to travel on no more than two different streets to reach a green focal point from the lot frontage of the home to an open space frontage.

2. East Neighborhood Park. See Subsection 4.127 (.08) F. 1. f. above.

*(.10) Block, access and connectivity standards:*

- A. *Purpose.* These standards are intended to regulate and guide development to create: a cohesive and connected pattern of streets, pedestrian connections and bicycle routes; safe, direct and convenient routes to schools and other community destinations; and, neighborhoods that support active transportation and Safe Routes to Schools.
- B. *Blocks, access and connectivity shall comply with adopted legislative master plans:*  
...

<b>Amendment Description:</b>	Block and access standards for Frog Pond East and South
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.10) B.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Reflects no specific block and access standards in the Master Plan beyond identifying framework streets.
<b>Rationale for Amendment Text:</b>	Provides reference to general citywide block and access standards for applicability to Frog Pond East and South.
<b>Impact on Housing Cost:</b>	The block and access standards are typical of other residential areas of the City and do not impose any atypical costs.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

2. **In the Frog Pond East and South Neighborhoods, or** if a legislative master plan does not provide sufficient guidance for a specific development or situation, ~~the Development Review Board shall use the block and access standards in Section 4.124(.06.09) as the applicable standards~~ **apply.**

...

(.14) *Main Entrance Standards:*

...

<b>Amendment Description:</b>	Removal of little utilized entrance distance from grade requirement
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.14) C.
<b>Relationship to Frog Pond East and South Master Plan:</b>	Generally to housing variety.
<b>Rationale for Amendment Text:</b>	Removal prevents a barrier to second floor entries which may be used for unit configurations like townhouses on top of an ADU.
<b>Impact on Housing Cost:</b>	The added flexibility for placement of ADUs on the ground floor with stair access to a second floor unit adds flexibility that can add to construction of more lower-cost unit types.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

~~C. — *Distance from grade.* Main entrances meeting the standards in subsection B., above, must be within four feet of grade. For the purposes of this Subsection, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit.~~

(.15) *Garage Standards:*

...

B. *Street-Facing Garage Walls:*

...

3. *Standards:*

<b>Amendment Description:</b>	Simplification of garage standards
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.15) B.
<b>Relationship to Frog Pond East and South Master Plan:</b>	None
<b>Rationale for Amendment Text:</b>	The proposal simplifies the language used for garage frontages in Frog Pond West to apply throughout Frog Pond. It also addresses a frequent issue encountered in Frog Pond West development were the existing standards required non-standard width garage doors which unnecessarily increased expenses and created more lead-time for custom fabrication.
<b>Impact on Housing Cost:</b>	The modification of the garage standard is anticipated to allow for the wider use of standard-sized garage doors which are less expensive than custom-sized garage doors, thus helping reduce the construction cost.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

- ~~a. The length of the garage wall facing the street may be up to 50 percent of the length of the street facing building façade. For middle housing, this standard applies to the total length of the street facing façades. For detached single family and accessory structures, the standards apply to the street facing façade of each unit. For corner lots, this standard applies to only one street side of the lot. For lots less than 50 feet wide at the front lot line, the standard in (b) below applies.~~
- ~~b. For lots less than 50 wide at the front lot line, the following standards apply:~~
  - a. The width of the garage door may be up to 50 percent of the length of the street-facing façade **as measured from the interior of the frame surrounding the garage door.**
  - b. The garage door must be recessed at least four feet from the front façade or six feet from the front of a front porch.
  - c. The maximum driveway width is 18 feet.
  - d. Where a dwelling abuts a rear or side alley or a shared driveway, the garage shall orient to the alley or shared drive.
  - e. Where three or more contiguous garage parking bays are proposed facing the same street, the garage opening closest to a side property line shall be recessed at least two feet behind the adjacent opening(s) to break up the street facing elevation and diminish the appearance

of the garage from the street. Side-loaded garages, i.e., where the garage openings are turned away from the street, are exempt from this requirement.

- f. A garage entry that faces a street may be no closer to the street than the longest street facing wall of the dwelling unit. There must be at least 20 feet between the garage door and the sidewalk. This standard does not apply to garage entries that do not face the street.



(.16) Residential Design Standards:

...

<b>Amendment Description:</b>	Applicability of existing residential design standards for RN zone
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.16)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Generally to housing variety as current RN residential design standards do not address all of the allowed residential unit types in Frog Pond East and South.
<b>Rationale for Amendment Text:</b>	When the RN zone residential design standards were adopted, there were no residential design standards in the City except for ones specific to Villebois. Since that time, as part of the Middle Housing in Wilsonville project, citywide design standards were established for various unit types. These standards can be found in Subsection 4.113 (.14). In addition, this current package of code amendments includes new design standards for multi-family development. The decision was made to allow the citywide design standards covering all unit types be applied in Frog Pond East and South rather than the Frog Pond West standards geared towards single-family detached homes.
<b>Impact on Housing Cost:</b>	Applying the simpler Citywide design standards contributes to the ability for design standards to not unduly increase the cost of housing. The Citywide design standards mirror model design standards in State Administrative Rules that are a safe harbor for design standards to be considered not to be an undue cost burden.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4). The standards being applied were found to be compliant with State rules during the City's Middle Housing in Wilsonville Code Update in 2021. They reflect State Model Code from OAR 660-046 or are equally applied to all housing types, allowing them to qualify as safe harbor under State rules.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor edits to consistently reference the different Frog Pond neighborhoods. <u>Since July public hearing:</u> None

- B. *Applicability.* These **In the Frog Pond West Neighborhood** standards **C. through G.** apply to all façades facing streets, pedestrian connections, parks, open space tracts, the Boeckman Trail, or elsewhere as required by this Code or the Development Review Board. Exemptions from these standards include: (1) Additions or alterations adding less than 50 percent to the existing floor area of the structure; and, (2) Additions or alterations not facing a street, pedestrian connection, park, or open space tract. **In the Frog Pond East and South Neighborhoods, the standards in C. through G. do not apply. Rather, design**

standards in 4.113 (.14) apply to all public-facing facades in the Frog Pond East and South Neighborhoods.

...

(.17) Fences:

<b>Amendment Description:</b>	Applicability of existing fence requirements
<b>Applicability:</b>	Frog Pond West and Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.17)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Consistent with specific fencing standards for Stafford Road and Advance Road.
<b>Rationale for Amendment Text:</b>	This existing language regarding fencing for Frog Pond West makes sense to be applicable to Frog Pond East and South as well. The proposed strikeout allows these standards to apply to all Frog Pond neighborhoods.
<b>Impact on Housing Cost:</b>	This specific standard is anticipated to have minimal to any impact on housing cost as it does not require additional materials or construction.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

- A. ~~Within Frog Pond West,~~ fences shall comply with standards in 4.113 (.07) except as follows:
1. Columns for the brick wall along Boeckman Road and Stafford Road shall be placed at lot corners where possible.
  2. A solid fence taller than four feet in height is not permitted within eight feet of the brick wall along Boeckman Road and Stafford Road, except for fences placed on the side lot line that are perpendicular to the brick wall and end at a column of the brick wall.
  3. Height transitions for fences shall occur at fence posts.

...

<b>Amendment Description:</b>	Waivers for Frog Pond East and South
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.22) (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Directly implements Implementation Measure 4.1.7.D. 3. regarding an alternative discretionary path for approval.
<b>Rationale for Amendment Text:</b>	Maintains the City’s existing discretionary waiver path but adds specific waiver criteria related to consistency with designated Urban Form Types and housing variety.
<b>Impact on Housing Cost:</b>	Where an applicant has a plan that does not meet one or more standard but overall meets the intent of the standard, this allows a clear alternative approval path. Certain waivers could reduce the cost of certain units by removing the cost of complying with waived standards.
<b>Compliance Notes:</b>	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4). As noted above, directly implements Implementation Measure 4.1.7.D. 3. from Master Plan regarding an alternative discretionary path for approval.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor typographical edits. <u>Since July public hearing:</u> Added ability to apply for certain early waivers concurrent with a Stage I Master Plan. Further clarified the applicability of the number on which to base the calculation of the 5 unit or 20% limit for housing variety.

**(.22) Consideration of Waivers in the Frog Pond East and South Neighborhoods.**

- A. Applicants for development in the Frog Pond East and South Neighborhoods may request waivers to applicable development and design standards in Section 4.127 pursuant to Section 4.118 (.03), provided the criteria in subsection B. are met. Waivers are typically applied for with a Stage II final plan. However, when a Stage I approval is requested prior to submission of a Stage II final plan in the Frog Pond East and South Neighborhoods, the applicant may elect to request a waiver or waivers related to standards impacting lot size or dimension, housing variety, the size or location of parks or open space, or the location of streets or pathways in conjunction with the Stage I approval, if the applicant can demonstrate each requested waiver would directly impact site layout. In such case, a Stage II final plan for the same development area may not be applied for until there is a final decision on the Stage I and associated waivers. Each approved Stage I waiver shall expire unless a Stage II final plan consistent with the approved Stage I waiver is submitted within two years.**
- B. In addition to the waiver criteria in Sections 4.118 and 4.140 and applicable Site Design Review standards, when reviewing a waiver for development within the Frog Pond East and South Neighborhoods the Development Review Board’s decision shall be based on the following criteria, which reflects guidance in the Frog Pond East and South Master Plan:**
  - 1. The development enabled by the waiver is complementary and compatible with development that would typically be built within the subject Urban Form Type as described in Chapter 6 of the Frog Pond East and South Master Plan.**

- 2. The waiver continues to support a wide variety of housing throughout the Frog Pond East and South Neighborhoods including not reducing the Minimum Number of Units of any requirement in Table 6B by the greater of 5 units or 20 percent.**
- a. Except as indicated in b. and c. below, the number on which the greater of 5 units or 20 percent is calculated shall be the number as written in Table 6B and shall not include any modification, combination, or summation of the number.**
  - b. Where an application includes two or more adjacent tax lots within the same subdistrict, the number on which the greater of 5 units or 20 percent is calculated shall be the sum of the requirements for those tax lots, as allowed in Footnote I. of Table 6B.**
  - c. Where a requirement in Table 6B is adjusted pursuant to Subsection, 4.127 (.06) C. 1., the number on which the greater of 5 units or 20 percent is calculated shall be the adjusted number.**

<b>Amendment Description:</b>	Development Standards for the Commercial Main Street
<b>Applicability:</b>	Commercial Main Street Area of Frog Pond East
<b>Impacted Code Section(s):</b>	4.127 (.23) (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Directly implements the portion of Chapter 9, Implementation, relating to Coding for Main Street
<b>Rationale for Amendment Text:</b>	The standards are a simplified adaptation of Town Center Zone development standards to support the development of similar types of mixed-use buildings along SW Brisband Street.
<b>Impact on Housing Cost:</b>	Generally these should not be read to impact housing costs as they are applicable to commercial development. However, the plans are for mixed use development that includes residential units. Care was taken to model these standards after existing standards in the Planned Development Commercial Zone and Town Center Zone that also allow for mixed use development. While design standards do generally increase costs of development, the standards are reasonable and the associated costs are not atypical from other similar areas in Wilsonville.
<b>Compliance Notes:</b>	Helps implement the Commercial Main Street consistent with the Master Plan. No State or Regional requirements involved.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Additional clarity of what is not allowed in front setback in terms of delivery and collection service. Edited Figure B-23 for pedestrian connection spacing to be consistent with Code text. Other minor edits. <u>Since July public hearing:</u> None

**(.23) Residential Neighborhood Zone - Commercial Main Street Development**

- A. *Applicability.* These standards apply to the Commercial Main Street area described in Subsection (.07) A. 1. and shown in Figure A-7.**
- B. *Allowed Uses.* See Subsection (.02) above.**
- C. *Development Standards.* The following development standards apply to all development within the Commercial Main Street area of Frog Pond East.**

<b><u>Table 23A. Commercial Main Street Development Standards</u></b>	
<b><u>STANDARD</u></b>	
<b><u>Front setback</u></b>	
<b><u>Minimum</u></b>	<b><u>0 ft.</u></b>
<b><u>Maximum</u></b>	<b><u>20 ft.</u></b>
<b><u>Side facing street on corner</u></b>	
<b><u>Minimum</u></b>	<b><u>0 ft.</u></b>
<b><u>Maximum</u></b>	<b><u>10 ft.</u></b>
<b><u>Side yard</u></b>	
<b><u>Minimum</u></b>	<b><u>0 ft.</u></b>
<b><u>Maximum</u></b>	<b><u>10 ft.</u></b>
<b><u>Rear setback</u></b>	

<u>Minimum</u>	<u>0 ft.</u>
<u>Building height (stories) <sup>A</sup></u>	
<u>Minimum</u>	<u>two</u>
<u>Maximum</u>	<u>four</u>
<u>Ground floor height minimum</u>	<u>12 ft.</u>
<u>Building site coverage maximum</u>	<u>90%</u>
<u>Minimum landscaping</u>	<u>10%</u>
<u>Minimum building frontage <sup>B</sup></u>	
<u>On SW Brisband Street</u>	<u>70%</u>
<u>On SW Stafford Road</u>	<u>None</u>
<u>On other streets</u>	<u>None</u>

<sup>A</sup> Second stories or higher in buildings must be usable. No false front buildings are permitted.

<sup>B</sup> To meet the minimum building frontage requirement, the ground level street-facing façade must meet the maximum setback standard for a minimum of 70% of the lot length on SW Brisband Street.

**D Design Standards:**

- 1. Purpose and Intent.** The purpose of the design standards is to provide high quality design within the Commercial Main Street area that creates a place of distinct character. The design of buildings and other site features shall functionally relate to adjacent streets and open spaces; shall include architectural diversity and variety in their built form; shall contribute to the vitality of the street environment through incorporation of storefronts, windows, and entrances facing the sidewalk; and shall minimize the visual impact of off-street parking from streets.
- 2. Building and Entry Placement.** Buildings shall meet the following standards:
  - a.** Development shall meet the minimum building frontage standards in Table 23A.
  - b.** At least one entrance door is required for each business, including live-work units, with a ground floor frontage.
  - c.** All primary ground-floor common entrances shall be oriented to the street or a public space directly facing the street, or placed at an angle up to 45 degrees from an adjacent street. Primary ground-floor common entrances shall not be oriented to the interior or to a parking lot.
  - d.** The primary entrance shall orient to SW Brisband Street or SW Stafford Road.
  - f.** Each entrance shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.
- 3. Building Setbacks.** Development shall meet the minimum and maximum setback standards in subsection Table 23A. No off-street vehicle parking, loading, delivery, or collection service is permitted within the setback. Bicycle parking is permitted within the setback.
- 4. Front Yard Setback Design.** If front yard setbacks are provided, they shall be designed to encourage pedestrian activity and active ground floor uses. Landscaping, water quality treatment, seating areas, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and a public street or accessway. If a building abuts more than one street, the required improvements shall be provided on all streets. Hard-surfaced areas shall be constructed with scored concrete or modular paving materials. Benches and other street furnishings are encouraged.

5. Walkway Connection to Building Entrances. A walkway connection is required between a building's primary entrance and a public street or accessway. This walkway must be at least six feet wide and be paved with concrete or modular paving materials.

6. Parking Location and Landscape Design:

a. Parking must be located to the rear of buildings.

7. Building Design Standards:

a. General Provisions:

i. The first-floor façade of all buildings shall be designed to encourage and complement pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.

ii. Building entrances shall be clearly marked, provide weather covering, and incorporate architectural features of the building.

iii. Architectural features and treatments shall not be limited to a single façade. All public-facing facades shall display a similar level of quality and architectural interest, with elements such as windows, awnings, murals, a variety of exterior materials, reveals, and other similar features.

b. Design Standards. All buildings shall comply with the following design standards:

i. Windows:

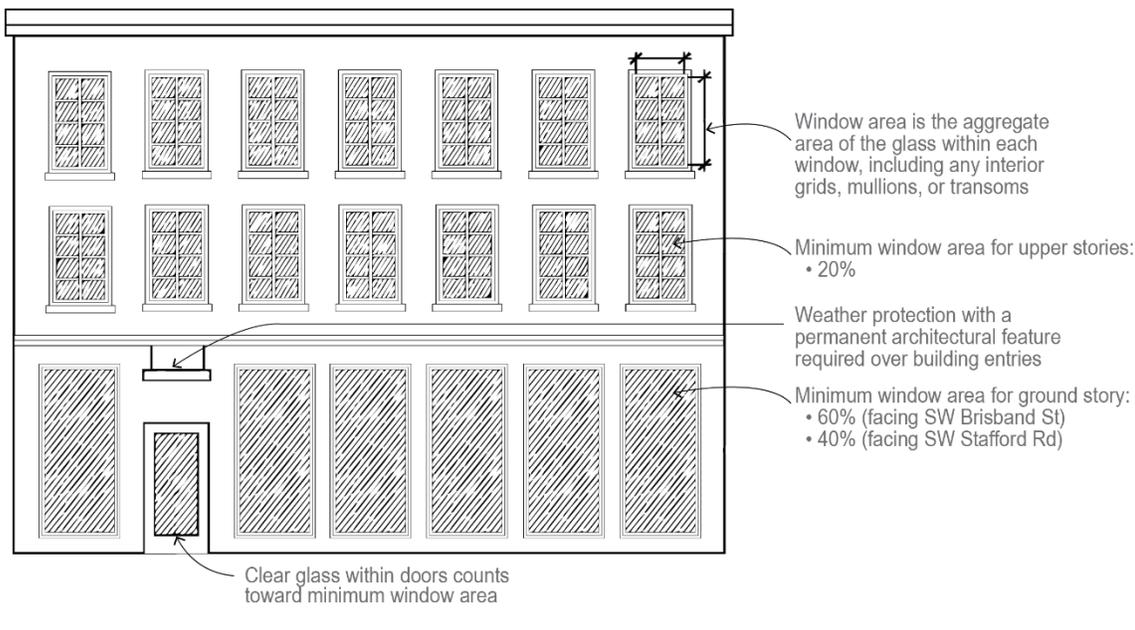
- Building facade windows are required on all facades facing SW Brisband Street or SW Stafford Road (see Figure A-23), as follows:

<u>Ground Story facing SW Brisband Street</u>	<u>60% of ground floor wall area</u>
<u>Ground Story facing SW Stafford Road or SW 63<sup>rd</sup> Avenue</u>	<u>40% of ground floor wall area</u>
<u>Upper Stories facing SW Brisband Street, SW Stafford Road, or SW 63<sup>rd</sup> Avenue</u>	<u>20% of facade</u>
<u>Other facades</u>	<u>No minimum</u>

- Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Facade area is the aggregate area of each street-facing vertical wall plane.
- Required windows shall be clear glass and not mirrored or frosted, except for bathrooms. Clear glass within doors may be counted toward meeting the window coverage standard.
- Ground floor windows. For facades facing SW Brisband Street, SW Stafford Road, and SW 63<sup>rd</sup> Avenue elevations within the building setback shall include a minimum percentage of the ground floor wall area with windows, display areas or doorway openings. The ground floor wall area shall be measured from two feet above grade to ten feet above grade for the entire width of the street-facing elevation. The ground floor window requirement shall be met within the ground floor wall area; glass

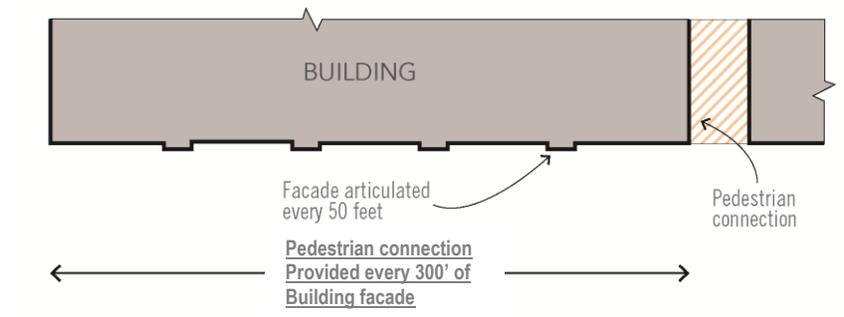
**doorway openings to ground level may be counted toward meeting the requirement.**

**Figure A-23. Window Placement and Percentage of Facade**



ii. **Building Facades: Public-facing facades shall extend no more than 50 feet without providing at least one of the following features: (a) a variation in building materials; (b) a building off-set of at least one foot; (c) a wall area that is entirely separated from other wall areas by a projection, such as an arcade; or (d) by other design features that reflect the building's structural system (See Figure B-23). No building façade shall extend for more than 300 feet without a pedestrian connection between or through the building.**

**Figure B-23. Building Facade Articulation**



**iii. Weather Protection: Building facades facing SW Brisband Street shall provide weather protection as follows:**

- **A projecting facade element (awning, canopy, arcade, or marquee) must be provided along at least 50 percent of the façade.**
- **All weather protection must comply with the Oregon Structural Specialty Code in effect at the time of application for projections or encroachments into the public right-of-way.**
- **Weather protection shall be maintained and in good condition.**
- **Weather protection features shall project at least five feet from the building façade.**
- **Marquees shall have a minimum ten-foot clearance from the bottom of the marquee to the sidewalk. Canopies and awnings shall have a minimum eight-foot clearance from the bottom of the awning or canopy to the sidewalk.**
- **The projecting façade element shall not conflict with street lights. If the projecting façade element blocks light shed from adjacent street lights, exterior lighting shall be located on the building.**
- **Awnings shall match the width of storefronts or window openings.**
- **Internally lit awnings are not permitted.**
- **Awnings shall be made of glass, metal, or a combination of these materials. Fabric awnings are not permitted.**

**iv. Building Materials. Plain concrete block, plain concrete, T-111 or similar sheet materials, corrugated metal, plywood, sheet press board or vinyl siding may not be used as exterior finish materials. Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than two feet. Use of brick and natural materials (wood) is encouraged.**

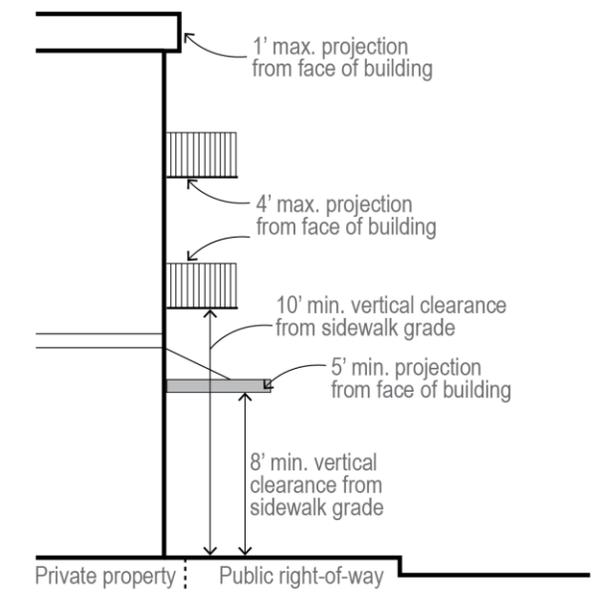
**v. Roofs and roof lines. Except in the case of a building entrance feature, roofs shall be designed as an extension of the primary materials used for the building and should respect the building's structural system and architectural style. False fronts and false roofs are not permitted.**

**vi. Rooftop features/equipment screening:**

- **The following rooftop equipment does not require screening:**
  - **Solar panels, wind generators, and green roof features;**
  - **Equipment under two feet in height.**
- **Elevator mechanical equipment may extend above the height limit a maximum of 16 feet provided that the mechanical shaft is designed to match or be complementary to the architecture of the building.**
- **Satellite dishes and other communications equipment shall be limited to ten feet in height from the roof, shall be set back a minimum of five feet from the roof edge and screened from public view to the extent possible.**

- All other roof-mounted mechanical equipment shall be limited to ten feet in height, shall be set back a minimum of five feet from the roof edge and screened from ground-level public view and from views from adjacent buildings.
  - On all structures exceeding 35 feet in height, roofs shall have drainage systems that are designed to match or be complementary to the architecture of the building.
  - Any external stairwells, corridors and circulation components of a building shall be architecturally compatible with the overall structure, through the use of similar materials, colors, and other building elements.
  - Required screening shall not be included in the building's maximum height calculation.
- vii. General Screening. Utility meters shall be located on the back or side of a building, screened from view from a public street to the greatest extent possible, and shall be painted a color to blend with the building façade.
- viii. Building projections. Building projections are allowed as follows (see Figure C-23):
- Architectural elements such as eaves and cornices may project up to one foot from the face of the building.
  - Bay windows and balconies may project up to four feet from the face of the building. Balconies that project into the right-of-way shall have a minimum vertical clearance of 10 feet from sidewalk grade or be mounted at the floor elevation, whichever is greater.

Figure C-23. Building Projections

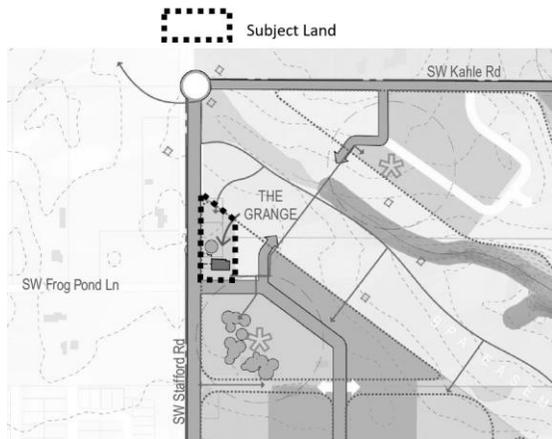


<b>Amendment Description:</b>	Specific Land Use Considerations for Frog Pond East and South
<b>Applicability:</b>	Frog Pond East and South
<b>Impacted Code Section(s):</b>	4.127 (.24) (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Directly implements Implementation Measure 4.1.7.D. 5. And 10. regarding treatment of these specific areas.
<b>Rationale for Amendment Text:</b>	Directly reflects the direction given in the Master Plan with identifying location description and map.
<b>Impact on Housing Cost:</b>	No impacted on housing cost anticipated.
<b>Compliance Notes:</b>	Does not relate to State or Regional regulations. As mentioned above, directly implements Implementation Measure 4.1.7.D. 5. And 10. from the Master Plan regarding treatment of these specific areas.
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Added code reference to SROZ Map Verification process for Treed area on the south side of SW Kahle Road. <u>Since July public hearing:</u> None

**(.24) Special, Specific Land Use Considerations**

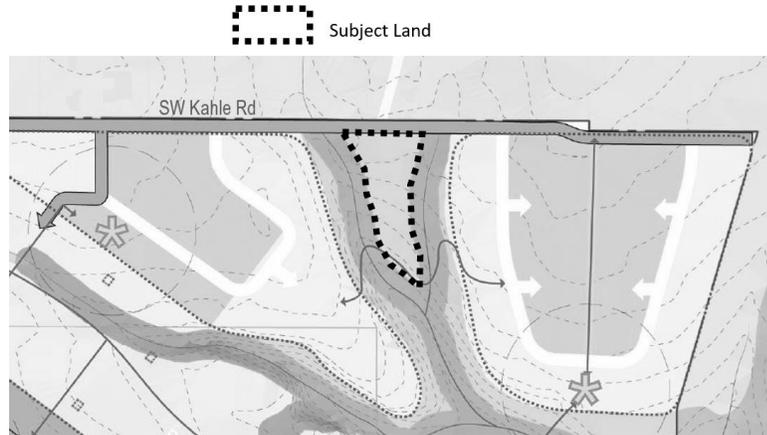
**A. Frog Pond Grange Property.** This special consideration pertains to an area described as: **the western half of the area of Subdistrict E1 north of the framework street that is an extension of SW Frog Pond Lane and west of the framework street extending across the BPA easement. See Figure A-24 for locational reference. The community supports preservation, reuse, and adjacent uses supportive of the current Frog Pond Grange building. The Frog Pond East and South Master Plan identifies the long-term use of the subject area as maintaining the existing civic/meeting/event space use or substantially similar use with surrounding open space. Any substantial change of use shall require an amendment to the Frog Pond East and South Master Plan. Preservation of the existing building, substantially similar in design to that existing as of the 2022 adoption of the Frog Pond East and South Master Plan, is required on the site unless approved by the Development Review Board with findings providing substantial evidence that preservation is not feasible due to structural issues with the building that are not feasible, either economically or technically, to repair.**

**Figure A-24**



**B. Treed area on south side of SW Kahle Road. This special consideration pertains to an area described as a treed area south of SW Kahle Road between Subdistricts E2 and E3 and bounded on both side by creeks. See Figure B-24 for locational reference. An applicant may request the subject area not be included in the SROZ based on findings made, as part of a SROZ Map Verification pursuant to Section 4.139.05, that the area does not meet the standard to be included in the SROZ. If it is found the area is not to be in the SROZ the Urban Form Type 3 shall apply. There is no minimum unit count and the area would not be considered part of a subdistrict. There would be no housing variety requirement applied.**

**Figure B-24**



<b>Amendment Description:</b>	Remove buffering language for multi-family development
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.176 (.04)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports the mix of residential types called for in the Master Plan, including multi-family, throughout the Master Plan, by not requiring screening between different unit types.
<b>Rationale for Amendment Text:</b>	Frog Pond East and South focuses on a mix of residential types throughout, rather than segregation of residential types. This legacy language being deleted reflects a development era dominated by separated single-family and multi-family areas without middle housing. Removing this language better reflects the current approach of integration of housing types.
<b>Impact on Housing Cost:</b>	Removes a buffering and screening cost that would apply to multi-family development, reducing cost.
<b>Compliance Notes:</b>	Not driven by any compliance standards.
<b>Recent Edits:</b>	None

Subsection 4.176 (.04) Buffering and Screening

B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. ~~Multi-family developments shall be screened and buffered from single-family areas.~~

<b>Amendment Description:</b>	Deed restriction cannot restrict housing types allowed by zoning
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.210 and 4.220
<b>Relationship to Frog Pond East and South Master Plan:</b>	Supports the mix of residential types called for in the Master Plan, but not allowing any to be disallowed by private covenant or deed restriction.
<b>Rationale for Amendment Text:</b>	House Bill 2001 (2019) established that from January 1, 2020, private deed restrictions and covenants, including CC&Rs, could not be written to exclude middle housing. These edits reflects this law and further clarify that any housing type allowed under City zoning cannot be limited by private deed restrictions and covenants.
<b>Impact on Housing Cost:</b>	Removes ability to place barrier to more affordable housing types.
<b>Compliance Notes:</b>	Necessary to comply with a prohibition on CC&R restriction on housing type from House Bill 2001 (2019).
<b>Recent Edits:</b>	<u>Between June work session and July public hearing:</u> Minor typographical edits. <u>Since July public hearing:</u> None

Section 4.210 Application Procedure (Tentative Plat)

(.01) C. 4.

**Limitations on Deed Restrictions.** ~~Board~~ **The City** may limit content of deed restrictions in order to promote local, regional and state interests in affordable housing **and/or comply with applicable statute, rules, and policies;** the Board may limit the content that will be accepted within proposed deed restrictions or covenants. In adopting conditions of approval for a residential ~~subdivision or condominium development~~ **land division**, the Board **or Planning Director may** prohibit such things as mandatory minimum construction costs, minimum unit sizes, prohibitions of manufactured housing, etc. **The City shall, in all cases, ensure no deed restrictions or covenants limit construction of any housing allowed by City zoning for the subject land.**

Section 4.220. Final Plat Review

(.02) C.

**Deed restrictions.** A copy of all protective deed restrictions proposed for the area shall accompany the final Plat and specifications of all easements and dedications as required by the Development Review Board. The Planning Director shall not sign the final plat if the proposed deed restrictions fail to provide for the on-going maintenance of common areas ~~or,~~ **violate established conditions of approval for the development, or violate other statutes, rules, or standards the City has responsibility to enforce, including those related to not allowing deeds or covenants to limit housing types allowed by the City's zoning for a given property(ies).**

<b>Amendment Description:</b>	Clarify applicability of DRB Site Design Review for housing
<b>Applicability:</b>	Citywide
<b>Impacted Code Section(s):</b>	4.420
<b>Relationship to Frog Pond East and South Master Plan:</b>	Reflects the allowance of a wide variety of housing types, including various types of multi-family, throughout the Master Plan area. Supports the allowance for alternative discretionary review called for in the Master Plan.
<b>Rationale for Amendment Text:</b>	The amendments to this section clarify that residential structures reviewed under clear and objective residential design standards are not subject to Site Design Review by the Development Review Board. Besides providing additional clarity for single-family and middle housing, this proposed change supports the change allowing administrative review of multi-family buildings (apartments). Site Design Review will continue to apply to commercial and industrial buildings, mixed-use residential buildings, and required open space landscaping. The language also allows the option for residential developers to seek Site Design Review as an alternative to following the clear and objective residential design standards.
<b>Impact on Housing Cost:</b>	Supports a simpler review process for housing that helps reduce development costs.
<b>Compliance Notes:</b>	Supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

Section 4.420. ~~Jurisdiction and Powers of the Board~~ **Review Authority for Site Design Review**

- (.01) ~~Application of Section. Except for single-family and middle housing dwellings in any residential zoning district, and apartments in the Village zone,~~
- A. **Unless exempt as noted in 1.-2. below, no building permit shall be issued for a new building or major exterior remodeling of an existing building unless the building architecture and siting is approved by the Development Review Board (Board) through Site Design Review.**
    - 1. **Residential structures in residential zones are exempt from Site Design Review as long as they meet established clear and objective design and siting standards or any allowed adjustments. This exemption does not apply to mixed-use residential structures. However, an applicant may elect to have residential structures approved by the Board through Site Design Review in association with waivers from specific standards.**
    - 2. **Minor building modifications to non-residential structures are reviewed under the authority of the Planning Director as established is Section 4.030.**
  - B. **Unless exempt as noted in 1.-2. below, no building permit within an area covered by a Stage II Planned Development, or PDP in the Village Zone, shall be granted unless landscaping plans are reviewed and approved by the Board through Site Design review, or FDP in the Village Zone.**

1. **Landscaping on residential lots in residential zones is exempt from Site Design Review unless it is part of the open space required under Subsection 4.113 (.01).**
  2. **Minor modifications to landscape plans subject to Site Design are reviewed under the authority of the Planning Director as established in Section 4.030..**
- C. No Sign Permit, except as permitted in Sections 4.156.02 and 4.156.05, shall be issued for the erection or construction of a sign relating to such new building or major remodeling, until the plans, drawings, sketches and other documents required for a Sign Permit application have been reviewed and approved by the Board.



## Memorandum

**From:** Daniel Pauly AICP, Planning Manager  
**To:** Planning Commission  
**Date:** October 9, 2024  
**RE:** Additional Edits to Frog Pond East and South Master Plan Implementing Development Code Amendments, Resolution No. LP24-0003

Below are additional edits recommended by staff after additional review and discussion of waiver language specific to Frog Pond East and South. These edits, if recommended by the Planning Commission, will be part of the recommendation to City Council and incorporated into the draft going forward to City Council.

Edits to Proposed Subsection 4.127 (.22) B. 1., add additional specifics about how Chapter 6 of the Master Plan will be used to evaluate waivers in Frog Pond East and South. Added language is highlighted.

**(.22) Consideration of Waivers in the Frog Pond East and South Neighborhoods.**

- A. Applicants for development in the Frog Pond East and South Neighborhoods may request waivers to applicable development and design standards in Section 4.127 pursuant to Section 4.118 (.03), provided the criteria in subsection B. are met. Waivers are typically applied for with a Stage II final plan. However, when a Stage I approval is requested prior to submission of a Stage II final plan in the Frog Pond East and South Neighborhoods, the applicant may elect to request a waiver or waivers related to standards impacting lot size or dimension, housing variety, the size or location of parks or open space, or the location of streets or pathways in conjunction with the Stage I approval, if the applicant can demonstrate each requested waiver would directly impact site layout. In such case, a Stage II final plan for the same development area may not be applied for until there is a final decision on the Stage I and associated waivers. Each approved Stage I waiver shall expire unless a Stage II final plan consistent with the approved Stage I waiver is submitted within two years.**
- B. In addition to the waiver criteria in Sections 4.118 and 4.140 and applicable Site Design Review standards, when reviewing a waiver for development within the Frog Pond East and South Neighborhoods the Development Review Board's decision shall be based on the following criteria, which reflects guidance in the Frog Pond East and South Master Plan:**
- 1. The development enabled by the waiver is complementary and compatible with development that would typically be built within the subject Urban Form Type as described in Chapter 6 of the Frog Pond East and South Master Plan including structures that match the relevant urban form descriptions on pages 57-59 of the Master Plan and maintaining the transect of urban form shown in Figure 15. Land Use and Urban Form Plan.**

- a. In making findings regarding the waiver criteria in Section 4.140, further direction from Chapter 6 of the Master Plan to be considered includes, but is not limited to, increasing opportunities for affordable housing choices with a focus on exceeding minimum requirements for middle housing, mobility-ready units, and small units as established in Table 6B; improving transitions between different urban forms; and maximizing amenities available to residents and visitors (e.g., additional plazas, active recreation spaces, green focal points, and other gathering opportunities).**
- 2. The waiver continues to support a wide variety of housing throughout the Frog Pond East and South Neighborhoods including not reducing the Minimum Number of Units of any requirement in Table 6B by the greater of 5 units or 20 percent.**
- a. Except as indicated in b. and c. below, the number on which the greater of 5 units or 20 percent is calculated shall be the number as written in Table 6B and shall not include any modification, combination, or summation of the number.**
- b. Where an application includes two or more adjacent tax lots within the same subdistrict, the number on which the greater of 5 units or 20 percent is calculated shall be the sum of the requirements for those tax lots, as allowed in Footnote I. of Table 6B.**
- c. Where a requirement in Table 6B is adjusted pursuant to Subsection, 4.127 (.06) C. 1., the number on which the greater of 5 units or 20 percent is calculated shall be the adjusted number.**

Rationale for Additional Text: Since publication of the packet City staff has continued to look for ways to increase clarity about applicable waiver criteria and factors within the scope of the current project and published notice.

Without the additional text Subsection 4.127 (.22) B. 1. generally points an applicant to Chapter 6 of the Master Plan for what to consider to remain complementary compatible with mapped urban forms. However, Chapter 6 covers land use in general and not just urban form. The added language in B. 1. provides specific reference to key urban form language to reference in determining compatibility, which is a required criterion for proposed waivers in Frog Pond East and South

In addition, the new text acknowledges Chapter 6 does have other key information that would be helpful to consider during waiver listed in Section 4.140. Section 4.140 includes a variety of broad purpose statement type language which serve as factors to consider during a waiver request rather than mandatory criteria. Examples include allowing a development better than one that would result without the waiver and more efficient use of a site due to size and shape. New Subsection B. 1. a. calls out specific items in Chapter 6, beyond the required urban form findings, that applicants should consider in making findings for whichever factors they are using from Section 4.140 to support a waiver request.

Note: The following Development Code language is included for context and reflects what is included in the Development Code amendment package.

4.113 Residential Development in Any Zone

(.07) Fences:

...

**E. When fences create an enclosed side yard area five feet or less in width, gates or other openings shall be provided creating a through connection to either a rear yard or alley.**

<b>Amendment Description:</b>	Special nuisance regulations for narrow side yards
<b>Applicability:</b>	Citywide, including existing development
<b>Impacted Code Section(s):</b>	6.221 (new)
<b>Relationship to Frog Pond East and South Master Plan:</b>	Accommodates a variety of housing configurations as called for in the Master Plan and associated side yard configurations.
<b>Rationale for Amendment Text:</b>	This language, together with new language in Chapter 4, Subsection 4.113 (.07), above, provides a simple means to ensure narrow fenced areas are maintained and do not become nuisance areas. The concept is that ensuring access will increase use and with increased use there is a greater propensity for maintenance, and if maintenance does not happen there is a specific code provision to address the issue.
<b>Impact on Housing Cost:</b>	Adding a gate creates a minimal cost increase while supporting a clear public policy objective. The requirement applies to all residential types the same.
<b>Compliance Notes:</b>	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
<b>Recent Edits:</b>	None

**6.221. Maintenance of Side Yards in Residential Areas**

**(1) In addition to nuisances applicable generally to vegetation, junk, and rubbish in residential areas in Sections 6.208, 6.210, 6.216 and 6.220, side yards in residential areas shall be kept clear of overgrown vegetation, excessive rubbish or junk, and any other material that would substantially obstruct the pedestrian passage through the side yard to a rear yard or alley, where such passage is required or otherwise enabled by lack of fencing or provision of gates.**

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### **8.310. Compliance with Local, State, and Federal Laws and Regulations.**

(1) All users of the Public Stormwater System and any Person or entity whose actions may affect the system shall comply with all applicable local, State and Federal laws and regulations. Compliance with the requirements of this Chapter shall in no way substitute for or eliminate the necessity for compliance with applicable local, State and Federal laws and regulations.

(2) **Waivers to the Stormwater Standards. The City Engineer, or designee, may waive the requirements in the Wilsonville Code and/or Public Works Standards subject to substantial evidence being provided in the record to support an alternative design and demonstrating due to the technical infeasibility and site constraints, including one or more of the following, in a technical report prepared by a Professional Engineer. Pursuant to the City's stormwater permitting requirements, cost is not considered in granting waivers.**

**(a) Conditions limiting LID facilities, as established in the Public Works Standards, including steep slopes, contaminated soils, and high groundwater exist.**

**(b) An innovative design better meets the purpose as established in Subsection A. above.**

**(c) The minimum unit count required by zoning cannot be met and other clear and objective relief is not available.**

**(3) Appeals. Any appeal of a decision rendered on a waiver request under Section 8.310(2) must follow the procedures outlined in Section 8.336(12).**

# ORDINANCE NO. 892 FROG POND EAST AND SOUTH MASTER PLAN IMPLEMENTING DEVELOPMENT CODE – FINDINGS REPORT

October 15, 2024

## INTRODUCTION

This Findings Report provides findings supporting the City of Wilsonville’s adoption of Development Code amendments related to the Frog Pond East and South Master Plan in Ordinance No. 892. The proposal includes amendments to the Wilsonville Development Code to implement the Frog Pond East and South Master Plan, adopted as a component of the City’s Comprehensive Plan through City Ordinance No. 870 on December 19, 2022. Ordinance No. 870 included findings, to which this proposal will refer to, as the intent of this proposed legislative action is to help implement the Master Plan.

## COMPLIANCE WITH STATEWIDE PLANNING GOALS

ORS 197.175(2)(a) requires that as cities and counties amend and revise land use regulations, such as those in the Development Code, findings are made that they are in compliance with the Statewide Planning Goals. The following findings address the proposal’s compliance with the applicable Statewide Planning Goals. The following Statewide Planning Goals are not applicable because the proposal is entirely within the Urban Growth Boundary or outside of the boundaries of the referenced goal (e.g., Willamette River Greenway):

- Goal 3 – Agricultural Lands
- Goal 4 – Forest Lands
- Goal 15: Willamette River Greenway
- Goals 16-18, the coastal goals

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## GOAL 1, CITIZEN INVOLVEMENT

***To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.***

The Frog Pond East and South Master Plan was found to be in compliance with Goal 1. The proposed Development Code directly implements the adopted Master Plan. Being in an implementation stage the focus was on honoring past input rather than seeking new input. The project team did still meet with stakeholders to seek input. The Planning Commission held 14 public work sessions during which public comment and input was accepted. The City Council also held 11 public work sessions. Public hearings are being held, following broad notice, offering opportunity for additional public input.

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**GOAL 2, LAND USE PLANNING**
***To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.***

The Frog Pond East and South Master Plan was found to comply with Goal 2. The proposed Development Code further supports Goal 2 by taking the policy framework from the Master Plan and establishing detailed regulations for application to all future land use actions in the Frog Pond East and South UGB expansion area. Having the implementing Development Code in place will provide for a clear process and standards on which all future land use actions in the area will be based, and coupled with existing Development Code will require and ensure adequate factual base for future land use decisions. This includes clear provision on minimum number of dwelling units, the location and provision of parks and open space, and siting and design standards for private development.

As part of the adoption of the Frog Pond East and South Master Plan, the City established a record that includes technical memoranda, studies, and analyses supporting each policy of the Master Plan that is the policy framework for the proposed Development Code.

During the Master Planning process, the following affected governmental units participated or had the opportunity to participate via notices and project information provided to them:

- ODOT
- Metro
- Clackamas County
- West Linn-Wilsonville School District
- TVF&R
- SMART Transit
- The Bonneville Power Administration

The proposed Code amendments are a continuation of the Master Planning effort and are fully reflective of the factual basis and agency outreach in the Master Plan. Based on the foregoing, the City Council finds that the proposal satisfies Goal 2 with respect to having an adequate factual base and being coordinated with all affected governmental units.

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**GOAL 5, NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES**
***To protect natural resources and conserve scenic and historic areas and open spaces.***

Wilsonville's Goal 5 policies in the Comprehensive Plan are implemented by the existing Development Code, specifically Section 4.139.00, the Significant Resource Overlay Zone (SROZ). The proposed Code amendments do not change Goal 5 implementing Development Code sections. The existing SROZ regulations will apply to the Master Plan area the same as elsewhere in the City that has been found to be in compliance with Goal 5.

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**GOAL 6, AIR, WATER AND LAND RESOURCES*****To maintain and improve the quality of the air, water and land resources of the state.***

The Frog Pond East and South Master Plan was found to be in compliance with Goal 6. Nothing in the proposed Development Code would alter the ability of development in the Master Plan area to be built in compliance with the Master Plan and thus Goal 6.

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**GOAL 7, AREAS SUBJECT TO NATURAL HAZARDS*****To protect people and property from natural hazards.***

The proposal satisfies Goal 7 because the City has considered the risks of natural hazards during the planning process. There are no identified floodplains within the planning area. Potential erosion hazards have been addressed through the planned use of the SROZ along the steep slopes of the Meridian Creek and Newland Creek corridors. The City coordinated with Tualatin Valley Fire & Rescue to ensure land uses and transportation facilities provide for adequate emergency response.

The proposed Code amendments continue to protect the same slopes and natural area as the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 7.

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**GOAL 8, RECREATIONAL NEEDS*****To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.***

The proposed Code amendments enable and reflect the same parks and open space elements in the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 8.

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**GOAL 9, ECONOMIC DEVELOPMENT*****To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.***

The proposed Code amendments enable the commercial space in the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 9.

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**GOAL 10, HOUSING*****To provide for the housing needs of citizens of the state.***

The proposed Code amendments directly implement the residential component of the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 10. For additional detail see findings below compliance with Metro Code (beginning on pages 5 and 13 below), compliance with the Wilsonville Comprehensive Plan and Frog Pond East and South Master Plan (beginning on page 21 below).

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**GOAL 11, PUBLIC FACILITIES AND SERVICES**

***To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.***

The proposed Code amendments do not conflict with and are consistent with the public utilities and services elements of the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 11.

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**GOAL 12, TRANSPORTATION**

***To provide and encourage a safe, convenient and economic transportation system.***

The proposed Code amendments do not conflict with and are consistent with the transportation element of the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 12.

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**GOAL 13, ENERGY CONSERVATION**

***To conserve energy.***

The proposed Code amendments directly implement of the Master Plan elements found to be supportive of Goal 13, thus the proposal also satisfies Goal 13.

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**GOAL 14, URBANIZATION**

***To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.***

The proposed Code amendments directly implement the components of the Master Plan supportive of Goal 14, which was found to comply with this goal, thus the proposal also satisfies Goal 14.

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**COMPLIANCE WITH METRO TITLE 11: PLANNING FOR NEW URBAN AREAS**

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**INTRODUCTION**

The Frog Pond East and South Neighborhoods were added to the Metro UGB in 2018 by Metro Ordinance No 18-1427. Metro Code 3.07.1120, Planning for Areas Added to the UGB, establishes the requirements for UGB expansion areas such as Frog Pond East and South. Each criterion within 3.07.1120 is stated below in bold italics type, followed by findings of compliance.

The proposed Code amendments related to the Frog Pond East and South Master Plan implement the Master Plan, which in turns implements the City's concept plan for the larger area, known as the Frog Pond Area Plan. Findings of compliance with Metro Code 3.07.1110, Planning For Areas Designated Urban Reserve, were adopted by the City when the Area Plan was approved. They are referenced below.

## COMPLIANCE WITH METRO CODE 3.07.1120 PLANNING FOR AREAS ADDED TO THE UGB

***A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.***

The Frog Pond East and South area was added to the regional UGB through Metro's adoption of Ordinance 18-1427. The ordinance refers to the East and South neighborhoods as the "Advance Road Expansion Area." The general conditions state that Title 11 planning should be completed within four years from adoption of the ordinance (December 13, 2018). The City adopted comprehensive plan provisions through Ordinance No. 870 in December 2022 meeting compliance requirements. This proposal adopts the related development code regulations.

***B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.***

The adopted Area Plan assigns planning responsibility solely to the City of Wilsonville; therefore, this section does not apply.

***2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;***

Frog Pond East and South will be annexed to the City of Wilsonville concurrent with development proposals consistent with this language.

***3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455(b)(2) of this chapter;***

The general conditions of Metro Ordinance 18-1427 require the City to "allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit single family housing in the expansion areas." The requirements specific to Wilsonville also require that the City "plan for at least 1,325 homes in the Advance Road expansion area."

Proposed WC Subsection 4.127 (.02) B. of the proposed amended Residential Neighborhood (RN) Zone standards allows the uses listed in the condition of approval in Frog Pond East and South.

In accordance with relevant implementation language in the Master Plan, the proposed regulations plan for a minimum of 1325 units. Table 6B (copied below) in WC Subsection 4.127 (.06) assigns the minimum by the smaller of subdistrict, a sub geography of the Master Plan area, or existing tax lot. 125 units are assigned to the mixed-use Commercial Main Street, and the remainder are spread across the remaining buildable areas of the Master Plan area based on assigned Urban Form Type and an assumed net residential density for each Urban Form Type. Urban Form Type 1 has an assumed net density of 14.5 units per acre, Urban Form Type 2 has 12.5 units per net acre, and Urban Form Type 3 has 9 units per net acre.

<b>Table 6B. Minimum Number of Units in Frog Pond East and South Sub-districts</b>				
Sub-Districts	Minimum Total Number of Units	Minimum Number of Middle Housing Units <sup>A, B, G</sup>	Minimum Number of Small Units <sup>B, C, D, G</sup>	Minimum Number of Mobility-Ready Units <sup>B, C, E, F, H</sup>
E1	104	26	7	13
E2	110	28	7	14
E3	133	34	9	17
E4 <sup>H</sup>	211			
E4 TL 1101 (portion) <sup>I</sup>	185	15	4	8
E4 TL 1200	24	6	2	3
E4 TL 1000	2	1 <sup>J</sup>	1 <sup>J</sup>	0
E5	227	57	15	29
E6	141	36	9	18
S1	25	7	2	4
S2 <sup>E</sup>	91			
S2 TL 1000 28050 SW 60 <sup>th</sup> Ave	6	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 800 5890 SW	6	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>

Advance Rd				
S2 TL 500 5780 SW Advance Rd	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 300 5738 SW Advance Rd	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 100 5696 SW Advance Rd	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 900	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 700	33	9	3	5
S2 TL 400	4	1 <sup>J</sup>	1 <sup>J</sup>	0
S2 TL 200	4	1 <sup>J</sup>	1 <sup>J</sup>	0
S2 TL 1100 28152 SW 60 <sup>th</sup> Ave	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 1200	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 1300 28300 SW 60 <sup>th</sup> Ave	8	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S3 <sup>E</sup>	125			
S3 TL 1400	25	7	2 <sup>J</sup>	4

28424 SW 60 <sup>th</sup> Ave				
S3 TL 1500 28500 SW 60 <sup>th</sup> Ave	25	7	2 <sup>J</sup>	4
S3 TL 1600	8	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S3 TL 1800 28668 SW 60 <sup>th</sup> Ave	8	2 <sup>J</sup>	1 <sup>J</sup>	2 <sup>J</sup>
S3 TL 1700 28580 SW 60 <sup>th</sup> Ave	10	3	1 <sup>J</sup>	2 <sup>J</sup>
S3 TL 1900 5899 SW Kruse Rd	33	9	3	5
S3 TL 2000 5691 SW Kruse Rd	16	4	1 <sup>J</sup>	2 <sup>J</sup>
S4 <sup>D</sup>	158			
S4 TL 2600	35	9	3	5
S4 TL 2700 28901 SW 60 <sup>th</sup> Ave	123	31	8	16
<b>MASTER PLAN</b>	<b>1325</b>	<b>288-313*</b>	<b>72-92*</b>	<b>145-162*</b>

<b>AREA TOTAL</b>				
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\*varies because only required on smaller tax lots if tax lot consolidated with others in a development application (indicated by J in table above)

In addition to allowing all product types, the proposed Code amendments, consistent with the Master Plan, require certain target unit types including a minimum of 288-313 middle housing units, 72-92 units that are 1200 square feet or less, and 145-162 units with single-level living that require no to minimum stairs to access.

These provisions of the proposed Code meet the minimum housing types and housing unit counts required by Metro Ordinance 18-1427; therefore, this criterion is met.

**4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.**

Metro’s Title 7 requires that cities “ensure that their comprehensive plans and implementing ordinances:

- “A. Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.
- “B. Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- “C. Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.”<sup>1</sup>

On a citywide basis, the City of Wilsonville complies with the above-cited provisions of Metro Title 7 through the policies and implementation measures of the Comprehensive Plan and the housing analysis and recommendations contained in the City’s 2014 Residential Lands Study. In addition, the City’s 2020 Equitable Housing Strategic Plan (EHSP) provides policy guidance for affordable housing in Wilsonville and calls for the Frog Pond East and South Master Plan to establish achievable goals/targets for affordable housing in the area and integrate affordable housing into the master plan.

The City studied issues and opportunities for affordable housing development in Frog Pond East and South in an Affordable Housing Analysis (Technical Appendix to the Frog Pond East and South Master Plan, Appendix B). This analysis recommended a range of strategies (building off the recommendations in the EHSP) that are likely to have the greatest impact in supporting development of affordable and mixed-income housing in Frog Pond East and South. Several of these strategies are carried forward in the Frog Pond East and South Master Plan As the implementation step of strategies from the Master Plan, the proposed Development Code also comply with this Metro Code provision. See Findings below under Frog Pond East and South Master Plan Compliance for detailed findings how each of these policies are further implemented by the proposed Development Code amendments.

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<sup>1</sup> Metro Code 3.07.730.

Based on the foregoing, this criterion is met.

**5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;**

The City of Wilsonville has coordinated with the West Linn-Wilsonville School District throughout the planning processes for the Frog Pond area, including in the East and South Master Plan area. The Meridian Creek Middle School property was the first Frog Pond land to annex and develop after inclusion in the Urban Growth Boundary in 2013, and opened its doors in 2017. The School District is currently planning a new school in the Frog Pond West neighborhood. The School District also has land capacity for another school adjacent to the middle school in the South neighborhood, should additional school capacity be needed in the future. At this time, there are no additional schools being planned by the District in the Frog Pond area; the school needs of future Frog Pond residents will be met by the above-cited facilities and land holdings, in addition to existing schools in Wilsonville. The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. This criterion is met.

**6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.**

The City of Wilsonville is the parks provider for the Master Plan area. The Master Plan includes a series of parks and open spaces of different sizes to be located centrally and distributed equitably throughout the East and South neighborhoods. Figure 19 in the Master Plan illustrates the Park and Open Space Plan, which provides for the siting of recreational facilities in the following ways:

- The proposed 3-acre East Neighborhood Park, which is centrally located to the East Neighborhood.
- Designation of the 10-acre Future Community Park as a key destination, and siting of walking, biking, and vehicular routes to connect it to the surrounding neighborhoods.
- Planning for the BPA power line easement for a variety of open space uses, including trails and potential recreational uses.
- Planning for the area northeast of the BPA powerline easement as open space.
- Planning for the Frog Pond Grange as a civic and community amenity.
- Providing a network of trails that will serve both recreational and transportation needs.
- Planning Green Focal Points that will establish small open spaces in the subdistricts and opportunities for informal community gathering and play.
- Planning for active transportation (bike lanes, buffered bike lanes, sharrows, and trails) as shown on Master Plan Figure 21, Active Transportation Plan.

The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. The proposed Development Code also furthers the implementation as shown in the Master Plan by establishing provisions that require open space and specific requirement for Green Focal Points. This criterion is met.

**7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;**

The Street and Block Demonstration Plan (Master Plan, Figure 20) 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 location of framework streets either exists today or will be a direct continuation of existing streets in adjacent urban areas, as shown on the Street and Block Demonstration Plan. The remaining street locations are shown in Figure 19 for demonstration purposes and 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 Road as a major arterial, SW Advance Road and SW 60th Avenue acting as collector streets, SW Brisband Street as a Main Street (local street), and all other streets as local streets. The spacing standards for street connections in the Regional Transportation Functional Plan (major arterial streets at a one-mile spacing and minor arterial streets or collector streets at a half-mile spacing<sup>2</sup>) are met by the plan.

The Demonstration Plan's network of local streets provides a local street system at a spacing of approximately 200-450 feet, depending on the presence of pedestrian connections, alleys, etc. These metrics comply with Metro's local street spacing standard of 10 streets per mile or one street every 530 feet. The Demonstration Plan's local street network also provides direct public right-of-way routes and limits closed-end street designs, which is consistent with Metro's connectivity requirements.

The proposed Code provides provisions that would enable and require a street layout consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. The standards require access spacing and block size consistent with other Planned Development areas of Wilsonville, which include the 530-foot maximum street spacing standard. This criterion is met.

**9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.**

There are no existing or planned state highway interchanges in the Frog Pond East and South Area. Operations at the nearest highway interchanges at Wilsonville Road and Elligsen Road were evaluated as part of the transportation analysis for the Master Plan. (Master Plan Technical Appendix, Appendix I). This analysis concluded that the interchange ramps will continue to function acceptably through the planning horizon after accounting for the full build-out of the Frog Pond East and South Neighborhoods, which includes up to 1,800 housing units and up to 44,000 square feet of commercial space.

The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. This criterion is met.

***D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using a method consistent with a Goal 14 analysis, within 30 days after adoption of new land use regulations for the area.***

The proposed Code does not include any provision that would prevent meeting this capacity consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code upon adoption in December 2022. Specifically, the Code does not set any residential maximum densities that would be a barrier to this capacity. This criterion is met.

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#### SUMMARY OF COMPLIANCE WITH METRO ORDINANCE 18-1427

The following findings summarize the City's compliance with Metro Ordinance 18-1427 as of the adoption of the Frog Pond East & South Master Plan.

A.1 – The City amended its Comprehensive Plan to adopt the Master Plan on December 19, 2022, within four years of the Ordinance adoption date of December 13, 2018. Work has continued to adopt the Development Code and Infrastructure Funding Plan, both being adopted in late summer/fall of 2024.

A.2 – The City has completed its compliance with and implementation of HB 2001 for Middle Housing. The City allows townhomes, duplexes, triplexes, and fourplexes in all zones that permit single family housing in its base zones and in the planned application of the Residential Neighborhood zone in Frog Pond East and South. Consistent with the Mater Plan, the proposed Code allows and even encourages and requires middle housing in Frog Pond East and South. See especially, proposed WC Subsection 4.127 (.02) B. and Table 6B in WC Subsection 4.127 (.06).

A.3 – Consistent with the Master Plan, the proposed Code encourages ADUs. This includes siting requirements that would reduce barriers, allowing ADUs with all townhouses, and encouraging them by allowing them to count for multiple required categories of units in Table 6B of WC Subsection 4.127 (.06). In addition, for calculating of maximum land dedicated to one type of unit, the code incentivizes ADUs to count as half the area of a lot, even if it only occupies a small portion. The incentive works by allowing additional land to be dedicated to detached homes or townhouses over the otherwise limit by allowing ADUs to count as larger than occupied share of the land and towards a second or third unit type. This incentivizes ADUs over another additional unit type that would not get the larger than occupied benefit. See proposed Subsection 4.127 (.06) D. and E.

A.4 – The Master Plan incorporates recommendations consistent with Metro's Climate Smart Strategy in the following ways:

- The Master Plan includes a mixed-use Main Street.
- The Master Plan includes about 24% of its housing in the Type 1 urban form, estimated at a minimum density of 14.5 du/net ac. The Master Plan includes about 56% of its housing in the Type 2 urban form, estimated at a minimum density of 12.5 du/net ac. In the Wilsonville

context, these are higher density housing types and a significant proportion of attached and middle housing choices.

- The Master Plan recommends a transit loop for the local SMART bus that will connect key destinations (Meridian Creek Middle School, the future Community Park, the central Type 1 housing area of Frog Pond East, and Main Street) and provide local bus service within a few blocks for most homes in the two neighborhoods.
- The Master Plan includes an extensive Active Transportation Plan.

The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to comply with this Condition of Approval. In fact, the proposed Development Code sets policies and requirements that will well exceed the minimum requirements, particularly by having transit access in excess of what would be typically expected at an edge suburban location, and well-planned infrastructure for biking and walking.

A.5 - The City has coordinated with Metro Planning and Development staff during the planning process for the Master Plan and implementing Development Code.

A-6 – During the Development Code implementation work, the City focused on implementing the Master Plan developed through extensive public engagement. The City has continued to engage with stakeholders, held a substantial number of public work sessions, and completed the required notice of Public Hearings.

F.1 – The Ordinance requires planning for at least 1325 homes. In accordance with relevant implementation language in the Master Plan, the proposed Code adopts clear and objectives standards requiring a minimum of 1325 units. Table 6B (copied below) in WC Subsection 4.127 (.06) assigns the minimum by the smaller of subdistrict, a sub geography of the Master Plan area, or existing tax lot. 125 units are assigned to the mixed-use Commercial Main Street, and the remainder are spread across the remaining building areas of the Master Plan areas based on assigned Urban Form Type and an assumed net residential density for each Urban Form Type. Urban Form Type 1 has an assumed net density of 14.5 units per acre, Urban Form Type 2 has 12.5 units per net acre, and Urban Form Type 3 has 9 unites per net acre.

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E2	110	28	7	14
E3	133	34	9	17

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E4 TL 1000	2	1 <sup>J</sup>	1 <sup>J</sup>	0
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S2 TL 400	4	1 <sup>J</sup>	1 <sup>J</sup>	0
S2 TL 200	4	1 <sup>J</sup>	1 <sup>J</sup>	0
S2 TL 1100 28152 SW 60 <sup>th</sup> Ave	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 1200	5	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S2 TL 1300 28300 SW 60 <sup>th</sup> Ave	8	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S3 <sup>E</sup>	125			
S3 TL 1400 28424 SW 60 <sup>th</sup> Ave	25	7	2 <sup>J</sup>	4
S3 TL 1500 28500 SW 60 <sup>th</sup> Ave	25	7	2 <sup>J</sup>	4
S3 TL 1600	8	2 <sup>J</sup>	1 <sup>J</sup>	1 <sup>J</sup>
S3 TL 1800 28668 SW 60 <sup>th</sup> Ave	8	2 <sup>J</sup>	1 <sup>J</sup>	2 <sup>J</sup>

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S4 <sup>D</sup>	158			
S4 TL 2600	35	9	3	5
S4 TL 2700 28901 SW 60 <sup>th</sup> Ave	123	31	8	16
<b>MASTER PLAN AREA TOTAL</b>	<b>1325</b>	<b>288-313*</b>	<b>72-92*</b>	<b>145-162*</b>

\*varies because only required on smaller tax lots if tax lot consolidated with others in a development application (indicated by J in table above)

**COMPLIANCE WITH OREGON REVISED STATUTES AND ADMINISTRATIVE RULES**

DEVELOPMENT OF MIDDLE HOUSING

**ORS 197.758 and OAR 660-046**

ORS 197.758(2) is the implementing statute for House Bill 2001 (HB 2001). The statute requires Oregon cities with populations over 25,000 and those within the Portland Metro boundary (collectively referred to as "Large Cities") to adopt development code regulations and comprehensive plan amendments to allow for the development of: (1) all Middle Housing types (duplexes, triplexes, quadplexes, townhouses, and cottage clusters) in areas zoned for residential use that allow for the development of detached single-family dwellings; and (2) a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. The City of Wilsonville came into

compliance with these regulations in 2021 through adoption of Ordinance No. 851, which amended the Comprehensive Plan and Development Code to allow all Middle Housing types in all residential zones, in compliance with the statute. This included amendments to the RN zone, which will be the implementing zone for the Frog Pond East and South Master Plan. Consistent with the Master Plan, the proposed Code allows and even encourages and requires middle housing in Frog Pond East and South. See especially, proposed WC Subsection 4.127 (.02) B. and Table 6B in WC Subsection 4.127 (.06). In Table 6B between 288 and 313 middle housing units are required at a minimum, approximately 20% of the anticipated build out. The number varies on whether certain smaller existing tax lots are consolidated for development. If not, they are too small to meet variety requirements on their own.

ORS 197.758(5) and ORS 197A.420 state that local governments may regulate siting and design of Middle Housing provided that the regulations do not, individually or cumulatively, discourage the development of all Middle Housing types permitted in the area through unreasonable costs or delay. OAR 660-046-0210(3) provides specific standards limiting which siting standards comply with this ORS requirement (See also OAR 660-046-0215, 0220, 0225). The OAR's standards are incorporated into the Development Code text amendments and all proposed standards fall into one of two "safe harbors" in the OAR. The two "safe harbors" are (1) standards being applied the same as or less restrictive than detached single-family homes to middle housing and (2) housing-type specific model code and specific provisions included in the OAR. A more complicated "alternative design standards" process is also laid out in OAR. OAR 660-046-0235 identifies the type of analysis that would be needed for these "alternative design standards". This analysis is not needed for the proposed code amendments as all applicable amendments fall under the "safe harbors". Specifically, the proposed siting and design standards in Frog Pond East and South are consistent with those in the existing RN zone and elsewhere in the City previously found to be OAR-compliant with the adoption of Ordinance No. 851. All design standards for Middle Housing in Frog Pond East and South as well as new standards applicable to middle housing citywide, such as stormwater design standards, are clear and objective and either the same as (or less restrictive than) the Model Code for Large Cities, or are the same as those applied to single-family detached dwellings in the same zone.

OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South will qualify as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots." Notably, by its compliance method selection, the City provides more flexibility than OAR authorizes. The City could require at least two middle housing

types besides duplexes, but allows flexibility to meet middle housing with fewer unit types, including primarily by townhouses. Also, the City increases flexibility related to the requirements by not mapping areas that are required to be certain unit types. Allowing developers to do the site planning under the proposed standards adds substantial flexibility both in choosing unit types and where to place them. Alternatively, the City could have mapped areas for apartments, multiple types of middle housing, with a note that areas that are mapped for detached single-family homes also must allow middle housing. This mapping approach is similar to what occurred in Villebois, but the City recommends the proposed approach to increase flexibility while having the intended housing variety outcomes.

Senate Bill 458 (SB 458), which is added to ORS 92.010 to 92.192, requires local governments subject to HB 2001 to allow land divisions for any middle housing type permitted in accordance with code provisions adopted under ORS 197.758. The City incorporated the middle housing land division requirements of SB 458 into the Development Code as part of Ordinance No. 851. This included revisions to definitions, review procedures, and land division regulations, among others. No changes to those provisions will be proposed as part of the proposed Code amendments.

## COMPLIANCE WITH WILSONVILLE COMPREHENSIVE PLAN AND DEVELOPMENT CODE AMENDMENT STANDARDS

### INTRODUCTION

Finding of conformance with the Comprehensive Plan are required pursuant to WC Subsection 4.197 (.01) B. 2. The standards for amendments are listed below in bold, italic type, followed by FINDINGS.

## WILSONVILLE COMPREHENSIVE PLAN-PUBLIC INVOLVEMENT

### ***Public Involvement-In General***

#### ***Goal 1.1, Policy 1.1.1***

By following the applicable implementation measures, see findings below, the City provided opportunities for public involvement encouraging, and providing means for, involvement of interested parties. This includes numerous public work sessions, the public hearing process, including the notice, engaging stakeholders, and making information available on Let's Talk, Wilsonville! with the opportunity to provide feedback.

#### ***Early Involvement***

##### ***Implementation Measure 1.1.1.a.***

The Planning Commission and City Council and community members have had opportunity to comment on the proposed Master Plan in public work sessions and other public events while still in draft form. The City held 14 Planning Commission work sessions and 11 City Council work sessions between January 2023 and June 2024. For all these meetings the opportunity was available to the public to view and participate remotely or in-person. The meeting recordings were made available for viewing afterwards on the City's YouTube channel. City staff also held numerous meetings with interested developers. Specific examples of how input received from public input, including from developers during the process was incorporated and impacted the proposed Code text is as follows:

- Rewording definition of Net Development Area
- Allowing 1/3 of Mobility-Ready Units to include a stair-accessed portion (i.e. primary on main type design)

- Removing the maximum amount of stormwater that can go to one facility and a maximum size of stormwater facilities
- Simplifying the approach to side yard fences
- Making garage width based on door width from frame
- Allowing articulation to be used in lieu of actual building separation for multi-family building maximum building width in Urban Form Type 2
- Where commercial is required for ground-floor mixed use, allowing Business-Integrated Dwellings Units for additional flexibility.
- Ensuring standards allow multi-family in Urban Form Type 3 to accommodate multi-family in an area that could be a private sewer pump station
- Allowing flexibility on building height in Urban Form Type 3 to allow three-story townhouses
- Providing a clear number of unit minimums for each subdistrict, rather than using formulas, as seen in proposed Table 6B in Subsection 4.127 (.06)
- Optimizing flexibility for different types of units to count towards target units, including middle housing, small units, and mobility-ready units
- Allowing flexibility across subdistrict lines to help them meet the minimum standards
- Adding language allowing minimum requirements to be proportionately reduced if net development area is lower than expected
- Providing special language about calculating net area in Subdistrict E4, which has the Commercial Main Street, to remove commercial parking area from the net area
- Expressing flexibility on neighborhood park location in Frog Pond East as long as the design standards / features outlined in Master Plan can be met
- Incorporating stakeholder feedback into the proposed stormwater design standards

***Encourage Participation of Certain Individuals, Including Residents and Property Owners***

***Implementation Measure 1.1.1.e.***

The City encouraged residents, property owners, and other interested parties impacted by the proposed Code amendments through notice and ample opportunity to provide input. The City also included projects information on the City's Let's Talk, Wilsonville! website.

***Procedures to Allow Interested Parties to Supply Information***

***Implementation Measure 1.1.1.f.***

The City afforded interested parties the opportunity to provide oral input and testimony during the public hearings. Throughout the work sessions and extended period of work, the City also encouraged and afforded opportunity for comments either in writing or in-person or virtually at Planning Commission meetings.

***Types of Planning Commission Meetings, Gathering Input Prior to Public Hearings***

***Implementation Measure 1.1.1.g.***

Prior to the scheduled public hearing on the proposed Code amendments, the Planning Commission held a series of 14 work sessions open to the public from January 2023 to June 2024, during which the Planning Commission considered public input and provided feedback, which was incorporated into the current draft.

***Public Notices for Planning Commission Meetings***

***Implementation Measure 1.1.1.h.***

The notice regarding the public hearing clearly indicated the type of meeting.

***User Friendly Information for Public******Policy 1.2.1, Implementation Measures 1.2.1.a., b., c.***

The published notecard mailings and notices provided user-friendly information about the purpose, location, and nature of the meetings as has been standardized by the City. The mailings widely publicized different ways for impacted parties to participate, access additional information about the proposal, and staff contact information for questions they may have. The notice to impacted parties provided the necessary information for them to access to the draft Code and staff report on which the Planning Commission will base their decision. Staff provided contact information and links to these files via the Let's Talk, Wilsonville! webpage.

***Coordinate Planning Activities with Affected Agencies******Implementation Measure 1.3.1.b.***

The Master Plan was coordinated with other agencies including with the West Linn-Wilsonville School district on both future school needs and property they own in the area, TFV&R, on right-of-way design, and Clackamas County on road jurisdiction and impact on intersections that will remain county responsibility. Nothing in the proposed Code edits changes the Master Plans ability to be implemented consistent with the prior coordination.

## WILSONVILLE COMPREHENSIVE PLAN-HOUSING AND RESIDENTIAL AREAS

***Variety and Diversity of Housing******Policy 4.1.4, Implementation Measures 4.1.4.b.,d.,j.,o.***

Consistent with the Master Plan, the proposed Code amendments strongly supports Wilsonville's policies and implementation measures related to providing a variety of housing options to meet diverse housing preferences and needs. The Code first allows a variety by zoning not by housing type or density but by urban form. It adds to this minimum unit requirements that a variety of housing types be built and that the variety be integrated spatially throughout the planning area.

The proposed regulatory approach to housing variety and diversity is different than previously used in the City. The approach is different out of necessity due to updated State statute and rules. While the approach is different, it is clear and objective and results in similar variety and diversity requirements as Villebois. It also aligns with other master-planned areas in the region being planned, and emerging regulatory requirements.

Villebois has been successful with a variety of housing types and gives the City confidence in the feasibility of the variety requirements for Frog Pond East and South. Below is a comparison of variety in Villebois and proposed in Frog Pond East and South.

	Total Units	Middle Housing	Mobility-Ready	Detached single-family
Villebois built/approved	2593	524 (20.2%) Townhouses	421+ (16%+)	1538 (59.3%)
Frog Pond East and South	1325 min. 1625 assumed	313 (19.3%) Min.	160 (9.8%) Min.	792 (48.7%) Estimated Max.

- The Frog Pond East and South Master Plan actually requires many fewer housing types than Villebois. The Master Plan could be built with as few as three housing types, where the Villebois Village Master Plan had 13, 11 of which were built.

The City has reviewed a number of similar contemporary plans in the Portland Metro area and see similar variety themes, this includes River Terrace 2.0 in Tigard, Cooper Mountain North in Beaverton, and Witch Hazel Village South in Hillsboro.

- All plans include a housing mix/middle housing
- All plans avoid type separation and encourage block-level mix of housing types
- Some have 30+% middle shown in models or proposed requirements
- Some require multiple housing types in development

Initial draft OHNA (Oregon Housing Need Analysis) “safe harbor” requirements are looking at zoning for 50% MFR and 25% Middle Housing; locational safe harbors are still being drafted (with the intent that housing types are integrated).

Recent Urban Growth Report data from Metro for growth capacity includes middle housing assumptions from 26-34 percent of total new housing, varying depending on low, medium, and high growth assumptions.

Based on this information, the City finds the proposed variety requirements are reasonable, feasible, and appropriate.

**Public Services and Facilities**

**Implementation Measure 4.1.4.b.,h.,i.,o.,r.**

The adopted Master Plan includes components to provide the necessary infrastructure and services. Future development proposals will need to follow the plans to ensure provision of adequate public services and facilities. Nothing in the proposed Code edits changes the Master Plans ability to implement the planned public services and facilities.

**Safe, Convenient, Healthful, Attractive Residential Areas; Compatibility with Adjacent Areas**

**Implementation Measure 4.1.4.c.,t.**

The adopted Master Plan carries forward the vision of the Frog Pond Area Plan to “create great neighborhoods that are a connected part of Wilsonville” and create “cohesive design where individual private development and public realm improvements fit seamlessly together into a coordinated whole”. Examples of how this is done include carrying forward a number of the public realm design elements from Frog Pond West and being thoughtful about how the urban form interacts with adjacent development. The proposed Code amendments carries forward the vision of the Master Plan by providing detailed requirements of the public realm design and implementing the urban forms along the edges. The proposed Development Code supports the implementation of the connectivity plans and active transportation components of the Master Plan, including implementing street and pathway spacing.

### ***Housing Needs***

#### ***Implementation Measure 4.1.4.f.-g.,k.-m.,p.***

The adopted Master Plan was found to be implementing housing need building on the 2014 HNA and 2020 Equitable Housing Strategic Plan, with an overall focuses on housing. The proposed Code mirrors and implements the Master Plan. The Master Plan compliance findings are below.

## FROG POND EAST AND SOUTH MASTER PLAN COMPLIANCE

***Ordinance No. 870 adopted amendments to the text of the Comprehensive Plan related to Frog Pond East and South as well as the Frog Pond East and South Master Plan as a supporting document of the Comprehensive Plan. The findings below first respond to Comprehensive Plan text and then to the Master Plan text. The responses to the Master Plan focus on Chapter 8, Implementation, which lays out the implementation steps for the remaining Chapters. Responses to other Chapters will be limited to specific Public Realm language from Chapter 7, Public Realm, not referenced in Chapter 8.***

### ***Designation and Mapping of Subdistricts***

#### ***Implementation Measure 4.1.7.D.1.***

Subdistrict boundaries were thoughtfully considered during Master Planning and are not arbitrary. Page 47 of the Master Plan specifically addresses the purpose of the subdistricts as a community design concept to promote “neighborhoods within neighborhoods”. The Master Plan directs further that a number of standards, including minimum unit type, housing variety, and green focal point requirements are applied at a subdistrict level based on the “neighborhoods within neighborhoods” concept. This additionally ensures housing variety is throughout the development rather than segregated and ensures close by gathering places for all residents in Frog Pond East and South. The subdistrict approach mirrors a similar approach in Villebois that used “Specific Areas” for neighborhoods within neighborhoods design. Subdistricts are carefully defined by existing and planned edges and boundaries such as the BPA corridor, riparian corridors, and framework streets. They are generally designed to have approximately 20 acres.

Subdistricts are implemented in a clear and objective manner by proposed WC Subsection 4.127 (.05) A. 2. The proposed language provides the necessary detail to ensure there is clarity in the boundaries of the subdistricts.

Initially, only a map was planned to guide Subdistrict boundary implementation. However, feedback received indicated that only a map is likely to still leave too much unclarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the subdistricts.

### ***Clear and Objective Standards-Minimum number of units at subdistrict or tax lot level***

#### ***Implementation Measure 4.1.7.D.2.a.***

This is implemented by Table 6B in WC Subsection 4.127 (.06). The table establishes a minimum for each subdistrict and tax lot. The minimums established in the table include minimums for three priority housing types or “target housing types” called for in the Master Plan. These include middle housing, small units 1200 square feet or less, and mobility-ready units. The total is summed in table below. Middle housing represents approximately 20 percent of anticipated build out, small units (1200 square feet or less) five percent of anticipated build out, and mobility-ready units ten percent of anticipated build out. These minimum standards require a certain amount of these unit types to provide lower cost and accessible housing options throughout the Master Plan area.

Minimum Total Number of Units	Minimum Number of Middle Housing Units	Minimum Number of Small Units	Minimum Number of Mobility-Ready Units
<b>1325</b>	<b>288-313*</b>	<b>72-92*</b>	<b>145-162*</b>

\*varies because only required on smaller tax lots if tax lot consolidated with others in a development application

***Clear and Objective Standards-Development standards based on urban form types  
Implementation Measure 4.1.7.D.2.b.***

This is implemented by Tables 8B and 8C in WC Subsection 4.127 (.08). Wherever appropriate, and where not otherwise noted, the standards are mirrored after similar standards in other residential zones in Wilsonville or Frog Pond West and precedent unit examples shared during the Master Planning and Code development process. Special attention was paid to ensure standards create meaningful differentiation between the different residential Urban Form Type Designations. In addition, consideration was given to the wide array of housing types allowed throughout Frog Pond East and South and the desired variety. Notable unique standards include:

- An independent numerical lot size requirement is not established, rather lot size must be of sufficient size to meet other applicable development standards. This simplifies the code, removes barriers to proposed housing variety, and prevents complexities and likely contradictions in the standards.
- Front setbacks that are uniform on any given street to create a more consistent streetscape. See Table 8C.
- Creating a maximum building width that becomes a key standard controlling building bulk and differentiating between different Urban Form Types.
- Creating a minimum distance between buildings when multiple buildings are on a lot so they mirror required setbacks to create consistency in built form regardless of lot patterns.

***Clear and Objective Standards-Require a variety of housing and minimum and maximum of specific housing types  
Implementation Measure 4.1.7.D.2.c.***

This is implemented by a combination of Table 6B in WC Subsection 4.127 (.06) and WC Subsection 4.127(.06) E. Table 6B sets minimums for priority or “target” unit types including middle housing, small units 1200 square feet or less, and mobility-ready units that having living facilities on the ground floor. Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number for each. Moderate buildout represents 125% of the minimum buildout (this mimics historic regional zoning approaches of setting a maximum density and minimum density at 80% of that max; the vast majority of developers exceeded minimums and hit the maximum allowed unit counts; thus, we have assumed developers will continue to exceed minimum unit counts). The set

percentage for middle housing is 20% (288-313 total units throughout Frog Pond East and South) , small units is 5% (72-92 total units throughout Frog Pond East and South), and mobility-ready units is 10% (145-162 total units throughout Frog Pond East and South). The range for each percentage exists because they are only required on smaller tax lots if the tax lot is consolidated with others during development.

These percentages are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions. The Frog Pond East and South Master Plan do not establish what the percentage of the priority or “target” units should be. Determining the appropriate percentage was among the decisions of Planning Commission and City Council during the drafting of the proposed Development Code amendments. Guiding principles used in the determination of the percentages include looking at local precedent, other precedent, considering market feasibility, and avoiding unintended consequences, especially inadvertently requiring a housing type either directly or indirectly. For middle housing, 20 percent is very close to the amount of middle housing built in the precedent-setting Villebois Village Master Plan area, which has 20.2 percent middle housing. The small unit percentage of five percent was solidified after reviewing sales data of small units in Clackamas and Washington County and set at a level that provided an impactful number of units, but did not push too aggressively on the market. For the mobility-ready units Villebois was compared, which has approximately 16 percent mobility-ready units. However, many of these mobility-ready units in Villebois are multi-family units that are not required to be built at the same scale in Frog Pond East and South making the number in Frog Pond East and South likely lower. The City also examined data from the American Community Survey and other sources to establish that approximately 7.1 percent of current Wilsonville residents have mobility limitations. Considering a good portion of mobility-ready units may be occupied by residents without mobility limitations, increasing the requirement to 10 percent was determined to create a reasonable likelihood that a unit would be available to the residents that do have mobility limitations.

WC Subsection 4.127(.06) E. clearly defines the number of unit types required in each development proposal, generally three, with practical flexibility added for smaller development where it may be infeasible to have the three unit types. The sixty percent maximum of net area for any single housing unit type is anticipated to prevent any single unit type to dominate any area by enabling only about half of the units to be a single unit type, which is consistent with the Master Plan housing variety policy objectives. Sixty percent was solidified as the best choice during work sessions as it is near half, but adds some flexibility and reduces the percentage of “gap units” not covered by a maximum or minimum requirement while not allowing a single unit category to dominate. It also avoids a scenario that may occur with a fifty percent requirement where multiple housing categories are on the verge of meeting the maximum and limit future flexibility.

In establishing the variety of standards, care was taken to not unreasonably increase cost to development.

The City analyzed the impact of the variety standards on cost. Housing Variety requirements indicated by the minimums in the table do require additional unit types than might otherwise be built, which can increase certain design and construction costs. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. See examples of how care was taken below. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more types of units is off-set. The City finds when weighing the considerations, it is

better to have relatively higher design and construction costs on lower-cost units than only have more higher-cost housing that may be more cost-efficient to design and build, but do not provide lower-cost unit types to the market. The following are specific steps the proposed variety requirements take to balance the potential to increase cost of a given housing unit due to less design and construction efficiency.

- Not generally requiring variety within a block, but allowing “block level variety” as required in the Master Plan to be substantially met with variety on adjacent blocks and across the street.
- Thoughtfully choosing geographic size and number of units per certain geographic size that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built.
- Exempting small developments from requirements such as small unit and mobility-ready unit minimums to avoid forcing too many unit types in small areas.
- Allowing each variety requirement to be met by different unit types, thus providing flexibility and reducing the likelihood a new custom home design will be needed to meet a given standard. Each variety requirement can be met by at least 2-3 housing types or configurations. Each requirement can be met by commonly built suburban housing types, which have historically been built in Wilsonville, including detached homes, town houses, and apartments.
- Allowing a single unit to be counted against meeting multiple requirements. For example, a cottage in a cottage cluster could meet middle housing, small unit, and mobility-ready requirements. This allows more land to be used by other units as well as if a developer does create a new home design for the development, they are able to maximize its use and not have to create multiple new home designs.

Beyond the variety-related concerns, the mobility-ready unit requirement does have potential to increase costs as a similarly square foot unit on a single floor takes up more land and has more roof area (an expensive portion of the construction) than a multi-floor unit. However, the regulations allow multiple ways for the requirement to be met minimizing this impact on cost by allowing more units, such as ADUs and ground floor apartments, as well as primary-on-main units that have an upstairs portion, to help meet the requirement. The requirement is tailored to be directly responsive to a policy goal of more mobility-friendly units while minimizing impact on costs.

The proposed regulatory approach to housing variety is different than previously used in Master Planned communities in Wilsonville like Villebois, but it offers similar outcomes to Villebois. It also aligns with other master-planned areas in the region being planned, and emerging regulatory requirements. The approach is different out of necessity due to updated Statute and rules. Villebois has been successful with a variety of housing types and gives the City confidence in the feasibility of the variety requirements for Frog Pond East and South. Below is a comparison of variety in Villebois and Frog Pond East and South.

	Total Units	Middle Housing	Mobility-Ready	Detached single-family
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- In regards to different types of housing, the Frog Pond East and South Master Plan actually requires many fewer housing types than Villebois. The Master Plan could be built with as few as three housing types, where the Villebois Village Master Plan had 13, 11 of which were built.
- The City has reviewed a number of similar contemporary plans in the Portland Metro area and see similar variety themes, this includes River Terrace 2.0 in Tigard, Cooper Mountain North in Beaverton, and Witch Hazel Village South in Hillsboro.
  - All plans include a housing mix/middle housing
  - All plans avoid type separation and encourage block-level mix of housing types
  - Some have 30+% middle shown in models or proposed requirements
  - Some require multiple housing types in development
  - Some use a “transect” concept
- Initial draft OHNA (Oregon Housing Need Analysis) “safe harbor” requirements are looking at zoning for 50% MFR and 25% Middle Housing; locational safe harbors are still being drafted (with the intent that housing types are integrated).
- Recent Urban Growth Report data from Metro for growth capacity includes middle housing assumptions from 26-34 percent of total new housing, varying depending on low, medium, and high growth assumptions.

***Clear and Objective Standards-Require middle housing Implementation Measure 4.1.7.D.2.d.***

Table 6B in the proposed WC Subsection 4.127 (.06) establishes the required middle housing in each subdistrict and tax lot. The minimum required amount of middle housing is calculated from an assumed moderate buildout and rounded up to the next whole number. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is 20% of units.

The proposed regulatory approach to middle housing is different than previous integration of middle housing into master-planned communities in Wilsonville, particularly Villebois. The approach is different

out of necessity due to updated Statute and rules. While the approach is different, it brings similar amount of middle housing as Villebois. It also aligns with other master-planned areas in the region being planned, and emerging regulatory requirements. Villebois has been successful with middle housing and gives the City confidence in the feasibility of the middle housing requirements for Frog Pond East and South. Below is a comparison of middle housing in Villebois and Frog Pond East and South.

	Total Units	Middle Housing
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OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South will qualify as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots." Notably, by selecting the compliance method the City provides more flexibility for middle housing than OAR authorizes. The City could require at least two

middle housing types besides duplexes, but allows flexibility to meet middle housing with fewer unit types, including primarily by townhouses.

***Alternative discretionary path***

***Implementation Measure 4.1.7.D.3.***

New proposed WC Subsection 4.127 (.22) addresses consideration of waivers in Frog Pond East and South allowing the alternative discretionary path prescribed by this implementation measure.

***Define categories of housing for housing variety***

***Implementation Measure 4.1.7.D.4.***

Proposed new WC Subsection 4.127 (.06) D. and Table 6C establish the housing categories for housing variety. The proposed text and table establish the purpose of the categories and clearly establish the category for each expected unit type. Four broad categories are established, multi-family, middle housing, accessory dwelling units, and other detached units including detached single-family. Some housing types that could be considered as one unit type are considered separately for the purpose of housing variety. The primary driver of the categorization and separation is encouraging a variety a built form, both in relation to the overall structure and individual units. For multi-family, elevator-served apartments have fewer exterior entrances and individual units are all accessible without stairs. The 5-9 unit multi-family have a built form more similar to middle housing than large multi-family buildings. For middle housing, townhouses and similar plexes that are side by side are a single unit type, while plexes that have units stacked are a separate unit type. Cluster housing and cottage clusters are detached middle housing types and have different layouts on lots from each other. The Other Detached Units category puts detached homes and other similar units as one type because they have a similar design and layout on sites, though sizes may vary. Of note, in some instances, the categorization and delineation of unit type makes it easier to meet the variety standards. For example, the consideration of elevator-served apartments, which are likely to be built along the Brisband Main Street, will also make it considerably easier for Subdistrict E4 to meet housing variety requirements if walk up apartments are also built in the subdistrict, as it counts as a separate unit type, reducing the number of types that would otherwise need to be built. The categorization and delineation of unit types also supports the inclusion of target unit types reflective in Table 6B including a variety of middle housing types, small units, and accessible units by allowing more types of units that meet these categories to be classified as separate unit types consistent with their varying urban forms.

***Frog Pond Grange a community destination***

***Implementation Measure 4.1.7.D.5.***

Proposed WC Subsection 4.127(.24) addresses special, specific land use coordination. Subsection A. under (.24) addresses the Frog Pond Grange property pursuant to this implementation measure. The language encourages it to be maintained for a similar use as it is used today. It lays out that preservation of the building is required unless there is substantial evidence that it is unfeasible.

***Coordinate with BPA on easement area***

***Implementation Measure 4.1.7.D.6.***

The proposed Code does not require or encourage any use in the BPA easement area that would conflict with this implementation measure to coordinate future development in the easement area with BPA.

***Future study of design options for creek crossings******Implementation Measure 4.1.7.D.7.***

Specific design for creek crossings will be addressed during development review. The proposed Code does not create any barrier to these future specific designs.

***Design and implementation of SW Brisband Main Street******Implementation Measure 4.1.7.D.8.***

The Master Plan envisions the SW Brisband Main Street as a gathering place and destination. Public input summarized in the Master Plan focused on the Main Street focused on eating and drinking establishments and convenience services where they could gather. A green focal point is also planned to encourage supporting gathering.

Using the precedence for similar mixed commercial/residential development planned for Wilsonville's Town Center, specific Code language is proposed to implement a Main Street design along SW Brisband Street between SW Stafford Road and SW 63<sup>rd</sup> Avenue. The proposed Code language in WC Subsection 4.127(.23) is a simplified version of the Town Center standards removing any language that would not be applicable to the relatively small application of the standards in this context. It should be noted, the proposed Code elects to integrate components of commercial zoning into the Residential Neighborhood (RN) Zone rather than establish separate zoning for the SW Brisband Main Street.

An important consideration for the SW Brisband Main Street is what percent of the ground floor to allow to be residential rather than commercial. The City finds it reasonable to allow up to 50% of the ground floor to be residential, consistent with the allowance in the City's Planned Development Commercial (PDC) Zone. The vast majority of the City with a Commercial Comprehensive Plan designation like the subject property is zoned PDC, so having consistent standards with this zone is reasonable. The primary reason for preparing for the subject land to be zoned RN over PDC is to allow implementation of specific clear and objective design standards that don't exist for PDC-zoned land, not to allow different uses. In relation to allowed uses this area of the RN zone should be consistent with the PDC zone. The proposed allowance of residential is also consistent with the ground floor mix allowed under the Vertical Housing Development Zone (VHDZ) program which supports similar type of development. Note, the area is not currently designated for as a VHDZ.

For additional flexibility along the SW Brisband Main Street, the City is allowing Business-Integrated Dwelling Units (BIDUs) to count as commercial space accessory to the primary commercial use.

***Special provisions for public realm along Stafford, Advance, and East Neighborhood Park******Implementation Measure 4.1.7.D.9.***

Proposed WC Subsection 4.127(.08) E. 2. establishes special design standards for both the SW Stafford Road and SW Advance Road frontages specific to this implementation measure. This includes having entrances front the streets and context specific fencing that uses similar materials and complements the design of the Frog Pond West wall along SW Stafford Road and SW Boeckman Road. The East Neighborhood parks is required to have active sides of homes towards the park, the same as existing standards for parks in Frog Pond West.

***Treed area off Kahle Road******Implementation Measure 4.1.7.D.10.***

Proposed WC Subsection 4.127 (.24) addresses special, specific land use coordination. Subsection B. under (.24) addresses the treed area off SW Kahle Road. The language requires further study to

determine if it should be preserved as SROZ, and if not clarifies that Urban Form Type 3 applies with no minimum unit count.

***Usable yard spaces for closely-spaced detached homes***

***Implementation Measure 4.1.7.D.11.***

Language is proposed under the City's general residential fencing standards in WC Subsection 4.113 (.07). to address through-access of narrow yard areas to ensure access. In addition, new maintenance requirements are proposed to be added to the City's nuisance code.

***Zoning Implementation-Zone Map Amendments and Implementation***

Table 7 of the Master Plan lists the implementing zone for each Comprehensive Plan Designation. While no Zone Map amendments are proposed, the proposed Code language enables the RN Zone to be applied to the residential areas with clear standards that implement necessary components of the Frog Pond East and South Master Plan. The previously adopted RN Zone standards, developed to implement the Frog Pond West Master Plan, were written in a modular format that enabled future addition of specific requirements for Frog Pond East and South. The proposed updated RN Zone standards clearly delineate which standards apply throughout all Frog Pond neighborhoods and which ones apply respectively to Frog Pond West and to Frog Pond East and South. Examples of standards applying only to Frog Pond East and South are the density and minimum housing and variety requirement, siting and design standards, and public realm design standards.

In addition, rather than adding Frog Pond East-specific language to the Planned Development Commercial (PDC) Zone, aspects of the PDC Zone and Town Center (TC) Zone were incorporated into the RN Zone text to enable similar regulations of the PDC Zone to be applied to the Commercially designated land on SW Brisband Street in Frog Pond East. This includes use limitations consistent with the PDC Zone, notably the requirement of a minimum of fifty percent ground floor commercial, as well as design standards generally consistent with the Main Street standards in the TC Zone, though simplified to remove unnecessary standards for the limited application in Frog Pond East.

The Significant Resource Overlay Zone (SROZ) will be implemented where applicable. The City's SROZ map will be amended to apply the overlay where natural resource conditions warrant including wetlands, riparian areas, and significant upland habitat. The Public Facility (PF) zone remains available for any uses allowed in that zone, consistent with the Master Plan, but is not anticipated to be used beyond the previously annexed and zoned school and park land in Frog Pond South.

***Coding for Variety and Priority Housing Types-General***

The proposed Code implements coding for variety and priority housing types as established by this Master Plan text. See findings above for Implementation Measures 4.1.7.D.1., 2.a-2.d., and 4.

***Coding for Variety and Priority Housing Types-Strategy 1: Permit a wide variety of housing types***

The proposed standards permit the full spectrum of housing types in Frog Pond East and South including all housing types listed under Strategy 1 in the Master Plan. Permitting of all housing types is strategically limited by housing variety standards. The variety standards are specific and targeted to outcomes directed by Master Plan. The proposed code does offer a variety of ways to meet each variety requirement, allowing more flexibility than a prescriptive mapped Master Plan like the City has used before, such as in Villebois. At least 2-3 housing types/configurations can meet each variety requirement, including types that have historically been built in suburban Portland markets (detached homes, row houses, traditional multi-family).

***Coding for Variety and Priority Housing Types-Strategy 2: Define “categories” of housing units***

See finding above for Implementation Measure 4.1.7.D.4.

***Coding for Variety and Priority Housing Types-Strategy 3: Establish minimum dwelling unit requirements***

This is implemented by Table 6B in WC Subsection 4.127 (.06). The table establishes a minimum for each subdistrict and tax lot. See finding above for Implementation Measure 4.1.7.D.2.a.

***Coding for Variety and Priority Housing Types-Strategy 4: Development Standards based on built form and urban form typologies.***

See finding above for Implementation Measure 4.1.7.D.2.b.

***Coding for Variety and Priority Housing Types-Strategy 5: Establish minimum housing variety standards by subdistrict and development areas.***

WC Subsection 4.127 (.06) E. of the proposed Code establishes variety for the East and South neighborhoods consistent with this Master Plan language. The variety is calculated based on the smaller of a subdistrict or Stage I Master Plan area consistent with this language. The language includes the minimum number of types, which varies based on size, a maximum of 60% of net area dedicated to one unit type which ensures no single-one dominates consistent with this language.

Table 6B in WC Subsection 4.127 (.06) sets minimums for target unit types including middle housing, small units 1200 square feet or less, and mobility-ready units that have living facilities on the ground floor. Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number for each. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is twenty percent, small units is 5 percent, and mobility-ready units is 10 percent. The percentages are applied to the smaller of a subdistrict or tax lot ensuring variety is achieved throughout the East and South neighborhoods, rather than concentrated. The percentages in the draft Development Code are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions.

***Coding for Variety and Priority Housing Types-Strategy 6: Encourage variety at block level***

A combination of housing variety standards and the geographic extent used to apply the standards ensure that there is variety on each block or the adjacent block consistent with this language without implementing an independent standard. A demonstration plan prepared by Walker Macy, and presented in the February 14, 2024 Planning Commission Work Session, shows how the different layered regulations substantially create block-level variety.

***Coding for Main Street***

Consistent with this language in the Master Plan, the City looked at regulations for precedent mixed-use commercial areas in Wilsonville including the Villebois Village Center and Town Center. After reviewing the language, the Town Center language was found to present the best language on which to base the regulations for the Frog Pond East Main Street along SW Brisband Street between SW Stafford Road and the future SW 63<sup>rd</sup> Avenue. The Code text proposed is an adaptation of the Town Center regulations simplified and adapted for a smaller area. The proposed Code includes allowance of neighborhood-scale retail and other commercial uses, prohibition of drive-through uses, shallow setbacks to the sidewalk

and up to four-stories in height, tall ground floors, requirements for high percentage of block face with building frontage, primary entrances oriented towards SW Brisband Street, parking to the side or behind buildings, provision of small plazas, awnings, and building articulation.

***Chapter 7, Public Realm-Green Focal Points***

Proposed WC Subsection 4.127 (.09) C. 1. requires green focal points consistent with this language in Chapter 7. This includes mirroring the language about flexibility in design and these spaces serving as community gathering spaces.

***Chapter 7, Public Realm-Street and Block Layout***

Consistent with this language in the Master Plan, block spacing is as established generally in the Development Code. Framework streets remain as shown and adopted in the City's Transportation System Plan. See proposed WC Subsection 4.127 (.10) B. 2. Regarding street spacing and blocks.

***Chapter 7, Public Realm Generally Including: Active transportation connections, street trees, public lighting, gateways and signs.***

Proposed WC Subsection 4.127 (.08) F. directly references and incorporates pertinent details in Chapter 7 of the Master Plan related the Public Realm into the proposed implementing Development Code. This includes active transportation connections, street trees, public lighting, gateways and signs.

**WILSONVILLE DEVELOPMENT CODE COMPREHENSIVE PLAN AMENDMENT STANDARDS**

***Public Hearing and Recommendation to City Council from Planning Commission***

***Subsection 4.197 (.01) A.***

The Planning Commission is holding a public hearing on July 10, 2024 after which they will provide a recommendation to City Council.

***Compliance with Applicable Goals, Policies, and Objectives of Comprehensive Plan including Frog Pond East and South Master Plan***

***Subsection 4.197 (.01) B. 2.***

The above findings for the Comprehensive Plan, including the Frog Pond East and South Master Plan confirm compliance with these documents satisfying the requirement of this subsection.

***Conflicts with Other Code Provisions***

***Subsection 4.197 (.01) B. 3.***

Staff has not identified nor has any evidence been presented that any conflict with other Development Code provisions. Care was taken to potential conflicts and to correlate the language in various Code sections.

***Compliance with Statewide Planning Goals and Implementing Rules***

***Subsection 4.197 (.01) B. 4.***

The findings for the Statewide Planning Goals above confirm compliance with the goals satisfying the requirement of this subsection.

***Compliance with Statewide Planning Goals and Implementing Rules  
Subsection 4.197 (.01) B. 5.***

The findings regarding the middle housing rules above confirm compliance with the applicable laws satisfying the requirement of this subsection.

**NPDES MS4 PERMIT AND RELATED PUBLIC WORKS STANDARDS**

***National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Phase 1 Individual Permit Issued Pursuant to ORS 468B.050 and Section 402 of the Federal Clean Water Act Effective May 5, 2023 to September 30, 2026***

The City's NPDES MS4 Permit requires the City to maintain adequate legal authority to implement and enforce the conditions of the Permit through adopting ordinance, local code, or other mechanisms, which must occur by December 1, 2024. See Schedule A.2.b. Furthermore, the Permit also requires that, for post-construction site runoff for new development and redevelopment activities, the City, by December 1, 2024, "develop and implement enforceable post-construction stormwater management requirements in ordinance or other regulatory mechanism that, at a minimum, prioritize onsite retention of stormwater and pollutant removal...." Schedule A.3.e.ii.

The City's post-construction stormwater requirements for development have historically been provided in the City's Public Works Standards. However, the City finds that incorporating post-construction stormwater requirements for development into the City of Wilsonville Development Code is justified due to the Permit's required prioritization of onsite stormwater infrastructure (discussed herein), the potential implications of land needed for the infrastructure and related land use laws, and the Permit's requirement for adequate legal authority to implement and enforce its conditions.

***Schedule A.3.e. Post-Construction Site Runoff for New Development and Redevelopment***

***(i.) Use of Ordinances and Other Regulatory Mechanisms within the Constraints of Land Use and Zoning Regulations to Ensure Stormwater Compliance***

As stated above, the City has previously primarily relied on the Public Works Standards to implement stormwater requirements, which generally occurs after land use approval for development. The standards incorporated into the Development Code seek to better integrate the regulations with land use and zoning regulations as well as ensure those standards applicable to residential development are clear and objective, as required by Oregon law.

***(A) The use of stormwater controls for all qualifying sites***

The proposed standards provide clear and objective criteria for integrating stormwater controls into development. By incorporating the proposed standards into the development code, developers are able to better integrate the stormwater requirements into site design. The proposed standards support ensuring all residential sites meet stormwater standards, consistent with the City's NPDES MS4 Permit.

**(B) Site-specific stormwater management approach that targets natural surface or predevelopment hydrological function through the installation of long-term operation and maintenance of stormwater controls,**

The proposed standards provide clear and objective criteria for providing dispersed, smaller facilities that manage stormwater close to the source. Use of larger regional facilities, that are farther away from the source, are discouraged. The proposed standards support ensuring all residential sites meet stormwater standards, consistent with the City's NPDES MS4 Permit.

**(C) Long-term operation and maintenance of stormwater controls at projects that are under the ownership of a private entity.**

The proposed standards support that operation and maintenance of stormwater management facilities are properly maintained by homeowner's associations. This is not a new standard. The Public Works Standards already require private ownership of new facilities installed to serve new development. The City does not have the resources available to maintain facilities the Permit requires (i.e., LID/GI facilities) that are required to serve new development.

**(ii) Prioritization of Low Impact Development and Green Infrastructure.**

The City was previously required to encourage the use of low-impact development in managing stormwater runoff. The City is now *required* to prioritize onsite retention, infiltration, and evapotranspiration in order to make low impact development and green infrastructure the preferred and commonly used approach to site development. The Permit explicitly requires the City to implement a strategy "to require to the maximum extent feasible, the use of Low Impact Development and Green Infrastructure (LID/GI) design, planning, and engineering strategies intended to minimize effective impervious area or surfaces and reduce the volume of stormwater discharge and the discharge of pollutants in stormwater runoff from development and redevelopment projects." EPA considers LID to be a management approach and set of practices that can reduce runoff and pollutant loadings by managing runoff as close to its source(s) as possible. LID includes overall site design approaches and individual small-scale stormwater management practices that promote the use of natural systems (Source: *Terminology of Low Impact Development*. <https://www.epa.gov/sites/default/files/2015-09/documents/bbfs2terms.pdf>).

The Permit further states that onsite retention of stormwater is the first priority, but if it cannot be met "due to technical infeasibility and/site constraints," the City must specify the required treatment for the offsite stormwater. The Permit also states that economic considerations are an "insufficient reason for not requiring adherence to the retention or treatment standards" of LID/GI infrastructure. Of note, the Permit does not use the term "decentralized", as used in the proposed Development Code purpose statement language. The use of the term "decentralized" is intended to implement small-scale stormwater management practices as close to the source as possible. See also the City's MS4 Phase I NPDES permit fact sheet (Section 3.3.5, page 27)

The proposed standards provide clear and objective criteria outlining areas where a development is required to prioritize locating low impact development facilities in areas where landscaping is already planned to be installed. Additionally, the proposed standards provide criteria for when smaller detention sized facilities are acceptable. In utilizing areas where landscaping is already planned to be installed, additional land will be available for development or to meet other code requirements.

Additionally, the proposed standards provide criteria for when smaller detention facilities are acceptable. In prioritizing low impact development, the expectations from DEQ and EPA is that smaller, more localized facilities are installed, and larger regional facilities are avoided. The Development Code is written to restrict the area draining to a detention facility to 4 acres.

As described in the purpose statement, in compliance with the NPDES MS4 permit, the aim is to mimic predevelopment hydrology, which pushes for storm facilities as close to the source as practicable. In this spirit, ideally facilities would be located immediately at the source at each lot. However, the City finds this impractical due to smaller lot space constraints. At the other extreme would be to construct one large facility to serve an entire basin. This does not meet the Permit language that the City “require, to the maximum extent feasible,” LID/GI facilities, and only consider alternatives when LID/GI is “technically infeasible” (as opposed to financial considerations). Some clear and objective criteria are needed that balance the City obligation to prioritize LID/GI with known technical and site constraints.

The City finds a focus on block level size is practical and maintains proximity to the source mimicking predevelopment hydrology. Studying residential block size both anticipated in Frog Pond East and South and already built in Frog Pond West, and other residential development in the last decade in Wilsonville, the City found typical block size ranges between 2.5 and 3.5 acres, with most in the 2.5 to 3 acre range. To be accommodating of the vast majority of anticipated residential blocks along with adjoining sidewalks and streets, the City set the allowed maximum area on which to base the design of an individual detention pond at 4 acres.

Beyond the 4 acres size limitation, the standards limit width of storm facilities to 12 feet wide. The 12 feet limit is a reasonable and prudent clear and objective standard for two primary reasons. First, it allows flexibility for facility design. The minimum width of swales that accommodates treatment area plus side slopes is eight feet. The twelve feet allows flexibility to have a wider treatment area. Second, this standard is intended to create linear facilities and 12 feet is a typical maximum width of other linear features in a neighborhood, including mixed use paths. Keeping a similar proportion with other linear features will ensure linear features stay “linear” and don’t get wider than other typical linear features in a development.

**PLANNING COMMISSION  
RESOLUTION NO. LP24-0003**

**A RESOLUTION OF THE CITY OF WILSONVILLE PLANNING COMMISSION RECOMMENDING ADOPTION OF DEVELOPMENT CODE AMENDMENTS TO IMPLEMENT THE FROG POND EAST AND SOUTH MASTER PLAN AND MAKE RELATED UPDATES TO RESIDENTIAL DEVELOPMENT REGULATIONS CITYWIDE.**

WHEREAS, The City adopted the Frog Pond Area Plan in 2015 setting a vision for urban growth on the East side of Wilsonville; and

WHEREAS, at the time of adoption a portion of the land covered by the Area Plan was within the Urban Growth Boundary (UGB) and a portion was designated as Urban Reserve; and

WHEREAS, in 2017 the City adopted the Frog Pond West Master Plan for the area within the UGB; and

WHEREAS, both the Frog Pond Area Plan and Frog Pond West Master Plan set a foundation for future master planning of the Urban Reserve land not yet in the UGB; and

WHEREAS, in 2018 Metro, through Ordinance 18-1427, expanded the UGB to include the Urban Reserve area covered by the Area Plan; and

WHEREAS, a condition of approval of the 2018 UGB expansion was that the City adopt a Master Plan for the area added to the UGB within four years;

WHEREAS, the area added to the UGB in 2018 became known as Frog Pond East and South; and

WHEREAS, on December 19, 2022 the City Council adopted a Master Plan for Frog Pond East and South in Ordinance No. 870; and

WHEREAS, the Master Plan provides the guiding principles and policies for future land uses, public realm development, and provision of necessary infrastructure; and

WHEREAS, the Master Plan focused on the provision of a variety of housing throughout the Master Plan area, including lower-cost options; and

WHEREAS, the Master Plan directs addressing housing affordability in two specific ways, first, by requiring development of specific housing types expected to provide market-rate options for households making between 80 percent and 120 percent of MFI with potentially some units for households between 60 percent and 80 percent MFI, and second, by removing regulatory

barriers to development of housing affordable for households making less than 80 percent of MFI; and

WHEREAS, Ordinance No. 870 added Implementation Measure 4.1.7.D. to the City's Comprehensive Plan Text, which includes specific requirements for implementation of the Master Plan, specifically with Development Code amendments; and

WHEREAS, the Master Plan contains other language providing specific direction for implementing Development Code amendments, including, but not limited to, those under *Coding For Variety and Priority Housing Types* and *Coding for Main Street* in Chapter 8 of the Master Plan; and

WHEREAS, the City desires to fully implement the Development Code amendments as directed by the Master Plan; and

WHEREAS, a number of Development Code amendments necessary for and supportive of implementation of the Master Plan can be applied similarly to the entirety of the Residential Neighborhood (RN) Zone or all residential land in Wilsonville, as applicable; and

WHEREAS, the City finds it prudent where amendments can be applied similarly to residential land beyond Frog Pond East and South to adopt amendments in a manner that make such regulations apply more broadly, either to the entirety of the Residential Neighborhood (RN) Zone or Citywide; and

WHEREAS, the City desires to ensure that residential development can be reviewed using clear and objective criteria; and

WHEREAS, the City is obligated to satisfy requirements related to stormwater in its NPDES MS4 Permit issued in 2021, and modified May 5, 2023 and effective until September 30, 2026; and

WHEREAS, the City desires and is required to take a stormwater management approach that prioritizes a low impact development in addition to using green infrastructure; and

WHEREAS, low impact development stormwater management approach is best served by having standards integrated into the Development Code in addition to being in the Public Works Standards to support clear consideration during land use planning and site planning; and

WHEREAS, the standards aim to mimic predevelop hydrology by installing stormwater management facilities as close to the source as practicable; and

WHEREAS, managing stormwater as close to the source as practicable can reduce the cost of piping stormwater and reduce the amount of land used by larger stormwater facilities; and

WHEREAS, the City finds the lifecycle cost of stormwater facilities, including vegetation management and irrigation, is not substantially different than or less than other public, semi-public, or private irrigated landscaping, particularly considering stormwater facilities require use of native plants that need less maintenance and irrigation than turf grass and other formal landscaping; and

WHEREAS, the Planning Commission held thirteen public work sessions from January 2023 to June 2024, to review the proposed Development Code amendments; and

WHEREAS, interested parties have been afforded the opportunity to participate and inform the development of the proposed Development Code amendments; and

WHEREAS, required notice of a public hearing has been provided to affected property owners and nearby properties as well as published in the *Wilsonville Spokesman*, posted on the City's website, and posted in a variety of public areas in City buildings, all in accordance with the public hearing and notice procedures that are set forth in Sections 4.012, and 4.197 of the Wilsonville Code; and

WHEREAS, the Planning Commission held a public hearing on July 10, 2024 meeting to review the proposed Development Code amendments and which time the Planning Commission continued the public hearing to a time and date certain of October 9, 2024; and

WHEREAS, the Planning Commission held the continued public hearing on October 9, 2024; and

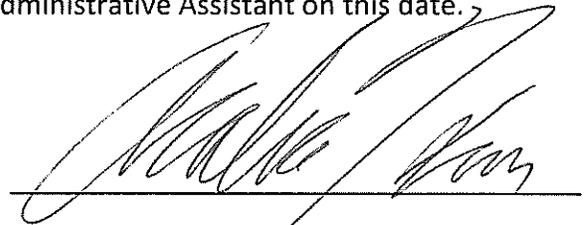
WHEREAS, the Commission afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

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

- Section 1. The Wilsonville Planning Commission does hereby adopt the Planning Staff Report and Attachments (attached hereto as Exhibit A and Exhibit B), as presented at the public hearing, including the findings and recommendations contained therein.
- Section 2. The Planning Commission does hereby recommend that the Wilsonville City Council adopt the proposed Development Code amendments.
- Section 3. Effective Date. This Resolution is effective upon adoption.

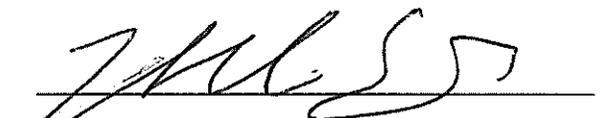
ADOPTED by the Wilsonville Planning Commission at a regular meeting thereof this 9th day of October, 2024, and filed with the Planning Administrative Assistant on this date.




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PLANNING COMMISSION CHAIR KARR

ATTEST:




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Mandi Simmons, Administrative Assistant III

SUMMARY OF VOTES:

- Andrew Karr, Chair *Yes*
- Ronald Heberlein, Vice-Chair *Yes*
- Matt Constantine *Yes*
- Nicole Hendrix *Yes*
- Samuel Scull *Yes*
- Yana Semenova *Yes*
- Jennifer Willard *Absent*

EXHIBITS:

- A. LP24-0003 Staff Report and Attachments
- B. October 9, 2024 Memorandum from Daniel Pauly AICP, Planning Manager to Planning Commission RE: Additional Edits to Frog Pond East and South Master Plan Implementing Development Code Amendments, Resolution No. LP24-0003

## Ordinance No. 892

Exhibit G: Frog Pond East and South Development City  
Code Amendments Planning Commission Record

Link:

[https://www.ci.wilsonville.or.us/sites/default/files/fileattachments/city\\_council/meeting/125134/09\\_ord\\_no\\_892\\_exhibit\\_g\\_lp24-0003\\_record\\_final.pdf](https://www.ci.wilsonville.or.us/sites/default/files/fileattachments/city_council/meeting/125134/09_ord_no_892_exhibit_g_lp24-0003_record_final.pdf)



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> November 18, 2024		<b>Subject: Ordinance Nos. 896 and 897 Annexation and Zone Map Amendment for Frog Pond Ridgecrest Subdivision</b>	
		<b>Staff Member:</b> Cindy Luxhoj AICP, Associate Planner	
		<b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: November 18, 2024 <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: November 18, 2024 <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: December 2, 2024 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	
		<b>Comments:</b> The Development Review Board Panel ‘A’ public hearing on Frog Pond Ridgecrest, which would make a recommendation to City Council regarding Ordinance Nos. 896 and 897, was continued from October 14 to December 9, 2024.	
<b>Staff Recommendation:</b> Open the quasi-judicial public hearing for Ordinance Nos. 896 and 897 and continue it to the City Council’s January 6, 2025 regular meeting in order to receive a recommendation from the Development Review Board.			
<b>Recommended Language for Motion:</b> I move to continue the public hearing for Ordinance Nos. 896 and 897 to a date and time certain of January 6, 2025, at 7:00 p.m.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond West	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

Continue the public hearing on Ordinance Nos. 896 and 897, an annexation and zone map amendment for the Frog Pond Ridgecrest subdivision, to January 6, 2025, in order to receive a recommendation from the Development Review Board.

## **National American Heritage Proclamation**

WHEREAS, the history and culture of our great nation have been significantly influenced by Native Americans and indigenous peoples; and

WHEREAS, the contributions of Native Americans have enhanced the freedom, prosperity, and greatness of America today, and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month; and

WHEREAS, the Friday after Thanksgiving was established by Congress as Native American Heritage Day in 2009 and approved by President Barack Obama on June 26, 2009 and, designating the month of November, as National American Heritage Month; and

WHEREAS, in honor of National American Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned;

NOW THEREFORE, I, Julie Fitzgerald, by virtue of the authority vested in me as Mayor of the City of Wilsonville do hereby proclaim November as the National American Heritage Month, in Wilsonville, and urge all our citizens to observe this month with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Wilsonville to be affixed this 18<sup>th</sup> day of November 2024.

---

Julie Fitzgerald, Mayor

**Small Business Saturday  
Proclamation**

WHEREAS, the City of Wilsonville, Oregon, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 34.7 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 61.1% of net new jobs created since 1995, and small businesses employ 45.9% of the employees in the private sector in the United States; and

WHEREAS, 68 cents of every dollar spent at a small business in the U.S. stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

WHEREAS, 59% of U.S. consumers aware of Small Business Saturday shopped or ate at a small, independently owned retailer or restaurant on Small Business Saturday 2023; and

WHEREAS, the City of Wilsonville, Oregon supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW THEREFORE, I, Julie Fitzgerald, by virtue of the authority vested in me as Mayor of the City of Wilsonville do hereby proclaim November 30, 2024 Small Business Saturday, in Wilsonville, and urge all the residents of our community and communities across the country, to support small businesses and merchants on Small Business Saturday – celebrating its 15<sup>th</sup> year in 2024 – and Shop Small throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Wilsonville to be affixed this 18<sup>th</sup> day of November 2024.

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Julie Fitzgerald, Mayor



## WHAT IS SMALL BUSINESS SATURDAY®?

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Celebrating its 15th year on November 30, 2024, Small Business Saturday, founded and proudly backed by American Express, has illuminated the significance of supporting small, independently owned businesses across the country. Falling between Black Friday and Cyber Monday, it's a day dedicated to supporting the local small businesses that help create jobs, boost the economy, and keep communities thriving across the country.

## WHY SUPPORT SMALL BUSINESS SATURDAY?

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- Demonstrates a conscious commitment to the communities in which we live.
- Creates goodwill within the communities.
- When we support small businesses, we help create jobs and local communities preserve their unique culture.

## 2023 SMALL BUSINESS SATURDAY FACTS:

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- In 2023, U.S. consumers reported spending an estimated \$17 billion at independent retailers and restaurants on Small Business Saturday.<sup>1</sup>
- Elected officials in all 50 states, Washington, D.C. and Puerto Rico championed Small Business Saturday.
- 716 local governments issued proclamations in support of Small Business Saturday covering all 50 states and Washington, D.C.
- American Express enlisted the support of nearly 50 large companies, known as Corporate Supporters, to help drive excitement for and promote Small Business Saturday.
- The Small Business Saturday Coalition, comprised of national, state and local associations that help coordinate activities for Small Business Saturday with small

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<sup>1</sup> The American Express 2023 Small Business Saturday Consumer Insights Survey was conducted by Teneo on behalf of American Express. The study is a nationally representative sample of 2,483 U.S. adults 18 years of age or older. The sample was collected using an email invitation and an online survey. The study gathered self-reported data and does not reflect actual receipts, sales or American Express Card Member spending data. It was conducted anonymously on November 26, 2023. The survey has an overall margin of error of +/- 2.0%, at the 95% level of confidence. Projections are based on the current U.S. Census estimates of the U.S. adult population, age 18 years and over.



business owners and consumers, had over 160 organizations help spread the Shop Small® message.

- According to the 2023 Small Business Saturday Consumer Insights Survey, 61% of consumers strongly agreed that they found a small business or independently owned restaurant on Small Business Saturday where they are likely to return and become a regular customer.<sup>1</sup>

## JOIN THE COALITION:

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Building on the success of previous years, the Coalition of supporters are more committed than ever. This includes support from advocacy organizations that join the initiative to motivate constituents through incentives and offers to not only Shop Small on November 30, 2024, but Shop Small all year long.

The coalition will be led by Women Impacting Public Policy, a business advocacy organization representing small businesses. [Join Us!](#)

### Contact Info:

Small Business Saturday Program

Women Impacting Public Policy

Phone: 415-878-1576 | Email: [sbscoalition@wipp.org](mailto:sbscoalition@wipp.org)

### From The Director's Office

Greetings,

On September 6 at ParkWorks Industry Center, Twist Bioscience's Oregon home, company employees along with biotech sector specialists, industry leaders and local elected officials gathered to celebrate the company's early successes in Wilsonville. We gathered to celebrate Twist's accomplishments in bringing hundreds of well-paying jobs to Wilsonville and more specifically the first property tax rebate issued under the City's Wilsonville Investment Now (WIN) economic development incentive program.

The WIN Program incentivizes leading businesses to operate in Wilsonville by providing limited-duration property tax rebates for qualifying development projects that create family-wage jobs and add substantial new assessed value in equipment and tenant improvements. Twist, a leading global synthetic biology and genomics company, is the first company to participate in this economic development program. They now employ over 270 employees at their "Factory of the Future" and are the City's seventh largest employer resulting in a positive economic impact on the Wilsonville community.

Mayor Fitzgerald, Council President Akervall, Economic Development Manager Matt Lorenzen and I participated in a clean room tour of Twist's \$80M investment in the factory of the future and observed how the company "writes" DNA on a silicon chip to empower researchers working to improve health and sustainability amongst many other areas. City staff focus on company recruitment to benefit the residents of the Wilsonville community and the local region. With over 20,000 daytime jobs in approximately 800 companies, Wilsonville remains an important economic juggernaut of Clackamas County.

Respectfully submitted,

Chris Neamtzu, AICP

Community Development Director



Mayor Fitzgerald addresses the attendees at the Twist Bioscience celebration.

## Building Division

The City of Wilsonville's Building Division plays a crucial role in ensuring the safety and efficiency of the city's infrastructure. One of the key responsibilities of the division is hydrant fire flow testing, which is essential for designing effective building water and fire sprinkler systems.

Hydrant fire flow testing involves measuring the water pressure and flow rate from fire hydrants to determine the available water supply for firefighting purposes. This process is vital for assessing the capacity of the water distribution system and ensuring that it can meet the demands of fire suppression. The testing typically involves opening a hydrant and using specialized equipment to measure the static pressure, residual pressure, and flow rate. These measurements are then used to calculate the fire flow, which is the amount of water available at a specific pressure.

These calculations are critical for designing building water and fire sprinkler systems. The fire flow data helps engineers determine the size and capacity of the water supply system needed to support the building's fire protection requirements. It ensures that there is adequate water pressure and flow to operate the sprinkler systems effectively in the event of a fire. Additionally, the data is used to identify any potential deficiencies in the water distribution system that could impact firefighting efforts.

In Wilsonville, the Building Division works closely with the Fire Department and other stakeholders to conduct hydrant fire flow testing and analyze the results. This collaborative approach ensures that the city's infrastructure is well-prepared to handle emergencies and protect the safety of its residents. By maintaining accurate and up-to-date fire flow data, the Building Division helps to create a safer and more resilient community.



## Economic Development Division

### It Starts With A Spark

Staff regularly attends the monthly morning “Spark,” hosted by the Wilsonville Area Chamber of Commerce. This month’s networking event and mixer was hosted by Kyle Bunch of Goosehead Insurance, located in Town Center. Staff was able to visit with numerous business owners and met Council candidate, Liz Peters.



While staff focuses a majority of time on developing the traded sector in Wilsonville, these Chamber events are helpful for keeping the City connected to local businesses, which make up the heart and soul of our community.

### Annual Business Inventory

Company	Industry - 3 digit NAICS	Company Website	Address
SIEMENS INDUSTRY SOFTWARE, INC	541 Professional, Scientific, and Technical Services	<a href="https://eda.sw.siemens.com/en-US/">https://eda.sw.siemens.com/en-US/</a>	8005 SW BOECKMAN RD
COLLINS AEROSPACE	334 Computer and Electronic Product Manufacturing	<a href="https://www.collinsaerospace.com/">https://www.collinsaerospace.com/</a>	27300 SW PARKWAY AVE
SWIRE COCA-COLA USA	312 Beverage and Tobacco Product Manufacturing	<a href="https://www.swirecc.com/">https://www.swirecc.com/</a>	9750 SW BARBER ST
SYSCO PORTLAND INC	424 Merchant Wholesalers, Nondurable Goods	<a href="https://www.sysco.com/Contact/Contact/Our-Locations/Portland">https://www.sysco.com/Contact/Contact/Our-Locations/Portland</a>	26250 SW PARKWAY CENTER DR
COLUMBIA DISTRIBUTING	424 Merchant Wholesalers, Nondurable Goods	<a href="https://www.coldist.com/">https://www.coldist.com/</a>	27200 SW PARKWAY AVE
COSTCO WHOLESALE #766	424 Merchant Wholesalers, Nondurable Goods	<a href="https://www.costco.com/">https://www.costco.com/</a>	25900 SW HEATHER PL
PRECISION INTERCONNECT	339 Miscellaneous Manufacturing	<a href="https://www.te.com/usa-en/home.html">https://www.te.com/usa-en/home.html</a>	10025 SW FREEMAN CT
TWIST BIOSCIENCE	541 Professional, Scientific, and Technical Services	<a href="https://www.twistbioscience.com/">https://www.twistbioscience.com/</a>	26600 SW PARKWAY AVE
OREPAC BUILDING PRODUCTS	321 Wood Product Manufacturing	<a href="https://www.orepac.com/">https://www.orepac.com/</a>	30160 SW OREPAC AVE
SOUTHERN GLAZERS	424 Merchant Wholesalers, Nondurable Goods	<a href="https://www.southernglazers.com/location/oregon/">https://www.southernglazers.com/location/oregon/</a>	9805 SW BOECKMAN RD

The table above represents the City’s top ten employers, as measured by full-time equivalent (FTE) employee count. Company names shown in green indicate a year-over-year increase in FTE, while red indicates a decrease. Black represents no growth or attrition in FTE.

Business Licenses renew each year in June. July, August, and September are usually spent collecting delinquent renewals. By October, the City has a good set of data in our enterprise permitting and licensing system, which staff can export into 3rd-party relationship management software for further analysis. This exercise is time-consuming but worthwhile, as it allows staff to strategically reach out, throughout the year, to those companies that are new, expanding, or contracting, to understand how the City and its partners can help those businesses to meet their goals and flourish in place, in Wilsonville.

### Welcome to Prime Manufacturing

One such discovery, as described above, was the recent arrival of Prime Manufacturing to Wilsonville. They are a small CNC machining company, manufacturing small metal parts for several industries, primarily aerospace, and increasingly, semiconductor. Staff visited with them in their facility and discussed various opportunities for technical support, capital access, and business networking. They relocated from Estacada, where they had outgrown their space. They have doubled their square footage in Wilsonville and aspire to continue their growth trajectory. They moved to Wilsonville for its I-5 location, robust industrial economy, and access to labor/ machinists from both the Salem/Marion County and Portland areas. Welcome to Wilsonville!

## Economic Development Division

### Champions for Children Luncheon

In 2023, Council set a goal and directed staff to convene a consortium of child care providers and partners, in order to better understand if and how the City may be able to increase accessibility and affordability of child care in the City.

Staff will be briefing council on November 18 regarding our findings over the past 18 months, as well as presenting new data from a survey of Wilsonville families regarding their experience accessing and affording child care services in the City.

As part of Council's larger effort to support public support for child care, the Council adopted

2025 legislative priorities that call for the legislature to address childcare accessibility and affordability as a social issue, workforce issue, and economic development issue. Indeed, significant labor productivity and wages (income taxes) are foregone each year as families make the difficult decision to have one parent work less or not work at all in order to care for their small children, and school-age children after school ends.

As a symbolic gesture, staff attended the 2024 Champions of Children Luncheon hosted by the Children's Institute (CI). This fundraising event supports the work of CI, who is one of the largest and most influential child care advocacy groups in the State.

### Assisting PGE Planning Efforts

Staff hosted PGE business development staff for a tour of the city and its growth areas, where additional distribution and transmission infrastructure may be needed in the future. These site tours are a critical part of PGE's future planning efforts and often spur further conversations about specific public and private development projects. For example, the proposed right-of-way improvements along Parkway Avenue north of Xerox Drive were discussed and future coordination on the undergrounding of electrical services will be a proactive point of coordination moving forward.

### OEDA TIF Committee Leadership

In addition to annual dues, the City contributes in-kind to the Oregon Economic Development Association (OEDA) by way of its TIF (Tax Increment Finance) committee. In the current year, the committee is updating its "Best Practices Manual" which has been an important tool for urban renewal practitioners across the state since it was first published in 2014. Staff spent a number of hours in support of this project during the month of October, which will be recognized in the documents "Acknowledgements," further positioning the City of Wilsonville as a thought leader in the state when it comes to Tax Increment Finance/urban renewal.



## Engineering Division, Capital Projects

### 2024 Street Maintenance (4014/4717)

Bid opening was held on May 21 and Council awarded on June 3, this project aims to:

#### **Boones Ferry Road (Wilsonville Road to Bailey Street)**

- Reconstruction of pavement section
- Updating of all non-compliant ADA pedestrian ramps
- Pedestrian signal improvements at Boones Ferry Road at the entrance to Fred Meyer
- Updating of the mid-block pedestrian crossing near Killer Burger

#### **Bailey Street (Boones Ferry Road to cul-de-sac near Subaru Dealership)**

- Reconstruction of pavement section
- Updating of all non-compliant ADA pedestrian ramps

#### **Boberg Road (Boeckman Road to Barber Road)**

- Reconstruction of entire road section

### Boberg (Sewer) Manhole Replacement (2100)

This project just completed replacement of a sewer manhole and installation of an internal diversion structure adjacent to the new Public Works campus. This diversion structure will send flows from one sewage basin that sees high stormwater flows through inflow and infiltration (I&I) during rain events, to be diverted to a lower flow sewage basin. This diversion will reduce the potential of any sewage backups in the higher flow basin.

### Boeckman Creek Flow Mitigation (7068)

This project will look at stormwater flows coming off the Siemens site towards Boeckman Creek. Historically, these flows were directed towards the Coffee Creek wetlands, but with development of the Siemens site, flows were altered to head towards Boeckman Creek in the 1980s. These flows are needed to return to their natural waterways with the installation of the new Boeckman bridge. Two main project sites exist, one between SW Parkway and SW Ash Meadows, and the other is on the Siemens campus. Surveying, geotechnical exploration, wetland delineations, and archeological investigations have been complete on both sites, ahead of schedule. Engineering modeling of the system is complete, the first round of deliverables have been given to the City showing promising results for amount of work needing to be reduced. The team is in discussions with property owners regarding easements and what the work will look like onsite. 30% design drawings are being produced and expected to be delivered to the City this month.

### Boeckman Creek Interceptor (2107)

This project will upsize the existing Boeckman Creek Interceptor sewer collection pipeline in order to support the development of the Frog Pond area. A regional trail will be installed as a part of the maintenance path from Boeckman Road to Memorial Park. Field investigations of the original area are finished, however, it was determined additional field investigations are needed to complete the routing study. CIP 7054, Gesellschaft Water Well Channel Restoration, will also be brought into this project to minimize City design and construction costs. Investigative work on the west side of the Wilsonville Bridge at Boeckman Creek is completed. Preliminary design iterations are complete, and several workable solutions have been identified to meet all project needs. A public open house was held on September 11 to seek input on the design to refine the layout. Results of the feedback were generally positive. Staff is preparing to present to Council the results of the preliminary design and other project findings. A scope of work to complete the project through design has been delivered to the City.

## Engineering Division, Capital Projects

### **Boeckman Road Corridor Project (4212/4206/4205/2102/7065)**

This project involves the design and construction of the Boeckman Dip Bridge, Boeckman Road Improvements (Canyon Creek Road – Stafford Road), Canyon Creek Traffic Signal, and Boeckman Road Sanitary Sewer projects. The Tapani-Sundt Joint Venture is now complete with design. Property acquisitions are advancing, and very nearly complete. This project has been divided into several guaranteed maximum price (GMP) packages.

#### **GMP 1: Temporary Traffic Signal at Stafford Road and 65th Avenue**

Complete!

#### **GMP 2: Meridian Creek Culverts, House Demo**

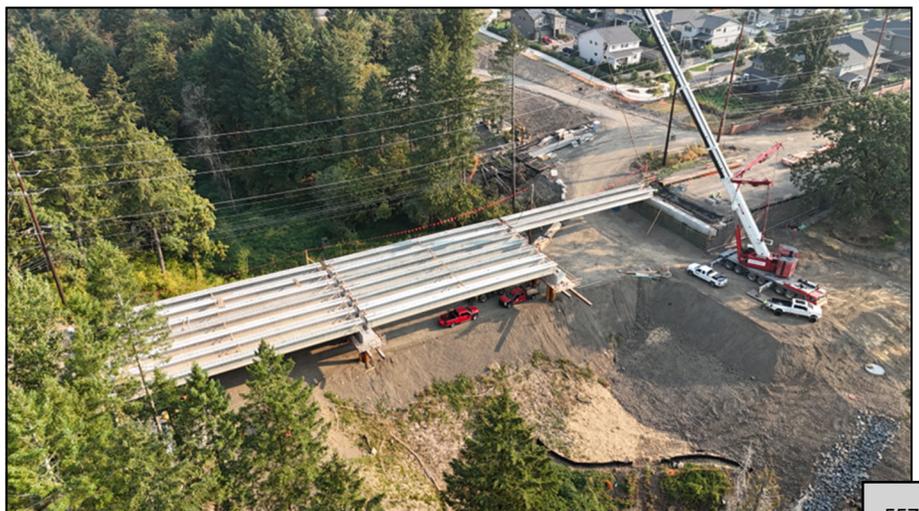
Complete!

#### **GMP 3: Bridge, Roundabout, and Road Widening**

- Sewer installation is complete, marking another major milestone for this project.
- Base paving and curbs east of the bridge are complete. Sidewalks are currently being installed and are nearly complete.
- Joint utility trench - This work includes installing conduits underground to move overhead lines underground.
  - ◊ East of the bridge – Most wires have been installed underground. The overhead wires will be removed when the bridge section is complete.
  - ◊ West of the bridge – Utility companies have started moving wires underground. The overhead wires will be removed when the bridge section is complete.
  - ◊ Under the bridge – Conduits will be installed, work will commence after the bridge structure is in place.
- Work in the roundabout (RAB) at Canyon Creek and Boeckman has started, concrete is expected to be poured this week, with the first half of the RAB to be built.
- Trail construction from Boeckman under the bridge is well underway and on pause until the bridge work is further along.
- **Bridge Construction**
  - ◊ Bridge pile driving and abutment construction is complete.
  - ◊ Bridge girders were set at the beginning of the month
  - ◊ The bridge deck is expected to be poured near the end of the month.
- Final asphalt surface and striping to be completed at the end of the year.

The entire project is expected to be complete in Fall 2025.

Pictured: Bridge girders being set



## Engineering Division, Capital Projects

### Charbonneau Lift Station (2106)

This project involves replacing the Charbonneau wastewater lift station with a submersible lift station and replacing the force main from the station to the I-5 bridge. The design contract was awarded to Murraysmith in December 2021, and final design was completed in October 2023. A construction contract with Tapani, Inc. was awarded by City Council in December 2023, with construction anticipated for completion in November 2024.

### West Side Level B Reservoir and Transmission Main (1149)

This project includes design and construction (pictured) of a new 3 million gallon water reservoir just west of City limits, along with approximately 2500 feet of 24-inch transmission main in Tooze Road connecting to the City water system. City Council awarded the construction contract to Tapani, Inc. in June 2024. Construction began in July 2024 and is scheduled for completion in fall 2025.



### WTP Expansion to 20 MGD (1144)

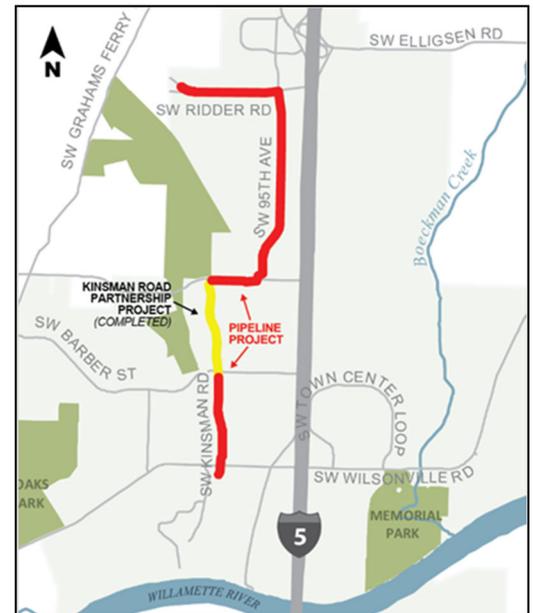
This project will expand the water treatment plant (WTP) capacity to 20 MGD and incorporate related WTP capital improvements. A construction manager/ general contractor (CMGC) alternative contracting method was approved by City Council in March 2020. An engineering contract was awarded to Stantec in July 2020. The CMGC contract was awarded to Kiewit in August 2021. Final design was completed in coordination with the CMGC in March 2022. Construction began in June 2022, with completion expected in December 2024.

### WWSP Coordination (1127)

Ongoing coordination efforts continue with the Willamette Water Supply Program (WWSP). Here are the updates on major elements within Wilsonville:

- **Phase 1, Wilsonville Road (PLM\_1.1)** Arrowhead Creek Lane to Wilsonville Road—**COMPLETE**
- **Phase 2, Garden Acres Road to 124th (PLM\_1.2)** Ridder Road to Day Road—**COMPLETE**
- **Phase 3, Wilsonville Road to Garden Acres Road (PLM\_1.3)** The WWSP’s last section of transmission pipeline to be constructed in the City of Wilsonville began in fall 2022, with completion planned for 2025. It will connect the

remaining portion of the pipeline through Wilsonville and has an alignment along Kinsman Road, Boeckman Road, 95th Avenue, and Ridder Road (see image). The Engineering Division is currently in the process of reviewing final plans and coordinating construction. The trenchless crossing under Wilsonville Road and under Boeckman Road have been completed. Pipe install on 95th Avenue from Boeckman Road to Ridder Road has been completed and restoration of the sidewalk and curb and gutter on the east side of the road is ongoing. The northbound lane of 95th Avenue from Hillman Court to Ridder Road has been temporarily paved and is opened to two way traffic. The northbound lane of 95th Avenue from Boeckman Road to Hillman Court is being prepared for temporary paving. Permanent concrete road panel restoration of 95th Avenue to follow in Summer 2025. Pipe installation has been completed on Kinsman Road between Wilsonville Road and Barber Street and the road has been repaved and is open to two way traffic.



## Engineering Division, Private Development

### Residential Construction Activities

#### *Canyon Creek South Phase 3*

The contractor continues to work on punchlist items for closeout. The City continues to await submittal of construction drawings for the open space improvements.

#### *Frog Pond West*

Frog Pond West continues to see significant construction activities. Housing construction in the Frog Pond Ridge, Frog Pond Crossing, Frog Pond Estates, Frog Pond Oaks and Frog Pond Vista subdivisions is ongoing.

- Frog Pond Crossing subdivision, a 29-lot subdivision located north of Frog Pond Lane, was paved at the end of July. The contractor is working on punchlist items for project closeout. Home construction is underway.
- Frog Pond Estates subdivision, a 22-lot subdivision located south of Frog Pond Lane and west of Frog Pond Ridge, is working on final completion items. Housing construction is anticipated to begin in fall 2024.
- Frog Pond Oaks, a 41-lot subdivision located to the west of Frog Pond Crossing, is working to complete the new neighborhood park.
- Frog Pond Overlook, a 24-lot subdivision located north of Frog Pond Lane, and west of Frog Pond Vista, is working on utility testing in preparation of paving.
- Frog Pond Petras, a 21-lot subdivision located on the northern corner of Frog Pond Lane and Stafford Road, has submitted plans for infrastructure construction. Staff is awaiting submittal of revised plans
- Frog Pond Primary (pictured), the new West Linn-Wilsonville School District primary school on Boeckman Road is working primarily onsite. A portion of Sherman Drive has been paved. The remaining portions of paving along Sherman Drive is anticipated to occur in the fall.



- Frog Pond Terrace, a 19-lot subdivision located north of Morgan Farms, is working on utility testing in preparation of paving.
- Frog Pond Vista subdivision, a 44-lot subdivision to the west of Frog Pond Oaks, is continuing to work on punchlist items for project closeout. Home construction is underway.

## Natural Resources Division

### Citywide Wildlife Monitoring

In August 2023, the City began monitoring wildlife year-round using a network of city-owned and managed motion detect cameras funded through the Community Enhancement Program. A consultant, Samara Group, installed the cameras on city-owned and school district property, including Memorial Park, Boones Ferry Park, Boeckman Creek corridor, Boones Ferry Primary School, and Boeckman Creek Primary School.

The consultant maintains the cameras and collects, reviews, and organizes the photos, and then works with City and School District staff to make the monitoring data available through a platform and distribution plan. To document the progress of the project, the consultant provides an annual summary of wildlife data collected. The first report documented the following activity (data represents camera monitoring through June 27, 2024):

- 1,210 instances of wildlife activity from at least 14 different species, including bobcat, gray fox, river otter, beaver, skunk, and coyote.
- **Boones Ferry Primary School:** 249 instances of wildlife activity from at least seven different species.
- **Boones Ferry Park:** 87 instances of wildlife activity from at least eight different species.
- **Memorial Park:** 100 instances of wildlife activity from at least 10 different species.
- **Boeckman Creek Trail:** 352 instances of wildlife activity from at least 10 different species.
- **Boeckman Creek “Dip”:** 256 instances of wildlife activity from at least 10 different species.
- **Boeckman Creek Primary School:** 166 instances of wildlife activity from at least seven different species.



## Planning Division, Current

### Administrative Land Use Decisions Issued

- 9 Type A Tree Permits
- 1 Type C Tree Permit
- 1 Class 1 Administrative Review
- 4 Class 2 Administrative Reviews
- 1 Class 1 Sign Permit

### Construction Permit Review, Development Inspections, and Project Management

In October, Planning staff worked with developers and contractors to ensure construction of the following projects are consistent with Development Review Board and City Council approvals:

- CIS Office Building at Wilsonville Road and Kinsman Road
- Industrial development on Day Road and Garden Acres Road
- New PGE substation on Parkway Avenue north of Boeckman Road
- Residential subdivisions in Frog Pond West
- Transit-Oriented Development on Barber Street

### Development Review Board (DRB)

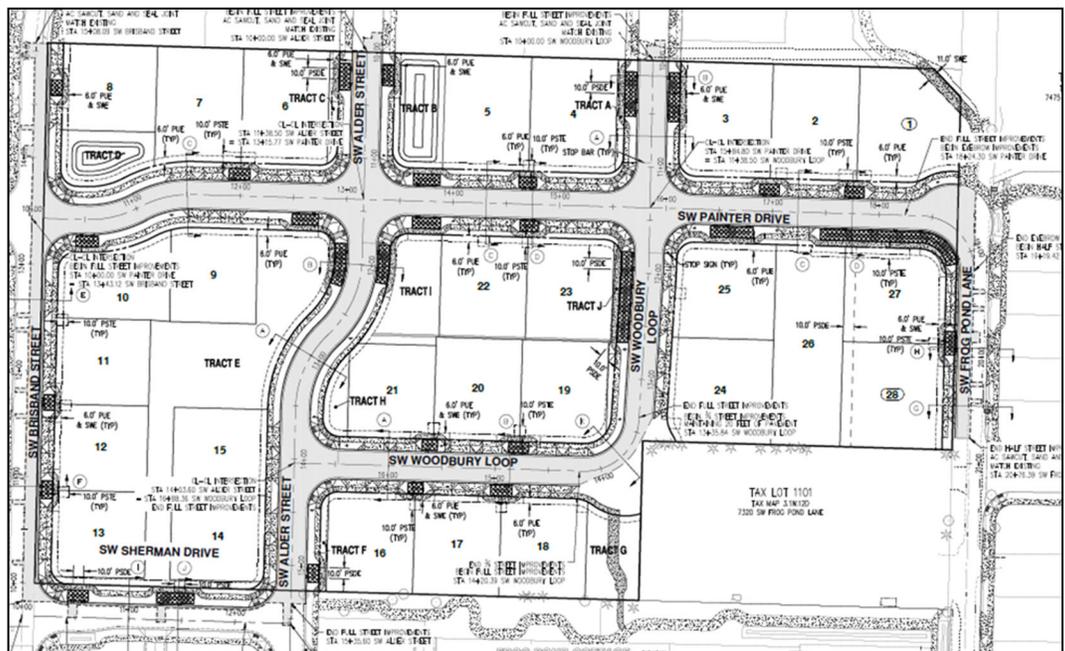
DRB Panel A met on October 14. The Board opened a public hearing regarding the Ridgecrest subdivision in Frog Pond West and, before taking testimony and at the request of the applicant, continued the hearing until November 14.

DRB Panel B did not meet in October.

### DRB Projects Under Review

During October, Planning staff actively worked on the following major projects in preparation for potential public hearings before the Development Review Board:

- Frog Pond Ridgecrest-54-home subdivision in Frog Pond West
- Residential zone change and partition off Camelot Street
- Sign Waiver for Parkworks campus
- Temporary Use Permit for model home complex in Frog Pond West



Proposed Layout of Ridgecrest Subdivision in Frog Pond West

## Planning Division, Long Range

### Frog Pond East and South Master Plan

With the Frog Pond East and South Master Plan adopted in December 2022, the City has been focusing on implementation. Two outstanding implementation steps are in process: (1) Development Code amendments, and (2) an Infrastructure Funding Plan. During October, the Development Code amendments were subject to a Planning Commission Public Hearing, during which the Commission unanimously recommended approval by City Council. Following the hearing, the project team prepared the necessary materials for City Council consideration of the Planning Commission recommendation on November 18. During October City Council held a work session regarding the Infrastructure Funding Plan for its consideration for adoption on November 18.



# FROG POND EAST & SOUTH MASTER PLAN

### Housing Our Future

This multi-year project will analyze Wilsonville's housing capacity and need followed by developing strategies to produce housing to meet the identified housing needs. This will build upon previous work, including the 2014 Housing Needs Analysis and 2020 Equitable Housing Strategic Plan. In October, the project team held a work session with City Council to introduce the Conversation Guide, a framework to enable community members to host conversations with friends, family, and colleagues about housing needs and how they could be supported by the City. Information collected from these conversations will inform the City's Housing Production Strategy. Community members can visit Let's Talk, Wilsonville! throughout October and November to request a Conversation Guide.

### Oregon White Oak Response Coordination and Leadership

In October, Associate Planner Georgia McAlister continued as a key member of the Mediterranean Oak Borer (MOB) task force, continuing to coordinate efforts between various City Divisions and Departments, as well as contract arborists, property owners, and others to diagnose and make a plan to address the declining health of a number of the City's Oregon white oak (OWO) trees. The communities of Lake Oswego and West Linn recently identified OWOs with MOB infestations and reached out to Wilsonville for support with navigating early days of infestation. Meetings are scheduled in late October with representatives from Oregon Department of Agriculture, Oregon Department of Forestry, Lake Oswego, West Linn and Wilsonville to coordinate management efforts. Planning for infested tree removal will continue in late October and November with the City preparing to remove two trees on Wilsonville property.

### Planning Commission

The Planning Commission met on October 9. The Commission held a public hearing on the Frog Pond East and South Development Code update package. At the conclusion of the hearing the Commission unanimously recommended adoption of the Development Code update to City Council. Following the public hearing, the Commission held a work session regarding the Wilsonville Industrial Land Readiness project focused on market and other trends impacting the Basalt Creek and West Railroad future industrial areas.

## Planning Division, Long Range

### **Wilsonville Industrial Land Readiness (WILR) Project**

The Wilsonville Industrial Land Readiness project combines a focused economic and development potential analysis of the Basalt Creek Concept Plan on the northwest edge of the City with a City-wide Economic Opportunities Analysis and Economic Development Strategy to inform long-range job growth and planning efforts. The first phase of the project focuses on the Basalt Creek area, with a later second phase focusing on the entire City. During October, work continued with ECONorthwest on the economic analysis of the Basalt Creek area, as well as updating the buildable lands inventory (BLI) and starting work on site suitability analysis. Transportation and natural resource evaluation work is ongoing for the Basalt Creek area. In addition, City staff worked on putting a contract in place for the second, citywide phase of the project.

FINANCE—The department where everyone counts

- **Auditors:** The week of October 28, our auditors, Grove, Mueller & Swank, REDW Advisors & CPAs were on site performing final fieldwork for the City and URA’s annual audit, for period ending June 30, 2024, which includes also a review of the drafted Annual Comprehensive Financial Report (ACFR), single audit (related to Federal Funds), and STIF audit.
- **Investment Management:** The Oregon Short Term Fund is managed by the Oregon State Treasury to keep taxpayer dollars safe and to help governments of all sizes to stretch public funds. The current, maximum investment, as set by ORS 294.810, is limited to \$61.749 million. From a high of 5.3% in July 2024, to a current interest rate of 5.0% as of October 23, 2024, this remains the City’s best investment vehicle and we maximize its use.
- **Property Tax Update:** Outlined below is a **four year** comparison of Total Assessed Value and Taxes Imposed for Collection, as it relates to Property Taxes from both Clackamas and Washington Counties. Total Assessed Value—Increased 13.9%, from \$4.4 billion in fiscal year (FY) 2021-2022 to \$5.0 billion in FY 2024-25. Total Taxes Imposed for Collection—for the City of Wilsonville, increased 33.9%, from \$9.2 million in FY 2021-22 to \$12.3 million in FY 2024-25. The balance of taxes imposed for collection, relates to the City’s Urban Renewal (UR) Districts. In combination, total taxes received by the City and UR Districts have decreased by 25.8% in response to the completion/closure of the Year 2000 and West Side Plans.

### TOTAL ASSESSED VALUE

County	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	4-Year Change
Clackamas	\$ 4,032,065,970	\$ 4,166,774,082	\$ 4,386,539,194	\$ 4,584,578,112	13.7%
Washington	\$ 365,979,508	\$ 389,653,623	\$ 414,903,388	\$ 424,459,909	16.0%
<b>TOTAL</b>	<b>\$ 4,398,045,478</b>	<b>\$ 4,556,427,705</b>	<b>\$ 4,801,442,582</b>	<b>\$ 5,009,038,021</b>	<b>13.9%</b>

### TAXES IMPOSED FOR COLLECTION

District	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	4-Year Change
City of Wilsonville	\$ 9,212,131	\$ 9,708,137	\$ 11,494,055	\$ 12,332,842	33.9%
UR - Year 2000	\$ 4,155,989	\$ 3,653,348	\$ -	\$ -	0.0%
UR - West Side	\$ 5,179,387	\$ 5,179,321	\$ 1,572,981	\$ -	-100.0%
UR - Coffee Creek	\$ 333,252	\$ 533,477	\$ 705,909	\$ 700,965	110.3%
UR - TWIST	\$ -	\$ -	\$ 1,004,367	\$ 981,676	100.0%
<b>TOTAL</b>	<b>\$ 18,880,759</b>	<b>\$ 19,074,283</b>	<b>\$ 14,777,312</b>	<b>\$ 14,015,483</b>	<b>-25.8%</b>

*FINANCE—The department where everyone counts*

- **Finance FUN!** This Halloween, Team Finance dressed up as the Characters from the Disney movie Inside Out. Further, one of our team members, Mari Mendez, brought home first place as the “Fastest Pumpkin Racer” in the City’s annual Pumpkin Race.



- **Special Project(s):** Both in preparation for the City’s transition to Microsoft 365, and upcoming City Hall Carpet Replacement Project, each department has been busy performing a deep spring cleaning of electronic and paper records—reviewing retention schedules, ensuring any permanent records are housed in Laserfiche, and purging as applicable and appropriate. During the City Hall Carpet Replacement Project, much of Finance will be working remotely in mid to late November.
- **Attached Financials:** Finance continues to monitor all departments for on-going budget compliance.

	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
<b>110 - General Fund</b>				
Taxes	\$ 16,395,000	\$ 907,326	\$ 15,487,674	6%
Intergovernmental	3,299,090	307,184	2,991,906	9%
Licenses and permits	176,700	136,846	39,854	77%
Charges for services	439,822	129,560	310,262	29%
Fines and forfeitures	190,000	59,626	130,374	31%
Investment revenue	620,000	238,060	381,940	38%
Other revenues	704,070	70,989	633,081	10%
Transfers in	5,576,135	1,529,038	4,047,097	27%
<b>TOTAL REVENUES</b>	<b>\$ 27,400,817</b>	<b>\$ 3,378,630</b>	<b>\$ 24,022,187</b>	<b>12%</b>
Personnel services	\$ 13,336,720	\$ 3,898,938	\$ 9,437,782	29%
Materials and services	14,071,749	2,217,534	11,854,215	16%
Capital outlay	272,828	115,961	156,867	43%
Transfers out	11,543,193	908,939	10,634,254	8%
<b>TOTAL EXPENDITURES</b>	<b>\$ 39,224,490</b>	<b>\$ 7,141,372</b>	<b>\$ 32,083,118</b>	<b>18%</b>
<b>610 - Fleet Fund</b>				
Charges for services	\$ 1,781,890	\$ 593,964	\$ 1,187,926	33%
Investment revenue	27,000	14,533	12,467	54%
<b>TOTAL REVENUES</b>	<b>\$ 1,808,890</b>	<b>\$ 608,497</b>	<b>\$ 1,200,393</b>	<b>34%</b>
Personnel services	\$ 1,059,030	\$ 305,779	\$ 753,251	29%
Materials and services	823,040	181,016	642,024	22%
Capital outlay	257,000	75,735	181,265	29%
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,139,070</b>	<b>\$ 562,530</b>	<b>\$ 1,576,540</b>	<b>26%</b>
<b>230 - Building Inspection Fund</b>				
Licenses and permits	\$ 939,000	\$ 620,308	\$ 318,692	66%
Investment revenue	140,000	31,786	108,214	23%
<b>TOTAL REVENUES</b>	<b>\$ 1,079,000</b>	<b>\$ 652,094</b>	<b>\$ 426,906</b>	<b>60%</b>
Personnel services	\$ 1,027,800	\$ 295,247	\$ 732,553	29%
Materials and services	201,036	94,517	106,519	47%
Transfers out	368,400	122,800	245,600	33%
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,597,236</b>	<b>\$ 512,563</b>	<b>\$ 1,084,673</b>	<b>32%</b>
<b>231 - Community Development Fund</b>				
Licenses and permits	\$ 668,567	\$ 241,499	\$ 427,068	36%
Charges for services	443,006	89,090	353,916	20%
Intergovernmental	265,000	-	265,000	0%
Investment revenue	70,000	30,252	39,748	43%
Transfers in	3,805,649	1,193,854	2,611,795	31%
<b>TOTAL REVENUES</b>	<b>\$ 5,252,222</b>	<b>\$ 1,554,695</b>	<b>\$ 3,697,527</b>	<b>30%</b>
Personnel services	\$ 3,976,150	\$ 1,152,179	\$ 2,823,971	29%
Materials and services	755,100	160,716	594,384	21%
Transfers out	860,186	212,000	648,186	25%
<b>TOTAL EXPENDITURES</b>	<b>\$ 5,591,436</b>	<b>\$ 1,524,894</b>	<b>\$ 4,066,542</b>	<b>27%</b>
<b>240 - Road Operating Fund</b>				
Intergovernmental	\$ 2,249,000	\$ 534,476	\$ 1,714,524	24%
Investment revenue	91,500	984	90,516	1%
Other revenues	-	938	(938)	-
<b>TOTAL REVENUES</b>	<b>\$ 2,340,500</b>	<b>\$ 536,398</b>	<b>\$ 1,804,102</b>	<b>23%</b>
Personnel services	\$ 590,870	\$ 151,756	\$ 439,114	26%
Materials and services	641,312	242,775	398,537	38%
Capital outlay	342,000	22,137	319,863	6%
Debt service	360,000	44,596	315,404	12%
Transfers out	1,578,693	133,506	1,445,187	8%
<b>TOTAL EXPENDITURES</b>	<b>\$ 3,512,875</b>	<b>\$ 594,771</b>	<b>\$ 2,918,104</b>	<b>17%</b>

**City of Wilsonville - Fund Summaries**  
**Reporting Month: Oct FY 2025**



	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
<b>241 - Road Maintenance Fund</b>				
Charges for services	\$ 2,585,000	\$ 683,030	\$ 1,901,970	26%
Investment revenue	89,000	46,516	42,484	52%
<b>TOTAL REVENUES</b>	<b>\$ 2,674,000</b>	<b>\$ 729,545</b>	<b>\$ 1,944,455</b>	<b>27%</b>
Transfers out	\$ 2,842,830	\$ 190,208	\$ 2,652,622	7%
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,842,830</b>	<b>\$ 190,208</b>	<b>\$ 2,652,622</b>	<b>7%</b>
<b>260 - Transit Fund</b>				
Taxes	\$ 6,200,000	\$ 2,006,850	\$ 4,193,150	32%
Intergovernmental	3,683,000	1,054,001	2,628,999	29%
Charges for services	20,000	6,850	13,150	34%
Investment revenue	640,000	204,992	435,008	32%
Other revenues	21,000	11,136	9,864	53%
<b>TOTAL REVENUES</b>	<b>\$ 10,564,000</b>	<b>\$ 3,283,829</b>	<b>\$ 7,280,171</b>	<b>31%</b>
Personnel services	\$ 5,611,270	\$ 1,319,987	\$ 4,291,283	24%
Materials and services	2,909,951	833,966	2,075,985	29%
Capital outlay	2,030,000	-	2,030,000	0%
Transfers out	5,044,080	321,444	4,722,636	6%
<b>TOTAL EXPENDITURES</b>	<b>\$ 15,595,301</b>	<b>\$ 2,475,398</b>	<b>\$ 13,119,903</b>	<b>16%</b>
<b>510 - Water Operating Fund</b>				
Charges for services	\$ 10,263,900	\$ 4,669,067	\$ 5,594,833	45%
Investment revenue	800,000	229,450	570,550	29%
Other revenues	40,000	4,810	35,190	12%
<b>TOTAL REVENUES</b>	<b>\$ 11,103,900</b>	<b>\$ 4,903,328</b>	<b>\$ 6,200,572</b>	<b>44%</b>
Personnel services	\$ 716,720	\$ 134,392	\$ 582,328	19%
Materials and services	5,935,766	1,203,341	4,732,425	20%
Capital outlay	1,518,500	94,830	1,423,670	6%
Debt service	375,000	46,387	328,613	12%
Transfers out	10,711,214	1,015,454	9,695,760	9%
<b>TOTAL EXPENDITURES</b>	<b>\$ 19,257,200</b>	<b>\$ 2,494,404</b>	<b>\$ 16,762,796</b>	<b>13%</b>
<b>520 - Sewer Operating Fund</b>				
Charges for services	\$ 7,787,000	\$ 1,999,313	\$ 5,787,687	26%
Investment revenue	420,000	127,437	292,563	30%
Other revenues	31,500	11,137	20,363	35%
<b>TOTAL REVENUES</b>	<b>\$ 8,238,500</b>	<b>\$ 2,137,886</b>	<b>\$ 6,100,614</b>	<b>26%</b>
Personnel services	\$ 481,890	\$ 90,031	\$ 391,859	19%
Materials and services	4,219,192	914,853	3,304,339	22%
Capital outlay	230,000	-	230,000	0%
Debt service	2,880,000	31,575	2,848,425	1%
Transfers out	4,008,281	646,595	3,361,686	16%
<b>TOTAL EXPENDITURES</b>	<b>\$ 11,819,363</b>	<b>\$ 1,683,055</b>	<b>\$ 10,136,308</b>	<b>14%</b>
<b>550 - Street Lighting Fund</b>				
Charges for services	\$ 544,500	\$ 140,586	\$ 403,914	26%
Investment revenue	30,000	14,518	15,482	48%
<b>TOTAL REVENUES</b>	<b>\$ 574,500</b>	<b>\$ 158,104</b>	<b>\$ 416,396</b>	<b>28%</b>
Materials and services	\$ 331,310	\$ 64,003	\$ 267,307	19%
Transfers out	1,220,939	35,358	1,185,581	3%
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,552,249</b>	<b>\$ 99,361</b>	<b>\$ 1,452,888</b>	<b>6%</b>
<b>570 - Stormwater Operating Fund</b>				
Charges for services	\$ 3,527,500	\$ 898,349	\$ 2,629,151	25%
Investment revenue	230,000	65,939	164,061	29%
<b>TOTAL REVENUES</b>	<b>\$ 3,757,500</b>	<b>\$ 964,288</b>	<b>\$ 2,793,212</b>	<b>26%</b>
Personnel services	\$ 459,780	\$ 103,786	\$ 355,994	23%
Materials and services	852,592	136,071	716,521	16%
Debt service	842,000	40,202	801,798	5%
Transfers out	2,630,119	321,913	2,308,206	12%
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,812,491</b>	<b>\$ 616,729</b>	<b>\$ 4,195,762</b>	<b>13%</b>

	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
<b>336 - Frog Pond Development</b>				
Licenses and permits	\$ 2,000,000	\$ 211,578	\$ 1,788,422	11%
Investment revenue	93,500	43,775	49,725	47%
<b>TOTAL REVENUES</b>	<b>\$ 2,093,500</b>	<b>\$ 255,353</b>	<b>\$ 1,838,147</b>	<b>12%</b>
Materials and services	\$ 32,560	\$ -	\$ 32,560	0%
Transfers out	4,449,726	412,005	4,037,721	9%
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,482,286</b>	<b>\$ 412,005</b>	<b>\$ 4,070,281</b>	<b>9%</b>
<b>348 - Washington County TDT</b>				
Washington County TDT	\$ -	\$ 311,156	\$ (311,156)	-
Investment revenue	34,000	23,398	10,602	69%
<b>TOTAL REVENUES</b>	<b>\$ 34,000</b>	<b>\$ 334,554</b>	<b>\$ (300,554)</b>	<b>984%</b>
<b>346 - Roads SDC</b>				
System Development Charges	\$ 900,000	\$ 4,073,403	\$ (3,173,403)	453%
Investment revenue	242,500	123,312	119,188	51%
<b>TOTAL REVENUES</b>	<b>\$ 1,142,500</b>	<b>\$ 4,196,715</b>	<b>\$ (3,054,215)</b>	<b>367%</b>
Materials and services	\$ 38,820	\$ -	\$ 38,820	0%
Transfers out	10,893,557	920,920	9,972,637	8%
<b>TOTAL EXPENDITURES</b>	<b>\$ 10,932,377</b>	<b>\$ 920,920</b>	<b>\$ 10,011,457</b>	<b>8%</b>
<b>396 - Parks SDC</b>				
System Development Charges	\$ 825,000	\$ 111,586	\$ 713,414	14%
Investment revenue	43,500	25,303	18,197	58%
<b>TOTAL REVENUES</b>	<b>\$ 868,500</b>	<b>\$ 136,889</b>	<b>\$ 731,611</b>	<b>16%</b>
Materials and services	\$ 15,810	\$ -	\$ 15,810	0%
Transfers out	1,334,844	5,615	1,329,229	0%
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,350,654</b>	<b>\$ 5,615</b>	<b>\$ 1,345,039</b>	<b>0%</b>
<b>516 - Water SDC</b>				
System Development Charges	\$ 1,000,000	\$ 452,668	\$ 547,332	45%
Investment revenue	238,000	87,207	150,793	37%
<b>TOTAL REVENUES</b>	<b>\$ 1,238,000</b>	<b>\$ 539,875</b>	<b>\$ 698,125</b>	<b>44%</b>
Materials and services	\$ 24,280	\$ -	\$ 24,280	0%
Debt service	457,000	80,100	376,900	18%
Transfers out	9,255,582	645,660	8,609,922	7%
<b>TOTAL EXPENDITURES</b>	<b>\$ 9,736,862</b>	<b>\$ 725,760</b>	<b>\$ 9,011,102</b>	<b>7%</b>
<b>526 - Sewer SDC</b>				
System Development Charges	\$ 550,000	\$ 227,743	\$ 322,257	41%
Investment revenue	31,500	14,836	16,664	47%
<b>TOTAL REVENUES</b>	<b>\$ 581,500</b>	<b>\$ 242,579</b>	<b>\$ 338,921</b>	<b>42%</b>
Materials and services	\$ 20,640	\$ -	\$ 20,640	0%
Transfers out	1,909,921	11,795	1,898,126	1%
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,930,561</b>	<b>\$ 11,795</b>	<b>\$ 1,918,766</b>	<b>1%</b>
<b>576 - Stormwater SDC</b>				
System Development Charges	\$ 200,000	\$ 389,824	\$ (189,824)	195%
Investment revenue	77,500	38,145	39,355	49%
<b>TOTAL REVENUES</b>	<b>\$ 277,500</b>	<b>\$ 427,970</b>	<b>\$ (150,470)</b>	<b>154%</b>
Materials and services	\$ 5,380	\$ -	\$ 5,380	0%
Transfers out	922,104	33,696	888,408	4%
<b>TOTAL EXPENDITURES</b>	<b>\$ 927,484</b>	<b>\$ 33,696</b>	<b>\$ 893,788</b>	<b>4%</b>

	<b>Current Year Budget</b>	<b>Year to Date Activity</b>	<b>Remaining Balance</b>	<b>% Used</b>
<b>805 - Year 2000 Capital Projects</b>				
Investment revenue	\$ -	\$ 24,762	\$ (24,762)	-
<b>TOTAL REVENUES</b>	<b>\$ -</b>	<b>\$ 24,762</b>	<b>\$ (24,762)</b>	<b>-</b>
Capital outlay	\$ 1,454,120	\$ 2,248	\$ 1,451,872	0%
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,454,120</b>	<b>\$ 2,248</b>	<b>\$ 1,451,872</b>	<b>0%</b>
<b>810 - Westside Program Income</b>				
Investment revenue	\$ 5,000	\$ 1,471	\$ 3,529	29%
<b>TOTAL REVENUES</b>	<b>\$ 5,000</b>	<b>\$ 1,471</b>	<b>\$ 3,529</b>	<b>29%</b>
<b>815 - Westside Capital Projects</b>				
Investment revenue	\$ 128,500	\$ 65,548	\$ 62,952	51%
<b>TOTAL REVENUES</b>	<b>\$ 128,500</b>	<b>\$ 65,548</b>	<b>\$ 62,952</b>	<b>51%</b>
Materials and services	\$ 223,808	\$ 47,799	\$ 176,009	21%
Capital outlay	2,227,681	-	2,227,681	0%
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,451,489</b>	<b>\$ 47,799</b>	<b>\$ 2,403,690</b>	<b>2%</b>
<b>825 - Coffee Creek Capital Projects</b>				
Investment revenue	\$ 2,500	\$ 4,901	\$ (2,401)	196%
Transfers in	500,000	-	500,000	0%
<b>TOTAL REVENUES</b>	<b>\$ 502,500</b>	<b>\$ 4,901</b>	<b>\$ 497,599</b>	<b>1%</b>
Materials and services	\$ 136,004	\$ 44,668	\$ 91,336	33%
<b>TOTAL EXPENDITURES</b>	<b>\$ 136,004</b>	<b>\$ 44,668</b>	<b>\$ 91,336</b>	<b>33%</b>
<b>827 - Coffee Creek Debt Service</b>				
Taxes	\$ 748,000	\$ 1,985	\$ 746,015	0%
Investment revenue	6,000	2,519	3,481	42%
<b>TOTAL REVENUES</b>	<b>\$ 754,000</b>	<b>\$ 4,505</b>	<b>\$ 749,495</b>	<b>1%</b>
Debt service	\$ 782,000	\$ -	\$ 782,000	0%
<b>TOTAL EXPENDITURES</b>	<b>\$ 782,000</b>	<b>\$ -</b>	<b>\$ 782,000</b>	<b>0%</b>
<b>830 - Wilsonville Investment Now Program</b>				
Taxes	\$ 1,056,000	\$ 5,010	\$ 1,050,990	0%
<b>TOTAL REVENUES</b>	<b>\$ 1,056,000</b>	<b>\$ 5,123</b>	<b>\$ 1,050,877</b>	<b>0%</b>
Materials and services	\$ 1,056,000	\$ 35,200	\$ 1,020,800	3%
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,056,000</b>	<b>\$ 35,200</b>	<b>\$ 1,020,800</b>	<b>3%</b>



*Library staff at the annual All Staff In-Service Day on Monday, Oct. 14.*

## From the Director

October is the first complete month of fall and with it come the perfect conditions to settle in with a good book – the air is cooler, the leaves are falling, and the days are growing shorter. We invite you to stop in and find a good book (we can help!) and to look out the big windows at the back of the library. The windows showcase the large October Glory maple, the leaves of which turn a bright brilliant orange/red at the end of October and beginning of November.

October brings the library's annual all-staff in-service day. This is a day that the library is closed to the public and staff spend the day learning, training, and team-building. This year, we had several staff earn CPR certification and others attended records management training. As a library team, we also had time to share about books and complete a readers' advisory-based scavenger hunt.

*-Shasta Sasser, Library Director*

## Children's Services

### Pumpkin Patch Polka Parade

A staff favorite in October, The Pumpkin Patch Polka Parade, took place after both family storytimes the week before Halloween. Costumed storytime kids, guardians, and staff marched and danced through the library to the catchy tune with much fanfare.

### Pink Pig Puppet Theater

On Saturday, Oct. 12, Steven Engelfried presented "Trickster Tales" with Pink Pig and his assistant, Rooster. Families enjoyed the imaginative puppet show.

### Kindergarten Carnival

Wilsonville Kindergarteners and their families came to learn about the library on Wednesday, Oct. 9. Kindergartners earned an Elephant & Piggie book by doing fun activities at the library.

### UPCOMING:

- Storyteller Will Hornyak on Saturday, Nov. 9, at 1pm.



*The annual Pumpkin Patch Polka Parade is a favorite for kids, adults, and staff alike.*

## Teen Services

### Teen Afterschool Drop-in Activities

With the school year back in session, our weekly Teen Afterschool Drop-in Activities resumed. On Wednesday afternoons from 3-6pm, teens are invited to drop-in to the library's Teen Area for video games, movies, crafts, and snacks.

### Teen Murder Mystery Event

We held our 22nd annual Teen Murder Mystery Event on Thursday, Oct. 10, from 9-11pm. Over forty teens attended this escape room-style event set at a 1980's ski lodge.

### UPCOMING:

Teen Advisory Board meetings at 4:30pm on Mondays, Nov. 4 and 25.



*The 22nd annual Teen Murder Mystery Event was held Thursday, Oct. 10, from 9-11pm.*

## Adult Services

### Adult Murder Mystery Event

Our 3rd annual Adult Murder Mystery Event on Friday, Oct. 25, featured a 1980's theme set at a failing ski lodge. Participants explored the "ski lodge" set up throughout the library as they solved puzzles to acquire clues necessary to solve the mystery.

### "The Year of Magical Thinking" theater production

Northwest Classical Theater Collaborative presented the play, an adaptation of Joan Didion's award winning memoir, on Wednesday, Oct. 30.

### Genealogy Club

Librarian Malia Laughton shared the history of voting in the U.S. and how to use voting records for genealogical research at the Oct. 21 meeting.

### UPCOMING:

- Space Talk "The Europa Clipper" on Saturday, Nov. 2, at 11am.
- Book Notes concert with John Nilsen on Saturday, Nov. 9, at 2pm.
- Book Walk discusses *Before We Were Yours* by Lisa Wingate on Thursday, Nov. 21, at 1pm.



*Participants at the Adult Murder Mystery Event had a great time finding clues from around the library to unlock puzzle boxes.*



*Part of library outreach efforts include events like the Kindergarten Carnival, where children learn about the library.*

## Around the Library

### Library staff outside the library

October is a busy month for library staff, especially in Youth Services.

Staff visited the local middle schools to share information about upcoming library teen events.

Staff also performed storytimes at Boeckman Creek Primary School and Building Blocks Early Learning Center.

At the Coffee Creek Correctional Facility, library staff shared early literacy tips with the incarcerated mothers to use with their children.

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

# OCT OBER

		1 <b>ODHS Drop-in</b> 10am-12pm 1-3pm <b>Intermediate ESL</b> 10am <b>Toddler &amp; Baby Time</b> 10:30am & 11:15am	2 <b>Family Storytime</b> 10:30am <b>Profiles</b> Zoom 11am <b>Red Cross Blood Drive</b> 11am-4pm <b>Teen After School Drop-in</b> 3-6pm	3 <b>Family Storytime</b> 10:30am	4 <b>Play Group</b> 10:30am-Noon <b>First Friday Films</b> Ghostbusters (PG-13) 3pm <b>WIC Pop-Up Clinic</b> 10am-12pm 1-4pm	5 <b>Space Talks</b> Planetary Defense with DART 11am-12:30pm
6	7 <b>Beginning English Class</b> 11am	8 <b>ODHS Drop-in</b> 10am-12pm 1-3pm <b>Intermediate ESL</b> 10am <b>Toddler &amp; Baby Time</b> 10:30am & 11:15am	9 <b>Family Storytime</b> 10:30am <b>STEAM Stuff</b> 2:30pm <b>Teen After School Drop-in</b> 3-6pm <b>Kindergarten Carnival</b> 4-7pm	10 <b>Family Storytime</b> 10:30am <b>Teen Murder Mystery and Costume Contest</b> 9-11pm	11 <b>Play Group</b> 10:30am-Noon <b>WIC Pop-Up Clinic</b> 10am-12pm 1-4pm	12 <b>Booknotes Concert</b> Aryeh Frankfurter and Lisa Lynne 2-3pm <b>Pink Pig Puppet Theater</b> 11am
13	14 <b>Library Closed</b> Indigenous Peoples' Day	15 <b>ODHS Drop-in</b> 10am-12pm 1-3pm <b>Intermediate ESL</b> 10am	16 <b>Teen After School Drop-in</b> 3-6pm	17 <b>Book Walk</b> Long Bright River 1pm	18 <b>WIC Pop-Up Clinic</b> 10am-12pm 1-4pm	19 <b>Spanish Storytime</b> 11am
20	21 <b>Beginning English Class</b> 11am <b>Genealogy Club</b> 1pm	22 <b>ODHS Drop-in</b> 10am-12pm 1-3pm <b>Intermediate ESL</b> 10am <b>Toddler &amp; Baby Time</b> 10:30am & 11:15am	23 <b>Family Storytime</b> 10:30am <b>Teen After School Drop-in</b> 3-6pm	24 <b>Family Storytime</b> 10:30am	25 <b>Play Group</b> 10:30am-Noon <b>CANCELED WIC Pop-Up Clinic</b> 10am-12pm 1-4pm <b>Adult Murder Mystery</b> 7-9pm	26
27	28 <b>Beginning English Class</b> 11am <b>Teen Advisory Board</b> 4:30pm	29 <b>ODHS Drop-in</b> 10am-12pm 1-3pm <b>Intermediate ESL</b> 10am <b>Toddler &amp; Baby Time</b> 10:30am & 11:15am	30 <b>Family Storytime</b> 10:30am <b>Teen After School Drop-in</b> 3-6pm <b>The Year of Magical Thinking</b> Theater 6pm	31 <b>Family Storytime</b> 10:30am		

**Address**

8200 SW Wilsonville Rd  
Wilsonville, OR 97070

**Hours**

Monday - Thursday 10-8  
Friday - Saturday 10-6  
Sunday 1-6

**More Information**

(503) 682-2744  
wilsonvillelibrary.org  
reference@wilsonvillelibrary.org



**WILSONVILLE  
PUBLIC LIBRARY**



## Parks and Recreation Report | October 2024

### Director's Report

On October 19, we were thrilled to host our annual Harvest Festival at the Stein-Boozier Barn at Murase Plaza in Memorial Park. The event gets bigger and better each year with the addition of new attractions such as artisan vendor booths, as well as the old standby activities such as horse and carriage rides. Once again the weather was perfect which added to the majesty of the day.

This month several Parks and Recreation Department team members were able to attend the Oregon Recreation and Park Association's (ORPA) annual conference in Sunriver, Oregon. This was an extra special occasion for our team as we were recipients of two awards at the conference.

One award was the **2024 Outstanding Maintenance and Asset Management Award** for ongoing work to revitalize the 124 year old Stein-Boozier Barn. The Park and Facility teams have worked diligently for nearly a decade to ensure the barn is not only safe, clean and historically-preserved, but is also serving the community as a high quality facility for weddings and other private and public events.

**The 2024 Private Sector Partner Award** recognizes partnerships that significantly contribute to Parks and Recreation in Oregon. This year's recipient is the Korean War Memorial Foundation of Oregon (KWMFO), in recognition of its close partnership with the City of Wilsonville since 2012 to support programming that honors Korean war veterans and educates young people about the Korean conflict.

This summer, the City and the Foundation celebrated the grand opening of the Korean War Memorial Interpretive Center at the Parks and Recreation Administration Building. This permanent exhibit, financed and donated by the KWMFO, features video interviews, maps of famous battles, artifacts, photos and more to keep the memory of Korean War service members alive.

It was an honor to be recognized by ORPA for these efforts, but the real reward is knowing the work we do has a positive and lasting impact on peoples lives.

~Kris Ammerman

## Recreation Updates

### Wilsonville Harvest Festival

The annual Wilsonville Harvest Festival took place on Saturday, October 19 in Murase Plaza at the Stein-Boozier Barn from 10am-1pm. The event was a huge success, and included over 30 local craft vendors, food trucks, a petting zoo, horse and carriage rides, face painting, free pumpkins and decorating kits, live music, a library Storytime and more! The weather was excellent, and the day was filled with lots of fall family fun. A big thank you to this year's repeat title sponsor, Nichols Family Agency!



## Community Center

In October, the Community Center continued its Life 101 lecture series with a learning session provided by Ride Connection and SMART educating older adults on how to safely and effectively utilize SMART and Tri-met transit systems. Additionally, Wilsonville Funeral Home presented a workshop on Veteran’s funeral benefits and attorney Michael Rose shared information about Medicaid planning, and preserving and protecting assets.



This past month also brought volunteers from AARP to the Community Center to present their classroom course, “AARP Smart Driver”. Participants learned proven methods to reduce traffic violations and keep themselves and loved ones safe on the road.

The Community Center’s nutrition team continued to provide high quality, nutritious meals to the older adults in our community. In October 785 meals (80 meals more than September) were served as part of the Center’s in-person lunch program and 1,563 meals (90 meals more than September) were sent out to clients who are part of the Center’s home delivered meals program.

## Board Highlights

### Arts, Culture, and Heritage Commission (ACHC)

The October meeting was a joint meeting with the ACHC and the Diversity, Equity and Inclusion (DEI) Committee. This was an opportunity for both groups to get together to discuss past accomplishments, upcoming projects, as well as talk about potential collaborations.

### Kitakata Sister City Advisory Board (KSCAB)

The Kitakata Sister City Advisory Board, Wilsonville City Staff, Mayor Fitzgerald, Council President Akervall, and Council Member Linville welcomed Consul General Yuzo Yoshioka, Consul Naoto Shigehisa, and Ms. Mariko Taniguchi from the Consular Office of Japan in Portland to Wilsonville on Wednesday, October 9. The group toured City Hall, Clackamas Community College (Wilsonville Campus), Murase Plaza, and the Wilsonville High School Auditorium. Of special note, the group also visited with a high school Japanese Language class where students took turns asking Consul General Yoshioka questions in Japanese.



### Parks and Recreation Advisory Board

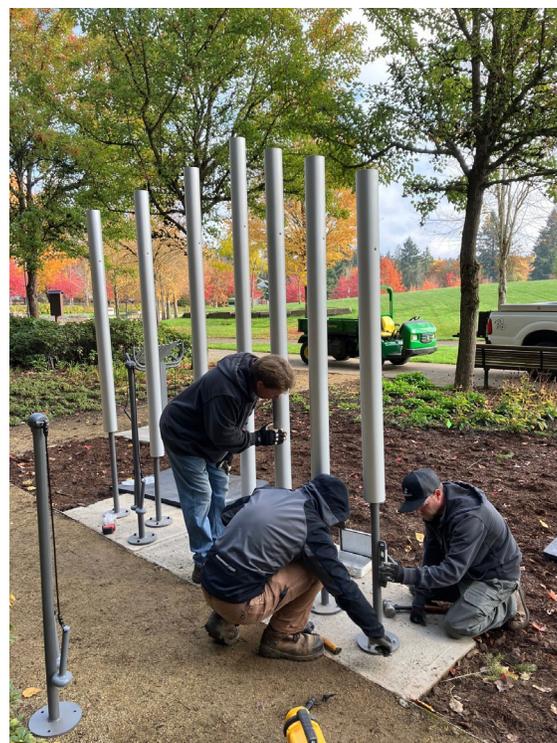
The Parks and Recreation Advisory Board awarded Opportunity Grant funds at their October meeting. Wilsonville Robotics was awarded \$2,000 to fund scholarships for their participants, The City’s Diversity, Equity and Inclusion Committee was awarded \$8,215 for the purchase of Mobi-Mat access mats to increase accessibility at City events, and the City’s Arts, Culture, Heritage Commission was awarded \$2,285 to help facilitate a speaker and performance series.

## Upcoming Events

- December 5, 5:30 pm | Community Tree Lighting, Town Center Park
- December 9, 8 am | Winter/Spring Registration Opens– [WilsonvilleParksandRec.com/Register](https://WilsonvilleParksandRec.com/Register)
- February 21, 7-9 pm | Wilsonville Family Formal, Wilsonville Community Center
- April 19, 10am | Wilsonville Community Egg Hunt, Wilsonville Memorial Park

## Parks Team Updates

In October the Parks Team spent time working to install grant funded chimes in the Murase Show garden. The team is grateful for the Community Enhancement Grant that made this great project possible for our community. They also worked to clean up invasive plant species to help keep our incredible urban forest healthy and vibrant. Members of the team also attended the annual Oregon Recreation and Parks Conference where they learned about new and innovative best practices from others in the field and around the state.





# City of Wilsonville Police

OCTOBER 2024



## Do you know me?

The collar on this little girl had "BOWIE" stitched into its fabric. She was recovered from a loading dock at the Target in Wilsonville on October 16 and then transported to Clackamas County Dog Services. Her owner has not been located.

**Clackamas County Dog Services**  
13141 SE Hwy 212, Clackamas OR



**Wilsonville Police** responded to a **traffic accident** involving a school bus and a Wilsonville High School student at an intersection on October 24. Fortunately, no one was seriously injured. The incident serves as a reminder to drivers: **always stay alert to what is happening around you.**

**Stafford Beverage** was **burglarized** early on **Sunday, October 20**. The suspects—two females and one male—gained entry by smashing a glass panel on the front door. Wilsonville Police are asking for help identifying the persons involved, who made off with thousands of dollars in high-end liquor. Any tips should be directed to the Clackamas County Sheriff's Office tip line at 503-723-4949 or called into non-emergency at 503-655-8211.



**Wilsonville Police** were on hand to help celebrate Wilsonville High School's Homecoming. This picture was taken during the parade.





# City of Wilsonville

## Call Activity

# 12,138

Total Calls

### YEAR 2024

High Priority • 1,088

Medium Priority • 7,692

Low Priority • 3,358

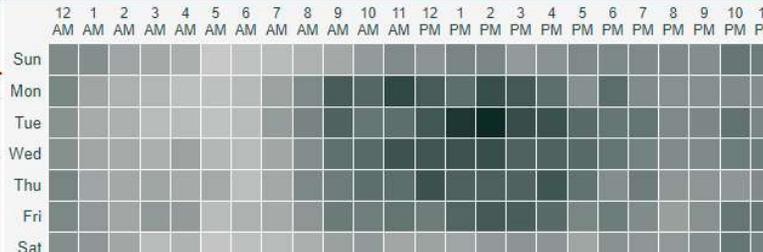
Public-Initiated • 5,097

Deputy-Initiated • 7,041

#### Call Activity by Month and Year



#### Call Activity by Day of Week and Hour of Day



This dashboard is maintained by CCSSO's Strategic Analysis Unit  
 Data source: Clackamas County Communication's Computer Aided Dispatch (CAD) software  
 Updated: 11/4/2024 4:23:46 PM (UTC)

### OCTOBER 2024

181

Assist

182

Crime

269

Disorder

419

Other

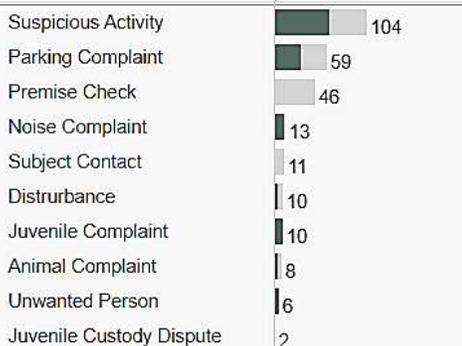
337

Traffic

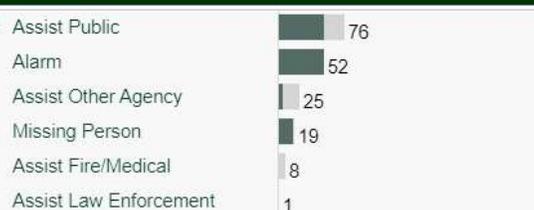
#### Crime



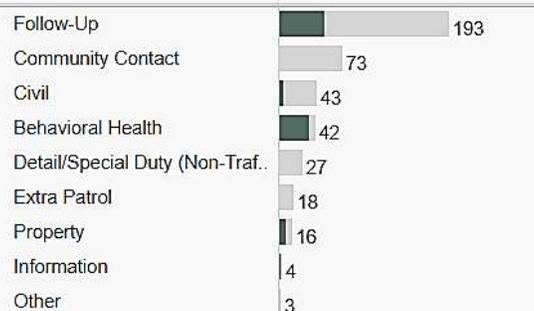
#### Disorder



#### Assist



#### Other



#### Traffic



From The Director's Office:

## Public Works Complex awarded Oregon APWA 2024 Project of the Year

At the Oregon Chapter American Public Works Association (APWA) conference held in Pendleton, OR, the City's Public Works Complex project was awarded the 2024 Project of the Year - Structures - \$5 million to under \$25 million.

Accepting the award on behalf of the consulting team of Scott Edwards Architecture was Sid Scott and Brandon Dole along with Martin Montalvo and Delora



Best Regards,

Delora Kerber, Public Works Director

## Public Works

### Refresher Course

On October 30, Public Works and Parks Maintenance staff attended the annual Winter Weather Readiness Training at the Public Works complex. Members of all teams had a chance to sharpen their skills safely maneuvering vehicles through an obstacle course, installing tire chains, and operating chain saws. This training keeps us at the ready to assist in any kind of winter weather, keeping the City moving safely.



## Roads

### Bring It On

While we don't know when, we do know that winter weather will be coming. In the event of snow, Public Works crews begin plowing and sanding roadways after two inches of snow has accumulated. The City prioritizes the clearing of primary roadways to ensure access to essential facilities, such as schools, fire stations, public transit facilities and the police station. Afterward, the City clears or sands roads that provide secondary connectivity and/or help mitigate problem areas.



## Roads

### Season of Change

Time stands still for no one, and the Roads team has been busy with Fall activities including changing out seasonal banners, and trimming right-of-way trees to code height.



## Roads

### Beauty And The Bridge

The Roads team spent a full week pressure washing and beautifying the I-5 underpass. An increased amount of graffiti has been a challenge, but the Roads team is committed to keeping Wilsonville beautiful and safe by cleaning up after these offenders as quickly as possible.



## Stormwater

### Use Caution

The Stormwater team worked to prepare the stormwater system for upcoming construction along Brown Road by inspecting structures and pipes using CCTV and clearing any found obstructions. This prep work allows construction to progress without unexpected surprises in the storm water system.



Another October project requiring detailed preparation was the repair of an improperly installed manhole. Confined space entries require extra caution and clear, ongoing communication to keep the team safe.



## Facilities

### A Shave And A Haircut

The Facilities grounds crew spent October trimming, pruning and adding fresh flora around the city. City Hall received a pop of seasonal color, while WES Transit Center got a nice trim to tidy up the sidewalks. Finally, shrubs at the Parks Maintenance Operations Building were trimmed back providing clear access to walkways.



## Facilities

### Please Dispose of Responsibly

Public Works crew members attended annual HAZMAT safety trainings. Crews learn how to identify chemicals using their Emergency Response Guide, how to contain spills, and create evacuation zones.



Facilities

Maintenance staff also assisted residents in disposing of bulky waste items by working at the Fall Bulky Waste day hosted by Republic Services.



## Facilities

### Good Clean Fun

In preparation for a water feature remodel at Murase Plaza, the Facilities Maintenance team worked below the scenes installing a new electrical vault as well as removing equipment components that will be replaced or upgraded. Equipment not being put back into service will be sold as surplus, ensuring the project stays within budget allowances.



## Utilities

### Right Down The Line

A pressure reducing valve (PRV) is used for lowering and regulating water pressure between the city water main and residential water service lines. Below, the Utilities crew used the vacuum truck to access a PRV that had failed. After vacuuming to reach the line, the valve was replaced and sufficient water pressure restored for the adjacent homeowners.



## Utilities

### Go With The Flow

There are over 89 miles of public sewer mains within the City of Wilsonville that the Public Works Department maintains. Utilities Maintenance Specialist, Luis del Rio prepares to jet out a sanitary sewer main as part of the City's routine maintenance program. Jetting clears the line of any accumulated debris, fats or grease deposits that could potentially impede flow within the main.





## OCTOBER 2024 REPORT

### Transit/Fleet

My parents taught me to always follow The Golden Rule. I learned that nothing good ever comes out of being mean and cruel. In case you are not familiar with this rule that dates back thousands of years, The Golden Rule says, “Do unto others as you would have them do unto you.” The Golden Rule assumes that each of us would choose to be treated with kindness and respect. Just to be clear, Oxford defines kindness as “the quality of being friendly, generous, and considerate. R-E-S-P-E-C-T is more than just a song originally written and performed by Otis Redding. Respect is “a feeling of deep admiration for someone elicited by their abilities, qualities or achievements.”

Let The Golden Rule ring from every city and from every state. From every mountainside, let the Golden Rule ring.

Dwight Brashear  
Transit Director

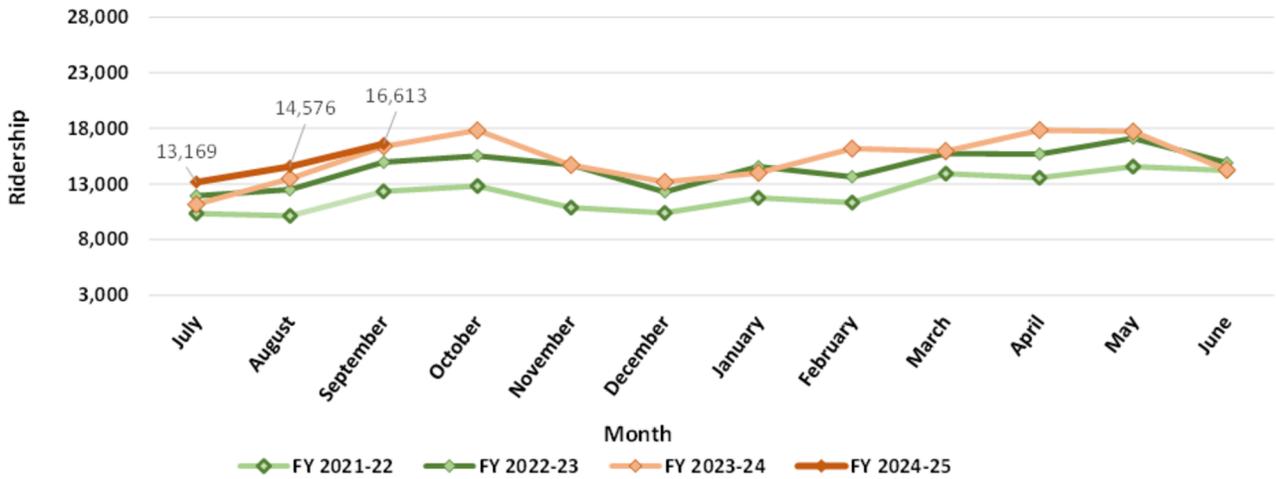




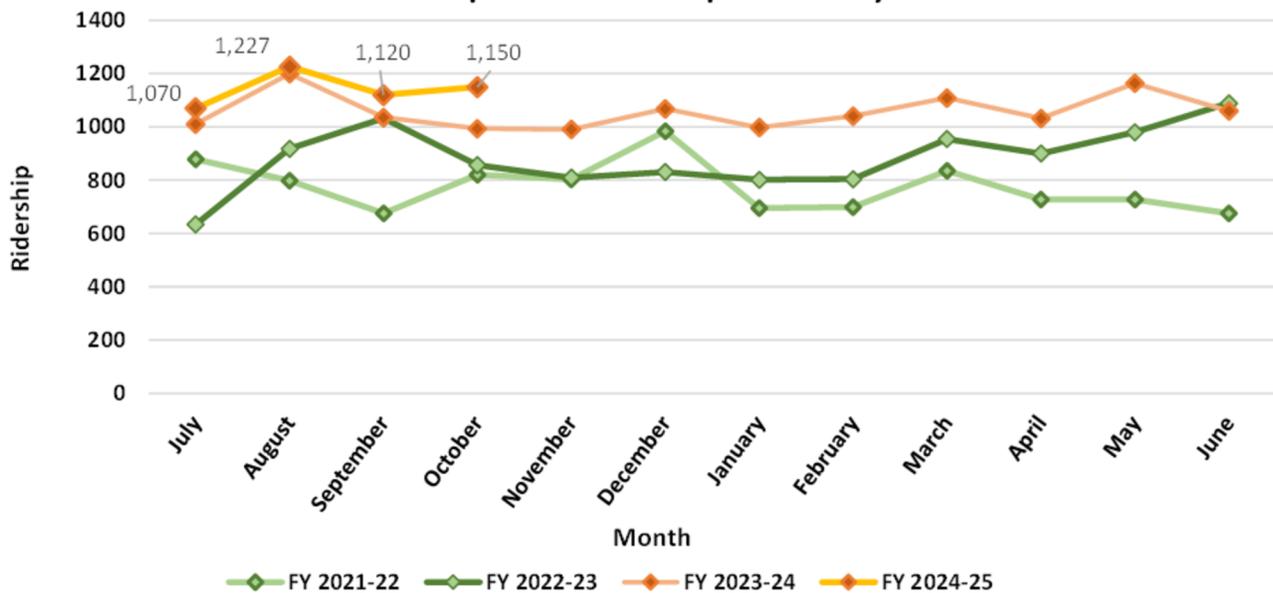
# RIDERSHIP TRENDS

Anne MacCracken

### Fixed Route Ridership Trends by Month



### Demand Response Ridership Trends by Month



# FLEET SERVICES

*Scott Simonton*

We just took delivery of two new Ford Maverick Hybrid pickups, to be assigned to inspectors in the Engineering Division. They are replacements of two 2008 pickups, which have surpassed their useful life. The existing vehicles will be decommissioned and sold at auction.

These new vehicles are paid for through the Fleet Replacement fund, which is funded on an ongoing basis by each of the divisions who require fleet vehicles in their work.



*New Hybrid Ford Maverick pickups*

## GRANTS & PROGRAMS

*Kelsey Lewis*

October in Transit is the time of year when we prepare grant reporting on all of our grants, including all State (Departments of Transportation (ODOT) and Environmental Quality (DEQ)) and Federal (Federal Transit Administration) transit grants. These reports vary, but all of them require some kind of narrative description of the work accomplished and financial accounting of the funds we have spent in the last quarter or year. This is a busy time for us.

SMART staff is also preparing our Statewide Transportation Improvement Fund (STIF) plan for the next biennium (Fiscal Year 2026 and 2027) for approval by the Oregon Transportation Commission in January of 2025. Revenue projections from ODOT have come in relatively flat and we are adjusting our projects accordingly.

# OPERATIONS

*Brad Dillingham*

Identifying and building a good transit service involves many factors. Additionally, different people and agencies have different ideas about what constitutes a "good" transport service. For some, the objective is productivity—having highly effective routes with increased ridership that concentrate on places with plenty of people and activities. For others, coverage—a focus on offering services across a community so that everyone has access to transportation—is the aim, giving less consideration to how efficient a service is.

Whichever philosophy you find yourself leaning towards, there is one thing that agrees with both schools of thought: frequency is a good thing. Whether or not your service goes through the heart of a community's central business district, or only through the suburbs, increasing how often the bus comes, benefits everybody.

Here at SMART, we have a mix of routes that could be considered good under both lenses. Earlier this month, we increased our frequency on the 2X service to Tualatin Park & Ride in a momentous way. A bus now departs Wilsonville for Tualatin at the top and bottom of every hour, all day long. This means that if you missed your bus, you would only need to wait a maximum of 30 minutes, regardless of what time of day you were at the bus stop. This is a big deal for us as this stop serves a good portion of our community and connects us with our neighbors to the North. Not many agencies can say that they can provide 30 minute service, much less all day long.



# COMMUTE OPTIONS

*Michelle Marston*

SMART launched a new Commute Challenge for the month of October. Wilsonville businesses were given the information to share with their workforce and it was advertised onboard all the SMART buses daily during the month as well as on our electronic bus stop displays.

This commute program provides incentive prize drawings for people who traveled by methods other than driving alone to work. To be eligible, folks logged at least four days of non-single occupancy vehicle commutes during the month. Individuals could earn a second entry into the prize drawing by logging 8 or more days with eligible commute trips!

The purpose of the commute challenge was to encourage commuters to enroll in the get there platform and make it fun.

**October Commute Challenge**

Log your transit, walk, bike, scooter, carpool, & vanpool trips to be entered into a raffle drawing!

October 1-31

Join the fun at [GETTHEREOREGON.ORG](http://GETTHEREOREGON.ORG)

WILSONVILLE OREGON

**SMART**  
SOUTH METRO AREA REGIONAL TRANSIT

get there

GIFT CARD  
SPOOKY SEASON

The graphic features a witch silhouette, a cat peeking over a banner, a QR code, a bus icon, a car icon, and a spider icon.

