

**AGENDA**

**WILSONVILLE CITY COUNCIL MEETING  
JUNE 1, 2015  
7:00 P.M.**

**CITY HALL  
29799 SW TOWN CENTER LOOP  
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Scott Starr  
Councilor Susie Stevens

Councilor Julie Fitzgerald  
Councilor Charlotte Lehan

**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.

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**Executive Session is held in the Willamette River Room, City Hall, 2<sup>nd</sup> Floor**

- |                  |   |                |
|------------------|---|----------------|
| <b>5:00 P.M.</b> | <b>EXECUTIVE SESSION</b>  | [20 min.]      |
| A.               | Pursuant to ORS 192.660(2)(f) Exempt Public Records<br>ORS 192.660(2)(h) Litigation                               |                |
| <b>5:15 P.M.</b> | <b>REVIEW OF AGENDA</b>   | [5 min.]       |
| <b>5:20 P.M.</b> | <b>COUNCILORS' CONCERNS</b>   | [5 min.]       |
| <b>5:25 P.M.</b> | <b>PRE-COUNCIL WORK SESSION</b>   |                |
| A.               | Proposal for Implementation of the Metro Solid-Waste<br>Community Enhancement Program in Wilsonville<br>(Ottenad) | <b>Page 1</b>  |
| B.               | Wilsonville Community Sharing (Cole)  | <b>Page 33</b> |
| <b>6:50 P.M.</b> | <b>ADJOURN</b>  |                |
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**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, Monday, June 1, 2015 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on May 22, 2015. 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 therewith except where a time limit for filing has been fixed.

- 7:00 P.M. CALL TO ORDER**  
A. Roll Call

- B. Pledge of Allegiance
- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

**7:05 P.M. MAYOR'S BUSINESS**

- A. Upcoming Meetings **Page 41**

**7:25 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

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

**7:30 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

- A. Council President Starr – (Park & Recreation Advisory Board Liaison)
- B. Councilor Fitzgerald – (Development Review Panels A & B Liaison)
- C. Councilor Stevens – (Library Board and Wilsonville Seniors Liaison)
- D. Councilor Lehan– (Planning Commission and CCI Liaison)

**7:45 P.M. CONSENT AGENDA**

- A. Minutes of the May 18, 2015 Council Meetings. (staff – King) **Page 42**

**7:50 P.M. PUBLIC HEARING**

- A. **Resolution No. 2533** **Page 48**  
A Resolution Declaring The City's Eligibility To Receive State Shared Revenues. (staff – Cole/Rodocker)
- B. **Resolution No. 2534** **Page 53**  
A Resolution Declaring The City's Election To Receive State Revenues. (staff – Cole/Rodocker)
- C. **Resolution No. 2535** **Page 54**  
A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2015-16. (staff – Cole/Rodocker)
- D. **Resolution No. 2536** **Page 65**  
A Resolution Of The City Of Wilsonville Adopting The Proposed Master Plan For Memorial Park Improvements. (staff – Sherer) *The Memorial Park Master Plan Update is separately bound.*
- E. **Resolution No. 2537** **Page 297**  
A Resolution Of The City Of Wilsonville Adopting The Wilsonville Americans With Disabilities Act (ADA) Title II Transition Plan For Public Right-Of-Way & City Parks



Facilities; And Repealing Resolution No. 897 Establishing A Disability Review Board, Defining The Authority And Duties Of The Board, Establishing Organization Of The Board, And Coordinator To Implement Disability Laws, Establishing A Procedure For Complaints To Be Addressed And Other Matters Pertaining Thereto. (staff – Weigel) *The ADA Transition Plan is separately bound.*

F. **Ordinance No. 769** – 1<sup>st</sup> reading

**Page 462**

An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 3, City Property And Chapter 8, Environment To Add Updated Erosion Control Requirements. (staff – Rappold)

**8:50 P.M. CITY MANAGER’S BUSINESS**

**8:55 P.M. LEGAL BUSINESS**

**9:00 P.M. ADJOURN**

## **AN URBAN RENEWAL AGENCY MEETING WILL IMMEDIATELY FOLLOW**

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:-Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us)



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> June 1, 2015	<b>Subject:</b> Proposal for Implementation of the Wilsonville-Metro Solid-Waste Community Enhancement Program in Wilsonville <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 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 Information or Direction <input type="checkbox"/> Information Only <input checked="" 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> The Metro Community Enhancement program offers flexible funding for projects that benefit the community.
<b>Staff Recommendations:</b> City Council provides feedback and suggestions for advancing proposal.	
<b>Recommended Language for Motion:</b> NA	
<b>PROJECT / ISSUE RELATES TO:</b>	
<input checked="" type="checkbox"/> Council Goals/Priorities <input type="checkbox"/> Adopted Master Plan(s) <input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL**

Does the Council support a proposal for implementation of the Metro Solid-Waste Community Enhancement Program in Wilsonville that creates a new committee composed of residents, City Councilors and the district Metro Councilor to review and approve project suggestions?

**EXECUTIVE SUMMARY**

Metro has undertaken a number of changes in 2014 to the region-wide Solid-Waste Community Enhancement Program that now makes Wilsonville eligible as to participate in the program beginning on July 1, 2015. Due to the unique situation of having seated on the committee an elected Metro Councilor, staff recommends creation of a new Council-level standing committee to be known as the “Wilsonville-Metro Community Enhancement Committee.” Administration

staff of the Office of the City Manager would provide support to the committee and coordination with Metro and City departments.

Participation by the City in the Wilsonville-Metro Solid-Waste Community Enhancement Program is accomplished through an intergovernmental agreement (IGA) with Metro that requires the formation of a committee to vet and select projects, a public-input process and participation by the community's district Metro Councilor, among other requirements. Other area communities that are completing IGAs with Metro for solid-waste community enhancement programs include Forest Grove, Oregon City, Sherwood and Troutdale.

## **BACKGROUND**

Metro operates a "Solid Waste Community-Enhancement Program" that collects funds from solid-waste transfer facilities to be used to enhance and improve communities that host these facilities in accord with ORS 459.284. Funds collected under the community enhancement program are dedicated and used for enhancement host community of the facility from which the fees have been collected as determined by the committee or local government. These funds may be used for extensive community purposes that "rehabilitate and enhance the area within the City limits related to the transfer station."

Metro's program is applicable to eligible facilities located in Clackamas, Washington and Multnomah Counties within Metro's jurisdictional boundary. Community enhancement fees are collected on municipal garbage and food waste but generally are not collected on source-separated yard debris or construction/ demolition waste.

Over the years, Metro has collected community enhancement fees at certain individual solid-waste facilities; *i.e.*, Metro Central Station in Portland, Metro South Station in Oregon City, Forest Grove Transfer Station, the now-closed St. Johns Landfill in Portland, and at the long-defunct Riedel Mass Composter in Portland. Metro's current program collects \$0.50 per ton on solid waste delivered to the transfer stations. The funds are used to provide grants for local community improvement projects and programs responsive to funding guidelines and goals.

The program and funds have been administered to date in one of two ways: (1) by Metro through a Metro administered committee (*e.g.*, Metro Central Station Enhancement Committee, North Portland Enhancement Committee), or (2) directly by a local government through an intergovernmental agreement (IGA) between Metro and the host local government (*e.g.*, Oregon City, Forest Grove).

### **Metro Makes Changes to the Program**

Metro contacted the City in 2014 to discuss proposed changes to the Solid Waste Community-Enhancement Program, and presented to the Council during work session in February 2014. As the host community of Republic Services' Willamette Resources Inc. (WRI) waste-transfer and recycling reclamation facility, Wilsonville would be eligible to participate in the program. At that time, the Council agreed with a staff recommendation to "direct local-government administration through an IGA with Metro" for implementation of the program Wilsonville.

In October 2014, the Metro Council held a public hearing on the proposed changes that Mayor Knapp and Oregon City testified in support of. The Metro Council, which noted that both 'old' and 'new' program participants supported the program modifications, approved changes to the Solid Waste Community-Enhancement Program that take effect on July 1, 2015. The changes include extending the program uniformly to all communities that host solid-waste transfer facilities and increasing the 'tip fee' to \$1.00 per ton, unchanged since 1991, that solid-waste haulers pay to use the transfer stations.

### **COMMUNITY INVOLVEMENT PROCESS AND NEXT STEPS**

Participation in the program requires a public-engagement process to advertise and solicit suggestions for community-enhancement projects, which are approved through an open public process. The City would anticipate using standard communications channels—including web posts, media releases, social-media, The Boones Ferry Messenger and newspaper—to advertise committee recruitment and opportunity for project nomination to the public.

### **NEXT YEAR BUDGET IMPACTS**

Recent estimates for the WRI transfer station in Wilsonville show that 70,000 tons of eligible putrescible solid waste and another 5,000 tons of food waste are processed over a 12-month period. (Note: WRI also accepts about 48,000 tons of dry waste (construction and demolition debris) but because this waste is processed for "recovery," it is exempt from enhancement fees under state law.) At a rate of \$1.00 per ton, the City could anticipate an annual distribution of approximately \$70,000 per year of Metro Solid Waste Community-Enhancement Program funds.

Metro is currently reviewing the regional solid-waste program, and may authorize an expansion of the WRI facility to 100,000 tons or more of eligible solid waste, which could generate additional program funds.

### **FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole Date: 5/21/2015

No impact on current budget. The 2015-16 Approved Budget includes \$70,000 of both revenue and expenditure for this grant program, including administrative expenses.

### **LEGAL REVIEW / COMMENTS**

Reviewed by: MEK Date: 5/20/2015

The City Council has the authority to authorize the City's participation with Metro in an intergovernmental agreement pertaining to the Solid Waste Community-Enhancement Program and to authorize a standing committee to implement requirements of the agreed upon IGA.

### **ATTACHMENTS**

- A.** Proposal for Implementation of the Wilsonville-Metro Solid-Waste Community Enhancement Program in Wilsonville, May 1, 2015

- B.** Letter from Metro to City, re “Draft Intergovernmental Agreement for the Wilsonville-Metro Solid Waste Community Enhancement Program,” January 22, 2015

# Proposal for Implementation of the Wilsonville-Metro Solid-Waste Community Enhancement Program in Wilsonville

By Mark Ottenad, Public/Government Affairs Director

May 1, 2015

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## 1. Background Information on the Metro Program

Metro operates a “Solid Waste Community-Enhancement Program” that collects funds from solid-waste transfer facilities to be used to enhance and improve communities that host these facilities in accord with ORS 459.284. Funds collected under the community enhancement program are dedicated and used for enhancement of the area in and around the facility [*i.e.*, in the host community] from which the fees have been collected as determined by the committee or local government; the funds may be used for extensive community purposes that “rehabilitate and enhance the area within the City limits related to the transfer station.”

Metro’s program is applicable to eligible facilities located in Clackamas, Washington and Multnomah Counties within Metro’s jurisdictional boundary. Community enhancement fees are collected on municipal putrescible garbage and food waste but generally are not collected on source-separated yard debris or construction/demolition waste.

In October 2013, Metro indicated that the Solid Waste Community-Enhancement Program was to be updated and several changes considered. Modifications to the program include extending the program uniformly and equitably to all solid-waste transfer stations, provide for more flexibility to host communities for the program, increase the per-ton fee that was last changed in 1991, and to make a number of other changes.

Previously, the fee had been collected only at some transfer stations; Metro Council recognizes that each community which hosts a solid-waste transfer station is impacted by traffic and other effects generated by hosting a regional waste facility. Wilsonville hosts Republic Services’ Willamette Resources Inc. (WFI) waste-transfer and recycling reclamation facility that is now to be covered by the Metro program.

In February 2014, the City Council considered issues around the Metro Solid Waste Community-Enhancement Program and agreed with a staff recommendation to “direct local-government administration through an IGA with Metro” for implementation in Wilsonville. In October 2014,

Mayor Knapp testified before the Metro Council in support of the proposed updates to the program, along with Oregon City, which hosts the Metro South solid-waste transfer station.

Starting July 1, 2015, Metro is collecting a uniform community enhancement fee of \$1 per ton at each Metro-designated solid-waste transfer station in the greater Portland metro, including in Wilsonville. The Metro Solid Waste Community-Enhancement Program is projected to generate approximately \$70,000 per year for Wilsonville, with payments being made on a quarterly basis. Should a proposed expansion of Republic Services' WRI facility be approved by Metro as part of a larger two-year regional review of solid-waste needs, the total collection could increase to about \$100,000 per year.

## **2. About the Program: Use of Funds and Requirements**

As noted previously, the projected \$70,000 per year in funds collected from the Metro Solid Waste Community-Enhancement Program are dedicated and used for enhancement of the community hosting a regional solid-waste transfer facility.

The funds may be used for extensive community purposes that “rehabilitate and enhance the area within the City limits related to the transfer station.”

### **Examples of appropriate projects to meet needs of the host community can include:**

- “Result in improvement to appearance or environmental quality of area.
- “Benefit populations most directly impacted by facility, including underserved populations.
- “Broad coverage of projects e.g. reduce toxicity, increase reuse/recycling, rehabilitation of property, enhance wildlife, riparian or wetlands, or improved recreational opportunities.”

Hence, the program can fund a broad range of community enhancement projects that may be of interest to various city departments such as CD/Planning and CD/Natural Resources and Parks & Recreation. Additionally, up to 20% of the amount may be used to recover administrative costs.

Among the requirements for a host community to participate in the program is signing an intergovernmental agreement with Metro that includes a provision for forming a committee that includes the district Metro Councilor to provide an open public-process for project review and selection for enhancement program funding.

Metro has indicated that the program “Allow[s] local governments to sponsor projects from the fund.” However, “the direct transfer and use of enhancement fees to a local government general fund will not be allowed” nor can “program funds cannot be used to replace other readily available federal, state, regional or local funds.” Metro has shown considerable willingness to work with local jurisdictions to accommodate their specific situation for this program.

### 3. Proposed Program/Model for Wilsonville

Rather than suggest creating another open grant-application program, City staff propose to establish a more streamlined procedure that incorporates public-input. Due to the presence of the elected district Metro Councilor on the committee, staff recommend that a “Wilsonville-Metro Community Enhancement Committee” be established at the Council level. Staff of the Office of the City Manager would work with Metro and others City departments to coordinate the program and solicit project suggestions from the public for implementation by the City.

**Organization:** Proposed “Wilsonville-Metro Community Enhancement Committee”:

- 4 Citizen/Community members (Wilsonville residents)
- 2 City Council members
- 1 Metro Councilor (who has indicated a preference for ex-officio status)

**Appointment:** Traditional process: Mayor appoints and Council confirms.

**Staffed by:** Administration

**Program Funding:** Approximately \$70,000/year; may increase to \$100,000+ after FY17.

Receive quarterly payments from Metro; first payment expected Oct 31, 2015.

Committee may elect to defer project selection (to accumulate funds) for up to three consecutive years.

- Process of Project Identification and Selection**
1. Advertise the Wilsonville-Metro Community Enhancement program to the community and solicit project ideas. To solicit suggestions, create an online form, possibly with potential projects identified by the City to gain initial input.
  2. Project suggestions and feedback from the public and others are forwarded for consideration to relevant departments, which would likely include CD/Planning, CD/Natural Resources, Park & Rec, Transit and others.
  3. Staff review project nominations and forward with comments or recommendations to the Committee for consideration.
  4. Committee considers project nominations and makes recommendations to City Council for funding of projects.

<b>Timeline for Implementation:</b>	May 2015	Staff finalize proposal with Metro
	June	City Council directs staff on implementation
	July	City Attorney Office presents IGA to Council for adoption
	Aug-Sept	City advertises for committee members
	Oct	Council appoints committee members; possible first meeting
	Nov	City advertises for project nominations
	Jan 2016	Staff review and forward projects to committee
	Feb	Committee reviews and selects projects for funding
	March	Extra month for review just in case extra work/time is needed



#### 4. Oregon City's Implementation of the Metro Program

Oregon City has hosted the Metro South solid-waste transfer station for 30 years, and has developed processes around the City's Metro Enhancement Committee, which has evolved over time. The Oregon City model solicits project proposal applications for funding from local organizations.

**Organization:** Oregon City-Metro Enhancement Committee (OCMEC) is composed of:

- 5 City Commission members (all members)
- 3 Citizen members appointed at-large
- 1 Metro Councilor

**Appointment:** The Mayor appoints or reappoints members for the following fiscal year.

**Staffed by:** Finance Dept. staff

**History:** The committee was established November 2, 1988, by Resolution No. 88-69. The committee was restructured February 4, 1998, by Commission Report No. 98-09.

The committee was created as part of an Intergovernmental Agreement (IGA) between the City and the regional government, Metro. The IGA that created the committee also covers the operations of the Metro Transfer Station.

The IGA was amended in April 200, to change the Committee structure to consist of the City Commission and citizen members appointed at-large. The City of Oregon City solicits applicants from residents of Oregon City for membership on the Oregon City-Metro Enhancement Committee (OCMEC).

The Committee established bylaws on May 15, 2007.

**Grant Awards:** Applications accepted for projects from nonprofits and neighborhood groups. "The Metro Enhancement grant provides an excellent opportunity for the City of Oregon City and Metro to support critical neighborhood projects and helps fulfill the community's vision."

In FY 2014-15 the Oregon City-Metro Enhancement Committee (OCMEC) awarded \$87,957 to groups with projects that were of benefit to the citizens in Oregon City.

Applications for projects for 2015-16 in Oregon City were due in April 2015. The total amount available for grants this year is \$140,000, with \$25,000 being a maximum award for any one project.

#### 5. Forest Grove Changing Implementation of Metro Program

Forest Grove is modifying the city's program to add a Metro Councilor to a committee that includes all members of the Council.



# Metro | Making a great place

January 22, 2015

Bryan Cosgrove, City Manager  
City of Wilsonville  
29299 SW Town Center Loop - E  
Wilsonville, OR 97070

Re: Draft Intergovernmental Agreement for the Solid Waste Community Enhancement Program

Dear Mr. Cosgrove:

I have enclosed for your review and comment a draft Intergovernmental Agreement (IGA) between Metro and the city of Wilsonville to administer Metro's solid waste community enhancement program related to the Willamette Resources, Inc. transfer station located at 10295 SW Ridder Road in Wilsonville. This facility is eligible for the Solid Waste Community Enhancement Program, and Metro will begin collecting \$1.00 per ton on solid waste delivered to the facility on July 1, 2015.

The provisions in the draft IGA are based on the recently updated solid waste community enhancement program that was approved by the Metro Council on October 30, 2014. The draft IGA includes two exhibits. Exhibit A is the updated Metro Code Chapter 5.06-Solid Waste Community Enhancement Program, and Exhibit B is the Administrative Procedures that contain more detailed implementation provisions for the program and work in conjunction with Metro Code Chapter 5.06. The code becomes effective on January 28, 2015.

A final IGA between Metro and the city of Wilsonville will provide for the implementation and administration of the program for the Willamette Resources, Inc. transfer station. We will work with you on finalizing the IGA so that it will be effective on July 1, 2015.

Please note that Section 3E of the draft IGA contains options for the Metro Councilor to serve on the community enhancement committee. Councilor Craig Dirksen has indicated that it is his preference to serve as a non-voting member of the committee that will be established by the city of Wilsonville as provided in Section 4B of the IGA.

Once you have reviewed the draft IGA, please forward your comments or concerns to either me at (503) 797-1657, or my email at [roy.brower@oregonmetro.gov](mailto:roy.brower@oregonmetro.gov), or Bill Metzler at (503) 797-1666, or at his email at [bill.metzler@oregonmetro.gov](mailto:bill.metzler@oregonmetro.gov). If you, or your elected officials, have questions or would like more details or a fuller briefing, please contact me.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Roy W. Brower".

Roy W. Brower  
Solid Waste Compliance and Cleanup Manager

BM/RB:bjl

Attachment

cc: Craig Dirksen, Metro Councilor, District 3  
Scott Robinson, Metro Deputy Chief Operating Officer  
Mark Ottenad, Government Affairs Director, City of Wilsonville

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600 NE Grand Ave.  
Portland, OR 97232-2736  
(503) 797-1700

# Intergovernmental Agreement

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METRO CONTRACT NO. 933299

## INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT, entered into under the provisions of ORS Chapter 190, is between Metro, a Metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 NE Grand Avenue, Portland, Oregon 97232-2736, and the City of Wilsonville (the "City") an Oregon municipal corporation, whose address is 29799 SW Town Center Loop E, Wilsonville, Oregon 97070.

### Section 1: Purpose

The purpose of this Agreement is to implement the provisions of Metro Code Chapter 5.06 related to the establishment of a Solid Waste Community Enhancement Program ("program") for the Willamette Resources, Inc. transfer station located at 10295 SW Ridder Road in Wilsonville, Oregon.

### Section 2: Term

This Agreement begins on July 1, 2015 and terminates on June 30, 2020. The parties may agree to terminate this Agreement earlier. Metro may terminate this Agreement under Section 8. The parties may extend the term of the Agreement by written amendment.

### Section 3: Collection and Distribution of Community Enhancement Fee Funds

- A. Under the terms of Metro Franchise No. F-005-08, Metro requires Willamette Resources, Inc. (the "facility") to collect and remit to Metro a solid waste community enhancement fee of \$1.00 per ton for all putrescible solid waste, including yard debris mixed with food waste, and food waste received at the facility.
- B. Metro will send to the City the solid waste community enhancement fee funds ("funds") collected in A above by January 31, April 30, July 31, and October 31 of each year this Agreement is in effect beginning October 31, 2015.
- C. At the request of the City, Metro will provide quarterly reports of activity at the facility, including data on (1) the gross weight of solid waste received in vehicles that are weighed as they enter the facility; (2) the number of other vehicles assessed fees on an estimated volume basis; and (3) the tonnage of solid waste transferred from the facility.
- D. At the request of the City, Metro will assist with the establishment and implementation of the program.

## Intergovernmental Agreement

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- E. The Metro Councilor for the district where the facility is located shall have the option to serve on the community enhancement committee (as provided in Section 4B) including without limitation as: 1) a member of the committee with voting rights, 2) co-chair of the committee with voting rights, or 3) non-membership on the committee (with notification of committee meetings and actions only). The Metro Councilor may change their participation role by notifying the committee at the beginning of the calendar year. Whenever a new Metro Councilor is elected or appointed, they will indicate their preferred role to the committee within 90 days of taking office.

### Section 4: City Obligations

- A. The City shall establish and implement a program that complies with Metro Code Chapter 5.06 (Exhibit A), and Metro Administrative Procedures (Exhibit B). Exhibits A and B are incorporated into this Agreement and are binding on the City.
- B. The City shall establish a solid waste community enhancement program advisory committee ("committee") that complies with Exhibit A and Exhibit B. The City shall ensure that the committee fulfills its duties, including without limitation establishment of a solid waste community enhancement area boundary and compliance with Exhibits A and B. The committee membership shall include the mayor or chief executive officer of the City, three citizens of the City appointed by the Mayor, and the Metro Councilor (as provided in Section 3E) whose district includes the City. The City may include additional members at its discretion. Alternatively, the City and the Metro Councilor (as provided in Section 3E) whose district includes the City shall perform the functions of the committee.
- C. The City shall create a separate program account for deposit of the funds collected under Section 3. The City shall ensure that only projects chosen by the committee receive these funds. The City shall carry forward any funds not expended during a budget year to the following year. The City shall not use the funds for general government purposes.
- D. The City shall promote the program within the solid waste community enhancement program boundary area. The City shall publish information about the program, including without limitation funding criteria, goals, application process, and timeline, on its website and in the local newspaper.
- E. The City shall require the committee to provide an open public process for project review and selection.



600 NE Grand Ave.  
 Portland, OR 97232-2736  
 (503) 797-1700

# Intergovernmental Agreement

- F. The City shall require the committee to review an annual budget. The budget shall identify the expected distribution of funds for projects during a fiscal year. The committee may propose that there be no distribution of funds during a fiscal year, for a maximum of three consecutive years.
- G. The City shall ensure funding decisions are made by a majority vote of the committee. Funding for projects or programs sponsored by the city, city advisory committees, departments or special districts shall be approved at the discretion of the committee, and shall not be limited by Metro Administrative Procedures section 6.1.2.4.
- H. The City shall provide all necessary support to administer the program. The City may charge the fund no more than 20% of the annual program budget, not to exceed \$50,000, for the direct costs of administering the program. Direct costs include staff time and materials.
- I. No later than October 1 of each year beginning in 2016, the City shall provide a written report to Metro on the program that includes revenues and expenditures of the program funds and the fund balance carried forward, if any. The report also shall include a general accounting of any funds expended for program administration.
- J. The City shall maintain complete and accurate records related to the administration of the program and all funds expended and carried forward, and shall make these records available to Metro for inspection, auditing and copying.

## Section 5: Notices

Legal notice provided under this Agreement shall be delivered personally or by certified mail to the following individuals:

**For the City:**

Office of City Counsel  
 City of Wilsonville  
 29799 SW Town Center Loop E  
 Wilsonville, OR 97070

**For Metro:**

Office of Metro Attorney  
 Metro  
 600 NE Grand Avenue  
 Portland, OR 97232-2736

Management of this Agreement will be conducted by the following designated Project Managers:

**For the City:**

Bryan Cosgrove, City Manager  
 City of Wilsonville  
 29799 SW Town Center Loop E  
 Wilsonville, OR 97070  
 (503) 570-1503

**For Metro:**

Heather Nelson Kent  
 Metro  
 600 NE Grand Ave.  
 Portland, OR 97232  
 (503) 797-1739



600 NE Grand Ave.  
Portland, OR 97232-2736  
(503) 797-1700

# Intergovernmental Agreement

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The City may change the above-designated Project Manager by written notice to Metro. Metro may change the above-designated Project Manager by written notice to the City.

## Section 6: Indemnification

Subject to the limits of the Oregon Constitution and Oregon Tort Claims Act, the City shall hold harmless Metro, its officers and employees from any claims or damages or property or injury to persons or for any penalties or fines, for the City's actions under this Agreement.

## Section 7: Dispute Resolution

The parties shall attempt to negotiate resolutions to all disputes arising out of this Agreement.

## Section 8: Termination or Modification

During the term of this Agreement, each party retains the right to terminate the Agreement as of any anniversary date by written notice delivered to the other party no later than 60 days prior to the anniversary date. The parties may terminate this Agreement at any time for nonperformance of any material term thereof. Metro may modify or terminate this Agreement related to changes based on a substantive amendment, renewal or termination of the Metro franchise issued to the facility described in Section 3A.

## Section 9: Insurance

The City agrees to maintain insurance levels, or self-insurance in accordance with ORS 30.282, for the duration of this Agreement to levels necessary to protect against public body liability as specified in ORS 30.270. The City also agrees to maintain for the duration of this Agreement, Workers' Compensation Insurance coverage for all its employees as a self-insured employer, as provided by ORS chapter 656, or disability coverage under its Disability, Retirement and Death Benefits Plan.

## Section 10: Integration and Amendment

This writing contains the entire Agreement between the parties, and may only be amended by written instrument, signed by both parties.

## Section 11: Severability

If any portion of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken.



600 NE Grand Ave.  
Portland, OR 97232-2736  
(503) 797-1700

# Intergovernmental Agreement

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## Section 12: Notice of Default

If a party determines that a default exists, that party shall give thirty days' written notice to the other party, which notice shall specify the nature of the default and shall give the other party an opportunity to cure the default before taking any further action.

City

Metro

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

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

\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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## CHAPTER 5.06

## SOLID WASTE COMMUNITY ENHANCEMENT PROGRAM

Section	Title
5.06.010	Policy and Purpose
5.06.020	Authority and Jurisdiction
5.06.030	Amount of Enhancement Fee
5.06.040	Enhancement Fee Requirements and Exemptions for Solid Waste Facilities
5.06.050	Establishment and Administration of a Solid Waste Community Enhancement Program
5.06.060	Solid Waste Community Enhancement Program Advisory Committee
5.06.070	Eligibility Criteria for Solid Waste Community Enhancement Projects
5.06.080	Goals for Solid Waste Community Enhancement Projects
5.06.090	Compliance and Dispute Resolution
5.06.100	Administrative Procedures

(Formerly Metro Code Chapter 5.06 "Community Enhancement Programs" repealed and replaced by Ordinance No. 14-1344, Sec. 1.)

5.06.010 Policy and Purpose

It is the policy of Metro to establish and implement a solid waste community enhancement program at all eligible solid waste facilities in the Metro region. The purpose of the program is to rehabilitate and enhance the area around the facility from which the fees are collected.

5.06.020 Authority and Jurisdiction

Metro's solid waste authority, including the authority to collect an enhancement fee and establish and implement a solid waste community enhancement program, is established under the Oregon Constitution, ORS Chapters 268 and 459, and the Metro Charter.

5.06.030 Amount of Enhancement Fee

Solid waste facilities subject to this chapter shall collect an amount not exceeding \$1.00 on each ton of putrescible solid waste delivered to the facility and remit the funds to Metro for use as a solid waste community enhancement fee. Eligible solid waste facilities may also collect an amount not exceeding \$1.00



on each ton of non-putrescible waste delivered to the facility when the Metro Chief Operating Officer and facility owner determines it is in the public interest. Metro will set the rate of the enhancement fee under Metro Code Section 5.02.020.

5.06.040 Enhancement Fee Requirements and Exemptions for Solid Waste Facilities

(a) Solid waste facilities that operate all or in part as disposal sites, transfer stations, reload facilities, compost facilities, and energy recovery facilities, as defined by Chapter 5.00, shall collect and remit an enhancement fee under this Chapter.

(b) Where only a portion of a solid waste facility's operations qualify for collection of a fee under subsection (a), the facility shall collect and remit an enhancement fee only on the solid waste it accepts as an eligible facility.

(c) Notwithstanding section (a) above, yard debris reload and yard debris composting facilities are not subject to the requirements of this Chapter.

5.06.050 Establishment of a Solid Waste Community Enhancement Program

(a) Upon approval of a license or franchise application, the Metro Chief Operating Officer will inform a solid waste facility of the requirement to collect a solid waste community enhancement fee. The Metro Chief Operating Officer will require collection of the fee in the facility license or franchise.

(b) The Metro Chief Operating Officer will inform the local government where the facility is located that a solid waste community enhancement fee will be collected by the facility and remitted to Metro.

(c) The solid waste community enhancement program will be administered by (1) Metro directly or through a contract; or (2) the local government where the facility is located, so long as Metro and the local government agree on the terms of an intergovernmental agreement.

(d) The Metro Councilor for the district where the facility is located shall be eligible to participate in the solid waste community enhancement program, including without limitation participation as a co-chair and voting member of the community enhancement committee, regardless of whether Metro or

the local government, through an intergovernmental agreement, administers the program.

(e) The Metro Chief Operating Officer will establish a timeline for implementation of a solid waste community enhancement program.

(f) The funds collected and remitted to Metro shall be used for solid waste community enhancement projects chosen by a community enhancement committee and may include administrative costs in an amount set by the Metro Chief Operating Officer.

5.06.060 Solid Waste Community Enhancement Program Advisory Committee

A solid waste community enhancement program established under this section shall have a solid waste community enhancement committee. The committee is responsible for implementation of the program, including without limitation:

- (a) Establishment of the enhancement area boundary.
- (b) Creation of committee bylaws.
- (c) Development of a process for soliciting and selecting solid waste community enhancement projects.
- (d) Compliance with the eligibility criteria set forth in Section 5.06.070 and the goals set forth in Section 5.06.080 and creation of additional criteria and goals where needed.
- (e) Annually review enhancement program revenue estimates provided by Metro staff and propose how these funds will be allocated for the upcoming fiscal year or funding cycle.
- (f) Presentation of an annual report to the Metro Council on all projects approved for funding.
- (g) Maintenance of complete and accurate records related to the administration of the program, submitted to Metro annually.

5.06.070 Eligibility Criteria for Solid Waste Community Enhancement Projects

A solid waste community enhancement project must meet the following criteria to be eligible for funding. A solid waste community enhancement committee may apply more restrictive eligibility criteria:

- (a) The project must be located in the solid waste community enhancement area boundary as specified by the solid waste community enhancement committee or the project must benefit individuals or programs located inside the solid waste community enhancement area boundary.
- (b) The project applicant must be:
  - (1) A non-profit organization, including without limitation a neighborhood association or charitable organization with 501(c)(3) status under the Internal Revenue Service; or
  - (2) A school or institution of higher learning; or
  - (3) A local government, local government advisory committee, department or special district provided that they include documented support from the local government executive officer.
- (c) The project must not be used to replace any other readily available source of federal, state, local or regional funds.
- (d) The project must not promote or inhibit religion.
- (e) The project must not discriminate based on race, ethnicity, age, gender, or sexual orientation.
- (f) If the project is located on private land, the project application must establish a clear public benefit and must document landowner permission.

5.06.080 Goals for Solid Waste Community Enhancement Projects

Projects shall meet one or more of the following goals and solid waste community enhancement committees shall give priority to projects that best meet with goals. A solid waste community enhancement committee may adopt additional funding goals. The project will:

- (a) Improve the appearance or environmental quality of the community.
- (b) Reduce the amount or toxicity of waste.

(c) Increase reuse and recycling opportunities.

(d) Result in rehabilitation or upgrade of real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code.

(e) Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas, and/or improve the public awareness and the opportunities to enjoy them.

(f) Result in improvement to, or an increase in, recreational areas and programs.

(g) Result in improvement in safety.

(h) Benefit youth, seniors, low income persons or underserved populations.

#### 5.06.090 Compliance and Dispute Resolution

The Metro Chief Operating Office is responsible for ensuring compliance with this Chapter.

#### 5.06.100 Administrative Procedures

(a) The Metro Chief Operating Office may issue administrative procedures to implement this chapter.

(b) The Metro Chief Operating Officer shall issue or substantially amend the administrative procedures for this chapter only after providing public notice and the opportunity to comment on the proposed language.

(c) The Metro Chief Operating Officer may hold a public hearing on any proposed new administrative procedures or on any proposed amendment to any administrative procedure if the Metro Chief Operating Officer determines that there is sufficient public interest.

(Ordinance No. 14-1344, Sec. 1.)



# SOLID WASTE ADMINISTRATIVE PROCEDURES

**Published:  
January 28, 2015**

## Administration of Metro Code Chapter 5.06 Solid Waste Community Enhancement Program

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**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 1**

**METRO**

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**Policy and Legal Authority**

**1.1 Policy and Legal Authority.**

- 1.1.1 Metro's solid waste planning and implementing authority is established under the Metro Charter, the Constitution of the State of Oregon, and ORS Chapters 268 and 459.
- 1.1.2 Metro's solid waste community enhancement program is established based on state law (ORS 459.280 and 459.284).
- 1.1.3 All solid waste administrative procedure shall be subject to the authority of all other applicable laws, regulations or requirements in addition to those contained in this administrative procedure and performance standard.
- 1.1.4 Administrative procedures are adopted, as necessary, to implement the provisions of Metro Code Chapter 5.06 Solid Waste Community Enhancement Program.
- 1.1.5 The purpose of these administrative procedures is to protect and preserve the health, safety and welfare of the Metro residents; to protect and preserve the local environment, to implement cooperatively a solid waste community enhancement fee program; and to reduce the volume and toxicity of waste disposed through source reduction, reuse, recycling, and composting.
- 1.1.6 These administrative procedures and performance standards are issued by the Metro Chief Operating Officer ("Metro COO") pursuant to Metro Code Section 5.06.100.



**METRO**

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 2**

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**Application and Purpose of Chapter 5.06**

**2.1 Application of Chapter 5.06**

2.1.1 Chapter 5.06 shall apply to all eligible solid waste facilities within Metro's jurisdictional boundary that are licensed or franchised by Metro pursuant to Metro Code Chapter 5.01.

2.1.2 Metro Code Chapter 5.06 shall apply to all eligible solid waste facilities within Metro's jurisdictional boundaries that are owned by Metro.

**2.2 Purpose**

2.2.1 Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on local host communities.

2.2.2 Metro's solid waste community enhancement program provides funds that are used for community enhancement grant projects located in the vicinity of each eligible solid waste facility. Funds are to be used for the rehabilitation and enhancement of the area in and around the facility from which the fees are collected, as determined by each solid waste community enhancement committee established in accordance with Metro Code Chapter 5.06.



**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 3**

**METRO**

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**Program Exempt and Program Eligible Facilities**

**3.1 Exempt Facility Types and Ineligible Solid Waste Activities**

3.1.1 The following types of facilities are not subject to Metro Code Chapter 5.06.

3.1.1.1 Reuse or recycling facilities that (A) exclusively receive non-putrescible source-separated recyclable materials and (B) reuse or recycle such materials, or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

3.1.1.2 Material recovery facilities that (A) exclusively receive non-putrescible solid waste and conduct material recovery on such waste, and may also (B) receive non-putrescible source-separated recyclable materials and reuse or recycle such materials or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

3.1.2 The following types of solid waste activities are not subject to Metro Code Chapter 5.06.

3.1.2.1 Yard debris reloading.

3.1.2.2 Yard debris composting.

3.1.2.1 Material recovery on non-putrescible waste, except as provided in Section 3.3.

3.1.2.2 Recycling or reuse of non-putrescible materials.

**3.2 Program Eligibility by Facility Type and Solid Waste Activity**

3.2.1 Eligible facility types include, but are not limited to, the following:

3.2.1.1 Disposal sites.

3.2.1.2 Transfer stations.

3.2.1.3 Reload facilities.

3.2.1.4 Energy recovery facilities.



- 3.2.1.5 Compost facilities.
- 3.2.2 Eligible solid waste activities include, but are not limited to, the following:
  - 3.2.2.1 Processing, reloading or transfer of putrescible waste (includes food waste and yard debris mixed with food waste).
  - 3.2.2.2 Composting or any other processing of putrescible waste (includes food waste and yard debris mixed with food waste).
  - 3.2.2.1 Energy recovery (including anaerobic digestion of putrescible waste to include food waste and yard debris mixed with food waste).
  - 3.2.2.2 Disposal (includes landfilling and incineration).
- 3.3 Special conditions related to non-putrescible waste activities at an eligible facility
  - 3.3.1 Non-putrescible waste that is subject to material recovery and delivered to a transfer station or other eligible solid waste facility shall be subject to Metro Code Chapter 5.06 when a facility owner/operator and the Metro COO determines it to be in the public interest.
  - 3.3.2 For the purpose of this section the public interest shall include, but is not limited to: A) the historical program relationship established between a facility and host local government or community (e.g. Metro Central Transfer Station and Metro South Transfer Station), or B) such conditions necessary to operate a new facility, or at an existing facility conducting a new solid waste activity that is subject to Metro Code Chapter 5.06 and Metro Code Chapter 5.01.

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**AP NO. 5.06  
Section 4

METRO

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**Establishing a Solid Waste Community Enhancement Program**

The purpose of this section is to establish a general process for Metro and a host local government to implement and administer a solid waste community enhancement program at an eligible solid waste facility.

**4.1 New Facilities Without a Solid Waste Community Enhancement Program****4.1.1. Notification to a host local government.**

Upon receipt of a complete Metro license or franchise application for a new eligible solid waste facility that is subject to this chapter, or a new eligible solid waste activity at an existing facility, the Metro COO shall notify the host local government that it qualifies for the solid waste community enhancement program.

**4.1.2 Coordination with Metro and the host local government.**

4.1.2.1 As part of Metro's license and franchise review or renewal process, the Metro COO will notify the local government hosting an eligible solid waste facility that a solid waste community enhancement program shall be established.

4.1.2.2 The Metro COO shall provide the host local government with an opportunity to enter into an intergovernmental agreement to administer the program. As provided in Section 5.1, Metro and the local government may consider other approaches to administer the program if an intergovernmental agreement cannot be established.

4.1.2.3 A host local government shall not be excluded or limited from participating in Metro's solid waste community enhancement program for an eligible solid waste facility, nor shall Metro be limited in implementing a solid waste community enhancement program when a host local government adopts: (1) a tax or charge that imposes a fee on haulers of commercial solid waste or other users of the facility; (2) any tax duly adopted by the local government which is generally applicable for all persons doing business in boundaries of the local government; or (3) any franchise fee collected by the local government from haulers collecting solid waste within the boundaries of the local government,

4.1.2.4 Metro shall not establish a solid waste community enhancement program at a solid waste facility if the respective host local government has implemented and is actively administering a solid waste community enhancement program

for that solid waste facility under separate authority of ORS 459.284 and 459.290.

- 4.1.2.5 Prior to establishing a solid waste community enhancement program at an eligible solid waste facility, the Metro COO shall inform the Metro Council President and the Metro Councilor whose district hosts the solid waste facility of the decision to establish a solid waste community enhancement program and provide the Metro Councilor with the opportunity to chair, co-chair, or otherwise participate in the solid waste community enhancement committee at the option of the Metro Councilor.

#### 4.2 Programs Established Prior to January 1, 2014

Solid waste community enhancement programs that were established prior to January 1, 2014 and are administered through an intergovernmental agreement with a host local government shall be updated and reissued with an effective date of July 1, 2015 to provide consistency with all applicable provisions in Metro Code Chapter 5.06 and these administrative procedures.

#### 4.3 Existing Eligible Facility Without a Solid Waste Community Enhancement Program

The Metro COO shall notify a host local government of an existing eligible solid waste facility within its jurisdictional boundaries regarding a timeframe and process for the implementation and administration of a solid waste community enhancement program in accordance with this chapter.

#### 4.4 Funding

- 4.4.1 Except as provided in Section 3.3, solid waste facilities subject to Metro Code Chapter 5.06 shall collect an amount not exceeding \$1.00 on each ton of putrescible solid waste delivered to the facility and remit the funds to Metro for use as a solid waste community enhancement fee.
- 4.4.2 Metro may periodically adjust the solid waste community enhancement fee based on the Consumer Price Index (CPI) up to the maximum amount set forth in ORS 459.284.
- 4.4.3 On a quarterly basis, Metro will remit the solid waste community enhancement funds to each host local government with a solid waste community enhancement program established by intergovernmental agreement with Metro in accordance with Metro Code Chapter 5.06.
- 4.4.4 Projects funded from a solid waste community enhancement fund will be made with the positive vote of a majority of the solid waste community enhancement committee created to administer such a program. Frequency of funding projects is also to be determined by the committee.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**AP NO. 5.06  
Section 5

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**Establishing a Solid Waste Community Enhancement Committee****5.1 Establishing a Solid Waste Community Enhancement Committee**

- 5.1.1 For the purpose of establishing a solid waste community enhancement committee, the Metro COO shall coordinate with the host local government and the Metro Councilor whose district hosts the eligible solid waste facility.
- 5.1.2 Metro may designate a solid waste community enhancement committee in accordance with Metro Code Chapter 2.19.
- 5.1.3 The Metro COO may enter into an intergovernmental agreement to designate the host local government as the solid waste community enhancement committee. Such a committee shall consist of at least five members and may include the Metro Councilor whose district hosts the solid waste facility (with the option to serve as co-chair to the committee), and three citizen representatives appointed by the mayor, city manager, or county administrator. In lieu of appointment of such a committee, the local government may designate itself and the Metro Council member representing the district that hosts the solid waste facility (with the option to serve as co-chair to the committee) to perform the function of such committee. The term for such intergovernmental agreements should be established to coincide with the term set forth in the subject facility's Metro license or franchise.
- 5.1.4 The Metro COO may enter into an agreement with a recognized non-profit community organization including, but not limited to, a neighborhood district coalition, neighborhood association, committee for citizen involvement or other similar community-based group having a legally constituted active board of directors. The designated solid waste community enhancement committee shall consist of at least five members, and may include the board of directors, the Metro Councilor whose district hosts the solid waste facility, and any number of citizen representatives appointed by the Metro Councilor whose district hosts the solid waste facility.
- 5.1.5 The Metro COO shall establish the terms and conditions of the agreements for the establishment and administration of a solid waste community enhancement committee as provided in Metro Code Chapter 5.06.

**5.2 Administration**

- 5.2.1 The administration and distribution of funds from a solid waste community enhancement program shall be subject to the approval of a solid waste community enhancement committee.

- 5.2.2 Each solid waste community enhancement committee or host local government shall promote, advertise, solicit and accept requests for proposals or projects to be funded from the solid waste community enhancement fund within its solid waste community enhancement program area boundary.
- 5.2.3 Either Metro or the host local government shall prepare and publish an annual budget for the solid waste community enhancement account. Each budget shall be subject to review and comment by the solid waste community enhancement committee and shall, at a minimum, identify the proposed allocation of grant funding and administrative costs for the upcoming fiscal year, except that a solid waste community enhancement committee may propose that there be no expenditure of funds during a fiscal year for up to a maximum of three consecutive fiscal years, or longer if approved by the Metro COO or the community enhancement committee.
- 5.2.4 Either Metro or the host local government shall segregate solid waste community enhancement funds by establishing a separate set of accounts for the revenues and expenditures of the solid waste community enhancement program to ensure that only committee-authorized plans, projects, and programs receive funding. Funds not expended during a budget year shall be carried forward to each subsequent year.
- 5.2.5 Each solid waste community enhancement committee or host local government shall publish and follow the project funding criteria in Section 6.1 and goals in Section 6.2 for selecting projects or programs to fund during the fiscal year. A solid waste community enhancement committee may request that Metro modify or change the criteria. A community enhancement committee may publish and follow more restrictive program funding criteria, and may adopt and publish additional goals and/or guidelines.
- 5.2.6 Each solid waste community enhancement committee or host local government shall, provide an annual written report to the Metro COO regarding all expenditures from the enhancement fund and shall itemize all enhancement fund expenditures including the amount of funds expended on each project under its jurisdiction including the funding balance by October 1 of each year.
- 5.2.7 Each solid waste community enhancement committee, upon request by the Metro COO, shall provide an oral presentation to the Metro Council at a time such presentation can be scheduled at a Metro Council meeting.
- 5.2.8 If administrative costs incurred by Metro or the host local government to administer the solid waste community enhancement program are reimbursed from the solid waste community enhancement funds as provided in Section 5.3. The annual report required in Section 5.2.6 shall include an accounting of the funds expended for program administration.
- 5.2.9 Each solid waste community enhancement committee will provide an open public process for project/program review and approval.

5.3 Administrative Cost Reimbursement

- 5.3.1 A solid waste community enhancement fund may be used to help defray the direct costs incurred to administer a solid waste community enhancement program by Metro or a host local government (e.g., staff time and materials necessary to set up and administer a solid waste community enhancement program).
- 5.3.2 No more than twenty percent (20%), and not more than \$50,000 of a solid waste community enhancement fund that is collected during a program funding cycle may be used to pay for costs directly associated with administering a solid waste community enhancement program. Administrative costs in excess of these amounts shall not be borne by the solid waste community enhancement fund.

5.4 Recordkeeping and Audits

- 5.4.1 Each solid waste community enhancement committee or host local government shall maintain complete and accurate records related to the administration of the program and funds expended under its jurisdiction. The committee shall make these records available to Metro for inspection, auditing, and copying.
- 5.4.2 Metro may require, at Metro's expense, that a solid waste community enhancement committee submit to an independent audit conducted by an auditor chosen by Metro. The audit shall address only those matters reasonably related to the solid waste community enhancement program fund and its administration.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURE****AP NO. 5.06  
Section 6**

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**Eligibility Criteria and Goals****6.1 Eligibility Criteria for Funding Solid Waste Community Enhancement Projects**

- 6.1.2 To qualify for funding, a proposed solid waste community enhancement project shall meet the following funding criteria. A designated solid waste community enhancement committee may adopt and publish more restrictive eligibility criteria.
- 6.1.2.1 Be within the solid waste community enhancement area boundaries specified by the designated solid waste community enhancement committee or benefit individuals or programs located inside the community enhancement area boundary.
  - 6.1.2.2 Be from non-profit organizations including, but not limited to, neighborhood associations or charitable organizations with 501(c)(3) status under the Internal Revenue Service, or
  - 6.1.2.3 Be from a school, or institution of higher learning, or
  - 6.1.2.4 Be from a local government, local government advisory committee, department or special district provided that they include documented support from the local government executive officer, and, as a guideline, the requested funding not exceed 15% of an annual solid waste community enhancement program budget or funding cycle, or more as otherwise provided in an intergovernmental agreement between Metro and a host local government.
  - 6.1.2.5 Not replace another readily available source of federal, state, regional or local funds.
  - 6.1.2.6 All applicants must go through the official application, review and approval process established by the solid waste community enhancement committee.
  - 6.1.2.7 Not promote or inhibit religion.
  - 6.1.2.8 Not fund organizations, projects or programs that discriminate based upon race, ethnicity, age, gender or sexual orientation.
  - 6.1.2.9 Be able show a clear public benefit if projects are on private land.

6.1.2.10 Have written landowner permission at the time of application.

6.2 Goals for Funding Solid Waste Community Enhancement Projects

6.2.1 Projects shall meet one or more of the following goals. Priority will be given to projects that best meet the goals and which offer benefits to the areas and populations most directly impacted by the solid waste facility. A designated solid waste community enhancement committee may adopt and publish additional funding goals. The order of the following listing does not imply ranking or weighting. Projects should:

- 6.2.1.1 Result in an improvement to the appearance or environmental quality of the area/neighborhood within the enhancement area boundaries.
- 6.2.1.2 Result in the reduction in the amount or toxicity of waste, or increase reuse and recycling opportunities within the enhancement area boundaries.
- 6.2.1.3 Result in rehabilitation, upgrading or direct increase in the real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code within the enhancement area boundaries.
- 6.2.1.4 Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas within the enhancement area boundaries, and/or improve the public awareness and the opportunities to enjoy them.
- 6.2.1.5 Result in improvement to, or an increase in, recreational areas and programs within the enhancement area boundaries.
- 6.2.1.6 Result in improvement in the safety of the area within the enhancement area boundaries.
- 6.2.1.7 Result in projects that benefit youth, seniors, low income persons or underserved populations within the enhancement area boundaries.





METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURE****AP NO. 5.06  
Section 7**

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**Dispute Resolution**

- 7.1 The Metro COO shall, in good faith, attempt to negotiate resolutions to all disputes arising out of the implementation and administration of Metro Code Chapter 5.06 and these administrative procedures. Disputes arising out of or relating to the implementation or administration of Metro Code Chapter 5.06 or these administrative procedures shall be resolved as follows:
- 7.1.1 The Metro COO will review the matter or dispute to determine if there is sufficient reason or cause to take action.
- 7.1.2 When warranted, the Metro COO will notify the host local government and the solid waste community enhancement committee, the Council President and the corresponding councilor whose district hosts the solid waste facility in writing of the dispute or alleged breach. The notice shall describe the nature of the dispute or alleged breach. The notice shall prescribe a resolution process and include a date by which the host local government or solid waste community enhancement committee must respond to the Metro COO's notice.
- 7.1.3 Within the period specified by the Metro COO, the host local government or solid waste community enhancement committee shall respond to the notice provided by the Metro COO regarding the dispute. Such response may include information that proves that the dispute or alleged breach has been resolved, or that diligent efforts to correct the dispute or alleged violation is being made and is likely to succeed in a reasonable period of time.
- 7.1.4 If the Metro COO determines that the dispute or alleged violation has not or cannot be resolved within the manner prescribed and in a reasonable period of time, the Metro COO may take further action, including the modification or termination of an intergovernmental agreement to ensure that the dispute or breach is resolved within a reasonable period of time.

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**CITY COUNCIL MEETING  
STAFF REPORT**

<p><b>Meeting Date:</b>  June 1, 2015</p>	<p><b>Subject:</b> Wilsonville Community Sharing Support Grant Agreement renewal</p> <p><b>Staff Member:</b> Susan Cole <b>Department:</b> Finance</p>	
<p><b>Action Required</b></p> <p><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 type="checkbox"/> Information or Direction  <input checked="" type="checkbox"/> Information Only  <input checked="" type="checkbox"/> Council Direction  <input type="checkbox"/> Consent Agenda</p>	<p><b>Advisory Board/Commission Recommendation</b></p> <p><input type="checkbox"/> Approval  <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded  <input checked="" type="checkbox"/> Not Applicable</p> <p><b>Comments:</b></p>	
<p><b>Staff Recommendation:</b> For review, discussion and direction.</p>		
<p><b>Recommended Language for Motion:</b> Information Only</p>		
<p><b>PROJECT / ISSUE RELATES TO:</b> <i>[Identify which goal(s), master plans(s) issue relates to.]</i></p>		
<p><input type="checkbox"/> Council Goals/Priorities</p>	<p><input type="checkbox"/> Adopted Master Plan(s)</p>	<p><input type="checkbox"/> Not Applicable</p>

**ISSUE BEFORE COUNCIL:** The Wilsonville Community Sharing Support Grant Agreement is due to expire June 30, 2015. Shall this agreement be extended for an additional fiscal year?

**EXECUTIVE SUMMARY:** The City of Wilsonville has supported the administrative and operational services of Wilsonville Community Sharing (WCS) through financial support for more than 15 years.

The current year budget is \$46,677; \$30,677 for a general purpose portion dedicated to, but not limited to, providing staffing, food, prescription help, rent & housing support and other services to those community members in need. Additionally, \$16,000 has been provided for renter utility assistance.

The 2015-16 Approved Budget includes the same dollar figures, plus an additional amount for inflation.

According to the terms of the Support Grant Agreement, the agreement expires June 30, 2015. If the City Council desires to continue to provide financial support to WCS, the agreement will need to be extended. If the Council decides to extend the agreement, the general portion of the grant, \$30,677, is allowed to increase by 2.4%, according to the Consumer Price Index of the Portland/Salem region, bringing it to \$31,413, and is included in the FY 2015-16 Approved Budget.

Further, the agreement specifies that the renter utility assistance of \$16,000 shall cease following a reduction in the Portland-area unemployment rate below 7%. The following table displays the monthly unemployment rate for the Portland-Vancouver-Hillsboro area as reported by the Bureau of Labor Statistics:

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2014	7.0	7.2	6.9	6.3	6.2	6.3	6.5	6.5	6.0	6.1	6.1	5.9
2015	6.2	5.8	5.3									

It is important to note that the unemployment figure captures those individuals who are actively looking for jobs. The unemployment figure does not capture those who have stopped looking, or those who may be under-employed. Additionally, Federal Reserve policy makers consider 5.5% unemployment to indicate “full employment”, a concept reflecting “normal” unemployment due to normal shifts in the labor market and not caused by cyclical downturns.

Staff has not had the opportunity to discuss these programs with WCS and do not have statistics on the demographics or income levels of the individuals assisted.

**EXPECTED RESULTS:**

If the City Council would like to extend the agreement, staff will prepare an amendment extending the term.

**TIMELINE:**

The current agreement expires June 30, 2015.

**CURRENT YEAR BUDGET IMPACTS:**

No current year impacts. The 2015-16 Approved Budget includes an inflation amount of about \$1,323.00, bringing the total to \$48,000 from the current year of \$46,677.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole Date: 5/18/15

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: 5/18/15

N/A Information only.

**COMMUNITY INVOLVEMENT PROCESS:**

None

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

None

**ALTERNATIVES:**

Not Applicable

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

**Report from WCS**



Wilsonville Community Sharing

P.O. Box 205

Wilsonville, OR 97070

January 28, 2015

Ms. Susan Cole, Finance Director

City of Wilsonville

29799 SW Town Center Loop E

Wilsonville, OR 97070

Dear Ms. Cole,

As provided under Paragraph 7 of the Support Grant Agreement between the City of Wilsonville (City) and Wilsonville Community Sharing (WCS), WCS is pleased to submit the attached reports:

Attachment A. Annual Report for Renters Utility Assistance.

Attachment B. Annual Financial Report for 2014, accounting for all funds provided under the Grant.

Attachment C. Proposed Budget for 2015, projecting the use of all funds provided under the current and future Grant.

Within Attachment A, you will note two negative balances for the utility assistance programs. These balances indicate that the City grant funds were fully expended during the period AND were supplemented by additional funds provided by WCS. This supports our conclusion that the need for utility assistance exceeds the funds currently provided through the Grant.

WCS is pleased to report to the City that 90 households were provided assistance with utility costs during 2014 in an average amount of just under \$300 per household. We are also pleased to report that the Community Services funds were fully expended to pay a portion of the wages for each of our two part-time staff members. These two individuals, the Information and Referral Specialist and the Food Bank Coordinator, provided direct assistance to clients seeking help from WCS.

With the submission of these reports, we believe that WCS has fulfilled our reporting requirements under the Support Grant Agreement. If you need any additional information, please let us know.

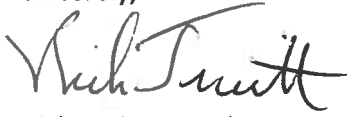
On behalf of the Board and staff of WCS, but most importantly, the clients we serve, I want to thank the staff and Council of the City of Wilsonville for this important financial assistance to those in need within

*Dedicated to the support of those in need of emergency or transitional assistance.*

*P.O. Box 205 Wilsonville, OR 97070 (503) 682-6939*

our community. We hope that the City will be able to continue, and perhaps increase, this support as WCS attempts to meet the growing needs for help within our Community.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Truitt". The signature is written in a cursive style with a large initial "R".

Rich Truitt, President

Cc: Bryan Cosgrove, City Manager

## Attachment A

**Wilsonville Community Sharing**  
**Quarterly Reporting for Renters Utility Relief Program**  
 For Quarter Ending January - December 2014  
 Year

1	City funds carried over from prior quarter <sup>year</sup> (line 4, prior quarter)	\$ -2057.21
2	Receipt of new city allocation in current quarter <sup>year</sup>	\$ 23500.00
3	Total financial assistance provided (8+9+10)	\$ 26,700.00
4	Ending balance of city resources (1+2-3)	\$ -5257.21
5	Number of households provided assistance	90
6	Estimated number of individuals benefitted	235
7	Average financial assistance per household (3/5)	\$ 296.67
8	Quarterly Assistance - Electric Bills	\$ 25,864.98
9	Quarterly Assistance - Gas Bills	\$ 200.00
10	Quarterly Assistance - City of Wilsonville Utilities	\$ 635.02

Please return this form to:

Gary Wallis  
 Finance Director  
 City of Wilsonville  
 29799 SW Town Center Loop E  
 Wilsonville, OR 97070

[Program ends when Portland unemployment hits 7%]

## 2014 Financial Report to City of Wilsonville

## Wilsonville Community Sharing

January 2015

## Revenue/Expenditure Report 2014

Grant Accounts

## A. Renter Utility Assistance

Grant Funds Received (\$4,000; 4,000; 7,500; 4,000; 4,000)  
\$23,500.00

Less Grants Funds Expended (\$23,500.00)

Funds available for assistance Subtotal \$ 0.00

## B. Community Services

Grant Funds Received ( $2/4 \times 29,929 + 2/4 \times 30,677$ ) \$30,303.00

Less Grants Funds Expended: Wages Part Time Staff\*

Information & Referral Specialist (\$15,151.50)

Food Bank Coordinator (\$15,151.50)

\*Approximately 40% of staff costs for direct assistance (30,303.00)

Subtotal Funds Available \$0.00

Total Funds Available as of 12/31/14 \$ 0.00

wcscty14rpt012815



Attachment C

## Proposed 2015 Budget

### Services Grant to Wilsonville Community Sharing from City of Wilsonville

#### Revenues

A. Renter Utility Assistance	\$16,000
B. Community Services (estimated)	<u>\$ 31,000</u>
Total Revenue	\$ 47,000

#### Expenditures

A. Renter Utility Assistance	\$(16,000)
B. Community Services	<u>\$(31,000)</u>
Portion* of wages of part-time staff	
(\$15,500 wages for Information and Referral Specialist)	
(\$15,500 wages for Food Bank Coordinator)	
Projected Balance as of 12/31/2015)	\$ 0.00

\*Approximately 40% of staff costs.

wcscty15bdgt012815

**CITY COUNCIL ROLLING SCHEDULE****Board and Commission Meetings 2015****Items known as of 05/22/15****May**

DATE	DAY	TIME	MEETING	LOCATION
5/27	Wednesday	6:30	Library Board	Library
5/28	Thursday	6 p.m.	DRB Panel B This meeting replaces the 5/25 meeting postponed due to Memorial Day Holiday	Council Chambers

**June**

DATE	DAY	TIME	MEETING	LOCATION
6/1	Monday	7 p.m.	City Council Meeting	Council Chambers
6/8	Monday	6:30 p.m.	DRB Panel A - Cancelled	Council Chambers
6/10	Wednesday	1 p.m.	Wilsonville Community Seniors, Inc.	Community Center
6/10	Wednesday	6 p.m.	Planning Commission	Council Chambers
6/15	Monday	7 p.m.	City Council Meeting	Council Chambers
6/22	Monday	6:30 p.m.	DRB Panel B	Council Chambers
6/24	Wednesday	6:30 p.m.	Library Board	Library

**COMMUNITY EVENTS****Water Features Turned On**

June 13, 10 a.m. Town Center Park and Murase Plaza

**Joint Meeting with Tualatin City Council** Tualatin Police Training Room

6/17 Wednesday 6 p.m.

Page 42 of 661  
CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, May 18, 2015. Mayor Knapp called the meeting to order at 7:18 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp  
Councilor Starr  
Councilor Fitzgerald  
Councilor Stevens  
Councilor Lehan - excused

Staff present included:

Bryan Cosgrove, City Manager  
Jeanna Troha, Assistant City Manager  
Mike Kohlhoff, City Attorney  
Sandra King, City Recorder  
Delora Kerber, Public Works Director  
Kerry Rappold, Natural Resources Manager  
Dan Pauly, Planning Associate  
Mark Ottenad, Government and Public Affairs  
Jon Gail, Community Relations Coordinator  
Nancy Kraushaar, Community Development Director  
Eric Mende, Engineering Manager  
Steve Adams, Engineering Manager

Motion to approve the order of the agenda.

**Motion:** Councilor Starr moved to approve the order of the agenda. Councilor Stevens seconded the motion.

**Vote:** Motion carried 4-0.

## **MAYOR'S BUSINESS**

### **A. Public Works Week Proclamation**

Ms. Kerber provided the background on Public Works Week.

Mayor Knapp read the proclamation declaring the week of May 17-23, 2015 to be Public Works Week.

### **B. Appointment to Library Board**

Councilors Stevens and Fitzgerald interviewed the seven applicants for the Library Board and acknowledged the outstanding qualities of the applicants; however, there was one position available.

Councilor Stevens recommended the appointment of Rich Dougall to the Library Board, and provided a little background about the successful candidate.

**Motion:** Councilor Stevens moved to appoint Rich Dougall to the Library Board for a term to begin July 1, 2015 and end June 30, 2019. Councilor Fitzgerald seconded the motion.

**Vote:** Motion carried 4-0.

C. Upcoming Meetings

Mayor Knapp reported on the meetings he attended on behalf of the City. He announced the Budget Committee meeting scheduled for May 19<sup>th</sup>.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

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

The following individuals provided comments regarding the future Frog Pond/Advance Road area development. Their preferences were for less density and for the development to be predominantly large lots with single family homes and no multi-family units, or two-story homes on small lots, with the homes built by builders other than "production" builders. It was suggested homes in the million dollar price range would pay for the infrastructure needed to serve and support the development. The group was concerned with the impacts any development would have on traffic, school class size, lower property values, and increases in crime. It was felt additional development would negatively impact the cohesiveness and small town feel of the community. They recommended the Council read and be attentive to the comments provided during the on-line open house regarding the Frog Pond area development. Mr. John Ludlow submitted a petition containing 380 signatures from Wilsonville residents, asking for larger lots, with single family one-level homes, and lower density.

Due to the number of speakers Mayor Knapp asked them to limit their comments to 3 minutes, or indicate they were in agreement with the previous speaker. He noted Council has received a number of emails containing speculative information, and that accurate information is available on the City and Frog Pond websites.

People testifying:

- John Ludlow
- Chris Owen, 31000 SW Sandy Ct.
- Jan Johnson, 6591 Landover Drive
- Scott McKnight, 28548 SW Cascade Loop
- Doug Lundingan, 4656 SW Homesteader Rd.
- Lois Lundingan, 4656 SW Homesteader Rd.

- Rhoda Wolff, 2811 SW Wagner Street
- Ben Burns, 7125 SW Highland Ct.
- Brooke Smith, 7057 SW Iron Horse St.
- Dorothy Von Eggers, 6567 SW Stratford Ct.
- Carl Goodwin, 4220 SW Homesteader
- Alys McKnight, 28548 SW Cascade Loop
- Elizabeth McCord, 7893 SW Rockbridge St.
- Emily McClelland, 24400 SW Gage Rd.
- Debi Laue, PO Box 147
- Alicia Dart, 8565 SW Miami
- Grady Nelson, 6820 SW Fernbrook
- Karen Kaiser, 3030 SW Advance Rd.

Mayor Knapp observed any development in the Frog Pond area would take years to begin and complete since many steps needed to happen for the process to move forward. He pointed out Villebois had been under development for the past 17 years and was approximately 60% built out. The Mayor noted the costs of infrastructure to serve the area will be spread among the number of lots, and that fewer lots meant increased infrastructure costs. He reflected there were residents in all stages of their lives with different housing needs, and providing a variety of housing types was important in a community. Mayor Knapp thanked the public for their testimony and appreciated their points of view.

Councilor Starr commented he ran for Council to reduce density and slow growth and he agreed there were few options for people wanting to purchase property in the \$900,000 to \$1.2 M price range Ms. Laue talked about. He wanted to insure Frog Pond West would correct the imbalance of housing types and that no multi-family housing will occur in the area. The Councilor was not convinced Metro housing regulations reflected the best interest of the City.

Councilor Stevens said there were misconceptions of what was planned in the Frog Pond area from the comments she read in the survey. Originally apartments were penciled into the plan on the east side; however, after a joint work session with the Planning Committee, it was agreed to remove them, no apartment units are planned for the entire area.

Councilor Fitzgerald stated the Planning Commission has had many conversations about the proposal, and there is a commitment to having single family homes in the area, as well as an interest in a safe, family oriented area. She felt there was support for the comments received from the survey for Frog Pond, abundant parks, single family homes, natural areas, and walkability. Villebois does have a variety of housing types, from apartments to 3,000 square foot homes, along with natural areas, and city parks.

Mr. Cosgrove informed the audience information about the proposed development was available on the Frog Pond website, and that the Planning Commission will be discussing the issue at their next meetings and confirmed Frog Pond West would be only single family homes.

Mayor Knapp expressed his thanks to the citizens who turned out and assured them the Council would take their comments into consideration.

### **COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

Council President Starr – (Park & Recreation Advisory Board Liaison) announced Spa Saturday at the Community Center; and the Korean War Memorial Remembrance scheduled for May 25<sup>th</sup>.

Councilor Fitzgerald – (Development Review Panels A & B Liaison) reported on the results of the latest DRB meeting where a new park was approved in Villebois. She mentioned the Eagle Scout Veterans Commemoration planned at Pleasant View Cemetery.

Councilor Stevens – (Library Board and Wilsonville Seniors Liaison) announced the next meeting date of the Library Board as well as the upcoming activities of the Wilsonville Community Seniors. She invited the public to attend the 16<sup>th</sup> Festival of the Arts and noted the dates the water features would be turned on.

Mayor Knapp reported on the decisions made by the Planning Commission at their last meeting. He thanked the employees of Key Bank who volunteered their time with the City in the Parks Department, and Administration in City Hall.

### **CONSENT AGENDA**

Mr. Kohlhoff read the titles of the Consent Agenda items for the record.

A. **Resolution No. 2531**

A Resolution Of The City Of Wilsonville City Council Authorizing The City Manager To Execute A Consulting Contact With AKS Engineering And Forestry For The Willamette River Storm Outfalls Project (Capital Improvement Project #7053).

B. **Resolution No. 2532**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Weitman Excavation LLC For The Wilsonville Road Median Retrofit Project (Capital Improvement Project 4720).

C. Minutes of the May 4, 2015 City Council Meeting.

**Motion:** Councilor Starr moved to approve the Consent Agenda. Councilor Fitzgerald seconded the motion.

**Vote:** Motion carried 4-0.

## PUBLIC HEARING

Mr. Kohlhoff read Ordinance No. 769 for first reading by title only. He stated during the Work Session, Council determined to continue the public hearing and first reading of the ordinance to their June 1, 2015 meeting.

**Motion:** Councilor Fitzgerald moved to continue the public hearing on Ordinance No. 769 to the next meeting of the Council on June 1<sup>st</sup>. Councilor Starr seconded the motion.

**Vote:** Motion carried 4-0.

- A. **Ordinance No. 769** 1<sup>st</sup> reading **Continued to June 1, 2015**  
An Ordinance Of The City Of Wilsonville Amending Wilsonville Code Chapter 3, City Property And Chapter 8, Environment To Add Updated Erosion Control Requirements.

## CONTINUING BUSINESS

Mr. Kohlhoff read Ordinance No. 768 by title only for second reading.

- A. **Ordinance No. 768** 2<sup>nd</sup> reading  
An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Facility (PF) Zone To The VILLAGE (V) ZONE On Approximately 3.58 Acres Northwest Of SW Villebois Drive North Between SW Orleans Avenue And SW Costa Circle West. Comprising Tax Lot 3100 And Adjacent Right-Of-Way Of Section 15AC, T3S, R1W, Clackamas County, Oregon, RCS-Villebois Development LLC, Applicant.

**Motion:** Councilor Fitzgerald moved to approve Ordinance No. 768 on second reading. Councilor Stevens seconded the motion.

**Vote:** Motion carried 4-0.  
Mayor Knapp - Yes  
Councilor Starr - Yes  
Councilor Fitzgerald - Yes  
Councilor Stevens - Yes  
Councilor Lehan - excused

## CITY MANAGER'S BUSINESS

Mr. Cosgrove explained the focused approach to be used to review the logo and tag line developed during the branding process. Recommendations from the focus group will be brought back to Council for consideration.

**LEGAL BUSINESS**

Mr. Kohlhoff noted he was part of a panel who spoke at an Oregon City Attorney Association continuing education session about local improvement districts.

**ADJOURN**

There being no further business before the Council, Mayor Knapp adjourned the meeting at 8:50 p.m.

Respectfully submitted,

---

Sandra C. King, MMC, City Recorder

ATTEST:

---

Tim Knapp, Mayor





**CITY COUNCIL MEETING  
STAFF REPORT**

<p><b>Meeting Date:</b>  June 1, 2015</p>	<p><b>Subject: Resolutions No. 2533 and 2534</b> State Shared Revenue</p> <p><b>Staff Member:</b> Cathy Rodocker, Assistant Finance Director</p> <p><b>Department:</b> Finance</p>	
<p><b>Action Required</b></p> <p><input checked="" type="checkbox"/> Motion  <input checked="" type="checkbox"/> Public Hearing Date: 6/1/15  <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</p>	<p><b>Advisory Board/Commission Recommendation</b></p> <p><input checked="" type="checkbox"/> Approval  <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded  <input type="checkbox"/> Not Applicable</p> <p><b>Comments:</b> Budget as approved by Budget Committee on May 19, 2015.</p>	
<p><b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No. 2533 and Resolution No. 2534.</p>		
<p><b>Recommended Language for Motion:</b> I move to approve Resolution No. 2533 and Resolution No. 2534.</p>		
<p><b>PROJECT / ISSUE RELATES TO:</b> <i>[Identify which goal(s), master plans(s) issue relates to.]</i></p>		
<p><input checked="" type="checkbox"/> Council Goals/Priorities</p>	<p><input type="checkbox"/> Adopted Master Plan(s)</p>	<p><input type="checkbox"/> Not Applicable</p>

**ISSUE BEFORE COUNCIL:** Public hearing on receipt and use of state shared revenues.

**EXECUTIVE SUMMARY:** Oregon law requires the public be given two opportunities to comment on receiving state shared revenues and their proposed use. The first opportunity is extended during the Budget Committee meeting held on May 14, 2015. The second opportunity is offered in conjunction with the budget adoption.

**EXPECTED RESULTS:** Accompanying resolutions satisfy legal requirements to receive state shared revenues in FY 2015-16.

**TIMELINE:**

- May 6, 2015 – Notice of meeting to receive comments from the public on uses of state shared revenues at the May 14, 2015 Budget Committee meeting published in the Wilsonville Spokesman
- May 14, 2015 – First meeting of the Budget Committee, public invited to testify
- May 27, 2015 – Posted notice of public hearing
- June 1, 2015 – Council meeting to receive public testimony and consider comments prior to action to Adopt the budget

**CURRENT YEAR BUDGET IMPACTS:** Does not affect the FY 2014-15 budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole Date: 5/20/15

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: 5/20/2015

The Resolutions are approved as to form. Both Resolutions can be read and a joint public hearing to take testimony can be conducted, but they should be individually adopted with the eligibility Resolution going first.

**COMMUNITY INVOLVEMENT PROCESS:** The opportunity for the public to address the Budget Committee pertaining to state shared revenues was offered at the meeting on May 14, 2015. No public testimony was received.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** State revenues allow, in part, funding for the road operations program, facility and parks maintenance, law enforcement, parks and recreation services and library operations.

**ALTERNATIVES:**

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2533
- B. Resolution No. 2534

<b>Summary of State Shared Revenues</b>		
<b>Resources and Possible Uses</b>		
	General Fund	Road Operating Fund
<b>State Shared Revenues:</b>		
Alcoholic beverage taxes	\$ 293,000	
Cigarette taxes	\$ 27,000	
State shared revenues	\$ 232,000	
Gas tax		\$ 1,158,500
<b>Possible uses:</b>		
Police	ü	
Parks & Building maintenance	ü	
Library	ü	
Youth, Adult & Senior services	ü	
Policy and administration	ü	
Planning	ü	
Road operations		ü

**RESOLUTION NO. 2533**

**A RESOLUTION DECLARING THE CITY'S ELIGIBILITY TO RECEIVE STATE SHARED REVENUES.**

**WHEREAS**, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection;
- (2) Fire protection;
- (3) Street construction, maintenance and lighting;
- (4) Sanitary sewer;
- (5) Storm sewers;
- (6) Planning, zoning and subdivision control;
- (7) One or more utility services; and

**WHEREAS**, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

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

1. That the Wilsonville City Council hereby declares that the City directly provides all of the municipal services enumerated above, save and except the provision of the City's fire protection which is through Tualatin Valley Fire & Rescue.
2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 1st day of June, 2015 and filed with the Wilsonville City Recorder this date.

---

TIM KNAPP, MAYOR

ATTEST:

---

Sandra C. King, MMC, City Recorder

SUMMARY of Votes:  
Mayor Knapp  
Council President Starr  
Councilor Fitzgerald  
Councilor Stevens  
Councilor Lehan

**RESOLUTION NO. 2534**

**A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES.**

**WHEREAS**, the Budget Committee has reviewed and approved the proposed use of State Shared Revenues; and

**WHEREAS**, a public hearing has been held before the Budget Committee on May 14, 2015 to discuss possible uses of the funds and before the City Council on June 1, 2015 to obtain public input as to the proposed uses of State Shared Revenues.

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

1. Pursuant to ORS 221.770 the City of Wilsonville hereby elects to receive state revenues for the fiscal year 2015-16.
2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 1st day of June, 2015 and filed with the Wilsonville City Recorder this same date.

---

TIM KNAPP, MAYOR

ATTEST:

---

Sandra C. King, MMC, City Recorder

SUMMARY of Votes:  
Mayor Knapp  
Council President Starr  
Councilor Fitzgerald  
Councilor Stevens  
Councilor Lehan



**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> June 1, 2015		<b>Subject: Resolution No. 2535</b> City Budget Adoption for FY 2015-16  <b>Staff Member:</b> Susan Cole, Finance Director <b>Department:</b> Finance	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: 6/1/15 <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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Budget as approved by Budget Committee on May 19, 2015.	
<b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No. 2035 after conducting the public hearing.			
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2535.			
<b>PROJECT / ISSUE RELATES TO:</b> <i>[Identify which goal(s), master plans(s) issue relates to.]</i>			
<input checked="" type="checkbox"/> Council Goals/Priorities		<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:** Public hearing and adoption of the budget for fiscal year 2015-16.

**EXECUTIVE SUMMARY:** Following the Budget Committee vote to approve the budget the City Council must hold a public hearing and receive comments on the budget prior to adoption. Council must adopt the budget no later than June 30, 2015.

By law, the Council may make changes in the approved budget within certain limitations: (1) taxes may not be increased over the amount approved by the budget committee, and (2)

estimated expenditures in a fund cannot be increased by more than \$5,000 or 10 percent, whichever is greater. The Council can reduce the budget from that approved by the Budget Committee.

**EXPECTED RESULTS:** Create the budget for operating and capital purposes for the fiscal year 2015-16.

**TIMELINE:**

- May 6, 2015 - Public notice of the availability of the proposed budget and Budget Committee meeting dates published in the Wilsonville Spokesman
- May 14, 2015 – First meeting of the Budget Committee, presentation of budget message, public testimony taken
- May 19, 2015 – Second meeting of the Budget Committee, opportunity for public to testify, voted to approve budget with two amendments: increasing the General Fund operating appropriations by \$15,000 directed toward helping community members in need and decreasing contingency by a like amount; and decreasing the Water Fund operating appropriations by \$13,688 by removing membership for the Regional Water Consortium and increasing contingency by like amount.
- May 27, 2015 – Public notice of the meeting to adopt published in the Wilsonville Spokesman.
- June 1, 2015 – Council meeting to receive public testimony, consider Resolution to adopt budget.

**COMMUNITY INVOLVEMENT PROCESS:** The opportunity for the public to address the Budget Committee was offered at the meetings on May 14, 2015 and May 19, 2015. Public comments and questions were received at the meetings. Staff responded to the issues and questions raised in writing prior to May 19, 2015.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** The budget provides for the delivery of services and construction of capital projects throughout the community.

**BUDGET COMMITTEE ACTIONS:**

The Budget Committee amended the FY 2015-16 budget in the following ways:

- The General Fund program of Administration was increased by \$15,000 in order to enhance funding previously allocated to help community members in need.
- The General Fund contingency was reduced by \$15,000 to accommodate the above and keep the General Fund in balance.
- The Water Fund program of Water Distribution and Sales was decreased by \$13,688 to reflect the removal from the budget of the membership to the Regional Water Consortium.
- The Water Fund contingency was increased by \$13,688 to accommodate the above and keep the Water Fund in balance.

**CURRENT YEAR BUDGET IMPACTS:** Does not affect the current year budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by:       SCole       Date:       5/20/15



No Financial impact.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**COMMUNITY INVOLVEMENT PROCESS:** The opportunity for the public to address the Budget Committee was offered at the meetings on May 14, 2015 and May 19, 2015. Public comments and questions were received. Staff responded to the issues and questions raised by committee members in writing prior to May 19 2015.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** The budget provides for the delivery of services and construction of capital projects throughout the community.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Summary of Reductions by Program
- B. Summary by Fund
- C. Resolution No. 2535

**RESOLUTION NO. 2535**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE AD VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2015-16.**

**WHEREAS**, in accordance with ORS 294.426 the Wilsonville Budget Committee met on May 14, 2015 and May 19, 2015 to receive public testimony, hear the budget message and listen to presentations pertaining to the proposed budget for Fiscal Year 2015-16; and,

**WHEREAS**, the Budget Committee deliberated on the proposed budget and on May 19, 2015; and

**WHEREAS**, the proposed budget document included the Comprehensive Financial Management Policies which specifies certain reserves and contingency balances for operating funds and such a amounts were included in the approved budget, and

**WHEREAS**, on May 27, 2015 a summary of the budget, as required by ORS 294.438, was duly published in the Wilsonville Spokesman, a newspaper of general circulation in the City; and,

**WHEREAS**, in accordance with ORS 294.456 the Wilsonville City Council duly held a public hearing on June 1, 2015 where all interested persons were afforded an opportunity to appear and be heard with respect to the approved budget for the fiscal year beginning July 1, 2015.

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

1. The Council adopts the budget for FY 2015-16 in the total amount of \$137,738,836.
2. Of the total adopted budget of \$137,738,836, the City appropriates \$131,874,536 for the fiscal year beginning July 1, 2015 as shown in Attachment A – Schedule of Appropriations. The difference of \$5,864,300 is not appropriated and is not available for expenditure during the year.

3. The City of Wilsonville City Council hereby imposes the taxes provided for in the Adopted Budget at the rate of \$2.5206 per \$1,000 of assessed value for general operations; and in the amount of \$333,000 for general obligation bonds; and that these taxes are hereby imposed and categorized for the tax year 2015-16 upon the assessed value of all taxable property in the City.

	<u>General Government Limit</u>
General Fund	\$2.5206 / \$1,000

	<u>Excluded from Limit</u>
General Obligation Debt Fund	\$333,000

4. In compliance with the City's Financial Management Policies certain contingencies, reserves and carryover balances are established as part of the budget process. These balances are matched to the Governmental Accounting Standards Board (GASB) Pronouncement Number 54 standard terminology as set forth below.

- a. GASB Restricted category includes amounts for which an external source has created a legal restriction on available balances, such as for bond covenants and taxes restricted to payment of debt. Within the budget document such amounts are titled Restricted.
- b. GASB Committed category includes amounts for which Council has approved by resolution. Only a subsequent council resolution may change the amount or intended use. Within the budget document such amounts are titled Committed (unappropriated). The Committed (unappropriated) is also referred to as the unappropriated ending fund balance and serves as a carryover from one fiscal year to the next.
- c. GASB Assigned category includes amounts which are designated but for which a resolution has not been adopted. Authority is hereby granted to the City Council, City Manager and the Finance Director for the purpose of setting aside resources for specific future needs, such as equipment and building replacements and prudent financial reserves. Within the budget document such amounts are titled Assigned (designated) and Assigned (contingency). Assigned (designated) purpose is identified on page 249 of the Proposed Budget document. Assigned

(contingency) is the portion of appropriations available for use during a fiscal year if approved through Council Resolution.

- d. GASB Unassigned category is used exclusively in the General Fund and has the same meaning as Assigned (contingency) in paragraph (c) above.
  - e. City Council considers the spending of the restricted classification of fund balance on purposes for which such funds can be used to occur first when funds are spent for restricted and unrestricted purposes. When unrestricted classifications of fund balance are spent, the Council will consider that assigned amounts will be reduced first, followed by unassigned amounts and then committed amounts.
5. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regularly scheduled meeting thereof this 1st day of June, 2015 and filed with the City Recorder this date.

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TIM KNAPP, Mayor

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY of Votes:

Mayor Knapp  
Council President Starr  
Councilor Fitzgerald  
Councilor Lehan  
Councilor Stevens

<b>Attachment A – Schedule of Appropriations</b>
--

**General Fund**

Administration	\$ 1,615,672	
Finance	1,304,567	
Information Services	710,305	
Geographical Information Services	228,683	
Legal	509,055	
Human Resources and Risk Management	611,092	
Public Works Administration	465,081	
Building Maintenance	960,441	
Parks Maintenance	1,141,840	
Parks and Recreation	1,167,674	
Library	1,764,937	
Law Enforcement	4,355,151	
Municipal court	215,255	
Transfers to Other Funds	7,163,591	
Contingency	9,272,304	
<b>Total Fund Appropriations</b>		<b>\$31,485,648</b>

**Community Development Fund**

CD Administration	\$ 748,510	
Engineering	1,280,925	
Planning	957,037	
Natural Resources/Stormwater Management	137,150	
Transfers to Other Funds	457,066	
Contingency	1,182,381	
<b>Total Fund Appropriations</b>		<b>\$4,763,069</b>

**Building Fund**

Building	756,758	
Transfers to Other Funds	202,508	
Contingency	2,711,644	
<b>Total Fund Appropriations</b>		<b>\$3,670,910</b>

<b>Attachment A – Schedule of Appropriations</b>
--

<u>Transit Fund</u>		
Transit	\$	5,308,255
Transfers to Other Funds		528,741
Contingency		1,233,804
<b>Total Fund Appropriations</b>		<b>\$7,070,800</b>

<u>Road Operating Fund</u>		
Road Operating	\$	814,968
Transfers to Other Funds		709,741
Contingency		847,806
<b>Total Fund Appropriations</b>		<b>\$2,372,515</b>

<u>Road Maintenance Regulatory Fund</u>		
Transfers to Other Funds	\$	710,000
Contingency		693,483
<b>Total Fund Appropriations</b>		<b>\$1,403,483</b>

<u>Water Operating Fund</u>		
Water Distributions and Sales	\$	1,297,976
Water Treatment		2,694,641
Debt Service		1,872,583
Transfers to Other Funds		1,320,000
Contingency		6,819,666
<b>Total Fund Appropriations</b>		<b>\$14,004,866</b>

<u>Sewer Operating Fund</u>		
Sewer Collection	\$	770,887
Sewer Treatment		2,530,435
Sewer Pretreatment		122,627
Debt Service		3,588,957
Transfers to Other Funds		2,840,852
Contingency		7,628,596
<b>Total Fund Appropriations</b>		<b>\$17,482,354</b>

<b>Attachment A – Schedule of Appropriations</b>
--

**Street Lighting Operating Fund**

Street Lighting	\$	278,318	
Transfers to Other Funds		459,020	
Contingency		536,692	
<b>Total Fund Appropriations</b>		<b>1,274,030</b>	<b>\$1,274,030</b>

**Stormwater Fund**

Natural Resources/Stormwater Management	\$	274,166	
Stormwater Maintenance		574,361	
Transfers to Other Funds		996,389	
Contingency		389,797	
<b>Total Fund Appropriations</b>		<b>2,234,713</b>	<b>\$2,234,713</b>

**Fleet Service Fund**

Fleet	\$	1,315,417	
Transfers to Other Funds		2,400	
Contingency		1,094,947	
<b>Total Fund Appropriations</b>		<b>2,412,764</b>	<b>\$2,412,764</b>

**Debt Service Fund**

Debt Service	\$	372,303	
Transfers to Other Funds		35,000	
Contingency		9,587	
<b>Total Fund Appropriations</b>		<b>416,890</b>	<b>\$416,890</b>

**Water Capital Projects Fund**

Water Capital Projects	\$	881,792	
Transfers to Other Funds		109,194	
Contingency		74,472	
<b>Total Fund Appropriations</b>		<b>1,065,458</b>	<b>\$1,065,458</b>

**Sewer Capital Projects Fund**

Sewer Capital Projects	\$	3,544,919	
Transfers to Other Funds		349,323	
Contingency		49,980	
<b>Total Fund Appropriations</b>		<b>3,944,222</b>	<b>\$3,944,222</b>

<b>Attachment A – Schedule of Appropriations</b>
--

**Streets Capital Projects Fund**

Streets Capital Projects	\$ 4,518,200	
Transfers to Other Funds	804,765	
Contingency	<u>1,017,024</u>	
<b>Total Fund Appropriations</b>		<b>\$6,339,989</b>

**Stormwater Capital Projects Fund**

Stormwater Capital Projects	\$ 1,513,712	
Transfers to Other Funds	217,826	
Contingency	<u>774,729</u>	
<b>Total Fund Appropriations</b>		<b>\$2,506,267</b>

**Building Capital Projects Fund**

Building Capital Projects	\$ 1,228,500	
Transfers to Other Funds	27,000	
Contingency	<u>184,865</u>	
<b>Total Fund Appropriations</b>		<b>\$1,440,365</b>

**Parks Capital Projects Fund**

Parks Capital Projects	\$ 2,283,100	
Transfers to Other Funds	207,252	
Contingency	<u>71,531</u>	
<b>Total Fund Appropriations</b>		<b>\$2,561,883</b>

**Water Development Charges**

Materials & Services	\$ 9,600	
Transfers to Other Funds	599,016	
Contingency	<u>4,422,273</u>	
<b>Total Fund Appropriations</b>		<b>\$5,030,889</b>

**Sewer Development Charges**

Materials & Services	\$ 6,200	
Transfers to Other Funds	2,175,791	
Contingency	<u>5,571,190</u>	
<b>Total Fund Appropriations</b>		<b>\$7,753,181</b>



<b>Attachment A – Schedule of Appropriations</b>
--

**Streets Development Charges**

Materials & Services	\$ 15,900	
Transfers to Other Funds	2,932,789	
Contingency	4,512,334	
<b>Total Fund Appropriations</b>		<b>\$7,461,023</b>

**Stormwater Development Charges**

Materials & Services	\$ 2,600	
Transfers to Other Funds	195,809	
Contingency	1,699,669	
<b>Total Fund Appropriations</b>		<b>\$1,898,078</b>

**Parks Development Charges**

Materials & Services	\$ 3,850	
Transfers to Other Funds	1,340,389	
Contingency	1,936,900	
<b>Total Fund Appropriations</b>		<b>\$3,281,139</b>

<b>Total City Appropriations - All Funds</b>		<b>\$131,874,536</b>
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**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  June 1, 2015	<b>Subject: Resolution No. 2536</b> Memorial Park Master Plan  <b>Staff Member:</b> Stan Sherer <b>Department:</b> Parks and Recreation	
<b>Action Required</b> <input checked="" type="checkbox"/> Motion <input checked="" 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	<b>Advisory Board/Commission Recommendation</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> The Parks Advisory Board and the Planning Commission are recommending adoption of the proposed Master Plan.	
<b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No. 2536.		
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2536.		
<b>PROJECT / ISSUE RELATES TO:</b> <i>[Identify which goal(s), master plans(s) issue relates to.]</i>		
<input checked="" type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:** The City of Wilsonville initiated the master planning process for Memorial Park in October 2014. The process has produced a preferred conceptual design that will be presented for Council consideration and possible adoption.

**EXECUTIVE SUMMARY:** The City of Wilsonville solicited proposals from qualified landscape architectural and planning firms to update the long-range plan for the development and restoration of the 126 acre Memorial Park. Walker-Macy of Portland was chosen to manage the master planning process. The scope of work consisted of analyzing existing park uses and the demographics of the existing participation base, developing a conceptual design for rehabilitation and improvement projects, developing an operations and programming model, calculating cost estimates for the proposed enhancements, improving Willamette River access, and balancing the active and passive recreational opportunities to ensure respect of the natural environment while addressing the existing and perceived demand for recreation services.

The Parks Advisory Board approved the proposed plan and the Planning Commission passed a resolution recommending that the City Council adopt the Master Plan for Memorial Park improvements. The Planning Commission did include in their motion recommendations to add an additional sand volleyball court, add language to the Plan to consider the potential of adding synthetic turf athletic fields beyond what is currently depicted, and amend the phasing plan by moving the river access elements of the Plan into the first phase of development.

**EXPECTED RESULTS:** That the City Council adopt the Master Plan for Memorial Park resulting in enhancements to existing facilities and the addition of new recreational amenities in an effort to satisfy the community's demand for passive and active recreational opportunities.

**TIMELINE:** The adoption of the Master Plan for Memorial Park is the final step in the planning process.

**CURRENT YEAR BUDGET IMPACTS:** N/A

**FINANCIAL REVIEW / COMMENTS:**

The cost estimates for implementing the Memorial Park Master Plan will be built into future capital improvement programs.

Reviewed by: SCole Date: 5/20/15

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: 5/20/2015

Resolution approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:** Community stakeholder interviews were conducted, three open houses to solicit citizen input on design elements were held on November 5, 2014, December 16, 2014 and February 18, 2015, and an online survey was available from December 12, 2014 until January 20, 2015.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** Benefits to the community include:

- Rehabilitation of existing infrastructure
- Added amenities to the site to meet existing and perceived demand for passive and active recreational services
- Improved access to the Willamette River
- Protected natural resources

**ALTERNATIVES:** The City Council could reject the proposed Master Plan and/or direct staff to amend the plan for future consideration.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Memorial Park Master Plan Presentation
- B. Resolution No. 2536

**RESOLUTION NO. 2536**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE PROPOSED MASTER PLAN FOR MEMORIAL PARK IMPROVEMENTS.**

WHEREAS, Memorial Park has become a cherished resource for the community and offers a diversity of active and passive recreational opportunities.

WHEREAS, the City is a growing community outpacing many communities in the Metro area and the City's demographics are also evolving, bringing increased need to provide new types of activities in the park.

WHEREAS, the existing Parks and Recreation Master Plan recommended updating the Master Plan for Memorial Park.

WHEREAS, the proposed Master Plan establishes a balance of passive and active recreation, seeks low cost- high return improvements, identifies revenue generating activities and provides a high quality recreational experience for the community.

WHEREAS, the proposed Master Plan establishes a framework for Memorial Park that can be constructed efficiently and sustainably, improves the environment health of its natural resources, and can be effectively maintained over the long term.

WHEREAS, benefits to the community include rehabilitation of existing infrastructure, added amenities to the site to meet existing and perceived demand for passive and active recreational services, improved access to the Willamette River, and protected natural resources.

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

1. The City Council incorporates herein the above recitals and adopts the proposed updated Master Plan for Memorial Park improvements.
2. A copy of the Master Plan, dated May 2015, is on file with the City Recorder and made a part of the record hereof; and
3. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this \_\_\_\_ day of May, 2015, and filed with the Wilsonville City Recorder this date.

---

Tim Knapp, Mayor

ATTEST:

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Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Fitzgerald

Councilor Stevens

Councilor Lehan

Attachments:

Memorial Park Master Plan, dated May 2015, is separately bound.

Planning Commission Record Case File LP15-0001 is attached

# Memorial Park Master Plan Update

Wilsonville Parks and Recreation Department  
MAY 2015



## ACKNOWLEDGMENTS

### Wilsonville Parks and Recreation Department

Stan Sherer, Director  
Tod Blankenship, Parks Supervisor  
Brian Stevenson, Recreation Coordinator

### City of Wilsonville

Kerry Rappold, Natural Resources Program Manager  
Kurt Budlong, Analyst

### Walker Macy

Mike Zilis, Principal in Charge  
Ian Holzworth, Project Manager  
Thomas Fischer, Landscape Designer

### Conservation Technix, Inc.

Steve Duh, Principal

### Pacific Habitat Services

John van Staveren, President

### Architectural Cost Consultants, LLC

Stan Pszczolkowski, Estimator

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# **I. EXECUTIVE SUMMARY**

## EXECUTIVE SUMMARY

Located in the heart of Wilsonville, Oregon Memorial Park has been a significant community resource for its citizens for decades. Often referred to as Wilsonville’s jewel, the 126 acre Regional Park is bordered by Wilsonville Road, Memorial Drive and the Willamette River. Generations of residents have enjoyed the wide variety of active, passive, programed and non-programed recreational experiences the park has to offer. The park also provides distinctive natural resources including its riparian forest along the Willamette River and Boeckman Creek, open meadows and forested hillsides. These resources play an important role in shaping the park’s character and providing important wildlife corridors.

Community involvement was integral to the planning process. This included a City wide survey, stakeholder meetings, website communications and a three part series of public open houses that provided neighbors and citizens an active role in planning for the parks future. Critical to the community was balancing passive and active uses with protection and enhancement of the parks natural areas. This integral public involvement process produced a plan that was derived directly from community input and enhances the quality of the park to be enjoyed for generations to come.

The Master Plan for Memorial Park consists of a mixture of improvements to existing facilities and development of new park elements that reflect current demand while anticipating future community recreational needs. Elements of the Master Plan identified by the community include; improvements to Murase Plaza, upgraded sports fields, additional and improved picnic facilities, improvements to vehicular, pedestrian and bicycle access, new parking areas, seating, disc golf, relocation of the off leash area, restoration of natural areas and improved connections to the Willamette River. These modifications have been strategically located to preserve and enhance the natural features of the park and to minimize impacts to adjoining neighborhoods.

The proposed Master Plan strategically balances improvements to help guide future development of the popular park, ensuring Memorial Park will continue being a landmark destination within the community of Wilsonville.



Murase Plaza Water Feature



Existing Dock



Forest Trail



Existing Community Garden





Figure 1 - MEMORIAL PARK AERIAL IMAGE

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## **II. INTRODUCTION**



## PARK HISTORY

Memorial Park is the City of Wilsonville's oldest and largest park. The property was acquired by the City in 1968 at a size of 61 acres. Additional land was acquired by the City in 1987, 1993, and 2007 resulting in the park's current 126 acre size.

The park has a rich cultural history. Forester Ernest Kolbe planted a significant amount of tree species throughout his summer home property during the 1950's, which would later become a portion of the park. German metalsmith Gustave Stein built the Stein Homestead Barn in 1901. The Stein Barn was later purchased by Charles and Lucile Boozier whom later sold 61 acres of land to the City of Wilsonville in 1968 and remaining acreage to the City in 1993.

The park has become a cherished resource for the community and offers a diversity of active and passive recreational opportunities. Murase Plaza, at the intersection of SW Wilsonville Road and Memorial Drive has become the community's front porch. Opening in 2006, the interactive water feature at the plaza attracts hundreds of visitors every year.. Today, the park is home to Wilsonville's only public athletic fields, skateboard area, off-leash dog park and tennis courts. Other amenities include rentable shelters, basketball, sand volleyball, picnic facilities, a community garden and a variety of walking trails.



Ernest Kolbe informational signage

## MASTER PLAN APPROACH

The community has utilized Memorial Park for generations and knows it as a place to recreate, to hold civic events, to cherish natural areas and to honor its history. The Master Plan reflects these traditions and seeks to support and expand the unique qualities of the park and community.

The Master Plan seeks to balance the community's current needs and identify areas and activities for the future. Based on in-depth dialogue with the community, the Master Plan establishes a balance of passive and active recreation, seeks low cost- high return improvements, identifies revenue generating activities and provides a high quality recreational experience for the community..

Wilsonville is a growing community outpacing many communities in the Metro area. The city's demographics are also evolving, bringing increased need to provide new types of activities in the park. The plan's improvements were derived through collaboration and the best thinking of citizens and stakeholders to truly reflect community interests and enhance the character of the park for generations to come.

Key components of the plan include: increasing trails, embracing the river, balancing passive and active recreational opportunities, balancing natural preservation with recreation, providing field sports for the growing population, and providing alternative recreational opportunities..



Existing Off-leash Area



Existing Walnut Grove



Existing Off leash Area

## SUSTAINABLE DEVELOPMENT AND CARE

The City seeks to be sustainable in its development practices and effective in its use of funding . The Master Plan reflects this approach in retaining significant components of the park and making improvements rather than wholesale change. Over the life of the park, a primary resource-consuming element is the maintenance. The replacement, repair and general upkeep of facilities, equipment, lighting, lawn, planting, paving, and other elements are a long-term cost. The Master Plan establishes a framework for Memorial Park that can be constructed efficiently and sustainably, improves the environment health of its natural resources, and can be effectively maintained over the long term.



Existing dock



Existing play area and ballfield access path



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## **III. PUBLIC INVOLVEMENT**

## COMMUNITY INVOLVEMENT

The combination of stakeholder interviews, public meetings, discussions with the city and interaction through the City's website have guided the development of the Master Plan. A series of Open Houses employed a variety of engagement methods to reach people of all ages, backgrounds and walks of life. To identify the appropriate mix of uses, revenue generating resources, and sequence of future improvements, the community engaged in a dialogue that examined the current park and determined aspirations for the future. Key groups included: The City's parks and recreation, engineering and natural resources departments, neighbors and concerned citizens, and user groups such as sports leagues, dog owners, and other citizen groups.

## STAKEHOLDERS

The design team conducted a series of stakeholder interviews with community members identified by the City. Stakeholders include a range of groups and leagues who actively use sports fields as well as groups that passively use the park. These conversations enabled the project team to learn directly from people most connected with the Park. Meeting notes were produced and are provided in the appendix. Key components identified by stakeholders that the master plan should consider were:



Public open house

- \*Updating ball fields for extended use and programming flexibility
- \*Increasing parking quantity and quality
- \*Improving rest room facilities
- \*Exploring the potential for concessions
- \*Addressing security concerns
- \*Exploring covered court sports
- \*Providing accessible trails.

## PUBLIC OPEN HOUSES

The open houses began with a presentation of the findings to date followed by facilitated conversations with the public about their aspirations for the park and challenges and opportunities the park provides.

### PUBLIC OPEN HOUSE ONE

The first public open house took place on November 5th, 2014 where the design team presented current conditions of the park, site analysis, and key considerations. Various diagrams of the park were presented describing contextual relationships, regulatory and environmental overlays, circulation, access, time of year field use, and existing environmental areas. A list of potential program elements was also presented to gauge interest in various recreational activities. This analysis generated a discussion with citizens about potential new activities and improvements to the park that would serve both current and future needs of the community. Key points identified during the first public open house included:

- Desire to Increase flexibility of ball fields
- Enhancing connections to the river
- Maintaining privacy to adjacent neighborhoods
- Safety
- Increasing trail types and accessibility
- Increasing pickleball and skateboard opportunities
- Clarifying vehicular and pedestrian circulation
- Improving parking
- Increasing seating opportunities
- Improving accessibility throughout the park
- Enhancing passive recreation
- Embracing the park's history

### PUBLIC OPEN HOUSE TWO



Public open house

The information gathered through stakeholder meetings, input from the parks department and other city officials, and synthesized from group discussions in the first open house directed the development of three concepts presented at the second public open house on December 14th, 2014.

The three concepts provided a variety of configurations of new recreational elements and improvements to existing facilities that considered present and future needs. The concepts were presented to the group, including the pros and cons of each configuration. Community members and the design team then discussed the merits of the three different concepts. Robust conversations from community members regarding each concept provided the design team with invaluable insight. Balancing passive and active recreation and natural area preservation were identified as important elements when considering new recreational opportunities. Additional key points identified during the second public open house included:

- Provide Visual access to the river, not physical access
- Minimizing the removal of trees
- Improving Memorial Drive crossing
- Balancing passive and active uses
- Maintaining the park's current vegetated buffers at it

edges

- Providing light watercraft access
- Providing a variety of trails
- Exploring the use of synthetic turf fields

### **PUBLIC OPEN HOUSE THREE**

The final open house took place on February 18th, 2015. Community input from the previous two open houses, interaction through the city's website, and an online survey that generated over 600 responses from the citizens directed the design of the preferred Draft Master plan, where desired components of the three concepts were synthesized into a single plan. Similar to previous open houses, the preferred draft master plan was discussed in an open public format with community members. Valuable community input was received for further refinement of the draft plan. Key points identified during the third open house include:

- The Dock is busy during summer, light watercraft will add to busyness
- The Regional trail alignment along the west side of the park was preferred
- Retaining existing trails adjacent to the river is desired
- Maintain field #5 for girl's softball and young users
- The Disc golf course size is family friendly, not sized for advanced players
- Synthetic fields as shown is preferred
- Providing storage for ball field equipment

**ONLINE SURVEY**

Over 600 community members participated in an online survey developed by the Wilsonville Parks and Recreation Department. Those who responded represented a broad cross section of the Wilsonville community, providing valuable perspective as to how the community uses the park currently and their vision for Memorial Park’s future. The survey consisted of 10 questions illuminating the demographics of users, popular current park uses and desired future park uses. Key demographics uncovered by the survey include: park users are a mix of ages, majority arrive by car, 40% use the park weekly, with the highest use on weekend afternoons and weekday evenings. The highest existing uses of the park are sports fields, trails, playgrounds, and Murase plaza. The most desired uses are river access and river views, watercraft launch, and sports fields.

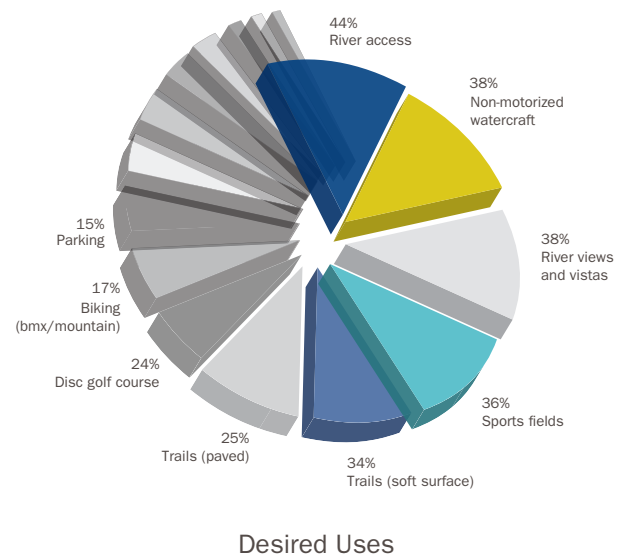
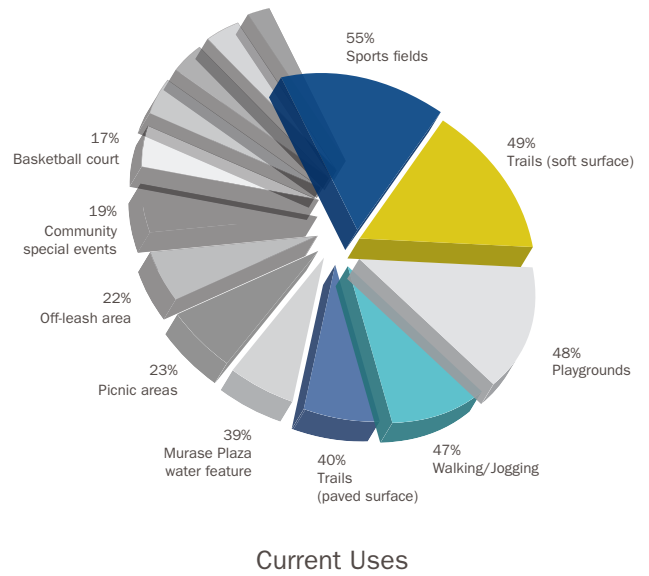


Figure 2 - SURVEY RESULTS: CURRENT AND DESIRED USES

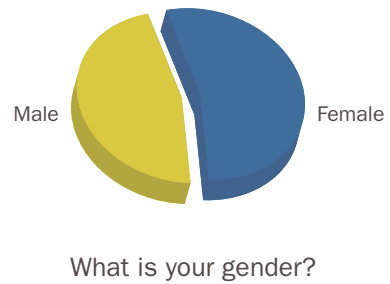
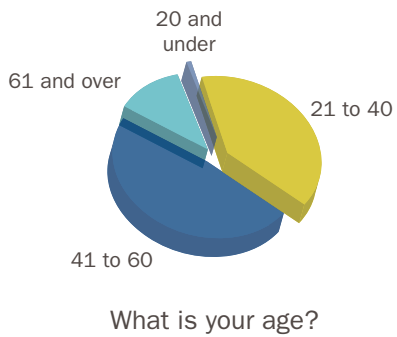
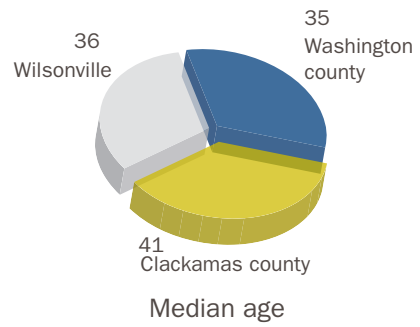
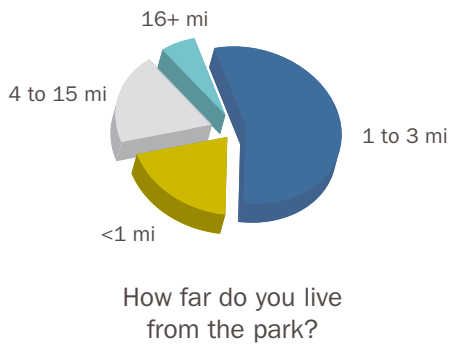
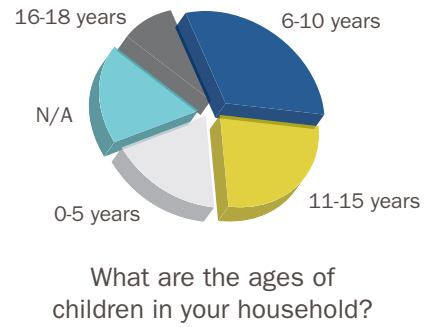
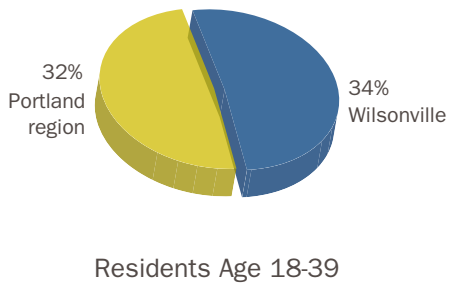
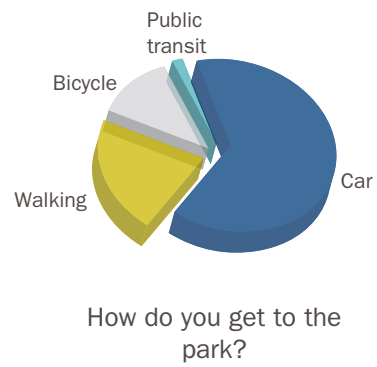
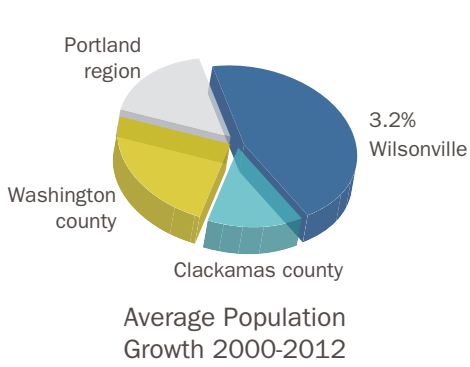


Figure 3 - SURVEY RESULTS

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## **IV. SITE ANALYSIS**



## **SITE ANALYSIS**

Prior to the first public open house, the design team conducted an extensive site analysis process that examined the existing conditions of Memorial Park. This included researching documentation and previous planning efforts, site visits to review park conditions, data gathering using geographical information systems (GIS), and mapping existing physical attributes. The site analysis phase included reviewing and documenting existing elements, uses, circulation, vegetation classifications, topographical, and architectural elements present in the park. Additionally, the design team worked with the Wilsonville Parks and Recreation Department to understand the existing uses of the park to understand how the events, rentals, sports fields, and other facilities currently function.

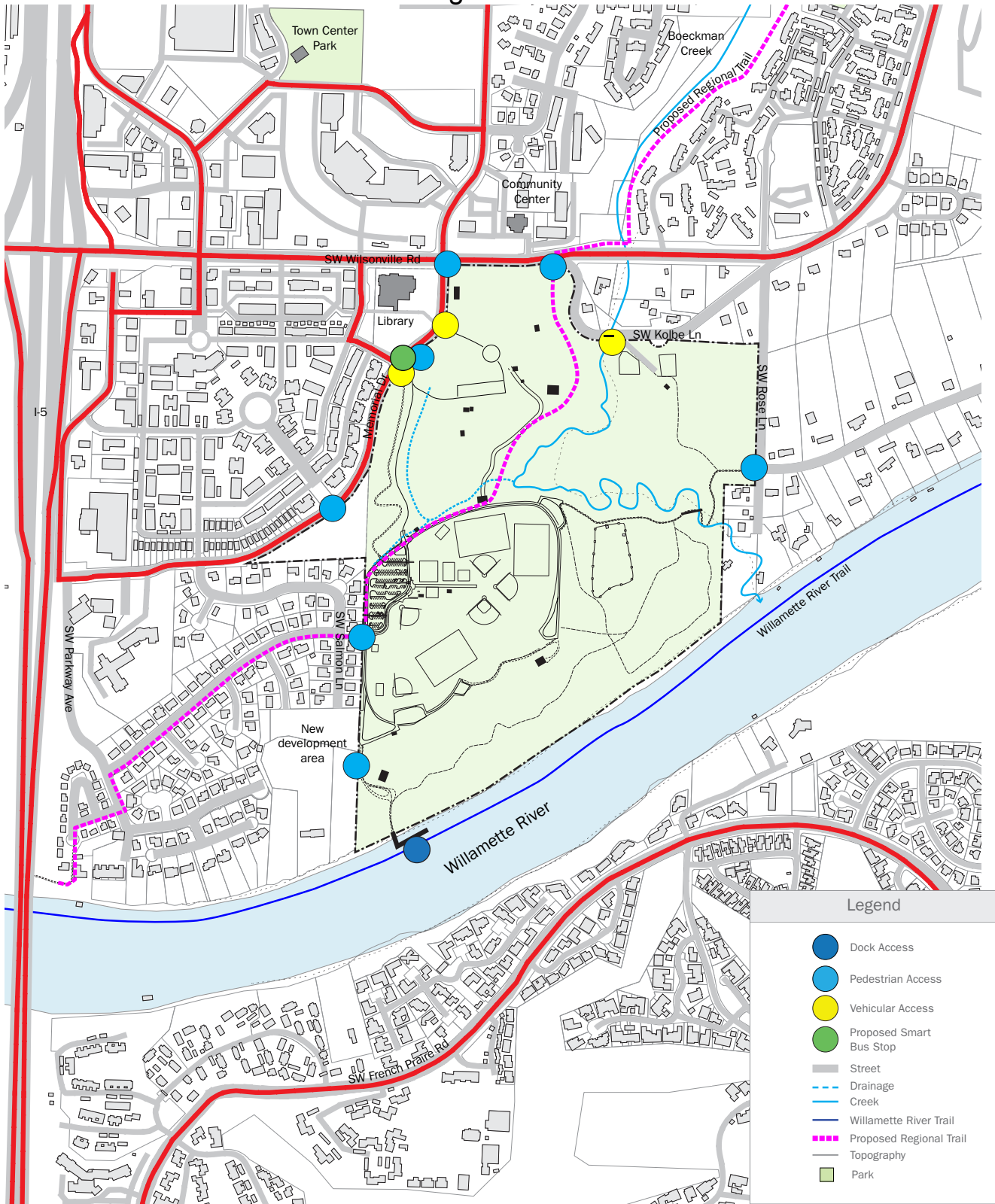


Figure 4 - **CONTEXT ANALYSIS**

The interface between Memorial Park and adjoining communities is important for providing safe and efficient access by different modes of transportation. The context analysis diagram highlights the existing types of access points and prominent circulation routes to and through the park.

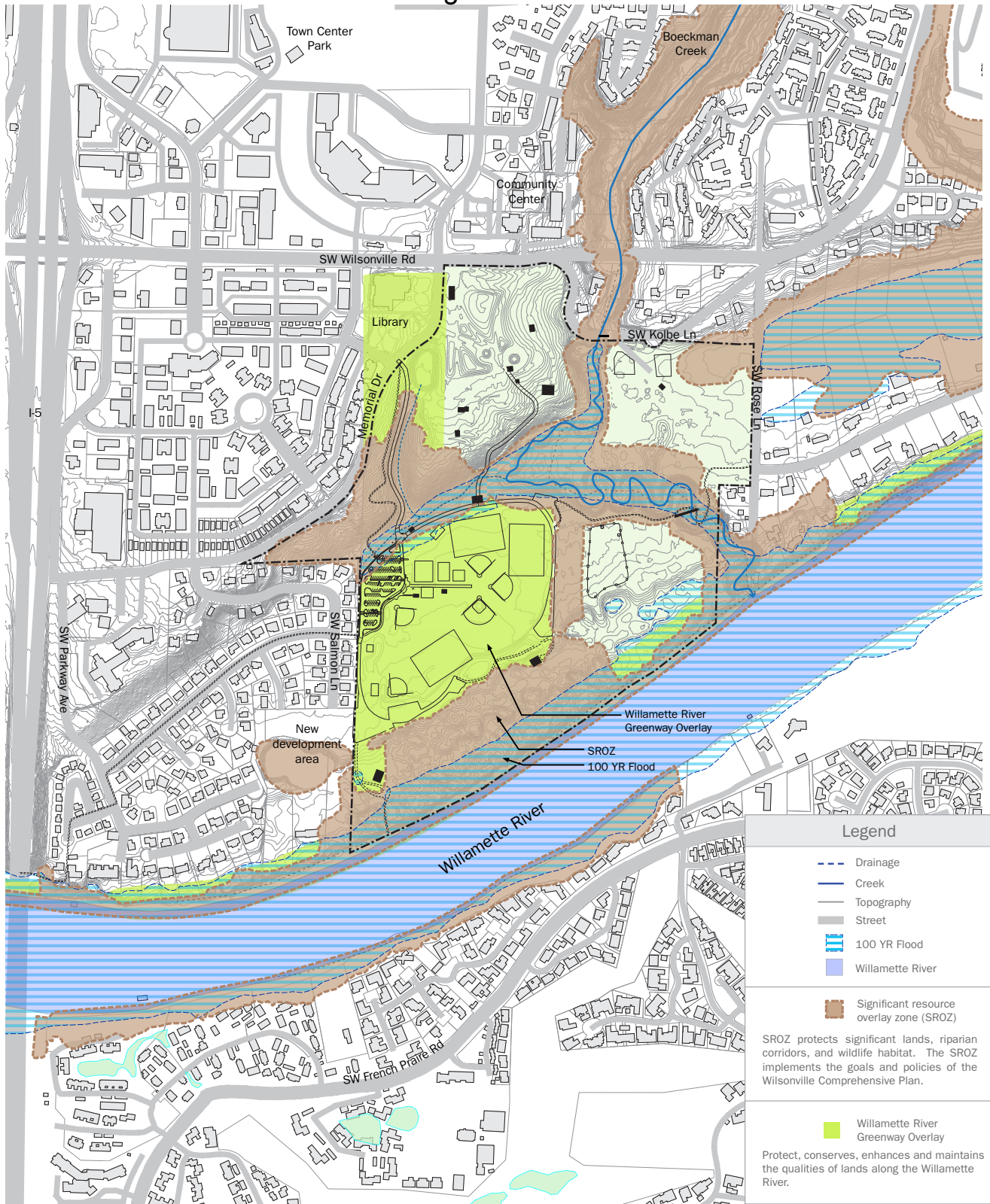


Figure 5 - REGULATIONS

Regulatory overlays provide development guidelines to protect and enhance natural areas and those adjacent to the Willamette River. The diagram maps the overlay zones that effect development within the park. These include the 100 year flood plain, Significant Resource Overlay Zone (SROZ), and Willamette River Greenway Overlay.



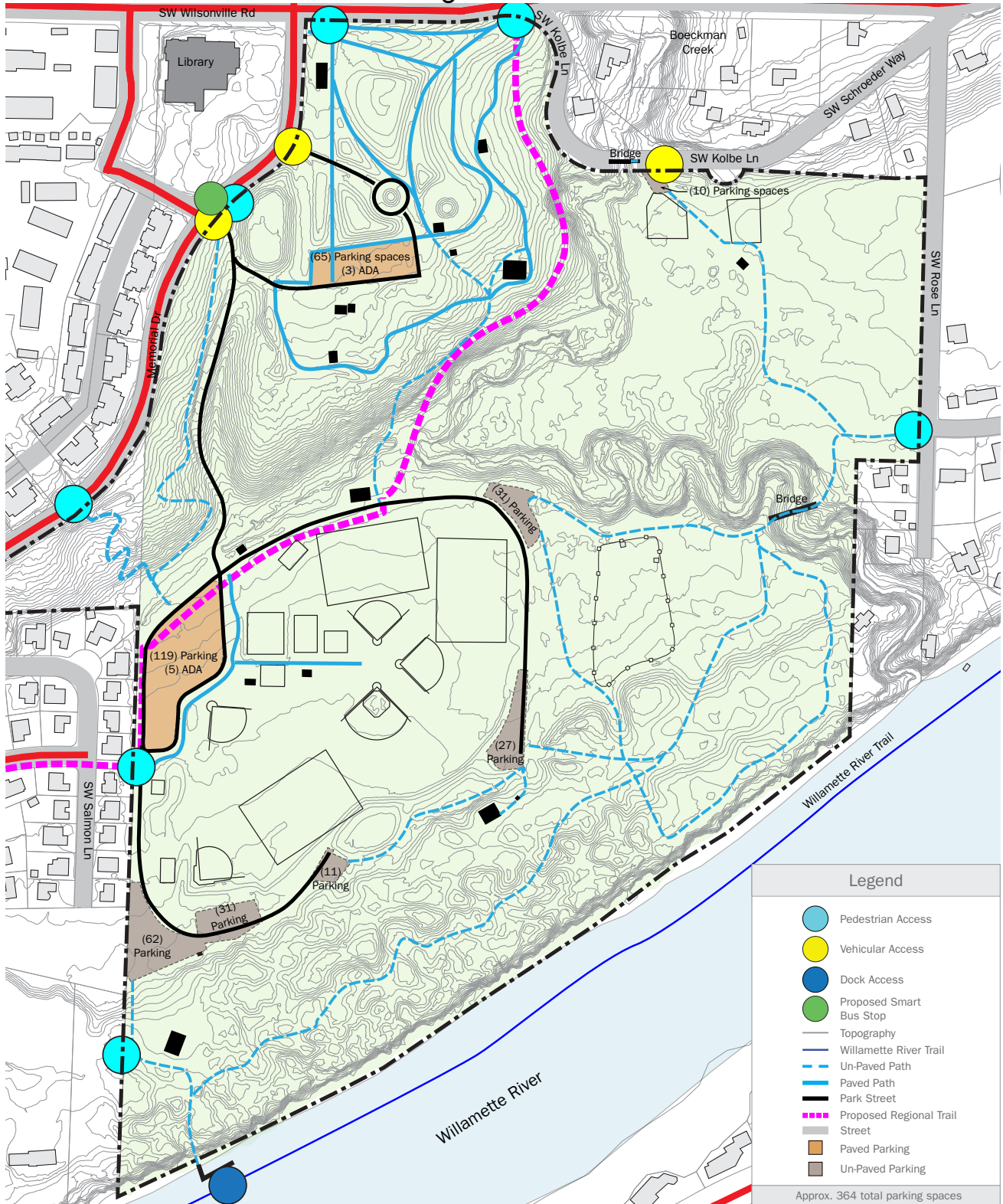


Figure 6 - CIRCULATION

Cohesive circulation throughout the park is important for safety, emergency access, user access, and way finding. The diagram maps existing locations and types of access, streets, paths, and trails. Parking lot locations and quantity of spaces are shown.

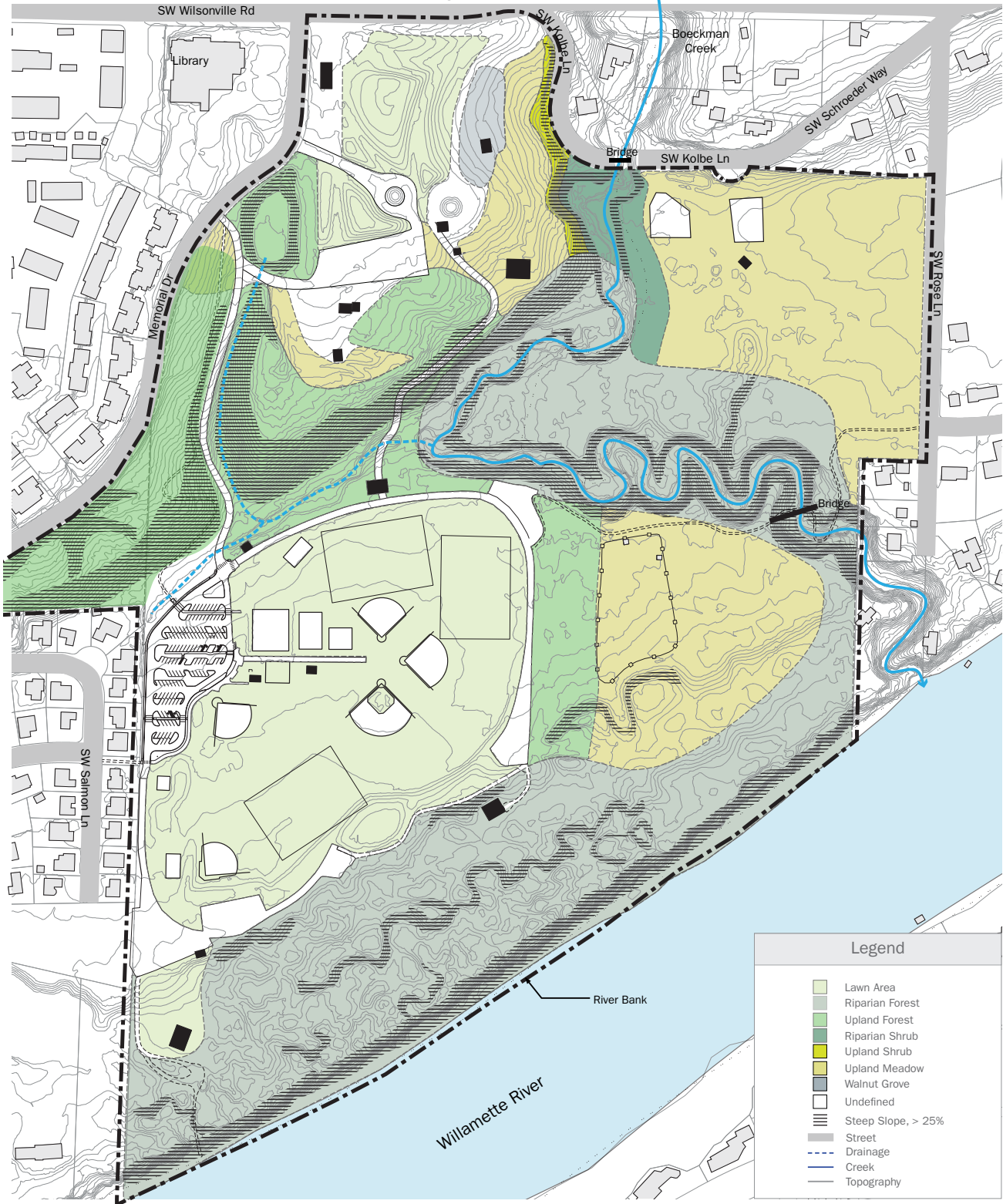
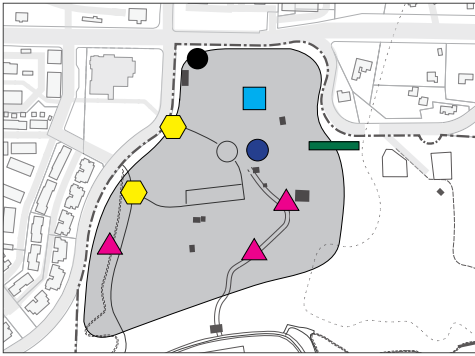


Figure 7 - VEGETATION

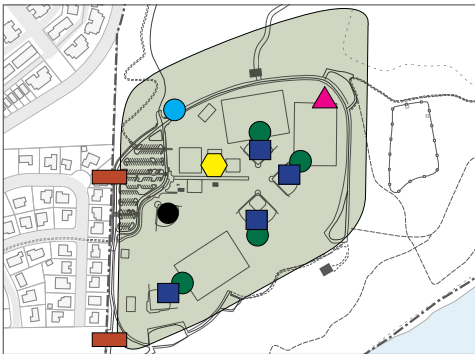
Natural areas are valuable resources within Memorial Park. The diagram indicates different vegetation zones, ranging from lawn areas to significant riparian forests. Steep slopes and drainages including Boeckman Creek and the Willamette River are also shown.





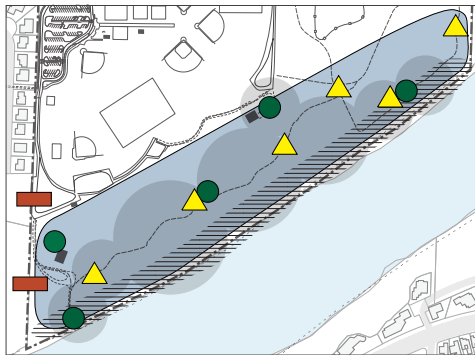
**MURASE PLAZA**

- High Use Area
- Under-Utilized Amphitheater
- ▲ ADA Accessibility Challenges
- ⬡ Confusing Vehicular Access
- Possible Connection to East Side
- Safety and Play Value Improvements



**WEST**

- Lighting Improvements at Field #4
- Pump Station Re-Location- Planned
- ▲ Drainage and Irrigation Equipment Conflict
- ⬡ Desire for Expanded Recreational Opportunities
- Sports Field/Portable Fencing Improvements
- Desire for Infield Expansion
- Neighborhood Proximity Concerns



**RIVERFRONT**

- ▨ Possible River Access
- Security and Safety Concerns
- ▲ Trail Improvements
- ADA Accessibility Challenges
- Neighborhood Proximity Concerns



**EAST**

- ▨ Available Area for Possible Use
- Community Garden Expanding to 120 Plots
- Off-leash Area Maintenance
- Parking Quality and Location
- ▲ Limited Pedestrian Access From West Side
- Natural Areas Benefits

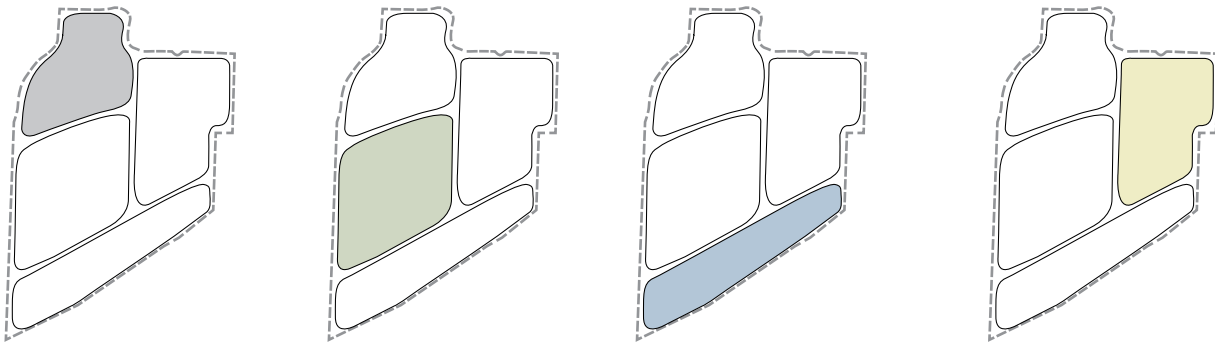
**Figure 8 - CONSIDERATIONS**

These diagrams indicate elements requiring consideration during the master planning process. The considerations are highlighted per area (Murase Plaza, West, Riverfront and East). Issues such as access, security and safety, connections, and opportunities and constraints are included.

Park Amenities										
	⚽	⚾	🏀	🏐	🎾	🏓	🛹	🚶	🚲	🅅
Boones Ferry Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Canyon Creek Park						◆	◆	◆	◆	◆
Courtside Park			◆	◆	◆					
Edelweiss Park	◆		◆	◆	◆					
Engelmann Park			◆	◆	◆					
Graham Oaks (METRO)					◆	◆	◆	◆	◆	◆
Hathaway Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
<b>Memorial Park</b>	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
<b>Murase Plaza</b>	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Palmer Park										
Park at Merryfield						◆	◆	◆		
Picadilly Park	◆					◆	◆	◆		
River Fox Park						◆	◆	◆	◆	◆
Sofia Park						◆	◆	◆	◆	◆
Town Center Park	◆					◆	◆	◆	◆	◆
Tranquil Park						◆	◆			
Water Treatment Plant Park						◆	◆	◆	◆	◆
Willow Creek - Landover Park	◆					◆	◆	◆	◆	◆

Figure 9 - WILSONVILLE PARK SYSTEM AMENITIES

The diagram of Wilsonville’s park system indicates park amenities present in each park. The diagram highlights the importance of Memorial Park and Murase Plaza in providing recreation for the community.



**MURASE PLAZA**

8.5 acres lawn  
13.5 acres forest

- Water Play
- Walking / Running
- Picnic
- Playground
- Biking
- Stein-Boozier Barn

**WEST**

19.8 acres lawn  
6.8 acres forest

- Baseball / Softball
- Soccer
- Flag Football
- Ultimate Frisbee
- Sand Volleyball
- Tennis
- Pickleball
- Basketball
- Skateboarding
- Walking / Running
- Horseshoes
- Biking

**EAST**

16.9 acres forest  
15.1 acres meadow

- Walking / Running
- Biking
- Community Garden
- Wildlife Viewing
- Dog Park

**RIVERFRONT**

0.8 acres lawn  
23.5 acres forest  
2.6 acres meadow

- Events at Shelters
- Walking / Running
- Biking
- Movie nights (4) at River Shelter
- Boating
- Fishing

Figure 10 - MEMORIAL PARK AMENITIES

The diagrams show approximate acreage of lawn, forest, or meadow in each region of the park. Existing amenities, passive and active uses of each region are listed.

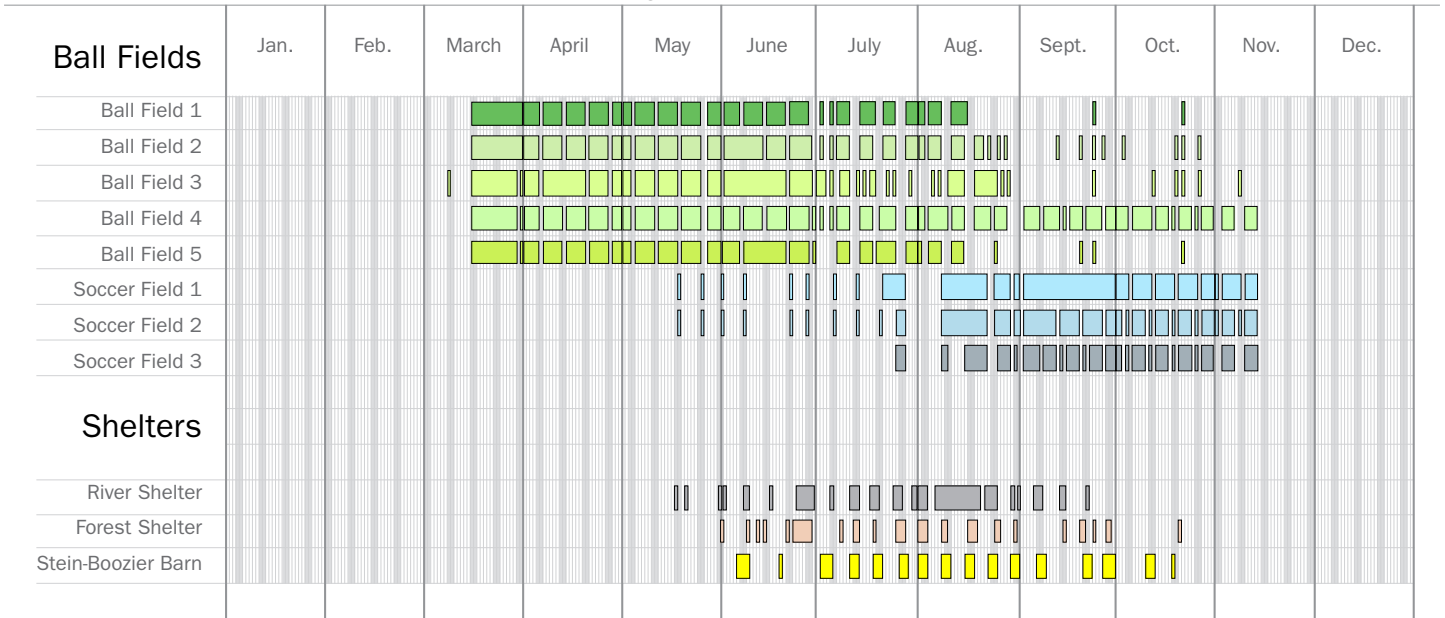


Figure 11 - BALL FIELD AND SHELTER TIME OF USE

Two primary programmatic components of Memorial Park are ball fields and rentable shelters. The diagram displays their time of use during 2014 and indicates the intensity of use in the summer months.



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## V. INITIAL CONCEPTS

## CONCEPT OPTIONS

With the site analysis, community comments and input from city's Parks and Recreation department, the team prepared three alternative concepts to illustrate potential options for Memorial Park. The concept plans proposed a range of recreational opportunities in a variety of locations with a diversity of ways to treat active and passive uses in the park. The options also varied regarding the impact of development to existing park features. Several improvements were common in all three concepts.

## IMPROVEMENTS CONSISTENT TO ALL CONCEPTS

- \*Improved safety of the intersection at Memorial Drive and Public Library access road.
- \*Terraced seating at Murase Plaza fountain
- \*Improved amphitheater area with terraced seating at Murase Plaza
- \*Provide accessibility to Stein-Boozier Barn and upgrade the barn's exterior spaces.
- \*New path from Murase Plaza east across the existing pedestrian bridge off Kolbe Lane.
- \*Maintain River Shelter and Forest Shelter locations.
- \*Improve clarity of trail system.
- \*New parking lots to south and east of ball fields with restroom facilities
- \*Relocated skate spot northeast of ball fields
- \*Improve ball field traditionally wet areas and various infield and outfield maintenance issues. Fields lighted.
- \*Enlarged Community Gardens
- \*Relocated off-leash dog area
- \*New Vegetated buffers at West and East neighborhoods.
- \*Preserve and enhance natural areas.



Figure 12 - Concept Option 1

- \*Regional trail eastern alignment
- \*Infields enlarged at Ball fields 1,2,3
- \*Ball field 5 removed
- \*Maintenance Barn converted to rentable Picnic Shelter, new maintenance building at upper maintenance facility yard
- \*Additional pickle ball courts and basketball courts
- \*Four overlooks at riverbank with views to the river
- \*Arboretum with walking trails at southeast area of the park
- \*New parking lot off of Kolbe Lane with Community Gardens, off-leash dog area and Restroom
- \*9 hole disc golf course in the northeast area of the park

**CONCEPT OPTION 2**



Figure 13 - Concept Option 2

- \*Regional trail western alignment
- \*Infields enlarged at Ball fields 1,2,3
- \*Ball field 5 shifted east
- \*Bike pump track and skills course at northeast corner
- \*Small meadow openings along river trail
- \*Three overlooks at riverbank with views to the river
- \*Light watercraft drop off and launch at existing dock
- \*Additional pickle ball courts with covered structure
- \*Off-leash dog area near east parking lot
- \*9 hole disc golf course in the southeast area of the park
- \*New parking lot off of Rose Lane with Restroom

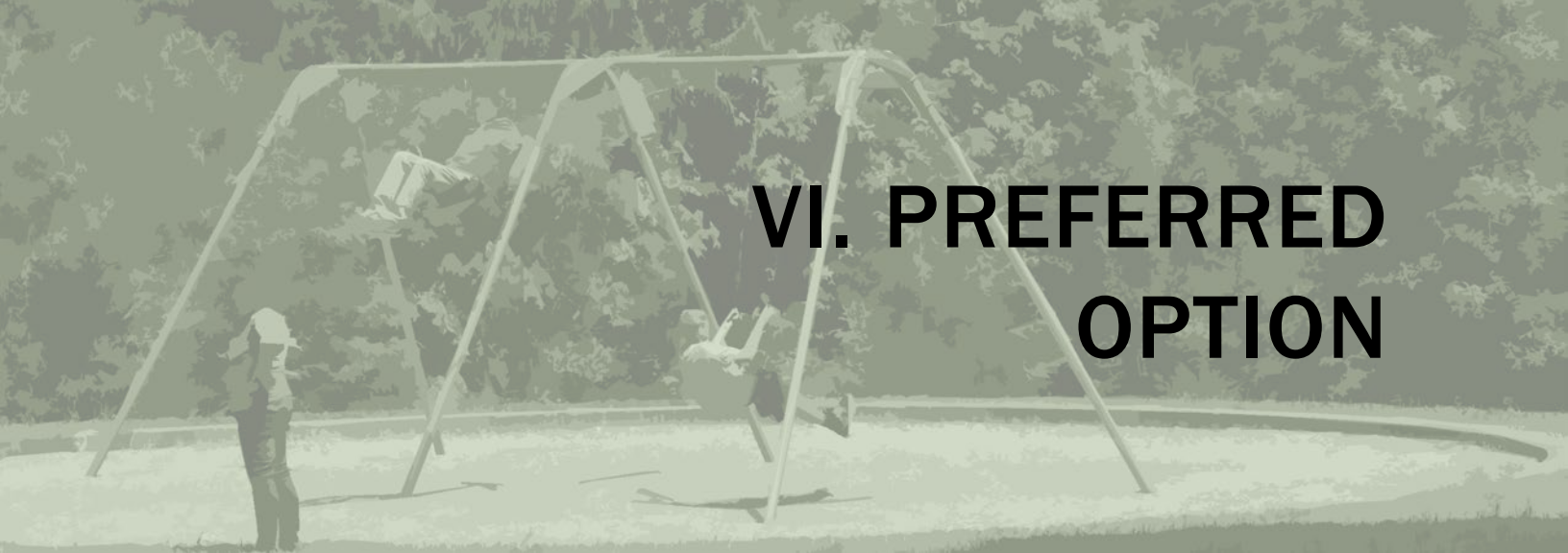
**CONCEPT OPTION 3**



Figure 14 - Concept Option 3

- \*Regional trail western alignment
- \*4 new enlarge ball fields with soccer field overlay
- \*Re-aligned park road at ball fields
- \*Enlarged existing parking lot at ballfields
- \*Court sports, ball field restroom and play area moved southwest
- \*Maintenance Barn converted to rentable Picnic Shelter, new maintenance building at upper maintenance facility yard
- \*Additional pickle ball courts
- \*Large beach area with meadows, a shelter with restrooms, large lawn area, beach volleyball and large views to the river
- \*Three overlooks at riverbank with view shed to Willamette River
- \*Two soccer fields east of existing ball fields
- \*Bike pump track and skills course south of new soccer fields
- \*Wetland and Meadow Gardens and trails
- \*New parking lot off of Rose Lane with off-leash dog area and Restroom

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**VI. PREFERRED  
OPTION**

## MASTER PLAN

The Master Plan (Figure 15) is a result of desired elements of the three concepts, guided by community input from open houses and other citizen input, interaction with stakeholders, the online survey and direction from the Wilsonville Parks and Recreation Department. The Master Plan depicts the proposed layout and location of new amenities, existing facilities to remain and existing facilities to be improved.

Specific attention has been given to clarifying the vehicular and pedestrian access into the park. The parks circulation system has also been enhanced by defining a clear trail hierarchy consisting of major, minor and secondary trails creating a variety of loop walk options guiding users through a series of habitat types.

Active recreation remains the focus of the western portion of the park. The sports fields are updated to provide for programming flexibility, year around use and safer field conditions. Additional court sports are included in response to growing popularity of pickle ball and the communities need for additional tennis courts. Memorial Parks mission as a regional park is to serve a broad range of traditional and alternative recreational needs. New uses such as a bike pump track and disc golf course continue the mission by introducing activities the city does not currently have in the park system.

Passive recreation is also a large part of the current and future of Memorial Park. Interconnected walking trails move visitors through a variety of environments. A future regional trail is planned to connect through the park. A new light watercraft launch provides the public with a means of interacting with the Willamette River and river trail. Community gardens, off-leash dog area, picnic areas and disc golf provide additional passive opportunities

Emphasis was given to the preservation and enhancement of the natural environment. Dense mature stands of upland and riparian forests are maintained with low impact walking trails guiding visitors through. Park amenities have been kept away from Boeckman Creek and its riparian corridor. Open meadows with historically significant specimen trees have been protected. Views to the Willamette River have been provided at key overlook areas to visually connect to the river.





Figure 15 - MASTERPLAN



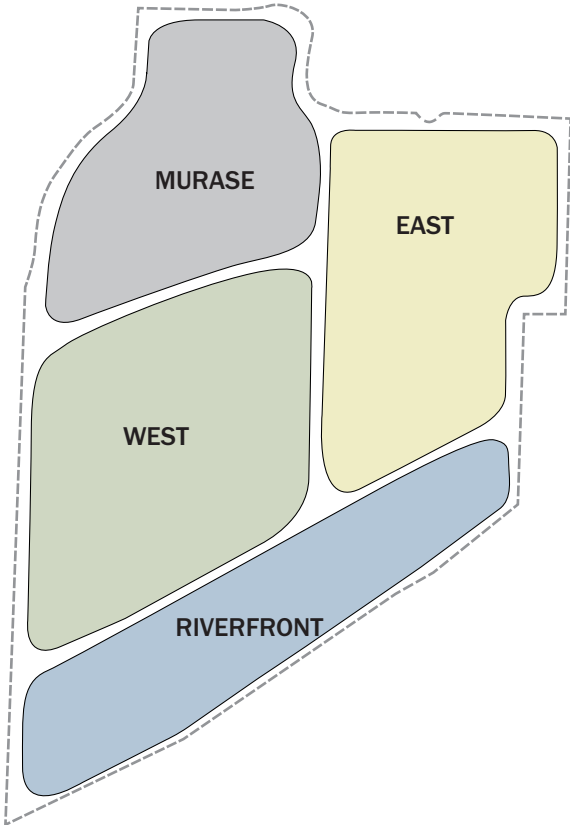


Figure 16 - ENVIRONMENTAL PLAN

The plan calls for protection and enhancement of significant natural resource areas. The Boeckmen Creek riparian corridor, forest, and meadow areas are maintained beyond the large active gathering areas such as sport fields and playgrounds.

**PARK AREAS**

For clarity, the master plan is discussed in four areas: Murase Plaza, West, Riverfront, and East to provide detail of the park spaces, character, composition and relation to adjacent elements and the neighboring community.





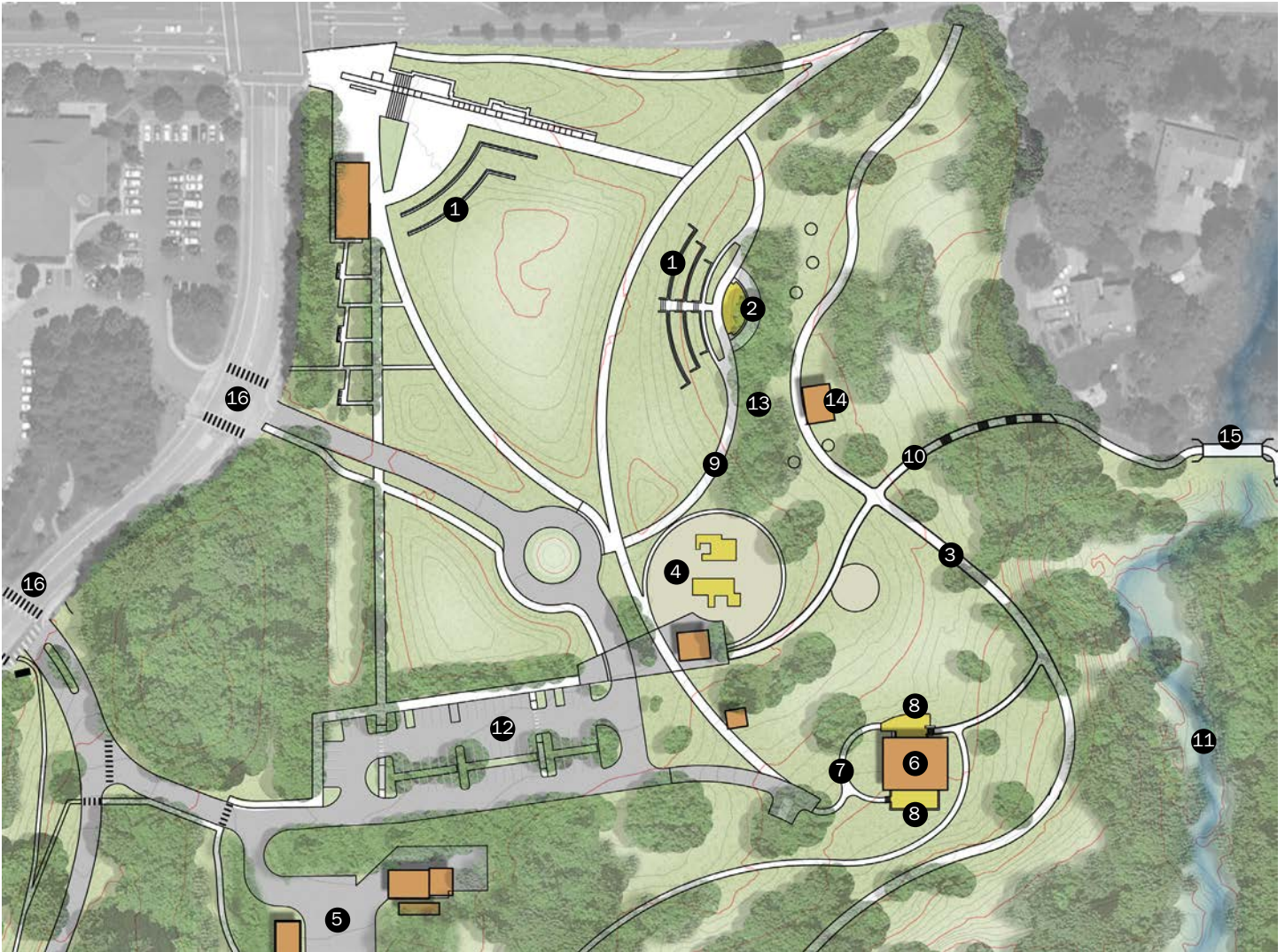
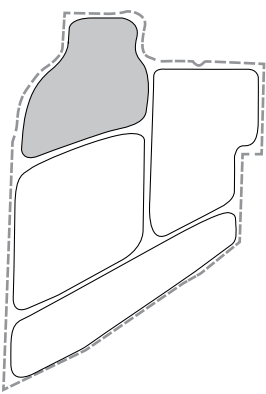


Figure 17 - MURASE PLAZA AREA ENLARGEMENT



Murase Plaza Area

- ① New Terraced Seating
- ② Updated Amphitheater with Stage
- ③ New Regional Trail
- ④ New Playground
- ⑤ Maintenance area with New Maintenance Building
- ⑥ Stein-Boozier Barn
- ⑦ New Accessible Route to Stein-Boozier Barn
- ⑧ New Gathering Space
- ⑨ New Trail from Parking Lot
- ⑩ New Trail to East with Stairs
- ⑪ Boeckmen Creek
- ⑫ Existing Parking Lot
- ⑬ Existing Walnut Grove
- ⑭ Existing Covered Picnic Area
- ⑮ Existing Pedestrian Bridge
- ⑯ Improved Pedestrian Crossing





Existing Amphitheater- Opportunity for Improvement



Grass Berm - Opportunity for Terraced Seating



Existing Walnut Grove to be Preserved



Stein-Boozier Barn - Access Improvements

## MURASE PLAZA

Operating as the ‘front porch’ of Memorial Park, Murase Plaza is cherished and highly used. Improvements are proposed for the Murase Plaza area to enhance its functionality, character, and preserve historical and natural elements.

## SEATING AND AMPHITHEATER

Increased seating has been requested by the community adjacent to the existing water feature at Murase Plaza (1, figure 17). The grass knoll southeast of the water feature provides an opportunity for terraced seating that will serve demand during peak use. Improvements to the existing amphitheater are provided including re-grading of the land to create terraced seating that accommodates 200 people for small performances and events (2, figure 17). The stage area is improved to support small performances such as musical groups or children’s theater while the existing walnut grove beyond is maintained as a beautiful natural backdrop.

## EXISTING FACILITIES AND CIRCULATION

The existing parking lot, entry drive, bathrooms, playground, picnic shelters, and Stein-Boozier barn will remain in place. Access and circulation are improved. (16, figure 17) Improvements to the intersection at Memorial Drive and Library entrance provides for a safer access point to the park. A trail and stairs connecting Murase Plaza to the East side of the park is proposed (10, figure 17). The connection to the East side will utilize the existing pedestrian bridge, increasing access to the eastern parks amenities. A new regional trail alignment is planned, weaving from northeast to southwest and connecting Murase Plaza to the lower park areas (3, figure 17).

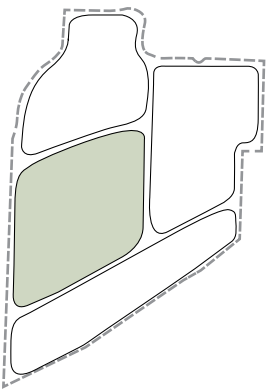
## STEIN-BOOZIER BARN

A small accessible parking area off the existing parking lot connects to a new path providing universal access the Stein-Boozier barn. The barn also receives improvements to the gathering spaces on the north and south sides, accommodating revenue generating events such as weddings and corporate events. These improvements include upgraded surfacing, additional seating and planting.





Figure 18 - WEST AREA ENLARGEMENT



West Area

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>1 New Regional Trail</li> <li>2 New Picnic Shelter with Restroom</li> <li>3 New Pump Station</li> <li>4 New Skate Spot</li> <li>5 New Parking</li> <li>6 Restroom Improvements</li> <li>7 New Nature Based Play</li> <li>8 (2) New Tennis Courts</li> <li>9 (2) Existing Tennis Courts</li> <li>10 (2) New Covered Pickle Ball Court</li> <li>11 (2) New Uncovered Pickle Ball Courts</li> <li>12 Update shelter with new Concessions</li> <li>13 New Synthetic Turf Soccer</li> <li>14 New Synthetic Turf Ballfield</li> <li>15 Natural Turf Soccer and Ballfields</li> </ul> | <ul style="list-style-type: none"> <li>16 Open Lawn</li> <li>17 Basketball Court, (1) full court and (2) 1/4 courts</li> <li>18 Sand Volleyball Court</li> <li>19 Boeckmen Creek</li> <li>20 Existing Parking</li> <li>21 New Vegetated Buffer</li> <li>22 New Synthetic Turf Area</li> <li>23 Existing Play Area with new perimeter fence</li> <li>24 Multi-use path with emergency / service access</li> <li>25 Forest Shelter Improvements</li> </ul> |
|---|--|





Existing Ballfield



Pickleball Example



Sand Volleyball Example



Nature Play Example

## WEST AREA

The West area of Memorial Park contains major programmatic elements including ball fields, open lawn, parking, play areas, court sports and shelters.

## SPORTS FIELDS

Ballfields 1,2,3,4 remain in their current locations. Ballfield 5 shifts to the east, sharing space with the open unprogrammed lawn space. The fields are significantly updated with lighting, dugouts, backstops, foul ball protection and seating improvements. Portable outfield and foul territory fencing provides flexibility at all fields to efficiently switch sports of field sizes. Ballfields 1 and 2 are upgraded to synthetic turf with drainage below, increasing the usability of the fields in terms of scheduling efficiency and seasonal extension (shown as dark colored turf, Figure 18). The synthetic turf area is extended beyond the fields to the northeast providing a flexible use/warm up space. The remaining fields and open lawn space, likely renovated, will remain natural turf.

## SPORTS COURTS

Two existing tennis courts remain in place with two new courts to the north. The courts are striped for pickleball use as well. A total of 4 pickleball courts are provided. A covered spectator seating area with bleachers allows spectators to watch tennis or pickleball, with two pickleball courts sheltered from the elements. A concession building is proposed near the court sports and ball fields (12, Figure 18). The concession building has covered seating areas and can be used as registration and ceremony space for events. On the south side of the open lawn area an improved basketball court and sand volleyball court are proposed.

## PLAY

The existing play area adjacent to the primary pedestrian corridor will remain and be upgraded with child security fencing (23, figure 18). A nature based play loop is incorporated offering children an alternative play experience integrated into the parks mature forest (7, figure 18). A new skate spot is located the east of the access road for safety and surveillance 4, figure 18). The skate spot is designed specifically to preserve mature trees, integrating them into the skate area.



Future Picnic Shelter with Restroom



Paved Path Example



Existing Parking Lot

## STRUCTURES

Several new structures are proposed: (1) new restroom (6, figure 18) at the eastern parking lot, (1) shelter with concession at sports fields, and a new lift station to be installed . Existing facilities that will remain in place and receive upgrades to accommodate new use/capacity include: Rest room at sports fields (6, Figure 18), and existing maintenance barn to be converted to rentable picnic shelter (2, Figure 18). The Forest shelter will receive improvements to it's structure as well as site improvements including removing the berm to visually and physically to provide greater connectivity to the ballfields

## TRAILS

Several trail types are proposed. The paved regional trail connects to the west into the adjoining neighborhood. A 12' major paved path runs along the southern edge of ballfields. The major path connects the two new parking lots together, providing emergency and service vehicle access as well as access to the lift station during a 100yr flood event. Soft surface trails connect to the major 12' trail. Bench seating is proposed intermittently along the regional trail and major trails.

## PARKING

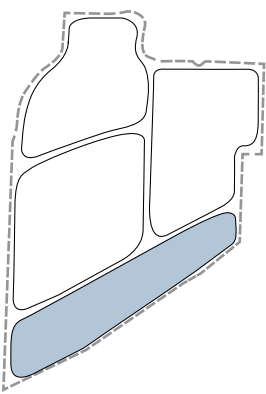
Parking is upgraded to include two new parking areas, accommodating 214 additional spaces. The existing paved lot is renovated at the north intersection to clarify park circulation. The new lots are strategically located to provide easy access to all park uses, to be safe, protect significant vegetation, and distribute parking.

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Figure 19 - RIVERFRONT AREA ENLARGEMENT



Riverfront Area

- ① River Shelter
- ② Improved Forest Shelter with Open Lawn
- ③ New Overlook with View Corridor
- ④ New Access Turnaround
- ⑤ New River Trail
- ⑥ New Secondary Trail
- ⑦ Updated Restroom with New Concession Building
- ⑧ Improved Gravel Access Road
- ⑨ New Light Watercraft Launch at Existing Dock
- ⑩ New Vegetated Buffer
- ⑪ New Parking Lot
- ⑫ Top of Bank
- ⑬ Existing Dock





Light Watercraft Launch Example



Existing River Shelter



Existing River Trail to be Improved



Overlook Example

## RIVERFRONT AREA

Proposed enhancement to Memorial Park's riverfront were influenced by the communities desire to better connect to the Willamette River. Proposed improvements enhance the natural areas and increase recreational opportunities along the river.

## WATERCRAFT ACCESS

A gated gravel access road (8, figure 19) south of the new parking lot provides vehicle access to a light water craft drop-off area and existing dock. The access road can be closed off as necessary to allow for program flexibility at the River shelter.

## SHELTERS

The River Shelter (1, figure 19) remains in place with the desirable open lawn and riparian forest surrounding it preserved. The forest shelter (2, figure 19) will also remain in its current location. Re-grading the near by mounds and steep slopes will provide increased visual access and security, increasing the physical and visual connection to the open lawn and ball field area. A new rest room and concession building (7, figure 19) is provided. The concession building serves dual purposes; a river-oriented concessions for revenue generation, possibly operated by a third party vendor, or a concession area serving various park events at the River shelter such as movie in the park.

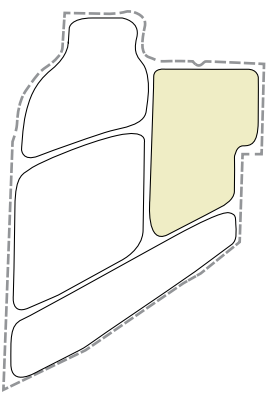
## TRAILS AND OVERLOOKS

Trail circulation is clarified throughout the riverfront area for ease of way finding and trail identification. The primary river trail will be improved with gravel surfacing to reduce erosion and improve the walking surface. Minor trails and connector trails will remain soft-surfaced. The trail alignment and other trail improvements minimize disturbance to existing vegetation. Where possible trails are graded to meet accessibility requirements. Overlooks are provided adjacent to the river trail, located at the top of bank to maximize views to the Willamette River, while minimizing disturbance of the riparian forest (3, figure 19). Overlooks are planned to be stone walls with benches and sized for small groups.





Figure 20 - EAST AREA ENLARGEMENT



East Area

- ① New Parking
- ② New Restroom
- ③ New Bicycle Pumptrack with Skills Course
- ④ New 9 Hole Disc Golf Course
- ⑤ Boeckmen Creek
- ⑥ Vegetated Buffer
- ⑦ Relocated Community Garden Area
- ⑧ New Access Road
- ⑨ Relocated Off Leash Dog Area with Shade Shelter
- ⑩ Relocated Small Dog Area
- ⑪ Existing Well
- ⑫ New Pedestrian Access Point
- ⑬ Meadow
- ⑭ Wet Meadow
- ⑮ 12' Major Trail
- ⑯ Pedestrian Bridge





Bicycle Pump Track Example



Disc Golf Example



Existing Community Gardens



Existing Dog Park and Shelters

## EAST AREA

Within the East area the Master Plan seeks to balance passive and active recreation, maintain vegetated buffers to the adjoining neighborhood and protect and enhance the forests, meadows and significant vegetation.

## PUMP TRACK

The 14,000 square foot bicycle pump track and skills course (3, figure 20) is provided as an alternative sport with an ever growing popularity encompassing a large age range. Wilsonville does not currently have a pump track. The proposed track is sized for community use, positioned near parking and for surveillance and adjacent to the skate spot to share similar active park uses. Programmatically the track can be used for public events, potentially generating revenue.

## DISC GOLF

The 9 hole 5.6 acre disc golf area (4, figure 20) is located in a meadow area with large existing individual specimen and new trees. The course is sized for family play. Additional trees are proposed to be planted to enlarge the adjacent riparian forest and increase habitat value. Times of use are established to allow trails crossing the course to be enjoyed by all users at certain times of the day.

## COMMUNITY GARDENS AND OFF-LEASH DOG AREA

The 0.6 acre community garden (7, Figure 20), and 1.5 acre off leash area (9, Figure 18) and located off the new access road and parking lot (1, Figure 20) for ease of access and connection to the community. The community garden shift east out to take advantage of full sunlight and is minimally larger than existing to take into account increased users over time. The off leash area is similar size as existing, and includes fencing, re-using the current shade shelters and a small dog area.



Wet Meadow Example



Natural Area to be Preserved



Specimen Tree to be Preserved

## TRAILS

Trails are located throughout the east side ushering visitors through a variety of habitats types, including forest, meadow and wet meadow. a main 12' paved trail anchors the trail system providing for clear, understandable way finding. Several pedestrian access points are locating on the east side connecting the park to the neighboring community (12, Figure 20) and providing clear and direct access into the park.

## ENVIRONMENTAL

The master plan emphasizes the importance of preserving and enhancing existing natural areas and improving them via additional vegetation to increase biodiversity. Boeckmen Creek is preserved as a significant riparian corridor in addition to the strategic preservation of significant trees throughout the disc golf and pump track areas. A wet meadow is established in the north east corner of the park where seasonal inundation has been documented. Trails weave through various habitats to provide the public with the opportunity to partake in passive wildlife viewing and interpretive environmental education.

Memorial park currently has several locations where the city's Natural Resources Department along with community members have vegetated portions of the park. The master plan seeks to protect these areas where possible while transplanting disturbed vegetation to other locations within the park.

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### CIRCULATION AND ACCESS

The master plan clarifies the circulatory systems of the park for safety, ease of access, way finding, and recreational opportunities. The diagram illustrated the Master Plans vehicular access, circulation and parking. The dashed red multi-use path is for emergency and police access only.

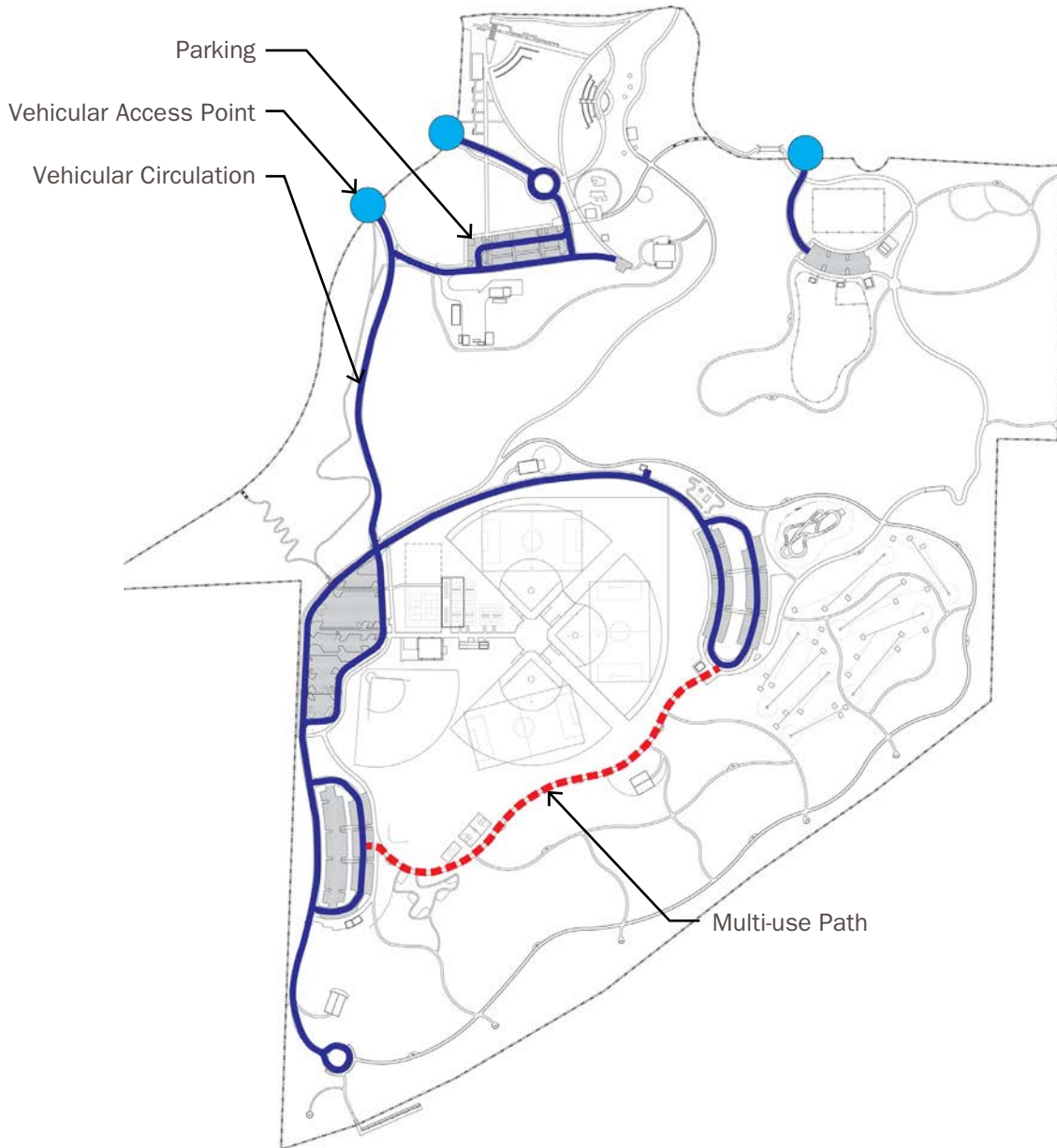


Figure 21 - VEHICULAR CIRCULATION AND PARKING

## TRAILS

The master plan includes three distinct trail types. The diagram illustrates the regional trail and major trails. The city currently plans to extend the regional trail North and West beyond Memorial Park. The regional trail is a 12' paved multi use path for bikes, pedestrians and emergency vehicle use. The regional trail is designed to take user to a variety of public spaces within Wilsonville. Major trails are paved 10' wide multi-use paths for bikes, pedestrians and emergency vehicle use. Utilizing the regional trail and major trails, park users can access all park amenities. Major trails are signed and may be color coded for ease of wayfinding. Major trails may also be named to reflect the environmental habitat they run through, such as a River Trail or historical figures significant to the park, such as a Homestead Trail.

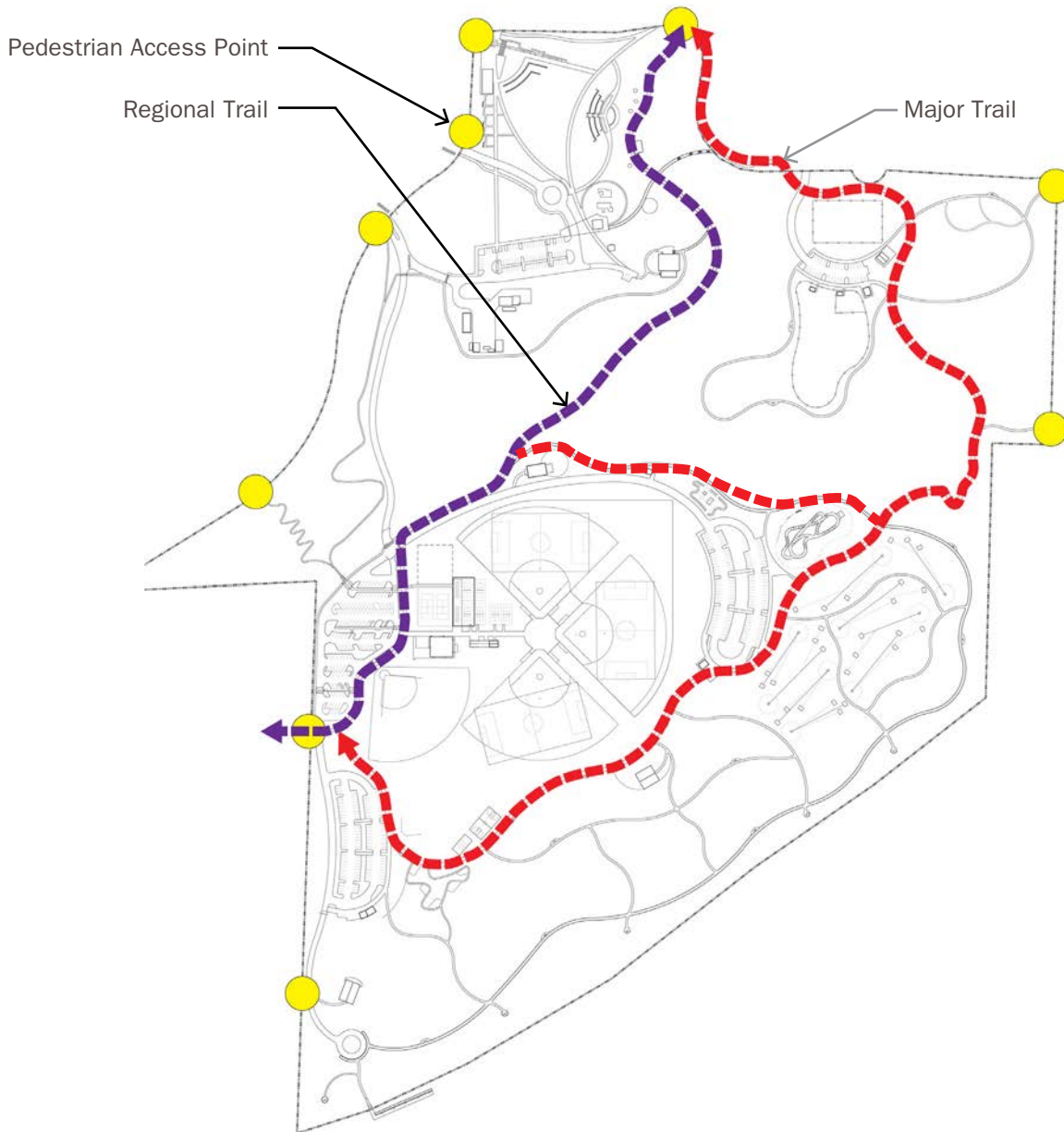


Figure 22 - REGIONAL TRAIL AND MAJOR TRAIL



### TRAILS

The diagram shows loops utilizing only major trail, with the exception of the trail adjacent to the Willamette River. Loops may be color coded and signed to provide for casual walking loops or for events, such as cross country meets.

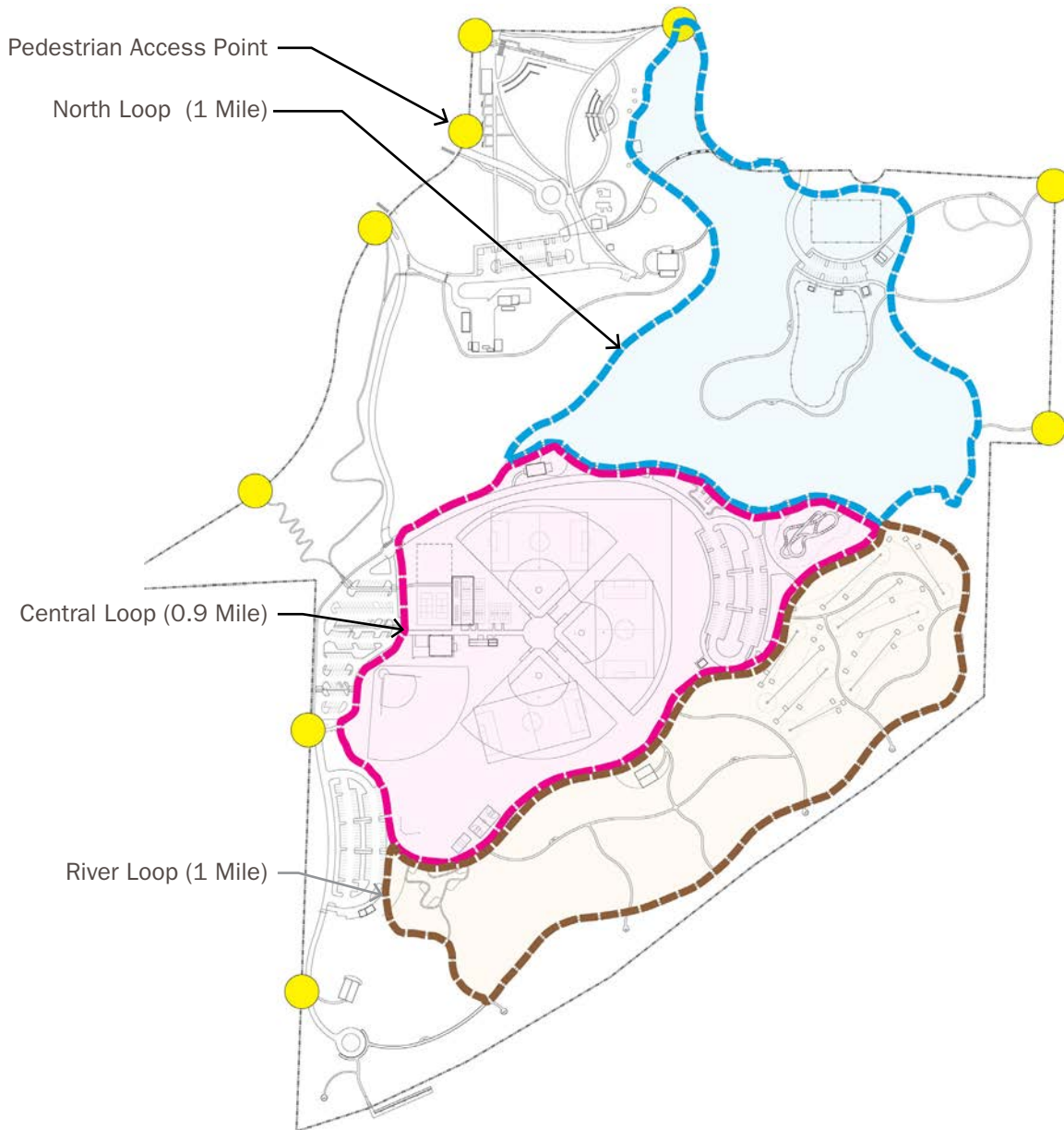


Figure 23 - MAJOR TRAIL LOOPS

## TRAILS

The diagram shows locations of secondary trails in addition to major trails, depicting the entirety of Master Plan's trail system. Secondary trails are 4-6' wide and serve as linkages to major trails and connections to adjacent neighborhoods. Secondary trails are paved or soft surfaced depending upon location within the park, accessibility desires, grading conditions and adjacent uses.

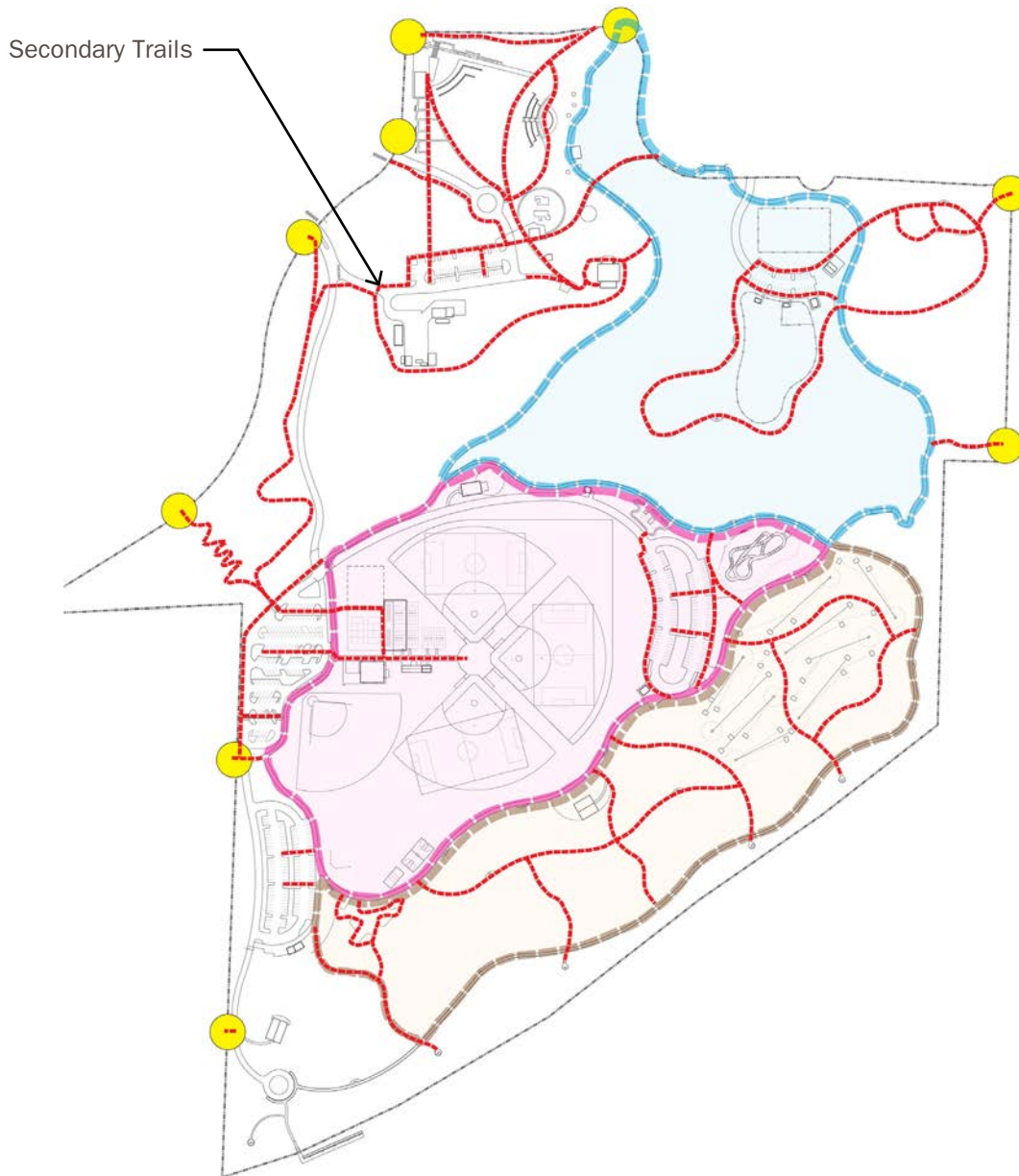


Figure 24 - **SECONDARY TRAILS**

## PRIORITIES

The following revenue, operations, maintenance and costing were explored during the Master Plan process to aid the Parks Department and City in determining priorities for future facility upgrades and park development outlined in the Master Plan. As the communities needs for recreational growth are considered, the financial information presented will assist city officials in determining budget allocation of park amenities to meet the recreational demands as well as provide baseline information to increase current revenue potential.

## REVENUE AND OPERATIONS

As part of the Master Plan update, the team reviewed revenue and operation expenses of the current park and for the proposed Master Plan of the park. The full study of park revenue scenarios and potential operation expenses is included in the appendix.

## PARK REVENUES

The study addresses the existing revenues and potential revenue scenarios for the preferred master plan. Existing revenue focused on the three existing rentable shelters, while new revenue sources included: Community gardens, Amphitheater/stage, pickleball, bike pump track, disc golf course and a water based concessionaire. Additional community garden plots and the amphitheater at Murase plaza will generate additional revenue based upon rentable fees. Amenities such as pickleball, bike pump track, and disc golf have potential to host small

tournaments, however the event size may fall below the 250 person minimum for current special use permits; therefore assigning potential revenue to those amenities is not currently feasible. A seasonal water-based vendor near the existing dock provides additional revenue while providing the public with accessible watercraft and water related materials to access the river. In assessing the revenue potential for the parks sports fields, the presumed scenario is that this mix of fields will be utilized for local and metro area tournaments. However, the complex may not be large enough to generate increased utilization of local hotels.

Revenue scenarios (Figure 25) were generated to illustrate potential future revenue. Three scenarios were calculated to include the following:

- \*High-growth option, which includes an 80% peak period utilization for shelters and barn, the installation of a water-based concessionaire, and increased usage of sport and event facilities.

- \*Moderate-growth option, which is primarily driven by a 50% peak period utilization for shelters and barn, along with modest increases in the usage of sport and event facilities.

- \*No-growth option, which maintains the utilization of facilities from the 2014 season, in addition to the third picnic shelter and community gardens.

It must be noted that a number of factors may influence the City's potential to generate these revenues. These factors include the City's capacity to promote availability and capture reservations, competition from other venues, seasonality, and the state of the overall local economy and people's willingness to spend.

Source	2014 (Actuals)	High Growth	% Incr	Moderate Growth	% Incr	No Growth	% Incr
River Shelter	\$ 8,870.82	\$ 26,112.50	194%	\$ 16,465.00	86%	\$ 11,225.00	27%
Forest Shelter	\$ 7,678.50	\$ 21,886.25	185%	\$ 13,800.00	80%	\$ 4,843.75	-37%
Splash Shelter	\$ 848.00	\$ 1,450.00	71%	\$ 1,080.00	27%	\$ 875.00	3%
Maintenance Barn Shelter	NA	\$ 26,112.50		\$ 16,465.00		\$ 11,225.00	
Stein-Boozier Barn	\$ 10,815.00	\$ 95,933.25	787%	\$ 60,789.00	462%	\$ 40,221.00	272%
Murase Plaza	\$ -						
Fields: Reduced Fee Youth	\$ 8,001.50	\$ 10,000.00	25%	\$ 9,000.00	12%	\$ 8,000.00	0%
Fields: Other	\$ 2,664.75	\$ 3,200.00	20%	\$ 3,000.00	13%	\$ 2,700.00	1%
Special Events	\$ 8,812.50	\$ 4,400.00	-50%	\$ 4,000.00	-55%	\$ 3,400.00	-61%
Community Gardens - raised bed	\$ 375.00	\$ 750.00	100%	\$ 750.00	100%	\$ 375.00	0%
Community Gardens - in-ground	\$ 2,178.00	\$ 2,640.00	21%	\$ 2,640.00	21%	\$ 2,178.00	0%
Watercraft Concessionaire	NA	\$ 4,500.00		\$ -		\$ -	
	\$ 50,244.07	\$ 196,984.50		\$ 127,989.00		\$ 85,042.75	

Figure 25 - REVENUE SCENARIOS BY FACILITY

Park Feature	Unit	Labor Hours per Year per Unit	No. Units	Labor Hours per Year	Labor-related Cost per Year	Materials & Services per Yr	Total Cost per Year
<b>Labor-related costs</b>							
Large turf areas	per acre	52.0	15.0	780.0	\$ 19,500	\$ 3,000	\$ 22,500
Small/medium turf areas	per acre	52.0	3.0	156.0	\$ 3,900	\$ 600	\$ 4,500
Shrub beds	per 1000sf	52.0	12.0	624.0	\$ 15,600	\$ 500	\$ 16,100
Flower beds	per 1000sf	26.0	2.0	52.0	\$ 1,300	\$ 250	\$ 1,550
Planted trees	per tree	13.0	12.0	156.0	\$ 3,900	\$ 1,000	\$ 4,900
Hard surfaces	per 1000sf	3.0	200.0	600.0	\$ 15,000	\$ 250	\$ 15,250
Soft-surface paths/areas	per 1000sf	2.0	50.0	100.0	\$ 2,500	\$ 500	\$ 3,000
Turf multi-use fields	per field	52.0	3.0	156.0	\$ 3,900	\$ 3,000	\$ 6,900
Turf softball fields	per field	85.0	5.0	425.0	\$ 10,625	\$ 1,000	\$ 11,625
Irrigation system	per acre (irrigated)	10.0	28.0	280.0	\$ 7,000	\$ 8,000	\$ 15,000
Structures - clean/inspect/repair	per structure	35.0	5.0	175.0	\$ 4,375	\$ 250	\$ 4,625
Restrooms - clean & re-supply	per restroom	80.0	4.0	320.0	\$ 8,000	\$ 5,000	\$ 13,000
Play equipment - inspect & repair	per structure	48.0	2.0	96.0	\$ 2,400	\$ 1,000	\$ 3,400
Leaf removal	per acre (dev)	7.0	30.0	210.0	\$ 5,250	\$ 1,500	\$ 6,750
Storm debris	per acre (dev)	3.0	30.0	90.0	\$ 2,250	\$ 1,000	\$ 3,250
Security check & litter removal	per total acre	26.0	1.0	26.0	\$ 650	\$ 100	\$ 750
Empty trash cans	per can	30.0	30.0	900.0	\$ 22,500	\$ 1,000	\$ 23,500
Non-routine projects	per total acre	120.0	1.0	120.0	\$ 3,000	\$ 500	\$ 3,500
<b>Contracted costs</b>							
		<b>Cost/Unit</b>					
Water service	per acre (irrigated)	\$ 3,080	25.0			\$ 77,000	\$ 77,000
Solid waste service	per bin	\$ 1,800	1.0			\$ 1,800	\$ 1,800
Electricity service	per acre (dev)	\$ 1,400	25.0			\$ 35,000	\$ 35,000
Porta-potty service	per each	\$ 900	5.0			\$ 4,500	\$ 4,500
Contract repairs	per acre (dev)	\$ 250	1.0			\$ 250	\$ 250
Landscape maintenance service	per acre (dev)	\$ 500	1.0			\$ 500	\$ 500
Equipment rental	per acre (dev)	\$ 750	3.0			\$ 2,250	\$ 2,250
Equipment repair & maintenance	per acre (dev)	\$ 1,000	5.0			\$ 5,000	\$ 5,000
<b>Totals</b>				<b>5266</b>	<b>\$ 131,700</b>	<b>\$ 154,800</b>	<b>\$ 286,400</b>

Figure 26 - OPERATIONS AND MAINTENANCE EXPENSES BY FEATURE (2014)

Park Feature	Unit	Labor Hours per Year per Unit	No. Units	Labor Hours per Year	Labor-related Cost per Year	Materials & Services per Yr	Total Cost per Year
<b>Labor-related costs</b>							
Large turf areas	per acre	52.0	14.1	733.2	\$ 18,330	\$ 3,000	\$ 21,330
Small/medium turf areas	per acre	52.0	3.4	176.8	\$ 4,420	\$ 700	\$ 5,120
Shrub beds	per 1000sf	52.0	47.0	2444.0	\$ 61,100	\$ 1,500	\$ 62,600
Flower beds	per 1000sf	26.0	3.0	78.0	\$ 1,950	\$ 400	\$ 2,350
Planted trees	per tree	13.0	40.0	520.0	\$ 13,000	\$ 1,000	\$ 14,000
Hard surfaces	per 1000sf	3.0	382.7	1148.1	\$ 28,703	\$ 1,500	\$ 30,203
Soft-surface paths/areas	per 1000sf	2.0	50.0	100.0	\$ 2,500	\$ 500	\$ 3,000
Turf multi-use fields	per field	52.0	1.0	52.0	\$ 1,300	\$ 2,500	\$ 3,800
Turf softball fields	per field	85.0	3.0	255.0	\$ 6,375	\$ 800	\$ 7,175
Synthetic turf fields	per field	42.0	3.0	126.0	\$ 3,150	\$ 500	\$ 3,650
Irrigation system	per acre (irrigated)	10.0	22.0	220.0	\$ 5,500	\$ 8,000	\$ 13,500
Structures - clean/inspect/repair	per structure	35.0	7.0	245.0	\$ 6,125	\$ 400	\$ 6,525
Restrooms - clean & re-supply	per restroom	80.0	6.0	480.0	\$ 12,000	\$ 7,500	\$ 19,500
Play equipment - inspect & repair	per structure	48.0	4.0	192.0	\$ 4,800	\$ 2,000	\$ 6,800
Leaf removal	per acre (dev)	7.0	35.0	245.0	\$ 6,125	\$ 1,500	\$ 7,625
Storm debris	per acre (dev)	3.0	35.0	105.0	\$ 2,625	\$ 1,000	\$ 3,625
Security check & litter removal	per total acre	36.0	1.0	36.0	\$ 900	\$ 100	\$ 1,000
Empty trash cans	per can	30.0	36.0	1080.0	\$ 27,000	\$ 1,000	\$ 28,000
Non-routine projects	per total acre	200.0	1.0	200.0	\$ 5,000	\$ 500	\$ 5,500
<b>Contracted costs</b>							
		<b>Cost/Unit</b>					
Water service	per acre (irrigated)	\$ 3,080	22.0			\$ 67,760	\$ 67,760
Solid waste service	per bin	\$ 1,800	2.0			\$ 3,600	\$ 3,600
Electricity service	per acre (dev)	\$ 1,400	35.0			\$ 49,000	\$ 49,000
Porta-potty service	per each	\$ 900	5.0			\$ 4,500	\$ 4,500
Contract repairs	per acre (dev)	\$ 250	1.0			\$ 250	\$ 250
Landscape maintenance service	per acre (dev)	\$ 500	1.0			\$ 500	\$ 500
Equipment rental	per acre (dev)	\$ 750	6.0			\$ 4,500	\$ 4,500
Equipment repair & maintenance	per acre (dev)	\$ 1,000	8.0			\$ 8,000	\$ 8,000
<b>Totals</b>				<b>8436</b>	<b>\$ 210,900</b>	<b>\$ 172,500</b>	<b>\$ 383,400</b>

Figure 27 - OPERATIONS AND MAINTENANCE EXPENSES FOR MASTER PLAN

## **OPERATING EXPENSES**

The annual operations and maintenance of Memorial Park are a significant on-going expense. The pace of future park improvements will be informed, in part, by the likely operations impacts to the City budget. Figure 26 illustrates the current maintenance expenses for Memorial Park by major work area. The development of the preferred master plan will result in additional maintenance obligations for the City. The annual operating costs for the preferred master plan are estimated to be approximately \$383,000 (2015), approximately \$100,000 higher than the current maintenance costs. The largest impacts to the costs for the preferred master plan are due to increased quantities for hard surfaces. Figure 27 shows operation and maintenance expenses for the full build out of the Master Plan. As the City considers incremental or phased improvements to Memorial Park, the projected maintenance costs should be re-evaluated.

## **ADDITIONAL CONSIDERATIONS**

Policy and marketing considerations may result in enhanced future revenue from construction of the preferred master plan. There is potential for the city to seek out and leveraged partnerships to either help offset maintenance costs or conditionally expand facilities

In advance of implementing the preferred master plan, the City should consider reaching out specifically to user groups for three facilities: off-leash area, pump track and disc golf.

- \*Seek out advocates for off-leash areas to organized into non-profit (501C3) entities to create a vehicle for fundraising for off-leash area maintenance and acting as a source of volunteers to clean-up days or special fundraising events.

- \* For the pump track, seek to develop a volunteer base of cyclists for seasonal work parties, clean-ups and (re)construction activities.

- \* Similarly, the City can seek the support of local disc golf enthusiasts and clubs for assistance in laying out, installing and maintaining the disc golf course.

## **COSTS**

Utilizing the proposed Master Plan, an estimate of Probable Costs was generated (figure 28). The estimate will be used by the parks department to aid in assessment of priority projects. Costs are broken down into categories and specific improvements, utilizing April 2015 industry standard costs.



<b>Earthwork</b>	
Site Demolition	\$121,500
Site Grading	\$655,500
<b>Total</b>	<b>\$777,000</b>
<b>Parking and Trails</b>	
NE Parking Lot	\$40,000
E Parking Lot	\$163,500
SW Parking Lot	\$144,500
Gravel Road at Watercraft Launch	\$22,500
Asphalt Trails	\$323,500
Soft Surface Trails	\$144,000
Boardwalk	\$100,000
<b>Total</b>	<b>\$938,000</b>
<b>Sports Fields and Courts</b>	
Synthetic Turf Ballfields #1, 2, incl. Movable Fences, Backstops, Dugouts, Goals	\$2,571,500
Natural Turf Ballfields #3,4,5, incl. Movable Fences, Backstops, Dugouts, Goals	\$517,000
Pickleball Courts, incl. Structure and Bleachers	\$553,000
Basketball Courts	\$67,500
Tennis Courts	\$250,000
Sand Volleyball Court	\$9,500
<b>Total</b>	<b>\$3,968,500</b>
<b>Site Improvements</b>	
Off-Leash Dog area	\$55,500
Skate Spot	\$192,000
Bike Pump Track	\$31,000
Community Garden	\$85,000
9 Hole Disc Golf Course	\$22,000
Playground at Court Sports Area	\$8,500
Nature Play Area	\$25,000
Amphitheater and Terraced seating	\$177,500
<b>Total</b>	<b>\$596,500</b>
<b>Buildings</b>	
New Upper Maintenance Facility Building	\$285,000
Restroom at Tennis Court	\$172,000
Restroom at E Parking lot	\$82,000
Restroom and Concessions at SW Parking lot	\$152,000
Concessions near Ballfields	\$100,000
Restroom at NE Parking lot	\$82,000
New Shelter at Lower Maintenance Barn	\$334,000
<b>Total</b>	<b>\$1,207,000</b>
<b>Site Amenities</b>	
Dock Launch	\$42,000
Site Furnishings	\$70,000
Planting and Irrigation	\$393,500
Utilities- Water, Sanitary, Storm	\$113,500
Utilities- Electrical incl. Ballfield Lighting	\$1,114,000
<b>Total</b>	<b>\$1,733,000</b>
<b>Total</b>	<b>\$9,220,000</b>
<b>Estimated Contingency - 10%</b>	<b>\$922,000</b>
<b>General Conditions / Insurance / Bond - 10%</b>	<b>\$1,014,200</b>
<b>General Contractor OH &amp; Profit - 4%</b>	<b>\$446,248</b>
<b>Total</b>	<b>\$11,602,448</b>
The above estimates are for direct construction cost only. They do not include furnishings & equipment, architect and engineer design fees, consultant fees, inspection and testing fees, plan check fees, state sales tax, hazardous	

Figure 28 - ESTIMATE OF PROBABLE COST

## PHASING

The following is a proposed phasing approach that assumes the proposed facility upgrades and new amenities will be developed in three separate phases. Figure 29 outlines the proposed phases and amenities included in each phase.

The phasing is proposed and should be re-evaluated as-needed based on Wilsonville's evolving recreational needs, community desires and the city's available funding.

<b>Phase One</b>	
Northeast Parking Lot	\$ 40,000
East Parking Lot	\$ 163,500
Relocation of Off-Leash Dog Park	\$ 55,500
Bicycle Pump Track	\$ 31,000
Restroom Facilities (Dog Park Area/Community Garden; East Parking Lot)	\$ 164,000
Community Garden Expansion & Improvements	\$ 85,000
9 Hole Disc Golf Course	\$ 22,000
<b>Sub-total for Phase One</b>	<b>\$ 561,000</b>

<b>Phase Two</b>	
Southwest Parking Lot	\$ 144,500
Synthetic Turf Ballfields #1 & #2 (Incl. Movable Fences, Backstops, Dugouts, Goals)	\$ 2,571,500
Natural Turf Ballfields #3, #4, & #5 (Incl. Movable Fences, Backstops, Dugouts, Goals)	\$ 517,000
Skate Park	\$ 192,000
Unmotorized Watercraft Concession Area	\$ 70,000
Food Concession Area	\$ 100,000
Fencing for Playground at Court Sports Area	\$ 8,500
Miscellaneous Site Furnishings	\$ 70,000
Landscape Irrigation & Planting Materials	\$ 393,500
Restroom Facilities (South Parking Lot; Tennis Courts)	\$ 254,000
Sub-total of Existing Conditions (Site Demo)	\$ 121,500
Sub-total of Earthwork (Site Grading)	\$ 655,500
Sub-total of Utilities	\$ 1,227,500
<b>Sub-total for Phase Two</b>	<b>\$ 6,325,500</b>

<b>Phase Three</b>	
Paths (Gravel Road at Watercraft Launch, Asphalt Trails, Soft Surface Trails, Boardwalk)	\$ 590,000
Courts (Basketball, Pickleball (Incl. Structure & Bleachers), Tennis, Sand Volleyball)	\$ 880,000
New Shelter & Restrooms at Lower Maintenance Barn	\$ 334,000
Amphitheater and Terraced Seating	\$ 177,500
New Upper Maintenance Facility	\$ 285,000
Nature Play Area	\$ 25,000
Dock Launch	\$ 42,000
<b>Sub-total for Phase Three</b>	<b>\$ 2,333,500</b>

Estimating Contingency	\$ 922,000
General Conditions/Insurance/Bond	\$ 1,014,200
General Contractor OH & Profit	\$ 446,248
<b>Sub-total</b>	<b>\$ 2,382,448</b>

<b>Total Direct Construction Cost</b>	<b>\$ 11,602,448</b>
---------------------------------------	----------------------

*The above estimates are for direct construction cost only. They do not include furnishings & equipment, architect and engineer design fees, consultant fees, inspection and testing fees, plan check fees, state sales tax, hazardous material testing and removal, financing costs, owners contingency, nor any other normally associated development costs.*

Figure 29 - PROPOSED PHASING





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A grayscale photograph of a park scene. In the foreground, several people and dogs are visible. Two people stand on the left, and a dog is near them. In the center, a person is walking, and another dog is nearby. On the right, a person is walking away. The background is filled with dense trees. The text "VII. APPENDIX" is overlaid in the center of the image.

# VII. APPENDIX

**PUBLIC OPEN HOUSE 1 MEETING NOTES**

Wilsonville City Hall, November 5th, 2014

- |   |   |
|---|---|
| <p>1 No synthetic” turf upgrades requested at sports fields</p> <p>2 Infield distance increase to 60’ mound / 90’ base to support adult softball leagues</p> <p>3 No adult specific ball fields available in Wilsonville? People go elsewhere</p> <p>4 Lighting is a safety issue throughout park</p> <p>5 Flat NE meadows area becomes inundated in winter/spring, undevelopable?</p> <p>6 Some concerns expressed about quantity of parking available if community garden is expanded</p> <p>7 Community garden could be moved elsewhere to accommodate additional use, or used as a buffer itself around parking on East side</p> <p>8 Skate park is well used despite its small size and lack of features. Should be enlarged.</p> <p>9 A large skate park project is planned elsewhere in Wilsonville</p> <p>10 A trail system/trailhead layout was suggested, consisting of 3 trail lengths which would be color coded for easy recognition, i.e.: green 3/4mi, blue 1.5mi, red 3mi loops</p> <p>11 A trailhead/kiosk providing trail information route length etc is needed</p> <p>12 Waterfountains are needed throughout, nowhere to fill up your water bottle, difficult to fill bottles at existing fountains</p> <p>13 Re-vegetating informal trails in Riverfront area may not be beneficial since kids still ride their bikes there regardless, moving tree limbs or riding over them</p> <p>14 Residents do not want increased development on the East side</p> <p>15 Not much concern was expressed for a pedestrian connection from Murase plaza to the East side</p> <p>16 Pickle ball tournaments can attract 75-100 people, along with concessions etc, (USAPA.com)</p> | <p>17 Residents enjoy walking in the dog park and East side because of natural areas</p> <p>18 Walking through the river front area at night can be “sketchy”</p> <p>19 Benches are needed throughout the entire park, additional seating needed at water feature area during high use</p> <p>20 Bus access needed into site. Park is large for only 1 planned stop</p> <p>21 Basketball is used a lot</p> <p>22 Trail lighting is needed</p> <p>23 Loop road concerns originated from kids racing around it, thus its original removal</p> <p>24 The trail from Murase plaza to lower park is steep and not ADA compliant</p> <p>25 Guided history trips could be a use for the water trail. Park could be a stop along the way</p> <p>26 At the West parking area the vehicular gate blocks pedestrian walkway</p> <p>27 The amount of bicycle use on un-paved paths is not currently and issue</p> <p>28 The playground located at west area near fields could be doubled in size, heavily used to ease of access and adjacency to parking</p> <p>29 Pickle ball in barn - ?</p> <p>30 A rhododendron or wetland garden were suggested</p> <p>31 Passive uses suggested for the East side</p> <p>32 More trails in the East side suggested</p> <p>33 A route to the dock would be beneficial</p> <p>34 It was suggested that there is no need to reconnect the loop road</p> <p>35 Loop trail in the wood suggested</p> <p>36 All fields need new lighting</p> <p>37 All fields need better drainage</p> <p>38 There could be a small concert stage on the East side</p> <p>39 Interest in having concessions for tournaments</p> <p>40 Could the pump station go in the old Nike wellhouse?</p> <p>41 Turf fields (infields?) suggested</p> |
|---|---|

- 42 Possible restroom by forest shelter suggested
- 43 Users would like to see more pickle ball courts

**PUBLIC OPEN HOUSE 2 MEETING NOTES**

Wilsonville City Hall, December 16th, 2014

- 1 An overview of the Wilsonville park system would help the public understand and validate proposed program and enhancements
- 2 Covered pickleball courts would enhance play and increase seasonal usability
- 3 Easier kayak launching would be beneficial
- 4 The river is not an attractive swimming destination
- 5 Trees should not be cleared in order to create a waterfront
- 6 The existing maintenance barn could serve well as a shelter supporting events such as dances and arts and crafts events for kids
- 7 Tournament field configuration (option 3) is too large and does not cater to the primary users who live in Wilsonville
- 8 Road adjacent to the river shelter could be improved to provide waterfront access
- 9 There are safety concerns crossing Wilsonville Rd and Memorial Dr to access Murase Plaza
- 10 There is a need for more buffer at existing parking areas (West?)
- 11 There should only be passive uses on the East side
- 12 25% min. more community gardens are needed
- 13 Option 2 West side could be blended with Option 1 East side
- 14 Pickle Ball additions on Option 1 work well
- 15 Bus and RV turning space is potentially needed
- 16 Positive responses received for Option 3 amphitheater
- 17 Zip lines could be considered
- 18 There is a drainage issue at the River Shelter

- 19 Positive response to overlooks – tree removal could be minimized
- 20 Option combinations – OPT 3 North / OPT 2 West / OPT 2 East / OPT 1 River
- 21 More benches should be provided
- 22 Existing dock needs modification for easier access
- 23 Storage could be provided for light watercraft near existing dock
- 24 Basketball can be kept in place
- 25 Concerns that the skate park is too remote
- 26 Concerns about concessions and revenue
- 27 The intertwining trails in the forest are good
- 28 ‘Movies in Parks’ need open space for viewing – currently use sloping lawn
- 29 A backboard for tennis would enhance the court for individual practice
- 30 Normal high water is above the boat ramp and makes current access to existing dock difficult during portions of winter time
- 31 East buffer is important
- 32 Available space is not enough to create regional draws
- 33 Park should be geared towards existing resident’s preferred uses
- 34 There should not be any parking off Rose Ln
- 35 Large Girl Scout groups prefer parking options 1 and 2 for forest access
- 36 Schools, boy and girl scout groups would use a developed amphitheater
- 37 Girl Scouts use variety or trails, would prefer a trail connection between River and Forest Shelters
- 38 Privacy of River Shelter space before trees to west were removed is preferred
- 39 Some form of buffer between Forest Shelter and fields is preferred for noise mitigation
- 40 One main paved path through the Forest and the rest un-paved would be preferred
- 41 River overlooks could be historically thematic or otherwise to provide diverse experiences
- 42 More buffer needed on West edge

- 43 Turf infields would be very beneficial
- 44 Current dog park size is sufficient
- 45 The “waterfall” and water wheel have not been mentioned, could be destinations
- 46 Bicycle skills course and skate park could be adjacent
- 47 Overlooks work well but waterfront beach is not necessary

- 14 Pickle Ball additions on Option 1 work well
- 15 Bus and RV turning space is potentially needed
- 16 Positive responses received for Option 3 amphitheater
- 17 Zip lines could be considered
- 18 There is a drainage issue at the River Shelter
- 19 Positive response to overlooks – tree removal could be minimized
- 20 Option combinations – OPT 3 North / OPT 2 West / OPT 2 East / OPT 1 River
- 21 More benches should be provided
- 22 Existing dock needs modification for easier access
- 23 Storage could be provided for light watercraft near existing dock
- 24 Basketball can be kept in place
- 25 Concerns that the skate park is too remote
- 26 Concerns about concessions and revenue
- 27 The intertwining trails in the forest are good
- 28 ‘Movies in Parks’ need open space for viewing – currently use sloping lawn
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**PUBLIC OPEN HOUSE 3 MEETING NOTES**

Wilsonville City Hall, December 16th, 2014

- 1 An overview of the Wilsonville park system would help the public understand and validate proposed program and enhancements
- 2 Covered pickleball courts would enhance play and increase seasonal usability
- 3 Easier kayak launching would be beneficial
- 4 The river is not an attractive swimming destination
- 5 Trees should not be cleared in order to create a waterfront
- 6 The existing maintenance barn could serve well as a shelter supporting events such as dances and arts and crafts events for kids
- 7 Tournament field configuration (option 3) is too large and does not cater to the primary users who live in Wilsonville
- 8 Road adjacent to the river shelter could be improved to provide waterfront access
- 9 There are safety concerns crossing Wilsonville Rd and Memorial Dr to access Murase Plaza
- 10 There is a need for more buffer at existing parking areas (West?)
- 11 There should only be passive uses on the East side
- 12 25% min. more community gardens are needed
- 13 Option 2 West side could be blended with Option 1 East side

- 39 Some form of buffer between Forest Shelter and fields is preferred for noise mitigation
- 40 One main paved path through the Forest and the rest un-paved would be preferred
- 41 River overlooks could be historically thematic or otherwise to provide diverse experiences
- 42 More buffer needed on West edge
- 43 Turf infields would be very beneficial
- 44 Current dog park size is sufficient
- 45 The “waterfall” and water wheel have not been mentioned, could be destinations
- 46 Bicycle skills course and skate park could be adjacent
- 47 Overlooks work well but waterfront beach is not necessary



**STAKEHOLDER MEETING NOTES:  
WILSONVILLE HIGH SCHOOL**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does WHS use Memorial Park for?  
Cross country meet- 1 per year- 1 shelter as hospitality area, like to take over park, but work with leagues. 5000 meter course. Prefer non-paved areas. Fall.  
Tennis- recent past, lower level softball games.  
Baseball- no 90' diamond ( would increase partnership with youth program)- springtime march-June
- 2 What times? Time of year, time of day/night, duration of use?
- 3 Are there conflicts with other park uses? coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc)  
Buses park off-site, turnaround at gravel lots  
Work with Willamette united / proper communication limits conflicts.
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, concessions?  
No real issues with facilities
- 5 Are there issues with the park that restrict your uses, ie would you do other uses if the facility allowed (field size, etc)?
- 6 Buses?
- 7 Are there other parks you use for events / uses?
- 8 Are there opportunities for more collaborative projects between school and city?  
Tournaments and coaches involved- could be collaborative  
Lacrosse tournaments, soccer tournaments- host different age groups, but could expand with memorial park
- 9 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?
- 10 What roles do concessions play or could play in financial support of the league?

- Would be encouraged, help pay for reduced cost of admissions for teams, etc.  
Existing ones at high school- booster club ran.
- 11 What is the potential for tournaments? What are the needs to make one successful (# and location of fields)  
2-3 day tournaments  
Soccer 55-75yards wide- look up high school field sizes.  
Trends- soccer, lacrosse up. Basketball up, girls numbers have dropped, baseball dropped a bit.

**STAKEHOLDER MEETING NOTES:  
WILLAMETTE UNITED SOCCER CLUB**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does WUSC use Memorial Park for?  
Soccer  
\$1 million / year budget. Break even with 3 employees  
Use all fields every day.
- 2 How many leagues, teams?  
1800 kids K-12 recreational  
500 competitive year around  
All from WWLSD  
220 kids co-ed high school teams
- 3 What times? Time of year, time of day/night, duration of use?  
Beginning of August – Mid November.  
August tournaments  
Would like to use in the spring, but fields too wet.
- 4 Are there conflicts with other park uses? Coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc.)  
Seem to work out scheduling conflicts. Would like to have separate soccer fields.
- 5 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions?  
Parking can be difficult at times. Lots of people park at dog park area and conflicts happen. Hard to manage.  
Restrooms are adequate w/ porta potties.
- 6 Are there issues with the park that restrict your uses, ie would you do other uses if the facility allowed (field size, etc)?  
Can't use in Springtime as fields are too wet. Would like to see Turf on several fields.
- 7 Are there other parks you use for events / uses?  
Year around use Artificial Turf fields, Horizon Christian,etc.

- 8 What has been the trend in participation by league / sport?  
Participation numbers have held steady. Slight drop with other sports becoming more popular, i.e. lacrosse, etc.
- 9 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?  
Some irrigation boxes at SW corner of fields is in field of play sometimes.  
A few wet spots on West side of fields.
- 10 What roles do concessions play or could play in financial support of the league?  
Would help. They have concessions at other locations and while it is not a huge moneymaker, it does help.
- 11 What is the potential for tournaments? What are the needs to make one successful (# and location of fields)

**STAKEHOLDER MEETING NOTES:  
NW DIAMOND SPORTS**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does NWDS use Memorial Park for?  
Baseball/softball  
11-18 year olds
- 2 What times? Time of year, time of day/night, duration of use?  
May-Oct.  
Would go year around if fields were not so wet, or if Turf fields.
- 3 Are there conflicts with other park uses? coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc.)  
Worried about security near Forest Shelter
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, concessions?  
Field sizes are adequate.  
Infields could be enlarged a bit to provide more flexibility of age groups and would allow for more efficient use of fields. Currently uses 70',80',90' bases. Infields 1 and 2 are not large enough for all base options.  
Larger infields and outfields would allow for more efficient use of fields potentially creating additional time slots for other leagues.  
Outfields , 10-12 year olds min 200' max 220', 13-18 min. 300' max 400', Softball 300' fences.  
Does not use field 5, does not see it used.  
Would like to see a registration area for camps / clinics / large events.  
Would like covered dugouts
- 5 Are there other parks you use for events / uses?  
Surrounding schools for Turf during wet weather. Horizon Christian, etc.
- 6 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?

- 7 Would like to be able to water down in-fields when needed- if they could push a button or something like that.  
Some of the outfields could use leveling at times.  
What roles do concessions play or could play in financial support of the league?  
Would love to have gas hookup for bbq's, but not a major deal.  
Would help for tournaments.
- 8 What is the potential for tournaments? What are the needs to make one successful (# and location of fields)  
If fields were turf, they would use them for tournaments.  
3 fields for small tournament, 5 for large tournament.

**STAKEHOLDER MEETING NOTES:  
WILSONVILLE PICKLEBALL CLUB**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 How many leagues, teams?  
Not a club yet, no funding currently.  
Socializing event, big with adults over 50.
- 2 What times? Time of year, time of day/night, duration of use?  
Year around, rain or shine  
Event every two weeks currently. Bring in portable nets and use tennis courts.  
6 things going on per week currently. Player development and teaching.
- 3 Are there conflicts with other park uses? Coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc.)
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions?  
Would like to have covered courts to provide shade and rain protection.  
4 courts would be great, with ability to incrementally add 4 additional at a time.  
Lighting on courts to allow night time play would quadruple usage.
- 5 Are there other parks you use for events / uses?  
Tualatin Community park has Sunday tennis and pickleball
- 6 What has been the trend in participation by league / sport?  
Usage is becoming very popular  
More courts would draw more users.
- 7 Are there opportunities for more collaborative projects between league and city?
- 8 What is the potential for tournaments? What are the needs to make one successful (# and location of courts)  
Ideally 15 courts for tournaments  
Potential for 2 large annual tournaments.  
Thursday-Saturday

**STAKEHOLDER MEETING NOTES:  
WILSONVILLE WALKERS**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 How does WW use the park?  
30-40 members walk the park Tuesday and Thursday.  
2 mile walking loops typically.
- 2 What times? Time of year, time of day/night, duration of use?  
All year long, rain or shine.  
Usually during the morning.
- 3 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions?  
Like new parking lot.  
Would like to have different waling loops with different difficulties.  
Trails are maintained good.  
Were very interested in interp. panels providing entertainment for walks.
- 4 Is the wayfinding sufficient?  
Lots of trails can be confusing. Tend to stay on road and open trails due to safety, familiarity access. Lots of older members who can't do hills.

**STAKEHOLDER MEETING NOTES:  
ADULT SOCCER CLUB**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does the ASC use Memorial Park for?  
Soccer  
Sundays, 8am-3pm. May – October.
- 2 How many leagues, teams?  
4-5 teams, 2 fields.  
15 per team and family members. Mainly Hispanic league, but seeing a lot of white spectators
- 3 What times? Time of year, time of day/night, duration of use?  
Sundays  
Don't do rainy days
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions?  
Restroom facilities are lacking, especially for women.  
Ok with designated parking near maintenance. Try to not park at dog park area.  
Some irrigation boxes at SW corner of fields is in field of play sometimes.
- 5 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?  
Don't play in wet conditions because they don't want to destroy the fields.  
Paint their own field.
- 6 What roles do concessions play or could play in financial support of the league?  
No role. Bring own food.

**STAKEHOLDER MEETINGS NOTES:  
GIRLS SCOUTS OF OREGON AND SW  
WASHINGTON**

Wilsonville Parks and Rec. Dept., October 17th 2014

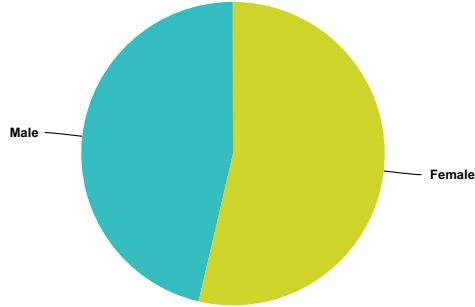
- 1 How do GS use the park?  
23 years. One week / year day camp in last week of June.  
400 girls, 5-18 years old. # is sufficient.  
Use both shelters, and like that they are "easy access"  
Hiking trails, archery area  
"Most people don't know they are there. Like the isolation of the shelters.
- 2 Are the facilities sufficient, quantity, parking/access, restrooms?  
Have to have someone manage parking.  
Could be marked better  
Have 2 large busses and turning around is hard.  
Concerns about development to the west, access from the new homes, and removal of trees changed the character of the River Shelter.  
Cannot go to the water as river bank is too steep.  
Bring their own camp, food, restrooms. Set up at 7:30am, out by 4:30pm every day.
- 3 Are very concerned about safety, police access, fire access.
- 4 "Keep nooks" along paths. They need space to gather  
Desire a climbing wall  
An areas sized for a picnic shelter "can be anywhere"
- 5 Boy Scouts use the Park. Chris Troha- HS teacher at WVHS and John Budais and scout masters.
- 6 Girl Scouts have 1 volunteer day at Memorial Park per year. Available to do more.

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**Q1 What is your gender?**

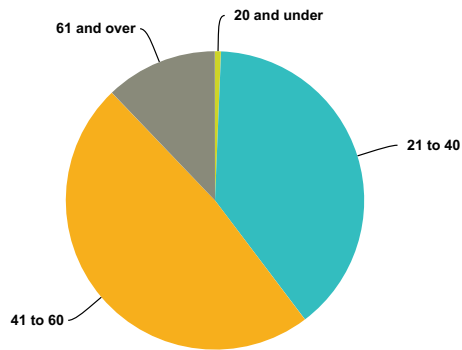
Answered: 617 Skipped: 0



Answer Choices	Responses	
Female	53.65%	331
Male	46.35%	286
<b>Total</b>		<b>617</b>

**Q2 What is your age?**

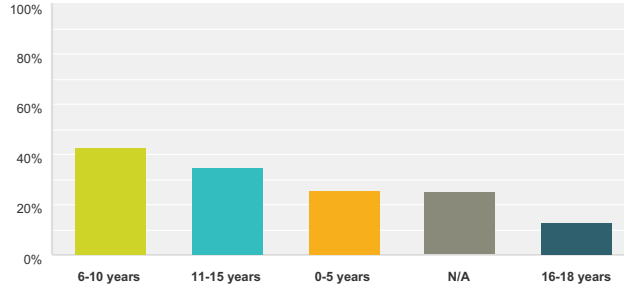
Answered: 617 Skipped: 0



Answer Choices	Responses	
20 and under	0.65%	4
21 to 40	39.06%	241
41 to 60	48.14%	297
61 and over	12.16%	75
<b>Total</b>		<b>617</b>

**Q3 If any, what are the ages of the children in your household?**

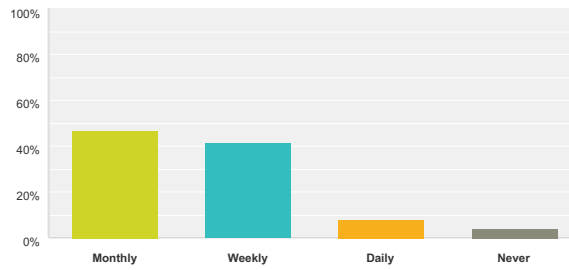
Answered: 617 Skipped: 0



Answer Choices	Responses	Count
6-10 years	42.63%	263
11-15 years	34.68%	214
0-5 years	25.45%	157
N/A	25.12%	155
16-18 years	12.80%	79
<b>Total Respondents: 617</b>		

**Q4 How often do you use Memorial Park?**

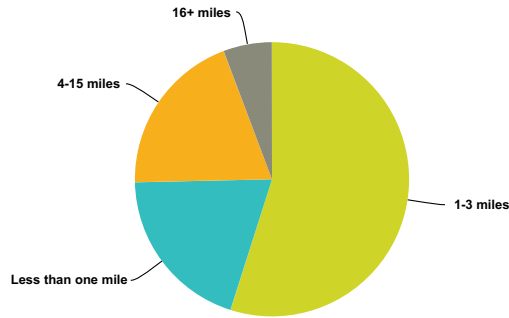
Answered: 592 Skipped: 25



Answer Choices	Responses	Count
Monthly	46.79%	277
Weekly	41.22%	244
Daily	7.77%	46
Never	4.22%	25
<b>Total</b>		<b>592</b>

**Q6 Where do you live in relation to Memorial Park?**

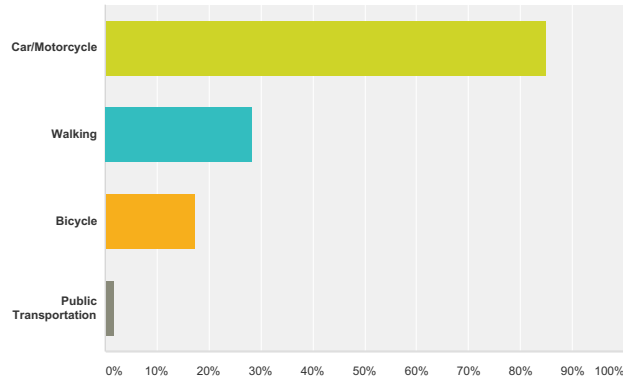
Answered: 592 Skipped: 25



Answer Choices	Responses	Count
1-3 miles	54.90%	325
Less than one mile	19.76%	117
4-15 miles	19.59%	116
16+ miles	5.74%	34
<b>Total</b>		<b>592</b>

**Q7 When you visit the park, how do you arrive?**

Answered: 585 Skipped: 32

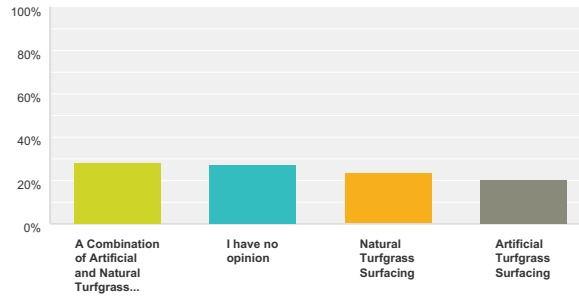


Answer Choices	Responses	Count
Car/Motorcycle	84.96%	497
Walking	28.38%	166
Bicycle	17.26%	101
Public Transportation	1.71%	10
<b>Total Respondents: 585</b>		

#	Other (please specify)	Date
1	Running	1/8/2015 8:29 AM
2	Space ship	1/8/2015 4:14 AM
3	stroller	12/26/2014 3:44 PM
4	Jogging	12/25/2014 3:56 PM
5	running	12/22/2014 3:48 PM
6	skateboard	12/19/2014 12:43 PM
7	Youth Sports	12/19/2014 12:41 PM
8	Do not use the park to many parks in Wilsonville already	12/19/2014 9:02 AM
9	Dont use	12/19/2014 8:13 AM
10	Don't	12/17/2014 5:02 PM
11	Hiking and jogging	12/16/2014 4:14 PM

**Q10 If investments were made to existing athletic fields and/or new fields were incorporated, would you prefer:**

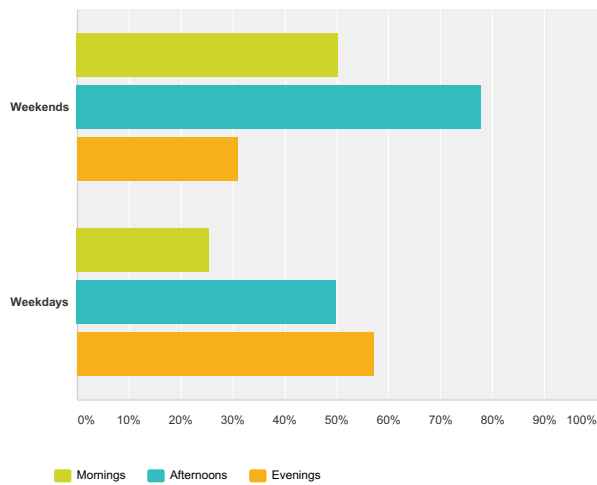
Answered: 574 Skipped: 43



Answer Choices	Responses	
A Combination of Artificial and Natural Turfgrass Surfacing	28.40%	163
I have no opinion	27.70%	159
Natural Turfgrass Surfacing	23.34%	134
Artificial Turfgrass Surfacing	20.56%	118
<b>Total</b>		<b>574</b>

**Q5 What days and times do you most use the park?**

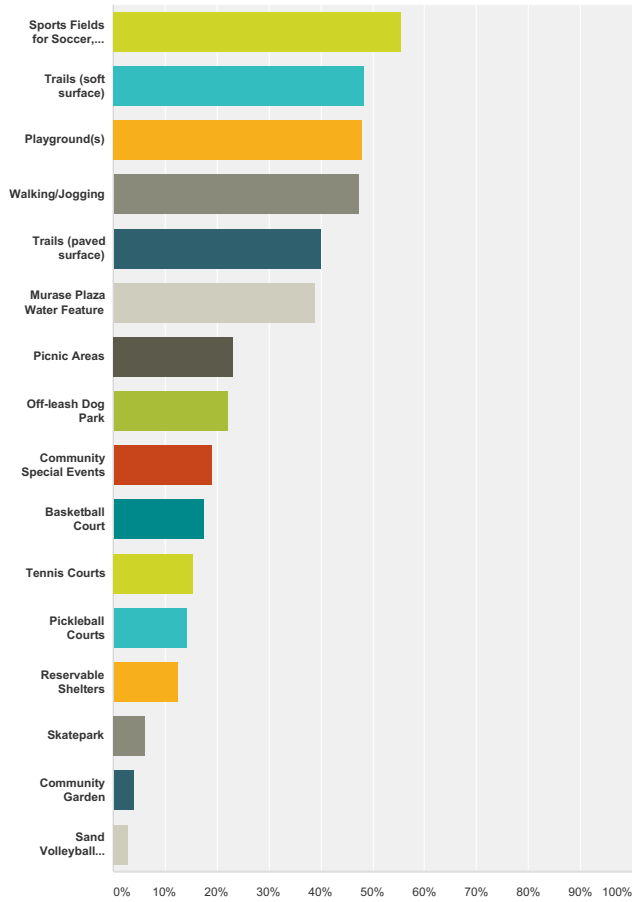
Answered: 592 Skipped: 25



	Mornings	Afternoons	Evenings	Total Respondents
Weekends	50.30% 254	77.82% 393	30.89% 156	505
Weekdays	25.56% 125	49.90% 244	57.26% 280	489

**Q8 Which (5) activities/resources do you most utilize when at Memorial Park?**

Answered: 579 Skipped: 38



Answer Choices	Responses
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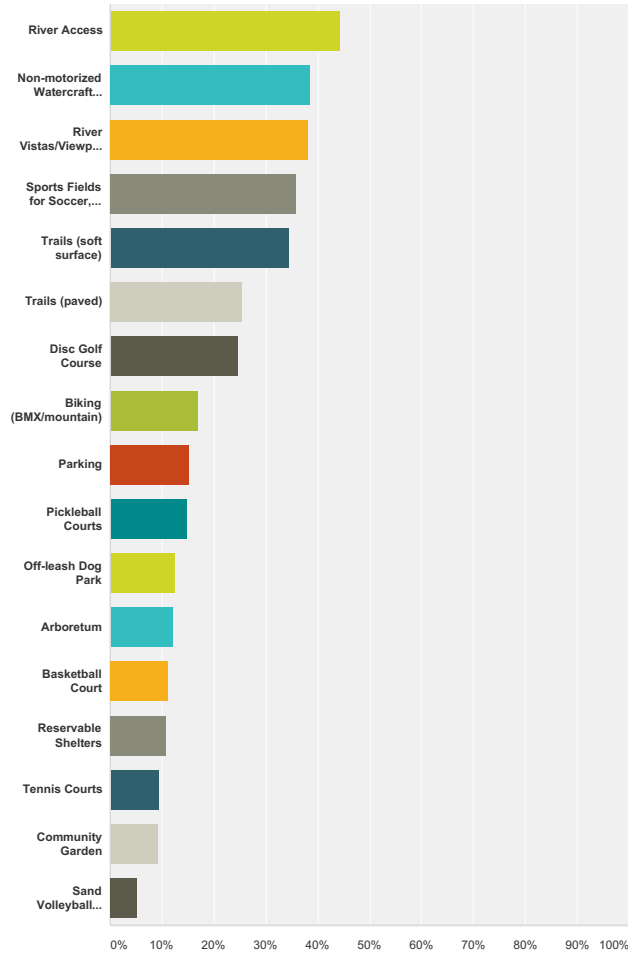
Sports Fields for Soccer, Baseball, or Softball	55.44%	321
Trails (soft surface)	48.53%	281
Playground(s)	48.01%	278
Walking/Jogging	47.32%	274
Trails (paved surface)	40.07%	232
Murase Plaza Water Feature	38.86%	225
Picnic Areas	23.14%	134
Off-leash Dog Park	22.11%	128
Community Special Events	19.00%	110
Basketball Court	17.44%	101
Tennis Courts	15.54%	90
Pickleball Courts	14.16%	82
Reservable Shelters	12.44%	72
Skatepark	6.22%	36
Community Garden	3.97%	23
Sand Volleyball Court	2.94%	17
<b>Total Respondents: 579</b>		

#	Other (please specify)	Date
1	Sports Fields to throw discs (disc golf driving practice)	1/16/2015 2:28 PM
2	RC cars, airplanes	1/4/2015 12:43 PM
3	disc golf	1/2/2015 9:46 AM
4	the dock	12/30/2014 8:54 PM
5	river view, wildlife viewing	12/26/2014 10:52 PM
6	Birding	12/19/2014 2:40 PM
7	dock	12/19/2014 12:44 PM
8	Natural areas	12/19/2014 10:48 AM
9	Do not use any of these services never go to Memorial Park	12/19/2014 9:03 AM
10	None	12/19/2014 8:13 AM
11	River Access	12/17/2014 8:15 PM
12	none	12/17/2014 5:02 PM
13	open space	12/16/2014 7:43 PM
14	walking dog on leash	12/15/2014 4:31 PM
15	how about Disc Golf ???	12/15/2014 10:57 AM
16	natural areas since you planted the meadow in trees not a lot of that left	12/15/2014 10:49 AM



Wilsonville Memorial Park Master Plan Survey

SurveyMonkey



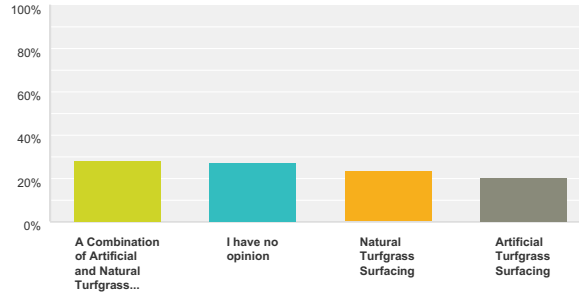
Answer Choices	Responses
River Access	44.18% 243
Non-motorized Watercraft (kayaks, canoes, paddleboards, etc.)	38.55% 212

River Vistas/Viewpoints	38.18%	210
Sports Fields for Soccer, Baseball, or Softball	36.00%	198
Trails (soft surface)	34.55%	190
Trails (paved)	25.45%	140
Disc Golf Course	24.73%	136
Biking (BMX/mountain)	16.91%	93
Parking	15.27%	84
Pickleball Courts	14.91%	82
Off-leash Dog Park	12.55%	69
Arboretum	12.18%	67
Basketball Court	11.27%	62
Reservable Shelters	10.91%	60
Tennis Courts	9.45%	52
Community Garden	9.09%	50
Sand Volleyball Court	5.27%	29
<b>Total Respondents: 550</b>		

#	Other (please specify)	Date
1	more running/walking paths	1/16/2015 4:40 PM
2	like movies in the park and would like to see other art events here. Gets crowded trying to get out however	1/14/2015 9:51 PM
3	dont need much more - leave the open space unimproved as they currently are	1/14/2015 2:11 PM
4	more protection of natural areas, less tree cutting	1/11/2015 3:01 PM
5	Concession stands for events to be run by non-profits, turf fields	1/9/2015 10:12 PM
6	Concession stand for baseball	1/9/2015 8:38 PM
7	Work on the improving the Wood fields or adding to Lowrie and leave Memorial as is	1/9/2015 6:12 PM
8	Closer bathrooms and water facilities to all sports fields.	1/9/2015 5:59 PM
9	Creation of a batting facility with concessions for Wilsonville youth softball and baseball programs	1/9/2015 4:23 PM
10	Playground	1/9/2015 9:19 AM
11	bigger skate/bike park	1/8/2015 5:47 PM
12	Skatepark	1/8/2015 4:51 PM
13	Covered pickleball	1/8/2015 7:40 AM
14	P	1/8/2015 4:24 AM
15	Turf baseball fields, mountain bike trail system	1/7/2015 10:54 PM
16	Lights for baseball field that is not lighted currently.	1/7/2015 10:35 PM
17	Snack Stand for Kids sports	1/7/2015 7:00 PM
18	Skateboarding	1/7/2015 5:56 PM

**Q10 If investments were made to existing athletic fields and/or new fields were incorporated, would you prefer:**

Answered: 574 Skipped: 43



Answer Choices	Responses
A Combination of Artificial and Natural Turfgrass Surfacing	28.40% 163
I have no opinion	27.70% 159
Natural Turfgrass Surfacing	23.34% 134
Artificial Turfgrass Surfacing	20.56% 118
<b>Total</b>	<b>574</b>

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PROJECT NUMBER: # 14-061PLN                      ISSUE DATE: May 3, 2015  
 PROJECT NAME: City of Wilsonville Memorial Park Master Plan

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TO: Steve Duh  
 FROM: Ian Holzworth, Walker Macy

**SUBJECT: Park Revenue Scenarios & Potential Operations Expenses**

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This memorandum addresses the existing revenues and potential revenue scenarios for the preferred master plan for Memorial Park. It also addresses existing and potential operating expenses for the park. It concludes with policy and marketing considerations that may result in enhanced future revenue from construction of the preferred master plan.

### Master Plan Amenities Affecting Revenues

The preferred master plan for Memorial Park adds new infrastructure and amenities that balance the community's interest in expanded recreation opportunities within the context of the physical constraints of the park. While numerous amenities are proposed in the master plan, this memo focuses on those that will facilitate revenue generation for the City and include the following:

- Shelter rental - facility rental fees
- Community gardens - plot fees
- Amphitheater/stage - opportunity for events
- Pickleball - opportunity for small tournaments
- Pump track - opportunity for events or competitions
- Disc golf course - opportunity for small tournaments
- Water-based concessionaire (i.e., kayak, canoe) - seasonal concession fees

### Park Revenues

City staff provided 2014 revenue data for the revenue-generating amenities of Memorial Park. The various amenities at the park generated approximately \$50,000, and the details by facility are itemized in Table 1.

**Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses**

Table 1: Revenue by Amenity (2014)

Amenity	2014 (Actuals)
River Shelter	\$ 8,871
Forest Shelter	\$ 7,679
Splash Shelter	\$ 848
Stein-Boozier Barn	\$ 10,815
Murase Plaza	\$ -
Fields: Reduced Fee Youth	\$ 8,002
Fields: Other	\$ 2,665
Special Events	\$ 8,813
Community Gardens - raised bed	\$ 375
Community Gardens - in-ground	\$ 2,178
	<b>\$ 50,244</b>

In estimating the future potential revenue scenarios for the park, assumptions were established based on historic rental information, utilization and capacity.

#### **Assumptions regarding Utilization**

The City of Wilsonville's facility reservation and event fee schedules split charges by resident and non-resident status and include pricing for midweek and weekend periods. Upon review of the 2014 revenue data, estimates for the resident and non-resident percentage splits by facility were established for use in estimating future revenue potential.

Additionally, a more detailed review of available capacity was completed to compare reservation histories of the two shelters and the barn for 2013 and 2014 with the annual calendar. Although the City only charges fees for the shelters between the 2nd weekend in April and the 2nd weekend in October, a review of the full-year calendar offers a more complete picture of the latent capacity for these facilities. Tables 2 and 3 illustrate the number of usage (reservation) days by period for each facility. Peak season is defined as May through October, and off-peak is November through April, and the total number of available days by use period were calculated separately for each year.



Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses

Table 2: Shelter and Barn Facility Rentals & Latent Capacity by Use Period (2013)

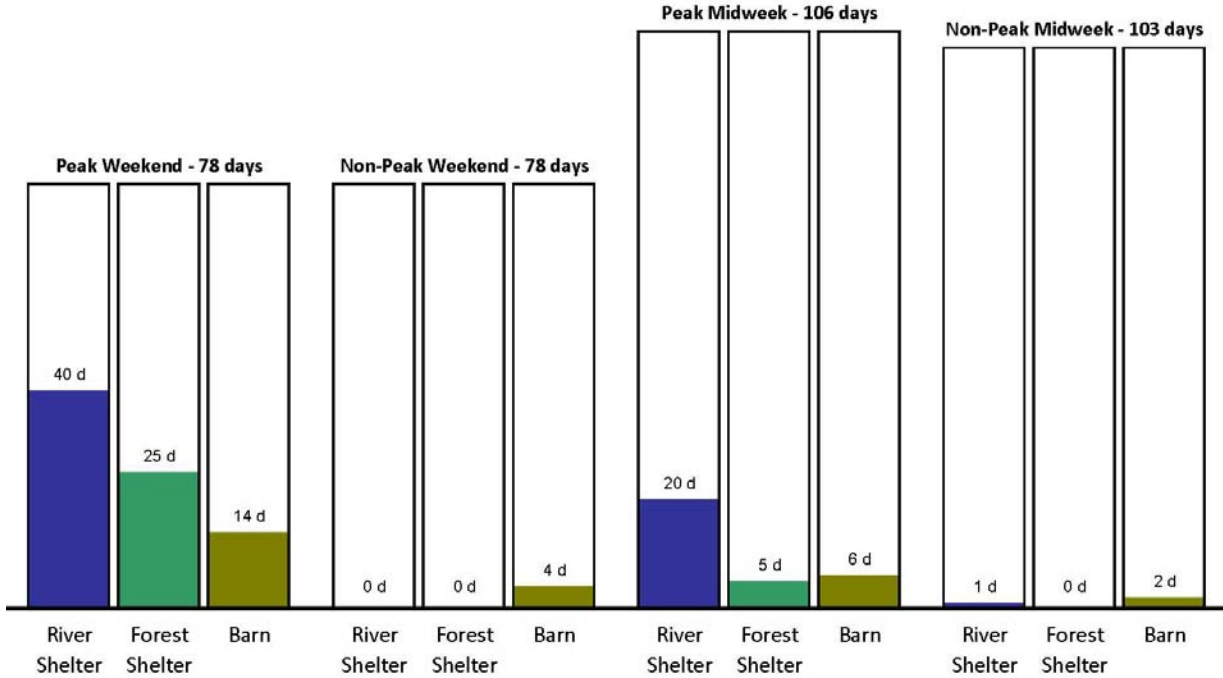
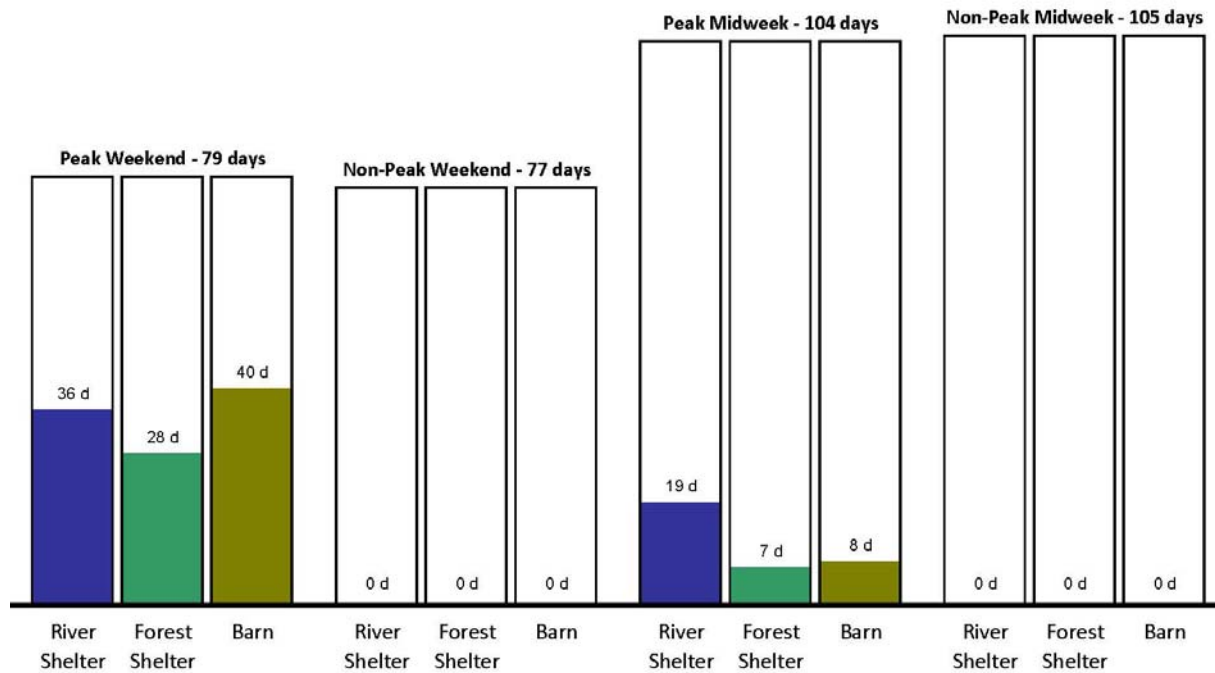


Table 3: Shelter and Barn Facility Rentals & Latent Capacity by Use Period (2014)



Significant unutilized capacity existed with these three facilities during the past two years; however, barn rentals were greatly improved in 2014 over the previous year. To estimate rental revenues for these facilities, utilization benchmarks were assumed for the different revenue scenarios. A high-growth scenario assumed rental reservations for 80% of the available peak period days, with a 75%/25% resident to non-resident split for shelters and 65%/35% split for the Stein-Boozier Barn. The resident percentage splits were based on recent annual averages.

### Assumptions by Amenity

Usage and revenue potential was also considered based on the new amenities illustrated in the preferred master plan for the park and are discussed below.

- Community gardens: The reconfigured layout for the community gardens is approximately 0.6 acres. Using that estimate and the City's current sizing for in-ground and raised beds, the new garden configuration could accommodate approximately 15 new raised beds and 20 new in-ground (net additional). This would generate a net increase in garden fees (at current fees) of approximately \$800-\$1,000 per year.
- Picnic shelter: The proposed conversion of the maintenance barn into a third reservable picnic shelter will enhance the revenue potential for the park. It is assumed that the fee structure for this new shelter would be aligned with that of the River Shelter.
- Amphitheater with stage: Additional fees from special event permits are assumed; however, new revenue from additional events may be limited due to the existing number of programmed events on the City calendar. For the purpose of the revenue modeling, it was assumed that an additional 4-5 new events could be scheduled that trigger the requirements of the City's Special Use Permit. These events could generate upwards of \$1,000 annually in new revenues. The scheduling and usage of the amphitheater would need to be balanced with general park use and the existing suite of events.
- Pump track: As a small and growing activity, cycling on a pump track can create an opportunity for demonstration events and/or competitions. In the initial years, it may be reasonable to host 1 to 2 such events per year; however, the number of participants will likely fall below the 250 person minimum to trigger the Special Use Permit. Therefore, assigning a revenue potential for this amenity is not feasible at this time.
- Disc golf course: The nine-hole, multi-pitch course could provide an opportunity for small tournaments or demonstration events. However, the size and complexity of the course likely would not create a regional draw for large events or tournaments. It is unlikely that any event planned for this amenity would trigger the 250 person minimum for a Special Use Permit; therefore, assigning potential revenue to this amenity is not feasible at this time.
- Pickleball: The planned addition of pickleball courts may create an opportunity for small tournaments. Such tournaments can be sanctioned through the USAPA, but they do not need to be. Depending on the local enthusiasm for pickleball, a small tournament may fall below the 250 person event threshold to trigger the Special Use Permit. For revenue modeling, it was assumed that dedicated pickleball court time could be charged on a per hour basis, much like the reservation system for sport fields.

- Water-based concessionaire: A seasonal vendor could be accommodated at the proposed, extended southern parking lot. A specialized user agreement or concessionaire/vendor agreement would need to be crafted to accommodate this new activity/use, especially given the need for the City to manage potential risk and liability concerns. For revenue modeling, it was assumed that concession fees would be established as a flat annual fee to the concessionaire, plus a percentage of sales.
- Sport Fields: In comparing the preferred master plan layout to other regionally significant sport complexes (Delta Park, Sunset Park Sports Complex, Terpenning Recreation Complex and Salem's Wallace Marine), the new layout will provide added potential for non-local tournament play, and the installation of synthetic turf fields will maximize usage and improve revenue recovery. However, the number of fields, lighting and parking may continue to be limiting factors. In assessing the revenue potential for the park, the presumed scenario is that this mix of fields will be utilized for local and metro area tournaments. The complex may not be large enough to generate increased utilization of local hotels (in other words, there may be no net increase in "heads in beds" as a local economic driver). To assess the potential for regional or statewide tournament play, a more in-depth market study should be completed, and this is outside the scope of the current project.

### Revenue Scenarios

Expanding upon the assumptions noted above and using the 2014 actual park revenues as a baseline, a series of revenue alternatives were generated. Three scenarios were calculated to include the following:

- High-growth option, which includes an 80% peak period utilization for shelters and barn, the installation of a water-based concessionaire, and increased usage of sport and event facilities.
- Moderate-growth option, which is primarily driven by a 50% peak period utilization for shelters and barn, along with modest increases in the usage of sport and event facilities.
- No-growth option, which maintains the utilization of facilities from the 2014 season, in addition to the third picnic shelter and community gardens.

Table 4 outlines the estimated revenues by scenario and park amenity. Percentage increases in revenue by line item are also noted for each scenario.

**Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses**

Table 4: Revenue Scenarios by Facility

Source	2014 (Actuals)	Revenue Potential					
		High Growth	% Incr	Moderate Growth	% Incr	No Growth	% Incr
River Shelter	\$ 8,870.82	\$ 26,112.50	194%	\$ 16,465.00	86%	\$ 11,225.00	27%
Forest Shelter	\$ 7,678.50	\$ 21,886.25	185%	\$ 13,800.00	80%	\$ 4,843.75	-37%
Splash Shelter	\$ 848.00	\$ 1,450.00	71%	\$ 1,080.00	27%	\$ 875.00	3%
Maintenance Barn Shelter	NA	\$ 26,112.50		\$ 16,465.00		\$ 11,225.00	
Stein-Boozier Barn	\$ 10,815.00	\$ 95,933.25	787%	\$ 60,789.00	462%	\$ 40,221.00	272%
Murase Plaza	\$ -						
Fields: Reduced Fee Youth	\$ 8,001.50	\$ 10,000.00	25%	\$ 9,000.00	12%	\$ 8,000.00	0%
Fields: Other	\$ 2,664.75	\$ 3,200.00	20%	\$ 3,000.00	13%	\$ 2,700.00	1%
Special Events	\$ 8,812.50	\$ 4,400.00	-50%	\$ 4,000.00	-55%	\$ 3,400.00	-61%
Community Gardens - raised bed	\$ 375.00	\$ 750.00	100%	\$ 750.00	100%	\$ 375.00	0%
Community Gardens - in-ground	\$ 2,178.00	\$ 2,640.00	21%	\$ 2,640.00	21%	\$ 2,178.00	0%
Watercraft Concessionaire	NA	\$ 4,500.00		\$ -		\$ -	
	<b>\$ 50,244.07</b>	<b>\$ 196,984.50</b>		<b>\$ 127,989.00</b>		<b>\$ 85,042.75</b>	

The primary intent of these scenarios is to illustrate the revenue potential for the park, given its wealth of reservable and rentable facilities. It must be noted that a number of factors may influence the City's potential to generate these revenues, and these factors include the City's capacity to promote availability and capture reservations, competition from other venues, seasonality, and the state of the overall local economy and people's willingness to spend.

As noted above, the shelters and the barn are expected to remain as the park's highest revenue generators. During the 2014 season, these facilities contributed over 56% of the total revenue from the park. As shown in Table 4, these facilities are assumed to generate approximately 80% of potential revenues, which is partly driven by the addition of the third shelter and by higher utilization rates. Regarding sport fields, the projected revenues are restrained by the assumption about local usage and the City's existing policy to offer discounted field fees for youth athletics.

## Operating Expenses

The annual operations and maintenance of Memorial Park are a significant on-going expense, and the pace of future park improvements will be informed, in part, by the likely operations impacts to the City budget. Table 6 illustrates the current maintenance expenses for Memorial Park by major work area and shows an annual outlay of approximately \$286,000 for the park.

Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses

Table 5: Operations and Maintenance Expenses by Major Work Area/Feature (2014)

Park Feature	Unit	Labor Hours per Year per Unit	No. Units	Labor Hours per Year	Labor-related Cost per Year	Materials & Services per Yr	Total Cost per Year
<b>Labor-related costs</b>							
Large turf areas	per acre	52.0	15.0	780.0	\$ 19,500	\$ 3,000	\$ 22,500
Small/medium turf areas	per acre	52.0	3.0	156.0	\$ 3,900	\$ 600	\$ 4,500
Shrub beds	per 1000sf	52.0	12.0	624.0	\$ 15,600	\$ 500	\$ 16,100
Flower beds	per 1000sf	26.0	2.0	52.0	\$ 1,300	\$ 250	\$ 1,550
Planted trees	per tree	13.0	12.0	156.0	\$ 3,900	\$ 1,000	\$ 4,900
Hard surfaces	per 1000sf	3.0	200.0	600.0	\$ 15,000	\$ 250	\$ 15,250
Soft-surface paths/areas	per 1000sf	2.0	50.0	100.0	\$ 2,500	\$ 500	\$ 3,000
Turf multi-use fields	per field	52.0	3.0	156.0	\$ 3,900	\$ 3,000	\$ 6,900
Turf softball fields	per field	85.0	5.0	425.0	\$ 10,625	\$ 1,000	\$ 11,625
Irrigation system	per acre (irrigated)	10.0	28.0	280.0	\$ 7,000	\$ 8,000	\$ 15,000
Structures - clean/inspect/repair	per structure	35.0	5.0	175.0	\$ 4,375	\$ 250	\$ 4,625
Restrooms - clean & re-supply	per restroom	80.0	4.0	320.0	\$ 8,000	\$ 5,000	\$ 13,000
Play equipment - inspect & repair	per structure	48.0	2.0	96.0	\$ 2,400	\$ 1,000	\$ 3,400
Leaf removal	per acre (dev)	7.0	30.0	210.0	\$ 5,250	\$ 1,500	\$ 6,750
Storm debris	per acre (dev)	3.0	30.0	90.0	\$ 2,250	\$ 1,000	\$ 3,250
Security check & litter removal	per total acre	26.0	1.0	26.0	\$ 650	\$ 100	\$ 750
Empty trash cans	per can	30.0	30.0	900.0	\$ 22,500	\$ 1,000	\$ 23,500
Non-routine projects	per total acre	120.0	1.0	120.0	\$ 3,000	\$ 500	\$ 3,500
<b>Contracted costs</b>							
		Cost/Unit					
Water service	per acre (irrigated)	\$ 3,080	25.0			\$ 77,000	\$ 77,000
Solid waste service	per bin	\$ 1,800	1.0			\$ 1,800	\$ 1,800
Electricity service	per acre (dev)	\$ 1,400	25.0			\$ 35,000	\$ 35,000
Porta-potty service	per each	\$ 900	5.0			\$ 4,500	\$ 4,500
Contract repairs	per acre (dev)	\$ 250	1.0			\$ 250	\$ 250
Landscape maintenance service	per acre (dev)	\$ 500	1.0			\$ 500	\$ 500
Equipment rental	per acre (dev)	\$ 750	3.0			\$ 2,250	\$ 2,250
Equipment repair & maintenance	per acre (dev)	\$ 1,000	5.0			\$ 5,000	\$ 5,000
<b>Totals</b>				<b>5266</b>	<b>\$ 131,700</b>	<b>\$ 154,800</b>	<b>\$ 286,400</b>

The development of the preferred master plan will result in additional maintenance obligations for the City, and the following list itemizes the major quantity changes for park amenities.

- 35,000 sq.ft. new parking lot landscape
- 240,000 sq.ft. of disc golf
- 31,000 sq.ft. of pump track
- 2,400 sq.ft. skate spot
- 1 new picnic shelter with 5,400 sq.ft. lawn area
- 2 new restroom facilities
- 2 new tennis courts
- 2 new pickleball courts
- 270,500 sq.ft. synthetic turf (replaces natural turf)
- 650 lf of new terraced seating at amphitheater and fountain

**Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses**

- 4,000 sq.ft. additional community gardens
- 5,400 lf additional paved trails
- 12,000 sq.ft. additional concrete/asphalt hardscape
- 105,000 sq.ft. additional parking lot asphalt

Recognizing that the full master plan may not be implemented all at one time and that options exist for incremental enhancements to the park, the following operations cost estimate assumes full build-out of the park as shown in the master plan.

Table 6: Operations and Maintenance Expenses for Preferred Master Plan

Park Feature	Unit	Labor Hours per Year per Unit	No. Units	Labor Hours per Year	Labor-related Cost per Year	Materials & Services per Yr	Total Cost per Year
<b>Labor-related costs</b>							
Large turf areas	per acre	52.0	14.1	733.2	\$ 18,330	\$ 3,000	\$ 21,330
Small/medium turf areas	per acre	52.0	3.4	176.8	\$ 4,420	\$ 700	\$ 5,120
Shrub beds	per 1000sf	52.0	47.0	2444.0	\$ 61,100	\$ 1,500	\$ 62,600
Flower beds	per 1000sf	26.0	3.0	78.0	\$ 1,950	\$ 400	\$ 2,350
Planted trees	per tree	13.0	40.0	520.0	\$ 13,000	\$ 1,000	\$ 14,000
Hard surfaces	per 1000sf	3.0	382.7	1148.1	\$ 28,703	\$ 1,500	\$ 30,203
Soft-surface paths/areas	per 1000sf	2.0	50.0	100.0	\$ 2,500	\$ 500	\$ 3,000
Turf multi-use fields	per field	52.0	1.0	52.0	\$ 1,300	\$ 2,500	\$ 3,800
Turf softball fields	per field	85.0	3.0	255.0	\$ 6,375	\$ 800	\$ 7,175
Synthetic turf fields	per field	42.0	3.0	126.0	\$ 3,150	\$ 500	\$ 3,650
Irrigation system	per acre (irrigated)	10.0	22.0	220.0	\$ 5,500	\$ 8,000	\$ 13,500
Structures - clean/inspect/repair	per structure	35.0	7.0	245.0	\$ 6,125	\$ 400	\$ 6,525
Restrooms - clean & re-supply	per restroom	80.0	6.0	480.0	\$ 12,000	\$ 7,500	\$ 19,500
Play equipment - inspect & repair	per structure	48.0	4.0	192.0	\$ 4,800	\$ 2,000	\$ 6,800
Leaf removal	per acre (dev)	7.0	35.0	245.0	\$ 6,125	\$ 1,500	\$ 7,625
Storm debris	per acre (dev)	3.0	35.0	105.0	\$ 2,625	\$ 1,000	\$ 3,625
Security check & litter removal	per total acre	36.0	1.0	36.0	\$ 900	\$ 100	\$ 1,000
Empty trash cans	per can	30.0	36.0	1080.0	\$ 27,000	\$ 1,000	\$ 28,000
Non-routine projects	per total acre	200.0	1.0	200.0	\$ 5,000	\$ 500	\$ 5,500
<b>Contracted costs</b>							
		Cost/Unit					
Water service	per acre (irrigated)	\$ 3,080	22.0			\$ 67,760	\$ 67,760
Solid waste service	per bin	\$ 1,800	2.0			\$ 3,600	\$ 3,600
Electricity service	per acre (dev)	\$ 1,400	35.0			\$ 49,000	\$ 49,000
Porta-potty service	per each	\$ 900	5.0			\$ 4,500	\$ 4,500
Contract repairs	per acre (dev)	\$ 250	1.0			\$ 250	\$ 250
Landscape maintenance service	per acre (dev)	\$ 500	1.0			\$ 500	\$ 500
Equipment rental	per acre (dev)	\$ 750	6.0			\$ 4,500	\$ 4,500
Equipment repair & maintenance	per acre (dev)	\$ 1,000	8.0			\$ 8,000	\$ 8,000
<b>Totals</b>				<b>8436</b>	<b>\$ 210,900</b>	<b>\$ 172,500</b>	<b>\$ 383,400</b>

The annual operating costs for the preferred master plan are estimated to be approximately \$383,000 and approximately \$100,000 higher than the current maintenance costs. The largest impacts to the costs for the preferred master plan are due to increased quantities for hard surfaces



(parking, sport courts, trails), play equipment and landscape maintenance (shrubs and trees). With the installation of synthetic field turf, decreases in annual costs are anticipated for large turf areas, irrigation, and field sport maintenance.

As the City considers incremental or phased improvements to Memorial Park, the projected maintenance costs should be re-evaluated.

### Additional Considerations

Other municipalities have sought and leveraged partnerships to either help offset maintenance costs or conditionally expand facilities. Such arrangements are best suited toward single-use or special purpose facilities. In advance of implementing the preferred master plan, the City should consider reaching out specifically to user groups for three facilities: off-leash area, pump track and disc golf.

- Advocates for off-leash areas in other cities have successfully organized into non-profit (501C3) entities to create a vehicle for fundraising for off-leash area maintenance and acting as a source of volunteers to clean-up days or special fundraising events.
- One option to help offset maintenance costs for the pump track is to develop a volunteer base of cyclists for seasonal work parties, clean-ups and (re)construction activities.
- Similarly, the City can seek the support of local disc golf enthusiasts and clubs for assistance in laying out, installing and maintaining the disc golf course.

These alternatives should be considered in addition to and in coordination with the City's on-going maintenance standards, protocols and staffing - with the recognition that volunteer support for maintenance activities will not diminish the need for and role of park maintenance staff.



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<b>Memorial Park Master Plan</b> Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3	<b>Architectural Cost Consultants, LLC</b> Stanley J. Pszczolkowski, AIA 8060 SW Pfaffle Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com	Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Constr. Start: Todays Cost
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**DIRECT CONSTRUCTION COST SUMMARY**

Component	Area		\$ / SF	Total
Masterplan Estimate	5,494,582	sf	\$2.10 /sf	\$11,560,950
<b>TOTAL DIRECT CONSTRUCTION COST</b>	5,494,582	sf	\$2.10 /sf	<b>\$11,560,950</b>
Budget				0
Indicated Surplus / (Deficit)				(11,560,950)
<b><u>ALTERNATES</u></b> - None Indicated for Pricing				

The above estimates are for direct construction cost only. They do not include furnishings & equipment, architect and engineer design fees, consultant fees, inspection and testing fees, plan check fees, state sales tax, hazardous material testing and removal, financing costs, owners contingency, nor any other normally associated development costs.

The above estimates assume a competitively bid project, with at least three qualified bidders in each of the major sub-trades as well as the general contractors.

The above estimates assume a construction start date of: Todays Cost. If the start of construction is delayed beyond the date above, the estimates must be indexed at a rate of 4% to 5% per year compounded.

This is a probable cost estimate based on in-progress documentation provided by the architect. The actual bid documents will vary from this estimate due to document completion, detailing, specification, addendum, etc. The estimator has no control over the cost or availability of labor, equipment, materials, over market conditions or contractor's method of pricing, contractor's construction logistics and scheduling. This estimate is formulated on the estimator's professional judgment and experience. The estimate makes no warranty, expressed or implied, that the quantities, bids or the negotiated cost of the work will not vary from the estimator's opinion of probable construction cost.

<b>Memorial Park Master Plan</b> Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3	<b>Architectural Cost Consultants, LLC</b> Stanley J. Psczołkowski, AIA 8060 SW Pfaffle Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com		Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Constr. Start: Todays Cost

Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
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02   EXISTING CONDITIONS						
Site Demolition						
misc demo - allowance	1	sum	\$15,000.00	\$15,000		
removal of invasive species - allowance		acre	1,500.00	0		acreage TBD
remove trails	1	sum	500.00	500		
remove basketball court	1	sum	6,278.44	6,278		
remove skate park	1	sum	3,000.00	3,000		
remove restroom	1	sum	500.00	500		
remove ac paving	20,000	sf	0.55	11,000		
remove gravel parking areas	60,000	sf	0.50	30,000		
remove fencing at community garden	700	lf	3.50	2,450		
remove utilities	1	sum	5,000.00	5,000		
remove lighting	1	sum	35,000.00	35,000		
haul & disposal	1	sum	16,310.00	16,310		
Sub-total	5,494,582	sf	0.02 /sf		\$125,038	
<b>SUB-TOTAL 02   EXISTING CONDITIONS</b>			0.02 /sf		<b>\$125,038</b>	

31   EARTHWORK						
Clearing & Grubbing						
clear & grub	715,000	sf	0.05	35,750		
haul & disposal	1	sum	5,360.00	5,360		
Sub-total	5,494,582	sf	0.01 /sf		41,110	
Stripping & Stockpiling						
strip & stockpile, assume 4"	5,250	cy	6.00	31,500		
Sub-total	5,494,582	sf	0.01 /sf		31,500	
Grading / Site Excavation & Fill						
mobilization / demobilization	1	sum	30,000.00	30,000		
construction staking	1	sum	7,500.00	7,500		
cut (assume dry weather conditions)	6,100	cy	8.00	48,800		from forest shelter
cut (assume dry weather conditions)	7,524	cy	8.00	60,189		from ballfields # 1 & 2
fill (assume dry weather conditions)	1,355	cy	10.00	13,550		
haul excess material off-site	12,269	cy	12.00	147,223		
level / grade / proof roll	715,000	sf	0.30	214,500		
flagging / temp barricade / cleanup	1	sum	20,000.00	20,000		
Sub-total	5,494,582	sf	0.10 /sf		541,762	
Erosion & Sedimentation Controls						
allowance for work not shown	1	sum	75,000.00	75,000		
Sub-total	5,494,582	sf	0.01 /sf		75,000	
<b>SUB-TOTAL 31   EARTHWORK</b>			0.13 /sf		<b>\$689,372</b>	

<b>Memorial Park Master Plan</b> Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3	<b>Architectural Cost Consultants, LLC</b> Stanley J. Psczolkowski, AIA 8060 SW Pfaffle Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com	Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Constr. Start: Todays Cost
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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
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<b>32   EXTERIOR IMPROVEMENTS</b>						
<b>Northeast Parking Lot</b>						
4" ac pavement, drive aisles	116	ton	95.00	11,020		4,640 sf
6" base course	167	ton	20.00	3,335		
2" leveling course	56	ton	23.50	1,306		
<b>2" ac pavement, parking stalls</b>						
4" base course	157	ton	20.00	3,131		6,535 sf
2" leveling course	78	ton	23.50	1,840		
geotextile fabric	1,242	sy	1.65	2,049		
concrete curb, vertical	600	lf	12.50	7,500		
4" base course	29	ton	20.00	575		
<b>pavement markings</b>						
ada logo	2	ea	85.00	170		
diagonal striping	90	sf	2.25	203		
parking stall striping	25	ea	18.00	450		
ada sign, post & footing	2	ea	200.00	400		
Sub-total	5,494,582	sf	0.01 /sf		39,739	\$3.56 /sf
<b>East Parking Lot</b>						
4" ac pavement, drive aisles	627	ton	95.00	59,527		25,064 sf
6" base course	901	ton	20.00	18,015		
2" leveling course	300	ton	23.50	7,056		
<b>2" ac pavement, parking stalls</b>						
4" base course	288	ton	95.00	27,313		23,000 sf
2" leveling course	551	ton	20.00	11,021		
2" leveling course	276	ton	23.50	6,475		
geotextile fabric	5,340	sy	1.65	8,812		
concrete curb, vertical	1,185	lf	12.50	14,813		
4" base course	57	ton	20.00	1,136		
<b>pavement markings</b>						
ada logo	4	ea	85.00	340		
diagonal striping	180	sf	2.25	405		
parking stall striping	105	ea	18.00	1,890		
ada sign, post & footing	4	ea	200.00	800		
bike racks	18	ea	325.00	5,850		
Sub-total	5,494,582	sf	0.03 /sf		163,453	\$3.40 /sf
<b>Southwest Parking Lot</b>						
4" ac pavement, drive aisles	603	ton	95.00	57,309		24,130 sf
6" base course	867	ton	20.00	17,343		
2" leveling course	289	ton	23.50	6,793		
<b>2" ac pavement, parking stalls</b>						
4" base course	271	ton	95.00	25,709		21,650 sf
4" base course	519	ton	20.00	10,374		
2" leveling course	259	ton	23.50	6,095		
geotextile fabric	5,087	sy	1.65	8,393		
concrete curb, vertical	620	lf	12.50	7,750		
4" base course	30	ton	20.00	594		
<b>pavement markings</b>						
ada logo	5	ea	85.00	425		
diagonal striping	270	sf	2.25	608		
parking stall striping	96	ea	18.00	1,728		
crosswalk striping	100	lf	5.50	550		
ada sign, post & footing	5	ea	200.00	1,000		
Sub-total	5,494,582	sf	0.03 /sf		144,671	\$3.16 /sf

<b>Memorial Park Master Plan</b> Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3	<b>Architectural Cost Consultants, LLC</b> Stanley J. Psczolkowski, AIA 8060 SW Pfaffle Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com		Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Constr. Start: Todays Cost

Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
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32   EXTERIOR IMPROVEMENTS - Continued						
Gravel Road	11,150	sf				
8" base course	534	ton	20.00	10,685		
2" leveling course	134	ton	23.50	3,139		
geotextile fabric	1,239	sy	1.65	2,044		
barrier arm gate at south prkg	1	ea	2,500.00	2,500		@ gravel road access
bollard type barriers	17	ea	250.00	4,250		allowance, verify
Sub-total	5,494,582	sf	0.00 /sf		22,618	\$2.03 /sf
Asphalt Trails						
2" ac pavement	1,767	ton	95.00	167,883		141,375 sf
4" base course	3,387	ton	20.00	67,742		
2" leveling course	1,694	ton	23.50	39,799		
geotextile fabric	15,708	sy	1.65	25,919		
stairs on grade, 8' wide	352	lf	45.00	15,840		allowance, verify type
railings	104	lf	65.00	6,760		
benches	9	ea	1,200.00	10,800		allowance, verify type
Sub-total	5,494,582	sf	0.06 /sf		334,743	\$2.37 /sf
Rock Trails	91,482	sf				
4" base course	2,192	ton	20.00	43,835		
2" leveling rock course	1,096	ton	28.25	30,959		
geotextile fabric	10,165	sy	1.65	16,772		
nature based playground areas	5	areas	5,000.00	25,000		allowance
benches	16	ea	1,200.00	19,200		allowance, verify type
boardwalk	2,224	sf	45.00	100,080		
lookout stone walls, assume 2' ht.	181	lf	150.00	27,150		
Sub-total	5,494,582	sf	0.05 /sf		262,996	\$2.87 /sf
Synthetic Turf Ballfields #1 & 2						
cement amended subgrade, 12" depth	30,094	sy	2.35	70,722		allowance, verify
synthetic turf: ball fields	270,850	sf	4.20	1,137,570		
shock pad underlayment	270,850	sf	1.00	270,850		
4" base course	6,489	ton	30.00	194,673		
2" leveling course	3,245	ton	35.00	113,560		
geotextile fabric	36,113	sy	1.65	59,587		
concrete curb at synthetic turf perimeter	2,440	lf	16.00	39,040		
2x nailer board	2,440	lf	7.80	19,032		
1.5"x12" ads flat drain pipe @ 20' oc	12,900	lf	15.00	193,500		
8" perf pipe, collector	1,375	lf	55.00	75,625		
10" perf pipe, collector	475	lf	60.00	28,500		
cleanouts, 8"	13	ea	600.00	7,800		
dugouts (4 each), 10'x30'	1,200	sf	79.00	94,800		
baseball backstops	2	ea	75,000.00	150,000		allowance, verify size/type
black vinyl chainlink fence, 6' ht.	200	lf	40.00	8,000		@ baseball base lines
baseball / softball diamond equipment	2	set	800.00	1,600		
bull pen equipment, pitcher+home plates		sets	250.00	0		NIC, verify
20' baseball foul pole with wing	4	ea	2,700.00	10,800		
portable outfield fencing, 6' ht. x 10'	1,100	lf	78.00	85,800		Sportafence or similar
soccer goals	4	ea	2,500.00	10,000		
Sub-total	5,494,582	sf	0.47 /sf		2,571,459	\$9.49 /sf

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
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32   EXTERIOR IMPROVEMENTS - Continued						
<b>Natural Turf Ballfields #3, 4 &amp; 5</b>						
renovate natural turf	215,000	sf	0.75	161,250		allowance
dugouts (4 each), 10'x30'	1,200	sf	79.00	94,800		
baseball backstops	2	ea	75,000.00	150,000		allowance, verify size/type
black vinyl chainlink fence, 6' ht.	200	lf	40.00	8,000		@ baseball base lines
baseball / softball diamond equipment	2	set	800.00	1,600		
bull pen equipment, pitcher+home plates		sets	250.00	0		NIC, verify
20' baseball foul pole with wing	4	ea	2,700.00	10,800		
portable outfield fencing, 6' ht. x 10'	1,100	lf	78.00	85,800		Sportafence or similar
soccer goals	2	ea	2,500.00	5,000		
Sub-total	5,494,582	sf	0.09 /sf	517,250		\$2.41 /sf
<b>Pickleball Courts</b>						
2" ac pavement, at bleachers	57	ton	95.00	5,415		4,560 sf
2" ac pavement, ball courts	73	ton	95.00	6,891		5,803 sf
4" base course	248	ton	20.00	4,965		
2" leveling course	124	ton	23.50	2,917		
geotextile fabric	645	sy	1.65	1,064		
1/2" court surfacing + striping	5,803	sf	5.00	29,013		
pickleball court nets	4	ea	750.00	3,000		
alum. bleachers, 5 rows	96	lf	320.00	30,720		
covered structure, 20' ht.	6,100	sf	77.46	472,500		allowance, verify construction
Sub-total	5,494,582	sf	0.10 /sf	556,485		
<b>Tennis Courts</b>						
complete construction - allowance	1	sum	250,000.00	250,000		
Sub-total	5,494,582	sf	0.05 /sf	250,000		
<b>Basketball Court</b>						
2" ac pavement, ball courts	105	ton	95.00	9,941		8,371 sf
4" base course	201	ton	20.00	4,011		
2" leveling course	100	ton	23.50	2,357		
geotextile fabric	930	sy	1.65	1,535		
1/2" court surfacing + striping	8,371	sf	5.00	41,856		
basketball backstops, pole mounted	4	ea	1,950.00	7,800		
Sub-total	5,494,582	sf	0.01 /sf	67,500		\$8.06 /sf
<b>Sand Volleyball Court 1,800 sf</b>						
volleyball sand court	50	cy	80.00	4,000		
perimeter containment - allowance	180	lf	20.00	3,600		
volleyball court net	1	ea	1,800.00	1,800		
Sub-total	5,494,582	sf	0.00 /sf	9,400		\$5.22 /sf
<b>Dog Park 67,850 sf</b>						
black vinyl chainlink fence, 6' ht.	1,211	lf	40.00	48,420		@ dog park
man gate, 42"-48"	3	ea	450.00	1,350		
relocate shelters	2	ea	1,500.00	3,000		
dog park signs	2	ea	250.00	500		
dog bag dispenser on post	2	ea	350.00	700		
deep well dog waste receptacle	1	ea	1,500.00	1,500		allowance, verify
Sub-total	5,494,582	sf	0.01 /sf	55,470		\$0.82 /sf
<b>Skate Park</b>						
complete construction - allowance	6,400	sf	30.00	192,000		
Sub-total	5,494,582	sf	0.03 /sf	192,000		

<b>Memorial Park Master Plan</b> Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3	<b>Architectural Cost Consultants, LLC</b> Stanley J. Pszczolkowski, AIA 8060 SW Pfaffle Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com		Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Constr. Start: Today's Cost

Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
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32   EXTERIOR IMPROVEMENTS - Continued						
<b>Bike Park</b>						
pump track construction- allowance	1,030	cy	30.00	30,900		fill from forest shelter
Sub-total	5,494,582	sf	0.01 /sf		30,900	
<b>Amphitheater</b>						
fill from forest shelter	325	cy	12.00	3,900		
stone retaining walls	765	lf	125.00	95,625		assume 3' ht.
steps on grade	88	lf	45.00	3,949		
2' stone wall at stage back	340	sf	145.00	49,300		assume 4' ht.
stage platform area	990	sf	25.00	24,750		assume raised concrete
Sub-total	5,494,582	sf	0.03 /sf		177,524	
<b>Maintenance Facility</b>						
building, complete - allowance	1,500	sf	190.00	285,000		
Sub-total	5,494,582	sf	0.05 /sf		285,000	
<b>Restroom Facilities</b>						
CXT building, 2 stalls	520	sf	158.00	82,160		@ dog park area
CXT building, 2 stalls	520	sf	158.00	82,160		@ new east parking lot
CXT building, 2 stalls	520	sf	158.00	82,160		@ new south parking lot
CXT building, 4 stalls	1,400	sf	123.00	172,200		@ tennis courts
renovate building + add 2 stalls	2,088	sf	160.00	334,080		north of ballfield #1
Sub-total	5,494,582	sf	0.14 /sf		752,760	
<b>Concession Area</b>						
building, complete	400	sf	175.00	70,000		@ new south parking lot
Sub-total	5,494,582	sf	0.01 /sf		70,000	
<b>Community Garden</b> 27,950 sf						
black vinyl chainlink fence, 8' ht.	690	lf	52.00	35,880		
double gate, 12'	1	pair	1,800.00	1,800		
man gate, 42"-48"	1	ea	450.00	450		
topsoil-18" at plots (imported)	1,452	cy	28.00	40,656		for .6 acres
crushed granite pathways	1,814	sf	0.50	907		
water spigots & piping	1	sum	3,000.00	3,000		
kiosk - allowance	1	sum	2,500.00	2,500		
Sub-total	5,494,582	sf	0.02 /sf		85,193	
<b>Frisbee Golf Course</b>						
course layout & development	1	sum	4,500.00	4,500		allowance
concrete pads, 4'x8'	27	ea	320.00	8,640		
disc catchers, (9 set)	1	set	7,150.00	7,150		
rules sign	1	ea	166.25	166		
tee signs	9	ea	166.25	1,496		
Sub-total	5,494,582	sf	0.00 /sf		21,952	
<b>Playground Area (south of tennis courts)</b>						
black vinyl chainlink fence, 4' ht.	270	lf	30.00	8,100		
man gate, 36"	1	ea	350.00	350		
Sub-total	5,494,582	sf	0.00 /sf		8,450	
<b>Miscellaneous Site Furnishings</b>						
allowance for other site signage	1	sum	10,000.00	10,000		
allowance for trash receptacles	30	ea	1,000.00	30,000		allowance
Sub-total	5,494,582	sf	0.01 /sf		40,000	



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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
<b>32   EXTERIOR IMPROVEMENTS - Continued</b>						
Dock Launch Versi launch, Gatordock Sub-total	3 5,494,582	slips sf	14,000.00 0.01 /sf	42,000 42,000		@ existing dock system
Landscape Irrigation new planting beds new lawn areas only pumps, controllers, etc - allowance Sub-total	36,200 35,000 1 5,494,582	sf sf sum sf	1.25 0.75 15,000.00 0.02 /sf	45,250 26,250 15,000 86,500		@ parking lots
Planting trees, 1.5" cal. repair lawn area new lawn area, seeding new planting beds, minimal establishment maintenance Sub-total	455 90,000 35,000 36,200 1 5,494,582	ea sf sf sf sum sf	250.00 0.50 1.25 2.75 5,000.00 0.06 /sf	113,750 45,000 43,750 99,550 5,000 307,050		allowance @ parking lots
<b>SUB-TOTAL 32   EXTERIOR IMPROVEMENTS</b>			1.29 /sf	<b>\$7,095,113</b>		

<b>33   UTILITIES</b>						
Water Utilities allowance for piping to new restrooms Sub-total	1 5,494,582	sum sf	35,000.00 0.01 /sf	35,000 35,000		
Sanitary Sewerage Utilities allowance for piping to new restrooms Sub-total	1 5,494,582	sum sf	28,500.00 0.01 /sf	28,500 28,500		
Storm Drainage Utilities site drainage systems see athletic surfacing above allowance for site & parking lot Sub-total	1 5,494,582	sum sf	0.00 50,000.00 0.01 /sf	0 50,000 50,000		for sub-base drainage

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
33   UTILITIES - Continued						
Electrical Utilities service/controls/distribution site lighting ballfields #1,2,3 & 4 existing walkway, 12' poles @ 40'oc pickleball, at structure parking lots main walkway, 12' poles @ 40'oc Sub-total	1	sum	50,000.00	50,000		
	15	ea	48,000.00	720,000		
	12	ea	5,000.00	60,000	exist. prkg lot to ballfields	
	1	sum	24,000.00	24,000		
	10	ea	15,000.00	150,000		
	32	ea	5,000.00	160,000	between south & east prkg lots	
	5,494,582	sf	0.21 /sf		1,164,000	
<b>SUB-TOTAL 33   UTILITIES</b>				0.23 /sf	<b>\$1,277,500</b>	
<b>SUB-TOTAL</b>				1.67	9,187,023	<b>\$9,187,023</b>
Estimating Contingency Index To Construction Start General Conditions / Insurance / Bond General Contractor OH & Profit	Todays Cost		10.00%	918,702		
			0.00%	0	@ ± 4% per year	
			10.00%	1,010,573		
			4.00%	444,652	2,373,927	25.84%
<b>TOTAL DIRECT CONSTRUCTION COST</b> <b>Masterplan Estimate</b>	<b>5,494,582</b>	<b>sf</b>	<b>\$2.10 /sf</b>		<b>\$11,560,950</b>	<b>126.14 acres</b>

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# Memorial Park Master Plan Update

## Case File # LP15-0001

### Planning Commission Record



**LP15-0001**  
**Memorial Park Master Plan Update**  
**Planning Commission Record Index**

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Planning Commission Actions:

- Notice of Decision
- Adopted Resolution No. LP15-0001
- Motion
- Minutes (not available)

Distributed at the May 13, 2015 Public Hearing

Exhibit C: Presentation shown at the Planning Commission Public Hearing

Exhibit B: An email dated May 7, 2015 from Elaine Swyt, regarding Suggestions for Memorial Park Plan.

May 13, 2015 Planning Commission Public Hearing:

- Draft Resolution No. LP15-0001
- Staff Report for the May 13, 2015 including attached  
Exhibit A: Memorial Park Master Plan Updated, dated May 2015

**April 8, 2015 Planning Commission Work Session**

- PC Minutes Excerpt
- Powerpoint shown at the Work Session
- Memorial Park Master Plan Staff Report for the April 8, 2015 Planning Commission Work Session with the following attachments:
  - Attachment A: Preferred Design Rendering
  - Attachment B: Open House Attendees
  - Attachment C: Public Input Notes from Open Houses
  - Attachment D: Online Survey Final Results
  - Attachment E: Memorial Park Master Plan Update Executive Summary

**LP15-0001**  
**Memorial Park Master Plan Update**  
**Planning Commission Record Index**

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Planning Commission Actions:

- Notice of Decision
- Adopted Resolution No. LP15-0001
- Motion
- Minutes (not available)

## **NOTICE OF DECISION**

### **WILSONVILLE PLANNING COMMISSION RECOMMENDATION OF APPROVAL TO CITY COUNCIL**

**FILE NO.:** LP15-0001

**APPLICANT:** City of Wilsonville

**REQUEST:** Adoption of the Master Plan for Memorial Park Improvements.

After conducting a public hearing on May 13, 2015, the Planning Commission voted to recommend this action to the City Council by passing Resolution No. LP15-0001.

The City Council is scheduled to conduct a Public Hearing on this matter on June 1, 2015, at 7:00 p.m., at Wilsonville City Hall, 29799 SW Town Center Loop East.

For further information, please contact Chris Neamtzu, Wilsonville Planning Director, [neamtzu@ci.wilsonville.or.us](mailto:neamtzu@ci.wilsonville.or.us), or telephone him at (503) 682-4960.



**PLANNING COMMISSION  
RESOLUTION NO. LP15-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING  
THAT THE WILSONVILLE CITY COUNCIL ADOPT THE MASTER PLAN FOR  
MEMORIAL PARK IMPROVEMENTS.**

WHEREAS, the Wilsonville Planning Commission has held one work session on April 8, 2015, to discuss and take public testimony concerning proposed revisions to the Memorial Park Master Plan; and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted proposed Master Plan for Memorial Park improvements to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission, after Public Hearing Notices were provided to 327 property owners within the City limits, a list of interested agencies, emailed to 203 people, and were posted in three locations throughout the City and on the City website, held a Public Hearing on May 13, 2015 to review proposed Master Plan for Memorial Park improvements, and to gather additional testimony and evidence regarding the proposed Master Plan for Memorial Park improvements; and

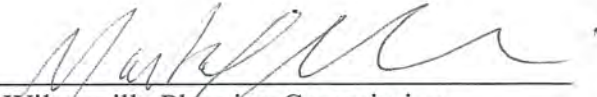
WHEREAS, the Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

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, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Parks and Recreation Department Staff Report, as presented at the May 13, 2015 public hearing, including the findings and recommendations contained therein and does hereby recommend that the Wilsonville City Council approve and adopt the proposed Master Plan for Memorial Park improvements as recommended on May 13, 2015, by the Planning Commission; and

BE IT RESOLVED that this Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 13th day of May, 2015 and filed with the Planning Administrative Assistant on May 14, 2015.

  
Wilsonville Planning Commission

Attest:

  
Linda Straessle, Administrative Assistant III

SUMMARY of Votes:

Chair Marta McGuire:	<u>AYE</u>
Commissioner Jerry Greenfield:	<u>AYE</u>
Commissioner Peter Hurley:	<u>AYE</u>
Commissioner Al Levit:	<u>Absent</u>
Commissioner Phyllis Millan:	<u>AYE</u>
Commissioner Eric Postma:	<u>AYE</u>
Commissioner Simon Springall:	<u>Absent</u>

**PLANNING COMMISSION  
WEDNESDAY, MAY 13, 2015  
6:00 P.M.**

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

**Motion**

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**VI. PUBLIC HEARING**

A. LP15-0001 Memorial Park Master Plan (Stan Sherer, Parks Director and Walker Macy)

The following exhibits were entered into the record:

- Exhibit A: Memorial Park Master Plan, which was provided in the meeting packet.
- Exhibit B: Email dated May 7, 2015 from Elaine Swyt providing input on a proposed improvement being added to the Memorial Park Master Plan.

**Commissioner Postma moved to adopt Resolution No. LP15-0001, correcting Page 28 of 102 of the Staff report to correctly identify the regions of Memorial Park, and 1) adding an additional sand volleyball court at an appropriate location to be determined by staff; 2) adding language in the Plan to consider the potential of additional synthetic turf beyond what is currently depicted in the active sports field core as part of later phases, and 3) more immediate phasing of access to the river and the creation of river views where appropriate. Commissioner Millan seconded the motion, which passed unanimously.**

**LP15-0001**

**Memorial Park Master Plan Update  
Planning Commission Record Index**

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Distributed at the May 13, 2015 Public Hearing

Exhibit C: Presentation shown at the Planning Commission Public Hearing

Exhibit B: An email dated May 7, 2015 from Elaine Swyt, regarding Suggestions for Memorial Park Plan.

# MASTERPLAN FOR WILSONVILLE MEMORIAL PARK PLANNING COMMISSION HEARING



WALKER | MACY

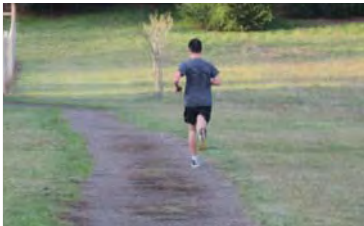
MAY 13TH 2015

(1)

Park Amenities												
Boones Ferry Park	•	•	•	•	•	•	•	•	•	•	•	•
Canyon Creek Park	•	•	•	•	•	•	•	•	•	•	•	•
Courtside Park	•	•	•	•	•	•	•	•	•	•	•	•
Edelweiss Park	•	•	•	•	•	•	•	•	•	•	•	•
Engelmann Park	•	•	•	•	•	•	•	•	•	•	•	•
Graham Oaks (METRO)	•	•	•	•	•	•	•	•	•	•	•	•
Hathaway Park	•	•	•	•	•	•	•	•	•	•	•	•
<b>Memorial Park</b>	•	•	•	•	•	•	•	•	•	•	•	•
Murase Plaza	•	•	•	•	•	•	•	•	•	•	•	•
Palermo Park	•	•	•	•	•	•	•	•	•	•	•	•
Park at Merryfield	•	•	•	•	•	•	•	•	•	•	•	•
Picadilly Park	•	•	•	•	•	•	•	•	•	•	•	•
River Fox Park	•	•	•	•	•	•	•	•	•	•	•	•
Sofia Park	•	•	•	•	•	•	•	•	•	•	•	•
Town Center Park	•	•	•	•	•	•	•	•	•	•	•	•
Tranquil Park	•	•	•	•	•	•	•	•	•	•	•	•
Water Treatment Plant Park	•	•	•	•	•	•	•	•	•	•	•	•
Willow Creek - Landover Park	•	•	•	•	•	•	•	•	•	•	•	•

## WILSONVILLE PARKS SYSTEM

(2)



LP15-0001  
Exhibit C



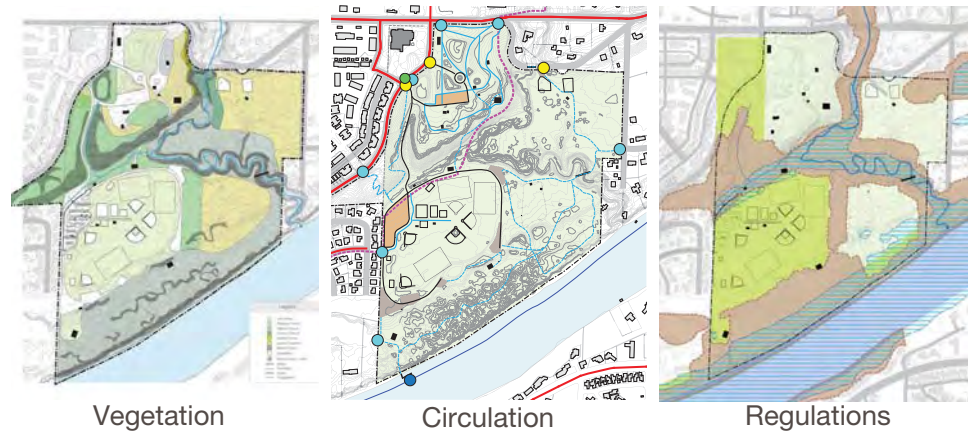
- Update Fields for Extended Use and Flexibility
- Parking Quantity & Quality
- Restroom Facilities
- Potential Concessions
- Security
- Covered Court Sports
- Accessible Trails



## STAKEHOLDERS

(3)

LP15-0001  
Exhibit C



Vegetation

Circulation

Regulations

## OPEN HOUSE 1- November 5th

(4)

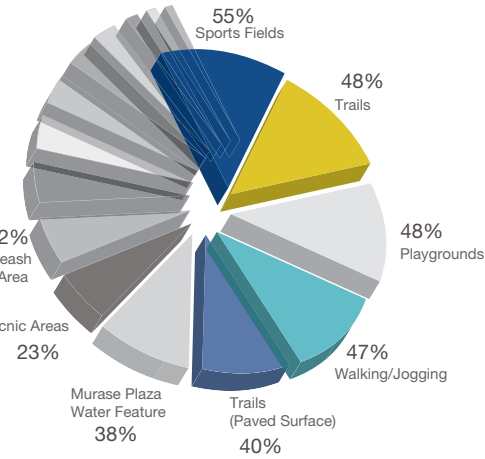




### Open House 1 - Comments

- Increase Flexibility of Ball Fields
- Enhance River Connection
- Maintain Adjacent Privacy
- Safety
- Increase Trail Access and Types
- Increase Pickleball and Skateboard
- Clarify Circulation
- Improve Parking
- Increase Seating
- Improve Accessibility
- Enhance Passive Recreation
- Embrace History

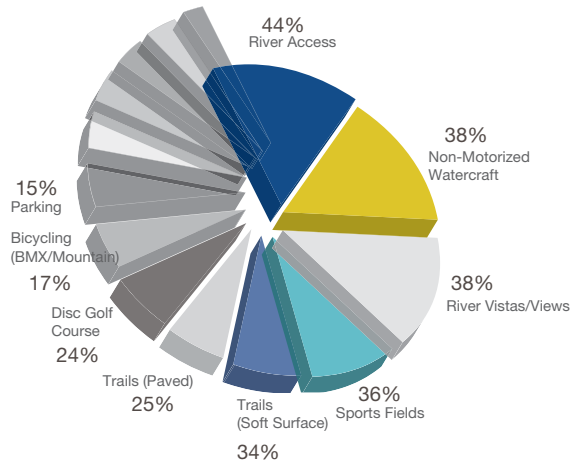
OPEN HOUSE 1- November 5th  
(5)



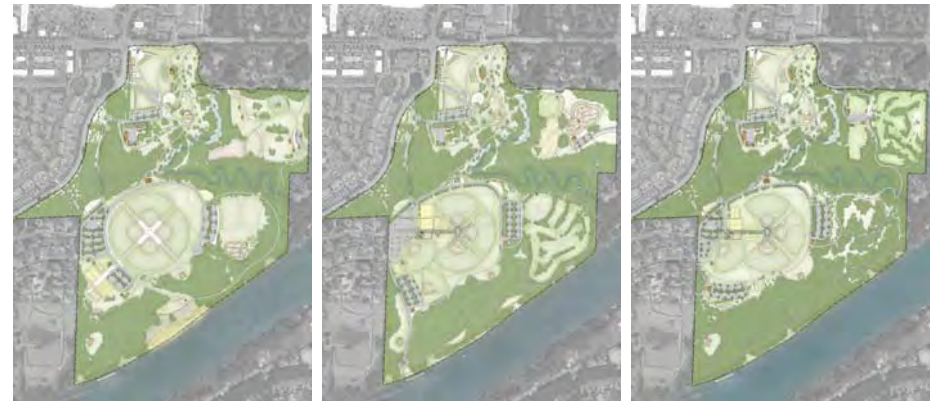
- Highest Current Use:
  - \*Sports Fields
  - \*Trails (soft and paved)
  - \*Playgrounds
  - \*Murase Plaza Water feature
  - \*Picnic Areas
  - \*Off Leash Dog Park

PUBLIC SURVEY  
(6)

- Desired uses:
  - \*River Access
  - \*Lauch Watercraft
  - \*River Views
  - \*Sports Fields
  - \*Trails (soft and paved)
  - \*Disc Golf
  - \*Biking



PUBLIC SURVEY  
(7)



Option 1

Option 2

Option 3

OPEN HOUSE 2- December 16th  
(8)



### Open House 2 - Comments

- Visual Access to River
- Minimize Removal of Trees
- Memorial Drive Crossing
- Active and Passive Uses
- Park Edge Buffers
- Light Watercraft Access
- Variety of Trails
- Explore Synthetic Turf Fields

OPEN HOUSE 2- December 16th  
(9)

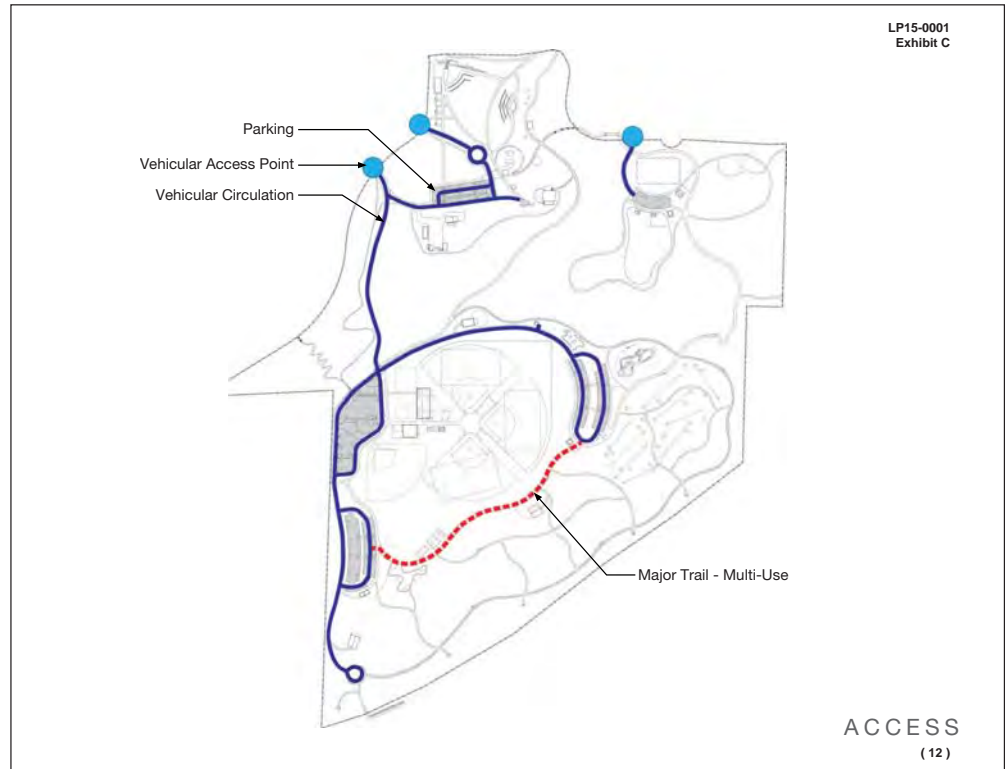
Size:  
126 Acres



MEMORIAL PARK  
(10)



MASTERPLAN  
(11)

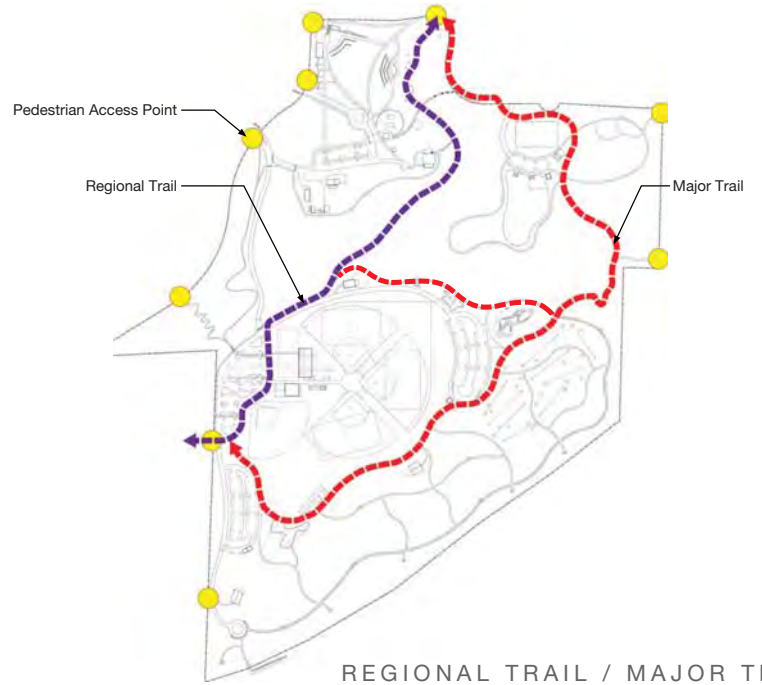


ACCESS  
(12)

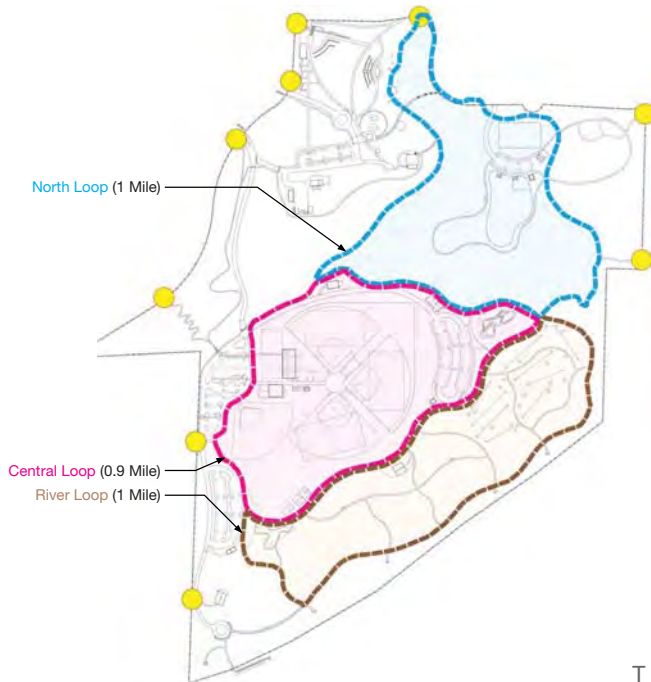




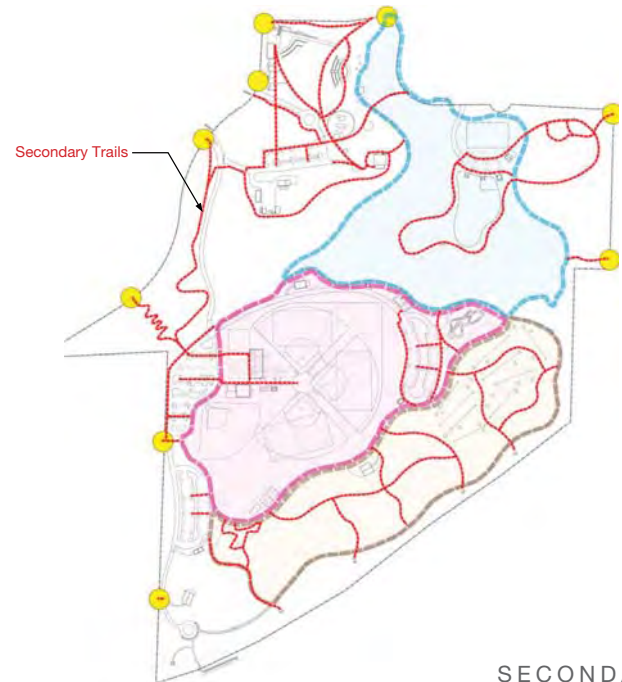
TRAILS  
(13)



REGIONAL TRAIL / MAJOR TRAILS  
(14)



TRAIL LOOPS  
(15)



SECONDARY TRAILS  
(16)





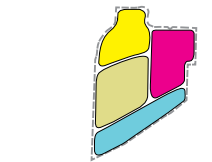
ENVIRONMENT (17)



ENVIRONMENT (18)

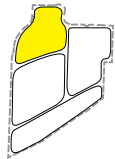


ACTIVE AREAS (19)

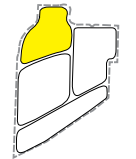


PARK AREAS (20)



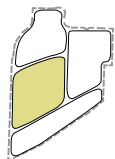


MURASE PLAZA (21)



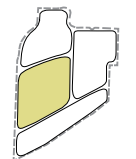
MURASE PLAZA (22)

LP15-0001 Exhibit C



WEST (23)

LP15-0001 Exhibit C

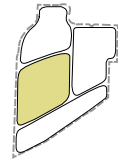


WEST (24)

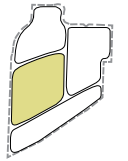
LP15-0001 Exhibit C

- Pump Station
- Skate Spot
- Parking
- Restroom
- Forest Shelter

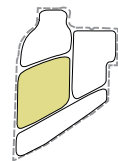
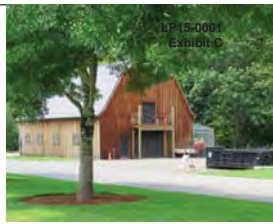




SPORTS (25)



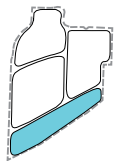
NATURE BASED PLAY (26)



BARN (27)

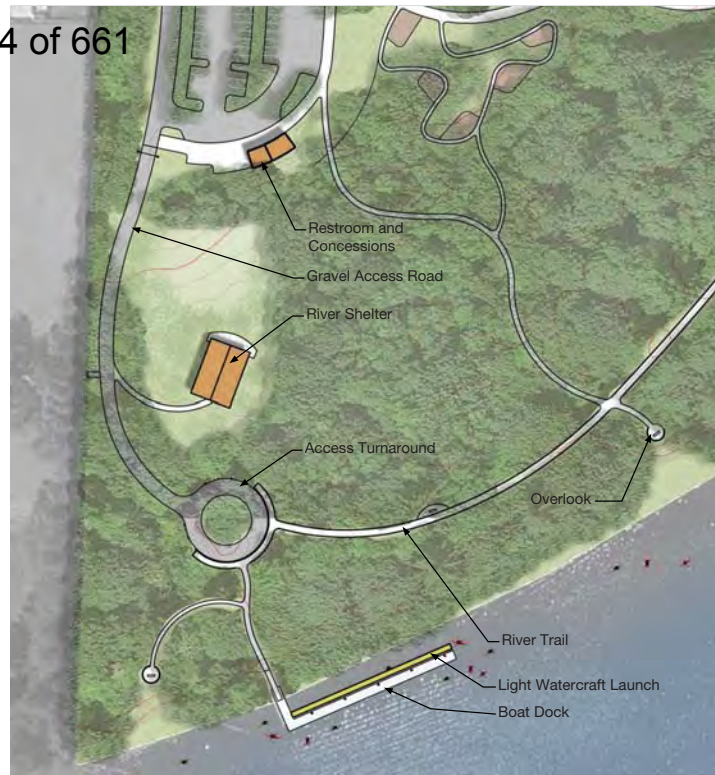


LP15-0001 Exhibit C

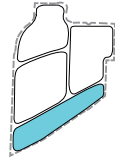
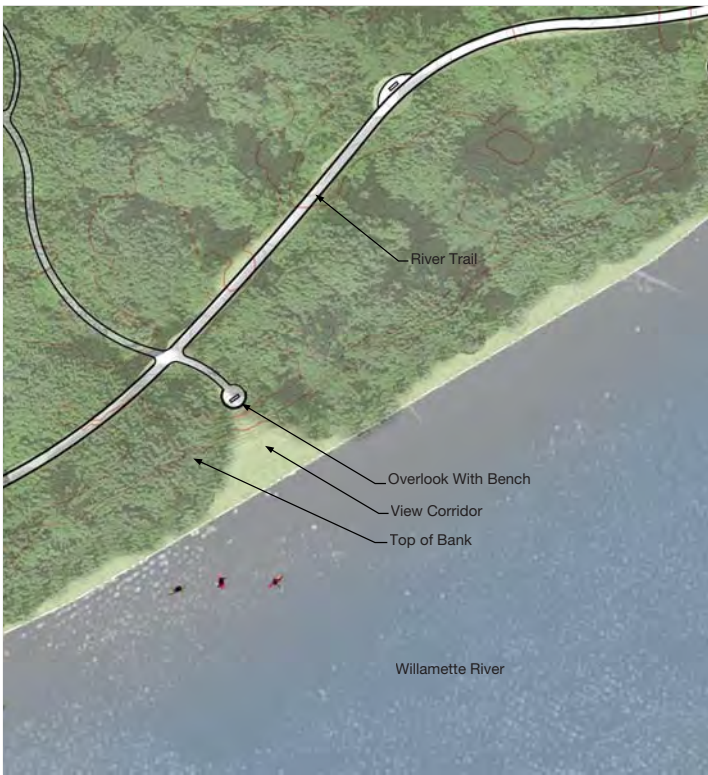


RIVERFRONT (28)

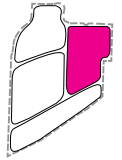




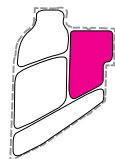




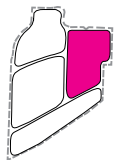
OVERLOOKS  
(33)



EAST  
(34)

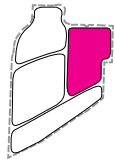


EAST  
(35)

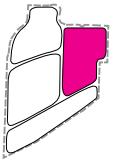


DISC GOLF  
(36)

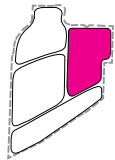




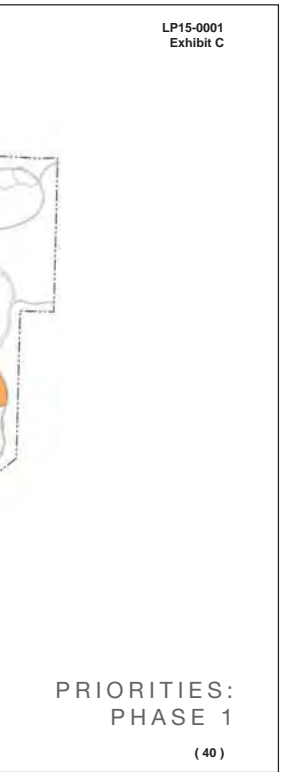
**BICYCLE SKILLS COURSE**  
(37)



**GARDEN / DOG AREA**



**MEADOW**  
(39)



LP15-0001  
Exhibit C

**PRIORITIES:  
PHASE 1**

(40)





PRIORITIES:  
PHASE 2  
(41)

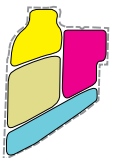


PRIORITIES:  
PHASE 3  
(42)



- Phase 1
- Phase 2
- Phase 3

PRIORITIES:  
ALL PHASES  
(43)



MASTER PLAN  
(44)

MASTERPLAN FOR WILSONVILLE  
**MEMORIAL PARK**  
PLANNING COMMISSION HEARING



WALKER | MACY

MAY 13TH 2015

**Subject:** RE: Suggestions for Memorial Park plan

**From:** Elaine Swyt  
**Sent:** Thursday, May 07, 2015 12:03 PM  
**To:** Neamtzu, Chris  
**Cc:** Sherer, Stan  
**Subject:** Suggestions for Memorial Park plan

Attention: Mr. Neamtzu, Planning Director

Recently I attended the Volunteer Appreciation Dinner for the City of Wilsonville. An attendee at the event mentioned that they would like the City to consider a roof feature for the the Pickleball courts. This would extend use to year round. They said there is an active pb community in this area and the feature would be sincerely appreciated.

Please enter this suggestion into those you will be collecting ahead of the May 13th meeting.

Thank you,  
Elaine Swyt  
Parks & Recreation Advisory Board

**LP15-0001**  
**Memorial Park Master Plan Update**  
**Planning Commission Record Index**

---

May 13, 2015 Planning Commission Public Hearing:

- Draft Resolution No. LP15-0001
- Staff Report for the May 13, 2015 including attached  
Exhibit A: Memorial Park Master Plan Updated, dated May 2015

**PLANNING COMMISSION  
WEDNESDAY, MAY 13, 2015  
6:00 PM**

---

**VI. PUBLIC HEARING**

- A. Memorial Park Master Plan (Stan Sherer, Parks Director and Walker Macy)**

Draft

**PLANNING COMMISSION  
RESOLUTION NO. LP15-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE WILSONVILLE CITY COUNCIL ADOPT THE MASTER PLAN FOR MEMORIAL PARK IMPROVEMENTS.**

WHEREAS, the Wilsonville Planning Commission has held one work session on April 8, 2015, to discuss and take public testimony concerning proposed revisions to the Memorial Park Master Plan; and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted proposed Master Plan for Memorial Park improvements to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission, after Public Hearing Notices were provided to 327 property owners within the City limits, a list of interested agencies, emailed to 203 people, and were posted in three locations throughout the City and on the City website, held a Public Hearing on May 13, 2015 to review proposed Master Plan for Memorial Park improvements, and to gather additional testimony and evidence regarding the proposed Master Plan for Memorial Park improvements; and

WHEREAS, the Commission has 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, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Parks and Recreation Department Staff Report, as presented at the May 13, 2015 public hearing, including the findings and recommendations contained therein and does hereby recommend that the Wilsonville City Council approve and adopt the proposed Master Plan for Memorial Park improvements as recommended on May 13, 2015, by the Planning Commission; and

BE IT RESOLVED that this Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 13th day of May, 2015 and filed with the Planning Administrative Assistant on May 14, 2015.

---

Wilsonville Planning Commission

Attest:

---

Linda Straessle, Administrative Assistant III

SUMMARY of Votes:

Chair Marta McGuire: \_\_\_\_\_

Commissioner Eric Postma: \_\_\_\_\_

Commissioner Peter Hurley: \_\_\_\_\_

Commissioner Al Levit: \_\_\_\_\_

Commissioner Simon Springall: \_\_\_\_\_

Commissioner Phyllis Millan: \_\_\_\_\_

Commissioner Jerry Greenfield: \_\_\_\_\_





**PLANNING COMMISSION MEETING  
STAFF REPORT**

<p><b>Meeting Date: May 13, 2015</b></p>	<p><b>Subject: Memorial Park Master Plan</b></p> <p><b>Staff Member: Stan Sherer</b> <b>Department: Parks and Recreation</b></p>
<p><b>Action Required</b></p>	<p><b>Advisory Board/Commission Recommendation</b></p>
<p><input checked="" type="checkbox"/> Motion</p> <p><input checked="" type="checkbox"/> Public Hearing Date: May 13, 2015</p> <p><input type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Consent Agenda</p>	<p><input checked="" type="checkbox"/> Following their review at the April 9, 2015 meeting, the Parks Advisory Board recommended the Planning Commission adopt the Memorial Park Master Plan</p> <p><b>Comments:</b></p>

**Staff Recommendation:** Staff recommends the Commission recommend the City Council adopt the Master Plan for Memorial Park.

**Recommended Language for Motion:** I move to adopt Planning Commission Resolution No. LP15-0001, adopting the Staff Report, as presented at the May 13, 2015, public hearing, including the findings and recommendations contained therein and recommending to the Wilsonville City Council that the Wilsonville City Council approve and adopt the proposed Master Plan for Memorial Park improvements.

<p><b>PROJECT / ISSUE RELATES TO:</b></p>		
<p><input checked="" type="checkbox"/> Council Goals/Priorities Community Amenities and Recreation</p>	<p><input type="checkbox"/> Adopted Master Plan(s)</p>	<p><input type="checkbox"/> Not Applicable</p>

**ISSUE BEFORE COMMISSION:** The City of Wilsonville initiated the master planning process for Memorial Park in October 2014. The process has taken us to the stage of a preferred conceptual design that will be presented for review and discussion.

**EXECUTIVE SUMMARY:** The City of Wilsonville solicited proposals from qualified landscape architectural and planning firms to update the long-range plan for the development and restoration of the 126-acre Memorial Park. Walker-Macy of Portland was chosen to manage the master planning process. The scope of work consisted of analyzing existing park uses and demographics of the existing participation base, developing a conceptual design for improvements, developing an operations and programming model, calculating cost estimates for the proposed enhancements, improving Willamette River access, and balancing the active and passive recreational opportunities to ensure respect of the natural environment while meeting the increasing demand for recreation services.

The Planning Commissions' recommendations for changes to the preferred plan on April 8, 2015 have been incorporated into the plan being presented. A youth basketball court and multipurpose courts have been added.

**EXPECTED RESULTS:** The Commission will review and approve the amended plan and forward it to the City Council for adoption.

**TIMELINE:** Pending approval from the Planning Commission, staff will present the Plan to the City Council at the May 18<sup>th</sup> work session and bring the item to Council for public hearing and consideration on June 1, 2015.

**CURRENT YEAR BUDGET IMPACTS:** N/A

**COMMUNITY INVOLVEMENT PROCESS:** Key stakeholders interviews were held and open houses were held on November 5<sup>th</sup>, December 16<sup>th</sup> and February 18<sup>th</sup>. An online survey was available from December 12<sup>th</sup> to January 20<sup>th</sup>. Six hundred and seventeen surveys were completed.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** Benefits to the community include:

- Rehabilitation of Existing Infrastructure
- Enhanced Existing Amenities or Additional Amenities Added to the Site in an Effort to Satisfy the Existing and Perceived Demand for Recreational Services
- Access to the Willamette River
- Protected Natural Resources

**ALTERNATIVES:** The Commission could recommend alterations to the proposed Master Plan or forward the Plan as presented to the City Council.

**ATTACHMENTS:**

- Memorial Park Master Plan Update

# Memorial Park Master Plan Update

Wilsonville Parks and Recreation Department  
MAY 2015



WALKER | MACY

LANDSCAPE ARCHITECTURE URBAN DESIGN PLANNING

Planning Commission - Memorial Park Master Plan  
May 13, 2015 Public Hearing  
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## ACKNOWLEDGMENTS

### Wilsonville Parks and Recreation Department

Stan Sherer, Director  
Tod Blankenship, Parks Supervisor  
Brian Stevenson, Recreation Coordinator

### City of Wilsonville

Kerry Rappold, Natural Resources Program Manager  
Kurt Budlong, Analyst

### Walker Macy

Mike Zilis, Principal in Charge  
Ian Holzworth, Project Manager  
Thomas Fischer, Landscape Designer

### Conservation Technix, Inc.

Steve Duh, Principal

### Pacific Habitat Services

John van Staveren, President

### Architectural Cost Consultants, LLC

Stan Pszczolkowski, Estimator



WALKER | MACY

Planning Commission - Memorial Park Master Plan  
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  - Public Open Houses
  - Online Survey
- IV. Site Analysis**
  - Context
  - Regulations
  - Circulation
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  - Considerations
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    - West
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    - East
  - Circulation and Access
  - Trails
  - Priorities
    - Revenue and Operations
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    - Phasing
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  - Meeting Summary Notes
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  - Estimate of Probable Cost

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May 13, 2015 Public Hearing  
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May 13, 2015 Public Hearing  
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**EXECUTIVE SUMMARY**

Located in the heart of Wilsonville, Oregon Memorial Park has been a significant community resource for its citizens for decades. Often referred to as Wilsonville's jewel, the 126 acre Regional Park is bordered by Wilsonville Road, Memorial Drive and the Willamette River. Generations of residents have enjoyed the wide variety of active, passive, programed and non-programed recreational experiences the park has to offer. The park also provides distinctive natural resources including its riparian forest along the Willamette River and Boeckman Creek, open meadows and forested hillsides. These resources play an important role in shaping the park's character and providing important wildlife corridors.

Community involvement was integral to the planning process. This included a City wide survey, stakeholder meetings, website communications and a three part series of public open houses that provided neighbors and citizens an active role in planning for the parks future. Critical to the community was balancing passive and active uses with protection and enhancement of the parks natural areas. This integral public involvement process produced a plan that was derived directly from community input and enhances the quality of the park to be enjoyed for generations to come.

The Master Plan for Memorial Park consists of a mixture of improvements to existing facilities and development of new park elements that reflect current demand while anticipating future community recreational needs. Elements of the Master Plan identified by the community include: improvements to Murase Plaza, upgraded sports fields, additional and improved picnic facilities, improvements to vehicular, pedestrian and bicycle access, new parking areas, seating, disc golf, relocation of the off leash area, restoration of natural areas and improved connections to the Willamette River. These modifications have been strategically located to preserve and enhance the natural features of the park and to minimize impacts to adjoining neighborhoods.

The proposed Master Plan strategically balances improvements to help guide future development of the popular park, ensuring Memorial Park will continue being a landmark destination within the community of Wilsonville.



Murase Plaza Water Feature



Existing Dock



Forest Trail



Existing Community Garden

# I. EXECUTIVE SUMMARY



Figure 1 - MEMORIAL PARK AERIAL IMAGE

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## II. INTRODUCTION

### PARK HISTORY

Memorial Park is the City of Wilsonville's oldest and largest park. The property was acquired by the City in 1968 at a size of 61 acres. Additional land was acquired by the City in 1987, 1993, and 2007 resulting in the park's current 126 acre size.

The park has a rich cultural history. Forester Ernest Kolbe planted a significant amount of tree species throughout his summer home property during the 1950's, which would later become a portion of the park. German metalsmith Gustave Stein built the Stein Homestead Barn in 1901. The Stein Barn was later purchased by Charles and Lucile Boozer whom later sold 61 acres of land to the City of Wilsonville in 1968 and remaining acreage to the City in 1993.

The park has become a cherished resource for the community and offers a diversity of active and passive recreational opportunities. Murase Plaza, at the intersection of SW Wilsonville Road and Memorial Drive has become the community's front porch. Opening in 2006, the interactive water feature at the plaza attracts hundreds of visitors every year. Today, the park is home to Wilsonville's only public athletic fields, skateboard area, off-leash dog park and tennis courts. Other amenities include rentable shelters, basketball, sand volleyball, picnic facilities, a community garden and a variety of walking trails.

### MASTER PLAN APPROACH

The community has utilized Memorial Park for generations and knows it as a place to recreate, to hold civic events, to cherish natural areas and to honor its history. The Master Plan reflects these traditions and seeks to support and expand the unique qualities of the park and community.

The Master Plan seeks to balance the community's current needs and identify areas and activities for the future. Based on in-depth dialogue with the community, the Master Plan establishes a balance of passive and active recreation, seeks low cost- high return improvements, identifies revenue generating activities and provides a high quality recreational experience for the community.

Wilsonville is a growing community outpacing many communities in the Metro area. The city's demographics are also evolving, bringing increased need to provide new types of activities in the park. The plan's improvements were derived through collaboration and the best thinking of citizens and stakeholders to truly reflect community interests and enhance the character of the park for generations to come.

Key components of the plan include: increasing trails, embracing the river, balancing passive and active recreational opportunities, balancing natural preservation with recreation, providing field sports for the growing population, and providing alternative recreational opportunities.



Ernest Kolbe informational signage



Existing Off-leash Area



Existing Walnut Grove



Existing Off leash Area

### SUSTAINABLE DEVELOPMENT AND CARE

The City seeks to be sustainable in its development practices and effective in its use of funding. The Master Plan reflects this approach in retaining significant components of the park and making improvements rather than wholesale change. Over the life of the park, a primary resource-consuming element is the maintenance. The replacement, repair and general upkeep of facilities, equipment, lighting, lawn, planting, paving, and other elements are a long-term cost. The Master Plan establishes a framework for Memorial Park that can be constructed efficiently and sustainably, improves the environment health of its natural resources, and can be effectively maintained over the long term.



Existing dock



Existing play area and ballfield access path

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### III. PUBLIC INVOLVEMENT

Planning Commission - Memorial Park Master Plan  
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#### COMMUNITY INVOLVEMENT

The combination of stakeholder interviews, public meetings, discussions with the city and interaction through the City's website have guided the development of the Master Plan. A series of Open Houses employed a variety of engagement methods to reach people of all ages, backgrounds and walks of life. To identify the appropriate mix of uses, revenue generating resources, and sequence of future improvements, the community engaged in a dialogue that examined the current park and determined aspirations for the future. Key groups included: The City's parks and recreation, engineering and natural resources departments, neighbors and concerned citizens, and user groups such as sports leagues, dog owners, and other citizen groups.

#### STAKEHOLDERS

The design team conducted a series of stakeholder interviews with community members identified by the City. Stakeholders include a range of groups and leagues who actively use sports fields as well as groups that passively use the park. These conversations enabled the project team to learn directly from people most connected with the Park. Meeting notes were produced and are provided in the appendix. Key components identified by stakeholders that the master plan should consider were:



Public open house

- \*Updating ball fields for extended use and programming flexibility
- \*Increasing parking quantity and quality
- \*Improving rest room facilities
- \*Exploring the potential for concessions
- \*Addressing security concerns
- \*Exploring covered court sports
- \*Providing accessible trails.

#### PUBLIC OPEN HOUSES

The open houses began with a presentation of the findings to date followed by facilitated conversations with the public about their aspirations for the park and challenges and opportunities the park provides.

#### PUBLIC OPEN HOUSE ONE

The first public open house took place on November 5th, 2014 where the design team presented current conditions of the park, site analysis, and key considerations. Various diagrams of the park were presented describing contextual relationships, regulatory and environmental overlays, circulation, access, time of year field use, and existing environmental areas. A list of potential program elements was also presented to gauge interest in various recreational activities. This analysis generated a discussion with citizens about potential new activities and improvements to the park that would serve both current and future needs of the community. Key points identified during the first public open house included:

- Desire to Increase flexibility of ball fields
- Enhancing connections to the river
- Maintaining privacy to adjacent neighborhoods
- Safety
- Increasing trail types and accessibility
- Increasing pickleball and skateboard opportunities
- Clarifying vehicular and pedestrian circulation
- Improving parking
- Increasing seating opportunities
- Improving accessibility throughout the park
- Enhancing passive recreation
- Embracing the park's history

#### PUBLIC OPEN HOUSE TWO



Public open house

- edges
- Providing light watercraft access
  - Providing a variety of trails
  - Exploring the use of synthetic turf fields

#### PUBLIC OPEN HOUSE THREE

The final open house took place on February 18th, 2015. Community input from the previous two open houses, interaction through the city's website, and an online survey that generated over 600 responses from the citizens directed the design of the preferred Draft Master plan, where desired components of the three concepts were synthesized into a single plan. Similar to previous open houses, the preferred draft master plan was discussed in and open public format with community members. Valuable community input was received for further refinement of the draft plan. Key points identified during the third open house include:

- The Dock is busy during summer, light watercraft will add to busyness
- The Regional trail alignment along the west side of the park was preferred
- Retaining existing trails adjacent to the river is desired
- Maintain field #5 for girl's softball and young users
- The Disc golf course size is family friendly, not sized for advanced players
- Synthetic fields as shown is preferred
- Providing storage for ball field equipment

The information gathered through stakeholder meetings, input from the parks department and other city officials, and synthesized from group discussions in the first open house directed the development of three concepts presented at the second public open house on December 14th, 2014.

The three concepts provided a variety of configurations of new recreational elements and improvements to existing facilities that considered present and future needs. The concepts were presented to the group, including the pros and cons of each configuration. Community members and the design team then discussed the merits of the three different concepts. Robust conversations from community members regarding each concept provided the design team with invaluable insight. Balancing passive and active recreation and natural area preservation were identified as important elements when considering new recreational opportunities. Additional key points identified during the second public open house included:

- Provide Visual access to the river, not physical access
- Minimizing the removal of trees
- Improving Memorial Drive crossing
- Balancing passive and active uses
- Maintaining the park's current vegetated buffers at it

#### ONLINE SURVEY

Over 600 community members participated in an online survey developed by the Wilsonville Parks and Recreation Department. Those who responded represented a broad cross section of the Wilsonville community, providing valuable perspective as to how the community uses the park currently and their vision for Memorial Park's future. The survey consisted of 10 questions illuminating the demographics of users, popular current park uses and desired future park uses. Key demographics uncovered by the survey include: park users are a mix of ages, majority arrive by car, 40% use the park weekly, with the highest use on weekend afternoons and weekday evenings. The highest existing uses of the park are sports fields, trails, playgrounds, and Murase plaza. The most desired uses are river access and river views, watercraft launch, and sports fields.

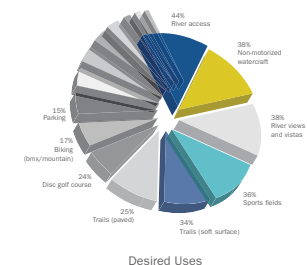
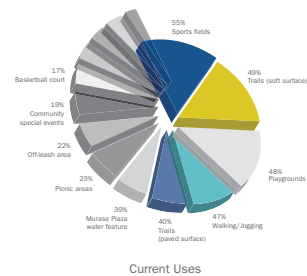
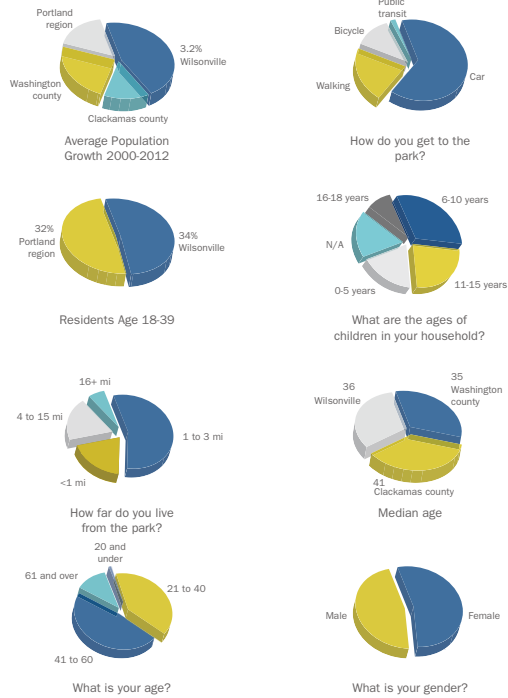


Figure 2 - SURVEY RESULTS: CURRENT AND DESIRED USES




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Figure 3 - SURVEY RESULTS

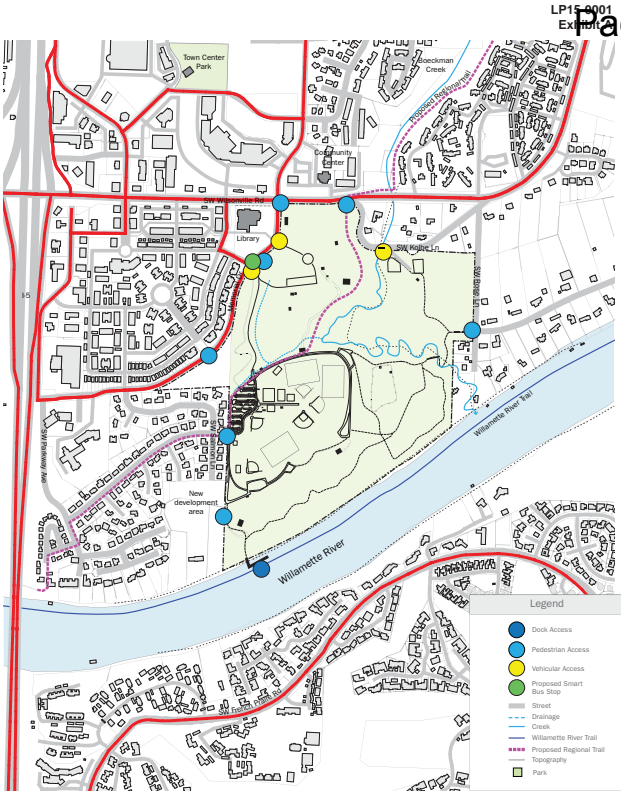
**SITE ANALYSIS**

Prior to the first public open house, the design team conducted an extensive site analysis process that examined the existing conditions of Memorial Park. This included researching documentation and previous planning efforts, site visits to review park conditions, data gathering using geographical information systems (GIS), and mapping existing physical attributes. The site analysis phase included reviewing and documenting existing elements, uses, circulation, vegetation classifications, topographical, and architectural elements present in the park. Additionally, the design team worked with the Wilsonville Parks and Recreation Department to understand the existing uses of the park to understand how the events, rentals, sports fields, and other facilities currently function.

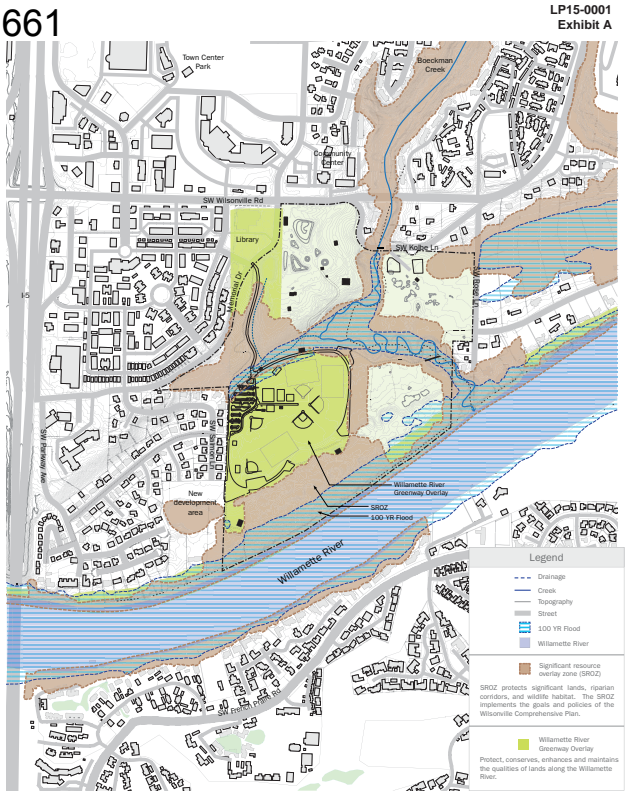


**IV. SITE ANALYSIS**

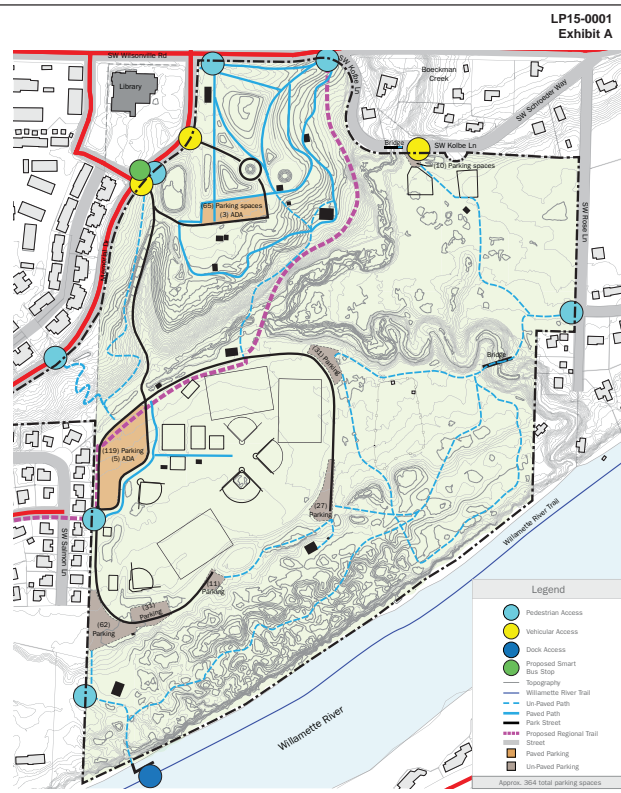




**Figure 4 - CONTEXT ANALYSIS**  
 The interface between Memorial Park and adjoining communities is important for providing safe and efficient access by different modes of transportation. The context analysis diagram highlights the existing types of access points and prominent circulation routes to and through the park.



**Figure 5 - REGULATIONS**  
 Regulatory overlays provide development guidelines to protect and enhance natural areas and those adjacent to the Willemette River. The diagram maps the overlay zones that effect development within the park. These include the 100 year flood plain, Significant Resource Overlay Zone (SROZ), and Willemette River Greenway Overlay.



**Figure 6 - CIRCULATION**  
 Cohesive circulation throughout the park is important for safety, emergency access, user access, and way finding. The diagram maps existing locations and types of access, streets, paths, and trails. Parking lot locations and quantity of spaces are shown.



**Figure 7 - VEGETATION**  
 Natural areas are valuable resources within Memorial Park. The diagram indicates different vegetation zones, ranging from lawn areas to significant riparian forests. Steep slopes and drainages including Boeckman Creek and the Willemette River are also shown.

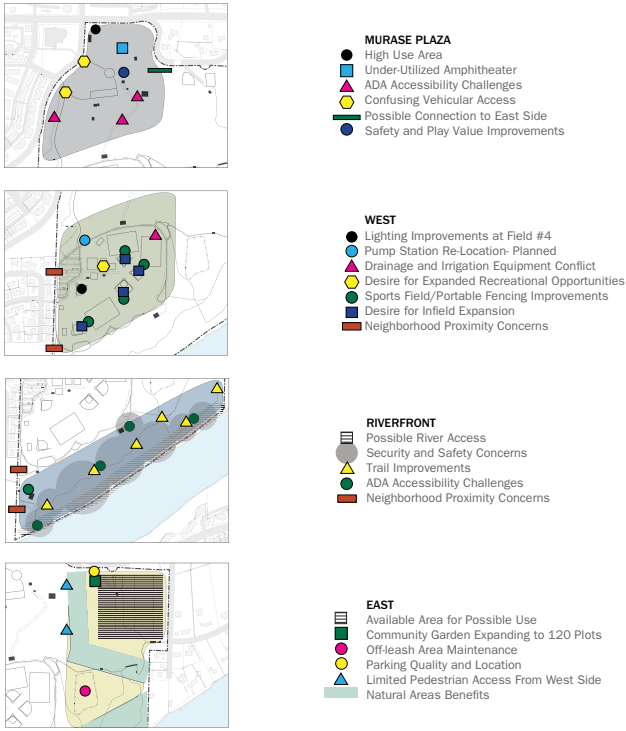


Figure 8 - CONSIDERATIONS  
These diagrams indicate elements requiring consideration during the master planning process. The considerations are highlighted per area (Murase Plaza, West, Riverfront and East). Issues such as access, security and safety, connections, and opportunities and constraints are included.



Figure 9 - WILSONVILLE PARK SYSTEM AMENITIES  
The diagram of Wilsonville's park system indicates park amenities present in each park. The diagram highlights the importance of Memorial Park and Murase Plaza in providing recreation for the community.



Figure 10 - MEMORIAL PARK AMENITIES  
The diagrams show approximate acreage of lawn, forest, or meadow in each region of the park. Existing amenities, passive and active uses of each region are listed.

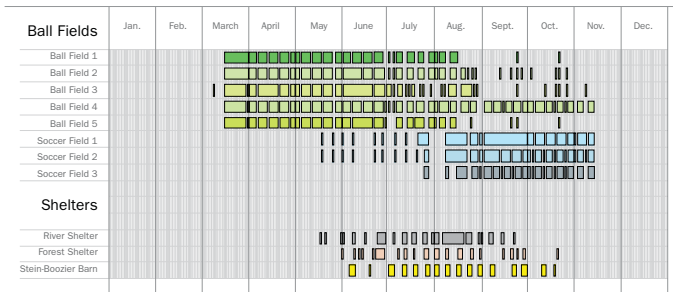


Figure 11 - BALL FIELD AND SHELTER TIME OF USE  
Two primary programmatic components of Memorial Park are ball fields and rentable shelters. The diagram displays their time of use during 2014 and indicates the intensity of use in the summer months.

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**CONCEPT OPTIONS**

With the site analysis, community comments and input from city's Parks and Recreation department, the team prepared three alternative concepts to illustrate potential options for Memorial Park. The concept plans proposed a range of recreational opportunities in a variety of locations with a diversity of ways to treat active and passive uses in the park. The options also varied regarding the impact of development to existing park features. Several improvements were common in all three concepts.

**IMPROVEMENTS CONSISTENT TO ALL CONCEPTS**

- \*Improved safety of the intersection at Memorial Drive and Public Library access road.
- \*Terraced seating at Murase Plaza fountain
- \*Improved amphitheater area with terraced seating at Murase Plaza
- \*Provide accessibility to Stein-Boozier Barn and upgrade the barn's exterior spaces.
- \*New path from Murase Plaza east across the existing pedestrian bridge off Kolbe Lane.
- \*Maintain River Shelter and Forest Shelter locations.
- \*Improve clarity of trail system.
- \*New parking lots to south and east of ball fields with restroom facilities
- \*Relocated skate spot northeast of ball fields
- \*Improve ball field traditionally wet areas and various infield and outfield maintenance issues. Fields lighted.
- \*Enlarged Community Gardens
- \*Relocated off-leash dog area
- \*New Vegetated buffers at West and East neighborhoods.
- \*Preserve and enhance natural areas.



**V. INITIAL CONCEPTS**

**CONCEPT OPTION 1**

- \*Regional trail eastern alignment
- \*Infields enlarged at Ball fields 1,2,3
- \*Ball field 5 removed
- \*Maintenance Barn converted to rentable Picnic Shelter, new maintenance building at upper maintenance facility yard
- \*Additional pickle ball courts and basketball courts
- \*Four overlooks at riverbank with views to the river
- \*Arboretum with walking trails at southeast area of the park
- \*New parking lot off of Kolbe Lane with Community Gardens, off-leash dog area and Restroom
- \*9 hole disc golf course in the northeast area of the park



Figure 12 - Concept Option 1

**CONCEPT OPTION 2**

- \*Regional trail western alignment
- \*Infields enlarged at Ball fields 1,2,3
- \*Ball field 5 shifted east
- \*Bike pump track and skills course at northeast corner
- \*Small meadow openings along river trail
- \*Three overlooks at riverbank with views to the river
- \*Light watercraft drop off and launch at existing dock
- \*Additional pickle ball courts with covered structure
- \*Off-leash dog area near east parking lot
- \*9 hole disc golf course in the southeast area of the park
- \*New parking lot off of Rose Lane with Restroom



Figure 13 - Concept Option 2

**CONCEPT OPTION 3**

- \*Regional trail western alignment
- \*4 new enlarge ball fields with soccer field overlay
- \*Re-aligned park road at ball fields
- \*Enlarged existing parking lot at ballfields
- \*Court sports, ball field restroom and play area moved southwest
- \*Maintenance Barn converted to rentable Picnic Shelter, new maintenance building at upper maintenance facility yard
- \*Additional pickle ball courts
- \*Large beach area with meadows, a shelter with restrooms, large lawn area, beach volleyball and large views to the river
- \*Three overlooks at riverbank with view shed to Willamette River
- \*Two soccer fields east of existing ball fields
- \*Bike pump track and skills course south of new soccer fields
- \*Wetland and Meadow Gardens and trails
- \*New parking lot off of Rose Lane with off-leash dog area and Restroom



Figure 14 - Concept Option 3

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**MASTER PLAN**

The Master Plan (Figure 15) is a result of desired elements of the three concepts, guided by community input from open houses and other citizen input, interaction with stakeholders, the online survey and direction from the Wilsonville Parks and Recreation Department. The Master Plan depicts the proposed layout and location of new amenities, existing facilities to remain and existing facilities to be improved.

Specific attention has been given to clarifying the vehicular and pedestrian access into the park. The parks circulation system has also been enhanced by defining a clear trail hierarchy consisting of major, minor and secondary trails creating a variety of loop walk options guiding users through a series of habitat types.

Active recreation remains the focus of the western portion of the park. The sports fields are updated to provide for programming flexibility, year around use and safer field conditions. Additional court sports are included in response to growing popularity of pickle ball and the communities need for additional tennis courts. Memorial Parks mission as a regional park is to serve a broad range of traditional and alternative recreational needs. New uses such as a bike pump track and disc golf course continue the mission by introducing activities the city does not currently have in the park system.

Passive recreation is also a large part of the current and future of Memorial Park. Interconnected walking trails move visitors through a variety of environments. A future regional trail is planned to connect through the park. A new light watercraft launch provides the public with a means of interacting with the Willamette River and river trail. Community gardens, off-leash dog area, picnic areas and disc golf provide additional passive opportunities

Emphasis was given to the preservation and enhancement of the natural environment. Dense mature stands of upland and riparian forests are maintained with low impact walking trails guiding visitors through. Park amenities have been kept away from Boeckman Creek and its riparian corridor. Open meadows with historically significant specimen trees have been protected. Views to the Willamette River have been provided at key overlook areas to visually connect to the river.



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Figure 15 - MASTERPLAN

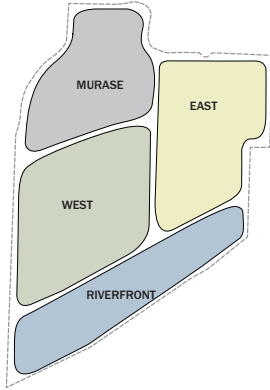


Figure 16 - ENVIRONMENTAL PLAN

The plan calls for protection and enhancement of significant natural resource areas. The Boeckman Creek riparian corridor, forest, and meadow areas are maintained beyond the large active gathering areas such as sport fields and playgrounds.

**PARK AREAS**

For clarity, the master plan is discussed in four areas: Murase Plaza, West, Riverfront, and East to provide detail of the park spaces, character, composition and relation to adjacent elements and the neighboring community.

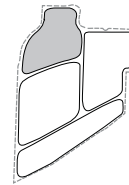


PREFERRED OPTION

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Figure 17 - MURASE PLAZA AREA ENLARGEMENT



Murase Plaza Area

- 1 New Terraced Seating
- 2 Updated Amphitheater with Stage
- 3 New Regional Trail
- 4 New Playground
- 5 Maintenance area with New Maintenance Building
- 6 Stein-Boozler Barn
- 7 New Accessible Route to Stein-Boozler Barn
- 8 New Gathering Space
- 9 New Trail from Parking Lot
- 10 New Trail to East with Stairs
- 11 Boeckmen Creek
- 12 Existing Parking Lot
- 13 Existing Walnut Grove
- 14 Existing Covered Picnic Area
- 15 Existing Pedestrian Bridge
- 16 Improved Pedestrian Crossing

38

PREFERRED OPTION



Existing Amphitheater- Opportunity for Improvement



Grass Berm - Opportunity for Terraced Seating



Existing Walnut Grove to be Preserved



Stein-Boozler Barn - Access Improvements

**MURASE PLAZA**

Operating as the 'front porch' of Memorial Park, Murase Plaza is cherished and highly used. Improvements are proposed for the Murase Plaza area to enhance its functionality, character, and preserve historical and natural elements.

**SEATING AND AMPHITHEATER**

Increased seating has been requested by the community adjacent to the existing water feature at Murase Plaza (1, figure 17). The grass knoll southeast of the water feature provides an opportunity for terraced seating that will serve demand during peak use. Improvements to the existing amphitheater are provided including re-grading of the land to create terraced seating that accommodates 200 people for small performances and events (2, figure 17). The stage area is improved to support small performances such as musical groups or children's theater while the existing walnut grove beyond is maintained as a beautiful natural backdrop.

**EXISTING FACILITIES AND CIRCULATION**

The existing parking lot, entry drive, bathrooms, playground, picnic shelters, and Stein-Boozler barn will remain in place. Access and circulation are improved. (16, figure 17) Improvements to the intersection at Memorial Drive and Library entrance provides for a safer access point to the park. A trail and stairs connecting Murase Plaza to the East side of the park is proposed (10, figure 17). The connection to the East side will utilize the existing pedestrian bridge, increasing access to the eastern parks amenities. A new regional trail alignment is planned, weaving from northeast to southwest and connecting Murase Plaza to the lower park areas (3, figure 17).

**STEIN-BOOZIER BARN**

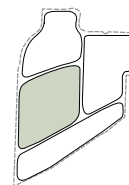
A small accessible parking area off the existing parking lot connects to a new path providing universal access the Stein-Boozler barn. The barn also receives improvements to the gathering spaces on the north and south sides, accommodating revenue generating events such as weddings and corporate events. These improvements include upgraded surfacing, additional seating and planting.

PREFERRED OPTION

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Figure 18 - WEST AREA ENLARGEMENT



West Area

- 1 New Regional Trail
- 2 New Picnic Shelter with Restroom
- 3 New Pump Station
- 4 New Skate Spot
- 5 New Parking
- 6 Restroom Improvements
- 7 New Nature Based Play
- 8 (2) New Tennis Courts
- 9 (2) Existing Tennis Courts
- 10 (2) New Covered Pickle Ball Courts
- 11 (2) New Uncovered Pickle Ball Courts
- 12 Update shelter with new Concessions
- 13 New Synthetic Turf Soccer
- 14 New Synthetic Turf Ballfield
- 15 Natural Turf Soccer and Ballfields
- 16 Open Lawn
- 17 Basketball Court, (1) full court and (2) 1/4 courts
- 18 Sand Volleyball Court
- 19 Boeckmen Creek
- 20 Existing Parking
- 21 New Vegetated Buffer
- 22 New Synthetic Turf Area
- 23 Existing Play Area with new perimeter fence
- 24 Multi-use path with emergency / service access
- 25 Forest Shelter Improvements

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PREFERRED OPTION





Existing Ballfield



Pickleball Example



Sand Volleyball Example



Nature Play Example

**WEST AREA**

The West area of Memorial Park contains major programmatic elements including ball fields, open lawn, parking, play areas, court sports and shelters.

**SPORTS FIELDS**

Ballfields 1,2,3,4 remain in their current locations. Ballfield 5 shifts to the east, sharing space with the open unprogrammed lawn space. The fields are significantly updated with lighting, dugouts, backstops, foul ball protection and seating improvements. Portable outfield and foul territory fencing provides flexibility at all fields to efficiently switch sports of field sizes. Ballfields 1 and 2 are upgraded to synthetic turf with drainage below, increasing the usability of the fields in terms of scheduling efficiency and seasonal extension (shown as dark colored turf, Figure 18). The synthetic turf area is extended beyond the fields to the northeast providing a flexible use/warm up space. The remaining fields and open lawn space, likely renovated, will remain natural turf.

**SPORTS COURTS**

Two existing tennis courts remain in place with two new courts to the north. The courts are striped for pickleball use as well. A total of 4 pickleball courts are provided. A covered spectator seating area with bleachers allows spectators to watch tennis or pickleball, with two pickleball courts sheltered from the elements. A concession building is proposed near the court sports and ball fields (12, Figure 18). The concession building has covered seating areas and can be used as registration and ceremony space for events. On the south side of the open lawn area an improved basketball court and sand volleyball court are proposed.

**PLAY**

The existing play area adjacent to the primary pedestrian corridor will remain and be upgraded with child security fencing (23, figure 18). A nature based play loop is incorporated offering children an alternative play experience integrated into the parks mature forest (7, figure 18). A new skate spot is located the east of the access road for safety and surveillance 4, figure 18). The skate spot is designed specifically to preserve mature trees, integrating them into the skate area.



Future Picnic Shelter with Restroom



Paved Path Example



Existing Parking Lot

**STRUCTURES**

Several new structures are proposed: (1) new restroom (6, figure 18) at the eastern parking lot, (1) shelter with concession at sports fields, and a new lift station to be installed. Existing facilities that will remain in place and receive upgrades to accommodate new use/capacity include: Rest room at sports fields (6, Figure 18), and existing maintenance barn to be converted to rentable picnic shelter (2, Figure 18). The Forest shelter will receive improvements to it's structure as well as site improvements including removing the berm to visually and physically to provide greater connectivity to the ballfields

**TRAILS**

Several trail types are proposed. The paved regional trail connects to the west into the adjoining neighborhood. A 12' major paved path runs along the southern edge of ballfields. The major path connects the two new parking lots together, providing emergency and service vehicle access as well as access to the lift station during a 100yr flood event. Soft surface trails connect to the major 12' trail. Bench seating is proposed intermittently along the regional trail and major trails.

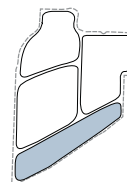
**PARKING**

Parking is upgraded to include two new parking areas, accommodating 214 additional spaces. The existing paved lot is renovated at the north intersection to clarify park circulation. The new lots are strategically located to provide easy access to all park uses, to be safe, protect significant vegetation, and distribute parking.

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Figure 19 - RIVERFRONT AREA ENLARGEMENT



Riverfront Area

- 1 River Shelter
- 2 Improved Forest Shelter with Open Lawn
- 3 New Overlook with View Corridor
- 4 New Access Turnaround
- 5 New River Trail
- 6 New Secondary Trail
- 7 Updated Restroom with New Concession Building
- 8 Improved Gravel Access Road
- 9 New Light Watercraft Launch at Existing Dock
- 10 New Vegetated Buffer
- 11 New Parking Lot
- 12 Top of Bank
- 13 Existing Dock





Light Watercraft Launch Example



Existing River Shelter



Existing River Trail to be Improved



Overlook Example

**RIVERFRONT AREA**

Proposed enhancement to Memorial Park's riverfront were influenced by the communities desire to better connect to the Willamette River. Proposed improvements enhance the natural areas and increase recreational opportunities along the river.

**WATERCRAFT ACCESS**

A gated gravel access road (8, figure 19) south of the new parking lot provides vehicle access to a light water craft drop-off area and existing dock. The access road can be closed off as necessary to allow for program flexibility at the River shelter.

**SHELTERS**

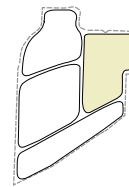
The River Shelter (1, figure 19) remains in place with the desirable open lawn and riparian forest surrounding it preserved. The forest shelter (2, figure 19) will also remain in its current location. Re-grading the near by mounds and steep slopes will provide increased visual access and security, increasing the physical and visual connection to the open lawn and ball field area. A new rest room and concession building (7, figure 19) is provided. The concession building serves dual purposes; a river-oriented concessions for revenue generation, possibly operated by a third party vendor, or a concession area serving various park events at the River shelter such as movie in the park.

**TRAILS AND OVERLOOKS**

Trail circulation is clarified throughout the riverfront area for ease of way finding and trail identification. The primary river trail will be improved with gravel surfacing to reduce erosion and improve the walking surface. Minor trails and connector trails will remain soft-surfaced. The trail alignment and other trail improvements minimize disturbance to existing vegetation. Where possible trails are graded to meet accessibility requirements. Overlooks are provided adjacent to the river trail, located at the top of bank to maximize views to the Willamette River, while minimizing disturbance of the riparian forest (3, figure 19). Overlooks are planned to be stone walls with benches and sized for small groups.



Figure 20 - EAST AREA ENLARGEMENT



East Area

- 1 New Parking
- 2 New Restroom
- 3 New Bicycle Pumptrack with Skills Course
- 4 New 9 Hole Disc Golf Course
- 5 Boeckmen Creek
- 6 Vegetated Buffer
- 7 Relocated Community Garden Area
- 8 New Access Road
- 9 Relocated Off Leash Dog Area with Shade Shelter
- 10 Relocated Small Dog Area
- 11 Existing Well
- 12 New Pedestrian Access Point
- 13 Meadow
- 14 Wet Meadow
- 15 12' Major Trail
- 16 Pedestrian Bridge



Bicycle Pump Track Example



Disc Golf Example



Existing Community Gardens



Existing Dog Park and Shelters

**EAST AREA**

Within the East area the Master Plan seeks to balance passive and active recreation, maintain vegetated buffers to the adjoining neighborhood and protect and enhance the forests, meadows and significant vegetation.

**PUMP TRACK**

The 14,000 square foot bicycle pump track and skills course (3, figure 20) is provided as an alternative sport with an ever growing popularity encompassing a large age range. Wilsonville does not currently have a pump track. The proposed track is sized for community use, positioned near parking and for surveillance and adjacent to the skate spot to share similar active park uses. Programmatically the track can be used for public events, potentially generating revenue.

**DISC GOLF**

The 9 hole 5.6 acre disc golf area (4, figure 20) is located in a meadow area with large existing specimen and new trees. The course is sized for family play. Additional trees are proposed to be planted to enlarge the adjacent riparian forest and increase habitat value. Times of use are established to allow trails crossing the course to be enjoyed by all users at certain times of the day.

**COMMUNITY GARDENS AND OFF-LEASH DOG AREA**

The 0.6 acre community garden (7, Figure 20), and 1.5 acre off leash area (9, Figure 18) and located off the new access road and parking lot (1, Figure 20) for ease of access and connection to the community. The community garden shift east out to take advantage of full sunlight and is minimally larger than existing to take into account increased users over time. The off leash area is similar size as existing, and includes fencing, re-using the current shade shelters and a small dog area.



Wet Meadow Example



Natural Area to be Preserved



Specimen Tree to be Preserved

**TRAILS**

Trails are located throughout the east side ushering visitors through a variety of habitats types, including forest, meadow and wet meadow. A main 12' paved trail anchors the trail system providing for clear, understandable way finding. Several pedestrian access points are located on the east side connecting the park to the neighboring community (12, Figure 20) and providing clear and direct access into the park.

**ENVIRONMENTAL**

The master plan emphasizes the importance of preserving and enhancing existing natural areas and improving them via additional vegetation to increase biodiversity. Boeckmen Creek is preserved as a significant riparian corridor in addition to the strategic preservation of significant trees throughout the disc golf and pump track areas. A wet meadow is established in the north east corner of the park where seasonal inundation has been documented. Trails weave through various habitats to provide the public with the opportunity to partake in passive wildlife viewing and interpretive environmental education. Memorial park currently has several locations where the city's Natural Resources Department along with community members have vegetated portions of the park. The master plan seeks to protect these areas where possible while transplanting disturbed vegetation to other locations within the park.

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### CIRCULATION AND ACCESS

The master plan clarifies the circulatory systems of the park for safety, ease of access, way finding, and recreational opportunities. The diagram illustrated the Master Plans vehicular access, circulation and parking. The dashed red multi-use paths is for emergency and police access only.

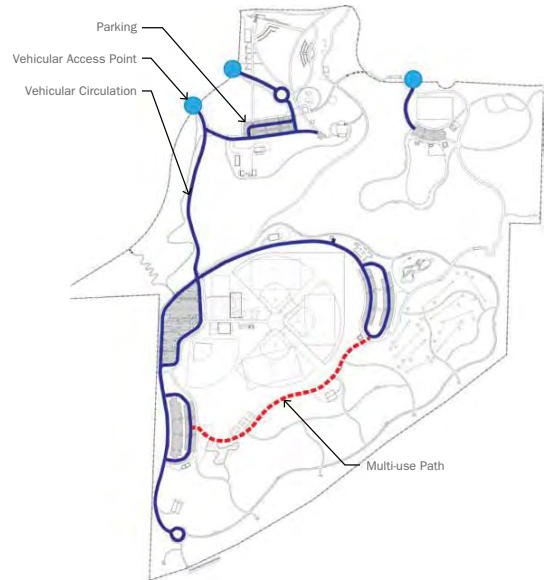


Figure 21 - VEHICULAR CIRCULATION AND PARKING

### TRAILS

The master plan includes three distinct trail types. The diagram illustrates the regional trail and major trails. The city currently plans to extend the regional trail North and West beyond Memorial Park. The regional trail is a 12' paved multi use path for bikes, pedestrians and emergency vehicle use. The regional trail is designed to take user to a variety of public spaces within Wilsonville. Major trails are paved 10' wide multi-use paths for bikes, pedestrians and emergency vehicle use. Utilizing the regional trail and major trails, park users can access all park amenities. Major trails are signed and may be color coded for ease of wayfinding. Major trails may also be named to reflect the environmental habitat they run through, such as a River Trail or historical figures significant to the park, such as a Homestead Trail.

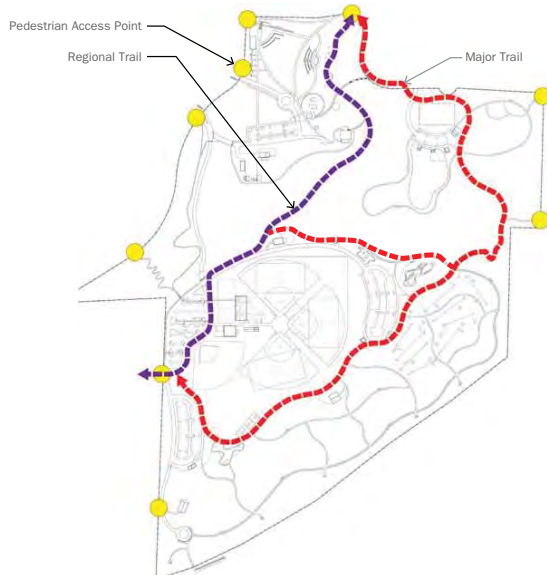


Figure 22 - REGIONAL TRAIL AND MAJOR TRAIL

### TRAILS

The diagram shows loops utilizing only major trail, with the exception of the trail adjacent to the Willamette River. Loops may be color coded and signed to provide for casual walking loops or for events, such as cross country meets.

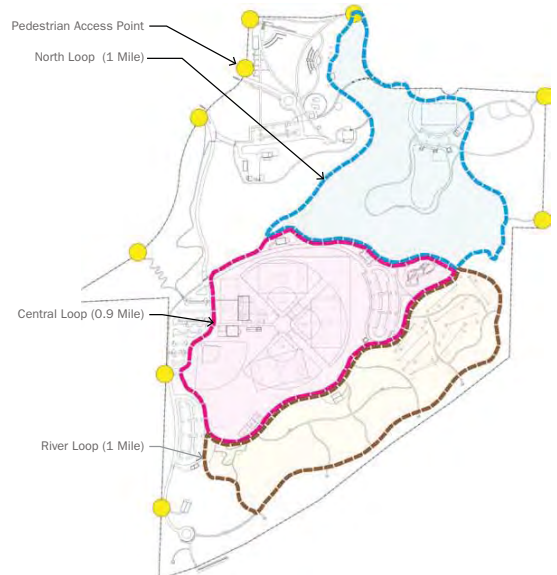


Figure 23 - MAJOR TRAIL LOOPS



**TRAILS**

The diagram shows locations of secondary trails in addition to major trails, depicting the entirety of Master Plan's trail system. Secondary trails are 4-6' wide and serve as linkages to major trails and connections to adjacent neighborhoods. Secondary trails are paved or soft surfaced depending upon location within the park, accessibility desires, grading conditions and adjacent uses.

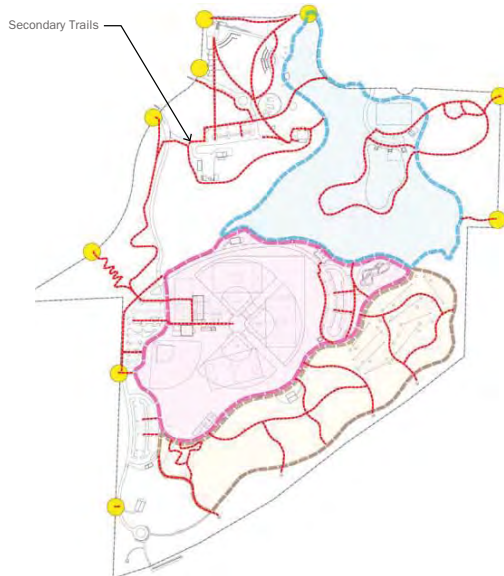


Figure 24 - SECONDARY TRAILS

PREFERRED OPTION

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**PRIORITIES**

The following revenue, operations, maintenance and costing were explored during the Master Plan process to aid the Parks Department and City in determining priorities for future facility upgrades and park development outlined in the Master Plan. As the communities needs for recreational growth are considered, the financial information presented will assist city officials in determining budget allocation of park amenities to meet the recreational demands as well as provide baseline information to increase current revenue potential.

**REVENUE AND OPERATIONS**

As part of the Master Plan update, the team reviewed revenue and operation expenses of the current park and for the proposed Master Plan of the park. The full study of park revenue scenarios and potential operation expenses is included in the appendix.

**PARK REVENUES**

The study addresses the existing revenues and potential revenue scenarios for the preferred master plan. Existing revenue focused on the three existing rentable shelters, while new revenue sources included: Community gardens, Amphitheater/stage, pickleball, bike pump track, disc golf course and a water based concessionaire. Additional community garden plots and the amphitheater at Murase plaza will generate additional revenue based upon rentable fees. Amenities such as pickleball, bike pump track, and disc golf have potential to host small

tournaments, however the event size may fall below the 250 person minimum for current special use permits; therefore assigning potential revenue to those amenities is not currently feasible. A seasonal water-based vendor near the existing dock provides additional revenue while providing the public with accessible watercraft and water related materials to access the river. In assessing the revenue potential for the parks sports fields, the presumed scenario is that this mix of fields will be utilized for local and metro area tournaments. However, the complex may not be large enough to generate increased utilization of local hotels.

Revenue scenarios (Figure 25) were generated to illustrate potential future revenue. Three scenarios were calculated to include the following:

\*High-growth option, which includes an 80% peak period utilization for shelters and barn, the installation of a water-based concessionaire, and increased usage of sport and event facilities.

\*Moderate-growth option, which is primarily driven by a 50% peak period utilization for shelters and barn, along with modest increases in the usage of sport and event facilities.

\*No-growth option, which maintains the utilization of facilities from the 2014 season, in addition to the third picnic shelter and community gardens.

It must be noted that a number of factors may influence the City's potential to generate these revenues. These factors include the City's capacity to promote availability and capture reservations, competition from other venues, seasonality, and the state of the overall local economy and people's willingness to spend.

Source	2015 (Actual)	High Growth %/Year	Moderate %/Year	No Growth %/Year
Power Shelter	\$ 8,910.00	\$ 26,112.50 (194%)	\$ 16,405.00 (81%)	\$ 11,205.00 (71%)
Forest Shelter	\$ 7,075.00	\$ 21,862.25 (161%)	\$ 13,800.00 (81%)	\$ 4,840.75 (37%)
Small Shelter	\$ 845.00	\$ 1,461.00 (71%)	\$ 1,000.00 (27%)	\$ 875.00 (38%)
Maintenance Shop Shelter	\$ -	\$ 26,112.50	\$ 16,405.00	\$ 11,205.00
Stone-Boulder Barn	\$ 10,815.00	\$ 95,933.25 (797%)	\$ 65,789.00 (482%)	\$ 40,221.00 (272%)
Master Plan	\$ -	\$ -	\$ -	\$ -
<b>Facility Reduced Fee Youth</b>	\$ 8,001.50	\$ 10,000.00 (25%)	\$ 9,000.00 (12%)	\$ 8,000.00 (0%)
<b>Facility Other</b>	\$ 2,684.75	\$ 3,200.00 (20%)	\$ 3,000.00 (11%)	\$ 2,700.00 (1%)
<b>Special Events</b>	\$ 8,812.50	\$ 4,406.25 (50%)	\$ 4,000.00 (45%)	\$ 3,400.00 (39%)
<b>Community Gardens - raised bed</b>	\$ 375.00	\$ 750.00 (100%)	\$ 750.00 (100%)	\$ 375.00 (0%)
<b>Community Gardens - in-ground</b>	\$ 2,178.00	\$ 2,646.00 (21%)	\$ 2,646.00 (21%)	\$ 2,178.00 (0%)
<b>Watercraft Concessionaire</b>	\$ -	\$ 4,500.00	\$ -	\$ -
<b>Totals</b>	\$ 50,244.07	\$ 196,984.50	\$ 127,889.00	\$ 81,042.75

Figure 25 - REVENUE SCENARIOS BY FACILITY

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PREFERRED OPTION

Park Feature	Unit	Labour Hours per Year per Unit	No. Units	Labour Hours per Year	Labour/Finished Cost per Year	Maintenance & Services per Yr	Total Cost per Year
<b>Labour-related costs</b>							
Large turf areas	per acre	52.0	19.0	988.0	\$ 19,800.0	\$ 3,000.0	\$ 22,800.0
Small/turf areas	per acre	52.0	3.0	156.0	\$ 3,800.0	\$ 0.0	\$ 3,800.0
Shrub beds	per 1000sf	52.0	12.0	624.0	\$ 15,000.0	\$ 500.0	\$ 15,500.0
Flower beds	per 1000sf	26.0	2.0	52.0	\$ 1,300.0	\$ 200.0	\$ 1,500.0
Asphalt areas	per sq. ft.	1.0	12.0	12.0	\$ 3,000.0	\$ 1,000.0	\$ 4,000.0
Hard surfaces	per 1000sf	3.0	200.0	600.0	\$ 15,000.0	\$ 250.0	\$ 15,250.0
Soft surface paths/areas	per 1000sf	2.0	50.0	100.0	\$ 2,500.0	\$ 50.0	\$ 2,550.0
Turf maintenance	per field	52.0	3.0	156.0	\$ 3,800.0	\$ 300.0	\$ 4,100.0
Turf rainfall water	per field	85.0	5.0	425.0	\$ 10,625.0	\$ 1,500.0	\$ 12,125.0
Synthetic surfaces	per area (sq. ft.)	10.0	28.0	280.0	\$ 7,000.0	\$ 800.0	\$ 7,800.0
Shelters - clean/maintenance	per structure	30.0	3.0	90.0	\$ 4,375.0	\$ 750.0	\$ 5,125.0
Restrooms - clean & re-supply	per restroom	80.0	4.0	320.0	\$ 8,000.0	\$ 3,600.0	\$ 11,600.0
Play equipment - clean/maintenance	per structure	48.0	2.0	96.0	\$ 2,400.0	\$ 1,600.0	\$ 4,000.0
Landscaping	per acre (line)	7.0	36.0	252.0	\$ 6,300.0	\$ 1,500.0	\$ 7,800.0
Storm debris	per acre (line)	3.0	30.0	90.0	\$ 2,250.0	\$ 1,500.0	\$ 3,750.0
Security check of their removal	per acre (line)	30.0	1.0	30.0	\$ 750.0	\$ 100.0	\$ 850.0
Empty trash cans	per can	30.0	30.0	900.0	\$ 22,500.0	\$ 1,500.0	\$ 24,000.0
Non-curable projects	per total acre	129.0	1.0	129.0	\$ 3,225.0	\$ 500.0	\$ 3,725.0
<b>Contracted costs</b>							
Water services	per acre (average)	\$ 3,000.0	25.0	\$ 75,000.0	\$ 77,000.0	\$ 77,000.0	
Electric services	per acre	\$ 1,800.0	5.0	\$ 9,000.0	\$ 9,800.0	\$ 9,800.0	
Electricity services	per acre (line)	\$ 1,400.0	25.0	\$ 35,000.0	\$ 35,000.0	\$ 35,000.0	
Parks-poly services	per acre	\$ 400.0	5.0	\$ 2,000.0	\$ 4,500.0	\$ 4,500.0	
Contract repairs	per acre (line)	\$ 200.0	1.0	\$ 200.0	\$ 200.0	\$ 200.0	
Landscaping maintenance services	per acre (line)	\$ 500.0	1.0	\$ 500.0	\$ 500.0	\$ 500.0	
Equipment rental	per acre (line)	\$ 750.0	5.0	\$ 3,750.0	\$ 4,000.0	\$ 4,000.0	
Equipment repair & maintenance	per acre (line)	\$ 1,000.0	5.0	\$ 5,000.0	\$ 5,000.0	\$ 5,000.0	
<b>Totals</b>				<b>5266</b>	<b>\$ 131,700.0</b>	<b>\$ 154,900.0</b>	<b>\$ 286,600.0</b>

Figure 26 - OPERATIONS AND MAINTENANCE EXPENSES BY FEATURE (2014)

Park Feature	Unit	Labour Hours per Year per Unit	No. Units	Labour Hours per Year	Labour/Finished Cost per Year	Maintenance & Services per Yr	Total Cost per Year
<b>Labour-related costs</b>							
Large turf areas	per acre	52.0	14.1	732.0	\$ 18,200.0	\$ 3,000.0	\$ 21,200.0
Small/turf areas	per acre	52.0	3.4	176.8	\$ 4,442.0	\$ 700.0	\$ 5,142.0
Shrub beds	per 1000sf	52.0	47.0	2484.0	\$ 61,500.0	\$ 1,500.0	\$ 63,000.0
Flower beds	per 1000sf	26.0	3.0	78.0	\$ 1,950.0	\$ 400.0	\$ 2,350.0
Asphalt areas	per sq. ft.	1.0	40.0	40.0	\$ 10,000.0	\$ 3,000.0	\$ 13,000.0
Hard surfaces	per 1000sf	3.0	362.7	1088.1	\$ 27,702.0	\$ 1,500.0	\$ 29,202.0
Soft surface paths/areas	per 1000sf	2.0	50.0	100.0	\$ 2,500.0	\$ 600.0	\$ 3,100.0
Turf maintenance	per field	52.0	1.0	52.0	\$ 1,300.0	\$ 200.0	\$ 1,500.0
Turf rainfall water	per field	85.0	3.0	255.0	\$ 6,375.0	\$ 800.0	\$ 7,175.0
Synthetic surfaces	per field	42.0	3.0	126.0	\$ 3,150.0	\$ 400.0	\$ 3,550.0
Synthetic surfaces	per area (sq. ft.)	10.0	27.0	270.0	\$ 6,750.0	\$ 800.0	\$ 7,550.0
Shelters - clean/maintenance	per structure	30.0	7.0	210.0	\$ 5,250.0	\$ 900.0	\$ 6,150.0
Restrooms - clean & re-supply	per restroom	80.0	4.0	320.0	\$ 8,000.0	\$ 3,600.0	\$ 11,600.0
Play equipment - clean/maintenance	per structure	48.0	4.0	192.0	\$ 4,800.0	\$ 2,800.0	\$ 7,600.0
Landscaping	per acre (line)	7.0	36.0	252.0	\$ 6,300.0	\$ 1,500.0	\$ 7,800.0
Storm debris	per acre (line)	3.0	30.0	90.0	\$ 2,250.0	\$ 1,500.0	\$ 3,750.0
Security check of their removal	per acre (line)	30.0	1.0	30.0	\$ 750.0	\$ 100.0	\$ 850.0
Empty trash cans	per can	30.0	30.0	900.0	\$ 22,500.0	\$ 1,500.0	\$ 24,000.0
Non-curable projects	per total acre	200.0	1.0	200.0	\$ 5,000.0	\$ 800.0	\$ 5,800.0
<b>Contracted costs</b>							
Water services	per acre (average)	\$ 3,000.0	22.0	\$ 67,000.0	\$ 67,700.0	\$ 67,700.0	
Electric services	per acre	\$ 1,800.0	2.0	\$ 3,600.0	\$ 3,600.0	\$ 3,600.0	
Electricity services	per acre (line)	\$ 1,400.0	30.0	\$ 42,000.0	\$ 42,000.0	\$ 42,000.0	
Parks-poly services	per acre	\$ 400.0	5.0	\$ 2,000.0	\$ 4,500.0	\$ 4,500.0	
Contract repairs	per acre (line)	\$ 200.0	1.0	\$ 200.0	\$ 200.0	\$ 200.0	
Landscaping maintenance services	per acre (line)	\$ 500.0	1.0	\$ 500.0	\$ 500.0	\$ 500.0	
Equipment rental	per acre (line)	\$ 750.0	6.0	\$ 4,500.0	\$ 4,800.0	\$ 4,800.0	
Equipment repair & maintenance	per acre (line)	\$ 1,000.0	6.0	\$ 6,000.0	\$ 6,000.0	\$ 6,000.0	
<b>Totals</b>				<b>9436</b>	<b>\$ 216,900.0</b>	<b>\$ 172,500.0</b>	<b>\$ 389,400.0</b>

Figure 27 - OPERATIONS AND MAINTENANCE EXPENSES FOR MASTER PLAN

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PREFERRED OPTION





**VII. APPENDIX**

**PUBLIC OPEN HOUSE 1 MEETING NOTES**

Wilsonville City Hall, November 5th, 2014

- |  |   |
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| <p>1 No synthetic" turf upgrades requested at sports fields</p> <p>2 Infield distance increase to 60' mound / 90' base to support adult softball leagues</p> <p>3 No adult specific ball fields available in Wilsonville? People go elsewhere</p> <p>4 Lighting is a safety issue throughout park</p> <p>5 Flat NE meadows area becomes inundated in winter/spring, undevelopable?</p> <p>6 Some concerns expressed about quantity of parking available if community garden is expanded</p> <p>7 Community garden could be moved elsewhere to accommodate additional use, or used as a buffer itself around parking on East side</p> <p>8 Skate park is well used despite its small size and lack of features. Should be enlarged.</p> <p>9 A large skate park project is planned elsewhere in Wilsonville</p> <p>10 A trail system/trailhead layout was suggested, consisting of 3 trail lengths which would be color coded for easy recognition, i.e.: green 3/4mi, blue 1.5mi, red 3mi loops</p> <p>11 A trailhead/kiosk providing trail information route length etc is needed</p> <p>12 Waterfountains are needed throughout, nowhere to fill up your water bottle, difficult to fill bottles at existing fountains</p> <p>13 Re-vegetating informal trails in Riverfront area may not be beneficial since kids still ride their bikes there regardless, moving tree limbs or riding over them</p> <p>14 Residents do not want increased development on the East side</p> <p>15 Not much concern was expressed for a pedestrian connection from Murase plaza to the East side</p> <p>16 Pickle ball tournaments can attract 75-100 people, along with concessions etc, (USAPA. com)</p> | <p>17 Residents enjoy walking in the dog park and East side because of natural areas</p> <p>18 Walking through the river front area at night can be "sketchy"</p> <p>19 Benches are needed throughout the entire park, additional seating needed at water feature area during high use</p> <p>20 Bus access needed into site. Park is large for only 1 planned stop</p> <p>21 Basketball is used a lot</p> <p>22 Trail lighting is needed</p> <p>23 Loop road concerns originated from kids racing around it, thus its original removal</p> <p>24 The trail from Murase plaza to lower park is steep and not ADA compliant</p> <p>25 Guided history trips could be a use for the water trail. Park could be a stop along the way</p> <p>26 At the West parking area the vehicular gate blocks pedestrian walkway</p> <p>27 The amount of bicycle use on un-paved paths is not currently an issue</p> <p>28 The playground located at west area near fields could be doubled in size, heavily used to ease of access and adjacency to parking</p> <p>29 Pickle ball in barn - ?</p> <p>30 A rhododendron or wetland garden were suggested</p> <p>31 Passive uses suggested for the East side</p> <p>32 More trails in the East side suggested</p> <p>33 A route to the dock would be beneficial</p> <p>34 It was suggested that there is no need to re-connect the loop road</p> <p>35 Loop trail in the wood suggested</p> <p>36 All fields need new lighting</p> <p>37 All fields need better drainage</p> <p>38 There could be a small concert stage on the East side</p> <p>39 Interest in having concessions for tournaments</p> <p>40 Could the pump station go in the old Nike wellhouse?</p> <p>41 Turf fields (infields?) suggested</p> |
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| <p>42 Possible restroom by forest shelter suggested</p> <p>43 Users would like to see more pickle ball courts</p> <p><b>PUBLIC OPEN HOUSE 2 MEETING NOTES</b><br/>Wilsonville City Hall, December 16th, 2014</p> <p>1 An overview of the Wilsonville park system would help the public understand and validate proposed program and enhancements</p> <p>2 Covered pickleball courts would enhance play and increase seasonal usability</p> <p>3 Easier kayak launching would be beneficial</p> <p>4 The river is not an attractive swimming destination</p> <p>5 Trees should not be cleared in order to create a waterfront</p> <p>6 The existing maintenance barn could serve well as a shelter supporting events such as dances and arts and crafts events for kids</p> <p>7 Tournament field configuration (option 3) is too large and does not cater to the primary users who live in Wilsonville</p> <p>8 Road adjacent to the river shelter could be improved to provide waterfront access</p> <p>9 There are safety concerns crossing Wilsonville Rd and Memorial Dr to access Murase Plaza</p> <p>10 There is a need for more buffer at existing parking areas (West?)</p> <p>11 There should only be passive uses on the East side</p> <p>12 25% min. more community gardens are needed</p> <p>13 Option 2 West side could be blended with Option 1 East side</p> <p>14 Pickle Ball additions on Option 1 work well</p> <p>15 Bus and RV turning space is potentially needed</p> <p>16 Positive responses received for Option 3 amphitheater</p> <p>17 Zip lines could be considered</p> <p>18 There is a drainage issue at the River Shelter</p> | <p>19 Positive response to overlooks – tree removal could be minimized</p> <p>20 Option combinations – OPT 3 North / OPT 2 West / OPT 2 East / OPT 1 River</p> <p>21 More benches should be provided</p> <p>22 Existing dock needs modification for easier access</p> <p>23 Storage could be provided for light watercraft near existing dock</p> <p>24 Basketball can be kept in place</p> <p>25 Concerns that the skate park is too remote</p> <p>26 Concerns about concessions and revenue</p> <p>27 The intertwining trails in the forest are good</p> <p>28 "Movies in Parks" need open space for viewing – currently use sloping lawn</p> <p>29 A backboard for tennis would enhance the court for individual practice</p> <p>30 Normal high water is above the boat ramp and makes current access to existing dock difficult during portions of winter time</p> <p>31 East buffer is important</p> <p>32 Available space is not enough to create regional draws</p> <p>33 Park should be geared towards existing resident's preferred uses</p> <p>34 There should not be any parking off Rose Ln</p> <p>35 Large Girl Scout groups prefer parking options 1 and 2 for forest access</p> <p>36 Schools, boy and girl scout groups would use a developed amphitheater</p> <p>37 Girl Scouts use variety or trails, would prefer a trail connection between River and Forest Shelters</p> <p>38 Privacy of River Shelter space before trees to west were removed is preferred</p> <p>39 Some form of buffer between Forest Shelter and fields is preferred for noise mitigation</p> <p>40 One main paved path through the Forest and the rest unpaved would be preferred</p> <p>41 River overlooks could be historically thematic or otherwise to provide diverse experiences</p> <p>42 More buffer needed on West edge</p> |
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| <p>43 Turf infields would be very beneficial</p> <p>44 Current dog park size is sufficient</p> <p>45 The "waterfall" and water wheel have not been mentioned, could be destinations</p> <p>46 Bicycle skills course and skate park could be adjacent</p> <p>47 Overlooks work well but waterfront beach is not necessary</p> <p><b>PUBLIC OPEN HOUSE 3 MEETING NOTES</b><br/>Wilsonville City Hall, December 16th, 2014</p> <p>1 An overview of the Wilsonville park system would help the public understand and validate proposed program and enhancements</p> <p>2 Covered pickleball courts would enhance play and increase seasonal usability</p> <p>3 Easier kayak launching would be beneficial</p> <p>4 The river is not an attractive swimming destination</p> <p>5 Trees should not be cleared in order to create a waterfront</p> <p>6 The existing maintenance barn could serve well as a shelter supporting events such as dances and arts and crafts events for kids</p> <p>7 Tournament field configuration (option 3) is too large and does not cater to the primary users who live in Wilsonville</p> <p>8 Road adjacent to the river shelter could be improved to provide waterfront access</p> <p>9 There are safety concerns crossing Wilsonville Rd and Memorial Dr to access Murase Plaza</p> <p>10 There is a need for more buffer at existing parking areas (West?)</p> <p>11 There should only be passive uses on the East side</p> <p>12 25% min. more community gardens are needed</p> <p>13 Option 2 West side could be blended with Option 1 East side</p> | <p>14 Pickle Ball additions on Option 1 work well</p> <p>15 Bus and RV turning space is potentially needed</p> <p>16 Positive responses received for Option 3 amphitheater</p> <p>17 Zip lines could be considered</p> <p>18 There is a drainage issue at the River Shelter</p> <p>19 Positive response to overlooks – tree removal could be minimized</p> <p>20 Option combinations – OPT 3 North / OPT 2 West / OPT 2 East / OPT 1 River</p> <p>21 More benches should be provided</p> <p>22 Existing dock needs modification for easier access</p> <p>23 Storage could be provided for light watercraft near existing dock</p> <p>24 Basketball can be kept in place</p> <p>25 Concerns that the skate park is too remote</p> <p>26 Concerns about concessions and revenue</p> <p>27 The intertwining trails in the forest are good</p> <p>28 "Movies in Parks" need open space for viewing – currently use sloping lawn</p> <p>29 A backboard for tennis would enhance the court for individual practice</p> <p>30 Normal high water is above the boat ramp and makes current access to existing dock difficult during portions of winter time</p> <p>31 East buffer is important</p> <p>32 Available space is not enough to create regional draws</p> <p>33 Park should be geared towards existing resident's preferred uses</p> <p>34 There should not be any parking off Rose Ln</p> <p>35 Large Girl Scout groups prefer parking options 1 and 2 for forest access</p> <p>36 Schools, boy and girl scout groups would use a developed amphitheater</p> <p>37 Girl Scouts use variety or trails, would prefer a trail connection between River and Forest Shelters</p> <p>38 Privacy of River Shelter space before trees to west were removed is preferred</p> |
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- 39 Some form of buffer between Forest Shelter and fields is preferred for noise mitigation
- 40 One main paved path through the Forest and the rest un-paved would be preferred
- 41 River overlooks could be historically thematic or otherwise to provide diverse experiences
- 42 More buffer needed on West edge
- 43 Turf infields would be very beneficial
- 44 Current dog park size is sufficient
- 45 The "waterfall" and water wheel have not been mentioned, could be destinations
- 46 Bicycle skills course and skate park could be adjacent
- 47 Overlooks work well but waterfront beach is not necessary

**STAKEHOLDER MEETING NOTES:  
WILSONVILLE HIGH SCHOOL**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does WHS use Memorial Park for?  
Cross country meet: 1 per year- 1 shelter as hospitality area, like to take over park, but work with leagues. 5000 meter course. Prefer non-paved areas. Fall.  
Tennis- recent past, lower level softball games.  
Baseball- no 90' diamond ( would increase partnership with youth program)- springtime march-June
- 2 What times? Time of year, time of day/night, duration of use?
- 3 Are there conflicts with other park uses? coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc)  
Buses park off-site, turnaround at gravel lots  
Work with Willamette united / proper communication limits conflicts.
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, concessions?  
No real issues with facilities
- 5 Are there issues with the park that restrict your uses, ie would you do other uses if the facility allowed (field size, etc)?
- 6 Buses?
- 7 Are there other parks you use for events / uses?
- 8 Are there opportunities for more collaborative projects between school and city?  
Tournaments and coaches involved- could be collaborative  
Lacrosse tournaments, soccer tournaments- host different age groups, but could expand with memorial park
- 9 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?
- 10 What roles do concessions play or could play in financial support of the league?

- 11 Would be encouraged, help pay for reduced cost of admissions for teams, etc.  
Existing ones at high school- booster club ran.  
What is the potential for tournaments? What are the needs to make one successful (# and location of fields)  
2-3 day tournaments  
Soccer 55-75yards wide- look up high school field sizes.  
Trends- soccer, lacrosse up. Basketball up, girls numbers have dropped, baseball dropped a bit.

**STAKEHOLDER MEETING NOTES:  
WILLAMETTE UNITED SOCCER CLUB**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does WUOSC use Memorial Park for?  
Soccer  
\$1 million / year budget. Break even with 3 employees  
Use all fields every day.
- 2 How many leagues, teams?  
1800 kids K-12 recreational  
500 competitive year around  
All from WWLSD  
220 kids co-ed high school teams
- 3 What times? Time of year, time of day/night, duration of use?  
Beginning of August - Mid November.  
August tournaments  
Would like to use in the spring, but fields too wet.
- 4 Are there conflicts with other park uses? Coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc.)  
Seem to work out scheduling conflicts. Would like to have separate soccer fields.
- 5 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions?  
Parking can be difficult at times. Lots of people park at dog park area and conflicts happen. Hard to manage.  
Restrooms are adequate w/ porta potties.
- 6 Are there issues with the park that restrict your uses, ie would you do other uses if the facility allowed (field size, etc)?  
Can't use in Springtime as fields are too wet.  
Would like to see Turf on several fields.
- 7 Are there other parks you use for events / uses?  
Year around use Artificial Turf fields, Horizon Christian, etc.

- 8 What has been the trend in participation by league / sport?  
Participation numbers have held steady. Slight drop with other sports becoming more popular, i.e. lacrosse, etc.
- 9 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?  
Some irrigation boxes at SW corner of fields is in field of play sometimes.  
A few wet spots on West side of fields.
- 10 What roles do concessions play or could play in financial support of the league?  
Would help. They have concessions at other locations and while it is not a huge moneymaker, it does help.
- 11 What is the potential for tournaments? What are the needs to make one successful (# and location of fields)

**STAKEHOLDER MEETING NOTES:  
NW DIAMOND SPORTS**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does NWDS use Memorial Park for?  
Baseball/softball  
11-18 year olds
- 2 What times? Time of year, time of day/night, duration of use?  
May-Oct.  
Would go year around if fields were not so wet, or if Turf fields.
- 3 Are there conflicts with other park uses? coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc.)  
Worried about security near Forest Shelter
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, concessions?  
Field sizes are adequate.  
Infields could be enlarged a bit to provide more flexibility of age groups and would allow for more efficient use of fields. Currently uses 70', 80', 90' bases. Infields 1 and 2 are not large enough for all base options.  
Larger infields and outfields would allow for more efficient use of fields potentially creating additional time slots for other leagues.  
Outfields , 10-12 year olds min 200' max 220', 13-18 min. 300' max 400', Softball 300' fences.  
Does not use field 5, does not see it used.  
Would like to see a registration area for camps / clinics / large events.  
Would like covered dugouts
- 5 Are there other parks you use for events / uses?  
Surrounding schools for Turf during wet weather. Horizon Christian, etc.
- 6 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?

- 7 Would like to be able to water down in-fields when needed- if they could push a button or something like that.  
Some of the outfields could use leveling at times.  
What roles do concessions play or could play in financial support of the league?  
Would love to have gas hookup for bbq's, but not a major deal.  
Would help for tournaments.
- 8 What is the potential for tournaments? What are the needs to make one successful (# and location of fields)  
If fields were turf, they would use them for tournaments.  
3 fields for small tournament, 5 for large tournament.



**STAKEHOLDER MEETING NOTES:  
WILSONVILLE PICKLEBALL CLUB**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 How many leagues, teams?  
Not a club yet, no funding currently.  
Socializing event, big with adults over 50+
- 2 What times? Time of year, time of day/night, duration of use?  
Year around, rain or shine  
Event every two weeks currently. Bring in portable nets and use tennis courts.  
6 things going on per week currently. Player development and teaching.
- 3 Are there conflicts with other park uses? Coordination between leagues (overlapping calendars, multi-use fields, seasonality, etc.)
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions? Would like to have covered courts to provide shade and rain protection.  
4 courts would be great, with ability to incrementally add 4 additional at a time.  
Lighting on courts to allow night time play would quadruple usage.
- 5 Are there other parks you use for events / uses?  
Tualatin Community park has Sunday tennis and pickleball
- 6 What has been the trend in participation by league / sport?  
Usage is becoming very popular  
More courts would draw more users.
- 7 Are there opportunities for more collaborative projects between league and city?
- 8 What is the potential for tournaments? What are the needs to make one successful (# and location of courts)  
Ideally 15 courts for tournaments  
Potential for 2 large annual tournaments.  
Thursday-Saturday

**STAKEHOLDER MEETING NOTES:  
WILSONVILLE WALKERS**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 How does WW use the park?  
30-40 members walk the park Tuesday and Thursday.  
2 mile walking loops typically.
- 2 What times? Time of year, time of day/night, duration of use?  
All year long, rain or shine.  
Usually during the morning.
- 3 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions? Like new parking lot.  
Would like to have different waling loops with different difficulties.  
Trails are maintained good.  
Were very interested in interp. panels providing entertainment for walks.
- 4 Is the wayfinding sufficient?  
Lots of trails can be confusing. Tend to stay on road and open trails due to safety, familiarity access. Lots of older members who can't do hills.

**STAKEHOLDER MEETING NOTES:  
ADULT SOCCER CLUB**

Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 What events does the ASC use Memorial Park for?  
Soccer  
Sundays, 8am-3pm. May - October.
- 2 How many leagues, teams?  
4-5 teams, 2 fields.  
15 per team and family members. Mainly Hispanic league, but seeing a lot of white spectators
- 3 What times? Time of year, time of day/night, duration of use?  
Sundays  
Don't do rainy days
- 4 Are the facilities sufficient, field sizes/quantity, parking/access, restrooms, and concessions? Restroom facilities are lacking, especially for women.  
Ok with designated parking near maintenance. Try to not park at dog park area.  
Some irrigation boxes at SW corner of fields is in field of play sometimes.
- 5 Do you have any concerns about scheduling, maintenance, or working with Parks Dept. on the fields they manage?  
Don't play in wet conditions because they don't want to destroy the fields.  
Paint their own field.
- 6 What roles do concessions play or could play in financial support of the league?  
No role. Bring own food.

**STAKEHOLDER MEETINGS NOTES:  
GIRLS SCOUTS OF OREGON AND SW  
WASHINGTON**

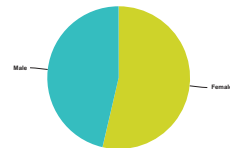
Wilsonville Parks and Rec. Dept., October 17th 2014

- 1 How do GS use the park?  
23 years. One week / year day camp in last week of June.  
400 girls, 5-18 years old. # is sufficient.  
Use both shelters, and like that they are "easy access"  
Hiking trails, archery area  
"Most people don't know they are there. Like the isolation of the shelters.
- 2 Are the facilities sufficient, quantity, parking/access, restrooms?  
Have to have someone manage parking. Could be marked better  
Have 2 large busses and turning around is hard.  
Concerns about development to the west, access from the new homes, and removal of trees changed the character of the River Shelter.  
Cannot go to the water as river bank is too steep.  
Bring their own camp, food, restrooms. Set up at 7:30am, out by 4:30pm every day.
- 3 Are very concerned about safety, police access, fire access.
- 4 "Keep nooks" along paths. They need space to gather  
Desire a climbing wall  
An areas sized for a picnic shelter "can be anywhere"
- 5 Boy Scouts use the Park. Chris Troha- HS teacher at WVHS and John Budais and scout masters.
- 6 Girl Scouts have 1 volunteer day at Memorial Park per year. Available to do more.

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Q1 What is your gender?

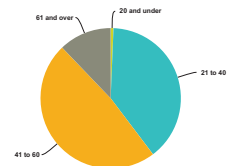
Answered: 617 Skipped: 0



Answer Choice	Responses
Female	331
Male	286
<b>Total</b>	<b>617</b>

Q2 What is your age?

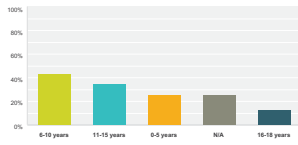
Answered: 617 Skipped: 0



Answer Choices	Responses
20 and under	4
21 to 40	241
41 to 60	297
61 and over	75
<b>Total</b>	<b>617</b>

Q3 If any, what are the ages of the children in your household?

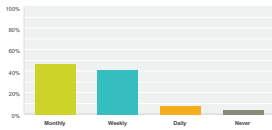
Answered: 817 Skipped: 0



Answer Choices	Responses	Total
0-5 years	25.45%	214
6-10 years	42.87%	353
11-15 years	34.88%	285
16-18 years	12.88%	105
N/A	25.12%	206
Total Respondents:		817

Q4 How often do you use Memorial Park?

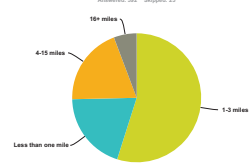
Answered: 592 Skipped: 23



Answer Choices	Responses	Total
Monthly	46.79%	277
Weekly	41.22%	244
Daily	7.77%	46
Never	4.22%	25
Total		592

Q6 Where do you live in relation to Memorial Park?

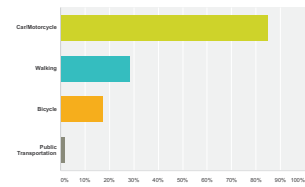
Answered: 592 Skipped: 25



Answer Choices	Responses	Total
1-3 miles	54.90%	325
Less than one mile	15.76%	95
4-15 miles	15.95%	96
16+ miles	13.74%	81
Total		592

Q7 When you visit the park, how do you arrive?

Answered: 585 Skipped: 22

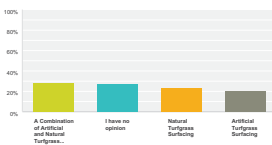


Answer Choices	Responses	Total
Car/Motorcycle	84.36%	457
Walking	28.24%	155
Bicycle	17.28%	93
Public Transportation	1.71%	9
Total Respondents:		585

#	Other (please specify)	Date
1	Running	1/8/2015 8:29 AM
2	Spice shop	1/8/2015 4:14 AM
3	stroller	12/28/2014 3:44 PM
4	Jogging	12/28/2014 3:58 PM
5	running	12/22/2014 2:48 PM
6	stroller	12/19/2014 12:43 PM
7	Youth Sports	12/19/2014 12:41 PM
8	Do not use the park to many parks in Willamette already	12/19/2014 9:52 AM
9	Don't use	12/19/2014 6:13 AM
10	Don't	12/17/2014 4:52 PM
11	Hiking and jogging	12/16/2014 4:14 PM

Q10 If investments were made to existing athletic fields and/or new fields were incorporated, would you prefer:

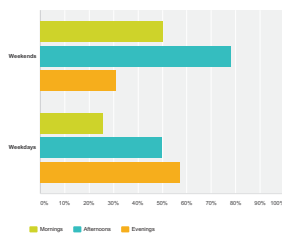
Answered: 574 Skipped: 42



Answer Choices	Responses	Total
A Combination of Artificial and Natural Turfgrass Surfacing	28.40%	163
I have no opinion	27.70%	159
Natural Turfgrass Surfacing	23.34%	134
Artificial Turfgrass Surfacing	20.56%	118
Total		574

Q5 What days and times do you most use the park?

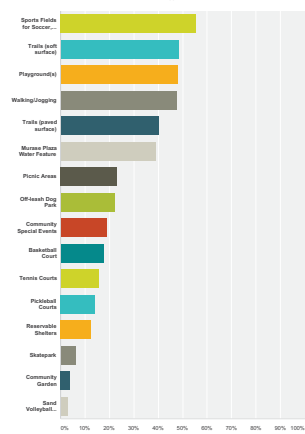
Answered: 499 Skipped: 23



	Mornings	Afternoons	Evenings	Total Respondents
Weekends	50.36%	77.82%	38.89%	500
Weekdays	25.96%	48.90%	57.28%	499

Q8 Which (5) activities/resources do you most utilize when at Memorial Park?

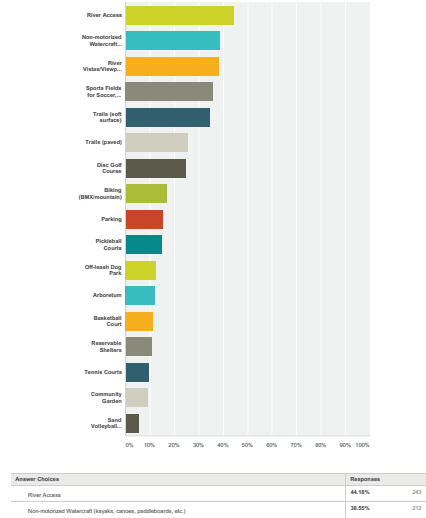
Answered: 579 Skipped: 38



Answer Choices	Responses
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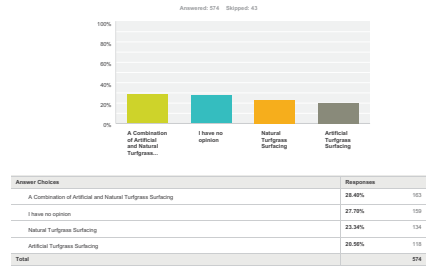
Sports Fields for Soccer, Baseball, or Softball	55.4%	331
Trails (soft surface)	48.5%	291
Playgrounds	48.0%	278
Walking/Jogging	47.3%	274
Trails (paved surface)	40.8%	232
Museum Plaza Water Feature	38.8%	225
Picnic Areas	23.14%	134
Off-leash Dog Park	22.11%	128
Community Special Events	19.88%	110
Basketball Courts	17.44%	101
Tennis Courts	15.54%	90
Pickleball Courts	14.18%	82
Reversible Shelters	12.44%	72
Skatepark	6.22%	36
Community Garden	3.97%	23
Sand Volleyball Court	2.94%	17
<b>Total Respondents: 573</b>		
<b>#</b>	<b>Other (please specify)</b>	<b>Date</b>
1	Sports Fields for Soccer, Baseball, or Softball	1/16/2015 2:28 PM
2	HC deck, wheelchair	1/16/2015 12:43 PM
3	disc golf	1/20/2015 9:45 AM
4	the deck	12/30/2014 8:54 PM
5	river view, wildlife viewing	12/28/2014 10:32 PM
6	Biking	12/19/2014 2:40 PM
7	disc	12/19/2014 12:58 PM
8	Natural areas	12/18/2014 10:46 AM
9	Do not use any of these services never go to Memorial Park	12/19/2014 9:03 AM
10	None	12/19/2014 8:13 AM
11	River Access	12/17/2014 8:15 PM
12	none	12/17/2014 5:02 PM
13	open space	12/16/2014 7:40 PM
14	walking dog on leash	12/15/2014 4:28 PM
15	how about Disc Golf???	12/15/2014 11:57 AM
16	natural areas where you planted the tree in trees not a lot of that left	12/15/2014 10:40 AM

Wilsonville Memorial Park Master Plan Survey SurveyMonkey



River Views/Viewpoints	38.18%	210
Sports Fields for Soccer, Baseball, or Softball	36.80%	198
Trails (soft surface)	34.50%	190
Trails (paved)	25.40%	140
Disc Golf Course	24.77%	136
Biking (BMX/mountain)	18.91%	93
Parking	15.27%	74
Pickleball Courts	14.91%	72
Off-leash Dog Park	12.55%	69
Artiumium	12.18%	67
Basketball Court	11.27%	62
Reversible Shelters	10.91%	60
Tennis Courts	9.45%	52
Community Garden	9.09%	50
Sand Volleyball Court	5.27%	28
<b>Total Respondents: 558</b>		
<b>#</b>	<b>Other (please specify)</b>	<b>Date</b>
1	more running/walking paths	1/16/2015 4:40 PM
2	like routes in the park and would like to see other art events here. Gets crowded trying to get out however	1/16/2015 5:51 PM
3	don't need much more - leave the open space unimproved as they currently are	1/16/2015 2:11 PM
4	more protection of natural areas, less tree cutting	1/11/2015 3:01 PM
5	Concession stands for events to be run by non-profits, turf fields	1/6/2015 10:12 PM
6	Concession stand for baseball	1/5/2015 5:28 PM
7	Work on the improving the Wood fields or adding to Lowe and leave Memorial as is	1/5/2015 6:12 PM
8	Cleaner bathrooms and water facilities to all sports fields.	1/5/2015 5:58 PM
9	Creation of a batting facility with concessions for Wilsonville youth softball and baseball programs	1/5/2015 4:23 PM
10	Playground	1/9/2015 9:16 AM
11	bigger skatelike park	1/8/2015 5:47 PM
12	Skatepark	1/8/2015 4:51 PM
13	covered pickleball	1/5/2015 7:48 AM
14	P	1/5/2015 4:24 AM
15	Turf baseball fields, mountain bike trail system	3/7/2015 10:54 PM
16	Lights for baseball field that is not lighted currently.	1/7/2015 10:25 PM
17	Snack stand for kids sports	1/7/2015 7:06 PM
18	Skateboarding	1/7/2015 5:58 PM

Q10 If investments were made to existing athletic fields and/or new fields were incorporated, would you prefer:





**MEMORANDUM**

PROJECT NUMBER: # 14-061PLN ISSUE DATE: May 3, 2015  
PROJECT NAME: City of Wilsonville Memorial Park Master Plan

TO: Steve Duh  
FROM: Ian Holzworth, Walker Macy

**SUBJECT: Park Revenue Scenarios & Potential Operations Expenses**

This memorandum addresses the existing revenues and potential revenue scenarios for the preferred master plan for Memorial Park. It also addresses existing and potential operating expenses for the park. It concludes with policy and marketing considerations that may result in enhanced future revenue from construction of the preferred master plan.

**Master Plan Amenities Affecting Revenues**

The preferred master plan for Memorial Park adds new infrastructure and amenities that balance the community's interest in expanded recreation opportunities within the context of the physical constraints of the park. While numerous amenities are proposed in the master plan, this memo focuses on those that will facilitate revenue generation for the City and include the following:

- Shelter rental - facility rental fees
- Community gardens - plot fees
- Amphitheater/stage - opportunity for events
- Pickleball - opportunity for small tournaments
- Pump track - opportunity for events or competitions
- Disc golf course - opportunity for small tournaments
- Water-based concessionaire (i.e., kayak, canoe) - seasonal concession fees

**Park Revenues**

City staff provided 2014 revenue data for the revenue-generating amenities of Memorial Park. The various amenities at the park generated approximately \$50,000, and the details by facility are itemized in Table 1.

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**Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses**

Table 1: Revenue by Amenity (2014)

Amenity	2014 (Actuals)
River Shelter	\$ 8,871
Forest Shelter	\$ 7,679
Splash Shelter	\$ 848
Stein-Boozier Barn	\$ 10,815
Murase Plaza	\$ -
Fields: Reduced Fee Youth	\$ 8,002
Fields: Other	\$ 2,665
Special Events	\$ 8,813
Community Gardens - raised bed	\$ 375
Community Gardens - in-ground	\$ 2,178
	<b>\$ 50,244</b>

In estimating the future potential revenue scenarios for the park, assumptions were established based on historic rental information, utilization and capacity.

**Assumptions regarding Utilization**

The City of Wilsonville's facility reservation and event fee schedules split charges by resident and non-resident status and include pricing for midweek and weekend periods. Upon review of the 2014 revenue data, estimates for the resident and non-resident percentage splits by facility were established for use in estimating future revenue potential.

Additionally, a more detailed review of available capacity was completed to compare reservation histories of the two shelters and the barn for 2013 and 2014 with the annual calendar. Although the City only charges fees for the shelters between the 2nd weekend in April and the 2nd weekend in October, a review of the full-year calendar offers a more complete picture of the latent capacity for these facilities. Tables 2 and 3 illustrate the number of usage (reservation) days by period for each facility. Peak season is defined as May through October, and off-peak is November through April, and the total number of available days by use period were calculated separately for each year.

**Memorial Park Master Plan  
Park Revenue Scenarios & Potential Operations Expenses**

Table 2: Shelter and Barn Facility Rentals & Latent Capacity by Use Period (2013)

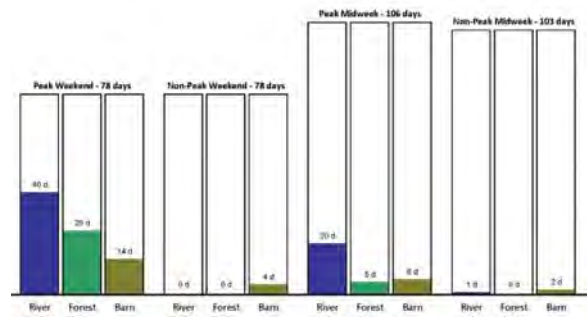
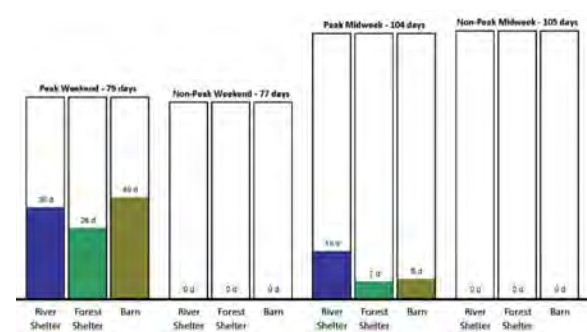


Table 3: Shelter and Barn Facility Rentals & Latent Capacity by Use Period (2014)



Significant unutilized capacity existed with these three facilities during the past two years; however, barn rentals were greatly improved in 2014 over the previous year. To estimate rental revenues for these facilities, utilization benchmarks were assumed for the different revenue scenarios. A high-growth scenario assumed rental reservations for 80% of the available peak period days, with a 75%/25% resident to non-resident split for shelters and 65%/35% split for the Stein-Boozier Barn. The resident percentage splits were based on recent annual averages.

Assumptions by Amenity

Usage and revenue potential was also considered based on the new amenities illustrated in the preferred master plan for the park and are discussed below.

- Community gardens: The reconfigured layout for the community gardens is approximately 0.6 acres. Using that estimate and the City's current sizing for in-ground and raised beds, the new garden configuration could accommodate approximately 15 new raised beds and 20 new in-ground (net additional). This would generate a net increase in garden fees (at current fees) of approximately \$800-\$1,000 per year.
- Picnic shelter: The proposed conversion of the maintenance barn into a third reservable picnic shelter will enhance the revenue potential for the park. It is assumed that the fee structure for this new shelter would be aligned with that of the River Shelter.
- Amphitheater with stage: Additional fees from special event permits are assumed; however, new revenue from additional events may be limited due to the existing number of programmed events on the City calendar. For the purpose of the revenue modeling, it was assumed that an additional 4-5 new events could be scheduled that trigger the requirements of the City's Special Use Permit. These events could generate upwards of \$1,000 annually in new revenues. The scheduling and usage of the amphitheater would need to be balanced with general park use and the existing suite of events.
- Pump track: As a small and growing activity, cycling on a pump track can create an opportunity for demonstration events and/or competitions. In the initial years, it may be reasonable to host 1 to 2 such events per year; however, the number of participants will likely fall below the 250 person minimum to trigger the Special Use Permit. Therefore, assigning a revenue potential for this amenity is not feasible at this time.
- Disc golf course: The nine-hole, multi-pitch course could provide an opportunity for small tournaments or demonstration events. However, the size and complexity of the course likely would not create a regional draw for large events or tournaments. It is unlikely that any event planned for this amenity would trigger the 250 person minimum for a Special Use Permit; therefore, assigning potential revenue to this amenity is not feasible at this time.
- Pickleball: The planned addition of pickleball courts may create an opportunity for small tournaments. Such tournaments can be sanctioned through the USAPA, but they do not need to be. Depending on the local enthusiasm for pickleball, a small tournament may fall below the 250 person event threshold to trigger the Special Use Permit. For revenue modeling, it was assumed that dedicated pickleball court time could be charged on a per hour basis, much like the reservation system for sport fields.

- Water-based concessionaire: A seasonal vendor could be accommodated at the proposed, extended southern parking lot. A specialized user agreement or concessionaire/vendor agreement would need to be crafted to accommodate this new activity/use, especially given the need for the City to manage potential risk and liability concerns. For revenue modeling, it was assumed that concession fees would be established as a flat annual fee to the concessionaire, plus a percentage of sales.
- Sport Fields: In comparing the preferred master plan layout to other regionally significant sport complexes (Delta Park, Sunset Park Sports Complex, Terpenning Recreation Complex and Salem's Wallace Marine), the new layout will provide added potential for non-local tournament play, and the installation of synthetic turf fields will maximize usage and improve revenue recovery. However, the number of fields, lighting and parking may continue to be limiting factors. In assessing the revenue potential for the park, the presumed scenario is that this mix of fields will be utilized for local and metro area tournaments. The complex may not be large enough to generate increased utilization of local hotels (in other words, there may be no net increase in "heads in beds" as a local economic driver). To assess the potential for regional or statewide tournament play, a more in-depth market study should be completed, and this is outside the scope of the current project.

Revenue Scenarios

Expanding upon the assumptions noted above and using the 2014 actual park revenues as a baseline, a series of revenue alternatives were generated. Three scenarios were calculated to include the following:

- High-growth option, which includes an 80% peak period utilization for shelters and barn, the installation of a water-based concessionaire, and increased usage of sport and event facilities.
- Moderate-growth option, which is primarily driven by a 50% peak period utilization for shelters and barn, along with modest increases in the usage of sport and event facilities.
- No-growth option, which maintains the utilization of facilities from the 2014 season, in addition to the third picnic shelter and community gardens.

Table 4 outlines the estimated revenues by scenario and park amenity. Percentage increases in revenue by line item are also noted for each scenario.

Table 4: Revenue Scenarios by Facility

Source	2014 (Actuals)	Revenue Potential					
		High Growth	% Incr	Moderate Growth	% Incr	No Growth	% Incr
River Shelter	\$ 8,870.82	\$ 26,112.50	194%	\$ 16,465.00	86%	\$ 11,225.00	27%
Forest Shelter	\$ 7,678.50	\$ 21,886.25	185%	\$ 13,800.00	80%	\$ 4,843.75	-37%
Splash Shelter	\$ 848.00	\$ 1,450.00	71%	\$ 1,080.00	27%	\$ 875.00	3%
Maintenance Barn Shelter	NA	\$ 26,112.50		\$ 16,465.00		\$ 11,225.00	
Stein-Boozier Barn	\$ 10,815.00	\$ 95,933.25	787%	\$ 60,789.00	462%	\$ 40,221.00	272%
Murase Plaza	\$ -						
Fields: Reduced Fee Youth	\$ 8,001.50	\$ 10,000.00	25%	\$ 9,000.00	12%	\$ 8,000.00	0%
Fields: Other	\$ 2,664.75	\$ 3,200.00	20%	\$ 3,000.00	13%	\$ 2,700.00	1%
Special Events	\$ 8,812.50	\$ 4,400.00	-50%	\$ 4,000.00	-56%	\$ 3,400.00	-61%
Community Gardens - raised bed	\$ 375.00	\$ 750.00	100%	\$ 750.00	100%	\$ 375.00	0%
Community Gardens - in-ground	\$ 2,178.00	\$ 2,640.00	21%	\$ 2,640.00	21%	\$ 2,178.00	0%
Watercraft Concessionaire	NA	\$ 4,500.00		\$ -		\$ -	
	\$ 50,244.07	\$ 196,984.50		\$ 127,989.00		\$ 85,042.75	

The primary intent of these scenarios is to illustrate the revenue potential for the park, given its wealth of reservable and rentable facilities. It must be noted that a number of factors may influence the City's potential to generate these revenues, and these factors include the City's capacity to promote availability and capture reservations, competition from other venues, seasonality, and the state of the overall local economy and people's willingness to spend.

As noted above, the shelters and the barn are expected to remain as the park's highest revenue generators. During the 2014 season, these facilities contributed over 56% of the total revenue from the park. As shown in Table 4, these facilities are assumed to generate approximately 80% of potential revenues, which is partly driven by the addition of the third shelter and by higher utilization rates. Regarding sport fields, the projected revenues are restrained by the assumption about local usage and the City's existing policy to offer discounted field fees for youth athletics.

Operating Expenses

The annual operations and maintenance of Memorial Park are a significant on-going expense, and the pace of future park improvements will be informed, in part, by the likely operations impacts to the City budget. Table 6 illustrates the current maintenance expenses for Memorial Park by major work area and shows an annual outlay of approximately \$286,000 for the park.

Table 5: Operations and Maintenance Expenses by Major Work Area/Feature (2014)

Park Feature	Units	Labour Hours per Year per Unit	No. Worker	Labour Hours per Year	Labour-related Cost per Year	Maintenance & Services per Yr	Total Cost per Year
<b>Labour-related costs</b>							
Large turf areas	per acre	52.0	18.0	936.0	\$ 18,500	\$ 3,000	\$ 21,500
Small-turf turf areas	per acre	52.0	3.0	156.0	\$ 3,000	\$ 600	\$ 3,600
Disc golf	per 1000sf	33.0	12.0	396.0	\$ 15,000	\$ 500	\$ 15,500
Flower beds	per 1000sf	28.0	2.0	56.0	\$ 1,500	\$ 250	\$ 1,750
Planted trees	per tree	13.0	12.0	156.0	\$ 3,600	\$ 1,000	\$ 4,600
Hard surfaces	per 1000sf	3.0	20.0	60.0	\$ 15,000	\$ 250	\$ 15,250
Soft-surface pathways	per 1000sf	3.0	50.0	150.0	\$ 2,500	\$ 500	\$ 3,000
Turf multi-use fields	per field	52.0	3.0	156.0	\$ 3,000	\$ 2,000	\$ 5,000
Turf softball fields	per field	95.0	5.0	475.0	\$ 10,625	\$ 1,000	\$ 11,625
Irrigation system	per acre (irrigated)	19.0	28.0	532.0	\$ 7,000	\$ 9,000	\$ 16,000
Structures: clean/maint/repair	per structure	35.0	5.0	175.0	\$ 4,375	\$ 250	\$ 4,625
Restrooms - clean & re-supply	per restroom	80.0	4.0	320.0	\$ 8,000	\$ 5,000	\$ 13,000
Play equipment - inspect & repair	per structure	48.0	2.0	96.0	\$ 2,400	\$ 1,000	\$ 3,400
Leaf removal	per acre (days)	7.0	30.0	210.0	\$ 5,250	\$ 1,800	\$ 7,050
Storm debris	per acre (days)	3.0	35.0	105.0	\$ 2,260	\$ 1,000	\$ 3,260
Security check & litter removal	per total acre	38.0	1.0	38.0	\$ 850	\$ 100	\$ 950
Empty trash cans	per can	30.0	30.0	900.0	\$ 22,500	\$ 1,000	\$ 23,500
Non-routine projects	per total acre	120.0	1.0	120.0	\$ 3,000	\$ 500	\$ 3,500
<b>Contracted costs</b>							
Water service	per acre (irrigated)	\$ 3,000	25.0		\$ 77,000	\$ 77,000	
Solid waste service	per bin	\$ 1,800	1.0		\$ 1,800	\$ 1,800	
Electricity service	per acre (days)	\$ 1,400	20.0		\$ 20,000	\$ 20,000	
Parks/party service	per event	\$ 800	0.5		\$ 4,000	\$ 4,000	
Contract repairs	per acre (days)	\$ 250	1.0		\$ 250	\$ 250	
Landscape maintenance service	per acre (days)	\$ 500	1.0		\$ 500	\$ 500	
Equipment rental	per acre (days)	\$ 750	0.0		\$ -	\$ -	
Equipment rental & maintenance	per acre (days)	\$ 1,500	0.0		\$ 0	\$ 5,000	
<b>Totals</b>				<b>5286</b>	<b>\$ 131,700</b>	<b>\$ 154,800</b>	<b>\$ 286,400</b>

The development of the preferred master plan will result in additional maintenance obligations for the City, and the following list itemizes the major quantity changes for park amenities.

- 35,000 sq.ft. new parking lot landscape
- 240,000 sq.ft. of disc golf
- 31,000 sq.ft. of pump track
- 2,400 sq.ft. skate spot
- 1 new picnic shelter with 5,400 sq.ft. lawn area
- 2 new restroom facilities
- 2 new tennis courts
- 2 new pickleball courts
- 270,500 sq.ft. synthetic turf (replaces natural turf)
- 650 lf of new terraced seating at amphitheater and fountain



- 4,000 sq.ft. additional community gardens
- 5,400 lf additional paved trails
- 12,000 sq.ft. additional concrete/asphalt hardscape
- 105,000 sq.ft. additional parking lot asphalt

Recognizing that the full master plan may not be implemented all at one time and that options exist for incremental enhancements to the park, the following operations cost estimate assumes full build-out of the park as shown in the master plan.

Table 6: Operations and Maintenance Expenses for Preferred Master Plan

Park Feature	Unit	Labor Hours per Year per Unit	No. Units	Labor Hours per Year	Labor-related Cost per Year	Materials & Services per Yr.	Total Cost per Year
<b>Labor-related costs</b>							
Large turf areas	per acre	52.0	14.1	733.2	\$ 18,330	\$ 3,050	\$ 21,330
Small/medium turf areas	per acre	52.0	3.4	176.8	\$ 4,420	\$ 700	\$ 5,120
Shrub beds	per 1000sf	52.0	47.0	2444.0	\$ 81,100	\$ 1,500	\$ 82,600
Flower beds	per 1000sf	28.0	3.0	78.0	\$ 1,950	\$ 400	\$ 2,350
Planted trees	per tree	13.0	49.0	627.0	\$ 13,000	\$ 1,000	\$ 14,000
Hard surfaces	per 1000sf	3.0	382.7	1148.1	\$ 28,703	\$ 1,500	\$ 30,203
Soft-surface paths/walkways	per 1000sf	2.0	90.0	180.0	\$ 3,500	\$ 500	\$ 4,000
Turf/mulch use fields	per field	52.0	1.0	52.0	\$ 1,300	\$ 2,500	\$ 3,800
Turf football fields	per field	85.0	3.0	255.0	\$ 5,375	\$ 900	\$ 7,175
Synthetic turf fields	per field	42.0	3.0	126.0	\$ 3,150	\$ 500	\$ 3,650
Irrigation systems	per acre (irrigated)	10.0	22.0	220.0	\$ 5,500	\$ 8,000	\$ 13,500
Structures - clean/improvement	per structure	35.0	7.0	245.0	\$ 6,125	\$ 400	\$ 6,525
Restrooms - clean & re-supply	per restroom	85.0	8.0	680.0	\$ 12,000	\$ 7,000	\$ 19,000
Rail equipment - inspect & repair	per structure	48.0	4.0	192.0	\$ 4,800	\$ 2,000	\$ 6,800
Leaf removal	per acre (div)	7.0	36.0	252.0	\$ 6,125	\$ 1,500	\$ 7,625
Storm debris	per acre (div)	3.0	36.0	108.0	\$ 2,625	\$ 600	\$ 3,225
Security check & tree removal	per total acre	38.0	1.0	38.0	\$ 860	\$ 100	\$ 960
Empty trash cans	per can	25.0	36.0	900.0	\$ 27,000	\$ 1,000	\$ 28,000
Miscellaneous projects	per total acre	25.0	1.0	25.0	\$ 5,000	\$ 500	\$ 5,500
<b>Contracted costs</b>							
Water service	per acre (irrigated)	\$ 3,080	22.0		\$ 67,760	\$	\$ 67,760
Solid waste service	per ton	\$ 1,800	2.0		\$ 3,600	\$ 3,600	\$ 7,200
Electricity service	per acre (div)	\$ 1,400	35.0		\$ 49,000	\$	\$ 49,000
Park utility services	per staff	\$ 600	3.0		\$ 1,800	\$ 1,800	\$ 3,600
Contract repairs	per acre (div)	\$ 250	1.0		\$ 250	\$ 250	\$ 500
Landscape maintenance services	per acre (div)	\$ 500	1.0		\$ 500	\$ 500	\$ 1,000
Equipment rental	per acre (div)	\$ 700	6.0		\$ 4,200	\$ 4,200	\$ 8,400
Equipment repair & maintenance	per acre (div)	\$ 1,000	8.0		\$ 8,000	\$ 8,000	\$ 16,000
<b>Totals</b>				<b>8436</b>	<b>\$ 216,900</b>	<b>\$ 172,500</b>	<b>\$ 383,400</b>

The annual operating costs for the preferred master plan are estimated to be approximately \$383,000 and approximately \$100,000 higher than the current maintenance costs. The largest impacts to the costs for the preferred master plan are due to increased quantities for hard surfaces

(parking, sport courts, trails), play equipment and landscape maintenance (shrubs and trees). With the installation of synthetic field turf, decreases in annual costs are anticipated for large turf areas, irrigation, and field sport maintenance.

As the City considers incremental or phased improvements to Memorial Park, the projected maintenance costs should be re-evaluated.

**Additional Considerations**

Other municipalities have sought and leveraged partnerships to either help offset maintenance costs or conditionally expand facilities. Such arrangements are best suited toward single-use or special purpose facilities. In advance of implementing the preferred master plan, the City should consider reaching out specifically to user groups for three facilities: off-leash area, pump track and disc golf.

- Advocates for off-leash areas in other cities have successfully organized into non-profit (501C3) entities to create a vehicle for fundraising for off-leash area maintenance and acting as a source of volunteers to clean-up days or special fundraising events.
- One option to help offset maintenance costs for the pump track is to develop a volunteer base of cyclists for seasonal work parties, clean-ups and (re)construction activities.
- Similarly, the City can seek the support of local disc golf enthusiasts and clubs for assistance in laying out, installing and maintaining the disc golf course.

These alternatives should be considered in addition to and in coordination with the City's ongoing maintenance standards, protocols and staffing - with the recognition that volunteer support for maintenance activities will not diminish the need for and role of park maintenance staff.

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<b>Memorial Park Master Plan</b> Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3	<b>Architectural Cost Consultants, LLC</b> Stanley J. Piszczkowski, AIA 8060 SW Platte Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0078 Fax: (503) 718-0077 www.ArchCost.com	Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Constr. Start: Today's Cost
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**DIRECT CONSTRUCTION COST SUMMARY**

Component	Area	\$ / SF	Total
Masterplan Estimate	5,494,582 sf	\$ 2.10 /sf	\$11,560,950
<b>TOTAL DIRECT CONSTRUCTION COST</b>	<b>5,494,582 sf</b>	<b>\$ 2.10 /sf</b>	<b>\$11,560,950</b>
Budget			0
Indicated Surplus / (Deficit)			(11,560,950)
<b>ALTERNATES</b>	- None Indicated for Pricing		

The above estimates are for direct construction cost only. They do not include furnishings & equipment, architect and engineer design fees, consultant fees, inspection and testing fees, plan check fees, state sales tax, hazardous material testing and removal, financing costs, owners contingency, nor any other normally associated development costs.

The above estimates assume a competitively bid project, with at least three qualified bidders in each of the major sub-trades as well as the general contractors.

The above estimates assume a construction start date of: Today's Cost. If the start of construction is delayed beyond the date above, the estimates must be indexed at a rate of 4% to 5% per year compounded.

This is a probable cost estimate based on in-progress documentation provided by the architect. The actual bid documents will vary from this estimate due to document completion, detailing, specification, addendum, etc. The estimator has no control over the cost or availability of labor, equipment, materials, over market conditions or contractor's method of pricing, contractor's construction logistics and scheduling. This estimate is formulated on the estimator's professional judgment and experience. The estimate makes no warranty, expressed or implied, that the quantities, bids or the negotiated cost of the work will not vary from the estimator's opinion of probable construction cost.

Memorial Park Master Plan Wilsonville, Oregon Walker Macy Portland, Oregon Master Plan Probable Cost Estimate 1.3		Architectural Cost Consultants, LLC Stanley J. Pazzcolowski, AIA 8060 SW Platte Street, Suite 110 Tigard, Oregon 97223-8489 Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com		Estimate Date: 06-May-15 Document Date: 18-Feb-15 Print Date: 06-May-15 Print Time: 11:28 AM Const. Start: Today's Cost	
Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals
<b>02   EXISTING CONDITIONS</b>					
Site Demolition					
misc demo - allowance	1	sum	\$15,000.00	\$15,000	
removal of invasive species - allowance	1	acre	1,500.00	0	acreage TBD
remove trails	1	sum	500.00	500	
remove basketball court	1	sum	6,278.44	6,278	
remove skate park	1	sum	3,000.00	3,000	
remove restroom	1	sum	500.00	500	
remove ac paving	20,000	sf	0.55	11,000	
remove gravel parking areas	60,000	sf	0.50	30,000	
remove fencing at community garden	700	lf	3.50	2,450	
remove utilities	1	sum	5,000.00	5,000	
remove lighting	1	sum	35,000.00	35,000	
haul & disposal	1	sum	16,310.00	16,310	
Sub-total	5,494,582	sf	0.02 /sf		\$125,038
<b>SUB-TOTAL 02   EXISTING CONDITIONS</b>			<b>0.02 /sf</b>		<b>\$125,038</b>

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals
<b>31   EARTHWORK</b>					
Clearing & Grubbing					
clear & grub	715,000	sf	0.05	35,750	
haul & disposal	1	sum	5,360.00	5,360	
Sub-total	5,494,582	sf	0.01 /sf		41,110
Stripping & Stockpiling					
strip & stockpile, assume 4"	5,250	cy	6.00	31,500	
Sub-total	5,494,582	sf	0.01 /sf		31,500
Grading / Site Excavation & Fill					
mobilization / demobilization	1	sum	30,000.00	30,000	
construction staking	1	sum	7,500.00	7,500	
cut (assume dry weather conditions)	6,100	cy	8.00	48,800	from forest shelter
cut (assume dry weather conditions)	7,524	cy	8.00	60,189	from ballfields # 1 & 2
fill (assume dry weather conditions)	1,355	cy	10.00	13,550	
haul excess material off-site	12,269	cy	12.00	147,223	
level / grade / proof roll	715,000	sf	0.30	214,500	
flagging / temp barricade / cleanup	1	sum	20,000.00	20,000	
Sub-total	5,494,582	sf	0.10 /sf		541,762
Erosion & Sedimentation Controls					
allowance for work not shown	1	sum	75,000.00	75,000	
Sub-total	5,494,582	sf	0.01 /sf		75,000
<b>SUB-TOTAL 31   EARTHWORK</b>			<b>0.13 /sf</b>		<b>\$689,372</b>

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals
<b>32   EXTERIOR IMPROVEMENTS</b>					
Northeast Parking Lot					
4" ac pavement, drive aisles	116	ton	95.00	11,020	4,640 sf
6" base course	167	ton	20.00	3,335	
2" leveling course	56	ton	23.50	1,306	
2" ac pavement, parking stalls	82	ton	95.00	7,760	6,535 sf
4" base course	157	ton	20.00	3,131	
2" leveling course	78	ton	23.50	1,840	
geotextile fabric	1,242	sy	1.65	2,049	
concrete curb, vertical	600	lf	12.50	7,500	
4" base course	29	ton	20.00	575	
pavement markings					
ada logo	2	ea	85.00	170	
diagonal striping	90	sf	2.25	203	
parking stall striping	25	ea	18.00	450	
ada sign, post & footing	2	ea	200.00	400	
Sub-total	5,494,582	sf	0.01 /sf		39,739
East Parking Lot					
4" ac pavement, drive aisles	627	ton	95.00	59,527	25,064 sf
6" base course	901	ton	20.00	18,015	
2" leveling course	300	ton	23.50	7,056	
2" ac pavement, parking stalls	288	ton	95.00	27,313	23,000 sf
4" base course	551	ton	20.00	11,021	
2" leveling course	276	ton	23.50	6,475	
geotextile fabric	5,340	sy	1.65	8,812	
concrete curb, vertical	1,185	lf	12.50	14,813	
4" base course	57	ton	20.00	1,136	
pavement markings					
ada logo	4	ea	85.00	340	
diagonal striping	180	sf	2.25	405	
parking stall striping	105	ea	18.00	1,890	
ada sign, post & footing	4	ea	200.00	800	
bike racks	18	ea	325.00	5,850	
Sub-total	5,494,582	sf	0.03 /sf		163,453
Southwest Parking Lot					
4" ac pavement, drive aisles	603	ton	95.00	57,309	24,130 sf
6" base course	867	ton	20.00	17,343	
2" leveling course	289	ton	23.50	6,793	
2" ac pavement, parking stalls	271	ton	95.00	25,709	21,650 sf
4" base course	519	ton	20.00	10,374	
2" leveling course	259	ton	23.50	6,095	
geotextile fabric	5,087	sy	1.65	8,393	
concrete curb, vertical	620	lf	12.50	7,750	
4" base course	30	ton	20.00	594	
pavement markings					
ada logo	5	ea	85.00	425	
diagonal striping	270	sf	2.25	608	
parking stall striping	96	ea	18.00	1,728	
crosswalk striping	100	lf	5.50	550	
ada sign, post & footing	5	ea	200.00	1,000	
Sub-total	5,494,582	sf	0.03 /sf		144,671

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals
<b>32   EXTERIOR IMPROVEMENTS - Continued</b>					
Gravel Road	11,150	sf			
8" base course	534	ton	20.00	10,685	
2" leveling course	134	ton	23.50	3,139	
geotextile fabric	1,239	sy	1.65	2,044	
barrier arm gate at south prkg	1	ea	2,500.00	2,500	@ gravel road access
bollard type barriers	17	ea	250.00	4,250	allowance, verify
Sub-total	5,494,582	sf	0.00 /sf		22,618
Asphalt Trails					
2" ac pavement	1,767	ton	95.00	167,883	141,375 sf
4" base course	3,387	ton	20.00	67,742	
2" leveling course	1,694	ton	23.50	39,799	
geotextile fabric	15,708	sy	1.65	25,919	
stairs on grade, 8' wide	352	lf	45.00	15,840	allowance, verify type
railings	104	lf	65.00	6,760	
benches	9	ea	1,200.00	10,800	allowance, verify type
Sub-total	5,494,582	sf	0.06 /sf		334,743
Rock Trails	91,482	sf			
4" base course	2,192	ton	20.00	43,835	
2" leveling rock course	1,096	ton	28.25	30,959	
geotextile fabric	10,165	sy	1.65	16,772	allowance
nature based playground areas	5	areas	5,000.00	25,000	allowance, verify type
benches	16	ea	1,200.00	19,200	
boardwalk	2,224	sf	45.00	100,080	
lookout stone walls, assume 2' ht.	181	lf	150.00	27,150	
Sub-total	5,494,582	sf	0.05 /sf		262,996
Synthetic Turf Ballfields #1 & 2					
cement amended subgrade, 12" depth	30,094	sy	2.35	70,722	allowance, verify
synthetic turf, ball fields	270,850	sf	4.20	1,137,570	
shock pad underlayment	270,850	sf	1.00	270,850	
4" base course	6,489	ton	30.00	194,673	
2" leveling course	3,245	ton	35.00	113,560	
geotextile fabric	36,113	sy	1.65	59,587	
concrete curb at synthetic turf perimeter	2,440	lf	16.00	39,040	
2x nailer board	2,440	lf	7.80	19,032	
1.5"x12" adfs lat drain pipe @ 20' oc	12,900	lf	15.00	193,500	
8" perf pipe, collector	1,375	lf	55.00	75,625	
cleansouts, 8"	475	lf	60.00	28,500	
dugouts (4 each), 10"x30"	13	ea	800.00	7,800	
baseball backstops	2	ea	75,000.00	150,000	allowance, verify size/type
black vinyl chainlink fence, 6' ht.	200	lf	40.00	8,000	@ baseball base lines
baseball / softball diamond equipment	2	sets	800.00	1,600	NIC, verify
bull pen equipment, pitcher-home plates	2	ea	250.00	500	
20' baseball foul pole with wing	4	ea	2,700.00	10,800	
portable outfield fencing, 6' ht. x 10'	1,100	lf	78.00	85,800	Sportafence or similar
soccer goals	4	ea	2,500.00	10,000	
Sub-total	5,494,582	sf	0.47 /sf		2,571,459

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals
<b>32   EXTERIOR IMPROVEMENTS - Continued</b>					
Natural Turf Ballfields #3, 4 & 5					
renovate natural turf	215,000	sf	0.75	161,250	allowance
dugouts (4 each), 10"x30"	1,200	sf	79.00	94,800	
baseball backstops	2	ea	75,000.00	150,000	allowance, verify size/type
black vinyl chainlink fence, 6' ht.	200	lf	40.00	8,000	@ baseball base lines
baseball / softball diamond equipment	2	sets	800.00	1,600	NIC, verify
bull pen equipment, pitcher-home plates	2	ea	250.00	500	
20' baseball foul pole with wing	4	ea	2,700.00	10,800	
portable outfield fencing, 6' ht. x 10'	1,100	lf	78.00	85,800	Sportafence or similar
soccer goals	4	ea	2,500.00	10,000	
Sub-total	5,494,582	sf	0.09 /sf		517,250
Pickleball Courts					
2" ac pavement, at bleachers	57	ton	95.00	5,415	4,560 sf
4" base course	73	ton	20.00	1,460	
2" leveling course	248	ton	23.50	5,828	5,803 sf
geotextile fabric	124	ton	23.50	2,917	
1/2" court surfacing + striping	6,485	sy	1.65	10,644	
pickleball court nets	5,803	sf	5.00	29,013	
alum. bleachers, 5 rows	4	ea	750.00	3,000	
covered structure, 20' ht.	96	lf	320.00	30,720	
Sub-total	6,100	sf	77.46	472,500	allowance, verify construction
Sub-total	5,494,582	sf	0.10 /sf		556,485
Tennis Courts					
complete construction - allowance	1	sum	250,000.00	250,000	
Sub-total	5,494,582	sf	0.05 /sf		250,000
Basketball Court					
2" ac pavement, ball courts	105	ton	95.00	9,941	8,371 sf
4" base course	201	ton	20.00	4,011	
2" leveling course	100	ton	23.50	2,357	
geotextile fabric	930	sy	1.65	1,535	
1/2" court surfacing + striping	8,371	sf	5.00	41,856	
baseball backstops, pole mounted	4	ea	1,950.00	7,800	
Sub-total	5,494,582	sf	0.01 /sf		67,500
Sand Volleyball Court	1,800	sf			
volleyball sand court	50	cy	80.00		

Memorial Park Master Plan		Architectural Cost Consultants, LLC		Estimate Date: 06-May-15		
Wilsonville, Oregon		Stanley J. Paszczkowski, AIA		Document Date: 18-Feb-15		
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Portland, Oregon		Tigard, Oregon 97223-8489		Print Time: 11:28 AM		
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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
<b>32   EXTERIOR IMPROVEMENTS - Continued</b>						
Bike Park	1,030	cy	30.00	30,900		fill from forest shelter
pump track construction- allowance	5,494,582	sf	0.01 /sf		30,900	
Sub-total						
Amphitheater	325	cy	12.00	3,900		fill from forest shelter
stone retaining walls	765	lf	125.00	95,625		assume 3' ht.
steps on grade	88	lf	45.00	3,949		
2' stone wall at stage back	340	sf	145.00	49,300		assume 4' ht.
stage platform area	990	sf	25.00	24,750		assume raised concrete
Sub-total	5,494,582	sf	0.03 /sf		177,524	
Maintenance Facility	1,500	sf	190.00	285,000		
building, complete - allowance	5,494,582	sf	0.05 /sf		285,000	
Sub-total						
Restroom Facilities	520	sf	158.00	82,160		@ dog park area
CXT building, 2 stalls	520	sf	158.00	82,160		@ new east parking lot
CXT building, 2 stalls	520	sf	158.00	82,160		@ new south parking lot
CXT building, 4 stalls	1,400	sf	123.00	172,200		@ tennis courts
renovate building + add 2 stalls	2,088	sf	160.00	334,080		north of ballfield #1
Sub-total	5,494,582	sf	0.14 /sf		752,760	
Concession Area	400	sf	175.00	70,000		@ new south parking lot
building, complete	5,494,582	sf	0.01 /sf		70,000	
Sub-total						
Community Garden	27,950	sf				
black vinyl chainlink fence, 8' ht.	690	lf	52.00	35,880		
double gate, 12'	1	pair	1,800.00	1,800		
man gate, 42"-48"	1	ea	450.00	450		
topsoil-18" at plots (imported)	1,452	cy	28.00	40,656		for .6 acres
crushed granite pathways	1,814	sf	0.50	907		
water spigots & piping	1	sum	3,000.00	3,000		
kiosk - allowance	1	sum	2,500.00	2,500		
Sub-total	5,494,582	sf	0.02 /sf		85,193	
Frisbee Golf Course	1	sum	4,500.00	4,500		allowance
course layout & development	27	ea	320.00	8,640		
concrete pads, 4'x8'	1	set	7,150.00	7,150		
disc catchers, (9 set)	1	ea	166.25	166		
rules sign	9	ea	166.25	1,496		
tee signs	5,494,582	sf	0.00 /sf		21,952	
Sub-total						
Playground Area (south of tennis courts)	270	lf	30.00	8,100		
black vinyl chainlink fence, 4' ht.	1	ea	350.00	350		
man gate, 36"	5,494,582	sf	0.00 /sf		8,450	
Sub-total						
Miscellaneous Site Furnishings	1	sum	10,000.00	10,000		allowance
allowance for other site signage	30	ea	1,000.00	30,000		
allowance for trash receptacles	5,494,582	sf	0.01 /sf		40,000	
Sub-total						

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Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
<b>32   EXTERIOR IMPROVEMENTS - Continued</b>						
Dock Launch	3	slips	14,000.00	42,000		@ existing dock system
Versi launch, Gatordock	5,494,582	sf	0.01 /sf		42,000	
Sub-total						
Landscape Irrigation	36,200	sf	1.25	45,250		@ parking lots
new planting beds	35,000	sf	0.75	26,250		
new lawn areas only	1	sum	15,000.00	15,000		
pumps, controllers, etc - allowance	5,494,582	sf	0.02 /sf		86,500	
Sub-total						
Planting	455	ea	250.00	113,750		allowance
trees, 1.5" cal.	90,000	sf	0.50	45,000		
repair lawn area	35,000	sf	1.25	43,750		@ parking lots
new lawn area, seeding	36,200	sf	2.75	99,550		
new planting beds, minimal	1	sum	5,000.00	5,000		
establishment maintenance	5,494,582	sf	0.06 /sf		307,050	
Sub-total						
<b>SUB-TOTAL 32   EXTERIOR IMPROVEMENTS</b>			1.29 /sf		<b>\$7,095,113</b>	
<b>33   UTILITIES</b>						
Water Utilities	1	sum	35,000.00	35,000		
allowance for piping to new restrooms	5,494,582	sf	0.01 /sf		35,000	
Sub-total						
Sanitary Sewerage Utilities	1	sum	28,500.00	28,500		
allowance for piping to new restrooms	5,494,582	sf	0.01 /sf		28,500	
Sub-total						
Storm Drainage Utilities	1	sum	0.00	0		for sub-base drainage
site drainage systems	1	sum	50,000.00	50,000		
see athletic surfacing above	5,494,582	sf	0.01 /sf		50,000	
allowance for site & parking lot						
Sub-total						

Memorial Park Master Plan		Architectural Cost Consultants, LLC		Estimate Date: 06-May-15		
Wilsonville, Oregon		Stanley J. Paszczkowski, AIA		Document Date: 18-Feb-15		
Walker Macy		8060 SW Platte Street, Suite 110		Print Date: 06-May-15		
Portland, Oregon		Tigard, Oregon 97223-8489		Print Time: 11:28 AM		
Master Plan Probable Cost Estimate 1.3		Phone: (503) 718-0075 Fax: (503) 718-0077 www.ArchCost.com		Const. Start: Today's Cost		
Masterplan Estimate	Quantity	Unit	Cost / Unit	Cost	Sub-totals	Comments
<b>33   UTILITIES - Continued</b>						
Electrical Utilities	1	sum	50,000.00	50,000		
service/controls/distribution	15	ea	48,000.00	720,000		exist. pkg lot to ballfields
site lighting	12	ea	5,000.00	60,000		
ballfields #1, 2, 3 & 4	1	sum	24,000.00	24,000		
existing walkway, 12' poles @ 40'oc	10	ea	15,000.00	150,000		between south & east pkg lots
pickleball, at structure	32	ea	5,000.00	160,000		
parking lots	5,494,582	sf	0.21 /sf		1,164,000	
main walkway, 12' poles @ 40'oc						
Sub-total						
<b>SUB-TOTAL 33   UTILITIES</b>			0.23 /sf		<b>\$1,277,500</b>	
<b>SUB-TOTAL</b>			1.67	9,187,023	<b>\$9,187,023</b>	
Estimating Contingency			10.00%	918,702		
Index To Construction Start	Today's Cost		0.00%	0		@ ± 4% per year
General Conditions / Insurance / Bond			10.00%	1,010,573		
General Contractor OH & Profit			4.00%	444,652	2,373,927	25.84%
<b>TOTAL DIRECT CONSTRUCTION COST</b>	<b>5,494,582</b>	<b>sf</b>	<b>\$2.10 /sf</b>	<b>\$11,560,950</b>		<b>126.14 acres</b>
<b>Masterplan Estimate</b>						

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**LP15-0001**  
**Memorial Park Master Plan Update**  
**Planning Commission Record Index**

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**April 8, 2015 Planning Commission Work Session**

- PC Minutes Excerpt
- Powerpoint shown at the Work Session
- Memorial Park Master Plan Staff Report for the April 8, 2015 Planning Commission Work Session with the following attachments:

Attachment A: Preferred Design Rendering

Attachment B: Open House Attendees

Attachment C: Public Input Notes from Open Houses

Attachment D: Online Survey Final Results

Attachment E: Memorial Park Master Plan Update Executive Summary

**PLANNING COMMISSION  
WEDNESDAY, APRIL 8, 2015  
6:00 P.M.**

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

**Approved  
May 13, 2015**

**Minutes Excerpt**

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**I. CALL TO ORDER - ROLL CALL**

Chair McGuire called the meeting to order at 6:00 p.m. Those present:

Planning Commission: Marta McGuire, Eric Postma, Al Levit, Peter Hurley, Jerry Greenfield, and Simon Springall. City Councilor Charlotte Lehan arrived during Item VI. Phyllis Millan was absent.

City Staff: Chris Neamtzu, Barbara Jacobson, Nancy Kraushaar, Kerry Rappold, and Stan Sherer

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**VII. WORK SESSIONS**

**A. Memorial Park Master Plan (Stan Sherer, Parks Director and Walker Macy)**

Chris Neamtzu, Planning Director, introduced Parks Director Stan Sherer, who had been working on many projects, including construction of the new playground at Murase Plaza, the aquatics project, and skate park projects, and many parks being built in Villebois, as well as the master planning process for Wilsonville’s 100-acre treasure, Memorial Park. The process had involved a lot of citizen engagement, including online open houses and a couple physical open houses. He noted Walker Macy Landscape Architects was a Portland firm who did the first plan for Memorial Park in 1989, so Mr. Zilis knew the community, had seen it grow, and had been involved in the early park planning at the master planning level in Villebois. He explained that Memorial Park Master Plan would come before the Planning Commission for a public hearing next month.

Stan Sherer, Parks Director, stated the Memorial Park master planning process was initiated early last fall pursuant to City Council’s goal and direction. Once Walker Macy was selected as the consultant firm to manage the project, things got underway in October. Based on stakeholder participation, input from Staff and the first open house, Walker Macy developed three conceptual alternatives to the Master Plan. These alternatives were presented at the second open house, where further input was received from community. With that input, as well as the results of 617 responses to the online survey, Walter Macy developed the preferred conceptual design being presented to the Commission tonight.

Mike Zilis and Ian Holzworth, of Walker Macy Landscape Architecture, Portland, presented the Memorial Park Master Plan via PowerPoint, reviewing the process involved, public outreach and input received, the three options that lead to the Preferred Option, which was provided on Page 3 of 59 of the meeting packet, and the improvements proposed for Memorial Park.

Mr. Sherer explained that a waterfront park was not desirable from Staff’s standpoint because creating an attractive amenity would require the City to secure it, specifically lifeguarding the area. He would never want to be involved in guarding open water, especially given the bad visibility and swift current along that section of the Willamette River which would limit the potential for rescue. He had worked for a city that lost someone in open water and he did not ever want to be part of that again. Open water was just too risky.



Mr. Zilis noted that the community agreed; they did not want a place to swim, but rather a place to connect with the river visually.

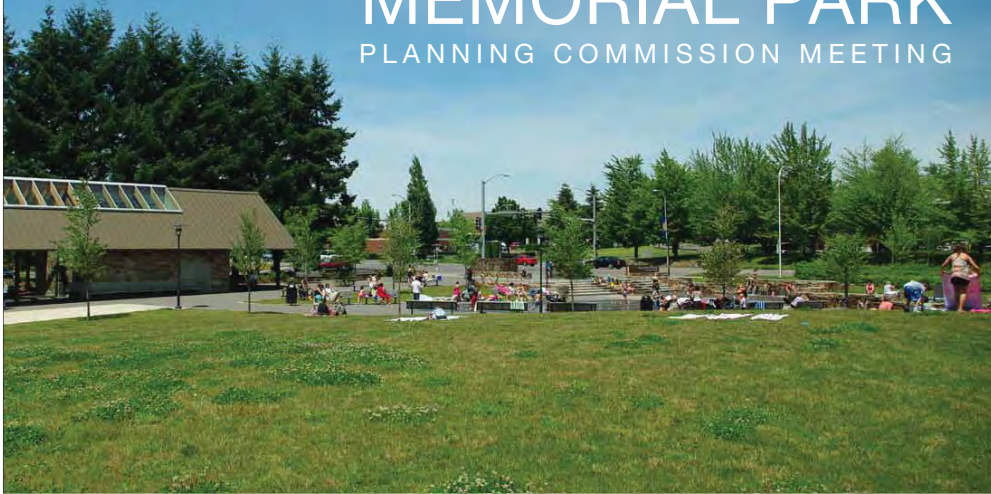
Comments and feedback from the Planning Commission were as follows with responses to Commissioners' questions from Mr. Sherer and the consultants as noted:

- The decision to not continue the synthetic turf around Ball Fields 3 and 4, but add a fourth soccer field at Ball Field 4 was partially financially-based, as it would be a very expensive endeavor. The sports groups believed this would be a much improved condition for soccer, in particular, given the fall, winter, and spring use, so it appeared to be a good balance. The other fields would be improved as far as drainage, back stops, etc.
  - Payments received for use of the fields was not sufficient to fund such a project.
  - Lighting was also an issue. One field could only be used for younger age groups because the light fixtures were mounted 25 feet below standard, so the ball could be hit over the lights, making catching it very difficult.
  - They also did not want to detract from the natural turf feel.
  - If demand continued to escalate, synthetic turf could always be a future consideration. Artificial turfing the two top fields would provide the programmable hours of three fields and eliminated rescheduling for inclement weather because it recovered faster so the surface was playable nearly all year round.
    - With the drainage, the synthetic turf could take over an inch of rain an hour without standing water, increasing the flexibility in use as well.
  - Having synthetic turf was not outside the realm of possibility on Ball Fields 3 and 4. Synthetic turf was much more flexible as it provided opportunity for variable distances and baselines, from 60 ft to 90 ft for base paths. Portable fencing enhanced the flexibility provided by synthetic fields.
  - Not being able to do other events, such as tournaments or jamborees due to the lack of facilities was a huge loss for Wilsonville; however, the City currently was not close to meeting the existing demand for recreation services. Mr. Sherer agreed it would be a great improvement if the other two fields were synthetic.
- Only minor grading would be needed for the terraced seating areas, which would essentially be nestled into the existing hillside; no new berm would be needed.
  - The terracing closest to the water feature near Wilsonville Rd was as much a convenience enhancement as a maintenance requirement because mowing the slopes was impossible if any moisture was present. The terraces would be 10 ft to 12 ft wide, which would still allow for tents to provide some shading on the level spots.
- The Regional Trail would connect with Boeckman Creek to the north, west under the Boone Bridge into the neighborhood, and eventually to the Tonquin Trail. The purchase of the property along the river east of Boones Ferry Park would enable the City to provide an accessible trail through that area.
  - The recommendation would be to reroute the existing trail as there was no way to make it ADA accessible, but with the new property, the trail could run along the flat area, making it accessible for everyone. Currently, some enhancements were being made to the trail going under the bridge.
- The Preferred Option was a huge improvement over the early alternatives presented.
- Currently, only the Preferred Option map was available online. The public had no access to the quality information presented at tonight's meeting. Publishing the full presentation on the Parks and Recreation Department's web page was suggested.
- The combination of soft, hard, and running trails resulted in trail usage being the dominant feature of the park. Ball fields and other active uses were important, but the trails were appreciated by the community and extremely important, especially given the pedestrian connections they provide.
- The possibility of a regional trail was exciting and the new property purchased by the City would provide a better location for river access than Boones Ferry Park.
- More details were requested in the natural resources report of the Master Plan, including documentation on tree preservation, such as how many trees would be removed for the view points and whether any bigger trees could be preserved.

- Access, traffic, and parking were big problems, particularly during games or events at the park. Managing access in and out of the park with the limited access road was a major problem and something to consider especially with regard to major events.
- Pickle ball courts had increased from 0 to 6 to meet demand, but basketball courts had decreased from 1.5, which had been inadequate, to 1 basketball court. Younger, smaller children tend to get excluded because larger children or adults are playing leaving younger children no opportunity to get in and play and no other place to go.
  - The number of basketball and volleyball courts was inadequate, so the fact that volleyball and basketball facilities were not increasing, but decreasing should be reconsidered, especially with volleyball where concrete and the extent of equipment was not required.
  - Further consideration should be given about where more basketball facilities could be placed.
- The distance from the turnaround near the light watercraft access to the ramp at the water was not more than 25 yards.
  - The challenge with the proposed access was that no changes could be made to the existing set up until the agreement the City had with the Oregon Marine Board expired.
- The tourism group might be considering the feasibility of a regional sports park of larger size. Was that a consideration or were the plans mutually exclusive?
  - The time frame for installing the synthetic turf was uncertain because cost estimates for the conceptual design still needed to be determined, and then funding options could be considered.
  - Currently, the existing demand for active recreation services was not being met. Many more facilities were needed to meet even the current demand for service, including for soccer, baseball, softball, and lacrosse, etc. Some programs were practically being excluded, such as the adult softball programs whose hours were drastically diminished.
  - Because the time frame was uncertain, further adjustments could be made based upon need.
  - The synthetic turf fields could be lined for lacrosse and other sports because removable paint could be used to temporarily line the fields. The portable fencing concept also played into making the fields truly multipurpose.
- The need for half basketball courts or even smaller slabs with hoops located near the other playground equipment was emphasized for small kids.
- Many comments had been heard about playing in the dark. It was assumed that lighting improvements would be part of the park's upgrades.
- The skate park proposed in Memorial Park did not replace the concept of having a larger skate park in Wilsonville. The conceptual designs for a significant skate park located across the street from City Hall had been finalized and now funding options were being explored for the approximately \$800,000 needed.
- A significant skate facility was needed in the community as it was difficult to push skateboarders out when the City might be delinquent in providing a proper facility for them. The City was working with Jim Barnes, who has been advocating for a skate park forever and leads an active group doing so in the community, to explore ways to bring the skate park to fruition.

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# MASTERPLAN FOR WILSONVILLE MEMORIAL PARK PLANNING COMMISSION MEETING



WALKER | MACY

APRIL 8TH 2015

[1]

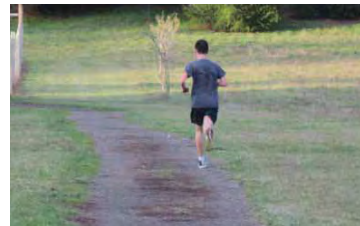


- Increase Trails
- Embrace the River
- Balance Active and Passive Opportunities
- Balance Natural Preservation and Recreation
- Provide Field Sports for Growing Population
- Provide Alternative Recreational Activities

2005 CITY PARKS AND REC PLAN  
[2]

Park Amenities												
Boones Ferry Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Canyon Creek Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Courtside Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Edelweiss Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Engelmann Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Graham Oaks (METRO)	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Hathaway Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
<b>Memorial Park</b>	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
<b>Murase Plaza</b>	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Palermo Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Park at Merryfield	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Picadilly Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
River Fox Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Sofia Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Town Center Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Tranquil Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Water Treatment Plant Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Willow Creek - Landover Park	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆

WILSONVILLE PARKS SYSTEM  
[3]



- Update Fields for Extended Use and Flexibility
- Parking Quantity & Quality
- Restroom Facilities
- Potential Concessions
- Security
- Covered Court Sports
- Accessible Trails

STAKEHOLDERS  
[4]





Vegetation

Circulation

Regulations

OPEN HOUSE 1- November 5th [5]



Option 1

Option 2

Option 3

OPEN HOUSE 2- December 16th [6]



Nov. 5th comments

- Increase Flexibility of Ball Fields
- Enhance River Connection
- Maintain Adjacent Privacy
- Safety
- Increase Trail Access and Types
- Increase Pickleball and Skateboard
- Clarify Circulation
- Improve Parking
- Increase Seating
- Improve Accessibility
- Enhance Passive Recreation
- Embrace History



OPEN HOUSES [7]

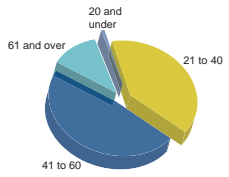


Dec. 16th comments

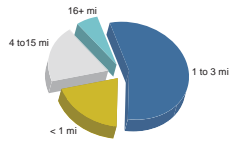
- Visual Access to River
- Minimize Removal of Trees
- Memorial Drive Crossing
- Active and Passive Uses
- Park Edge Buffers
- Light Watercraft Access
- Variety of Trails
- Explore Synthetic Turf Fields



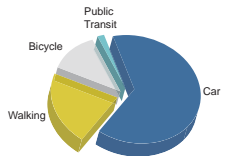
OPEN HOUSES [8]



WHAT IS YOUR AGE



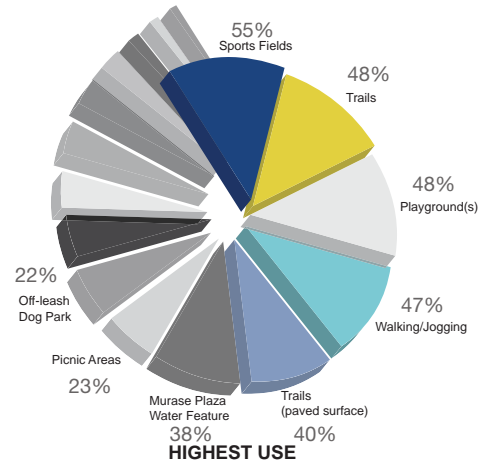
HOW FAR DO YOU LIVE FROM MEMORIAL PARK?



HOW DO YOU GET TO THE PARK?

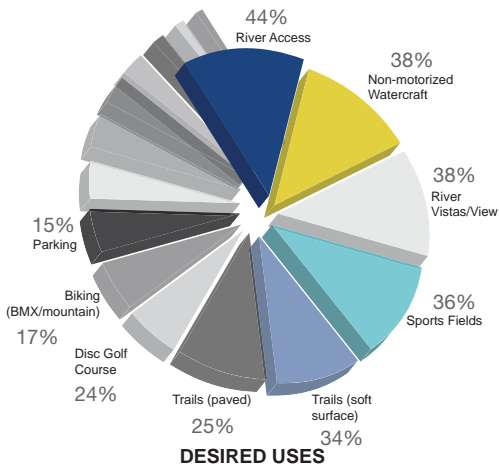
- Mix of Ages
- Youth Sports Aged Children
- Majority Travel by Car
- 40% Use Park Weekly
- Highest Use:  
Weekend Afternoons  
Weekday evenings

PARK SURVEY [9]



- Highest Use:  
\*Sports Fields  
\*Trails (soft and paved)  
\*Playgrounds  
\*Murase Plaza Water feature  
\*Picnic Areas  
\*Off Leash Dog Park

PARK SURVEY [10]



- Desired uses:  
\*River Access  
\*Lauch Watercraft  
\*River Views  
\*Sports Fields  
\*Trails (soft and paved)  
\*Disc Golf  
\*Biking

PARK SURVEY [11]



Size:  
126 Acres

MEMORIAL PARK [12]

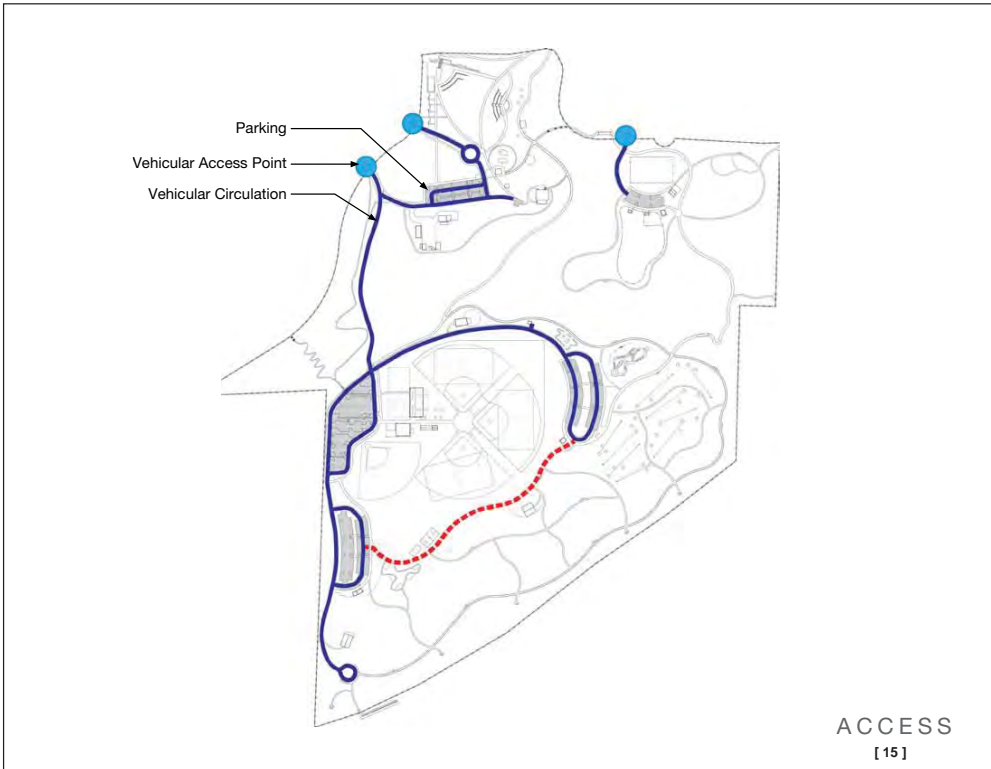




DRAFT MASTERPLAN [13]



ACCESS [14]



ACCESS [15]

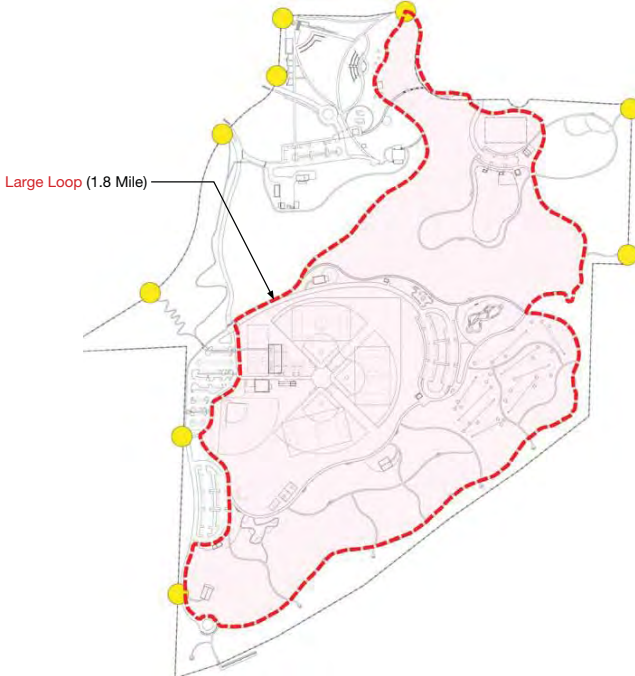


TRAILS [16]

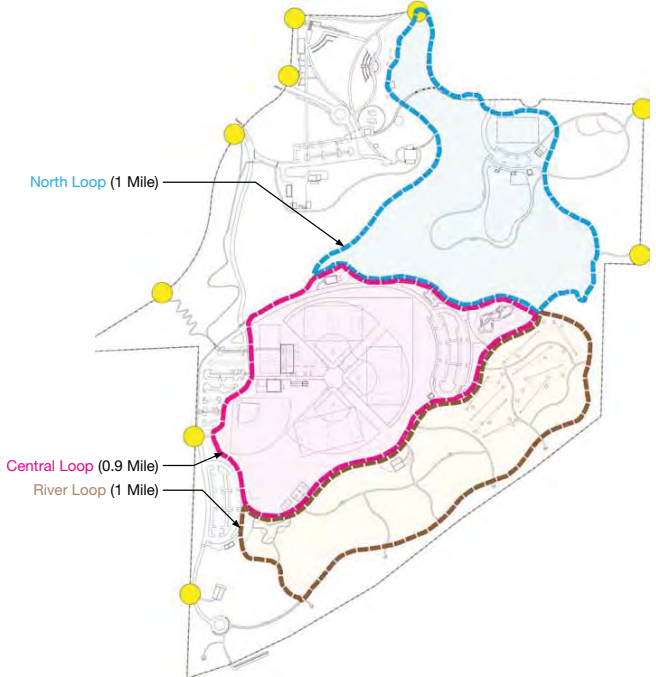




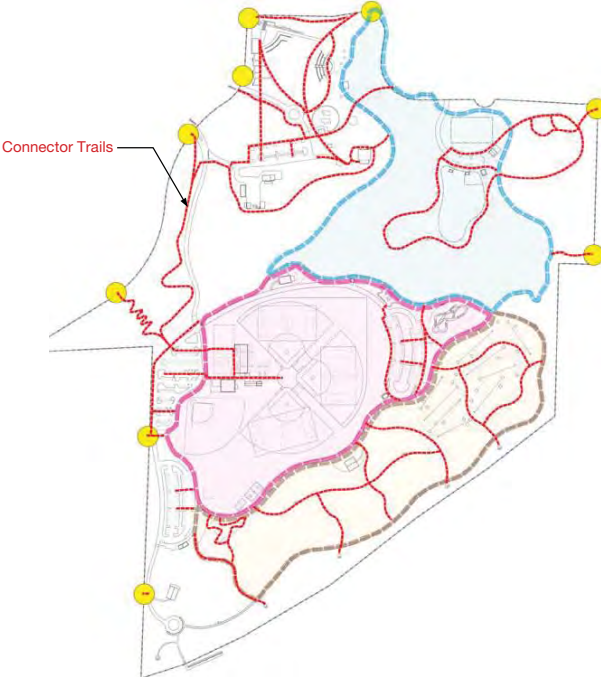
REGIONAL TRAIL [17]



TRAILS [18]



TRAILS [19]



TRAILS [20]

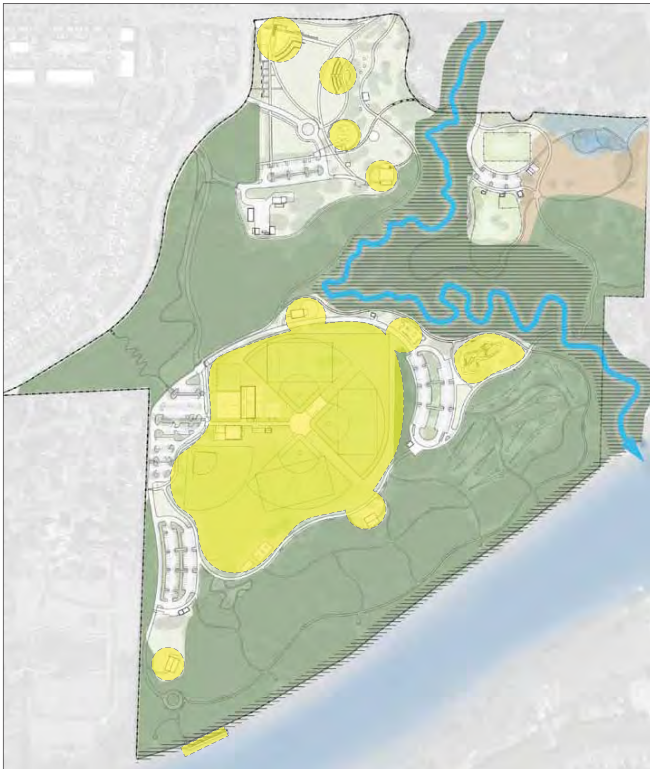




ENVIRONMENT  
[21]



ENVIRONMENTAL  
& PASSIVE AREAS  
[22]

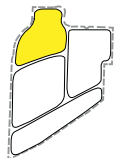


ACTIVE AREAS  
[23]

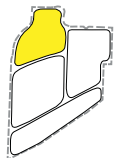


PARK AREAS  
[24]

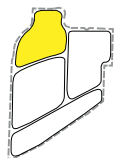




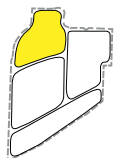
MURASE PLAZA [25]



MURASE PLAZA [26]

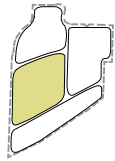


FOUNTAIN SEATING [27]

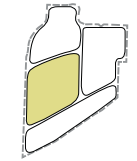


AMPHITHEATER [28]

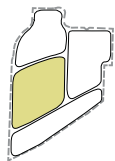




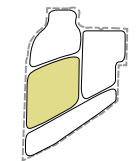
WEST  
[ 29 ]



WEST  
[ 30 ]



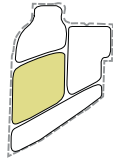
FIELD SPORTS  
[ 31 ]



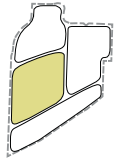
OPEN LAWN  
[ 32 ]



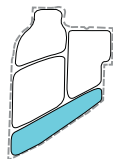
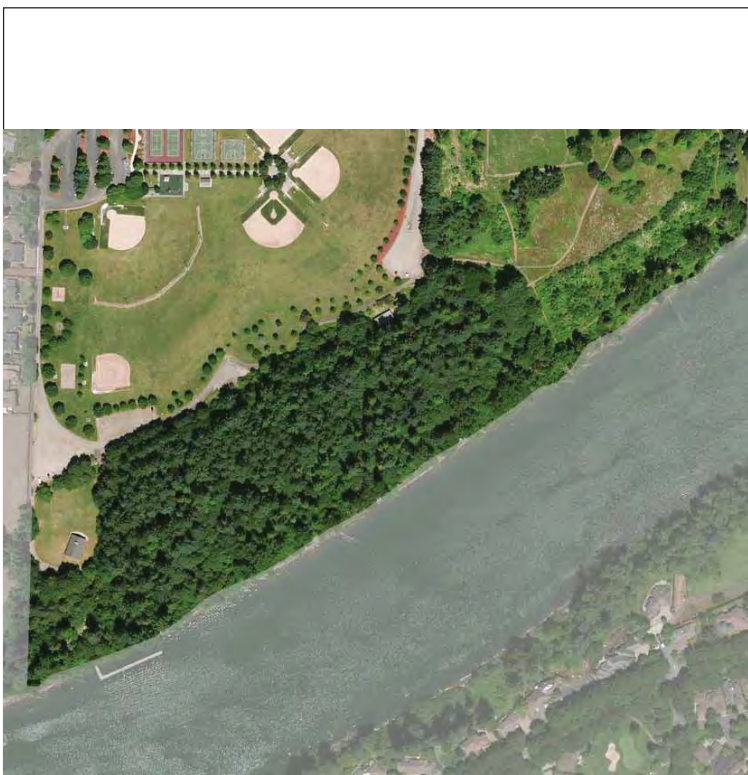




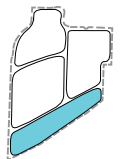
NATURE BASED PLAY  
[33]



BARN  
[34]

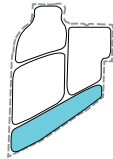
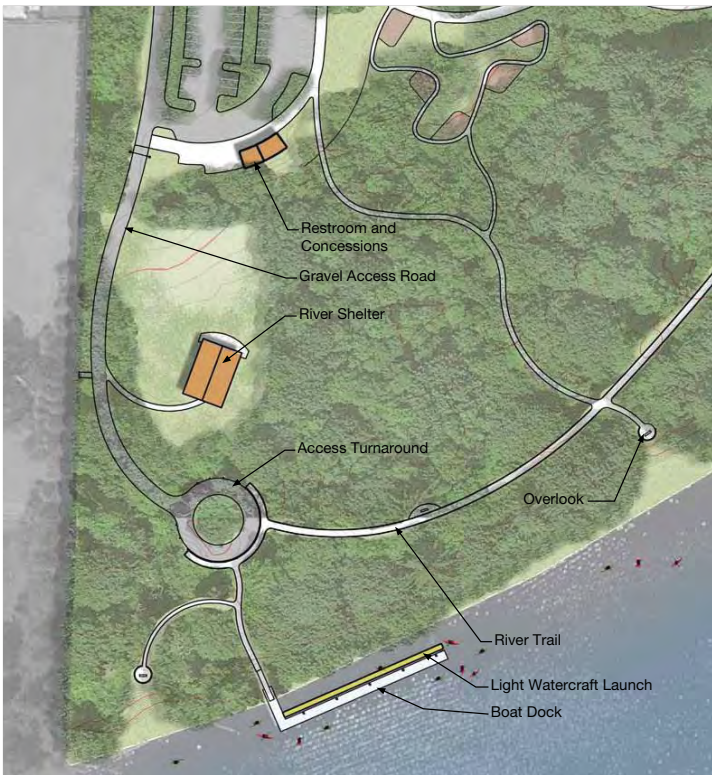


RIVERFRONT  
[35]

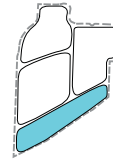


RIVERFRONT  
[36]

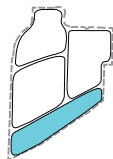




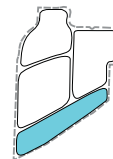
WATER ACCESS [37]



RIVER SHELTER [38]

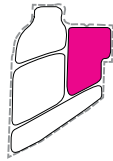


FOREST SHELTER [39]

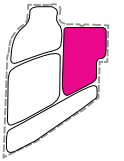


OVERLOOKS [40]

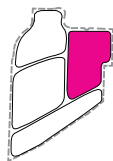




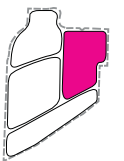
EAST  
[41]



EAST  
[42]

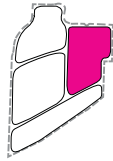


DISC GOLF  
[43]

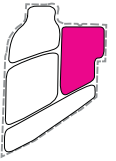
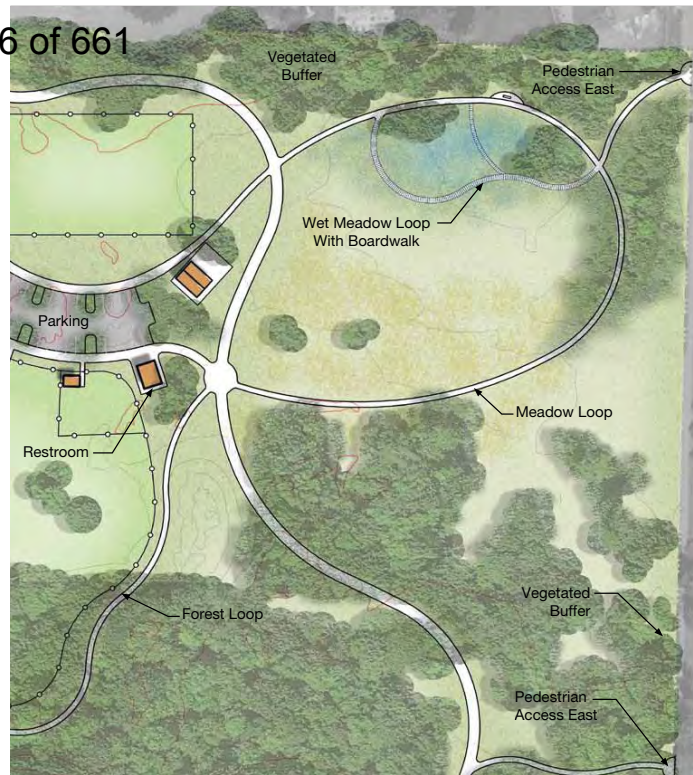


PUMP TRACK  
[44]

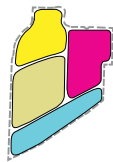




COMM. GARDEN/  
DOG AREA  
[45]



GARDENS  
[46]



PREFERRED OPTION  
[47]



# MASTERPLAN FOR WILSONVILLE MEMORIAL PARK



**PLANNING COMMISSION  
WEDNESDAY, APRIL 8, 2015  
6:00 PM**

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**VII. WORK SESSIONS**

- A. Memorial Park Master Plan  
(Stan Sherer, Parks Director and Walker Macy)



**PLANNING COMMISSION MEETING  
STAFF REPORT**

<b>Meeting Date: April 8, 2015</b>	<b>Subject: Memorial Park Master Plan</b>
	<b>Staff Member: Stan Sherer</b> <b>Department: Parks and Recreation</b>
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> N/A  <b>Comments:</b>

**Staff Recommendation:** This item is a review of the conceptual plan for Memorial Park and for information and discussion only.

**Recommended Language for Motion:** N/A

<b>PROJECT / ISSUE RELATES TO:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities Community Amenities and Recreation	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COMMISSION:** The City of Wilsonville initiated the master planning process for Memorial Park in October 2014. The process has taken us to the stage of a preferred conceptual design that will be presented for review and discussion.

**EXECUTIVE SUMMARY:** The City of Wilsonville solicited proposals from qualified landscape architectural and planning firms to update the long-range plan for the development and restoration of the 126-acre Memorial Park. Walker-Macy of Portland was chosen to manage the master planning process. The scope of work consisted of analyzing existing park uses and demographics of the existing participation base, developing a conceptual design for improvements, developing an operations and programming model, calculating cost estimates for the proposed enhancements, improving Willamette River access, and balancing the active and passive recreational opportunities to ensure respect of the natural environment while meeting the increasing demand for recreation services.

The kick-off meeting was held on October 3, 2014. Since that time, three open houses were held and a survey was conducted to solicit input from the community. Three conceptual designs were presented at the second open house. The survey elicited six hundred and seventeen responses. The consultant and staff developed the preferred conceptual design based on community input from the first two open houses and data collected from the online survey. The preferred plan was presented to the community at the third open house. Minor changes from the preferred plan were incorporated into the plan being presented to the Commission on April 8<sup>th</sup>. Attached to the staff report are attendee lists for the open houses and their comments, the complete survey findings, and the preferred conceptual design.

**EXPECTED RESULTS:** The consultant team will present the preferred design and review the processes used to date. Staff is looking for discussion and input from the Commission on the merits and/or concerns of the proposed improvements.

**TIMELINE:** Pending approval from the Parks and Recreation Advisory Board and the Planning Commission, the preferred plan will go to the City Council in June for approval.

**CURRENT YEAR BUDGET IMPACTS:** N/A

**COMMUNITY INVOLVEMENT PROCESS:** Open houses were held on November 5<sup>th</sup>, December 16<sup>th</sup> and February 18<sup>th</sup>. An online survey was available from December 12<sup>th</sup> to January 20<sup>th</sup>. Six hundred and seventeen surveys were completed.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** Benefits to the community include:

- Rehabilitation of Existing Infrastructure
- Enhanced Existing Amenities or Additional Amenities Added to the Site in an Effort to Satisfy the Existing and Perceived Demand for Recreational Services
- Access to the Willamette River
- Protected Natural Resources

**ALTERNATIVES:** Three conceptual designs were prepared by the consultant and were presented during the open houses. The preferred plan represents elements of the original drafts and modifications based on input obtained during the public process.

#### **ATTACHMENTS**

- A. Preferred Design Rendering
- B. Open Houses Attendees
- C. Public Input Notes from Open Houses
- D. Online Survey Final Results
- E. Memorial Park Master Plan Update Executive Summary





Area Quantities	
Amphitheater	200 Seats
9 Hole Disk Golf	5.6 Acres
Community Garden	0.6 Acres
Off Leash Dog Area	1.5 Acres
Nature Play	4,000 SF
Skate Park	6,000 SF
Bicycle Pump Track	14,000 SF
Baseball Fields	5
Soccer Fields	3
Tennis Courts	2
Pickleball Court	6
Basketball Court	1
Sand Volleyball Court	1

Parking	
East	130 (10 Existing)
West	236 (286 Existing)
Murase Plaza	68 (66 Existing)
<b>Total</b>	<b>434 (362 Existing)</b>



# Preferred Option



# Memorial Park Master Plan Update

## PUBLIC OPEN HOUSE #1 ATTENDEES

NOVEMBER 5, 2014

	NAME:	REPRESENTING:	PHONE NO.:	E-MAIL:
1.	ROGER PORZIG	Pickleball		
2.	Anne Smith	Pickleball		
3.	Kerry Smith	"		
4.	Ken Rice			
5.	Jim Bruzeau	Willamette United Soccer		
6.	Thomas Fincher	WM		
7.	Steve Benson	P+R adv. board/runners		
8.	Kenyon & Mary Wolfe	Wilsonville Walkers		
9.	Rich DOUGALL	pickleball		
10.	CATHIE GLEESON			
11.	Carla & Katherine Gleeson			
12.	Paul Rands			
13.	Dan Pauly	self		
14.	Heather Ward	Wilsonville Lacrosse		
15.	Jerry Greenfield	Planning Comm.		



# Memorial Park Master Plan Update

## PUBLIC OPEN HOUSE #1 ATTENDEES

NOVEMBER 5, 2014

NAME:	REPRESENTING:	PHONE NO.:	E-MAIL:
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16. Kate Johnson      City of Wilsonville

17. Paul Diller      resident

18. \_\_\_\_\_

19. \_\_\_\_\_

20. \_\_\_\_\_

21. \_\_\_\_\_

22. \_\_\_\_\_

23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_

26. \_\_\_\_\_

27. \_\_\_\_\_

28. \_\_\_\_\_

29. \_\_\_\_\_

30. \_\_\_\_\_

# Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

December 16, 2014

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please <input checked="" type="checkbox"/> if yes)
IAN HILZWORTH WALKER MACY Crista Gleason			
Kerry Smith			
ROBERT A THOMPSON			
ROGER W PORZIG			
Kenton Wolfe			
Linda Ingalls			
Gloria Krohn			
BRAD MOORE			
MARTIN BROWN			

## Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

December 16, 2014

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please ✓ if yes)
Barbara Weiser (Girl Scouts)			
Forella Kassab			
Chaz Hilch			
Andrew Kassab			
Raymond Good			
Jerry Greenfield			
Mike Carr			
Steve Benson			
Paul Rands			
Robert Eschaffel			

# Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

December 16, 2014

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please ✓ if yes)
MARJORIE MEEK			
Tim KNAPP			
Chris OWEN			



## Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

February 18, 2015

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please ✓ if yes)
Tommy Reeder			
Kenton Wolfe			
Fiorella Kassab			
Andrew Kassab			
Simon Springall			
Ryan CIFT			
Leslie Hildum			
CLARK HILDUM			
Bruce Swanson			
Jim Cessna			

## Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

February 18, 2015

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please <input checked="" type="checkbox"/> if yes)
Tim Knapp			
Kate & Jerry Greenfield			
ERIC BOHARD			
Kate Johnson			
Tessa Fiamengo			
Alison Fiamengo			

## Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

February 18, 2015

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please ✓ if yes)
JIM BRAZEAU Willamette United Soccer			
BRIAN MATTHEWS WILSONVILLE YOUTH SPORTS			
Anne Smith Wilsonville Pickleball			
MARGE MEEK			
ROGER PORZIG			
Dan Smith			
Adam Rahmlow The Hershey Company			
ROBERT THOMPSON			
David Aman			
Paul Edwards			

## Wilsonville Memorial Park Master Plan Open House

PEOPLE IN ATTENDANCE

February 18, 2015

Name and Company (please print)	Mailing Address (including zip code)	Email Address	Place on <b>email</b> list for future notices? (Please <input checked="" type="checkbox"/> if yes)
Kerry SMITH			
Tom Aichele			
Jesse Parry			
Mike Hixie			
Mason Aman			
Guy Richards			
Charles Jaroby			
Ken Rice			
Cray Morrison			
Nels Ericson WYS			



## OPEN HOUSE #1 MEETING NOTES

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**Time: 7:00pm- 9:00pm****Topic: Public Open House Meeting #1****Meeting Date: 11/5/2014****Location: Wilsonville City Hall****Project: Memorial Park Master Plan****Project #: P3062.01**

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- 1 No synthetic" turf upgrades requested at sports fields.
- 2 Infield distance increase to 60' mound / 90' base to support adult softball leagues
- 3 No adult specific ball fields available in Wilsonville? People go elsewhere
- 4 Lighting is a safety issue throughout park
- 5 Flat NE meadows area becomes inundated in winter/spring, undevelopable?
- 6 Some concerns expressed about quantity of parking available if community garden is expanded
- 7 Community garden could be moved elsewhere to accommodate additional use, or used as a buffer itself around parking on East side
- 8 Skate park is well used despite its small size and lack of features. Should be enlarged.
- 9 A large skate park project is planned elsewhere in Wilsonville
- 10 A trail system/trailhead layout was suggested, consisting of 3 trail lengths which would be color coded for easy recognition, i.e.: green 3/4mi, blue 1.5mi, red 3mi loops
- 11 A trailhead/kiosk providing trail information route length etc is needed
- 12 Waterfountains are needed throughout, nowhere to fill up your water bottle, difficult to fill bottles at existing fountains
- 13 Re-vegetating informal trails in Riverfront area may not be beneficial since kids still ride their bikes there regardless, moving tree limbs or riding over them
- 14 Residents do not want increased development on the East side
- 15 Not much concern was expressed for a pedestrian connection from Murase plaza to the East side
- 16 Pickle ball tournaments can attract 75-100 people, along with concessions etc, (USAPA.com)
- 17 Residents enjoy walking in the dog park and East side because of natural areas
- 18 Walking through the river front area at night can be "sketchy"
- 19 Benches are needed throughout the entire park, additional seating needed at water feature area during high use

Stakeholder notes

Wilsonville Memorial Park Master Plan

11/5/2014

Page 2 of 2

- 20 Bus access needed into site. Park is large for only 1 planned stop
- 21 Basketball is used a lot
- 22 Trail lighting is needed
- 23 Loop road concerns originated from kids racing around it, thus its original removal
- 24 The trail from Murase plaza to lower park is steep and not ADA compliant
- 25 Guided history trips could be a use for the water trail. Park could be a stop along the way
- 26 At the West parking area the vehicular gate blocks pedestrian walkway
- 27 The amount of bicycle use on un-paved paths is not currently and issue
- 28 The playground located at west area near fields could be doubled in size, heavily used to ease of access and adjacency to parking
- 29 Pickle ball in barn - ?
- 30 A rhododendron or wetland garden were suggested
- 31 Passive uses suggested for the East side
- 32 More trails in the East side suggested
- 33 A route to the dock would be beneficial
- 34 It was suggested that there is no need to re-connect the loop road
- 35 Loop trail in the wood suggested
- 36 All fields need new lighting
- 37 All fields need better drainage
- 38 There could be a small concert stage on the East side
- 39 Interest in having concessions for tournaments
- 40 Could the pump station go in the old Nike wellhouse?
- 41 Turf fields (infields?) suggested
- 42 Possible restroom by forest shelter suggested
- 43 Users would like to see more pickle ball courts

## OPEN HOUSE #2 MEETING NOTES

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**Time:** 6:00pm- 8:00pm

**Topic:** Public Open House Meeting #2

**Meeting Date:** 12/16/2014

**Location:** Wilsonville City Hall

**Project:** Memorial Park Master Plan

**Project #:** P3062.01

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- 1 An overview of the Wilsonville park system would help the public understand and validate proposed program and enhancements
- 2 Covered pickleball courts would enhance play and increase seasonal usability
- 3 Easier kayak launching would be beneficial
- 4 The river is not an attractive swimming destination
- 5 Trees should not be cleared in order to create a waterfront
- 6 The existing maintenance barn could serve well as a shelter supporting events such as dances and arts and crafts events for kids
- 7 Tournament field configuration (option 3) is too large and does not cater to the primary users who live in Wilsonville
- 8 Road adjacent to the river shelter could be improved to provide waterfront access
- 9 There are safety concerns crossing Wilsonville Rd and Memorial Dr to access Murase Plaza
- 10 There is a need for more buffer at existing parking areas (West?)
- 11 There should only be passive uses on the East side
- 12 25% min. more community gardens are needed
- 13 Option 2 West side could be blended with Option 1 East side
- 14 Pickle Ball additions on Option 1 work well
- 15 Bus and RV turning space is potentially needed
- 16 Positive responses received for Option 3 amphitheater
- 17 Zip lines could be considered
- 18 There is a drainage issue at the River Shelter
- 19 Positive response to overlooks – tree removal could be minimized
- 20 Option combinations – OPT 3 North / OPT 2 West / OPT 2 East / OPT 1 River
- 21 More benches should be provided
- 22 Existing dock needs modification for easier access

- 23 Storage could be provided for light watercraft near existing dock
- 24 Basketball can be kept in place
- 25 Concerns that the skate park is too remote
- 26 Concerns about concessions and revenue
- 27 The intertwining trails in the forest are good
- 28 'Movies in Parks' need open space for viewing – currently use sloping lawn
- 29 A backboard for tennis would enhance the court for individual practice
- 30 Normal high water is above the boat ramp and makes current access to existing dock difficult during portions of winter time
- 31 East buffer is important
- 32 Available space is not enough to create regional draws
- 33 Park should be geared towards existing resident's preferred uses
- 34 There should not be any parking off Rose Ln
- 35 Large Girl Scout groups prefer parking options 1 and 2 for forest access
- 36 Schools, boy and girl scout groups would use a developed amphitheater
- 37 Girl Scouts use variety of trails, would prefer a trail connection between River and Forest Shelters
- 38 Privacy of River Shelter space before trees to west were removed is preferred
- 39 Some form of buffer between Forest Shelter and fields is preferred for noise mitigation
- 40 One main paved path through the Forest and the rest un-paved would be preferred
- 41 River overlooks could be historically thematic or otherwise to provide diverse experiences
- 42 More buffer needed on West edge
- 43 Turf infields would be very beneficial
- 44 Current dog park size is sufficient
- 45 The "waterfall" and water wheel have not been mentioned, could be destinations
- 46 Bicycle skills course and skate park could be adjacent
- 47 Overlooks work well but waterfront beach is not necessary



## OPEN HOUSE #3 MEETING NOTES

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**Time:** 6:00pm- 8:00pm

**Topic:** Public Open House Meeting #3

**Meeting Date:** 2/18/2015

**Location:** Wilsonville City Hall

**Project:** Memorial Park Master Plan

**Project #:** P3062.01

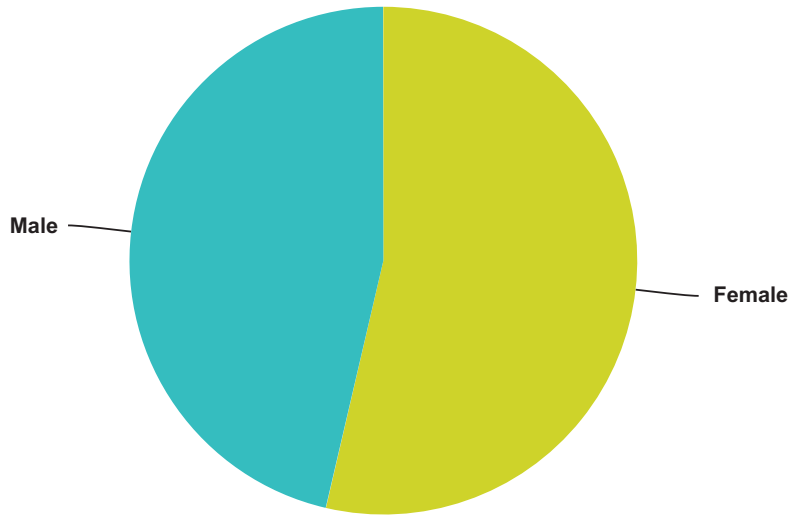
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- 1 Existing dock is overloaded currently. Could be conflicts with light watercraft, motorized watercraft and dock users.
- 2 Maintain Motorized Boat access to dock.
- 3 Provide places for kids to connect to river.
- 4 Existing grade to dock is too steep.
- 5 Light watercraft access at current dock will be difficult due to narrow gangway
- 6 Section of Willamette along Memorial Park is better to waterski in than kayak due to motorized traffic
- 7 Light watercraft should utilize Boones Ferry Park.
- 8 Regional Trail West option was preferred. Comments such as better connection to town center, more gradual climb were noted.
- 9 Both regional trails should be major trails in the park.
- 10 Additional trees for shade were requested for Murase plaza.
- 11 City needs more dog parks.
- 12 Put money into other parks first.
- 13 Provide services for citizens of Wilsonville, not people from the region.
- 14 Retain more trails in forest along the river.
- 15 Park needs more trash cans.
- 16 Existing field 5 is for kids and girls softball with an outfield need of 225' and 60'&70' base paths
- 17 Single tees better than multiple tees for disc golf. Single tees often allow for difficult pin placements.
- 18 Disc golf course as shown would be targeted as a family friendly course
- 19 Disc Golf: High school aged throw 200'-275', pro's throw 350'-400'
- 20 9 hole disc golf preferred over 6 long holes.
- 21 Synthetic fields a good idea.

- 22 Provide area at pickleball courts for a paddle que.
- 23 Provide lighting at pickleball canopy and full concessions with electricity at concession area near pickleball.
- 24 Provide small building for ballfield maintenance equipment.
- 25 One citizen expressed no concerns about running or walking through disc golf area when course is actively being used. Others expressed safety concern of being near disc golf.
- 26 Provide at least 1 ada trail to overlook.
- 27 Park needs year around drinking fountains.
- 28 Bicycle pump track is a good idea and will provide kids an alternative method of recreation

### Q1 What is your gender?

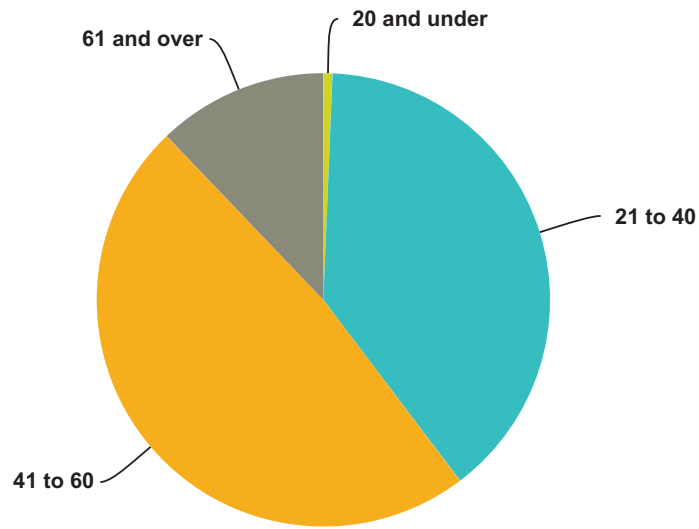
Answered: 617 Skipped: 0



Answer Choices	Responses	
Female	53.65%	331
Male	46.35%	286
<b>Total</b>		<b>617</b>

### Q2 What is your age?

Answered: 617 Skipped: 0

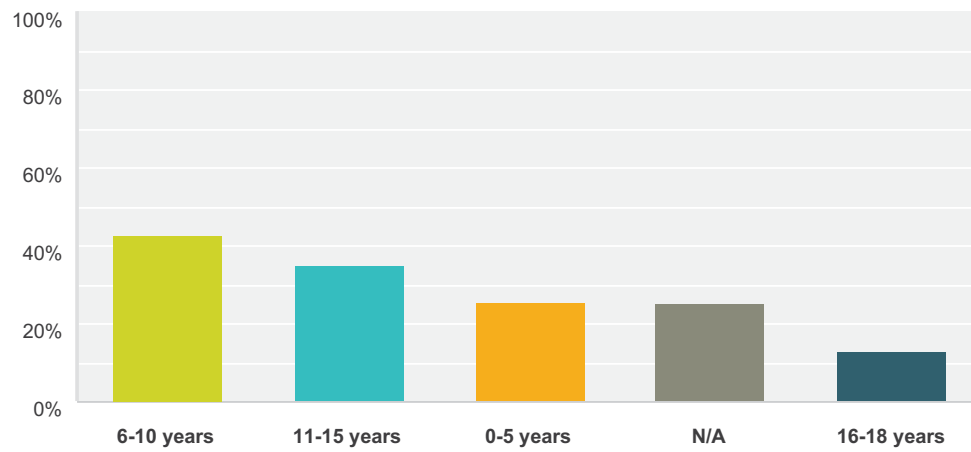


Answer Choices	Responses
20 and under	0.65% 4
21 to 40	39.06% 241
41 to 60	48.14% 297
61 and over	12.16% 75
<b>Total</b>	<b>617</b>



### Q3 If any, what are the ages of the children in your household?

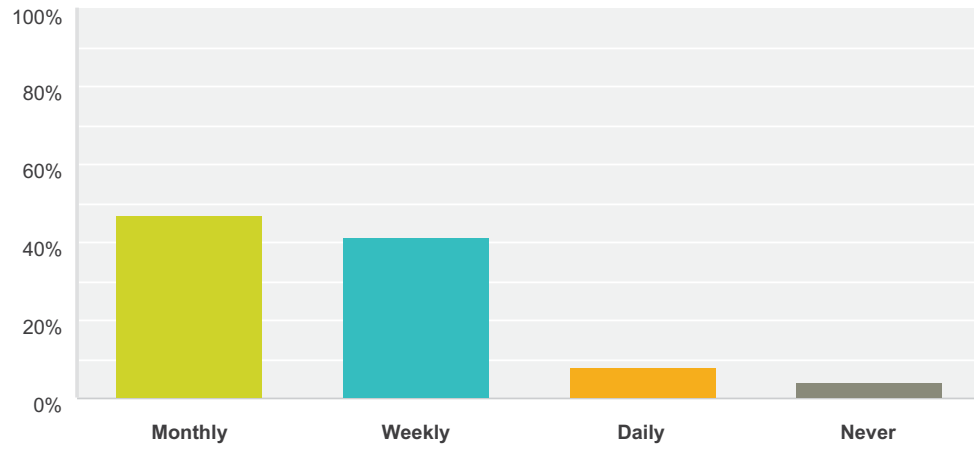
Answered: 617 Skipped: 0



Answer Choices	Responses
6-10 years	42.63% 263
11-15 years	34.68% 214
0-5 years	25.45% 157
N/A	25.12% 155
16-18 years	12.80% 79
<b>Total Respondents: 617</b>	

### Q4 How often do you use Memorial Park?

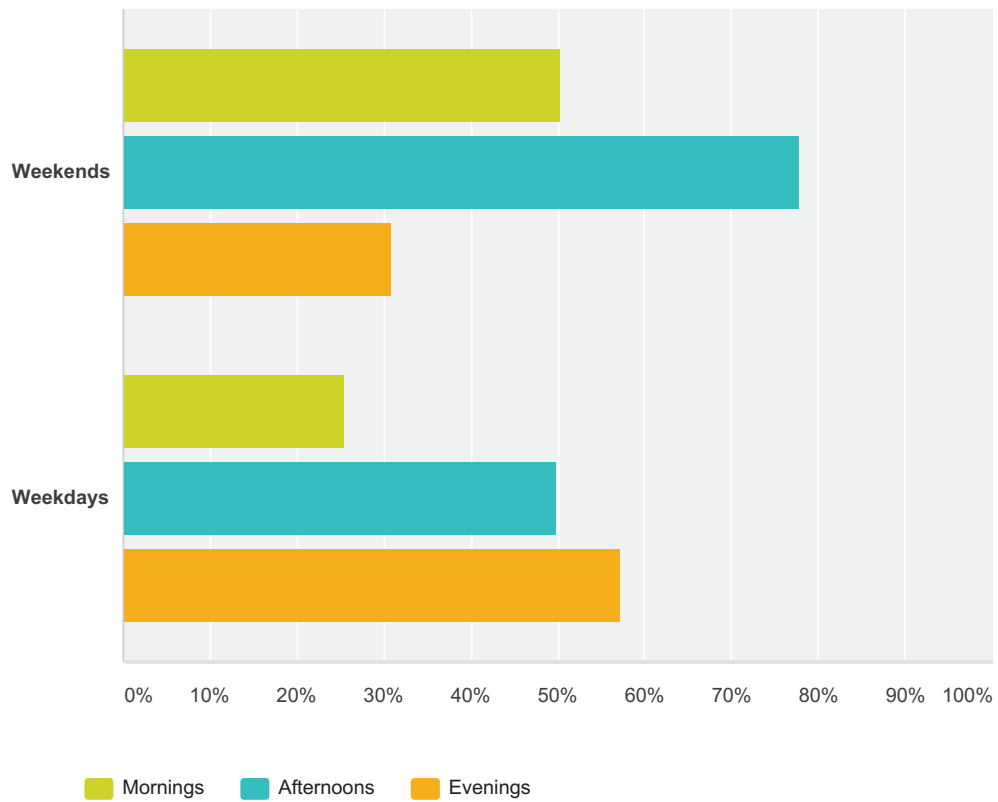
Answered: 592 Skipped: 25



Answer Choices	Responses
Monthly	46.79% 277
Weekly	41.22% 244
Daily	7.77% 46
Never	4.22% 25
<b>Total</b>	<b>592</b>

### Q5 What days and times do you most use the park?

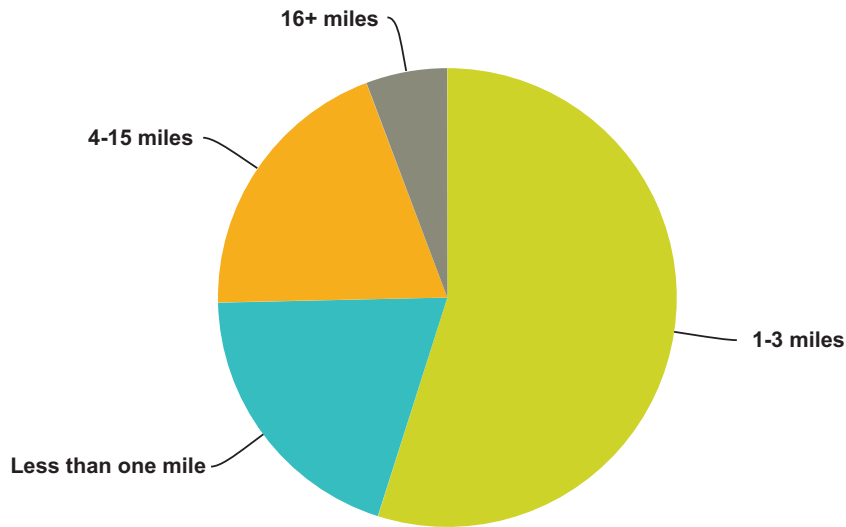
Answered: 592 Skipped: 25



	Mornings	Afternoons	Evenings	Total Respondents
Weekends	50.30% 254	77.82% 393	30.89% 156	505
Weekdays	25.56% 125	49.90% 244	57.26% 280	489

### Q6 Where do you live in relation to Memorial Park?

Answered: 592 Skipped: 25

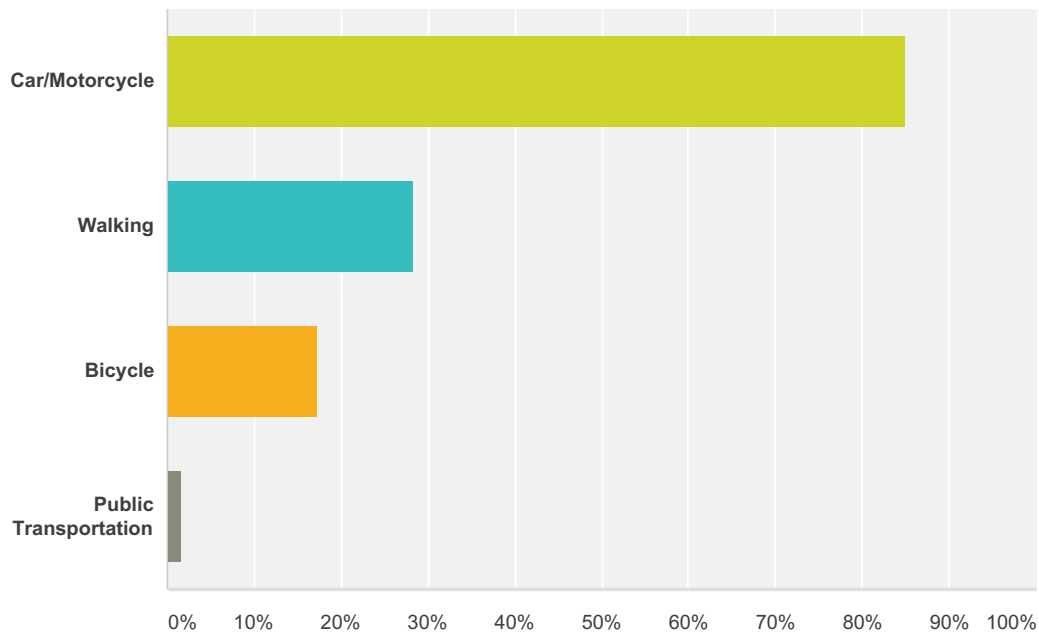


Answer Choices	Responses	
1-3 miles	54.90%	325
Less than one mile	19.76%	117
4-15 miles	19.59%	116
16+ miles	5.74%	34
<b>Total</b>		<b>592</b>



### Q7 When you visit the park, how do you arrive?

Answered: 585 Skipped: 32

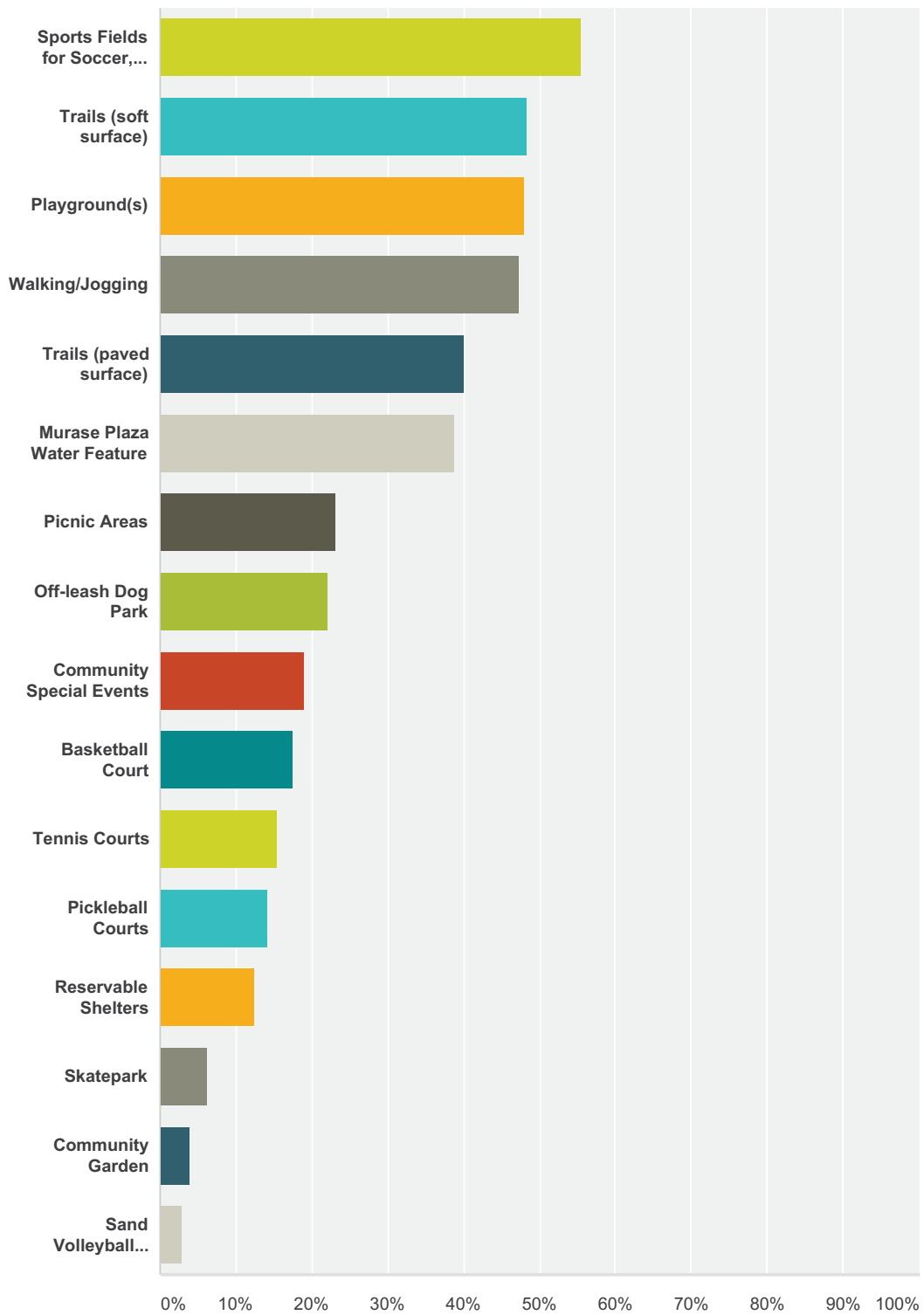


Answer Choices	Responses
Car/Motorcycle	84.96% 497
Walking	28.38% 166
Bicycle	17.26% 101
Public Transportation	1.71% 10
<b>Total Respondents: 585</b>	

#	Other (please specify)	Date
1	Running	1/8/2015 8:29 AM
2	Space ship	1/8/2015 4:14 AM
3	stroller	12/26/2014 3:44 PM
4	Jogging	12/25/2014 3:56 PM
5	running	12/22/2014 3:48 PM
6	skateboard	12/19/2014 12:43 PM
7	Youth Sports	12/19/2014 12:41 PM
8	Do not use the park to many parks in Wllsonville already	12/19/2014 9:02 AM
9	Dont use	12/19/2014 8:13 AM
10	Don't	12/17/2014 5:02 PM
11	Hiking and jogging	12/16/2014 4:14 PM

### Q8 Which (5) activities/resources do you most utilize when at Memorial Park?

Answered: 579 Skipped: 38



Answer Choices	Responses
----------------	-----------

Sports Fields for Soccer, Baseball, or Softball	55.44%	321
Trails (soft surface)	48.53%	281
Playground(s)	48.01%	278
Walking/Jogging	47.32%	274
Trails (paved surface)	40.07%	232
Murase Plaza Water Feature	38.86%	225
Picnic Areas	23.14%	134
Off-leash Dog Park	22.11%	128
Community Special Events	19.00%	110
Basketball Court	17.44%	101
Tennis Courts	15.54%	90
Pickleball Courts	14.16%	82
Reservable Shelters	12.44%	72
Skatepark	6.22%	36
Community Garden	3.97%	23
Sand Volleyball Court	2.94%	17
<b>Total Respondents: 579</b>		

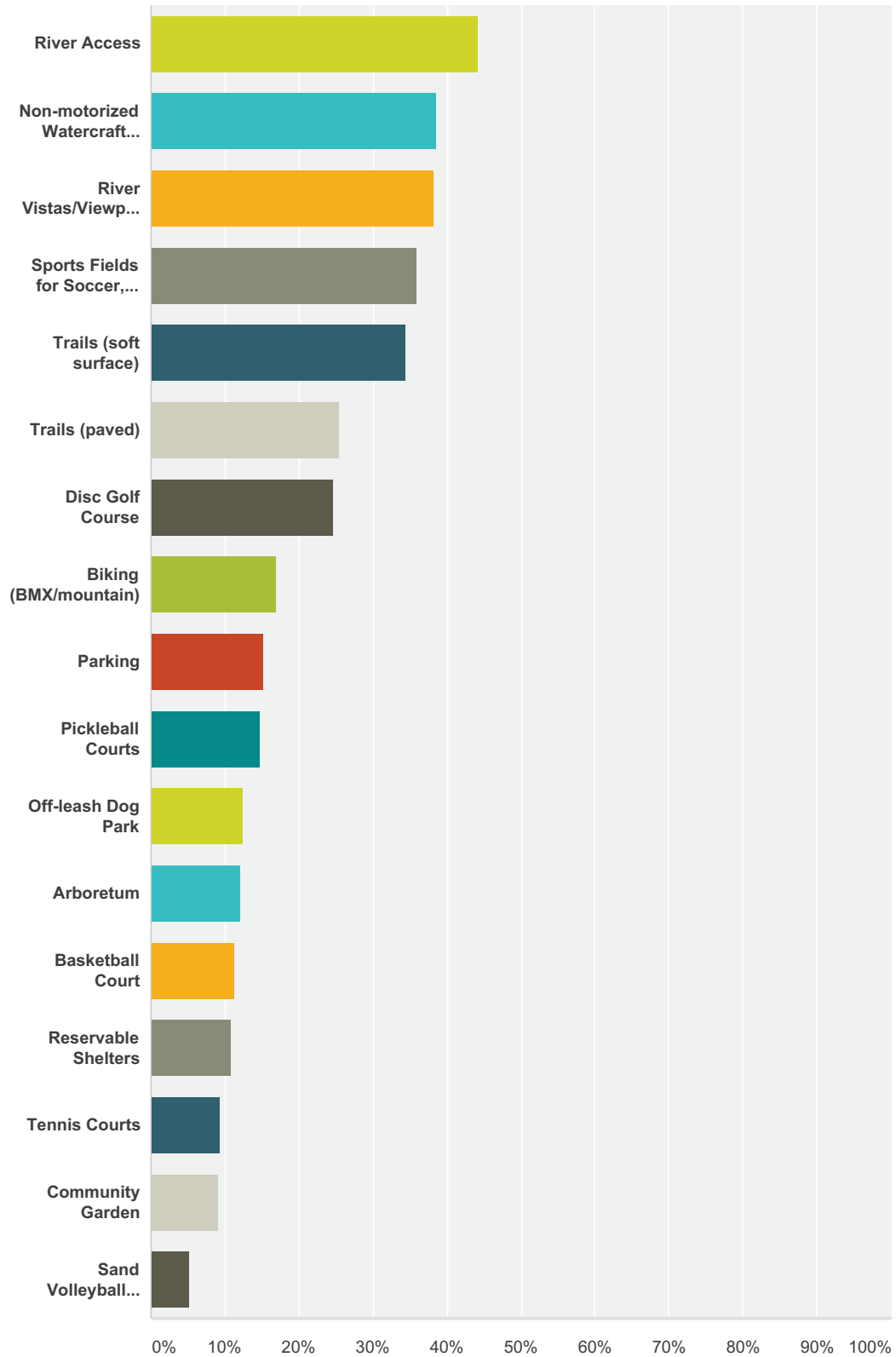
#	Other (please specify)	Date
1	Sports Fields to throw discs (disc golf driving practice)	1/16/2015 2:28 PM
2	RC cars, airplanes	1/4/2015 12:43 PM
3	disc golf	1/2/2015 9:46 AM
4	the dock	12/30/2014 8:54 PM
5	river view, wildlife viewing	12/26/2014 10:52 PM
6	Birding	12/19/2014 2:40 PM
7	dock	12/19/2014 12:44 PM
8	Natural areas	12/19/2014 10:48 AM
9	Do not use any of these services never go to Memorial Park	12/19/2014 9:03 AM
10	None	12/19/2014 8:13 AM
11	River Access	12/17/2014 8:15 PM
12	none	12/17/2014 5:02 PM
13	open space	12/16/2014 7:43 PM
14	walking dog on leash	12/15/2014 4:31 PM
15	how about Disc Golf ???	12/15/2014 10:57 AM
16	natural areas since you planted the meadow in trees not a lot of that left	12/15/2014 10:49 AM

17	River Boat Dock	12/14/2014 8:54 PM
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**Q9 Which (5) amenities would you like to see added and/or current quantities increased?**

Answered: 550 Skipped: 67



Answer Choices	Responses
River Access	44.18% 243
Non-motorized Watercraft (kayaks, canoes, paddleboards, etc.)	38.55% 212

River Vistas/Viewpoints	38.18%	210
Sports Fields for Soccer, Baseball, or Softball	36.00%	198
Trails (soft surface)	34.55%	190
Trails (paved)	25.45%	140
Disc Golf Course	24.73%	136
Biking (BMX/mountain)	16.91%	93
Parking	15.27%	84
Pickleball Courts	14.91%	82
Off-leash Dog Park	12.55%	69
Arboretum	12.18%	67
Basketball Court	11.27%	62
Reservable Shelters	10.91%	60
Tennis Courts	9.45%	52
Community Garden	9.09%	50
Sand Volleyball Court	5.27%	29
<b>Total Respondents: 550</b>		

#	Other (please specify)	Date
1	more running/walking paths	1/16/2015 4:40 PM
2	like movies in the park and would like to see other art events here. Gets crowded trying to get out however	1/14/2015 9:51 PM
3	don't need much more - leave the open space unimproved as they currently are	1/14/2015 2:11 PM
4	more protection of natural areas, less tree cutting	1/11/2015 3:01 PM
5	Concession stands for events to be run by non-profits, turf fields	1/9/2015 10:12 PM
6	Concession stand for baseball	1/9/2015 8:38 PM
7	Work on the improving the Wood fields or adding to Lowrie and leave Memorial as is	1/9/2015 6:12 PM
8	Closer bathrooms and water facilities to all sports fields.	1/9/2015 5:59 PM
9	Creation of a batting facility with concessions for Wilsonville youth softball and baseball programs	1/9/2015 4:23 PM
10	Playground	1/9/2015 9:19 AM
11	bigger skate/bike park	1/8/2015 5:47 PM
12	Skatepark	1/8/2015 4:51 PM
13	Covered pickleball	1/8/2015 7:40 AM
14	P	1/8/2015 4:24 AM
15	Turf baseball fields, mountain bike trail system	1/7/2015 10:54 PM
16	Lights for baseball field that is not lighted currently.	1/7/2015 10:35 PM
17	Snack Stand for Kids sports	1/7/2015 7:00 PM
18	Skateboarding	1/7/2015 5:56 PM

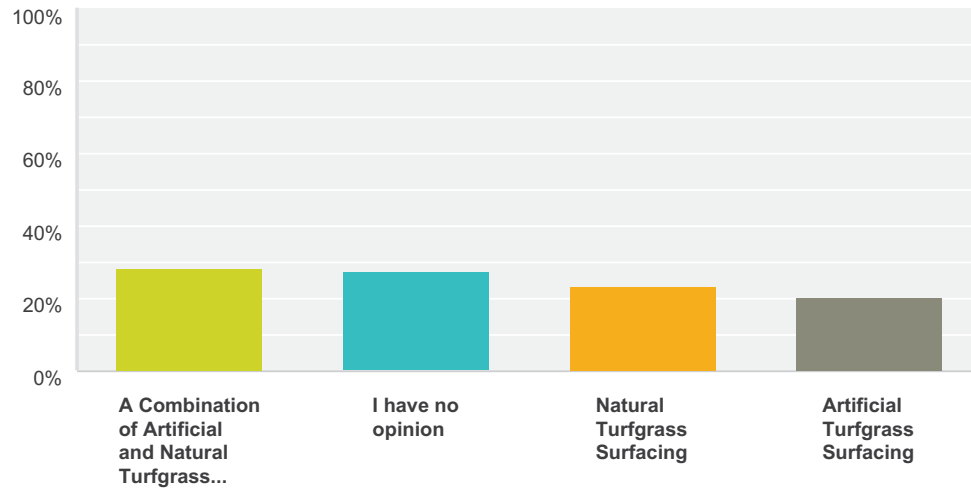
19	More practice fields.	1/7/2015 5:39 PM
20	Gated area for the 6 or younger playground.	1/7/2015 5:18 PM
21	Snack shack during games	1/7/2015 4:57 PM
22	Improved/real Skateboard park	1/7/2015 10:47 AM
23	Please don't destroy any more wilderness and trees!	1/6/2015 11:29 AM
24	Conceptual Plan #2 is the best of the 3 plans.	1/6/2015 10:07 AM
25	More playground areas	1/5/2015 5:10 PM
26	decrease horse activities in the park, riding, trails, corral.	1/4/2015 12:46 PM
27	Beach	1/3/2015 7:35 PM
28	Much improved skate park with runs/fly-outs for scooters	12/31/2014 8:54 PM
29	more fishing access, smaller docks along the river	12/30/2014 8:56 PM
30	Keep it open and natural please. The more grass and trees the better.	12/30/2014 5:37 PM
31	parking has to be fixed!	12/28/2014 12:12 PM
32	lighted basketball area expanded	12/28/2014 10:43 AM
33	Fields for soccer whith artificial grass.	12/26/2014 10:25 AM
34	River access that would include an area where dogs could swim.	12/24/2014 4:50 PM
35	I think the existing 'passive' use trails are very good and sufficient; no need to add more. I want to avoid unnecessary development in this 'passive use' area	12/22/2014 3:08 PM
36	I can not think of one more activity that our park needs. It is full of people, animals and activities already.	12/21/2014 1:51 PM
37	Beach and swim please!	12/20/2014 1:07 PM
38	Swimming beach	12/20/2014 12:57 PM
39	Turf as it gets so muddy. Lights for safety	12/20/2014 11:21 AM
40	Artificial turf for soccer field / covered soccer areas	12/19/2014 8:43 PM
41	Turf baseball field	12/19/2014 7:56 PM
42	swim pool	12/19/2014 2:59 PM
43	another water feature? outdoor amphitheater for events?	12/19/2014 1:41 PM
44	A river "loop" running along the length of waterfront property with views of river.	12/19/2014 1:16 PM
45	lights	12/19/2014 12:54 PM
46	More lights for sports fields. Not limited to just baseball fields.	12/19/2014 12:50 PM
47	skatepark improvement	12/19/2014 12:46 PM
48	None These would entail more revenue, people are taxed enough in Wllsonville property taxes are through the roof.	12/19/2014 9:04 AM
49	Skateboard park. Concrete one.	12/18/2014 6:53 PM
50	Bike path leading across town	12/18/2014 6:41 PM
51	Baseball field with men's dimensions -- 90 ft. basepaths	12/18/2014 10:59 AM
52	backboard in tennis court so one player could hit the tennis ball to practice.	12/18/2014 10:49 AM
53	Turf soccer fields	12/18/2014 10:46 AM
54	We need multi use sports fields like for tournaments for lacrosse, football & soccer	12/18/2014 10:42 AM
55	Indoor tennis	12/18/2014 6:30 AM

56	Archery range	12/17/2014 8:36 PM
57	Replace the grass fields with turf and add lights for all the fields so they can be used year round and at night.	12/17/2014 1:56 PM
58	Skatepark	12/17/2014 1:11 PM
59	Nothing. Park is complete. Anything more would encourage more use and more crowding.	12/16/2014 6:07 PM
60	natural areas	12/15/2014 10:50 AM
61	An additional 4 courts would be very welcome. Demand is growing.	12/14/2014 8:44 PM
62	covered and/or indoor pickleball	12/14/2014 4:27 PM
63	Better lighting on pickle ballcourts/ benches	12/14/2014 2:46 PM
64	batting cage, covered pickleball, turf infields for baseball softball	12/14/2014 10:43 AM
65	more room for play	12/12/2014 3:16 PM
66	Concession stands and nets between baseball fields 1, 2 & 3	12/12/2014 2:38 PM
67	River Access for NON-Motorized water craft only.	12/12/2014 2:37 PM
68	Artificial Turf (Soccer, Lacrosse) too much mud!	12/12/2014 2:34 PM



**Q10 If investments were made to existing athletic fields and/or new fields were incorporated, would you prefer:**

Answered: 574 Skipped: 43



Answer Choices	Responses	
A Combination of Artificial and Natural Turfgrass Surfacing	28.40%	163
I have no opinion	27.70%	159
Natural Turfgrass Surfacing	23.34%	134
Artificial Turfgrass Surfacing	20.56%	118
<b>Total</b>		<b>574</b>

## Q11 Do you have any additional comments?

Answered: 152 Skipped: 465

#	Responses	Date
1	More covered picnic area options with bbq feature. Clear signage for walking paths Availability of maps or a kiosk with a map posted for walkers and biking.	1/18/2015 4:05 PM
2	Leave the park alone for now, I dont know why any new improvements are required at this time the City doesnt keep the current park up as well as it should. Maybe wait until the next population milestone of the city if reached >25K and do something then. Dont just spend money on new stuff when you arent really keeping up the the current improvements as well as you should.	1/14/2015 2:13 PM
3	Softball is very important part of the adult community. The events, leagues, practices, etc. bring money to local business such as Lamb's Thrift way, Wankers, Ram, Oswego Grill, etc. I heard that soccer fields may be expanded and displace the softball fields and I believe that is a big mistake. There is a design that can increase soccer space while keeping the same amount of space for Softball and Baseball.	1/13/2015 4:40 PM
4	Turf on the infields for baseball would be a great idea	1/13/2015 6:59 AM
5	None	1/12/2015 4:22 PM
6	Concessions stands that could be operated by non-profit groups such as baseball and softball	1/12/2015 9:16 AM
7	I would like to see improvements to the baseball facilities, ie: overhead netting, concession area. I think this would increase Wilsonvilles ability to draw tournaments to the area which could increase revenue. Artificial turf would also make the fields more usable during our "rainy season"	1/12/2015 8:50 AM
8	Please keep it on the natural side. Wildlife have so few places to live. No big parking areas. No golf and no increase in ball fields. More natural planting and less manicured landscaping. Ball parks can be elsewhere, this is a special place with proximity to trees and river -- doesn't need to be Bullwinkle's Fun Center. Existing roads are fine, people can walk, it's good for us.	1/11/2015 3:05 PM
9	Replace red slide with something even better	1/10/2015 9:14 PM
10	Artificial turf fields are my highest priority	1/10/2015 8:03 PM
11	If you were going to build new fields, could we have some of the fields dedicated to baseball for younger kids have pitchers mounds?	1/9/2015 7:36 PM
12	Improve Wood, spend the money on fields there and at Lowrie instead of at Memorial.	1/9/2015 6:13 PM
13	A concession stand, batting cages and additional overhead nets for baseball/softball fields would be a nice addition to Memorial Park.	1/9/2015 6:01 PM
14	Addition of turf surface would be nice	1/9/2015 5:56 PM
15	Snack bar for sporting events.	1/9/2015 5:25 PM
16	a concession stand for sporting events would be great.	1/9/2015 5:19 PM
17	We need support youth sports more and allow them to have vending area and allow them to utilize turf fields in Oregon.	1/9/2015 4:55 PM
18	Turf infields and grass out fields would be a good solution to maintain grass outfields for soccer.	1/9/2015 4:26 PM

19	Great work. Options and ideas are well thought out. Thanks for doing this. It is very needed. Thoughts about options: I would like a long, mostly unpaved path through the park. I run, and I see many others. Soft surfaces are prized. Connecting existing paths seem... doable, at least. A 2+ mile loop (with shorter options) would be awesome. The river is a real prize. I love the option that has a 'beach'. It would be nice to have the dock incorporated. Emphasize the river. Although my son doesn't do skate/bmx, there is a real need to have those areas in this city. Long overdue. I see them on the plans, but separated. Might those be nested together, with a 'hangout' place between them. There is an irrational fear of teens in our society. What they need is to be together and be respected. We have the opportunity to do that here. Disk golf. Sure. Why not. Something for the 20/30 somethings. Take a look at Greenway Park in Beaverton. The disk golf is not a large 9-hole golf area, but incorporated along the path that wanders through the park. Bikers and runners and kids and families right next to the disk golfers.. Nice model. Bus stop by Murase entrance rather than Memorial entrance so that it is easy for folks to go to either/both. Great Job! Keep at it!	1/9/2015 9:08 AM
20	Better skatepark for the kids!	1/8/2015 4:51 PM
21	My family and all of my children have benefited from Memorial Park through use of the sports fields and the amenities. MP is a treasure for the citizens of Wilsonville.	1/8/2015 8:37 AM
22	We have extra space to make skate play are on the others park next to city hall,they say long time ago that they will build a skate park there but no plans yet :( .... We need a big skate park ... Many kids skate in town !!!! Bring the kids to the park again :)	1/8/2015 8:01 AM
23	Batting cages and concessions	1/7/2015 10:06 PM
24	I think it would be great for Wilsonville to have a public indoor or outdoor swimming pool.	1/7/2015 9:37 PM
25	Love the concerts in the park and that allows beverages to be consumed	1/7/2015 9:01 PM
26	Fishing access!!!!	1/7/2015 8:19 PM
27	It would be great to have a sports complex that would allow for softball tournaments for adults and children.	1/7/2015 8:06 PM
28	Artificial turf for softball or baseball, not for soccer.	1/7/2015 7:47 PM
29	no	1/7/2015 7:01 PM
30	The River is right there and such a shame that the park does not utilize that amazing opportunity, ie water access, views, trails, etc...much of the park is waterfront and you can't even see it/enjoy it...	1/7/2015 6:35 PM
31	I would love to see Wilsonville capitalize on the river more than it currently does. Living in Rivergreen neighborhood where we have a dock I know how special the river is to our community and not enough people have access to it! Paddleboat, kayak, paddleboard rentals would be a fantastic addition to our already great community.	1/7/2015 5:46 PM
32	Lots of our kids play sports and synthetic turf keeps things on schedule if there is bad weather.	1/7/2015 5:42 PM
33	More wilsonville city events held at Memorial Park and not at Town Center. Covered playgrounds so rainy days we can play!	1/7/2015 5:19 PM
34	This community needs more sports fields/complexes for the kids.	1/7/2015 4:51 PM
35	We need an indoor recreational area like a pool because most of the months are raining.	1/7/2015 4:49 PM
36	oh please keep those big trees!	1/6/2015 11:29 AM
37	Conceptual plan #3 places the court sports (including pickleball) closer to residential housing. This is a location that will cause conflict and should not be considered.	1/6/2015 10:09 AM
38	Natural turf is fine, yes we know the fields are sometimes so water soaked as to be unusable but we always manage a work around. Increase police patrols at night, limit use after dusk, periodically sweep the forest for transits, vagrants, bums, illegal campers. Make the trails more safe for our kids, wife's, walkers & joggers.	1/4/2015 12:53 PM
39	A little beach for kids to play would be awesome!	1/3/2015 7:36 PM
40	Lights for the soccer fields so that they are better utilized in the winter months when it gets darker earlier. If grass fields are to be developed make sure adequate DRAINAGE is addressed so that the fields are able to be used in the winter months with minimal damage to the turf.	1/3/2015 3:05 PM
41	My business is a disc golf supporter, and have sponsored tournaments. We would love to have a park here in Wilsonville to have a "home field" and bring more customers to all local businesses.	12/30/2014 6:13 PM

42	Please don't pave over what it there with more courts, parking ect. The park is just right now. Also, please don't add add lame sculptures like they do downtown. Some of the soft trails back in the woods could be kept up better. They get very muddy.	12/30/2014 5:40 PM
43	how about a swimming pool.	12/29/2014 1:10 PM
44	I coach youth soccer, and by the end of the season, it's pretty muddy. I enjoy playing on grass, so I definitely don't want the grass fields to all be turf, but if there's a way to get better drainage, that would be wonderful. It's tough, though, I know. Also, my family loves disc golf - we play 6-10 times per year and find ourselves driving to Champoeg, Fanno Creek, Pier Park, Herbert Hoover, or Milo McGiver parks to play. I'd love to have a 9-hole course at Memorial Park. It's a beautiful park! You have done a wonderful job to provide a variety of activities for people - we certainly use many of them!	12/29/2014 11:40 AM
45	Please add a Discgolf course to this Park, for information or help contact stumptowndiscgolf.org	12/28/2014 8:04 PM
46	adult baseball fields with lights 90 foot bases	12/28/2014 5:25 PM
47	Concession stand needed for sports events.	12/28/2014 12:20 PM
48	I'd like a walking/jogging path (paved or gravel) around the main park separate from the lanes for cars. Especially from the main entrance to the dog park. Sign(s) are needed in Murase Plaza pointing out the path connecting it to the main park. A sign is needed on Memorial Drive that clarifies which entrance accesses the dog park.	12/27/2014 2:55 PM
49	Cover the pickleball area. We get a lot of rain!	12/27/2014 1:47 PM
50	Indoor or covered/sheltered Pickleball courts to facilitate year-round play.	12/26/2014 11:04 PM
51	Having more access where you can see the river would be nice. But I love the trails and especially the unpaved trails through the forested part of the park.	12/26/2014 10:54 PM
52	Thank you for considering the support for the fastest growing sport in North America ( Pickleball ) it will only continue to grow and become a must have option for the local community of all ages.	12/26/2014 3:23 PM
53	Pickleball is the fastest growing sport in America, so I've heard. A few covered courts would be great!	12/26/2014 9:45 AM
54	Memorial Park is one of the best things about living in Wilsonville	12/26/2014 8:18 AM
55	The park is perfect as it is - adding a boat ramp/river access would be a mistake and detract from the character/tranquility of the park setting	12/25/2014 4:03 PM
56	Highest priority: Soccer on turf during rainy season.	12/25/2014 11:25 AM
57	The current off-leash dog park is barely large enough for busy times - could it be expanded to the east? Alternatively, having a second off-leash park in that area would permit rotating the usage - ie. allowing one park to recover with re-grading and seeding a couple times a year. The off-leash park is a wonderful resource that is heavily used. Thank you.	12/24/2014 4:55 PM
58	Should be set up with amenities for baseball and softball tournaments,such as concessions and scoreboards.	12/24/2014 4:20 PM
59	more lights are needed on the fields	12/24/2014 8:03 AM
60	Pickleball is the main interest of myself and my husband. The open times are when we participate. Expanding the times and increasing the amount of courts would be our preference.	12/23/2014 9:59 AM
61	would LOVE artificial turf as long as it's not the newer version of recycled tires that has shown to have caused 36 cases of blood born cancers...34 of which are goalies. Don't laugh this off...do the research.	12/22/2014 8:32 PM
62	We use the park weekly during good weather, less often during rainy seasons. It is great to have athletic practices and games there.	12/22/2014 3:48 PM
63	What is the impetuous for these proposed changes? I don't see the need for any of it, even with our expanding population. The passive use and soft trails areas of the park are a valuable resource. I have been investing time with Friends of Trees on planting a pollinator hedgerow in the riparian area close to the Community Garden which seems to be a symbiotic benefit. I do not want to see a lot of development in the east park area or greatly increased parking; the soft trails in this area are used by runners, hikers and dog-walkers and provide a valuable resource in a central location. Parking and hard trails or 'active' sports areas in the east park location would be damaging and take away a major attraction of the passive use. The forested area adjacent to the waterfront between the river and forest shelters has some old-growth trees and the woodland has also been under restoration by volunteer efforts; clearing trees in this area would be objectionable and counter-productive, reducing multiple benefits of the valuable natural area and the ecosystem within it.	12/22/2014 3:18 PM

64	Yes, I have lived in Wilsonville for over 35 years and walk in the park daily. I have watched it grow and change, most for the positive. Memorial Park is one of the most wonderful mixed use parks in the metro area. There are activities to accommodate all citizens, often those from other areas. The ball parks especially are used primarily by teams outside Wilsonville, therefore we really don't need more. It has been carefully developed to provide wonderful activities for all without adversely affecting the wildlife habitat in the area. I see deer in the park regularly and deer beds are spotted throughout the passive area of the park. Due to the huge increase of commercial and residential development, there is less and less area for wildlife, if anything they need more areas like memorial park. It has always been the view of the city and its citizens, wildlife is of primary importance. We have several new parks in the city that could provide more ball fields, skate park, courts ect., if needed. Much money and time has been spent planning Memorial Park carefully for everyone and I think the plan is working. I run into people all the time that say "what a wonderful park your city has, there are not many like it". Why ruin something for a few when it is now working for so many? Leslie Hildum Wilsonville	12/22/2014 1:29 PM
65	Thank you for your work on this.	12/22/2014 1:12 PM
66	It would be nice to have a concession stand that the sports teams could use during tournaments. It would also be nice to have covered dugouts for Baseball.	12/22/2014 10:56 AM
67	Do not make expansions that effect Rose Lane and Montgomery Way. Increased trails and community gardens in this area would be fine. Do something about the owners who think they can walk their dogs any where off lease.	12/22/2014 8:12 AM
68	The river and all of its glory is an extremely under-utilized asset of the City. Even when you walk in the trails, the foliage covers the river so much you can barely see it.	12/22/2014 7:48 AM
69	I would like to see some concern for proximity of Rose Lane residents -we have had people in our yard, on our deck, running in our lower creek area, walking in from park side to lunch in our front yard, and on our dock. I see you have noted neighborhoods on the other side of the park but not this side? We deserve to have our privacy and safety addressed too. With the addition of Villebois etc there are plenty of areas for "activities" but very little left truly natural along the river area--the eagles have just started back to our area again. I beleive keeping an area "in town" along the river where people might see them is crucial, and there are an amazing amount of people that simply walk or run daily thru this area, next to us in the lower tree'd portion of the park.Please once again consider an Arboretum and natural use of this area, there are none left and so accessible to the many people who simply want a quiet run or walk. Please consider Option 1 with some modifications for privacy for "edge of park" dwellers. Pics of eagles in yard available. Thank you	12/22/2014 7:29 AM
70	Increased lighting at ball field areas especially soccer fields	12/21/2014 4:58 PM
71	We do not wish to see any additional parking added to this park. We want to preserve the natural ambiance that this sensitive ecosystem area deserves. If we keep paving paradise it won't be worth walking to. Keep the balance.	12/21/2014 1:54 PM
72	These are wonderful parks that I use daily rain or shine! Thank you for keeping them safe, up and running and looking so beautiful!	12/21/2014 8:32 AM
73	better baseball and softball facilities. Such as covered dougouts for some of the fields, baseball mounds for tournament regulations, better grass maintenance, homeruns fences if feasible for certain fields, why not a hitting / batting center ? ect ect.....our baseball / softball resources in Wilsonville are kind of weak in my opinion.	12/20/2014 9:43 PM
74	Not sure if the river is too fast near the park, but it would be nice to have a swimming area.	12/20/2014 12:54 PM
75	Water acess and use as a swimming area would be excellent.	12/20/2014 12:11 PM
76	Beautiful Park! We are lucky to have it in Wilsonville!	12/20/2014 9:00 AM
77	More covered shelters near sports area would be a great addition as well.	12/20/2014 7:15 AM
78	Keep the park green. Leave trees and green spaces for nature walks and animals. Quit cutting down trees!!! We have plenty of fields, playground equipment and skateboard areas.	12/20/2014 7:02 AM
79	Please invest in artificial turf as the community and neighboring communities will continue to enjoy the great town of Wilsonville.	12/20/2014 5:22 AM
80	Indoor areas to be used during winter/ Indoor pool	12/19/2014 8:44 PM
81	I appreciate the city making this investment. I really think we need artificial fields so our kids' practices and games will get cancelled less.	12/19/2014 7:59 PM
82	Large interactive zen garden	12/19/2014 7:49 PM



83	The addition of at least one artificial turf soccer field is long overdue. You can't do without in this climate and with such a large soccer community.	12/19/2014 7:03 PM
84	More parking and more fields.	12/19/2014 5:36 PM
85	I would like to have lights available for all of the sports fields.	12/19/2014 3:09 PM
86	More lights on soccer field; add a swim pool	12/19/2014 3:08 PM
87	I hope that a great majority of the park is left with unpaved trails and in its natural state.	12/19/2014 3:05 PM
88	I don't want anymore ball fields. Preserve natural habitat. Forest has been degraded because there is ivy and the lack of second story plants.	12/19/2014 2:51 PM
89	No.	12/19/2014 2:50 PM
90	Please keep the turf natural. I've been reading information about artificial turf that scares me. Let's keep our kids on grass and dirt as long as possible. Thank you!!	12/19/2014 2:45 PM
91	The plan that makes a grouping of 4 ball fields is a waste of money. It means moving many of the current play areas, courts, and even some of the parking lot. Use the plan that improves the ball field next to the parking lot. That still gives you 4 fields.	12/19/2014 2:44 PM
92	Nice job upgrading the parking lot. However, the grass fields become too soggy in the rainy season season, so it would be great if you invested in a drainage system, so soccer and other sports can be played. Thank you!!!!	12/19/2014 2:37 PM
93	No	12/19/2014 2:32 PM
94	Please no artificial turf. Natural grass is best! <a href="http://www.nbcnews.com/news/investigations/how-safe-artificial-turf-your-child-plays-n220166">http://www.nbcnews.com/news/investigations/how-safe-artificial-turf-your-child-plays-n220166</a>	12/19/2014 2:01 PM
95	Thank you so much for working with the community on this! It is so wonderful to be able to give an opinion!	12/19/2014 1:42 PM
96	The kids need a covered skatepark especially in the fall/winter months	12/19/2014 12:55 PM
97	Soccer is a growing sport and although there is current space, the natural turf drainage is poor and the fields become swampy. Evening us in the Fall is poor due to current lack of adequate lighting. Artificial turf fields would make the sports fields more desirable and attract more usage and tournaments.	12/19/2014 12:53 PM
98	The Park needs to be redesigned to better manage the space. There is to much area that is not utilized at all. Ball parks need to be clustered and confined better, soccer/lacross fields need to be seperate from baseball diamonds	12/19/2014 12:48 PM
99	If fields are left as natural turf better drainage needs to be done so the fields are playable for soccer into the fall season	12/19/2014 12:46 PM
100	These questions are slanted to provide what your looking for which is more revenue to build more unnecessary stuff. The people that live here cannot afford a penny more property tax or we could stand to loose our homes. Lets take care of what we have and make it better first and foremost. And for heavens sakes do not put in a pool in Wilsonville it would be insane. NO pools have ever paid for themselves just look around we have pools in every community in Wilsonville now plus work out rooms and all the neighboring Cities do as well so not sure who would want to join.	12/19/2014 9:09 AM
101	I would like to see a way to 1) Attract tourism and recreation down by the River 2) Preserve as much natural habitat and wildlife for those of us who love to hike around the Park.	12/19/2014 8:52 AM
102	Gosh, I wish Wilsonville had a community outdoor (and indoor) pool!	12/19/2014 8:10 AM
103	I would play disc golf all the time!	12/19/2014 6:14 AM
104	Even though I would never use it, i think we need to build a world class skate park on th lot across the street from city hall. I cannot think of anything that could be done to improve Memorial park. It is one of the nicest and most multifunctional parks in the metro area	12/18/2014 10:57 PM
105	It's a great park, but really lacking in access to the river. It almost feels like you are not suppose to go down that trail. I've talked to people who didnt know you could get to the river. The parking is okay. Little tough when backing out to see clearly around you which is essential because of children.	12/18/2014 10:35 PM
106	Wonderful amenity for Wilsonville with a great variety of activities to accommodate all ages!	12/18/2014 9:53 PM
107	A disc golf course would be a fabulous addition to this awesome park! Please make it happen!!	12/18/2014 7:16 PM

108	The playground is especially important to us - equipment that will push our children to use gross motor skills and that won't coddle them.	12/18/2014 5:47 PM
109	Would love to see improvements to the dog park area (more shade). Would also love to see a volleyball court installed!	12/18/2014 3:42 PM
110	The new plan should consider the possibility of the French Prairie Bridge spanning the river from Charbonneau to Memorial Park.	12/18/2014 1:47 PM
111	While water access is important, keeping the area around the river shelter the same should be highly considered. I don't like the idea of adding paved trails or roads in that area that would break up the natural area and grassy area around the river shelter. A paved path between the maintenance barn and Boozier barn should be a priority as this is the lowest slope from upper to lower portions of the park.	12/18/2014 11:23 AM
112	Please do not put in any turf fields! There are enough of them already at the high school. Baseball and soccer are so much better played on REAL grass.	12/18/2014 11:00 AM
113	Would most like to see a community aquatic center in the area.	12/18/2014 10:55 AM
114	keep the east side passive	12/18/2014 10:50 AM
115	Would be nice to see a tennis court or two be put in closer to Villebois community. Also I think wilsonville is missing the boat by not putting in a sports complex. Major business for local store and city.	12/18/2014 10:49 AM
116	With all the new construction and younger filies like ours, it would be nice if we had a multi-use sports fields so we didn't have to drive so far away to play games.	12/18/2014 10:44 AM
117	Add covered sports fields for more year round use but less expensive than full indoor facility.	12/18/2014 10:25 AM
118	The park needs to be safer for our children especially around the water feature near the road.	12/18/2014 9:07 AM
119	Develop that dark forested area by opening it up and expanding the one lane road to get down there.	12/18/2014 1:38 AM
120	I would love to see the skate park removed, it seems to cause trouble.	12/17/2014 8:35 PM
121	Nice Park. I like it.	12/17/2014 8:18 PM
122	My family really enjoys Memorial Park!	12/17/2014 6:03 PM
123	An improvement to the skatepark would also be something we would like to see so that scooters could more easily be utilized.	12/17/2014 4:33 PM
124	thank you!	12/17/2014 3:58 PM
125	Living in Day Dream Ranch the night lights when games are on blast through our windows. It would be nice to add some trees along the edge of both developments to help buffer the lights and increased traffic	12/17/2014 3:35 PM
126	I have to take my kids to Tualatin and Lake Oswego so they can practice soccer at night (after dark) and during the rainy season (October to May) when grass fields are often too wet to play on.	12/17/2014 1:58 PM
127	Build a new skatepark	12/17/2014 1:12 PM
128	I love this park! Keep the balance between active and passive uses. Need more parking and better fields, artificial turf. Would like to have vistas of the river. Keep the natural trails along the river, keep the natural beauty of this amazing asset! It makes Wilsonville very special.	12/17/2014 11:02 AM
129	Covered Pickleball courts are an excellent idea.	12/16/2014 7:23 PM
130	please no additional traffic on Rose Ln.	12/16/2014 6:06 PM
131	Memorial Park is a nice city asset. We need to continue to improve and update.	12/16/2014 6:03 PM
132	no parking off of rose ln.	12/16/2014 6:00 PM
133	no	12/16/2014 5:35 PM
134	I would like to see indoor or covered pickleball courts.	12/16/2014 4:38 PM
135	Permanent concession stand added in between baseball fields. Better dugouts for baseball fields. Better river access. Develop areas around dog park, river access, trails, picnic areas.	12/16/2014 12:02 PM
136	I have relatives in Willsonville and recently came to check out your PB courts. I was very impressed and liked your Open Play Protocols.	12/15/2014 10:21 PM

137	More pickleball.	12/15/2014 4:32 PM
138	how about 9 holes and 18 holes for beginners and pro DISC GOLF	12/15/2014 11:05 AM
139	i believe there is enough access that can be managed by police etc to water areas, I believe natural areas are quickly being lost in our area, and there are plenty of opportunities for heavy people use activities away from the natural area of memorial park. It is insane to think that boating and paddling would not become a huge issue for neighbors and our scanty police protection.	12/15/2014 10:54 AM
140	River Shelter area - water drainage, water faucet control, barrier to housing area (replace vegetation removed when built)	12/15/2014 9:10 AM
141	Thank you for the designated Pickleball courts! We are seeing steady use and growth.	12/15/2014 6:46 AM
142	Pickleball will draw from all over the County	12/15/2014 6:46 AM
143	We love walking around the paths in the park. The blackberries in the fall are delicious and we love the volcano! RIP Volcano. The park has huge potential with the river right there. I'd go for more the Cook Park in Tualatin style than the Willamette Park in West Linn style: there are plenty of motorboat ramps in the area. It would be nice to have easy canoe and kayak put-ins to the river.	12/14/2014 8:57 PM
144	Please keep the park grass. There is nothing better than going to the park and playing on fresh grass.	12/14/2014 8:56 PM
145	Wilsonville Memorial Park is a secret, all too well kept. Need massive art festival, public events to attract people from ALL surrounding / Portland-Vancouver, Woodburn, Salem communities.	12/14/2014 4:32 PM
146	Indoor pickleball courts also for year round play	12/14/2014 3:34 PM
147	Glad you support pickle ball and wish there were enough courts for a tournament. Line tennis courts for PB good start.	12/14/2014 2:47 PM
148	I've learned to play pickleball as a result of new courts and city equipment. It's great.	12/14/2014 10:14 AM
149	Adding more Pickleball courts would help to further the growth of the sport in the Willamette valley region. Area players really enjoy playing on our existing courts.	12/14/2014 10:06 AM
150	no opinion on the turf because most cost effective was not an option. whichever is the least expensive over the long term (not just installation costs) AND functions as well	12/12/2014 4:05 PM
151	Parking is horrible! It looks really nice but it seems to have decreased the overall amount of parking. It would be great to be able to have full sports tournaments at the park, but the parking is insufficient. It would be nice to have concession building put in by baseball fields and improve the quality of the restroom facilities. It would be great to have nets installed between baseball fields 1, 2 & 3. Sherwood-Hopkins elementary sports fields has those and it saves a lot of spectators from getting injured. North Clackamas Sports park has sun shades above the dug outs and the spectator stands and also has nets.	12/12/2014 2:43 PM
152	If River Access is considered - ie; boat launch, i would like to see it restricted to non-motorized craft only. this will help keep park users safe from traffic with large boats the park will still maintain a quiet atmosphere. There are enough other boat launches for motorized watercraft	12/12/2014 2:39 PM

**Q12 Enter your contact information below if you would like to get updates on the Memorial Park Master Plan.**

Answered: 176 Skipped: 441

Answer Choices	Responses	
Name	97.16%	171
Company	20.45%	36
Address	84.09%	148
Address 2	0.00%	0
City/Town	89.20%	157
State/Province	89.77%	158
ZIP/Postal Code	89.77%	158
Country	0.00%	0
Email Address	93.75%	165
Phone Number	0.00%	0

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1	Steve Lemke	1/18/2015 9:08 PM
2	Craig Morrison	1/16/2015 2:30 PM
3	patty gohier	1/14/2015 9:51 PM
4	Andrea Lindsey	1/13/2015 7:43 PM
5	Aaron Slindee	1/13/2015 4:40 PM
6	Dart Family	1/13/2015 6:59 AM
7	Ken Carpenter	1/12/2015 4:22 PM
8	Jennifer Gutridge	1/12/2015 3:46 PM
9	Matt	1/12/2015 10:40 AM
10	Sara Soderlund	1/12/2015 8:50 AM
11	Matt Overholt	1/10/2015 9:07 AM
12	Megan Muth-Larson	1/9/2015 10:12 PM
13	Laura Ling	1/9/2015 5:50 PM
14	alicia dart	1/9/2015 5:19 PM
15	John Santiago	1/9/2015 4:26 PM
16	Jessica Rand	1/9/2015 1:06 PM
17	Jonelle Marquis	1/8/2015 1:29 PM
18	Bill	1/8/2015 12:44 PM

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22	Gayland Forsberg	1/8/2015 8:37 AM
23	Tiffany Hurst	1/8/2015 8:34 AM
24	Dana ramsey	1/8/2015 8:26 AM
25	Sabina	1/8/2015 8:01 AM
26	Tony Ruvalcaba	1/8/2015 7:48 AM
27	Kevin Alford	1/8/2015 4:46 AM
28	Bryn Card	1/7/2015 10:55 PM
29	Wendy Collett	1/7/2015 9:28 PM
30	Molly burhop	1/7/2015 8:59 PM
31	Terry Hutchinson	1/7/2015 8:19 PM
32	Tom Aichele	1/7/2015 8:06 PM
33	Brenda Lee	1/7/2015 7:20 PM
34	Jeremy Doblle	1/7/2015 7:03 PM
35	Donna Parry	1/7/2015 6:35 PM
36	Mychelle Ashlock	1/7/2015 6:34 PM
37	Danyle Nguyen	1/7/2015 6:26 PM
38	Cameron Eby	1/7/2015 6:20 PM
39	Stacy Brittle	1/7/2015 5:58 PM
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56	Dave McCormick	12/31/2014 7:48 AM



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70	Josh Ring	12/22/2014 9:34 PM
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78	Fred Robinson	12/22/2014 8:07 AM
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123	Jennie Hill	12/18/2014 5:05 PM
124	Shoshana Hawk	12/18/2014 4:41 PM
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126	Angee Glastra van Loon	12/18/2014 3:42 PM
127	Carrie Postma	12/18/2014 3:42 PM
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132	Scott Speer	12/18/2014 10:49 AM

133	Heather Ward	12/18/2014 10:44 AM
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161	Mike Hoxie	12/15/2014 6:46 AM
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169	AVA MIEHER	12/12/2014 2:39 PM
170	Anne Smith	12/12/2014 2:39 PM

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3	Xerox	1/13/2015 4:40 PM
4	Adams	1/12/2015 10:40 AM
5	Wilsonville Youth Baseball Director	1/9/2015 4:26 PM
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7	Wilsonville high school	1/7/2015 10:55 PM
8	Hutchinson Construction llc	1/7/2015 8:19 PM
9	Rockwell Collins	1/7/2015 8:06 PM
10	Nourishing Traditions	1/7/2015 6:26 PM
11	City of Tualatin	1/7/2015 6:20 PM
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13	Prospera Events	1/7/2015 5:46 PM
14	EC Electric Company	1/7/2015 5:23 PM
15	Resident	1/5/2015 4:13 PM
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18	dewit	12/28/2014 5:25 PM
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20	Valentine	12/21/2014 8:32 AM
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22	Wells Fargo	12/20/2014 5:22 AM
23	US Bank	12/19/2014 1:38 PM
24	McClintock and Bustad	12/19/2014 1:20 PM
25	LegalShield/Senior Discount Cards	12/19/2014 8:52 AM
26	Clift	12/19/2014 7:35 AM
27	Wilsonville chamber	12/18/2014 8:44 PM
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29	Oregon city public works	12/18/2014 7:16 PM
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32	New Life Church	12/17/2014 4:05 PM
33	Retired	12/14/2014 4:32 PM
34	Coyote logistics	12/14/2014 4:01 PM
35	Sanford Business Consulting	12/12/2014 2:43 PM
36	RESIDENT	12/12/2014 2:39 PM

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25	OR	1/8/2015 7:48 AM
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31	OR	1/7/2015 7:20 PM
32	OR	1/7/2015 7:03 PM

## Memorial Park Master Plan Update

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Wilsonville Parks and Recreation Department

MARCH 2015





## Acknowledgments

### Wilsonville Parks and Recreation Department

Stan Sherer, Director  
Tod Blankenship, Parks Supervisor  
Brian Stevenson, Recreation Coordinator

### City of Wilsonville

Kerry Rappold, Natural Resources Program Manager  
Kurt Budlong, Analyst

### Design Team

**Walker Macy**  
Mike Zilis, Principal in Charge  
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Thomas Fischer, Landscape Designer  
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I. EXECUTIVE  
SUMMARY

## EXECUTIVE SUMMARY

Located in the heart of Wilsonville, Oregon Memorial Park has been a significant community resource for its citizens for decades. Often referred to as Wilsonville's jewel, the 126 acre Regional Park is bordered by Wilsonville Road, Memorial Drive and the Willamette River. Generations of residents have enjoyed the wide variety of active, passive, programed and non-programed recreational experiences the park has to offer. The park also provides distinctive natural resources including its riparian forest along the Willamette River and Boeckman Creek, open meadows and forested hillsides. These resources play an important role in shaping the park's character and providing important wildlife corridors. Community involvement was integral to the planning process, including a City wide survey, stakeholder meetings, website communications and a three part series of public open houses that provided neighbors and citizens an active role in planning for the parks future. Critical to the community was balancing passive and active uses with protection and enhancement of the parks natural areas. This integral public involvement process produced a plan that was derived directly from the community and enhances the quality of the park to be enjoyed for generations to come.

The Master Plan for Memorial Park consists of a mixture of improvements to existing facilities and development of new elements reflecting current demand and anticipating future community recreational needs. Elements of the Master Plan as identified by the community include; improvements to Murase Plaza, upgraded sports fields, additional and improved picnic facilities, improvements to vehicular, pedestrian and bicycle access, new parking areas, disc golf, relocation of the off leash area, restoration of natural areas and providing improved connections to the Willamette River. All of these modifications have been strategically located to preserve and enhance the natural features of the park and to minimize impacts to adjoining neighborhoods.

The proposed Master Plan is a strategic balance of improvements to help guide future development of the popular park, ensuring Memorial Park will continue being a landmark destination within the community of Wilsonville.





Figure 1 - Proposed Master Plan





**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  June 1, 2015		<b>Subject: Resolution No. 2537</b> ADA Title II Transition Plan  <b>Staff Member:</b> Zachary Weigel, P.E., 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 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>  	
<b>Staff Recommendation:</b> Staff recommends approval of Resolution No. 2537.			
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2537			
<b>PROJECT / ISSUE RELATES TO:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities Clear Vision and Community Design	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

A City of Wilsonville resolution adopting the Americans with Disabilities Act (ADA) Title II Transition Plan for Wilsonville Public Right-of-Way and City Parks Facilities.

**EXECUTIVE SUMMARY:**

Title II of the Americans with Disabilities Act (ADA) requires that public entities with 50 or more employees develop a transition plan that provides for the removal of physical barriers that limit individuals with disabilities access to local government programs, activities, or services. Parks facilities and other facilities in the public right-of-way constitute a service, program or activity of the City and are therefore subject to these regulations.

In preparation for developing the Plan, the City conducted an inventory of all park facilities in 2014, as well as all curb ramps, pedestrian signals, and transit facilities located within the public right-of-way. The inventory identified facilities that did not meet current ADA design standards. Any facility that is ADA deficient is labeled as a “physical barrier” in the Plan.

In January 2015, the City hired MIG, Inc. to utilize the City’s ADA inventory information and develop a Transition Plan in accordance with ADA Title II regulations. The Plan identifies a 10-20 year barrier removal program that includes the following information:

- Identification of the barriers to program access;
- Identification of the specific barrier removal actions;
- Identification of a schedule for barrier removal; and
- Identification of responsibility for ensuring barrier removal.

Barrier removal within park facilities is to occur as part of changes in park programming and regular parks maintenance projects, the majority of which are scheduled to be completed within the next five years.

ADA facilities within the public right-of-way are typically improved when located within the limits of an infrastructure repair or replacement project or when impacted by nearby construction projects. The Transition Plan asserts that barriers within the public right-of-way will be removed under the following conditions:

- As part of a Capital Project for new construction or roadway alterations;
- As part of a Private Development Project affecting public right-of-way;
- As part of maintenance and repair projects and programs (Street Maintenance Program);
- Dedicated fund for ADA barrier removal (currently \$10,000 per year);
- Actively seek out and apply for grant funding specific to removal of access barriers.

**EXPECTED RESULTS:**

After the work session discussion in April, the City Council is being asked to adopt the ADA Title II Transition Plan (Plan) by resolution. This action will bring the City into compliance with Title II of the ADA for parks facilities, as well as curb ramps, pedestrian signals, and transit facilities within the public right-of-way.

The Plan will also help the City identify ADA barrier removal needs as part of Capital Project development, inform Private Developers of barrier removal requirements, and help determine an adequate funding level of the Street Surface Maintenance Program. As these access barriers are removed, the City’s programs, activities, and services will be made available to all members of the public, including those with disabilities and limited mobility.

**TIMELINE:**

Upon adoption of the Plan, the City will continue to plan for ADA barrier removal as part of capital and maintenance projects. Also, the City will begin documenting where and when ADA barriers have been removed, demonstrating the City’s progress with Title II compliance.

It is important to note that regardless of the Plan, curb ramps are required to be upgraded to current standards by the U.S. Department of Justice and U.S. Department of Transportation as part of any roadway alteration project. These roadway alterations include any work that adds structure to an existing roadway surface, including asphalt overlays, grind and inlays, and micro surfacing; typical work that is associated with the City's Street Maintenance Program. The Street Maintenance fee is scheduled to be updated next fiscal year, including non-compliant curb ramp repair costs will be evaluated at that time. The Plan will be a valuable resource in determining anticipated curb ramp costs as part of this fee update.

**CURRENT YEAR BUDGET IMPACTS:**

The amended 2014-15 Wilsonville Budget includes \$49,155 in Road Operating funds and \$39,880 in Parks System Development Charges for the ADA Title II Transition Plan (Plan) project. A portion of the funds were used to complete the ADA barrier inventory for both the public right-of-way facilities and parks facilities. The City has contracted with MIG, Inc. to prepare the Plan in the amount of \$47,906.00.

Please note that the Plan is primarily a strategic planning document for barrier removal that also identifies the location of access barriers in City parks, curb ramps, pedestrian signals, and transit facilities within the public right-of-way. The Plan in itself is not expected to significantly impact the City's Capital Improvement or maintenance program budgets.

**FINANCIAL REVIEW / COMMENTS:**

While the Plan itself does not significantly impact the budget, it does have implications for the City's capital improvement program, and could impact the design, scheduling and budgets of projects.

Reviewed by: SCole Date: 5/20/15

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: 5/20/2015

Resolution approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:**

A public workshop was held on February 10, 2015 for community members to review the type and location of ADA barriers and obtain feedback on which deficiencies pose the greatest barrier to access and mobility. On May 7, 2015, a follow up open house was held to provide an opportunity for the public to review and comment on a draft of the ADA Transition Plan document.

The City targeted notice of the public meetings to community members, as well as regional disability groups and local care facilities through notices via the Boones Ferry Messenger, press releases, website, email, and mailings. In addition, interested persons are able to track the progress of the project, view upcoming meetings, and review and submit comments on all documents through the project website at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA).

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

Adoption of the ADA Title II Transition Plan (Plan) will allow the City to better plan for ADA

barrier removal as part of Capital Improvement projects, Private Development improvements, the Street Maintenance Program, and other maintenance and repair programs in accordance with Title II of the ADA. As these barriers are incrementally removed, all community members, specifically those with disabilities and limited mobility, will be able to better access City services, programs, and activities.

**ALTERNATIVES:**

In accordance with Title II of the ADA, the City is required to develop a transition plan that provides for the removal of physical barriers that limit individuals with disabilities access to local government programs, activities, or services. In the development of the Transition Plan, City staff considered a number of alternatives regarding the prioritization of barrier removal. The proposed Plan balances the needs of the community with the requirements of ADA Title II. Barriers at entrances and pathways of park facilities and associated programs are given the highest priority. For public right-of-way facilities, barriers at locations serving government offices and public facilities are the top priority.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

Attachment A – ADA Title II Transition Plan for Public ROW & City Parks Facilities



**RESOLUTION NO. 2537**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE WILSONVILLE AMERICANS WITH DISABILITIES ACT (ADA) TITLE II TRANSITION PLAN FOR PUBLIC RIGHT-OF-WAY & CITY PARKS FACILITIES; AND REPEALING RESOLUTION NO. 897 ESTABLISHING A DISABILITY REVIEW BOARD, DEFINING THE AUTHORITY AND DUTIES OF THE BOARD, ESTABLISHING ORGANIZATION OF THE BOARD, AND COORDINATOR TO IMPLEMENT DISABILITY LAWS, ESTABLISHING A PROCEDURE FOR COMPLAINTS TO BE ADDRESSED AND OTHER MATTERS PERTAINING THERETO.**

WHEREAS, Title II of the Americans with Disabilities Act (ADA) requires that no qualified individual with a disability shall, on a basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discriminations by any public entity; and

WHEREAS, Section 28 CFR §35.150(d) of Title II of the ADA requires that public entities that employ 50 or more persons develop a transition plan setting forth the steps necessary to achieve program accessibility; and

WHEREAS, existing curb ramps, pedestrian signals, and transit stops located within the public right-of-way have been evaluated through inspections and physical barriers to City services, programs, and activities for persons with disabilities identified and inventoried; and

WHEREAS, existing Wilsonville parks facilities have been evaluated through inspections and physical barriers to City services, programs, and activities for persons with disabilities identified and inventoried; and

WHEREAS, the Wilsonville ADA Title II Transition Plan (Plan) fulfills the requirements set forth in Title II of the ADA for City parks facilities and curb ramps, pedestrian signals, and transit stops within the public right-of-way; and

WHEREAS, the Plan lists the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities, satisfying transition plan requirements of the ADA, Title II; and

WHEREAS, the Plan provides a detailed outline of the methods to be used to remove physical barriers and make the facilities accessible, satisfying transition plan requirements of the ADA, Title II; and

WHEREAS, the Plan provides a schedule for taking steps necessary to achieve program accessibility, satisfying transition plan requirements of the ADA, Title II; and

WHEREAS, the public was given the opportunity to provide comment in the development of the Plan, satisfying transition plan requirements of the ADA, Title II; and

WHEREAS, the Plan identifies the official responsible for implementation of the transition plan, satisfying transition plan requirements of the ADA, Title II; and

WHEREAS, the Plan establishes an ADA policy and compliant procedure, satisfying ADA, Title II requirements; and

WHEREAS, the Plan updates and replaces those findings and requirements adopted by Resolution 897; and

WHEREAS, physical barriers limiting access to City programs, activities, and services to individuals with disabilities will be removed as part of capital projects for new construction and roadway alterations, private development projects affecting public right-of-way, maintenance and repair projects and programs, dedicated fund for ADA barrier removal, grant funding specific to removal of access barriers.

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

1. The City Council incorporates herein the above recitals and hereby adopts the Wilsonville ADA Title II Transition Plan for Public Right-of-Way and City Parks Facilities.
2. A copy of the ADA Title II Transition Plan is on file with the City Recorder and made a part of the record hereof; and
3. Resolution 897 is repealed.
4. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 1st day of June, 2015, and filed with the Wilsonville City Recorder this date.

---

Tim Knapp, Mayor

ATTEST:

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Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Lehan

Councilor Fitzgerald

Councilor Stevens

Attachments:



FINAL PLAN | MAY 12, 2015



CITY OF WILSONVILLE, OREGON

PUBLIC RIGHT-OF-WAY & CITY PARKS FACILITIES

# ADA Title II Transition Plan



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# City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities

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Final Plan May 12, 2015



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## Acknowledgements

Many individuals were involved with the development of the ADA Transition Plan.

### City Leadership

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Scott Star, Council President

Julie Fitzgerald, Councilor

Susie Stevens, Councilor

Charlotte Lehan, Councilor

Bryan Cosgrove, City Manager

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## 1.0 Introduction

### 1.1 Executive Summary

This ADA Title II Transition Plan is being prepared to partially fulfill the requirements set forth in Title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This report will assist the City of Wilsonville to identify policy, program and physical barriers to accessibility, and to develop barrier removal solutions that will facilitate the opportunity of access to all individuals.

The Transition Plan described in Chapter 2 is the result of a detailed evaluation of the City of Wilsonville's parks and public rights-of-way where programs, activities and services are available to the public. Facilities include parks, curb ramps, transit stops, and pedestrian signals. Facilities that are not addressed in this ADA Title II Plan include city buildings, private businesses and offices, private schools, County, State or Federal facilities, places of worship or private clubs.

The facility evaluations were conducted using the most recent ADA 2010 Standards, Oregon Structural Specialty Code, Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way and the Manual on Uniform Traffic Control Devices for Streets and Highways. A summary of the facility evaluations is included in the Appendices to this report.

The Transition Plan is intended to provide a framework for the continuous improvement of City facilities for people with disabilities. Barriers in City facilities will be removed systematically based on established program priorities. It is the intent of the City to address and remove barriers to accessibility in public parks and within the rights-of-way based upon on the immediate necessity of programmatic access, degree of complexity, and overall cost. The information contained in Chapter 2 describes the schedule for barrier removal in Wilsonville's parks and rights-of-way. This preliminary schedule represents a 20-year plan for barrier removal.

The City of Wilsonville has designated the City Manager as its primary ADA Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated. The ADA Coordinator is also responsible for coordinating the efforts of the City to comply with Chapter 11 of the Oregon Structural Specialty Code and all other applicable State and Federal physical and program accessibility requirements.

A public workshop was held on February 10, 2015 to introduce the project and receive questions and comments related to the ADA Transition Plan. Meeting minutes and presentations materials for all community meetings related to the project are located in Appendix C. After the draft plan was internally reviewed by staff, a work session was held with City Council on April 20, 2015. After incorporating edits from Council, the Draft Plan was shared with the public on April 30th, 2015. A public open house was held on May 7, 2015 to provide an opportunity for the public to ask questions and to comment on the Plan. After the incorporation of public comments the Plan went before Council for adoption on June 1, 2015.

## 1.2 Legislative Mandate

The American with Disabilities Act (ADA) is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

The development of a Transition Plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which requires that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that:

*No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)*

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Specifically, the City may not, either directly or through contractual arrangements, do any of the following<sup>1</sup>:

- Deny persons with disabilities the opportunity to participate as members of advisory boards and commissions.
- Deny persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the City offers permissibly separate or different activities.

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<sup>1</sup> Department of Justice, Title II Regulations Subpart B § 35.130



- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

### 1.3 Discrimination and Accessibility

This section provides an overview of physical and programmatic accessibility and the basic methods of providing access. There are two kinds of accessibility:

- Program accessibility; and
- Physical accessibility

Absence of discrimination requires that both types of accessibility be provided. Program accessibility includes physical accessibility, but also entails all of the policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Program accessibility may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate sites.

Programs offered by the City to the public must be accessible. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

The City may achieve program accessibility by a number of methods:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aides; and
- Providing services at alternate accessible sites.

It is required that when choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In compliance with the requirements of the ADA, the City must provide equality of opportunity.

## 1.4 ADA Self-Evaluation and Transition Plan Requirements and Process

The ADA Self-Evaluation and Transition Plan is intended to provide a framework for the continuous improvement of the City programs and facilities for people with disabilities. The Transition Plan is a living document that is regularly updated as programs and services change, and as barriers are removed, and new facilities come under ownership or control of the City. Programs, activities, and services offered by the City of Wilsonville to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of a programs or services provided by the City, including:

- accessible/adaptive equipment;
- customer service;
- emergency evacuation procedures;
- facilities;
- notice requirements;
- printed information;
- program eligibility and admission;
- public meetings;
- public telephones and communication devices;
- special events on public properties;
- televised and audiovisual public information;
- tours and trips;
- training and staffing;
- transportation services;
- use of consultants for delivering program services; and
- website.

The ADA Self-Evaluation for programmatic access identifies and makes recommendations to correct those policies and practices in the above mentioned programs and services that are inconsistent with Title II requirements and result in limitations on access for persons with disabilities. As part of the Self-Evaluation<sup>2</sup>, the City:

- Identifies the City's programs, activities, and services;
- Reviews the policies, practices, and procedures that govern the administration of the City's programs, activities, and services;
- Provides opportunity for public comment;
- Makes the report available to the public; and
- Correct any programs, activities, and services that are not consistent with the requirements.

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<sup>2</sup> Department of Justice, Title II Regulations Subpart D § 35.105

A Transition Plan is a document that outlines a strategy for the City to progress toward compliance with the Americans with Disabilities Act. The Transition Plan identifies barriers for persons with disabilities and a schedule to remove those barriers over time and must include<sup>3</sup>:

- A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be used to remove these barriers and make the facilities accessible;
- A schedule for taking the steps necessary to achieve compliance with the ADA, Title II;
- Provide opportunity for the public to provide comment on the Transition Plan; and
- The name of the individual responsible for the plan's implementation.

This Transition Plan is an assessment of the City's parks and right-of-way facilities to determine if there are barriers to City services, programs, and activities for persons with disabilities. The City has identified which parks, curb ramps, pedestrian signals, and transit stops have access barriers for persons with disabilities and has developed a schedule for barrier removal to comply with Title II of the ADA. The Transition Plan for these facilities is described in Chapter 2 is the result of a detailed evaluation of all City of Wilsonville facilities where programs, activities, and services are available to the public.

## 1.5 Undue Burden

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

The determination that an undue burden would result must be based on an evaluation of all resources available for use in the City. For example, if a barrier removal action is judged unduly burdensome, the City must consider other options for providing access to the benefits and services of the program or activity by individuals with disabilities.

## 1.6 Facility Evaluations

The City of Wilsonville evaluated its outdoor park facilities and public right-of-way facilities in 2014. At the time of the facilities evaluations, the ADA 2010 Standards, 2010 Oregon Structural Specialty Code (OSSC) Chapter 11 Accessibility, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) and the 2009 Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) were used to identify barriers at City facilities. Building codes are revised every few years. The barrier evaluations conducted provide

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<sup>3</sup> Department of Justice, Title II Regulations Subpart D § 35.150pag

an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal. The barrier assessments for parks facilities were completed by a contracted consultant in the late spring of 2014. The barrier assessments for the right-of-way facilities were completed by City staff between January 2014 and May 2014.

### **1.7 Public Outreach**

A public workshop was held on February 10, 2015 to introduce the project and receive questions and comments related to the ADA Plan. After the draft Plan was internally reviewed by staff and a work session with City Council was completed, the Plan was presented to the Public on April 30, 2015 for comment, and a public open house was held on May 7, 2015. The Final Plan was presented to City Council for adoption on June 1, 2015. Meeting minutes and presentation materials for all community meetings related to the project are located in Appendix C: Public Meeting Minutes.

## 2.0 ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use to develop a Transition Plan to make their facilities meet the standards for Program Accessibility. Program Accessibility means that a program, activity and/or service are accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

This Transition Plan combines the findings of the Parks facilities and public rights-of-way evaluations. The report does not include the assessment of city owned buildings, city maintained sidewalks, or the self-evaluation of programs and policies. The City's buildings were evaluated as part of the Self-Evaluation and Transition Plan completed June 30, 2001 and this Plan is a continuation of the work already completed by the City in removing barriers to access. Not all of these barriers identified must be removed in order to provide program access. The first priority is to remove those barriers limiting access to City programs.

### **Transition Plan for Facilities**

The Transition Plan for the removal of structural barriers to program access must contain the following information:

- Identification of the barriers to program access;
- Identification of the specific barrier removal action(s);
- Identification of a schedule for barrier removal; and
- Identification of responsibility for ensuring barrier removal.

The park facility barriers reports, available under separate cover from the City, provide the identification of barriers and the specific barrier removal actions. The facility barrier data for the public rights-of-way is maintained by the City in a geospatial format and the structural barriers identified are summarized in this report. The City will accomplish barrier removals based on two strategies: policy and procedure modifications to remove programmatic barriers; and maintenance and construction projects to remove structural barriers. The responsibility for ensuring barrier removal will reside with the City of Wilsonville's ADA Coordinator.

This Transition Plan is divided into two parts: park facilities and the public rights-of-way, which includes curb ramps, pedestrian signals and transit stops maintained by the City. In compliance with the requirements of the ADA, the City will maintain in working order equipment and features that are required to provide access to individuals with disabilities.



## **Barrier Removal Scheduling**

Barriers identified at all of the City's facilities will be removed systematically based on established program priorities. It is the intent of the City to address and remove barriers to accessibility at City facilities based on the need for programmatic access, degree of complexity, and overall cost.

The City of Wilsonville reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. Interim measures will be explored and implemented in order to provide programmatic access to the public pending the implementation of physical barrier removal projects.

### **2.1 Park Facilities**

A Parks Facility ADA barrier assessment was completed in 2014, which included an evaluation of all portions of exterior features of the park sites used by the public. Buildings within park facilities were not evaluated, except for the Stein-Boozier Barn at Murase Plaza and restroom facilities within parks.

The assessment identified physical barriers in each facility that limit accessibility and compared each facility to the 2010 ADA and 2010 OSSC Standards on accessibility. In addition to the ADA 2010 Standards, park facilities were also evaluated using the Architectural Barriers Act - Accessibility Guidelines for Outdoor Developed Areas (AGODA) adopted in 2013. This included an evaluation of picnic tables, outdoor constructed features and trails. A summary of the barriers identified within the park facilities is included in Appendix A: Parks Barrier Summary.

#### **Facility Evaluations - Parks**

The site evaluations were accomplished using a team of accessibility assessors equipped with measuring devices, facility diagrams and evaluation checklists. Diagrammatic sketches of each site were annotated during the evaluation process and were included with the final barrier reports to the City. Additionally, each barrier identified was assigned a planning level cost estimate for removing the barrier. These reports are available under separate cover from the City's Parks Department. The elements included in the exterior parks environment included the following:

- Curb Ramps
- Doors
- Drinking Fountains
- Hazards
- Kitchens
- Other Features
- Parking
- Play Areas
- Ramps
- Restrooms
- Room Elements
- Sports Fields and Courts
- Stairs
- Walks

## **Priorities for Barrier Removal within Park Facilities**

The following prioritization process is referenced in the ADA Title II Regulations. The principle priorities are to ensure basic access to park facilities and amenities, access to activities, and allowing alternatives to structural modifications when appropriate. Translating these priorities into action plans must be accomplished using a programmatic approach. The following guidelines were used by the City to prioritize barriers found within City park facilities:

### ***Priority One***

Removing barriers that impede accessibility at the main entrance of a facility, or improving a path of travel to the portion of the facility where program activities take place. Examples:

- Connection to the public rights-of-way
- Parking and passenger loading
- Entrance walks
- Entrance ramps
- Entrance stairs
- Entrance doors

### ***Priority Two***

Removing barriers that impede access to program use areas. Examples:

- Transaction counters
- Recreation environments/features
- Public offices
- Public restrooms

### ***Priority Three***

Removing barriers that impede access to amenities serving program areas. Examples:

- Drinking fountains
- Public telephones
- Site furnishings
- Vending machines

### ***Priority Four***

The fourth priority addresses features that are not required to be modified for accessibility because no public programs are located in this area, or there are nearby duplicate accessible features.

### Program Barrier Removal Priorities

A remediation meeting was conducted with Parks staff on February 24, 2015. All outdoor park facilities in which the City provides programs, activities, and services were reviewed and ranked based on the following criteria:

- **Level of use by the public:** Facilities that have a high level of public use can be assigned a higher priority;
- **Program uniqueness:** Some programs are unique to a building, facility, or park and cannot occur at another location. Seasonal availability and programs that emphasize health and wellness can be assigned a higher priority;
- **Geographic distribution:** Selecting a range of facilities that are distributed throughout the City, and considering the proximity of these facilities to public transportation, helps provide maximum accessibility for all residents;
- **Critical nature of the service provided:** Facilities that provide services related to accessibility, health, safety, and the administration of essential City services such as permitting and licensing can be assigned a higher priority; and
- **Identified complaints:** Facilities that have a history of citizen complaints related to accessibility can be assigned a higher priority.

### Phasing Schedule for Parks

Table 1 on the following page is the schedule for barrier removal in park facilities owned by the City of Wilsonville. This preliminary schedule represents a 10-year plan for barrier removal. The City intends to complete any maintenance projects involving access barriers within the next one to five years. It is the City's intent to review all barriers during the first year of Plan implementation and address those barriers that can be resolved through programmatic modifications and/or new parks projects. The City will then revise the following schedule for removal of the remaining barriers.

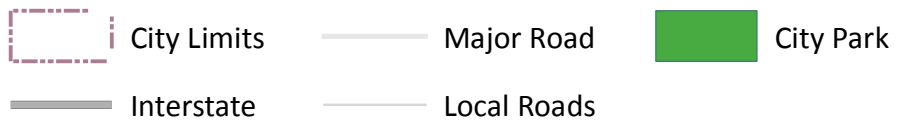
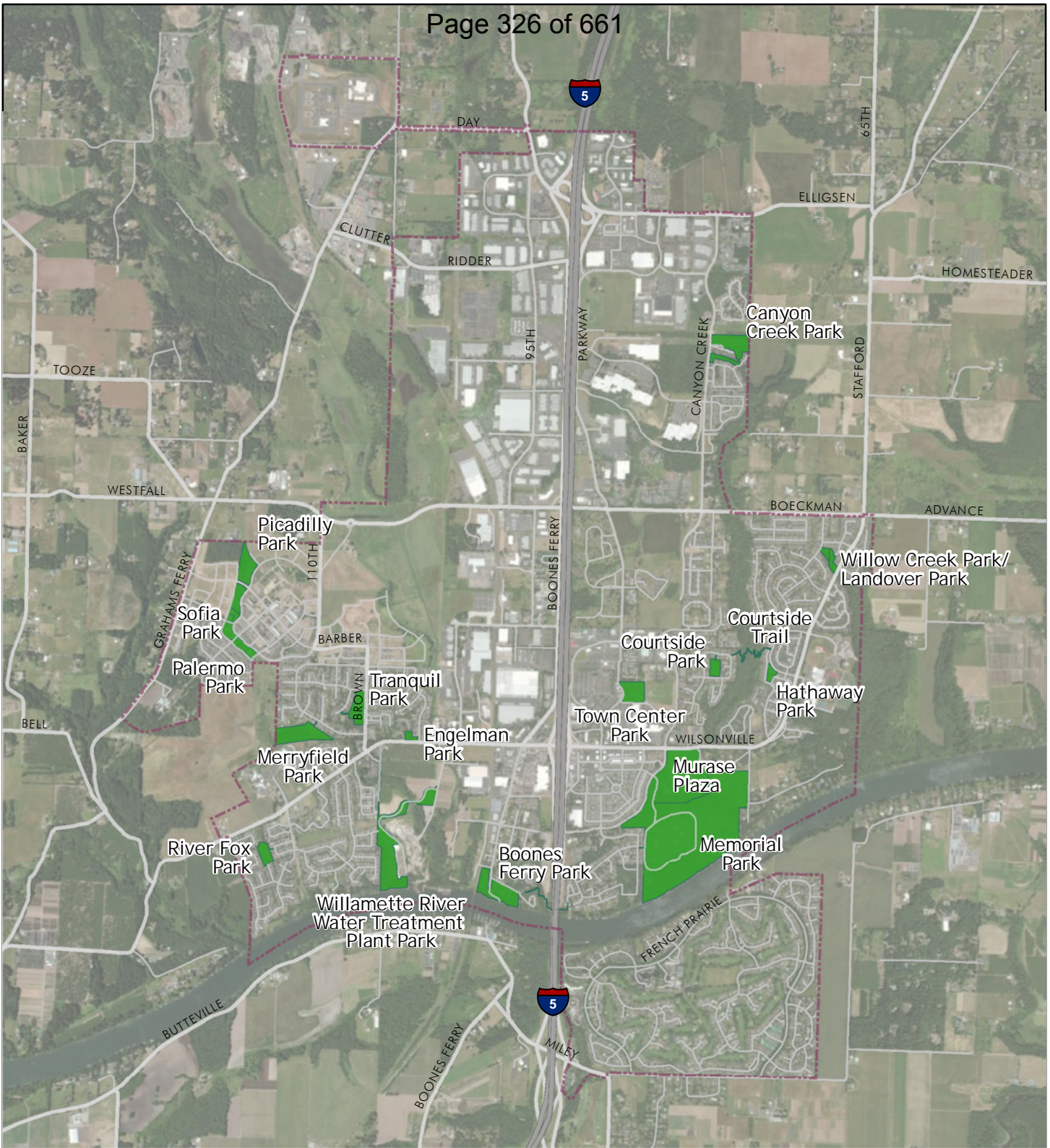
Table 1: Parks Transition Plan Schedule

Location	Years 1-2	Years 3-5	Years 6-10	Schedule Subject to Planning
Boones Ferry Park	●	●		●
Canyon Creek Park	●	●		
Courtside Park	●	●		●
Courtside Trail	●	●		
Engelman Park	●	●		
Hathaway Park	●	●		
Memorial Park	●	●		
Murase Plaza	●	●		
Palermo Park	●	●		
Park at Merryfield	●	●		
Piccadilly Park	●	●	●	
River Fox Park	●	●		
Sofia Park	●	●		
Town Center Park	●	●		
Tranquil Park	●	●		●
Willamette River Water Treatment Park	●	●		●
Willow Creek/Landover Park	●	●		

A map of the City's parks is provided on the following page.

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# Parks

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North



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## 2.2 Public Rights-of-Way (PROW)

The evaluations of the public right-of-way facilities included curb ramps, transit stops, and pedestrian signals. The facilities were evaluated using the 2011 PROWAG and 2009 MUTCD accessibility standards. The site evaluations were completed by City engineering staff equipped with measuring devices, city maps, and evaluation checklists.

### Facility Evaluations - Curb Ramps, Pedestrian Signals and Transit Stops

The City's pedestrian signals and transit stops were evaluated for each structural barrier specified within the ADA standards for each site. Due to the volume of curb ramps managed by the City, a ranked category assessment tool was developed to allow for the rapid assessment of these facilities. The categories used to assess the curb ramps are described in detail later in this chapter.

In 2002, the United States Court of Appeals for the Ninth Circuit, whose jurisdiction includes Oregon, held for the first time that sidewalks constitute a service, program or activity of a city, and sidewalks are therefore subject to the ADA's program accessibility regulations<sup>4</sup>. Before the Barden decision, the law was unclear whether municipalities' transition plans should address barrier removal from sidewalks. When originally written, the ADA specifically addressed curb ramps, subsequently the Courts have added sidewalks. Sidewalks were not evaluated as part of this Transition Plan, and will be addressed at a later date.

The public right-of-way data collected was inventoried using point GIS data, and the associated barrier information is included within the GIS data tables. Each barrier has been assigned a barrier removal action and planning level cost for removing them. A summary of the barriers identified within the public right-of-way is included in Appendix B: Public Rights-of-Way Barrier Summary.

### Public Rights-of-Way Prioritization

Under Title II Regulation § 35.150(d)(2) the criteria for prioritizing barriers within the public rights-of way are identified.

*If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.*

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<sup>4</sup> Barden v. City of Sacramento, 292 F.3d 1073 (9th Cir. 2002)

The City of Wilsonville has included the following in the criteria for prioritizing facilities in the public rights-of-way:

- Locations serving government offices and public facilities;
- Locations serving transportation;
- Locations serving commercial districts and employers; and
- Locations serving other areas.

In addition to the required criteria, the City has prioritized locations of citizen complaints, requests for ADA Title II program access, and locations of identified social need. The application of the criteria is described in the following pages.

### **Priorities for Barrier Removal - Curb Ramps**

Under Title II of the ADA, a City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of curb ramps at some locations undesirable. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of curb ramps that the City is required to provide.

Table 2 on the following page illustrates the application of the prioritization criteria for curb ramps maintained by the City. The highest priority curb ramps are those shaded in dark blue, and medium priority are shaded in light blue. The lowest priority curb ramps are those that have no access deficiencies identified and have no assigned color. The columns in the matrix indicate the assigned criteria and are in order of importance from left to right, with the left column having the highest importance. The rows indicate the category of condition assigned to each curb ramp during the evaluation process, with the top row having the highest importance. The description of each category is provided on the pages following the table.



Table 2: Curb Ramp Priority Matrix for Barrier-Removal Projects

		ADA 35.151(d)(2) Geospatial Proximity Priorities						
		A	B	C	D	E	F	
Curb Ramp Installation Priorities (Category)	Priority Description	Locations of Citizen Complaints / Requests (ADA Title II Program Access)	Locations Serving Government Offices & Public Facilities	Locations Serving Transportation	Locations Serving Commercial Districts, Employers	Locations of Social Need	Locations Serving Other Areas	
1	Existing curb ramp considered unsafe / has unsafe features	High Priority -----						
		A1	B1	C1	D1	E1	F1	
2	Sidewalk with no curb ramp access	A2	B2	C2	D2	E2	F2	
3	Curb ramp has no detectable warning	A3	B3	C3	D3	E3	F3	
4	See Category 4 description	A4	B4	C4	D4	E4	F4	
5	See Category 5 description	A5	B5	C5	D5	E5	F5	
6	See Category 6 description	A6	Medium Priority -----					
		A6	B6	C6	D6	E6	F6	
7	See Category 7 description	A7	B7	C7	D7	E7	F7	
8	Curb ramp does not meet standards but in good condition	A8	B8	C8	D8	E8	F8	
9	No deficiencies identified	Low Priority -----						
		A9	B9	C9	D9	E9	F9	



**Curb Ramp Barrier Descriptions**

- **Category 1:** Curb ramps are considered unsafe and have features such as tripping hazards and deteriorated materials.
- **Category 2:** There is a sidewalk with no curb ramp access.
- **Category 3:** The curb ramp has no detectable warning.
- **Category 4:** This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

Perpendicular Curb Ramp	Parallel Curb Ramp	Blended Transition
Ramp to Street Transition Not Flush (Lip)	Ramp to Street Transition Not Flush (Lip)	Ramp to Street Transition Not Flush (Lip)
No Turning Space	Ramp Running Slope > 8.3%	Ramp Running Slope > 5.0%
Ramp Running Slope > 8.3%	Turning Space Running Slope > 2.0%	Counter Slope > 5.0%
Ramp Base Slope > 5.0%	Counter Slope > 5.0%	Flared Side Slope > 10%
Counter Slope > 5.0%		
Flared Side Slope > 10%		

- **Category 5:** This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

Perpendicular Curb Ramp	Parallel Curb Ramp	Blended Transition
Portion of Ramp Outside Marked Crosswalk	Portion of Ramp Outside Marked Crosswalk	Portion of Blend. Trans. Outside Marked Crosswalk
Ramp Width ≤ 4.0'	Ramp Width ≤ 4.0'	Blended Transition Width ≤ 4.0'
Turning Space Size ≤ 4' x 4' (Unconstrained)	Turning Space Size > 4' x 4' (Constrain)	
Turning Space Size ≤ 4' x 5' (Constrain)	Turning Space Size > 4' x 5' (Unconstrained)	
Turning Space Slope > 2.0%		

- Category 6:** This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

Perpendicular Curb Ramp	Parallel Curb Ramp	Blended Transition
Detectable Warning Incorrect Placement  Single Ramp for More than One Crossing  Bottom Grade Break Cross Slope: <ul style="list-style-type: none"> <li>2.0% at Stop or Yield Control</li> <li>5.0% at Signal or No Control</li> <li>Slope of Adj. Road - Mid Block</li> </ul> Grade Breaks Not Perpendicular to Ramp Run  Ramp not Perpendicular to curb or parallel with street	Detectable Warning Incorrect Placement  Single Ramp for More than One Crossing  Turning Space Cross Slope: <ul style="list-style-type: none"> <li>2.0% at Stop or Yield Control</li> <li>5.0% at Signal or No Control</li> <li>Slope of Adj. Road - Mid Block</li> </ul> Grade Breaks Not Perpendicular to Ramp Run	Detectable Warning Incorrect Placement  Blended Transition Cross Slope: <ul style="list-style-type: none"> <li>2.0% at Stop or Yield Control</li> <li>5.0% at Signal or No Control</li> <li>Slope of Adj. Road - Mid Block</li> </ul> Ramp Edges not Parallel to Pedestrian Travel

- Category 7:** This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

Perpendicular Curb Ramp	Parallel Curb Ramp	Blended Transition
Rough Surface Material (Cobble, Brick, etc.)  Portion of Catch Basin Located in Front of Ramp  Clear Space $\leq 4' \times 4'$  Detectable Warning Domes Incorrect Dimensions	Rough Surface Material (Cobble, Brick, etc.)  Portion of Catch Basin Located in Front of Ramp  Detectable Warning Domes Incorrect Dimensions	Rough Surface Material (Cobble, Brick, etc.)  Portion of Catch Basin Located in Front of Ramp  Detectable Warning Domes Incorrect Dimensions

- **Category 8:** The curb ramp does not meet ADA standards, but it is in overall good condition.
- **Category 9:** No curb ramp deficiencies were identified.

### **Phasing Schedule for Curb Ramps**

Table 3 on the following page summarizes the assigned barrier removal priority for each of City's curb ramps.

- Curb ramps meeting Criterion A: Locations of Citizen Complaints and Requests for ADA Title II Program Access will be evaluated and programmed within one year of the complaint.
- Curb ramps meeting Criterion B: Location Serving Government Offices and Public Facilities will be addressed within the next five to 10 years.
- All other criterion will be addressed in the next 10 to 20 years.

The schedule in this Plan represents a target of 20-years for barrier removal. As previously noted, the City of Wilsonville reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints.

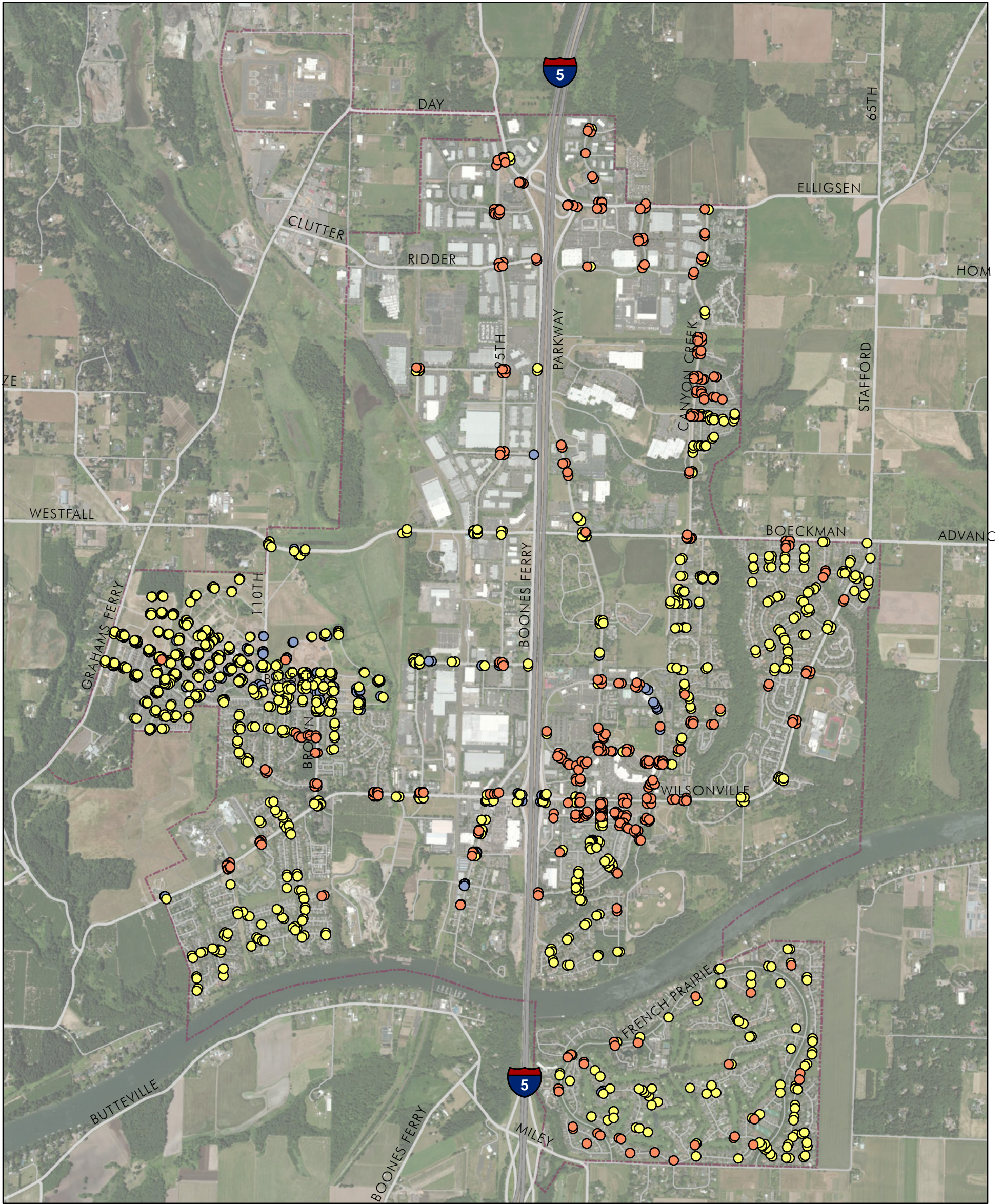
The current schedule includes the removal of barriers at 163 high priority curb ramps and 85 medium propriety curb ramps in the next five to 10 years. In addition to the curb ramps adjacent to government and public facilities, the City intends to remove existing barriers in conjunction with on-going street maintenance and capital improvement projects. It is assumed that as curb ramps are evaluated in greater detail as part of future projects and complaints, a percentage of ramps will fall within the "safe harbor" provisions, as explained later on. These "safe harbor" ramps will help to reduce the deficient ramp inventory. The City will then revise the curb ramp transition plan schedule for the removal of the remaining barriers, update the curb ramp inventory, and revise the transition plan schedule for the removal of remaining barriers on a regular basis.

Table 3: Curb Ramp Transition Plan Schedule

Category	Priority	Total Ramps	Schedule Year	Percent Total
<b>HIGH PRIORITY</b>				
1	B1	6	5-10	0.4%
1	C1	3	10-20	0.2%
1	D1	7	10-20	0.5%
1	F1	26	10-20	1.8%
2	D2	1	10-20	0.1%
3	B3	116	5-10	8.2%
3	C3	34	10-20	2.4%
3	D3	135	10-20	9.6%
4	B4	26	5-10	1.8%
5	B5	15	5-10	1.1%
<b>Subtotal</b>		<b>369</b>	-	<b>26.1%</b>
<b>MEDIUM PRIORITY</b>				
2	F2	7	10-20	0.5%
3	E3	17	10-20	1.2%
3	F3	389	10-20	27.5%
4	C4	4	10-20	0.3%
4	D4	43	10-20	3.0%
4	E4	1	10-20	0.1%
4	F4	26	10-20	1.8%
5	C5	1	10-20	0.1%
5	D5	23	10-20	1.6%
5	F5	14	10-20	1.0%
6	B6	2	5-10	0.1%
6	D6	2	10-20	0.1%
6	F6	1	10-20	0.1%
8	B8	83	5-10	5.9%
8	C8	25	10-20	1.8%
8	E8	25	10-20	1.8%
8	F8	214	10-20	15.1%
<b>Subtotal</b>		<b>877</b>	-	<b>62.1%</b>
<b>LOW PRIORITY</b>				
9	B9	45	-	3.2%
9	C9	12	-	0.8%
9	D9	27	-	1.9%
9	E9	6	-	0.4%
9	F9	77	-	5.4%
<b>Subtotal</b>		<b>167</b>	-	<b>11.8%</b>
<b>Total for All Projects</b>		<b>1,413</b>	-	<b>100%</b>

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City of Wilsonville ADA Transition Plan:  
Public Right-of-Way & City Park Facilities

- High Priority
- Medium Priority
- Low Priority
- Interstate
- Major Road
- Local Roads
- City Limits

## Curb Ramp Removal Priorities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North





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**Priorities for Barrier Removal - Transit Stops**

Table 4 below illustrates the application of the prioritization criteria for transit stops maintained by the City. The highest priority transit stops are those shaded in dark blue, and medium priority are shaded in light blue. There are no low priority transit stops.

Table 4: Transit Stop Priority Matrix for Barrier-Removal Projects

		ADA 35.151(d)(2) Geospatial Proximity Priorities					
		A	B	C	D	E	F
Transit Stop Installation Priorities (Condition)	Priority Description	Locations of Citizen Complaints / Requests (ADA Title II Program Access)	Locations Serving Government Offices & Public Facilities	Locations Serving Transportation	Locations Serving Commercial Districts, Employers	Locations Serving Social Needs	Locations Serving Other Areas
1	Accessible path of travel to/from transit stop is not provided	A1	B1	C1	D1	E1	F1
2	No loading zone / loading zone not built to standard	A2	B2	C2	D2	E2	F2
3	Sidewalk cross slope	A3	B3	C3	D3	E3	F3

**Transit Stop Barrier Descriptions**

- **Category 1:** The transit stop does not have an accessible path of travel leading up to it.
- **Category 2:** The boarding and alighting areas do not have a clear length of eight feet and clear width of five feet with a slope that does not exceed two percent.
- **Category 3:** The slope at the boarding and alighting area exceeds two percent slope.

**Phasing Schedule for Transit Stops**

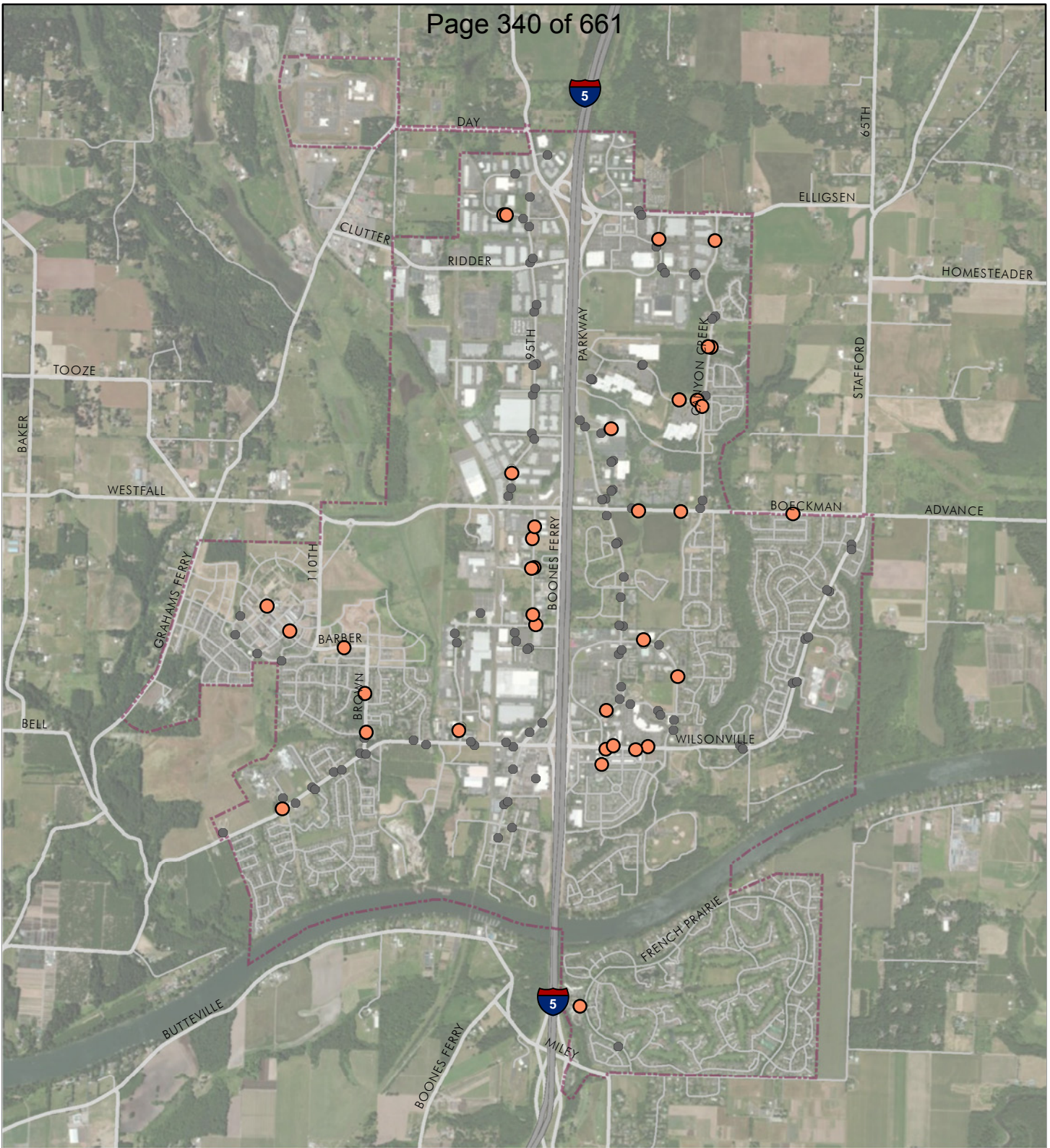
Table 5 below summarizes the assigned barrier removal priority for the City's transit stops.

- Transit stops meeting criterion A: Locations of Citizen Complaints and Requests for ADA Title II Program Access will be evaluated and programmed within one year of the complaint.
- High Priority Transit Stops will be addressed within the next ten years.

This preliminary schedule represents a 10-year plan for barrier removal. The City intends to remove existing transit stop barriers during capital improvement projects and annual public works maintenance projects. The City will update the transit stop inventory and revise the transition plan schedule for the removal of remaining barriers on a regular basis.

Table 5: Transit Stop Transition Plan Schedule

Category	Priority	Total Transit Stops	Schedule Year	Percent Total
<b>HIGH PRIORITY</b>				
1	B1	4	1-10	11.1%
1	C1	4	1-10	11.1%
2	B2	19	1-10	52.8%
2	C2	9	1-10	25.0%
<b>Total for All Projects</b>		<b>36</b>	<b>-</b>	<b>1</b>



● High Priority

● Transit Stop with No Deficiencies Noted

City Limits

Interstate

Major Road

Local Roads



# Transit Stops

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North





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**Priorities for Barrier Removal - Pedestrian Signals**

Table 6 below illustrates the application of the prioritization criteria for pedestrian signals maintained by the City. The highest priority pedestrian signals are those shaded in dark blue and medium priority are shaded in light blue. There are no low priority pedestrian signals.

Table 6 - Pedestrian Signal Priority Matrix for Barrier-Removal Projects

		ADA 35.151(d)(2) Geospatial Proximity Priorities					
		A	B	C	D	E	F
Pedestrian Signal Installation Priorities (Condition)	Priority Description	Locations of Citizen Complaints / Requests (ADA Title II Program Access)	Locations Serving Government Offices & Public Facilities	Locations Serving Transportation	Locations Serving Commercial Districts, Employers	Locations Serving Social Needs	Locations Serving Other Areas
1	Accessible pedestrian signal not provided	High Priority A1	-----   B1	Medium Priority C1	-----   D1	-----   E1	-----   F1

**Pedestrian Signal Barrier Descriptions**

- **Category 1:** Deficiencies include the location and orientation of the push button.

Push Button Location	Push Button Orientation
Push Button Not Adjacent to Landing Push Button located within curb ramp Push Button More Than 5 feet perpendicular to the crosswalk line Push Button less than 1.5 feet or greater than 6 feet from edge of curb. Where physical limitations, push button greater than 10 feet from edge of curb. Push Buttons less than 10 feet apart, unless where technically infeasible. Push Button is missing from a protected median or island.	Face of Push Button not parallel to the direction of the crosswalk to be used.

**Phasing Schedule for Pedestrian Signals**

Table 7 below summarizes the assigned barrier removal priority for each of City's pedestrian signals.

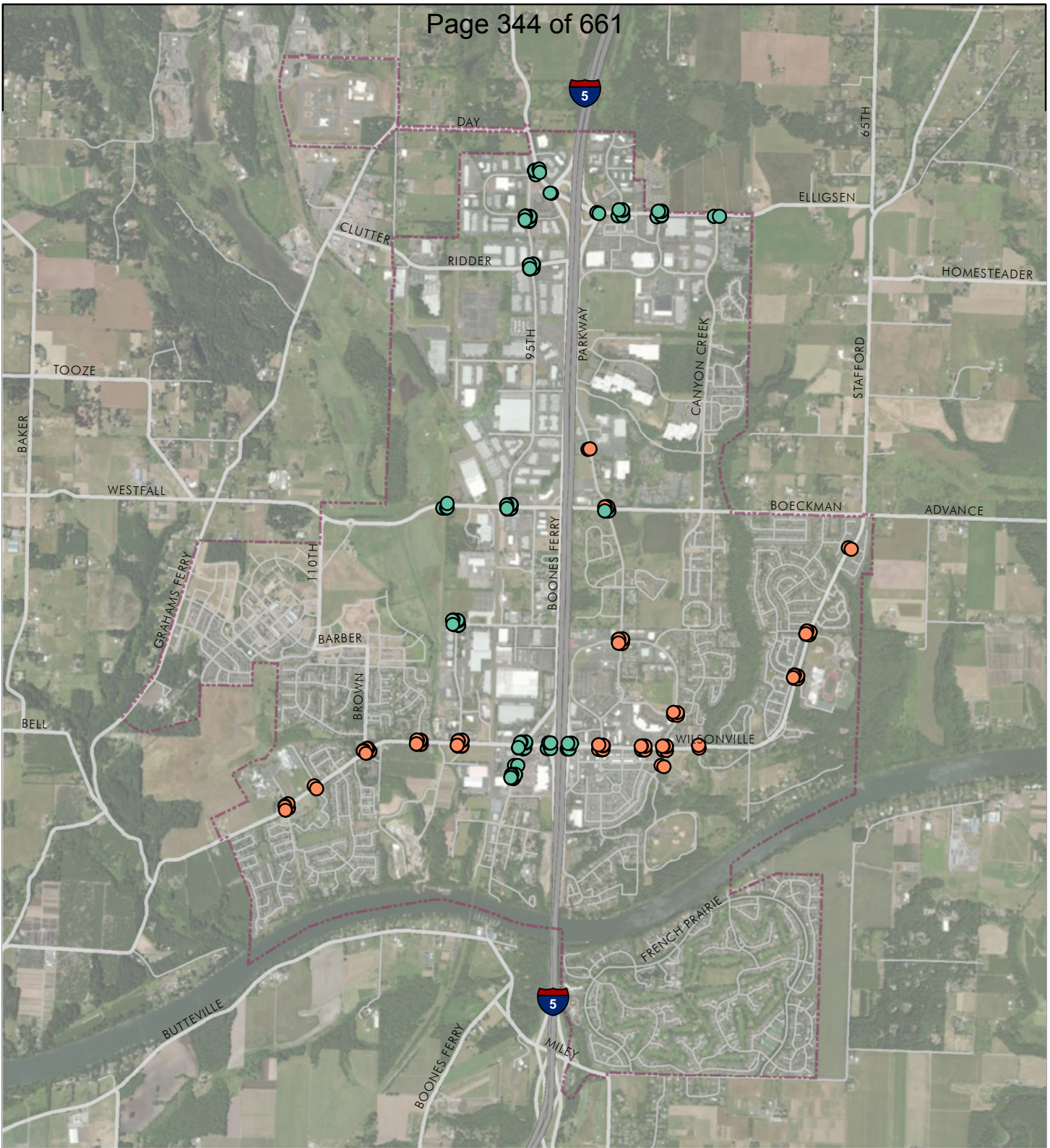
- Pedestrian signals meeting Criterion A: Locations of Citizen Complaints and Requests for ADA Title II Program Access will be evaluated and programmed within one year of the complaint.
- Pedestrian signals meeting Criterion B: Location Serving Government Offices and Public Facilities will be addressed within the next five to 10 years.
- All other criterion will be addressed in the next 10 to 20 years.

This preliminary schedule represents a 20-year target for barrier removal. The schedule includes 96 high priority pedestrian signals in the next five to 10 years. The City plans to use the following guidelines for removing pedestrian signal barriers:

- All new pedestrian signals will include an Accessible Pedestrian Signal (APS);
- Projects to add pedestrian signals to existing signals will include APS;
- Projects that significantly modify pedestrian signals will include APS;
- APS will be scheduled for installation on existing signals when requested by the public; and
- APS will be installed on existing signals on a priority ranking basis per the Transition Plan as funding allows.

**Table 7: Pedestrian Signal Transition Plan Schedule**

Category	Priority	Total Signals	Schedule Year	Percent Total
<b>HIGH PRIORITY</b>				
1	B1	96	5-10	50.5%
<b>MEDIUM PRIORITY</b>				
1	C1	90	10-20	47.4%
1	D1	4	10-20	2.1%
<b>Subtotal</b>		<b>94</b>	-	<b>49.5%</b>
<b>Total for All Projects</b>		<b>190</b>	-	<b>100.0%</b>



- High Priority
- Medium Priority
- City Limits
- Interstate
- Major Road
- Local Roads



# Pedestrian Signals

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North



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### **Time Period for Public Rights-of-Way Improvements**

The ADA Title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. The City has established a 10 to 20-year strategy for removing public rights-of-way barriers that limit program accessibility. The City reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. The barrier removal strategy for the next 20 years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise.

### **Strategies for Funding Barrier Removal**

Opportunities for funding the removal of access barriers include:

- Capital projects for new construction;
- Capital projects for roadway alterations;
- Maintenance and repair projects and programs;
- Dedication of a fund for ADA barrier removal, i.e. incorporate curb ramp barrier removal within the street fees;
- Require private developers to remove access barriers when development affects facilities within the right-of-way; and
- Actively seek out and apply for grant funding specific to removal of access barriers when available.

The City currently has in place a Pavement Management Program that schedules out roadway rehabilitation and maintenance over a rolling six year schedule. The City plans to review public rights-of-way barriers during the implementation of this Plan, and address those barriers that can be resolved as part of the on-going pavement maintenance and rehabilitation program. As part of the review, the City will revise the Transition Plan schedule for the removal of barriers. The Transition Plan schedule will also be updated as capital projects for new construction and roadway alterations arise.

### **Roadway Alterations and Maintenance: Triggers for Barrier Removals**

The Department of Justice, in coordination with the U.S. Department of Transportation, specifies that public agencies are required to provide curb ramps or upgrade curb ramps whenever roadways are altered. An alteration is a change that affects or could affect the usability of all or part of a building or facility<sup>5</sup>. Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect<sup>6</sup>. Maintenance activities on streets, roads, or highways, such as filling potholes,

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<sup>5</sup> Title II Regulation § 35.151(b)(1)

<sup>6</sup> 2010 ADA Standards, 106.5

are not alterations<sup>7</sup>. The following list distinguishes between roadway alterations versus maintenance activities.

### **ALTERATION**

- Addition of new layer of asphalt
- Cape seals
- In-place asphalt recycling
- Microsurfacing and thin-lift overlay
- Mill and fill / mill and overlay
- New construction
- Open-graded surface course
- Rehabilitation and reconstruction
- Resurfacing of a crosswalk

### **MAINTENANCE**

- Chip seals
- Crack filling and sealing
- Diamond grinding
- Dowel bar retrofit
- Fog seals
- Joint crack seals
- Joint repairs
- Pavement patching
- Painting or striping
- Scrub sealing
- Slurry seals
- Spot high-friction treatments
- Surface sealing

### **Safe Harbor Provisions**

The 2010 ADA regulations introduced the concept of “safe harbor”, which allows facilities built prior to March 15, 2012 that comply with the 1991 ADA Standards to remain as-is until the structural feature is altered. The exception applies to elements that might otherwise have to be modified under: 1) the program access requirement for public entities; 2) the readily achievable barrier removal requirement for places of public accommodation; or 3) the path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility<sup>8</sup>.

If pedestrian facilities such as curb ramps and transit stops were built or altered in the past 20 years to become compliant with the 1991 ADA Standards, no further changes to those elements are mandated until the structural feature is altered even though the 2010 standards have different requirements. However certain exceptions to "safe harbor" do exist, roadway alterations as described in the *Roadway Alterations and Maintenance Triggers for Barrier Removals* section of this chapter are required to bring all of the curb ramps up to the current standard and “safe harbor” does not apply.

Pedestrian signals are not included in the 1991 or 2010 ADA Standards, but are addressed in the United States Access Boards 2011 Proposed Accessibility Guidelines for Pedestrian Facilities

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<sup>7</sup> July 8, 2013 Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing.

<sup>8</sup> ADA Safe Harbor Provisions, Evan Terry Associates, August 22, 2013

in the Public Right-of-Way and the previous draft documents from 2005 and 2002. The City has adopted the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way by resolution as the design standards for all new construction. Unlike the “safe harbor” concept contained within the 2010 ADA Standards, the proposed guidelines do not require modifications to existing facilities.

*All newly constructed facilities, altered portions of existing facilities, and elements added to existing facilities for pedestrian circulation and use located in the public right-of-way shall comply with the requirements in this document<sup>9</sup>.*

### **PROW City Standard Details**

The City's standard drawings and details are included in Appendix D of this document.

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<sup>9</sup> United States Access Board, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way , Scope R201.1

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## 3.0 ADA Policy and Complaint Procedure

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance. The City of Wilsonville has designated an ADA Coordinator for coordinating the efforts of the City to comply with Title II, and for investigating any complaints that the City has violated Title II of the ADA. The Coordinator also is responsible for coordinating the efforts of the City to comply with all other applicable State and Federal physical and program accessibility requirements.

### 3.1 ADA Grievance Procedure

All complaints or grievances submitted to the City of Wilsonville can be in writing or by telephone. The complaint must contain specific information about the alleged violation or discrimination including: name; address; telephone number of the complainant; the location, date, and complete description of the problem and must indicate if the complaint has been filed with the Department of Justice or other Federal or State agencies. Anonymous complaints or grievances will not be accepted.

Complaints or grievances will be kept confidential to the greatest extent possible, unless required to be released by State or Federal law, or ordered released by a court of competent jurisdiction. Alternative means of filing complaints or grievances may be accepted at the discretion of the ADA Coordinator. These may be submitted by telephone, e-mail (confidentiality cannot be assured), letter, personal interview, or tape recording, upon request. However, all complaints or grievances must provide all the information required in the City's ADA complaint form (see Appendix E).

All complaints must be submitted by the complainant or his/her designee to the City of Wilsonville ADA Coordinator. Complaints should be submitted as soon as possible, but no later than 60 calendar days, after the date of the alleged violation or discriminatory act to the following:

City of Wilsonville  
ADA Coordinator  
29799 SW Town Center Loop E  
Wilsonville, OR 97070  
503-570-4960  
ADACoordinator@ci.wilsonville.or.us

The ADA Coordinator will forward the complaint within seven calendar days to the appropriate Department for investigation and will formally acknowledge receipt of the complaint to the complainant.



The Department assigned will contact the complainant to discuss the complaint or grievance within 30 calendar days after receipt of the complaint or grievance and give the complainant the opportunity to submit evidence relevant to the complaint. Within 30 calendar days of this contact, the assigned Department in coordination with the ADA Coordinator will respond in writing and, where appropriate, in an alternative format accessible to the complainant. The response will explain the position of the City and offer options for substantive and reasonable resolution of the complaint or grievance.

If the response by the assigned Department does not satisfactorily resolve the issue, the decision may be appealed to the City Manager or designee within 30 calendar days following receipt of the response.

Within 30 calendar days after receipt of an appeal, the City Manager or designee will contact the complainant to discuss the complaint or grievance and possible resolutions. Within 30 calendar days of this contact, the City Manager or designee will respond in writing and, where appropriate, in a reasonable format accessible to the complainant, with a final resolution of the complaint or grievance.

Every reasonable attempt will be made by the City of Wilsonville to remedy the disability complaints or grievances in a timely manner subject to staff and budget constraints. Complainant may at any time file a complaint with the Department of Justice or other appropriate State or Federal agency. The City will notify the complainant of this right and will provide the complainant with the appropriate addresses and phone numbers. Use of the City's grievance procedure is not a prerequisite to pursuit of other remedies.

If any ADA or grievance is under the jurisdiction of another public entity, the complainant will be notified that the City of Wilsonville lacks jurisdiction.

The ADA Coordinator shall maintain all records to the complaint filed.

## 4.0 Definitions

The following is a summary of many definitions found in the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations (<http://www.ada.gov/>).

### 4.1 Auxiliary Aids and Services

The term auxiliary aids and services include:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and
- Acquisition or modification of equipment or devices; and other similar services and actions.

### 4.2 Complaint

A complaint is a claimed violation of the ADA.

### 4.3 Disability

The term disability means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such impairment; or
- Being regarded as having such impairment.

### 4.4 Discrimination on the Basis of Disability

Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a qualified citizen with a disability to discrimination;
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Deny equal benefits because of a disability;

- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

#### **4.5 Having a Record of Impairment**

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

#### **4.6 Physical or Mental Impairments**

Physical or mental impairments may include, but are not limited to: vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; Hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

#### **4.7 Qualified Individual with a Disability**

A qualified individual with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

## 4.8 Reasonable Program Modifications

If the individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity;
- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability;
- It creates a hazardous situation;
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability; or
- It poses an undue burden on the City.

## 4.9 Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

## 4.10 Substantial Limitations on Major Life Activities

Individuals are disabled if they have a physical or mental impairment that (a) renders them unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which they can perform a particular major life activity in comparison to other

people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment;
- The duration or expected duration of the impairment; and
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

#### **4.11 Undue Burden**

The City of Wilsonville shall not provide an accommodation that imposes an undue burden on the operation of the City's business.

Undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City.

Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to the City of Wilsonville, the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for modification is available from an outside source. If no such funding is available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

The following factors shall be considered in determining whether a program modification would create an undue burden: the nature and cost of the modification, the financial resources of the City available to make the modification, the impact the expense of the accommodation will have on the affected City operation, and the permanence of the alterations affecting the site.



## 5.0 Program Accessibility Guidelines, Standards and Resources

### 5.1 Introduction

In order to facilitate access to all City programs and departments, the City will maintain the program accessibility guidelines, standards and resources. The information is available to all employees and volunteers. The City will add to these guidelines when necessary to address its needs and include information and technological devices that help staff members and volunteers communicate with individuals with a variety of disabilities. The City will periodically review the components of this section as new technologies are developed, in order to ensure that the best types of modifications are included.

### 5.2 Federal Accessibility Standards and Regulations

There are both State and Federal regulations for accessible facilities. Below are resources for both the Federal and State of Oregon facility regulations.

#### **U.S. Department of Justice**

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. Publications are available in standard print as well as large print, audiotape, Braille and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website. <http://www.ada.gov/>

- **ADA Regulation for Title II:** This publication describes Title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and of qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.

[http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm)

- **Title II Technical Assistance Manual (1993) and Yearly Supplements:** The 56-page manual explains in lay terms what state and local governments must do to ensure that their services, programs and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance.  
<http://www.ada.gov/taman2.html>
- **Accessibility of State and Local Government Websites to People with Disabilities:** The 5-page publication provides guidance on making state and local government websites accessible. <http://www.ada.gov/websites2.htm>
- **ADA Information for Law Enforcement:** This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects and others who have disabilities.  
<http://www.ada.gov/policeinfo.htm>

## **Title II: U.S. Department of Justice Publications**

### **Title II Technical Assistance Manual | Supplement**

A 56-page manual that explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. (1993) <http://www.ada.gov/taman2.html>

### **The ADA and City Governments: Common Problems | PDF**

A 9-page document that contains samples of common problems shared by city governments of all sizes, provides examples of common deficiencies and explains how these problems affect persons with disabilities. (2000) <http://www.ada.gov/comprob.htm>

### **ADA Guide for Small Towns | PDF**

A 21-page guide that presents an informal overview of some basic ADA requirements and provides cost-effective tips on how small towns can comply with the ADA. (2000)  
<http://www.ada.gov/smtown.htm>

### **Accessibility of State and Local Government Websites to People with Disabilities | PDF**

A 5-page publication providing guidance on making state and local government websites accessible. (2003) <http://www.ada.gov/websites2.htm>

### **ADA Checklist for Polling Places | PDF**

A 39-page checklist used as a self-help survey for voting officials to determine whether a polling place has basic accessible features needed by most voters with disabilities. (2004)  
<http://www.ada.gov/votingchecklist.htm>

**An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities | PDF**

An 11-page illustrated publication that provides guidance on preparing for and carrying out emergency response programs in a manner that results in the services being accessible to people with disabilities. (2006) <http://www.ada.gov/emergencyprep.htm>

**Access for 9-1-1 and Telephone Emergency Services | PDF**

A 10-page publication explaining the requirements for direct, equal access to 9-1-1 for persons who use teletypewriters (TTYs). (1998) <http://www.ada.gov/911ta.htm>

**Commonly Asked Questions About the ADA and Law Enforcement**

A 12-page publication providing information for law enforcement agencies in a simple question and answer format. (2006) [http://www.ada.gov/q&a\\_law.htm](http://www.ada.gov/q&a_law.htm)

**Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers | PDF**

An 8-panel pocket guide providing basic information for officers about ADA requirements for communicating effectively with people who are deaf or hard of hearing. (2006) <http://www.ada.gov/lawenfcomm.htm>

**Model Policy for Law Enforcement on Communicating with People Who Are Deaf or Hard of Hearing | PDF**

A 4-page document serving as a model for law enforcement agencies to adopt policies on effective communication with people who are deaf or hard of hearing. Agencies are encouraged to download and adapt the policy to suit their needs. (2006) <http://www.ada.gov/lawenfmodpolicy.htm>

**Questions and Answers: The ADA and Hiring Police Officers**

A 5-page publication providing information on ADA requirements for interviewing and hiring police officers. (1997) <http://www.ada.gov/copsq7a.htm>

**U.S. Access Board Publications**

The full texts of federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available free and can be downloaded or ordered by completing a form available on the Access Board's website. In addition to regular print, publications are available in large print, disk, audiocassette and Braille. <http://www.access-board.gov/>

### ***Communications & IT***

Access to information and communication technology (ICT) is addressed by Board standards and guidelines issued under Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act.

- **Section 508 Standards:** <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-section-508-standards>
- **Refresh of the Section 508 Standards and the Telecommunications Act Guidelines:** <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh>
- **Telecommunications Act Accessibility Guidelines:** <http://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-telecommunications-act-guidelines>

### ***Buildings & Sites***

Standards issued under the Americans with Disabilities Act (ADA) address access to buildings and sites nationwide in new construction and alterations.

- **2010 ADA Standards for Accessible Design:** This document contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990. These scoping and technical requirements are to be applied during the design, construction and alteration of buildings and facilities covered by Titles II and III of the ADA, to the extent required by regulations issued by federal agencies including the Department of Justice and the Department of Transportation. This document must be used in conjunction with Chapter 11 - Accessibility of the Oregon Structural Specialty Code.
- **2010 ADA Standards:** <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>

### ***Recreation Facilities***

Access to recreation facilities, including play areas, swimming pools, sports facilities, fishing piers, boating facilities, golf courses and amusement rides, is addressed in the ADA standards. The ABA standards address outdoor developed areas guidelines which currently are applicable to Federal facilities and cover access to trails, picnic sites, camping sites and beach access routes.

- **Recreation Facilities:** <http://www.access-board.gov/guidelines-and-standards/recreation-facilities/about-recreation-facilities>
- **Outdoor Developed Areas:** <http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas>

### **Streets and Sidewalks**

New guidelines in development by the Board cover access to public rights-of-way including sidewalks, intersections, street crossings and on-street parking. The Board is also addressing access to shared use paths providing off-road means of transportation and recreation.

- **Public Rights-of-Way:** <http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>
- **Shared Use Paths:** <http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/about-this-rulemaking>

## **5.3 State of Oregon Accessibility Standards and Regulations**

Chapter 11 - Accessibility, Oregon Structural Specialty Code

[http://www.bcd.oregon.gov/programs/structural/2010\\_ADA\\_OSSC\\_Ch11\\_Comm\\_updated\\_figures.pdf](http://www.bcd.oregon.gov/programs/structural/2010_ADA_OSSC_Ch11_Comm_updated_figures.pdf)

The State of Oregon has also adopted a set of design guidelines for accessible facilities, which can be found in the Oregon Structural Specialty Code Chapter 11 (OSSC). OSSC contains general building design and construction requirements relating to fire and life safety, structural safety and access compliance. OSSC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. The Oregon Building Code Division follows the 2009 International Building Code (IBC) with amendments and provisions specific to the State of Oregon.

Because building codes are updated every few years, the City should have an ongoing program of regularly reviewing changes and updating policies and procedures related to accessibility to ensure compliance with current code.

## **5.4 Resources**

### **Resources for Providing Accessible Programs and Facilities**

- **ADA Document Portal:** This website provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers. <https://adata.org/ada-document-portal>
- **American Alliance of Museums:** Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, The Accessible Museum, which offers model programs of accessibility for older people and people with



disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors. <http://www.aam-us.org>

- **Beneficial Designs:** Beneficial Designs works toward universal access through research, design and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation and standards development and serves as a rehabilitation information resource. Contact Beneficial Designs, Inc. at 2240 Meridian Blvd, Suite C, Minden, NV 89423-8628, (775) 783-8822. <http://www.beneficialdesigns.com/>
- **Disability.gov:** The website is a one-stop interagency portal for information on Federal programs, services and resources for people with disabilities, their families, employers, service providers and other community members. <https://www.disability.gov/>
- **National Center on Accessibility:** The Center is a cooperative project between the National Park Service and Indiana University to provide information and technical assistance, primarily on recreation access. An example of the research activities of the NCA is the National Trails Surface Study. This study is primarily the result of questions that NCA receives from organizations, agencies and individuals who desire to make their trails accessible and are interested in an unobtrusive surface that blends, is friendly to the environment and provides a quality trail experience for people with and without disabilities. NCA also publishes 'What is an Accessible Trail?' which summarizes the Federal guidelines for outdoor developed areas and is available for downloading from its website. The NCA website also has information on campground accessibility, accessible picnic tables, access to beaches and inclusion of people with disabilities in aquatic venues. <http://www.ncaonline.org/>
- **National Center on Health, Physical Activity and Disability:** The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps and health and leisure services. <http://www.nchpad.org/>
- **Smithsonian Institution:** The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design (1996), which are available for downloading from their website. Further information is available from the Smithsonian Accessibility Program at the Arts and Industries Building, Room 1239 MRC 426, Washington, D.C. 20560 (202) 786-2942. <http://www.si.edu/accessibility>

## Resources for Assistive Technologies (General)

The City should utilize the many disability-related resources available through the Internet.

- **The National Institute on Disability and Rehabilitation Research:** This agency of the U.S. Department of Education maintains a national web-based service that provides up-to-date links to assistive technologies and disability-related resources.  
<http://www.abledata.com/>
- **Oregon Technology Access Program:** The Oregon Technology Access Program (OTAP) provides training, information, technical assistance and resources regarding the uses of technology for children with disabilities. OTAP services are available to anyone concerned with the needs of Oregon's children with disabilities from birth to age twenty-one. The program is sponsored by the Oregon Department of Education (ODE).  
<http://www.otap-oregon.org>

## Alternative Format Communications

Resources to produce standardized publications such as applications and registration forms in Braille, audiotape, large-print text and accessible electronic media will be assembled.

Information regarding Braille Services and other accommodations for people with visual disabilities is available by contacting:

- **American Council of the Blind:** ACB is a national organization advocating on behalf of persons who are blind or have low vision. ACB also publishes A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired, which is available online, in regular print, large print, Braille or on cassette tape. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800) 424-8666. Email [info@acb.org](mailto:info@acb.org) or go to <http://www.acb.org/>.
- **National Center on Accessibility:** NCA publishes 'What are Alternative Formats? How Do They Apply to Programs and Services?' which is available for downloading from their website. <http://www.ncaonline.org/>
- **National Center for Accessible Media:** NCAM is a research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces and communities. Developers of Web- and CD-ROM-based multimedia need an authoring tool for making their materials accessible to persons with disabilities. NCAM has developed two such tools, version 1.0 and 2.01 of the Media Access Generator (MAGpie), for creating captions and audio descriptions for rich media. MAGpie is available for downloading from NCAM's website.  
<http://ncam.wgbh.org>
- **American Sign Language Interpreters:** A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their

availability. Some programs may need to have a pool of interpreters who are available on a twenty-four-hour basis to handle emergency procedures.

The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, certain circumstances, such as the provision of emergency medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality.

You may want to contact each agency in advance of a need for services to determine their rates so that you are prepared to cover the communication expenses, should the need arise.

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

Individuals who are hard of hearing generally do not use ASL interpreters. Always ask the individual requesting an accommodation what type of accommodation works best for them. Determining what accommodation(s) will be provided is an interactive process. Depending on the situation, accommodating an individual who is hard of hearing may include note writing, use of assistive listening devices and/or provision of Computer Assisted Real-Time (CART) captioning.

### ***Assistive Listening Systems and Devices***

Systems and devices to amplify sound for persons with hearing disabilities should be available for public meetings and events. Various technologies exist for these devices. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

- See the Assistive Listening Systems Technical Bulletins available on the U.S. Access Board's website. <http://www.access-board.gov/>
- **Closed Caption Machine:** To the extent practical, City departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.
- **Optical Readers:** Equipment that can translate printed information into an audio format should be available to the City programs.
- **Text Telephone (TTY):** City programs should have access to a text telephone or have access to a telephone transfer service as required by the law and offered by public telephone companies. See the Text Telephones Technical Bulletin available on the U.S.

Access Board's website. <http://www.access-board.gov/>

- **TDI:** TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened or deaf blind. TDI's on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP and more. <http://tdiforaccess.org/>
- **Video Relay Services (VRS):** Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. Because the conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, VRS has become a popular form of TRS. [www.fcc.gov/guides/video-relay-services](http://www.fcc.gov/guides/video-relay-services)
- **Hands on Video Relay Service:** (877) 467-4877 for English, or (877) 467-4875 for Spanish
- **Sorenson Video Relay:** Using a standard telephone, simply call the toll-free number (866)-327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number or IP address) ready. Remain on hold until the call is answered by the next available interpreter.
- **Sprint VRS:** (877)709-5776 or <http://www.sprintrelay.com/>

### ***Enlarging Printed Materials***

A copy machine capable of enlarging printed materials should be available for staff.

### ***Guide to Disabilities and Disability Etiquette***

A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities.

- **Disability Etiquette:** Interacting with People with Disabilities is available on-line at the County of Long Beach's website. [http://www.longbeach.gov/hr/ada/disability\\_etiquette.asp](http://www.longbeach.gov/hr/ada/disability_etiquette.asp)

### **Resources and Organizations Serving People with Disabilities**

- **The Arc:** The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families. <http://www.thearc.org>

- **American Association of People with Disabilities:** The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States. <http://www.aapd.com/>
- **American Foundation for the Blind:** The American Foundation for the Blind (AFB) is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database. <http://www.afb.org/>
- **Center on Technology and Disability:** Funded by the U.S. Department of Education's Office of Special Education Programs, the Center on Technology and Disability provides a wide range of resources on assistive technology, from introductory fact sheets and training materials to in-depth discussion of best practices and emerging research. <http://www.ctdinstitute.org/>
- **Disability.gov's** online resources for High School: Guidelines for Accessing Alternative Format, inclusion materials, educational technology, a comprehensive list including college preparatory materials, transition issues for children with special needs and more. <https://www.disability.gov/education>
- **Disability Resources, Inc.:** Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources. <http://www.disabilityresources.org/>
- **Institute for Human Centered Design:** The Institute (formerly known as Adaptive Environments) is a non-profit organization committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. The organization provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements for human centered design for places, things, communication and policy that integrate solutions with the reality of human diversity. <http://humancentereddesign.org/>
- **National Association of the Deaf:** NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website. <http://www.nad.org/>
- **National Federation of the Blind:** NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provides on-line resources for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers and sources of closed circuit TV (CCTV's). <http://www.nfb.org/>



- **National Organization on Disability:** The National Organization on Disability promotes the full and equal participation and contribution of America's 54 million men, women and children with disabilities in all aspects of life. NOD maintains an on-line directory of information and links including transportation-related resources. <http://www.nod.org/>
- **Paralyzed Veterans of America:** PVA is a national advocacy organization representing veterans. PVA's Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness. PVA's website provides information on useful sports publications and a list of contacts. <http://www.pva.org>
- **United Cerebral Palsy Association:** UCP's mission is to advance the independence, productivity and full citizenship of people with cerebral palsy and other disabilities, through a commitment to the principles of independence, inclusion and self-determination. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities. Information about the Sports and Leisure Channel is available on UCP's website. <http://www.ucp.org>
- **United Spinal Association:** United Spinal Association is a membership organization serving individuals with spinal cord injuries or disease. Formerly known as the Eastern Paralyzed Veterans Association, the organization expanded its mission to serve people with spinal cord injuries or disease regardless of their age, gender or veteran status. Information on accessibility training and consulting services and recreational opportunities for people with spinal cord injuries or disease is available on their website. <http://www.unitedspinal.org>
- **World Institute on Disability:** WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design and ADA. <http://www.wid.org/resources/>

### **Organizations Serving Oregon, Clackamas County and Washington County**

- **Aging and Disability Resource Connection of Oregon:** ADRC is a statewide resource providing information about local public and privately paid services to address aging or disability needs. The organization's trained professional staff can help with immediate needs or planning for the future. <https://adrcforegon.org>
- **The Arc Multnomah-Clackamas:** Since 1953, The Arc of Multnomah-Clackamas has been advocating for, supporting and serving children and adults with intellectual and developmental disabilities and their families. The Arc of Multnomah-Clackamas, serving both Multnomah and Clackamas Counties, offers a wide variety of community programs

for individuals and families, all designed to help children and adults with intellectual and developmental disabilities achieve their greatest potential. <http://thearcmult.org/>

- **Autism Society of Oregon:** This affiliate of the Autism Society, the nation's leading grassroots autism organization, exists to improve the lives of all affected by autism by increasing public awareness about the day-to-day issues faced by people on the spectrum, advocating for appropriate services for individuals across the lifespan and providing the latest information regarding treatment, education, research and advocacy. <http://autismsocietyoregon.org/>
- **Clackamas County Aging Services Advisory Council:** The Council is an advisory group that meets monthly to advise Clackamas County Social Services Division on their programs and services for seniors and persons with disabilities. Members are appointed by the Clackamas County Board of County Commissioners. The group advocates both locally and at the state level on issues related to aging. The Advisory Council has a number of subcommittees devoted to specific issues such as transportation and nutrition. [http://www.clackamas.us/socialservices/committee\\_aaa.html](http://www.clackamas.us/socialservices/committee_aaa.html)
- **Clackamas County Developmental Disabilities Advisory Council:** The Council, comprised of recipients of service, advocates, professionals, provider representatives and lay citizens, meets monthly to advise the Director of Health Housing and Human Services, Director of Social Services and the DD Program Manager in planning and reviewing programs and recommending policy for developmental disabilities program areas. <http://www.clackamas.us/socialservices/community.html>
- **Family and Community Together (FACT):** Family and Community Together (FACT) is a family leadership organization for individuals and their families experiencing disability, working collaboratively to facilitate positive change in policies, systems, and attitudes through family support, advocacy, and partnerships. <http://factoregon.org/>
- **Imagine Possibilities:** Imagine Possibilities was formerly The Arc of Washington County but disaffiliated from the national and state organizations in 2012. The organization provides services to children and adults with intellectual and developmental disabilities. <http://www.imaginepossibilities.net/wordpress/>
- **Independent Living Resources:** In 1957, Independent Living Resources (ILR) manually transcribed and duplicated Braille textbooks. Eventually expanded services to the blind community included activities such as orientation and mobility, skills training, crafts and recreation. Since 1994 services have been extended to people with all disabilities. ILR helps people to help themselves through the four core services of Advocacy, Information and Referral, Peer Counseling and Skills Training. <http://www.ilr.org>
- **Northwest ADA Center, National Institute on Disability and Rehabilitation Research:** The ADA National Network Centers are a national platform of ten centers comprised of

ADA professionals and experts charged with assisting businesses, state and local governments and people with disabilities as they manage the process of changing our culture to be user friendly to disability and the effect the variety of health conditions can have on society. The Northwest ADA Center is a part of the Department of Rehabilitation Medicine at the University of Washington, and collaborates with the Center for Technology and Disability Studies, a program within the Center for Human Development and Disability and the Department of Rehabilitation Medicine.

<http://nwadacenter.org/>

- **Oregon Department of Human Services, Aging and People with Disabilities:** The mission of the Oregon Department of Human Services, Aging and People with Disabilities is to make it possible for seniors and people with disabilities to become independent, healthy and safe with opportunities for community living, employment, family support and services that promote independence, choice and dignity. <http://www.oregon.gov/DHS/spwpd/Pages/index.aspx>
- **Oregon Disabilities Commission:** Initially formed in 1983 and re-formed in 2005 after a brief hiatus, the Oregon Disabilities Commission (ODC) is a Governor-appointed commission housed in the Department of Human Services. The commission is composed of 15 members broadly representative of major public and private agencies that are experienced in or have demonstrated particular interest in the needs of individuals with disabilities. <http://www.oregon.gov/dhs/spd/Pages/ODCindex.aspx>
- **Ride Connection:** Ride Connection, a non-profit organization, is dedicated to providing responsive, accessible transportation options for those in need. While many customers are older adults and people with disabilities, the organization strives to provide transportation solutions for the community at large. <http://www.rideconnection.org/>
- **State Independent Living Council:** The State Independent Living Council (SILC) is a federally mandated, Governor appointed body, designed to ensure that people with disabilities have a major role in designing Oregon's Independent Living program services. The Independent Living Services Program is a nonresidential, consumer-directed model of peer support, information and referral, skills training and advocacy for people with disabilities. <http://www.oregon.gov/dhs/silc>
- **Washington County Developmental Disabilities Advisory Council:** This Council functions in an advisory capacity the Department of Health and Human Services and the Board of Commissioners on program development, planning, monitoring and funding issues. The council is comprised of 15 members including recipients of service, advocates, professionals in the field, key referral sources, provider representatives and lay citizens. <http://www.co.washington.or.us/HHS/DevelopmentalDisabilities/Advisory-Council.cfm>

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## Appendix A: Parks Barrier Summary

The City of Wilsonville's Parks Department manages seventeen parks ranging from small neighborhood parks to larger community parks. This section describes each park site with a summary of barriers to accessibility.

### A.1 Accessibility Standards

At the time of the facilities evaluations, the ADA 2010 Standards and the 2013 Architectural Barriers Act Accessibility Guidelines for Outdoor Developed Areas were used to identify barriers with the City's parks facilities.

### A.2 Park Sites

The following park locations were evaluated in the spring of 2014:

- Boones Ferry Park
- Canyon Creek Park
- Courtside Park
- Courtside Trail
- Engelman Park
- Hathaway Park
- Memorial Park
- Murase Plaza
- Palermo Park
- Park at Merryfield
- Piccadilly Park
- River Fox Park
- Sofia Park
- Town Center Park
- Tranquil Park
- Willamette River Water Treatment Park
- Willow Creek / Landover Park

#### Boones Ferry Park

This seven-acre wooded park is located on the Willamette River. It is home to the historic Tauchman House, the former residence of the Boones Ferry operator. Park amenities include a basketball court, gazebo, picnic trails, restrooms and a playground.

**Barriers identified include the following features:** parking, paths of travel, hazards, doors, drinking fountains, restrooms, play areas and other site features.

#### Canyon Creek Park

This 1.41-acre park is located in northeast Wilsonville. It is a popular site for picnicking and walking. Other amenities include trails, restrooms, picnic tables and benches.

**Barriers identified include the following features:** parking, paths of travel, doors, drinking fountains, restrooms and other site features.



### **Courtside Park**

This 1.91-acre park is located in a residential neighborhood, with the back fences of adjacent houses making up three sides. Paths and play equipment for this park were funded through state grants and resident fundraising efforts.

**Barriers identified include the following features:** paths of travel, hazards, play areas and other site features.

### **Courtside Trail**

This four-tenths of a mile wooded trail has steep topography and is located northeast of Courtside Park.

**Barriers identified include the following features:** paths of travel.

### **Engelman Park**

This 0.89-acre neighborhood park, formerly known as Montebello Park, has a nature-based play theme. It was completed with the assistance of a state grant and includes amenities such as benches, picnic tables and a playground.

**Barriers identified include the following features:** paths of travel, drinking fountains and other site features.

### **Hathaway Park**

This 1.15-acre neighborhood park is owned by the City but maintained by a neighboring apartment complex. It includes a basketball court, pedestrian path, picnic tables and a playground.

**Barriers identified include the following features:** paths of travel, drinking fountains, play areas and other site features.

### **Memorial Park**

This 126-acre park is the oldest and largest park in the City. It includes athletic fields, recreation facilities and picnic areas. The park also has an extensive trail system, Willamette River frontage and is bisected by Boeckman Creek. Other amenities include a community garden, boat dock, restrooms and a playground.

**Barriers identified include the following features:** parking, paths of travel, hazards, doors, drinking fountains, restrooms, sports fields and courts, play areas and other site features.

### **Murase Plaza**

This space is found within Memorial Park. Amenities include an amphitheater, picnic tables, play areas, an interactive water feature, restroom and trails.

**Barriers identified include the following features:** parking, paths of travel, hazards, doors,

drinking fountains, room elements, restrooms, kitchens, play areas and other site features.

### **Palermo Park**

This 2.08-acre neighborhood park provides space for a variety of activities. It has both a paved area for basketball and other games and a grassy area for other activities. Other amenities include a pedestrian path and picnic tables.

**Barriers identified include the following features:** paths of travel, hazards and drinking fountains.

### **Park at Merryfield**

This 9-acre neighborhood park is comprised of nearly 7 acres of wetlands and includes play equipment purchased with a state grant. A bike and pedestrian trail passes through the park, connecting schools and other natural sites.

**Barriers identified include the following features:** paths of travel, play areas and other site features.

### **Piccadilly Park**

This 3.57-acre neighborhood park is the newest in the City. It has a playground, a large grassy area, a sand volleyball court and horseshoe pits. Other amenities include benches, picnic tables and a pedestrian path.

**Barriers identified include the following features:** paths of travel and play areas.

### **River Fox Park**

This 2.51-acre neighborhood park features a playground, trails, picnic tables and a water fountain. Paths and play equipment for this park were funded through state grants and resident fundraising efforts.

**Barriers identified include the following features:** parking, paths of travel, hazards, drinking fountains, play areas and other site features.

### **Sofia Park**

This 1.56-acre neighborhood park includes both a decorative and interactive water feature. Other amenities include benches, trails, restrooms, picnic tables and a playground.

**Barriers identified include the following features:** paths of travel, drinking fountains, play areas and other site features.

### **Town Center Park**

This 5-acre urban park is home to the Oregon Korean War Veteran's Memorial and the Parks and Recreation Administrative Offices. It has an expansive water feature and hosts public events. Amenities include a stage, restrooms, picnic tables, a basketball court and a playground.

**Barriers identified include the following features:** parking, paths of travel, drinking fountains, play areas and other site features.

### **Tranquil Park**

This 4.57-acre provides a network of forested walking paths.

**Barriers identified include the following features:** paths of travel and other site features.

### **Willamette River Water Treatment Plant Park**

This 9.9-acre park was built in conjunction with the City's water treatment plant. It was created through a community design process and includes picnic tables, restrooms and trails. The park also incorporates interpretive and educational elements.

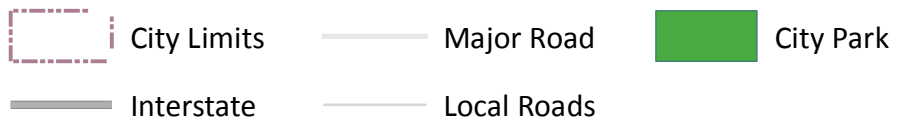
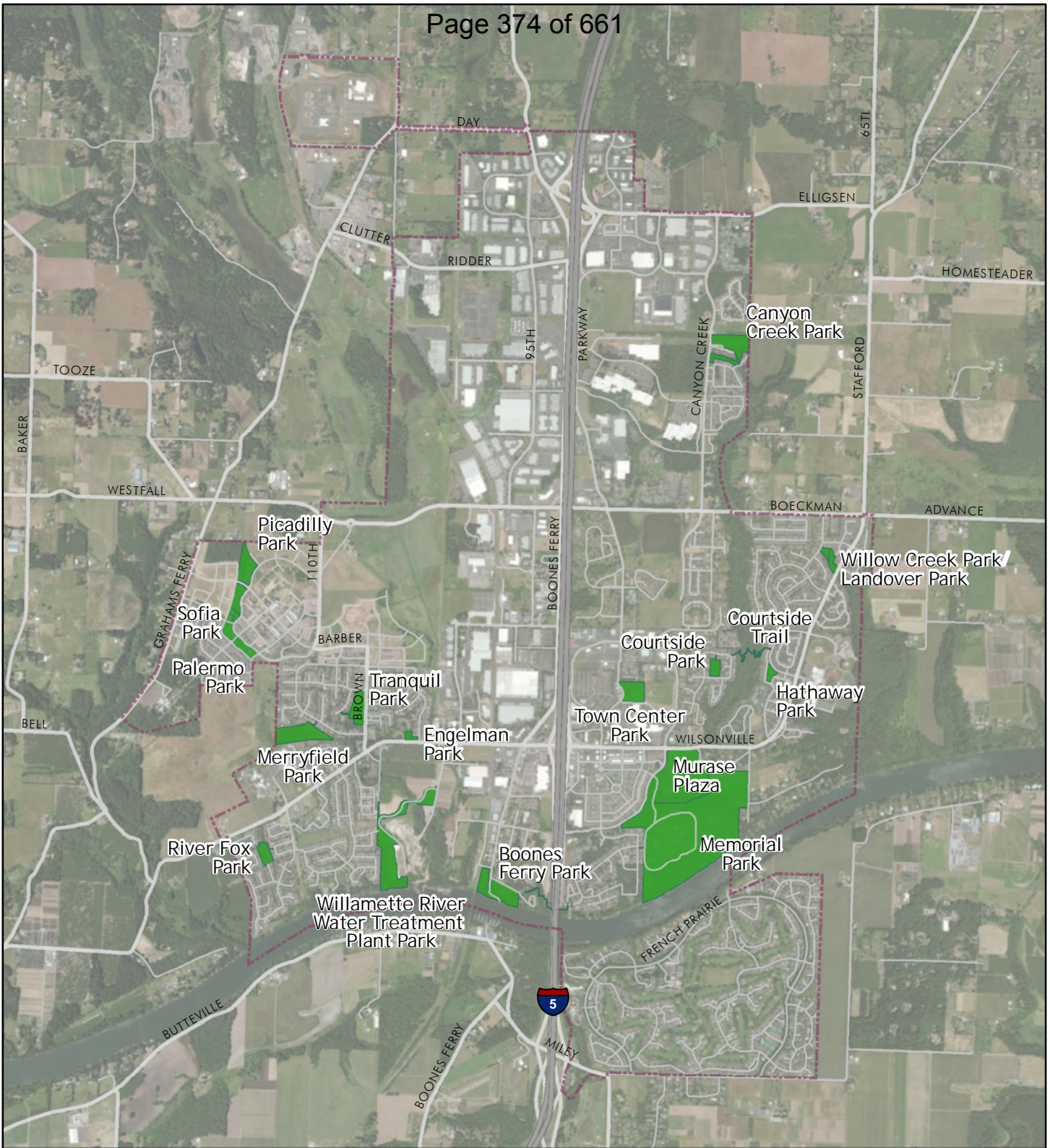
**Barriers identified include the following features:** parking, paths of travel, doors, drinking fountains, room elements, restrooms and other site features.

### **Willow Creek/Landover Park**

This 1.45-acre neighborhood park is owned by the City but maintained by adjoining neighborhoods. Amenities include a basketball court, picnic tables, trails and a playground.

**Barriers identified include the following features:** paths of travel, hazards, play areas and other site features.

Tables A-1 and A-2 following the parks map on the next page summarize the types of barriers found at each park.



# Parks

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North



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Table A-1: ADA Accessibility Barrier Types

Location Name	Parking	Paths of Travel	Hazards	Doors	Drinking Fountains	Room Elements	Restrooms	Kitchens	Sports Fields & Courts	Other	Play Areas
Boones Ferry Park	●	●	●	●	●		●			●	●
Canyon Creek Park	●	●		●	●		●			●	
Courtside Park		●	●							●	●
Courtside Trail		●									
Engleman Park		●			●					●	
Hathaway Park		●			●					●	●
Memorial Park	●	●	●	●	●		●		●	●	●
Murase Plaza	●	●	●	●	●	●	●	●		●	●
Palermo Park		●	●		●						
Park at Merryfield		●								●	●
Piccadilly Park		●									●
River Fox Park	●	●	●		●					●	●
Sofia Park		●			●					●	●
Town Center Park	●	●			●					●	●
Tranquil Nature Park		●								●	
Willamette River Water Treatment Park	●	●		●	●	●	●			●	
Willow Creek/Landover Park		●	●							●	●

Table A-2: Accessibility Guidelines for Outdoor Developed Areas Barrier Types<sup>10</sup>

Location Name	Picnic Area	Outdoor Constructed Features	Trails
Boones Ferry Park	•		
Canyon Creek Park	•		•
Courtside Park	•		
Courtside Trail			
Engleman Park		•	
Hathaway Park	•		
Memorial Park	•	•	
Murase Plaza	•		
Palermo Park	•		
Park at Merryfield	•		
Piccadilly Park	•		
River Fox Park	•		
Sofia Park	•	•	
Town Center Park	•		
Tranquil Nature Park			
Willamette River Water Treatment Park	•		
Willow Creek/Landover Park	•		

<sup>10</sup> The Architectural Barriers Act Accessibility Guidelines for Outdoor Developed Areas were adopted in 2013 for Federal facilities. The City of Wilsonville evaluated its facilities to these standards in anticipation of changes in the next Americans with Disabilities Act Standards update.

## Appendix B: Public Rights-of-Way Barrier Summary

The City of Wilsonville's Engineering and Public Works Departments manage the facilities located in the City's public rights-of-way. This section describes each of the facilities evaluated and summarizes the barrier findings.

### B.1 Accessibility Standards

At the time of the facilities evaluations, the ADA 2010 Standards, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) and the 2009 Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) were used to identify barriers with the public rights-of-way.

### B.2 Curb Ramps

There are 1,413 curb ramps within the City's public right-of-way. During the assessment of curb ramps, inspectors classified the curb ramps into the following nine categories:

#### Category 1

The existing curb ramp is considered unsafe and has features such as tripping hazards and deteriorated materials.

- Findings: At present the City has 42 curb ramps (three percent) meeting this criteria.

#### Category 2

There is a sidewalk with no curb ramp access.

- Findings: At present the City has 8 curb ramps (less than one percent) meeting this criteria.

#### Category 3

The curb ramp has no detectable warning.

- Findings: At present the City has 691 curb ramps (49 percent) meeting this criteria.

**Category 4**

This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

<b>Perpendicular Curb Ramp</b>	<b>Parallel Curb Ramp</b>	<b>Blended Transition</b>
Ramp to Street Transition Not Flush (Lip)	Ramp to Street Transition Not Flush (Lip)	Ramp to Street Transition Not Flush (Lip)
No Turning Space	Ramp Running Slope > 8.3%	Ramp Running Slope > 5.0%
Ramp Running Slope > 8.3%	Turning Space Running Slope > 2.0%	Counter Slope > 5.0%
Ramp Base Slope > 5.0%	Counter Slope > 5.0%	Flared Side Slope > 10%
Counter Slope > 5.0%		
Flared Side Slope > 10%		

- Findings: At present the City has 100 curb ramps (seven percent) meeting this criteria.

**Category 5**

This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

<b>Perpendicular Curb Ramp</b>	<b>Parallel Curb Ramp</b>	<b>Blended Transition</b>
Portion of Ramp Outside Marked Crosswalk	Portion of Ramp Outside Marked Crosswalk	Portion of Blend. Trans. Outside Marked Crosswalk
Ramp Width ≤ 4.0'	Ramp Width ≤ 4.0'	Blended Transition Width ≤ 4.0'
Turning Space Size ≤ 4' x 4' (Unconstrained)	Turning Space Size > 4' x 4' (Constrain)	
Turning Space Size ≤ 4' x 5' (Constrain)	Turning Space Size > 4' x 5' (Unconstrained)	
Turning Space Slope > 2.0%		

- Findings: At present the City has 53 curb ramps (four percent) meeting this criteria.

**Category 6**

This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

Perpendicular Curb Ramp	Parallel Curb Ramp	Blended Transition
Detectable Warning Incorrect Placement  Single Ramp for More than One Crossing  Bottom Grade Break Cross Slope: <ul style="list-style-type: none"> <li>• 2.0% at Stop or Yield Control</li> <li>• 5.0% at Signal or No Control</li> <li>• Slope of Adj. Road - Mid Block</li> </ul> Grade Breaks Not Perpendicular to Ramp Run  Ramp not Perpendicular to curb or parallel with street	Detectable Warning Incorrect Placement  Single Ramp for More than One Crossing  Turning Space Cross Slope: <ul style="list-style-type: none"> <li>• 2.0% at Stop or Yield Control</li> <li>• 5.0% at Signal or No Control</li> <li>• Slope of Adj. Road - Mid Block</li> </ul> Grade Breaks Not Perpendicular to Ramp Run	Detectable Warning Incorrect Placement  Blended Transition Cross Slope: <ul style="list-style-type: none"> <li>• 2.0% at Stop or Yield Control</li> <li>• 5.0% at Signal or No Control</li> <li>• Slope of Adj. Road - Mid Block</li> </ul> Ramp Edges not Parallel to Pedestrian Travel

- Findings: At present the City has 5 curb ramps (less than one percent) meeting this criteria.



**Category 7**

This category identifies a variety of deficiencies with the three types of curb ramps: perpendicular and parallel curb ramps, and blended transitions. The following are the types of deficiencies present.

Perpendicular Curb Ramp	Parallel Curb Ramp	Blended Transition
Rough Surface Material (Cobble, Brick, etc.)	Rough Surface Material (Cobble, Brick, etc.)	Rough Surface Material (Cobble, Brick, etc.)
Portion of Catch Basin Located in Front of Ramp	Portion of Catch Basin Located in Front of Ramp	Portion of Catch Basin Located in Front of Ramp
Clear Space ≤ 4' x 4'	Detectable Warning Domes Incorrect Dimensions	Detectable Warning Domes Incorrect Dimensions

- Findings: At present the City has no curb ramps (zero percent) meeting this criteria.

**Category 8**

The curb ramp does not meet ADA standards, but it is in overall good condition.

- Findings: At present the City has 347 curb ramps (25 percent) meeting this criteria.

**Category 9**

The curb ramps were evaluated and no deficiencies were identified.

- Findings: At present the City has 167 curb ramps (12 percent) meeting this criteria.

Figure B-1 and Table B-1 on the following page summarize the types of barriers found within the City's rights-of-way

Figure B-1: Curb Ramp Categories by Total Deficiencies

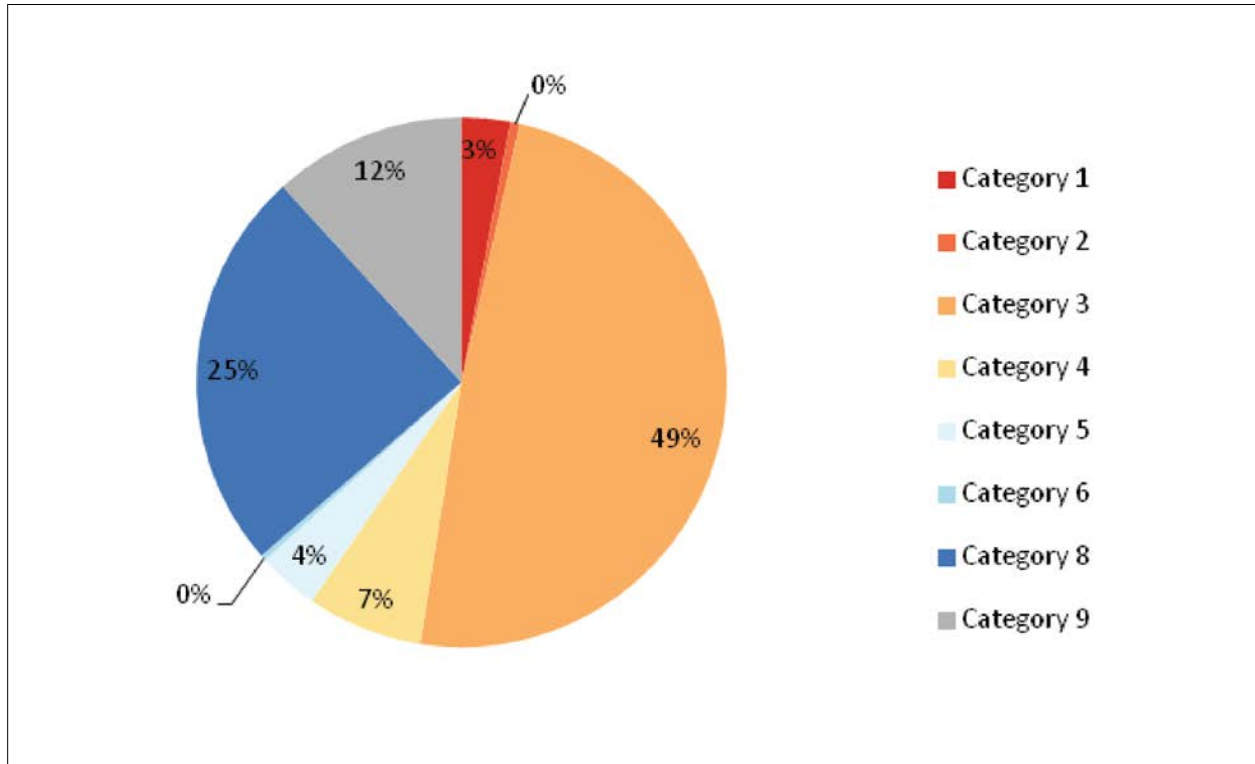
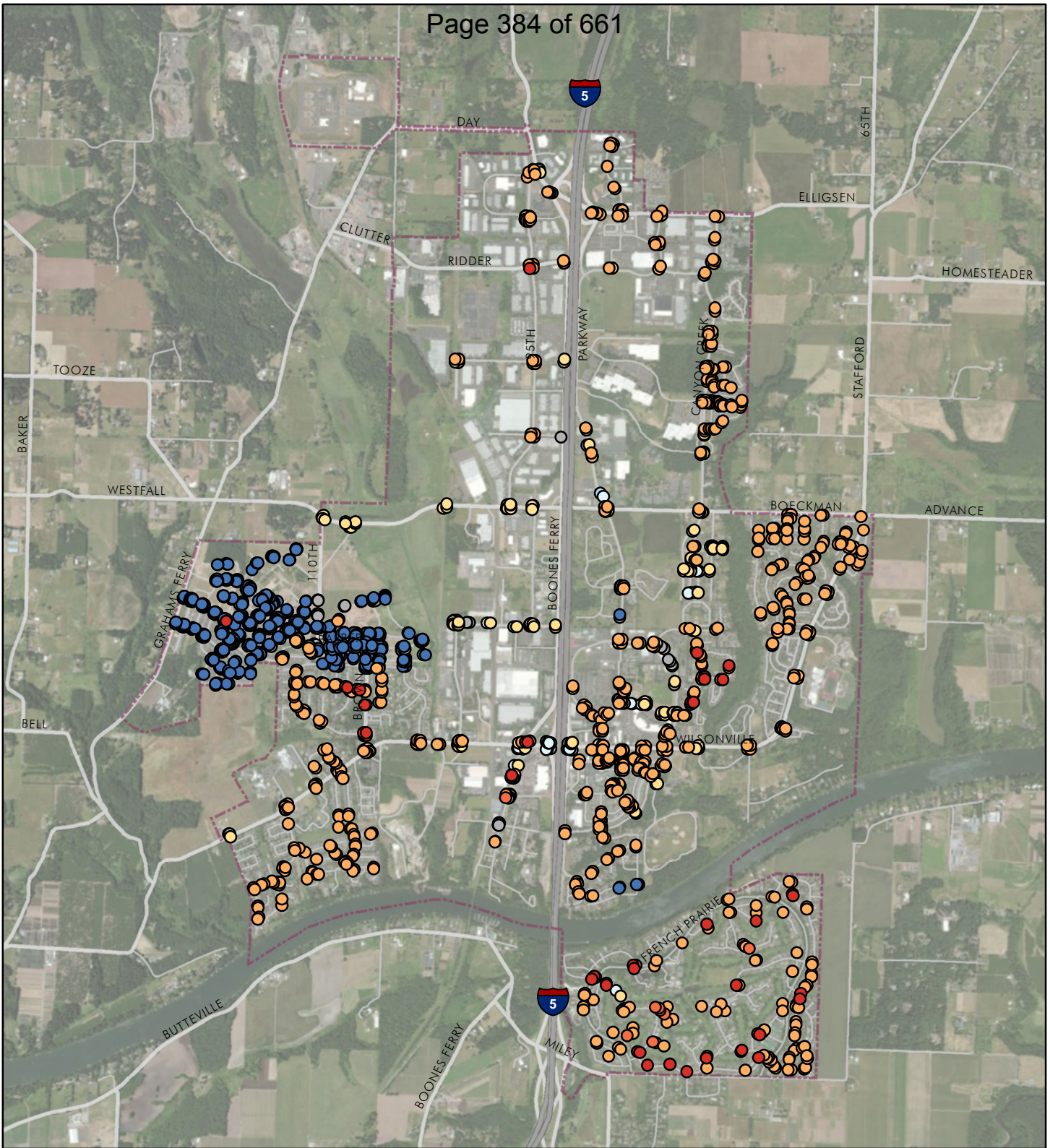


Table B-1: Curb Ramp Categories by Frequency

Category	Frequency
1	42
2	8
3	691
4	100
5	53
6	5
8	347
9	167
<b>Total</b>	<b>1,413</b>

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- Category 1
- Category 2
- Category 3
- Category 4
- Category 5
- Category 6
- Category 8
- Category 9
- City Limits
- Interstate
- Major Road
- Local Roads



# Curb Ramps

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North



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### B.3 Transit Stops

The City has a total of 185 transit stops within the City's public rights-of-way. During the assessment of transit stops the loading zone, sidewalk cross slope and the presence of an accessible path of travel to the transit stop were evaluated. A total of 36 transit stops are not ADA compliant, including several with multiple deficiencies.

#### Accessible Path of Travel to/from Transit Stop is Not Provided

The transit stop does not have an accessible path of travel leading up to it.

- Findings: At present the City has 8 transit stops (five percent) that do not meet the standard.

#### No Loading Zone/Loading Zone Not Built to Standard

The boarding and alighting areas did not have a clear length of eight feet and clear width of five feet with a slope that does not exceed two percent.

- Findings: At present the City has 31 transit stops (17 percent) that do not meet the standard.

#### Sidewalk Cross Slope

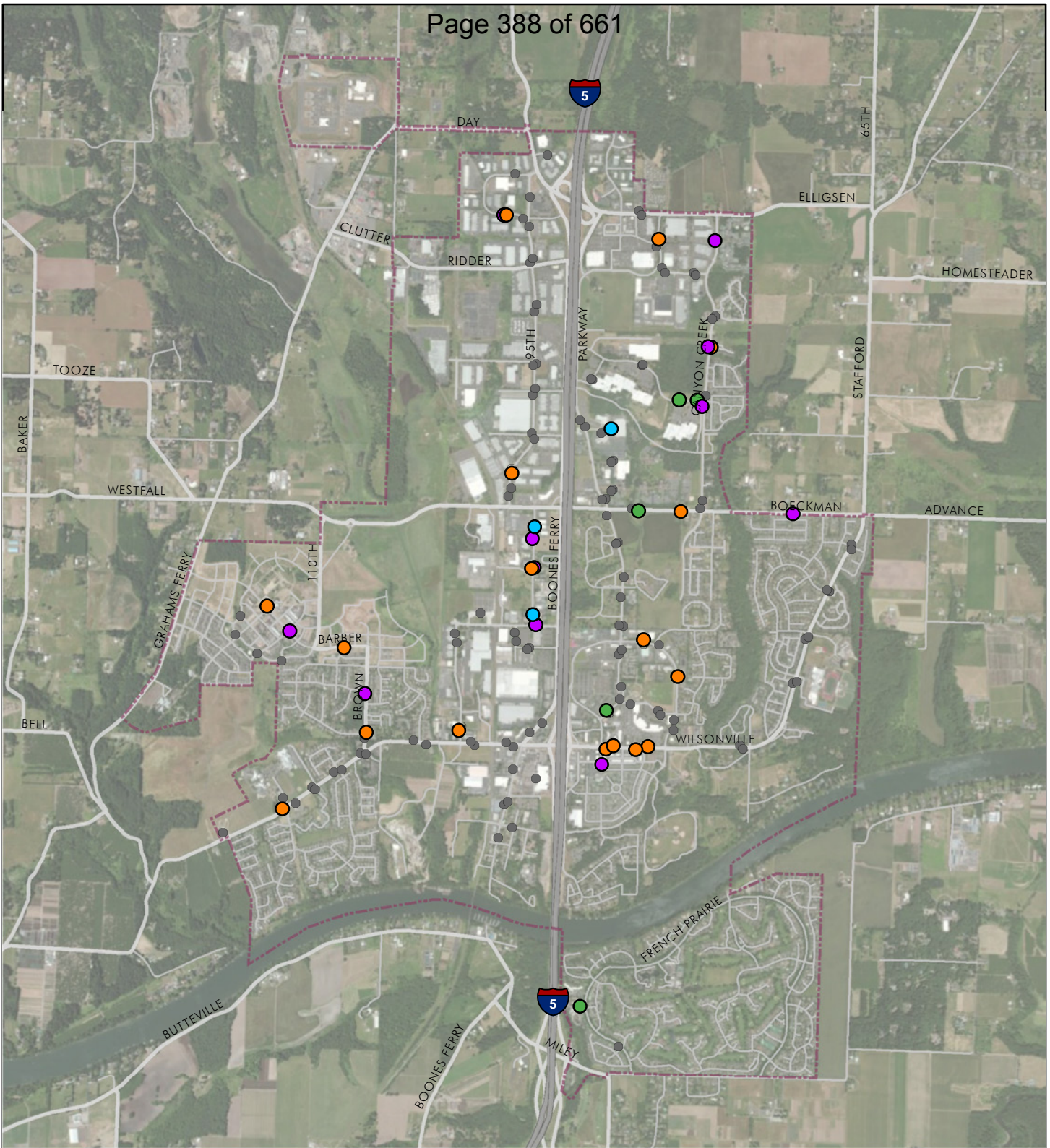
The slope of the sidewalk at the boarding and alighting area exceeds two percent slope.








- Findings: At present the City has 11 transit stops (six percent) that do not meet the standard.
- 

Table B-2. Transit Stop Deficiencies

Deficiency	Frequency
Accessible Path of Travel and Loading Zone Deficiency	3
Accessible Path of Travel Deficiency	5
Loading Zone and Sidewalk Slope Deficiency	11
Loading Zone Deficiency	17
<b>Total</b>	<b>36</b>

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-  Accessible Path of Travel and Loading Zone Deficiency
-  Loading Zone Deficiency
-  Interstate
-  Accessible Path of Travel Deficiency
-  Transit Stop with No Deficiencies Noted
-  Major Road
-  Loading Zone and Sidewalk Slope Deficiency
-  City Limits
-  Local Roads



# Transit Stops

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North



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## B.4 Pedestrian Signals

The City has a total of 190 pedestrian signals within the City's public right-of-way. During the assessment of the pedestrian signals, the location of the pedestrian signal and the orientation of the push button were evaluated.

### Accessible Pedestrian Signal

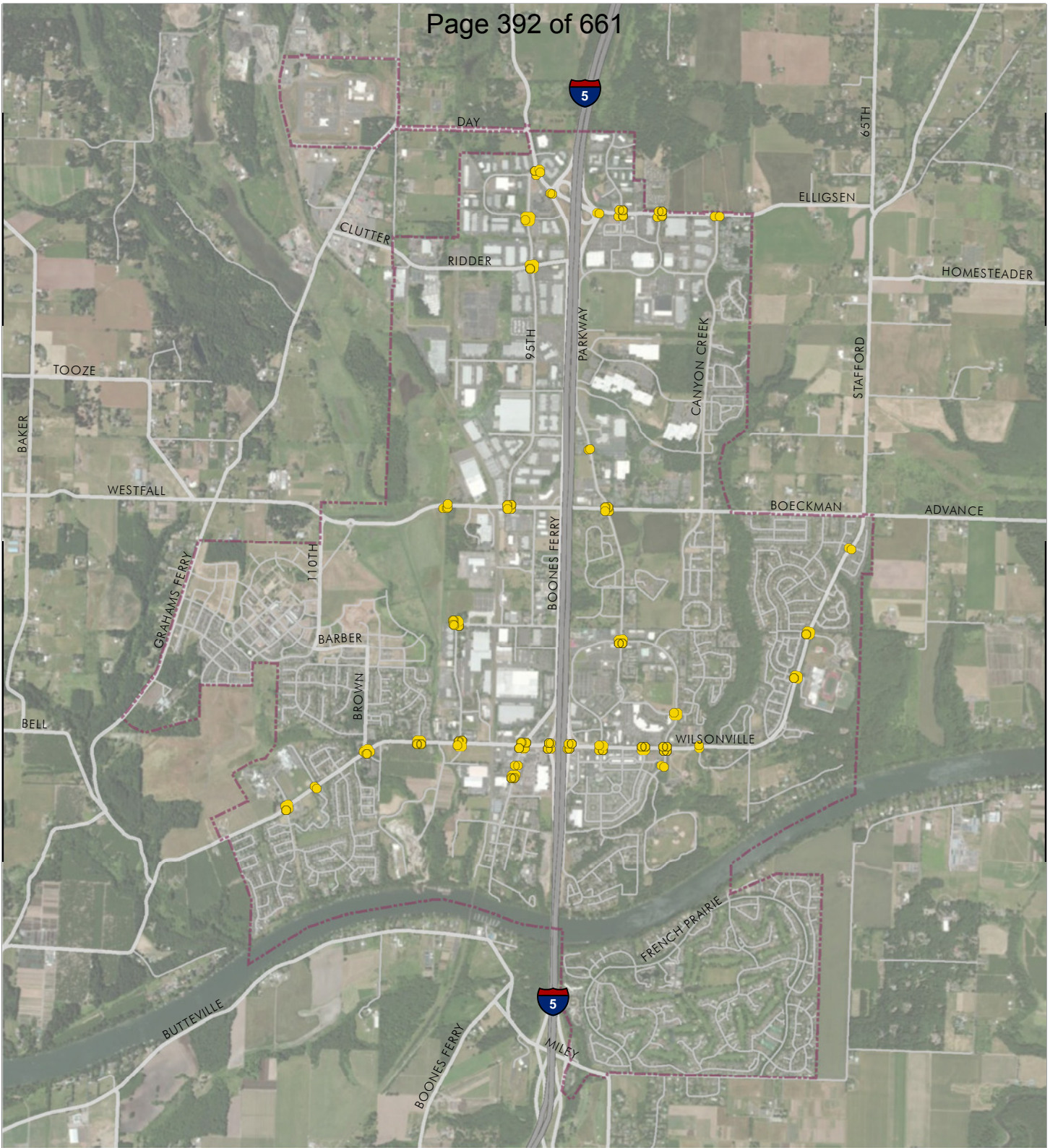
The evaluation of the pedestrian signal location included the following criteria:

Push Button Location	Push Button Orientation
Push Button Not Adjacent to Landing Push Button located within curb ramp Push Button More Than 5 feet perpendicular to the crosswalk line Push Button less than 1.5 feet or greater than 6 feet from edge of curb. Where physical limitations, push button greater than 10 feet from edge of curb. Push Buttons less than 10 feet apart, unless where technically infeasible. Push Button is missing from a protected median or island.	Face of Push Button not parallel to the direction of the crosswalk to be used.

- Findings: None of the City's 190 pedestrian signals (100 percent) meet the standard.



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- Pedestrian Signal  
Does not meet accessibility standards.
- City Limits
- Interstate
- Major Road
- Local Roads



# Pedestrian Signals

City of Wilsonville ADA Transition Plan: Public Right-of-Way & City Park Facilities



Source: City of Wilsonville, RLIS  
NAD1983 HARN StatePlane Oregon North



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## **Appendix C: Public Meeting Minutes**

The following pages include the public notices and meeting summaries from the public workshop held on February 10, 2015, and the public open house held on May 7, 2010



## meeting notes

<b>date</b>	February 12, 2015
<b>project</b>	City of Wilsonville ADA Transition Plan
<b>meeting</b>	Public Workshop, February 10, 2015
<b>attending</b>	Zach Weigel, Martin Brown, Stephan Lashbrook, Nancy Kraushaar, Stan Sherer - City of Wilsonville Tim Gilbert, Heather Buczek, Ed SanFilippo - MIG Members of the public

---

The following memo documents the discussion and concerns raised at the Public Workshop held on February 10, 2015 at Wilsonville City Hall from 6-8pm.

### 1. Meet and Greet

The meeting started with an opportunity for participants to review the maps and boards of ADA barriers in the built environment. Introduction of the agenda was done by City staff, who also provided refreshments.

### 2. Presentation

MIG staff presented a PowerPoint that described relevant sections of ADA Title II and the purpose of an ADA Title II Transition Plan. An overview of the City's current efforts of evaluating barriers within parks and in the public right-of-way was also provided.

### 3. Discussion

One participant expressed that there are many places in Wilsonville where the level of public use is in transition and the City needs a way of tracking the level of public usage as it removes barriers to accessibility. The participant also noted that as construction projects happen around the city, spaces with low levels of current public usage might be heavy-traffic areas in six months. These new areas might lack park and public space amenities.

Another participant noted that the plan seems viable, but that the current availability of accessible parking, especially spaces dedicated to wheelchair users,



is believed to be inadequate. As another participant added, “You get there and then you’re stuck.” Suggestions for improvement included the need for more than just the minimum number of accessible spaces, more wheelchair-only spaces and addressing issues in the most used parks first.

Another participant stated that he lived closest to a private park but also spends time in public parks, especially in one where his brother plays baseball. His primary transportation mode was the bus, which he described as “not perfect but pretty good.” He wanted to know whether people were aware of accessible amenities if they had never been to places that have them.

Concerns were also raised about the newest and oldest sections of the city. Old Town, for example, was built prior to the establishment of the ADA. Efforts there were underway, but possibly insufficient. In areas currently in development, concern was expressed over the accessibility of the new sidewalks. City staff clarified that they would be accessible and that this was covered in the Master Plan. When asked if residents can provide details of where curb-cuts are absent, City staff replied in the affirmative.

The final question addressed whether the City has a long-term goal of developing public/private partnerships to fill in the missing sidewalk links. City staff acknowledged that some of these gaps are the result of funding issues. Staff also described the complexity of partnerships due to the lack of an ADA mandate in the private sector (except where remodels and new construction are involved), although the City does attempt to encourage ADA accessibility. MIG staff confirmed that private entities only need to do what is ‘readily achievable.’ A participant noted that the issue with private sector and public sector go hand-in-hand even if it’s technically off-topic from the main discussion.

#### **4. Meeting Closure**

The meeting closed with encouragement to the participants to stay engaged with the issue and continue expressing their concerns.





# CITY OF WILSONVILLE, ADA TRANSITION PLAN: PUBLIC RIGHT-OF-WAY & CITY PARK FACILITIES

## FEBRUARY 10, 2015 PUBLIC WORKSHOP

### COMMENT CARD

Please list your concerns regarding accessibility of parks, sidewalk curb ramps, transit stops and pedestrian crossings within the City of Wilsonville. If you would like more information on the Transition Plan, or would like to provide comments on the Plan, you can visit the following website: <http://www.ci.wilsonville.or.us/ADA> If you would like to receive communications regarding the Transition Plan please provide your name, email and/or address below in the space provided.

*Sometimes last summer, barriers were created because all four corners of multiple intersections were under construction. Libbyway - Vet Hospital intersection require to backup and re-orient multiple vehicles*

Name:  
Email:  
Address:

---

Please return this card to the meeting facilitators or mail to the address on the back of this page or email to [heatherb@migcom.com](mailto:heatherb@migcom.com)



**UNDER CONSTRUCTION: COMING SOON**

**I-5 Corporate Park Building**

According to Project Superintendent, Marlin Steenblock, the exterior shell of the I-5 Corporate Park Building, located on SW Parkway just north of the Oregon Tech campus, will be complete by the end of March.

The new 34,500 sq. ft. commercial office building facing Interstate 5 is already attracting interest from tenants who will then complete tenant improvements prior to occupying the two-story building.



Marlin Steenblock



I-5 Corporate Park Building currently under construction.

Crews are currently completing construction of the roof and beginning to install the interior floor supports that will divide the two story building.

When complete the building will have an exterior facade that compliments the nearby buildings.



**Barber Street Bridge Update**

The contractor for the Barber Street road extension and bridge project completed the pile-driving phase of the project in December, installing 56 in-ground, structural supports, known as pilings, for the new bridge over Coffee Lake Creek/Seely Ditch.

Currently the contractor is capping the pilings with concrete and rebar creating the main support structures for the future bridge's deck.

When complete this fall, the new bridge and road extension links Villebois and Wilsonville's other western residential neighborhoods with the city's larger street network.

The project is making great progress and is currently on time and under budget.



For more information, contact Eric Mende, PE, Capital Projects Engineering Manager, at 503-570-1538; mende@ci.wilsonville.or.us.

**City Seeks Feedback on Improving Accessibility and Mobility**

The City of Wilsonville invites the public—specifically community members with disabilities and limited mobility—to share their experiences and needs and hear about plans regarding the accessibility of public facilities such as parks, bus stops and sidewalk ramps in Wilsonville.

Over the last year, City staff has inspected all of Wilsonville's park facilities, bus stops and sidewalk ramps and has identified areas where repairs or replacements are needed in order to comply with current Americans with Disabilities Act (ADA) requirements.

In preparation of drafting an ADA Transition Plan, the City first seeks public feedback on which of the identified ADA-required repairs pose the greatest barriers to mobility and should receive the highest priority in the plan.

The ADA Transition Plan workshop is scheduled for Tuesday, Feb. 10, 6-8 pm, at Wilsonville City Hall,

29799 SW Town Center Loop East. At the workshop the public has an opportunity to review the type and location of needed ADA

repairs and to provide feedback on the priorities of proposed improvements.

In April the City intends to hold a follow-up meeting to receive additional public input on a draft of the ADA Transition Plan prior to being submitted and considered by the City Council in the spring.

Interested persons may track the ADA Transition Plan progress, review materials, and submit questions and comments online at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA). Meeting accommodations, including ASL interpreters, alternative format documents or other modifications are available upon request.

For more information or to request meeting accommodations, contact Zach Weigel, Civil Engineer, at 503 570-1565; weigel@ci.wilsonville.or.us.



Ruthann Duran at the Wilsonville Community Center.

**ADA Transition Plan Workshop**  
• Tue., Feb. 10, 6-8 pm  
Wilsonville City Hall, 29799 SW Town Center Loop East

**Local Photographer Displays at Regional Gallery**

Wilsonville-based photographer Lisa Nead was selected in a competitive process as part of the Artist Exhibit Program of the Clackamas County Arts Alliance. Her nature-focused photography is on display Feb. 3 through June 3 at Providence Milwaukie Hospital Gallery in the Chapel hall-

**Artist Exhibit Program of the Clackamas County Arts Alliance**  
• Tue., Feb. 3 to June 3, 6 - 8 pm  
Providence Milwaukie Hospital  
10150 SE 32 Ave, Milwaukie

way, 10150 SE 32 Ave, Milwaukie. In accepting the honor of the public exhibit, Nead said, "My photographs are a way of expressing my reverence for the beauty of nature that surrounds me. I am compelled to capture it and my hope is to awaken something in the viewer as well." For more information, see [www.LisaNead.com](http://www.LisaNead.com).

You may think that retirement is a time to slow down, sleep in and relax, but local retiree and City volunteer Wes Morris, has no such plans.



After retiring in 2005, Wes got involved in classes and programs at the Wilsonville Community Center and not long after that he was invited to join the Wilsonville Community Seniors, Inc (WCSI) — a non-profit organization that advises the City on matters effecting senior programs, services, and facilities. He accepted the offer to join WCSI, serving as a board member for his two years on the board and now as Chair for the past four years.

Wes grew up in Mason, Washington, a small rural town in north central Washington, and has always enjoyed the outdoors. As a kid he liked to swim, fish, hunt and go boating on and around nearby Lake Chelan.

"Wes is a remarkable volunteer and contributor for the City and WCSI. His calm demeanor

*Wes is a remarkable volunteer and contributor for the City and WCSI. His calm demeanor and thoughtful approach make him a very effective leader for the group.*

and thoughtful approach make him a very effective leader for the group," said Patty Brescia, Senior Programs Manager for the Parks and Rec-

reation Department. From Wes' point of view he explains, "I joined WCSI to give a voice to local seniors in this community and to make sure they have plenty of options to stay active and engaged in our community."

In reflecting on some of the his accomplishments he explains, "I am proud that our fundraising has helped keep classes affordable for seniors and for the recent work of the Recreation and Aquatic Center Task Force which I was proud to serve on."

Wes is a graduate of Eastern Washington University and has a master's degree from Oregon State University in Industrial Arts. He enjoyed a 34-year career as a vocational education teacher mostly with Molalla High School after spending his first two years teaching in Amity.

Wes, who now cares for his mother, has lived a few miles out town for the past 40 years. He was married to his wife Paula for almost 41 years before she passed away in 2013 after fighting cancer for 22 months. Wes is a proud father of a successful adult daughter, Andrea, who was in the first class to go all four years to the Wilsonville High School.

When not involved in WCSI, Wes is also the Vice Chair of the Wilsonville Community Sharing, the local food bank and emergency assistance organization. He teaches a weekly drop-in Tai Chi class on Wednesday nights 7 - 8 pm at the Wilsonville Community Center and he is active with his church.

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Like the City on Facebook:  
[www.Facebook.com/CityofWilsonville](http://www.Facebook.com/CityofWilsonville)

Did you know...  
You can ride the  
**SMART**  
SOUTH METRO AREA REGIONAL TRANSIT  
bus for free anywhere in  
Wilsonville!  
For more info, see [RideSmart.com](http://RideSmart.com)



## ADA Transition Plan Work Shop Notification List

### Regional Disability/Mobility Groups

Notice on 1/23/2015, Reminder on 2/6/2015

ALS Association of Oregon & SW Washington

Alzheimer's Association - Oregon Chapter

American Association of Retired Persons

Clackamas County Disability Services

Elders in Action

FACT Oregon

Independent Living Resources

Oregon Commission for the Blind

Oregon's Deaf and Hard of Hearing Services

Ride Connection

Tualatin Valley Fire & Rescue

West Linn - Wilsonville School District

Notice on 2/6/2015

Oregon Veterans Center

VA Portland Health Care System

Homeless Disabled Veterans of the Northwest

### Local Care Disability/Elderly Care Facilities

Notice on 1/23/2015, Reminder on 2/6/2015

Brookdale Wilsonville

Charbonneau Country Club

Creekside Woods

Elder Care of Wilsonville

NW Housing Alternatives

Springridge at Charbonneau

The Springs at Wilsonville

Notice on 2/3/2015

Rain Garden Apartments



## MEDIA RELEASE

### *For Immediate Release*

January 21, 2015

CONTACT: Jon Gail, Community Relations Coordinator  
503-570-1502; gail@ci.wilsonville.or.us

### **City Hosts Meeting to Plan Accessibility Improvements**

WILSONVILLE, OR — The City of Wilsonville is holding a public meeting to obtain community member feedback on the City’s proposed plans to upgrade City outdoor park facilities, bus stops, pedestrian signals and sidewalk ramps in order to comply with current Americans with Disability Act (ADA) standards. The meeting is scheduled for Tuesday, Feb. 10, 6–8 pm, at Wilsonville City Hall, 29799 SW Town Center Loop East.

The City invites the general public — especially community members with disabilities and limited mobility — to attend the meeting, review the proposed list of projects and share feedback. In particular, the City seeks feedback regarding which of the projects provides the greatest benefit to persons with disabilities, and therefore should be considered as a top priority by the City for funding and completion.

Based in part on feedback, consultants then draft an “ADA Transition Plan” — a federally required document that prioritizes and guides local efforts to complete the identified upgrades and charts a course for the City to achieve compliance with current ADA standards.

After inspecting all of Wilsonville’s outdoor park facilities, bus stops, pedestrian signals and sidewalk ramps, City staff prepared a list of proposed projects to be reviewed at the upcoming meeting.

In the spring, the City plans to hold another meeting to receive additional public input on a draft of the ADA Transition Plan prior to consideration by City Council for adoption. A date and time for this second meeting has not been set.

Interested persons may follow the ADA Transition Plan progress, review materials and submit feedback online at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA). Meeting accommodations, including American Sign Language interpreters, alternative format documents or other modifications are available upon advance request.

Enacted by Congress in 1990, the Americans with Disability Act is a comprehensive, federal civil-rights law that prohibits discrimination based on disability and guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services and telecommunications.

For more information on the ADA Transition Plan or to request meeting accommodations, contact Zach Weigel, Civil Engineer, at 503 570-1565; [weigel@ci.wilsonville.or.us](mailto:weigel@ci.wilsonville.or.us).

- # # # -

**Weigel, Zach**

---

**From:** Weigel, Zach  
**Sent:** Thursday, January 22, 2015 10:27 AM  
**To:** Moore, Jourdan  
**Cc:** Brown, Martin  
**Subject:** RE: Public Workshop Notification - ADA Transition Plan  
**Attachments:** 20150121 PR Public Workshop Notice-Final.docx

Hi Jourdan,

Attached is the press release for the ADA Transition Plan Public Workshop notice. Jon Gail sent this out yesterday. Please feel free to share with the public, like we discussed.

Also, have you had a chance to see if the community center has an E-news service for subscribers/users of the community center? If so, could you send this press release to those subscribers?

One last thing. Do you think you could send this press release to Wilsonville Senior Advisory Board to help get notice out about the Public Workshop?

Let me know if there is anything I can do to help.

Thank you,

Zach

**Zachary J. Weigel, PE**  
Civil Engineer

City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 570-1565

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**From:** Weigel, Zach  
**Sent:** Tuesday, January 13, 2015 4:27 PM  
**To:** Moore, Jourdan  
**Cc:** Brown, Martin  
**Subject:** Public Workshop Notification - ADA Transition Plan

Jourdan,

Thank you for your help. Attached is a draft of the Boones Ferry Messenger article that will be issued in February that should give you the needed information for the meeting. Please don't share this draft article with the public. Next week I will send you the text of the press release that will be sent out. Feel free to share the press release with the public.

Does the community center have a E-news services that is sends notices to subscribers/users of the community center? If so, would it be possible to send out the press release to those subscribers?

I appreciate your help. Thank you,

Zach

**Zachary J. Weigel, PE**  
Civil Engineer

City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 570-1565

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## MEDIA RELEASE

### *For Immediate Release*

January 21, 2015

CONTACT: Jon Gail, Community Relations Coordinator  
503-570-1502; gail@ci.wilsonville.or.us

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- # # # -

**From:** [Ante-Marandi, Ahsamon](#)  
**To:** [Adam Rahmlow](#); [Brescia, Patty](#); [David Davis](#); [Elaine Swyt](#); [Kate Johnson](#); [Ken Rice](#); [Mary Closson](#); [Scott Starr](#); [Sherer, Stan](#); [Steve Benson](#); [Stevenson, Brian](#)  
**Cc:** [Weigel, Zach](#)  
**Subject:** Public Workshop Notification - ADA Transition Plan  
**Date:** Thursday, January 22, 2015 12:47:10 PM  
**Attachments:** [20150121 PR Public Workshop Notice-Final.docx](#)

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Hello Parks and Recreation Advisory Board Members,

On **February 10**, the City is hosting a [public meeting](#) to obtain community input on the City's proposed plans to upgrade City outdoor park facilities, bus stops, pedestrian signals and sidewalk ramps to comply with current ADA standards. The meeting will be at **City Hall** from **6:00 – 8:00 PM**. Please see the attached notice for more information and feel free to pass it along to anyone who might be interested in attending.

Kind Regards,  
Ahsamon

Ahsamon Ante-Marandi  
Administrative Assistant II

Wilsonville Parks and Recreation  
503-570-1530 (office)

[ante-marandi@ci.wilsonville.or.us](mailto:ante-marandi@ci.wilsonville.or.us)

[WilsonvilleParksandRec.com](http://WilsonvilleParksandRec.com)

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## MEDIA RELEASE

### *For Immediate Release*

January 21, 2015

CONTACT: Jon Gail, Community Relations Coordinator  
503-570-1502; gail@ci.wilsonville.or.us

### **City Hosts Meeting to Plan Accessibility Improvements**

WILSONVILLE, OR — The City of Wilsonville is holding a public meeting to obtain community member feedback on the City’s proposed plans to upgrade City outdoor park facilities, bus stops, pedestrian signals and sidewalk ramps in order to comply with current Americans with Disability Act (ADA) standards. The meeting is scheduled for Tuesday, Feb. 10, 6–8 pm, at Wilsonville City Hall, 29799 SW Town Center Loop East.

The City invites the general public — especially community members with disabilities and limited mobility — to attend the meeting, review the proposed list of projects and share feedback. In particular, the City seeks feedback regarding which of the projects provides the greatest benefit to persons with disabilities, and therefore should be considered as a top priority by the City for funding and completion.

Based in part on feedback, consultants then draft an “ADA Transition Plan” — a federally required document that prioritizes and guides local efforts to complete the identified upgrades and charts a course for the City to achieve compliance with current ADA standards.

After inspecting all of Wilsonville’s outdoor park facilities, bus stops, pedestrian signals and sidewalk ramps, City staff prepared a list of proposed projects to be reviewed at the upcoming meeting.

In the spring, the City plans to hold another meeting to receive additional public input on a draft of the ADA Transition Plan prior to consideration by City Council for adoption. A date and time for this second meeting has not been set.

Interested persons may follow the ADA Transition Plan progress, review materials and submit feedback online at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA). Meeting accommodations, including American Sign Language interpreters, alternative format documents or other modifications are available upon advance request.

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- # # # -





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City of Wilsonville

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Services & Programs

Riding Basics

Routes

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[Walk SMART Program](#)

Posted on: January 22, 2015

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- SMART Talk Newsletter
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Interested persons may follow the ADA Transition Plan progress, review materials and submit feedback online at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA). Meeting accommodations, including American Sign Language interpreters, alternative format documents or other modifications are available upon advance request.

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# City seeks to make facilities more accesable

Created on Wednesday, 28 January 2015 00:00 | Written by [Josh Kulla](#) | 

[0 Comments](#)


City plans to upgrade a variety of facilities to comply with the Americans with Disabilities Act will be the topic of a Feb. 10 meeting at City Hall. The city is especially interested in hearing from residents about which proposed projects would provide the greatest benefit to people with disabilities. Based in part on public feedback, consultants will draft an “ADA Transition Plan,” required under federal law. The plan guides local efforts to complete identified upgrades and chart a course toward full ADA compliance.

After inspecting all of Wilsonville’s outdoor park facilities, bus stops, pedestrian signals and sidewalk ramps, city staff prepared a list of proposed projects to be reviewed at the upcoming meeting.



In the spring, another meeting will allow for further public input on a draft of the ADA Transition Plan prior to consideration by the City Council. Interested persons may follow the ADA Transition Plan progress, review materials and submit feedback online at [ci.wilsonville.or.us/ADA](http://ci.wilsonville.or.us/ADA).


Meeting accommodations, including American Sign Language interpreters, alternative format documents or other modifications are available upon advance request.

Enacted by Congress in 1990, the Americans with Disability Act is a comprehensive, federal civil-rights law that prohibits discrimination based on disability and guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, government services and more.

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## meeting notes

<b>date</b>	May 8, 2015
<b>project</b>	City of Wilsonville ADA Transition Plan
<b>meeting</b>	Public Open House, May 7, 2015
<b>attending</b>	Zach Weigel, Martin Brown, Angela Handran - City of Wilsonville Tim Gilbert, Heather Buczek - MIG Members of the public

---

On May 7, 2015 at Wilsonville City Hall from 6-8pm, a Public Open House was held to share the Public Review Draft of the Public Right-of-Way & City Parks Facilities ADA Title II Transition Plan and address questions or concerns regarding the plan.

### 1. Meet and Greet

The meeting started with an opportunity for participants to review maps and boards of ADA barriers in the built environment, and review copies of the ADA Title II Transition Plan.

### 2. Presentation

MIG staff presented a PowerPoint that described the relevant sections of ADA Title II Regulations, the purpose of an ADA Title II Transition Plan, and an overview of the City's Transition Plan schedule for parks and public right-of-way facilities.

### 3. Discussion

During the discussion portion of the meeting some specific locations for right-of-way improvements were considered. This was followed by a more detailed discussion of how the City plans to implement the Transition Plan, and an expanded discussion of the applicable standards used for evaluating facilities in the public rights-of-way.

### 4. Meeting Closure

The meeting closed with encouragement to the participants to stay engaged and to provide comments on the Plan using the City's website and commenting tool.

City of Wilsonville - Americans with Disabilities Act (ADA) Transition Plan:  
Public Right-of-Way & City Park Facilities

May 7, 2015  
6:00 p.m. - 8:00 p.m.

**PLEASE SIGN IN**

Name	Email	Phone (optional)
Stephanie Yager	yagershot@gmail.com	360.550.5054
Terry Greenfield	Planning Commission	
JILLUSUS JONSON	JILLUSUS.JONSON@CONVERTERS.COM	
Jennifer Spencer-Diams	spencerj@wlvv.k12.or.us	



### Community Feedback Needed on Plan to Improve Accessibility and Mobility

The City of Wilsonville invites the public to learn about and comment on a draft plan to improve accessibility and mobility at an Americans with Disabilities Act (ADA) Transition Plan open house on Thursday, May 7, 6 - 8 pm, at Wilsonville City Hall, 29799 SW Town Center Loop East.

**ADA Transition Plan Open House**  
 • **Thur, May 7, 6 - 8 pm**  
 City Hall, 29799 SW Town Center Loop East

At the open house the public is invited to review and comment on the plan that spells out the ADA-required repairs that were given the highest priority and provide feedback on the proposed repair schedule. With this feedback the plan will be updated to incorporate the community's input and then the final draft plan will be submitted and considered by City Council for potential adoption later this spring.

In February the City held a similar workshop where members of the disabled community shared their experiences and needs in order to identify public facilities, such as parks, bus stops, and sidewalk ramps, that pose the greatest barriers to their mobility.

Based on the community's feedback, state and

federal standards and other data research, City staff and consultants are working on a draft plan. The main purpose of the plan is to identify, prioritize and schedule repair and replacement of public facilities in order to comply with current ADA requirements.



The ADA Transition Plan aims to make getting to City facilities more accessible.

Interested persons may follow the ADA Transition Plan progress, review materials, and submit questions and comments online at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA). Meeting accommodations, including ASL interpreters, alternative format

documents or other modifications are available upon request.

For more information or to request meeting accommodations, contact Zach Weigel, Civil Engineer, at 503-570-1565; [weigel@ci.wilsonville.or.us](mailto:weigel@ci.wilsonville.or.us).

### Section of Grahams Ferry Road to Get Bike Lanes and Sidewalk

Grahams Ferry Road between Tooze Road and Barber Street is to be temporarily closed to through traffic in order to widen the road, and add bike lanes and a sidewalk on the east side of the street. City staff is working with the developer, Polygon NW, and a contractor to identify the exact dates and length of time for the street closure; however, work is expected to start this May or June.

During the road closure, access to residential homes on the west side of Grahams Ferry Road between Tooze Road and Barber Street is to be main-

tained at all times, although delays may occur. The City is working with the contractor to minimize how long the street is closed. During the closure a temporary detour route will be established for through traffic.

Dates of the closure and the detour route will be posted as soon as possible on the City's web page at [www.ci.wilsonville.or.us/RoadConstruction](http://www.ci.wilsonville.or.us/RoadConstruction).

For more information, contact Steve Adams, PE, Development Engineering Manager, at 503-682-4960; [adams@ci.wilsonville.or.us](mailto:adams@ci.wilsonville.or.us).

### City Surveying Community Members on Comcast/Xfinity Cable Services

In late April the City mailed a survey to 4,000 randomly selected households in Wilsonville. The survey asks a series of questions about Comcast/Xfinity Cable's services and local access programming such as the City's WGC-TV Channel 30 (Comcast).



Responses from the survey are to be used to shape the Comcast franchise renewal negotiations and impact local programming options in the Wilsonville area for the next decade.

The survey is completely anonymous and all community members, including those who are not Comcast customers, are encouraged to complete the survey.

To learn more about franchise, the renewal process, local access or related information, please visit [www.ci.wilsonville.or.us/cable](http://www.ci.wilsonville.or.us/cable).

### Shredding Event Helps Hundreds

In March U.S. Bank and the City of Wilsonville sponsored a Community Shredding event serving over 100 local households by providing free and secure shredding services while raising donations for Wilsonville Community Sharing.



### High School Robotics Team Heads to World Championship

The West Linn-Wilsonville high school robotics team, FIRST Team 1425 - Error Code Xero, has qualified and is preparing to compete in the FIRST Robotics Competition (FRC) World Championship, an international robotics competition in St. Louis Missouri in late April. The team qualified for the international competition based on their recent performance in a regional event at Eastern Washington University.

The local robotics team, comprised of 40 high school students mostly from Wilsonville and West Linn High Schools, is supported by grants from the City of Wilsonville and numerous local businesses including Xerox, Maxim Integrated, TE Connectivity, Mentor Graphics, LAM Research, Rockwell Collins, 3D Systems and Oregon Institute of Technology.



### COUNCILORS CORNER: CHARLOTTE LEHAN

When I speak with school groups about growing up in Wilsonville, I always make it a point to say I have not lived here all my life and I don't recommend it to them either. Everyone can benefit from living in different places before deciding to put down roots. I have lived in Seattle, Portland, Los Angeles, Lake Oswego, and for a very short time, Corvallis. I am glad to have experienced all these places, but I remain partial to Wilsonville.



I am a sixth generation descendant of the Zumwalts (friends and relations of the Boones) who came from Missouri in 1850 to settle on Corral Creek. Like Alphonso Boone and many of the earliest settlers, John Zumwalt was a riverman who had worked on the



The Bill Bischof house and barn, now demolished, were south of the Boeckman crossing in the Villebois neighborhood.

great rivers of the Midwest. He owned and operated the *Hoozier*, a steamboat on

the upper Willamette. His daughter, Clementine, married John Wallace Graham who started Grahams Ferry and for whom Graham Oaks Natural Area is named.

I first became involved in local government in 1990 when I was working to protect Graham Oaks (then known as the Wilsonville Tract) from development. The preservation of this large and wonderfully diverse habitat so close to an urban area is still the most satisfying accomplishment of my earlier time on the City Council, but I am also proud of the city our community has built and continues to build.

About 10 years ago I became involved in the preservation and restoration of Pleasant View Cemetery. I am currently the President of the board and webmaster of the website: [www.PleasantViewCemetery.org](http://www.PleasantViewCemetery.org). If you have never been there, I invite you to visit this amazing place that holds so much history for the Wilsonville/Sherwood area. Give me a call at 503-313-8040 and I will be happy to offer a personal tour.

This Memorial Day, May 25, at 11 am we will be

**Memorial Day/Eagle Scout Event - Medallion Dedication for 141 Vets**  
 • **Mon, May 25, 11 am**  
 Pleasant View Cemetery,  
 14250 SW Westfall Road  
[www.PleasantViewCemetery.org](http://www.PleasantViewCemetery.org)

dedicating a memorial and medallions for 141 Veterans located there.

This project has been part of an Eagle Scout project reported in newspapers and on television.

My work on local history related to the cemetery has led to other heritage-related pursuits, including serving on the Oregon Heritage Tree Committee, the Oregon Historic Marker Committee, and the Oregon Commission on Historic Cemeteries. It also led to my family's efforts to save the little Bischof House from demolition by moving it to our front yard.

We can't save every old house and barn, but we can do a better job of saving them in photographs. In a rapidly changing place like Wilsonville we continue to lose many structures without creating a photo

archive of their existence. Whether that should be the job of government, a historic society, or individuals can be debated but when

these structures are gone they disappear, not only from the landscape, but from our memories if we haven't saved them in photographs. Everyone these days has a camera in their pocket, so let's get busy recording!

Charlotte Lehan, City Councilor

## MEDIA RELEASE

### ***For Immediate Release***

April 20, 2015

CONTACT: Zach Weigel, Civil Engineer  
503-570-1565; weigel@ci.wilsonville.or.us

### **Community Feedback Needed on Plan to Improve Accessibility and Mobility**

WILSONVILLE, OR — The City of Wilsonville invites the public to learn about and comment on a draft plan to improve accessibility and mobility at an Americans with Disabilities Act (ADA) Transition Plan open house on Thursday, May 7, 6 - 8 pm, at Wilsonville City Hall, 29799 SW Town Center Loop East. Interested persons may also follow the ADA Transition Plan progress, review materials, and submit questions and comments online at [www.ci.wilsonville.or.us/ADA](http://www.ci.wilsonville.or.us/ADA).

At the open house the public is invited to review and comment on draft lists of ADA-required repairs that were given the highest priority and to provide feedback on the proposed repair schedule. After updated to incorporate community input, the final draft plan is to be submitted for City Council consideration later this spring.

In February the City held a similar workshop where members of the community with disabilities shared their experiences and needs in order to identify public facilities, such as parks, bus stops, and sidewalk ramps, that pose the greatest barriers to mobility.

Based on the community's feedback, state and federal standards and other data research, City staff and consultants are working to identify, prioritize and schedule repair and replacement of public facilities in order to comply with current ADA requirements.

Meeting accommodations, including ASL interpreters, alternative format documents or other modifications are available upon request.

For more information or to request meeting accommodations, contact Zach Weigel, Civil Engineer, at 503-570-1565; [weigel@ci.wilsonville.or.us](mailto:weigel@ci.wilsonville.or.us).

## ADA Transition Plan Open House Notification List

### Regional Disability/Mobility Groups

Email on 4/21/2015

ALS Association of Oregon & SW Washington  
Alzheimer's Association - Oregon Chapter  
American Association of Retired Persons  
Clackamas County Disability Services  
Elders in Action  
FACT Oregon  
Independent Living Resources  
Oregon Commission for the Blind  
Oregon's Deaf and Hard of Hearing Services  
Ride Connection  
Tualatin Valley Fire & Rescue  
West Linn - Wilsonville School District  
Oregon Veterans Center  
VA Portland Health Care System  
Homeless Disabled Veterans of the Northwest

### Local Care Disability/Elderly Care Facilities

Email and Mail Notice on 4/21/2015

Brookdale Wilsonville  
Charbonneau Country Club  
Creekside Woods  
Elder Care of Wilsonville  
NW Housing Alternatives  
Springridge at Charbonneau  
The Springs at Wilsonville  
Rain Garden Apartments

## MEDIA RELEASE

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**Weigel, Zach**

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**From:** Brescia, Patty  
**Sent:** Tuesday, April 21, 2015 2:33 PM  
**To:** Weigel, Zach; Moore, Jourdan  
**Subject:** RE: Public Open House Notification - ADA Transition Plan

Hey Zach,  
We will share! Thank you,  
Patty

Patty Brescia  
Recreation Program Manager  
Wilsonville Parks and Recreation  
Ph: 503-570-1525  
Fax: 503-682-9062  
[brescia@ci.wilsonville.or.us](mailto:brescia@ci.wilsonville.or.us)



[WilsonvilleParksandRec.com](http://WilsonvilleParksandRec.com)

Disclosure: Messages to and from this email address may be subject to Oregon public records law.

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**From:** Weigel, Zach  
**Sent:** Tuesday, April 21, 2015 2:04 PM  
**To:** Moore, Jourdan  
**Cc:** Brescia, Patty  
**Subject:** Public Open House Notification - ADA Transition Plan

Hi Jourdan,

Attached is a press release for an upcoming Public Open House to gather community feedback on a draft of the City's ADA Transition Plan. This is a follow up meeting from the Public Workshop held in February.

Can you share this press release with patrons of the community center? Also, can you pass this press release onto the Wilsonville Senior Advisory Board to help get notice out about the Open House.

Let me know if you need anything further from me. Thank you for your help.

**Zachary J. Weigel, PE**  
Civil Engineer

City of Wilsonville

29799 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 570-1565

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## MEDIA RELEASE

### ***For Immediate Release***

April 20, 2015

CONTACT: Zach Weigel, Civil Engineer  
503-570-1565; weigel@ci.wilsonville.or.us

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**Weigel, Zach**

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**From:** Ante-Marandi, Ahsamon  
**Sent:** Tuesday, April 21, 2015 3:04 PM  
**To:** Adam Rahmlow; Brescia, Patty; David Davis; Kate Johnson; Ken Rice; Mary Closson; Scott Starr; Sherer, Stan; Steve Benson; Stevenson, Brian; Elaine Swyt  
**Cc:** Weigel, Zach  
**Subject:** Public Open House Notification - ADA Transition Plan  
**Attachments:** 20150420 PR PublicOpenHouseNotice.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Parks and Recreation Advisory Board Members,

On **May 7**, the City is hosting a public open house for the ADA transition plan. This is a follow up meeting to the public workshop held in February. The meeting will take place at **City Hall** from **6:00 – 8:00 PM**. Please see the attached notice for more information and feel free to pass it along to anyone who might be interested in attending.

Kind Regards,  
Ahsamon

Ahsamon Ante-Marandi  
Administrative Assistant II  
Wilsonville Parks and Recreation  
503-570-1530 (office)  
[ante-marandi@ci.wilsonville.or.us](mailto:ante-marandi@ci.wilsonville.or.us)  
[WilsonvilleParksandRec.com](http://WilsonvilleParksandRec.com)

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## MEDIA RELEASE

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April 20, 2015

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503-570-1565; weigel@ci.wilsonville.or.us

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**Weigel, Zach**

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**From:** Marston, Michelle  
**Sent:** Tuesday, April 21, 2015 2:36 PM  
**To:** Weigel, Zach; Massa Smith, Jen  
**Subject:** RE: ADA Public Open House Press Release

I will take care of this.

Michelle

Michelle Marston | Outreach Program Coordinator



City of Wilsonville  
503.570.0332 (direct)

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**From:** Weigel, Zach  
**Sent:** Tuesday, April 21, 2015 2:15 PM  
**To:** Massa Smith, Jen  
**Cc:** Marston, Michelle  
**Subject:** ADA Public Open House Press Release

Hi Jen,

Would you mind sending out the attached press release as an e-news article to your transit subscribers similar to what you did with the public workshop back in February. I would be grateful.

Let me know if you need anything additional from me. I appreciate your help with this project.

Zach

**Zachary J. Weigel, PE**  
Civil Engineer

City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 570-1565

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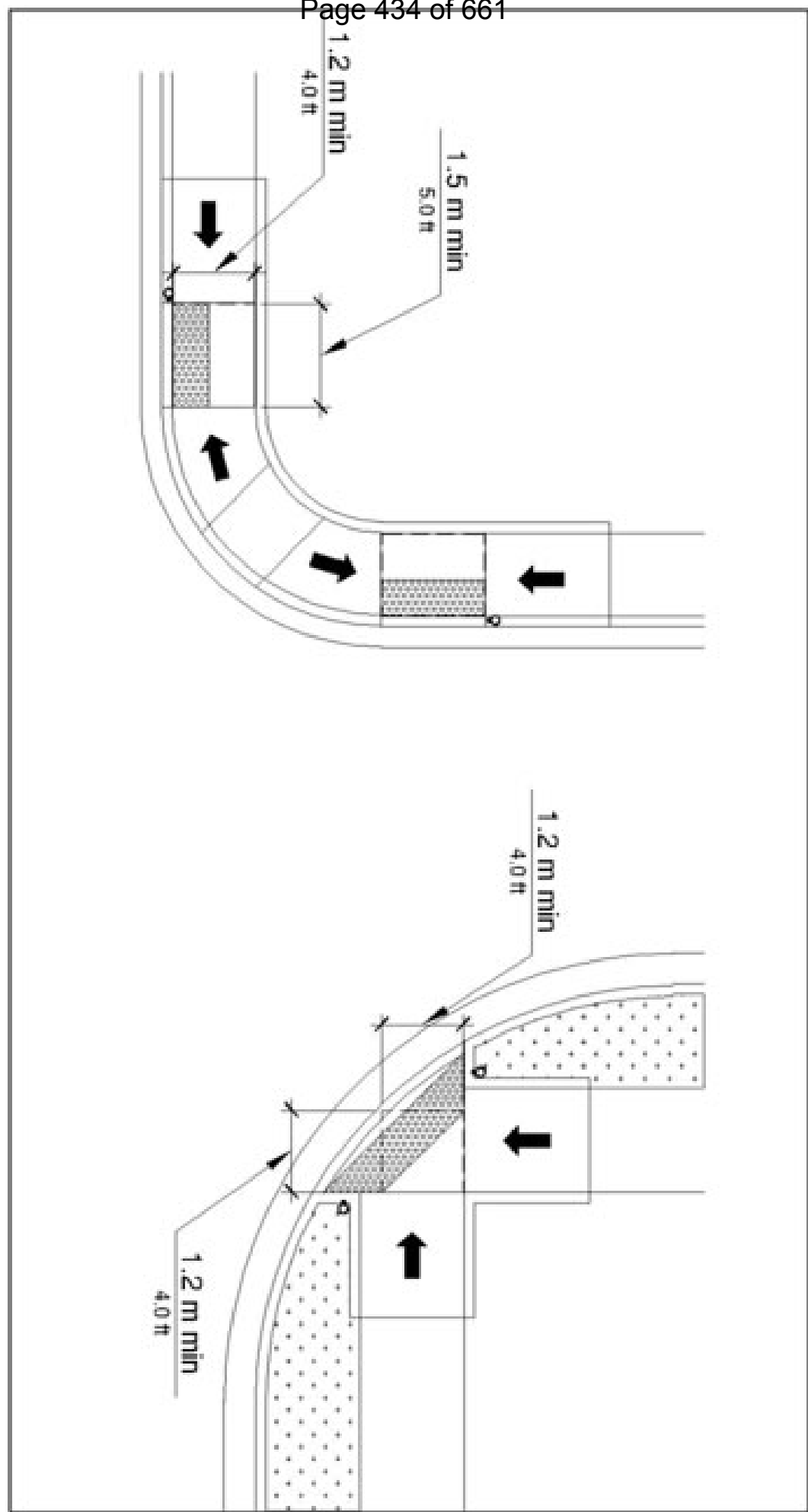
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## **Appendix D: Public Rights-of-Way City Standard Details**

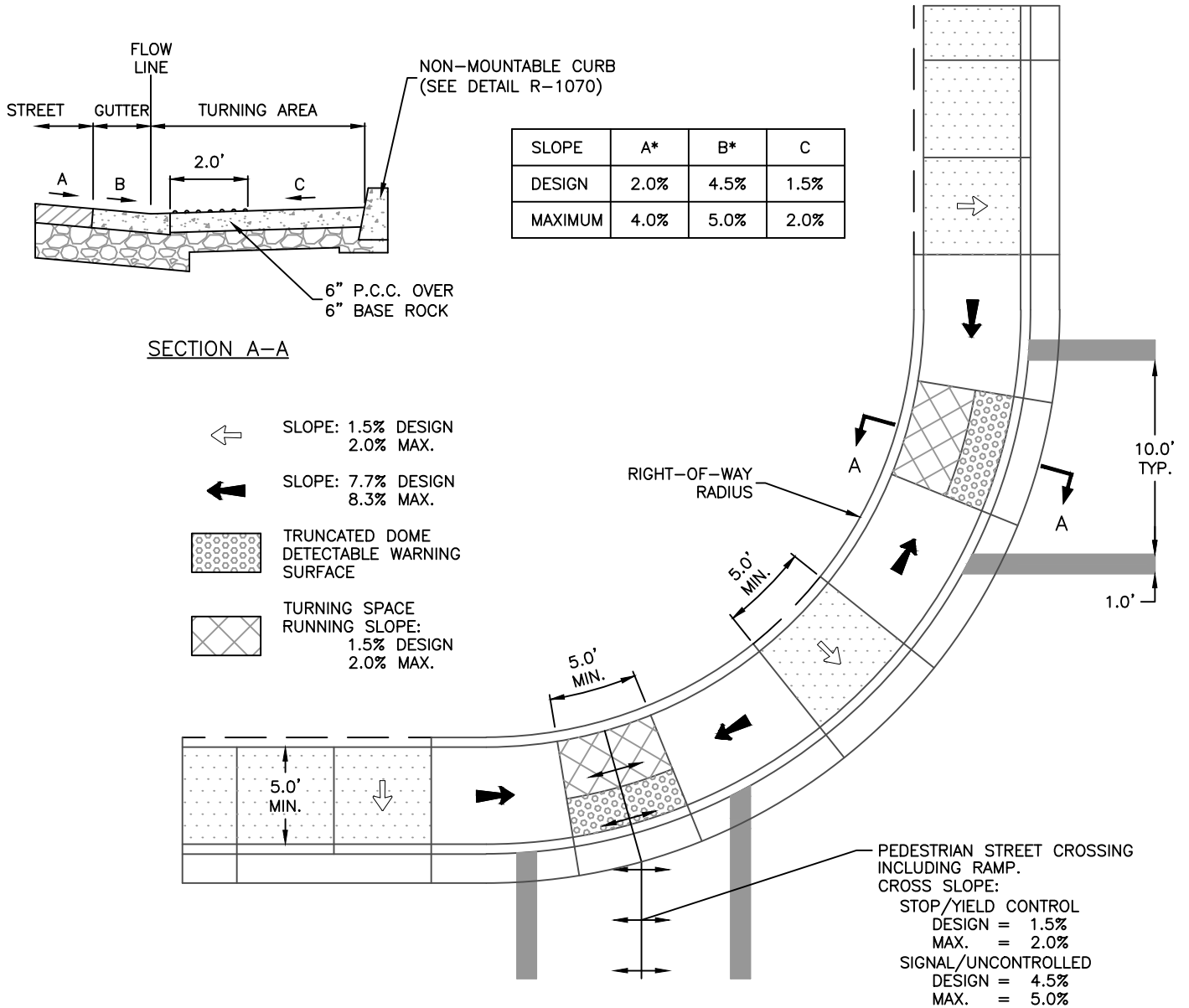
The following pages include the City's details for curb ramps and pedestrian signals.

### **D.1 Curb Ramps - Parallel**

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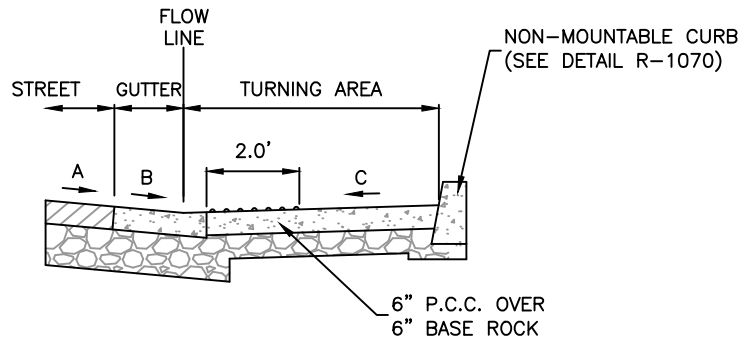
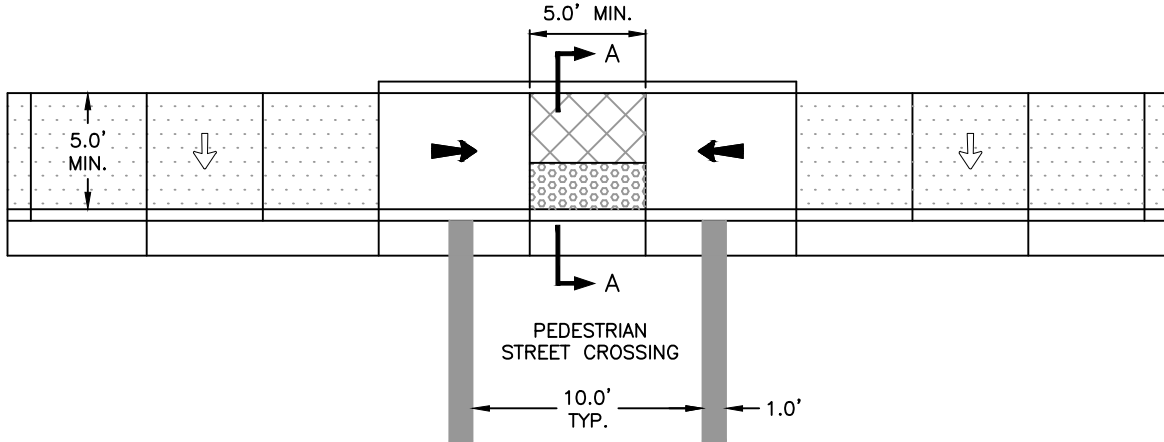
**GENERAL NOTES:**

1. PARALLEL RAMPS ARE A SPECIAL APPLICATION AND MAY ONLY BE USED WITH PRIOR APPROVAL FROM THE CITY ENGINEER.
2. SIDEWALK RAMPS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
3. SIDEWALK RAMPS SHALL BE LOCATED TO MINIMIZE OUT-OF-DIRECTION TRAVEL WHILE MAINTAINING PEDESTRIAN VISIBILITY AND MINIMIZING STREET CROSSING DISTANCES.
4. CONCRETE SHALL BE COMMERCIAL MIX, MIN. COMPRESSIVE STRENGTH OF 3300 PSI AT 28 DAYS.
5. BASE ROCK SHALL CONSIST OF 3/4"-0 CRUSHED ROCK COMPACTED TO 95% OF AASHTO T-180.
6. BASE ROCK SHALL BE THOROUGHLY WATERED IMMEDIATELY PRIOR TO PLACEMENT OF CONCRETE WHEN THE MEASURED OR FORECASTED ASCENDING AIR TEMPERATURE IS 80 DEGREES OR GREATER.
7. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE TURNING AREA AND CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
8. ON STEEP SLOPES, SIDEWALK RAMPS SHALL HAVE A MAXIMUM SLOPE OF 8.3% OR MAXIMUM LENGTH OF 15 FEET CONSTRUCTED AT CONSTANT SLOPE.
9. TURNING SPACES SHALL HAVE A MINIMUM WIDTH OF 5 FEET AND MINIMUM DEPTH OF 5 FEET. WHERE SIDEWALK RAMPS ARE USED TO PROVIDE BICYCLE ACCESS, THE MINIMUM TURNING SPACE WIDTH SHALL BE 8 FEET.

Parallel Sidewalk Ramp			CITY OF WILSONVILLE	
DRAWING NUMBER: R-1076	DRAWN BY: ZW	SCALE: N.T.S.		
FILE NAME: R-1076.dwg	APPROVED BY: SA	DATE: 11/25/13	PUBLIC WORKS STANDARDS	




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- ← SLOPE: 1.5% DESIGN  
2.0% MAX.
- ← SLOPE: 7.7% DESIGN  
8.3% MAX.  
\*SECONDARY RAMP LOCATION

 TRUNCATED DOME  
DETECTABLE WARNING  
SURFACE

 TURNING SPACE  
SLOPE: 1.5% DESIGN  
2.0% MAX.

CROSS SLOPE OF TURNING AREA AND  
PEDESTRIAN STREET CROSSING SHALL NOT  
BE GREATER THAN THE SLOPE OF THE  
ADJACENT ROADWAY.

SECTION A-A

SLOPE	A*	B*	C
DESIGN	2.0%	4.5%	1.5%
MAXIMUM	4.0%	5.0%	2.0%

GENERAL NOTES:

1. SIDEWALK RAMPS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
2. SIDEWALK RAMPS SHALL BE LOCATED TO MINIMIZE OUT-OF-DIRECTION TRAVEL WHILE MAINTAINING PEDESTRIAN VISIBILITY AND MINIMIZING STREET CROSSING DISTANCES.
3. CONCRETE SHALL BE COMMERCIAL MIX, MIN. COMPRESSIVE STRENGTH OF 3300 PSI AT 28 DAYS.
4. BASE ROCK SHALL CONSIST OF 3/4"-0 CRUSHED ROCK COMPACTED TO 95% OF AASHTO T-180.
5. BASE ROCK SHALL BE THOROUGHLY WATERED IMMEDIATELY PRIOR TO PLACEMENT OF CONCRETE WHEN THE MEASURED OR FORECASTED ASCENDING AIR TEMPERATURE IS 80 DEGREES OR OR GREATER.
6. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE RAMP AND CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
7. ON STEEP SLOPES, SIDEWALK RAMPS SHALL HAVE A MAXIMUM SLOPE OF 8.3% OR MAXIMUM LENGTH OF 15 FEET CONSTRUCTED AT CONSTANT SLOPE.
8. SIDEWALK RAMPS SHALL HAVE A MINIMUM WIDTH OF 5 FEET. WHERE SIDEWALK RAMPS ARE USED TO PROVIDE BICYCLE ACCESS, THE MINIMUM RAMP WIDTH SHALL BE 8 FEET.

Mid-Block Parallel Sidewalk Ramp

DRAWING NUMBER: R-1079

DRAWN BY: ZW

SCALE: N.T.S.

FILE NAME: R-1079.dwg

APPROVED BY: SA

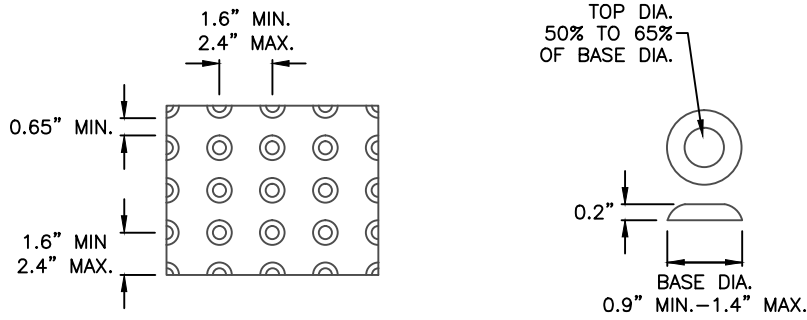
DATE: 11/25/13

CITY OF  
WILSONVILLE

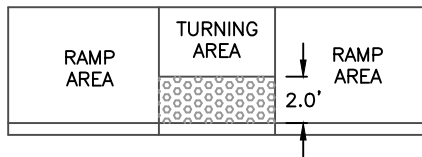


PUBLIC WORKS STANDARDS

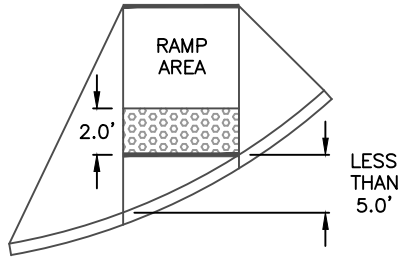
This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.



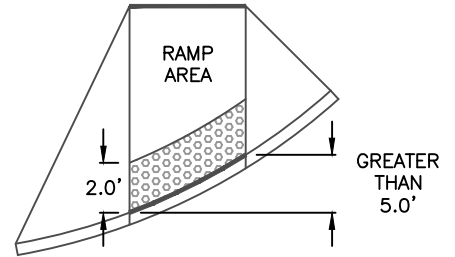
TRUNCATED DOME DETECTABLE WARNING SURFACE DETAIL



PARALLEL RAMP




PERPENDICULAR RAMP



PERPENDICULAR RAMP

GENERAL NOTES:

1. DETECTABLE WARNING SURFACE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
2. THE DETECTABLE WARNING SURFACE SHALL EXTEND 2.0 FEET MINIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL.
3. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE TURNING AREA ON PARALLEL RAMPS.
4. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE RAMP AREA ON PERPENDICULAR RAMPS.
5. TRUNCATED DOME DETECTABLE WARNING SURFACES SHALL CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
6. ARRANGE TRUNCATED DOMES USING SQUARE IN-LINE PATTERN ONLY.

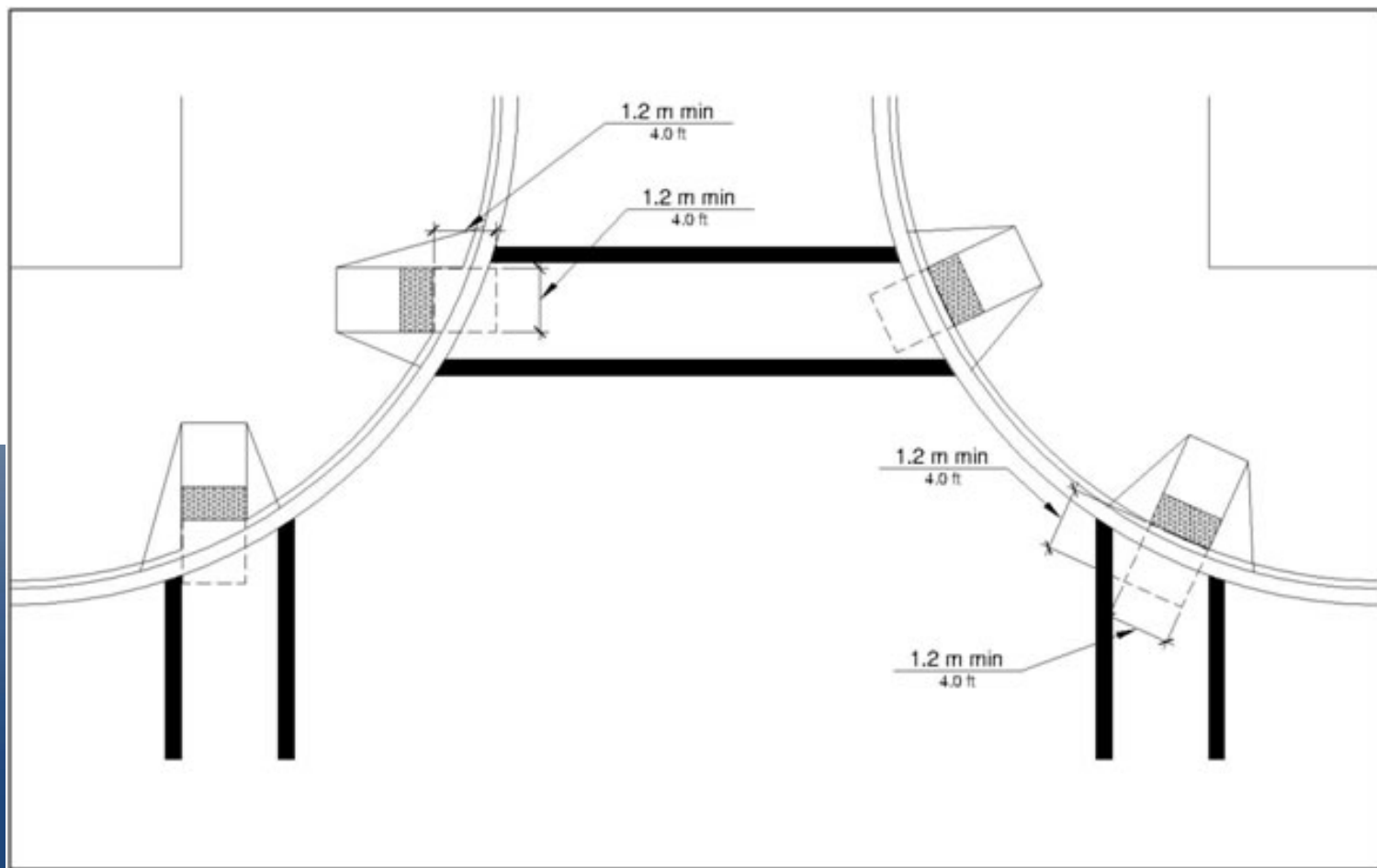
DETECTABLE WARNING SURFACE			CITY OF WILSONVILLE	
DRAWING NUMBER: R-1077	DRAWN BY: ZW	SCALE: N.T.S.		
FILE NAME: R-1077.dwg	APPROVED BY: SA	DATE: 11/25/13	PUBLIC WORKS STANDARDS	

## D.2 Curb Ramps - Perpendicular

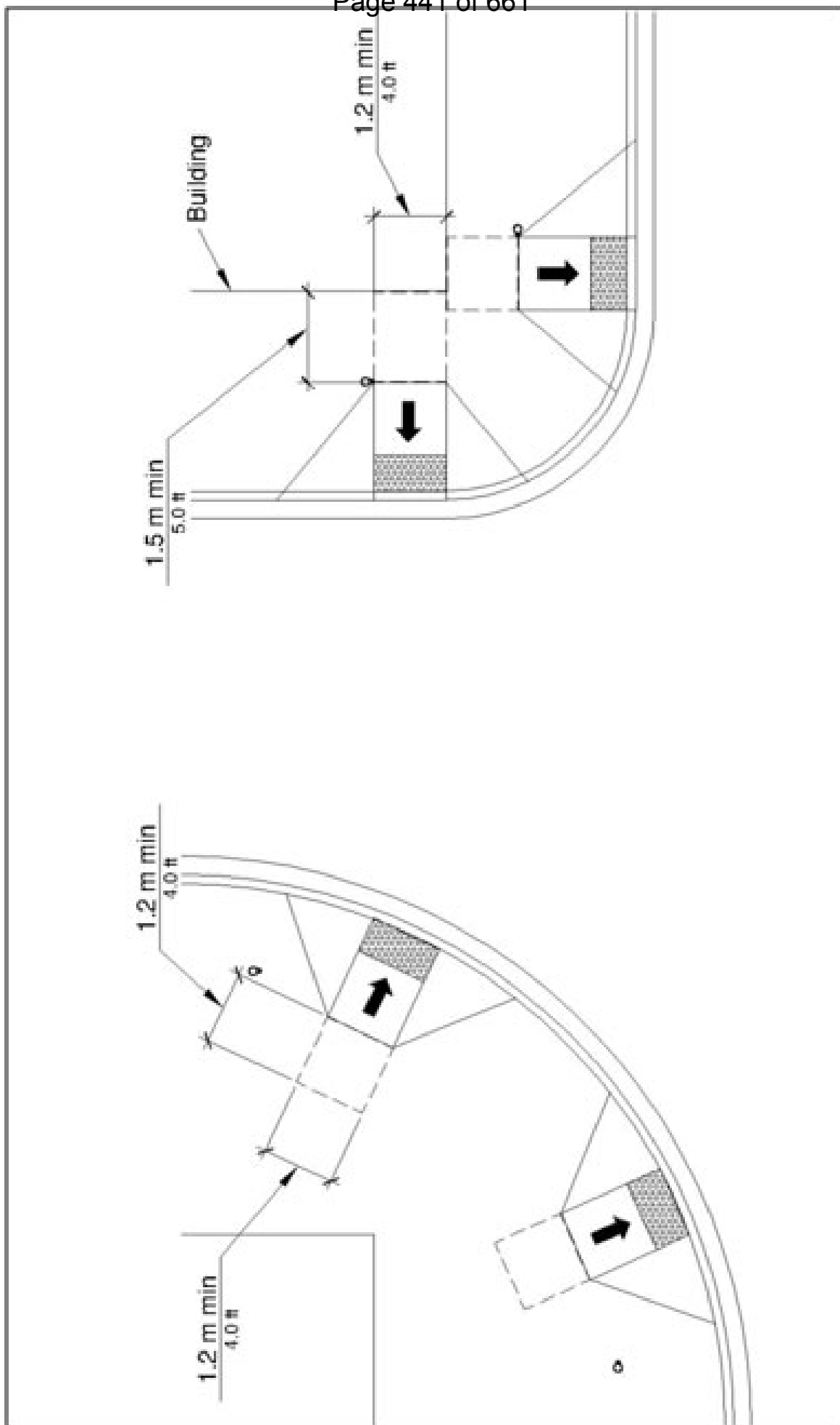
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**R304.5.5 Clear Space.** Beyond the bottom grade break, a clear space 1.2 m (4.0 ft) minimum by 1.2 m (4.0 ft) minimum shall be provided within the width of the pedestrian street crossing and wholly outside the parallel vehicle travel lane.

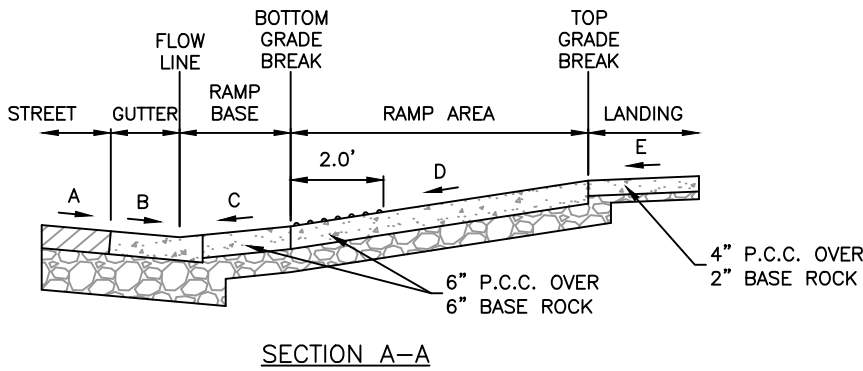
Figure R304.5.5 Clear Space





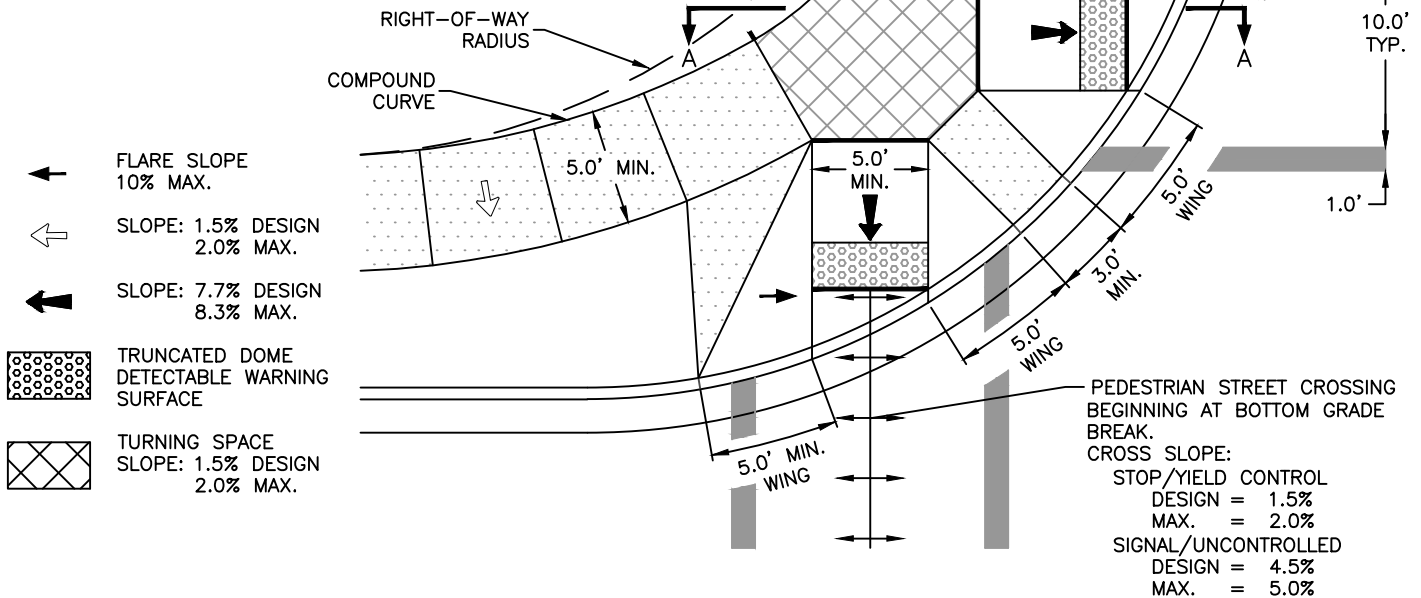


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SLOPE	A*	B*	C	D	E
DESIGN	2.0%	4.5%	4.5%	7.7%	1.5%
MAXIMUM	4.0%	5.0%	5.0%	8.3%	2.0%

\*THE ALGEBRAIC DIFFERENCE BETWEEN A & B SHALL NOT EXCEED 13.3%.

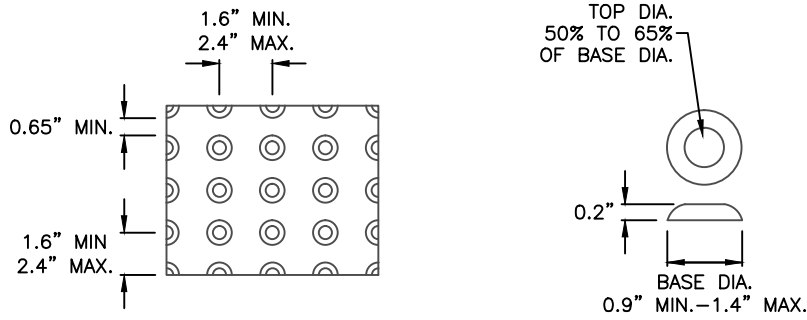


GENERAL NOTES:

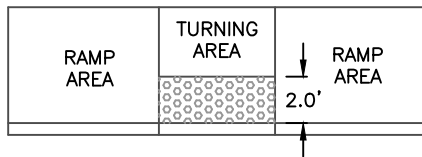
- SIDEWALK RAMPS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
- SIDEWALK RAMPS SHALL BE LOCATED TO MINIMIZE OUT-OF-DIRECTION TRAVEL WHILE MAINTAINING PEDESTRIAN VISIBILITY AND MINIMIZING STREET CROSSING DISTANCES.
- CONCRETE SHALL BE COMMERCIAL MIX, MIN. COMPRESSIVE STRENGTH OF 3300 PSI AT 28 DAYS.
- BASE ROCK SHALL CONSIST OF 3/4"-0 CRUSHED ROCK COMPACTED TO 95% OF AASHTO T-180.
- BASE ROCK SHALL BE THOROUGHLY WATERED IMMEDIATELY PRIOR TO PLACEMENT OF CONCRETE WHEN THE MEASURED OR FORECASTED ASCENDING AIR TEMPERATURE IS 80 DEGREES OR GREATER.
- TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE RAMP AND CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
- ON STEEP SLOPES, SIDEWALK RAMPS MAY BE PLACED ALONG THE SIDEWALK PRIOR TO THE LANDING AREA. THE RAMP SHALL HAVE A MAXIMUM SLOPE OF 8.3% OR MAXIMUM LENGTH OF 15 FEET CONSTRUCTED AT CONSTANT SLOPE.
- SIDEWALK RAMPS SHALL HAVE A MINIMUM WIDTH OF 5 FEET. WHERE SIDEWALK RAMPS ARE USED TO PROVIDE BICYCLE ACCESS, THE MINIMUM RAMP WIDTH SHALL BE 8 FEET.

Perpendicular Sidewalk Ramp			CITY OF WILSONVILLE 
DRAWING NUMBER: R-1075	DRAWN BY: ZW	SCALE: N.T.S.	
FILE NAME: R-1075.dwg	APPROVED BY: SA	DATE: 11/25/13	PUBLIC WORKS STANDARDS

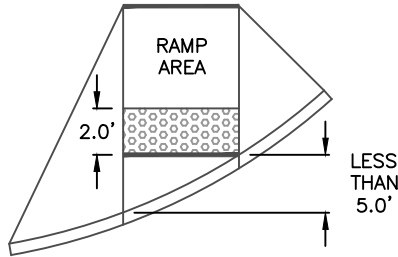
This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.



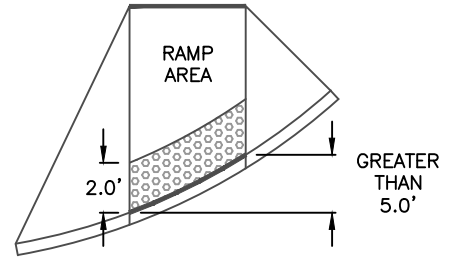
TRUNCATED DOME DETECTABLE WARNING SURFACE DETAIL



PARALLEL RAMP




PERPENDICULAR RAMP



PERPENDICULAR RAMP

GENERAL NOTES:

1. DETECTABLE WARNING SURFACE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
2. THE DETECTABLE WARNING SURFACE SHALL EXTEND 2.0 FEET MINIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL.
3. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE TURNING AREA ON PARALLEL RAMPS.
4. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE RAMP AREA ON PERPENDICULAR RAMPS.
5. TRUNCATED DOME DETECTABLE WARNING SURFACES SHALL CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
6. ARRANGE TRUNCATED DOMES USING SQUARE IN-LINE PATTERN ONLY.

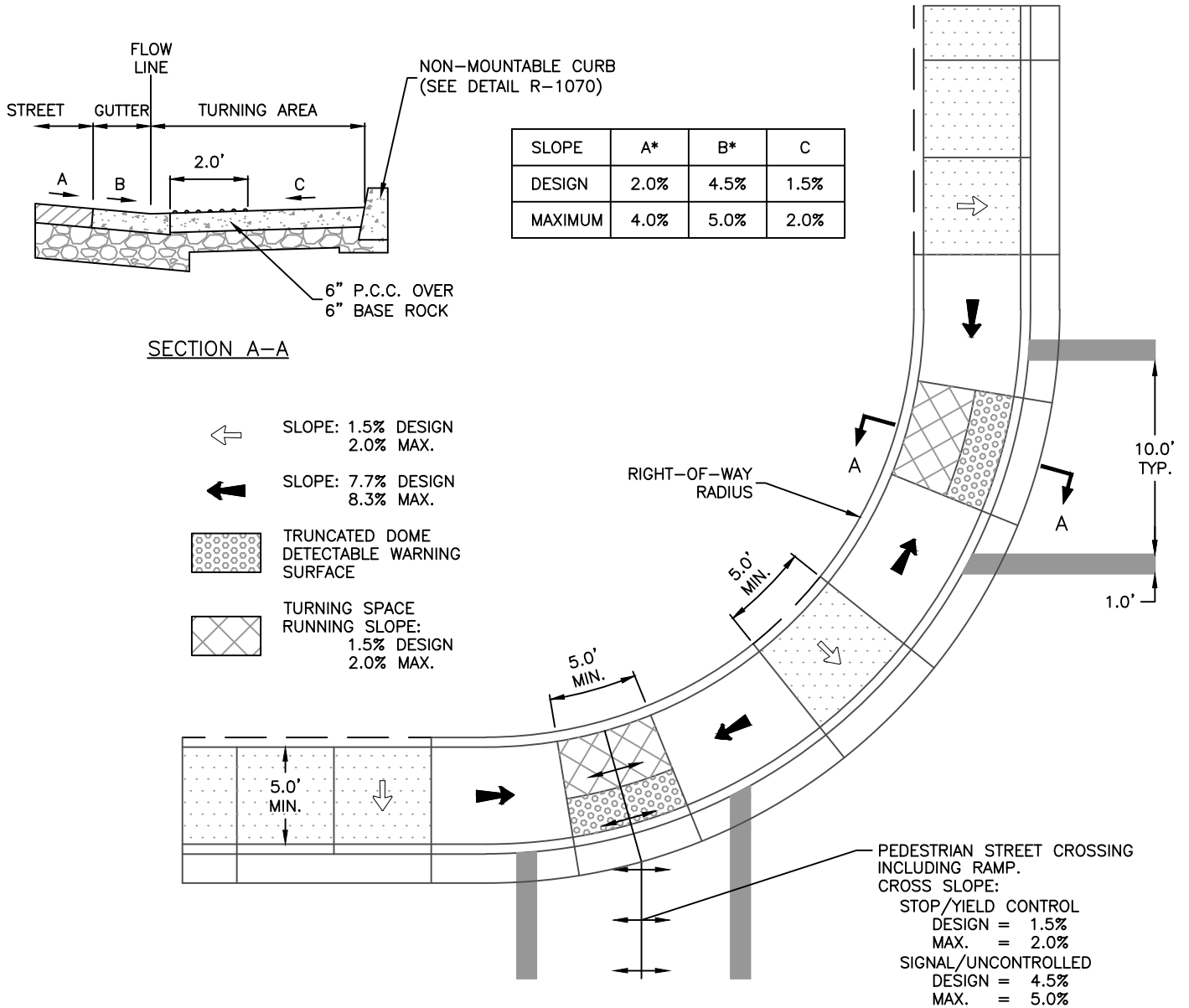
DETECTABLE WARNING SURFACE			CITY OF WILSONVILLE	
DRAWING NUMBER: R-1077	DRAWN BY: ZW	SCALE: N.T.S.		
FILE NAME: R-1077.dwg	APPROVED BY: SA	DATE: 11/25/13	PUBLIC WORKS STANDARDS	

### **D.3 Curb Ramps - Blended Transition**

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This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.

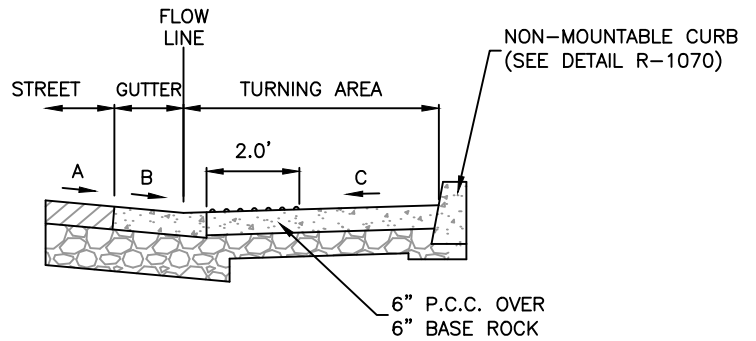
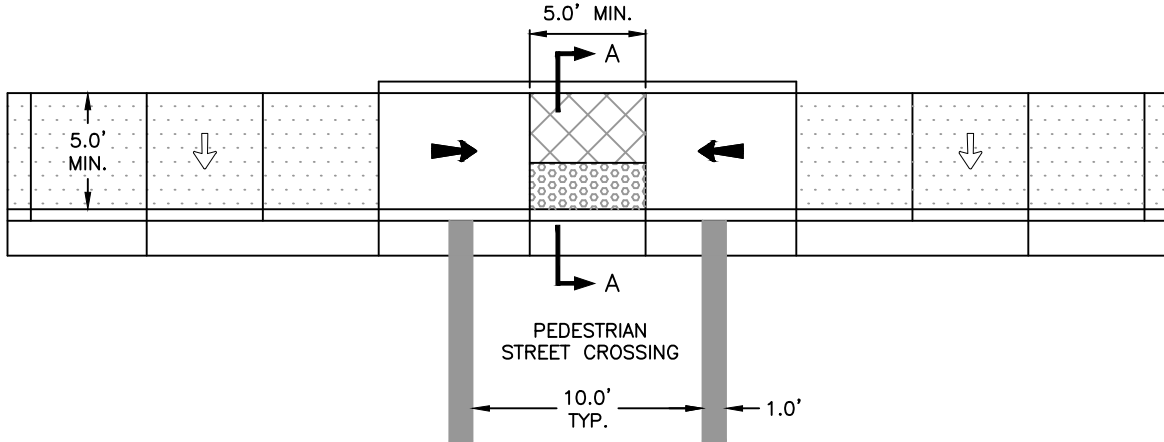


GENERAL NOTES:

1. PARALLEL RAMPS ARE A SPECIAL APPLICATION AND MAY ONLY BE USED WITH PRIOR APPROVAL FROM THE CITY ENGINEER.
2. SIDEWALK RAMPS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
3. SIDEWALK RAMPS SHALL BE LOCATED TO MINIMIZE OUT-OF-DIRECTION TRAVEL WHILE MAINTAINING PEDESTRIAN VISIBILITY AND MINIMIZING STREET CROSSING DISTANCES.
4. CONCRETE SHALL BE COMMERCIAL MIX, MIN. COMPRESSIVE STRENGTH OF 3300 PSI AT 28 DAYS.
5. BASE ROCK SHALL CONSIST OF 3/4"-0 CRUSHED ROCK COMPACTED TO 95% OF AASHTO T-180.
6. BASE ROCK SHALL BE THOROUGHLY WATERED IMMEDIATELY PRIOR TO PLACEMENT OF CONCRETE WHEN THE MEASURED OR FORECASTED ASCENDING AIR TEMPERATURE IS 80 DEGREES OR GREATER.
7. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE TURNING AREA AND CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
8. ON STEEP SLOPES, SIDEWALK RAMPS SHALL HAVE A MAXIMUM SLOPE OF 8.3% OR MAXIMUM LENGTH OF 15 FEET CONSTRUCTED AT CONSTANT SLOPE.
9. TURNING SPACES SHALL HAVE A MINIMUM WIDTH OF 5 FEET AND MINIMUM DEPTH OF 5 FEET. WHERE SIDEWALK RAMPS ARE USED TO PROVIDE BICYCLE ACCESS, THE MINIMUM TURNING SPACE WIDTH SHALL BE 8 FEET.


Parallel Sidewalk Ramp			CITY OF WILSONVILLE	
DRAWING NUMBER: R-1076	DRAWN BY: ZW	SCALE: N.T.S.		
FILE NAME: R-1076.dwg	APPROVED BY: SA	DATE: 11/25/13	PUBLIC WORKS STANDARDS	

This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.



- ← SLOPE: 1.5% DESIGN  
2.0% MAX.
- ← SLOPE: 7.7% DESIGN  
8.3% MAX.  
\*SECONDARY RAMP LOCATION

 TRUNCATED DOME  
DETECTABLE WARNING  
SURFACE

 TURNING SPACE  
SLOPE: 1.5% DESIGN  
2.0% MAX.

CROSS SLOPE OF TURNING AREA AND  
PEDESTRIAN STREET CROSSING SHALL NOT  
BE GREATER THAN THE SLOPE OF THE  
ADJACENT ROADWAY.

SECTION A-A

SLOPE	A*	B*	C
DESIGN	2.0%	4.5%	1.5%
MAXIMUM	4.0%	5.0%	2.0%

GENERAL NOTES:

- SIDEWALK RAMPS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
- SIDEWALK RAMPS SHALL BE LOCATED TO MINIMIZE OUT-OF-DIRECTION TRAVEL WHILE MAINTAINING PEDESTRIAN VISIBILITY AND MINIMIZING STREET CROSSING DISTANCES.
- CONCRETE SHALL BE COMMERCIAL MIX, MIN. COMPRESSIVE STRENGTH OF 3300 PSI AT 28 DAYS.
- BASE ROCK SHALL CONSIST OF 3/4"-0 CRUSHED ROCK COMPACTED TO 95% OF AASHTO T-180.
- BASE ROCK SHALL BE THOROUGHLY WATERED IMMEDIATELY PRIOR TO PLACEMENT OF CONCRETE WHEN THE MEASURED OR FORECASTED ASCENDING AIR TEMPERATURE IS 80 DEGREES OR OR GREATER.
- TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE RAMP AND CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
- ON STEEP SLOPES, SIDEWALK RAMPS SHALL HAVE A MAXIMUM SLOPE OF 8.3% OR MAXIMUM LENGTH OF 15 FEET CONSTRUCTED AT CONSTANT SLOPE.
- SIDEWALK RAMPS SHALL HAVE A MINIMUM WIDTH OF 5 FEET. WHERE SIDEWALK RAMPS ARE USED TO PROVIDE BICYCLE ACCESS, THE MINIMUM RAMP WIDTH SHALL BE 8 FEET.

Mid-Block Parallel Sidewalk Ramp

DRAWING NUMBER: R-1079

DRAWN BY: ZW

SCALE: N.T.S.

FILE NAME: R-1079.dwg

APPROVED BY: SA

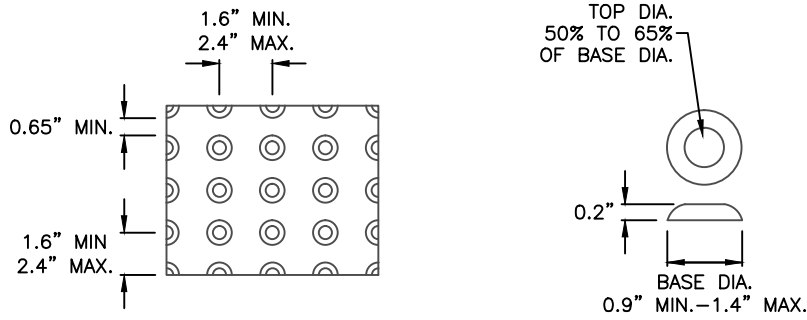
DATE: 11/25/13

CITY OF  
WILSONVILLE

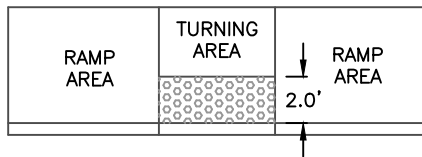


PUBLIC WORKS STANDARDS

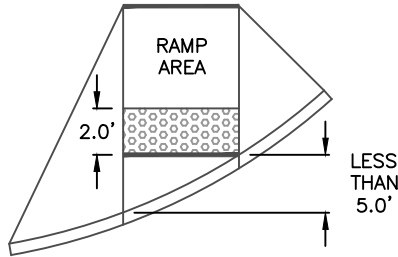
This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.



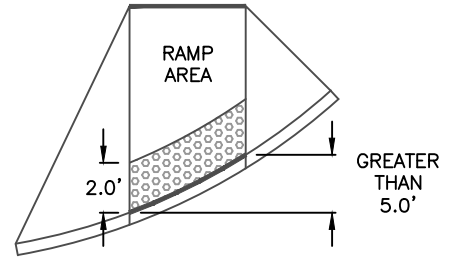
TRUNCATED DOME DETECTABLE WARNING SURFACE DETAIL



PARALLEL RAMP




PERPENDICULAR RAMP

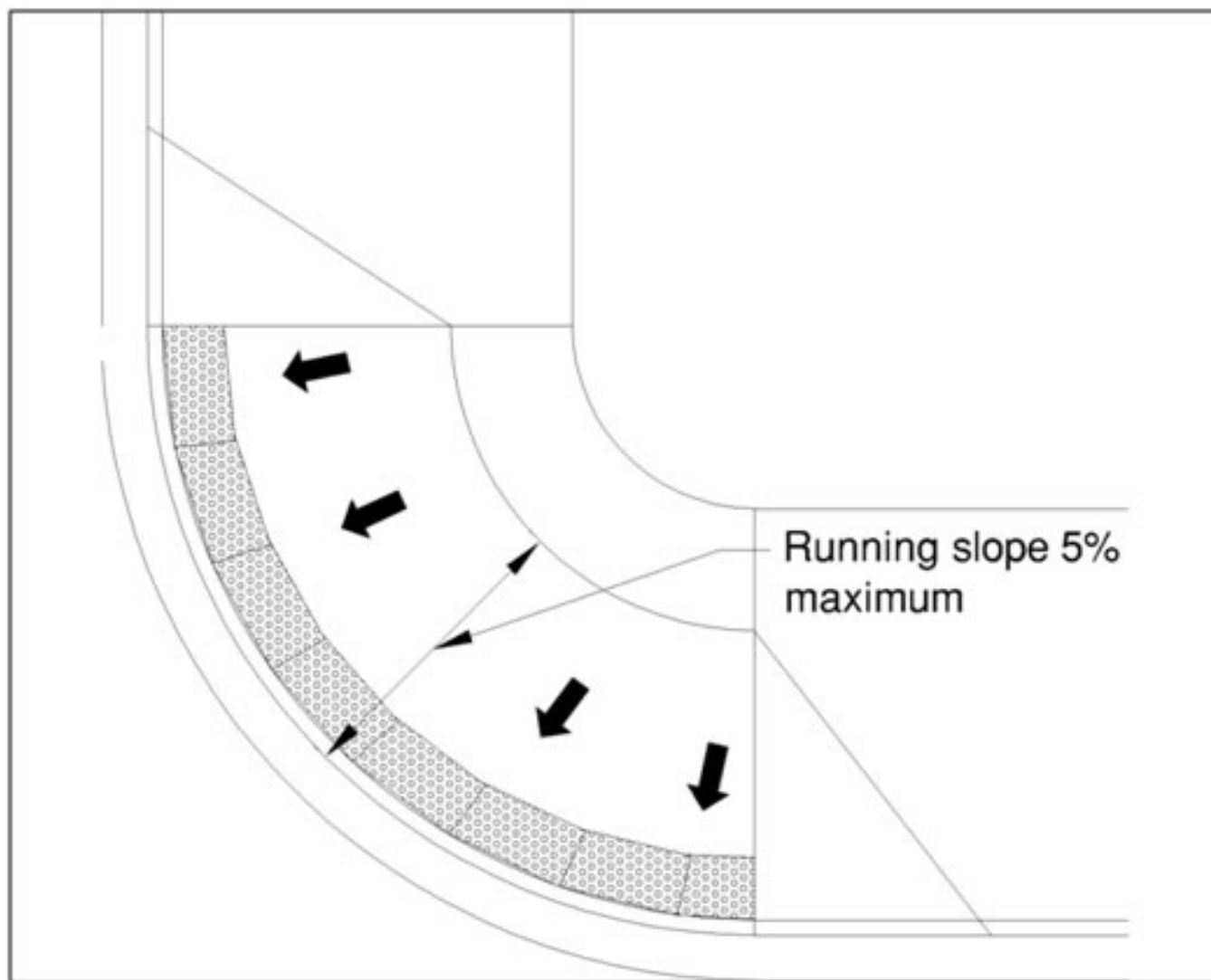


PERPENDICULAR RAMP

GENERAL NOTES:

1. DETECTABLE WARNING SURFACE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY" (PROWAG), JULY 2011 EDITION.
2. THE DETECTABLE WARNING SURFACE SHALL EXTEND 2.0 FEET MINIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL.
3. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE TURNING AREA ON PARALLEL RAMPS.
4. TRUNCATED DOME DETECTABLE WARNING SURFACE SHALL BE INSTALLED THE FULL WIDTH OF THE RAMP AREA ON PERPENDICULAR RAMPS.
5. TRUNCATED DOME DETECTABLE WARNING SURFACES SHALL CONSIST OF (BLACK) MASCO CAST-IN-TACT & CAST-IN-TACT III OR APPROVED EQUAL.
6. ARRANGE TRUNCATED DOMES USING SQUARE IN-LINE PATTERN ONLY.

DETECTABLE WARNING SURFACE			CITY OF WILSONVILLE 
DRAWING NUMBER: R-1077	DRAWN BY: ZW	SCALE: N.T.S.	
FILE NAME: R-1077.dwg	APPROVED BY: SA	DATE: 11/25/13	PUBLIC WORKS STANDARDS

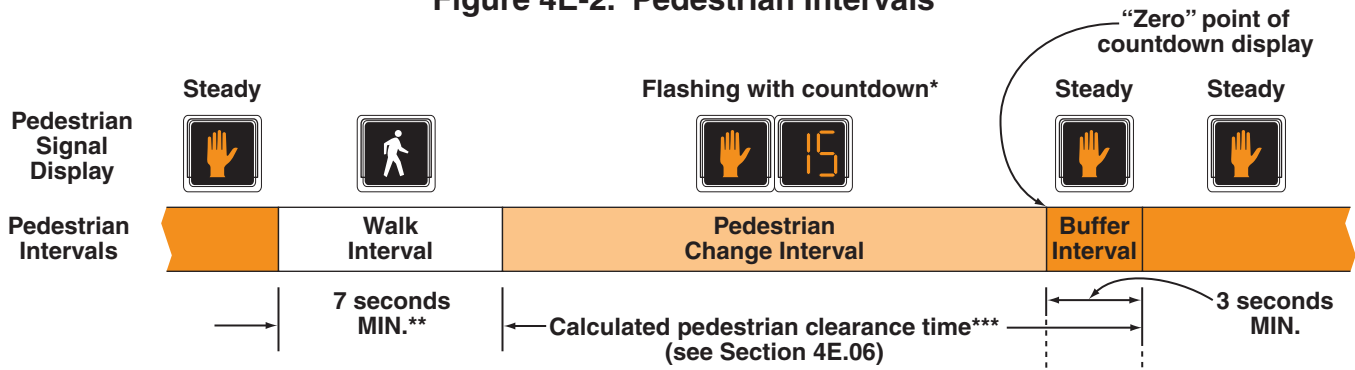


## D.4 Pedestrian Signals

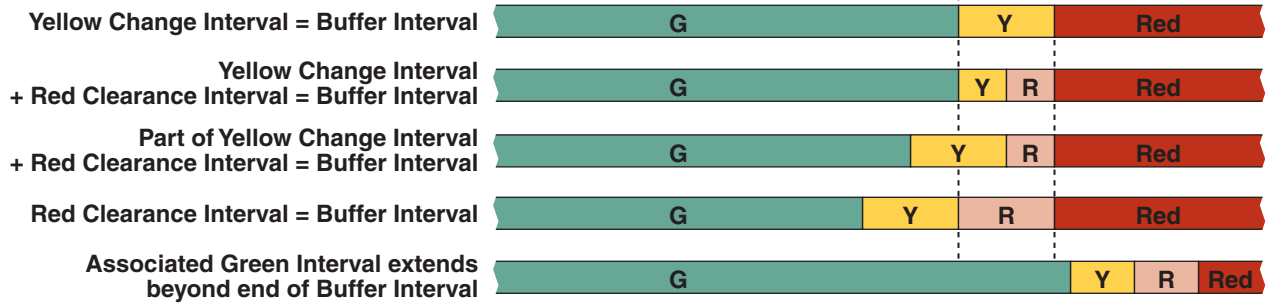


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Figure 4E-2. Pedestrian Intervals



Relationship to associated vehicular phase intervals:



Legend

- G** = Green Interval
- Y** = Yellow Change Interval (of at least 3 seconds)
- R** = Red Clearance Interval
- Red** = Red because conflicting traffic has been released

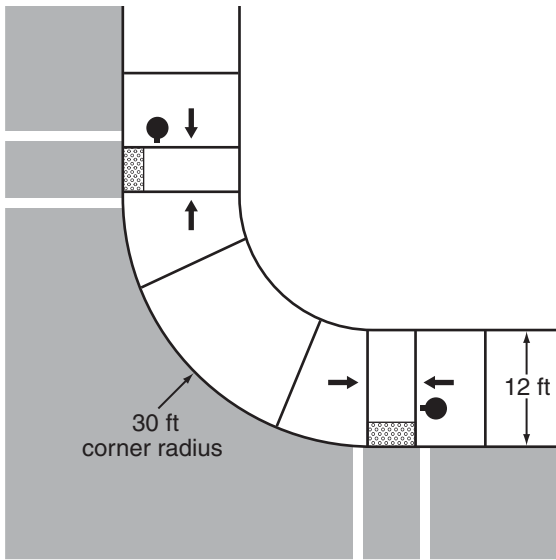
\* The countdown display is optional for Pedestrian Change Intervals of 7 seconds or less.

\*\* The Walk Interval may be reduced under some conditions (see Section 4E.06).

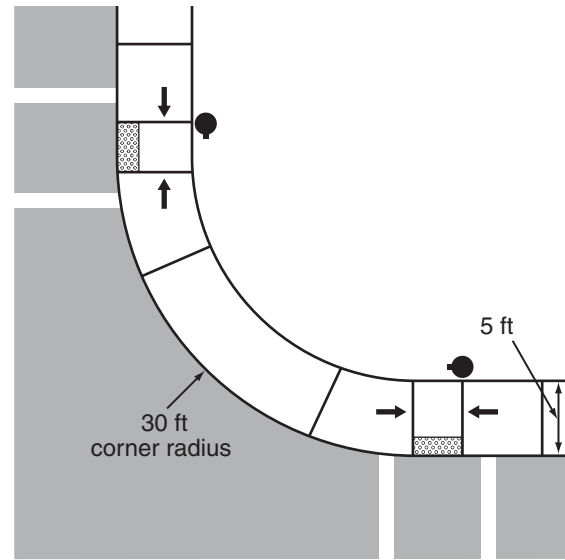
\*\*\* The Buffer Interval, which shall always be provided and displayed, may be used to help satisfy the calculated pedestrian clearance time, or may begin after the calculated pedestrian clearance time has ended.

Figure 4E-4. Typical Pushbutton Locations (Sheet 1 of 2)

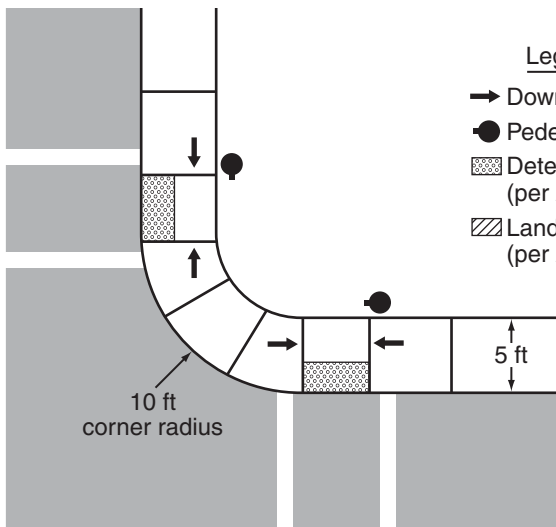
A - Parallel ramps with wide sidewalk



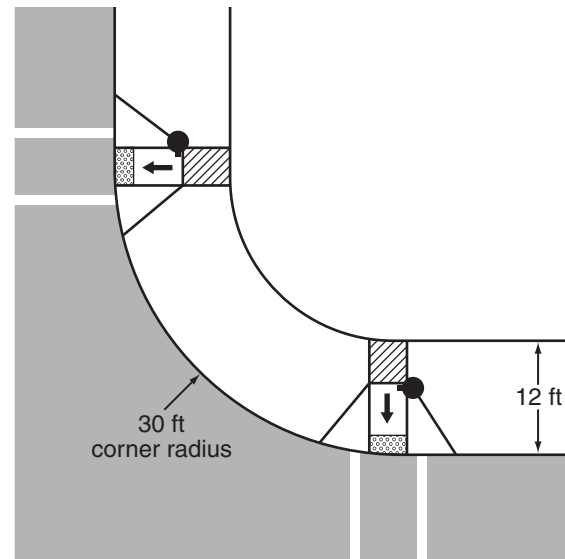
B - Parallel ramps with narrow sidewalk



C - Parallel ramps with narrow sidewalk and tight corner radius



D - Perpendicular ramps with crosswalks far apart



Legend

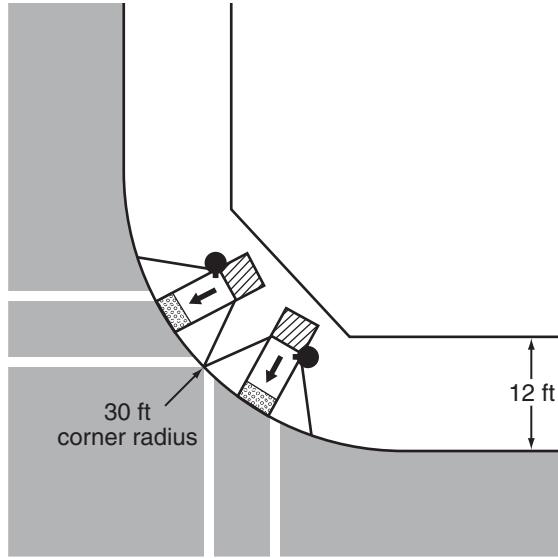
- Downward slope
- Pedestrian pushbutton
- ▨ Detectable warning (per ADAAG)
- ▩ Landing area (per ADAAG)

Notes:

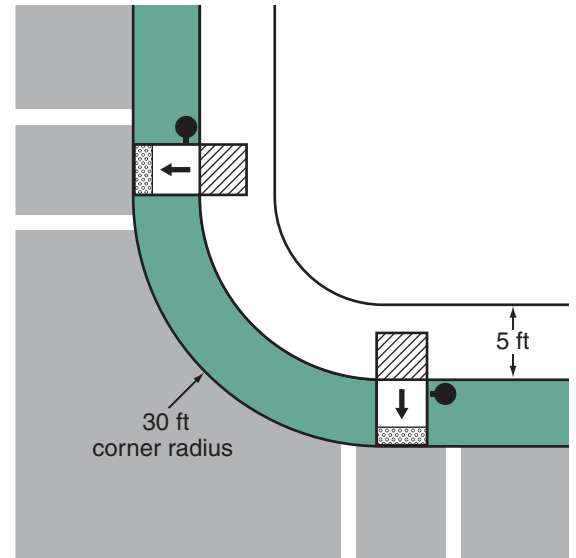
1. This figure is not drawn to scale.
2. These drawings are intended to describe the typical locations for pedestrian pushbutton installations. They are not intended to be a guide for the design of curb cut ramps.
3. Figure 4E-3 shows the recommended area for pushbutton locations.

Figure 4E-4. Typical Pushbutton Locations (Sheet 2 of 2)

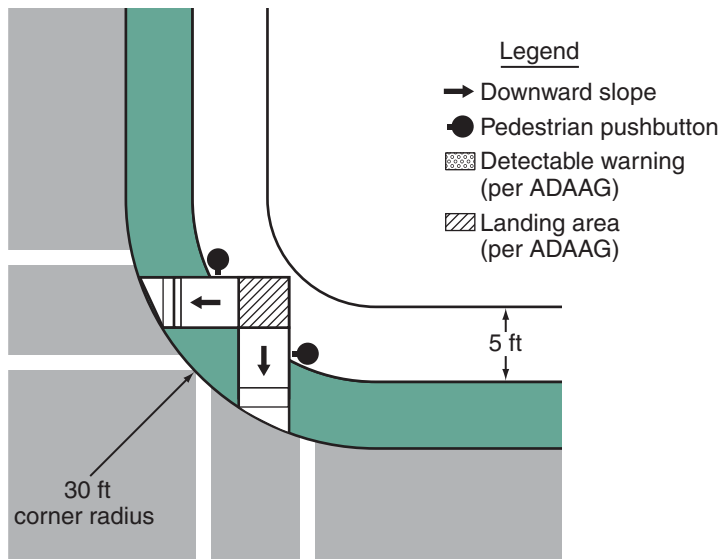
E - Perpendicular ramps with crosswalks close together



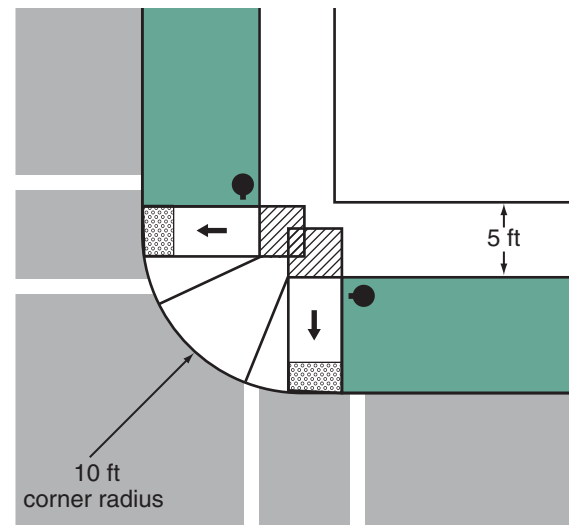
F - Perpendicular ramps with sidewalk set back from road with crosswalks far apart



G - Perpendicular ramps with sidewalk set back from road with crosswalks close together



H - Perpendicular ramps with sidewalk set back from road with continuous sidewalk between ramps



Notes:

1. This figure is not drawn to scale.
2. These drawings are intended to describe the typical locations for pedestrian pushbutton installations. They are not intended to be a guide for the design of curb cut ramps.
3. Figure 4E-3 shows the recommended area for pushbutton locations.



R10-2



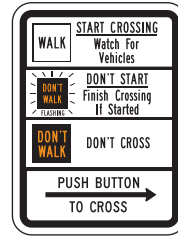
R10-3



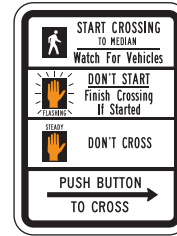
R10-3a



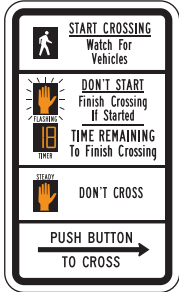
R10-3b



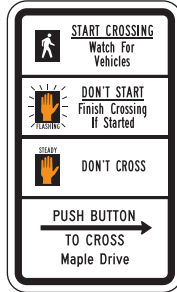
R10-3c



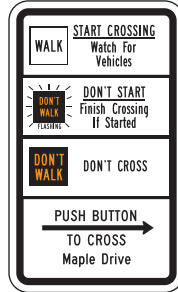
R10-3d



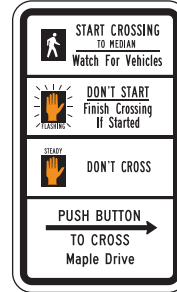
R10-3e



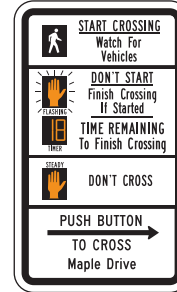
R10-3f



R10-3g



R10-3h

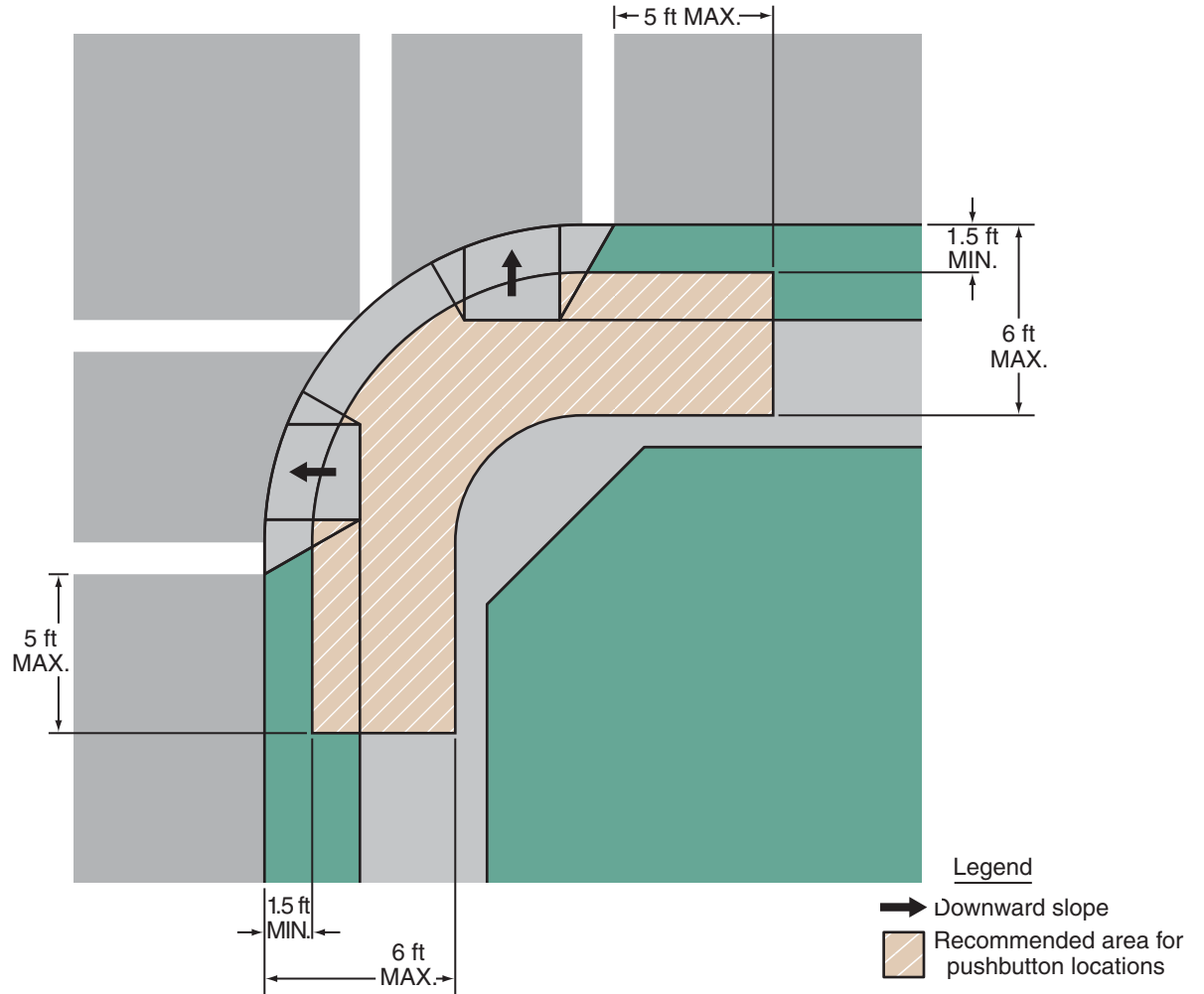


R10-3i





Figure 4E-3. Pushbutton Location Area



Notes:

1. Where there are constraints that make it impractical to place the pedestrian pushbutton between 1.5 feet and 6 feet from the edge of the curb, shoulder, or pavement, it should not be further than 10 feet from the edge of curb, shoulder, or pavement.
2. Two pedestrian pushbuttons on a corner should be separated by 10 feet.
3. This figure is not drawn to scale.
4. Figure 4E-4 shows typical pushbutton locations.

## Appendix E: Grievance Form



### Americans with Disabilities Act (ADA)

### Grievance Form

*Instructions: Use this form to initiate an informal complaint procedure to investigate and resolve complaints alleging that the City of Wilsonville has not complied with the ADA.*

*Return to:*

City of Wilsonville ADA Coordinator  
 29799 SW Town Center Loop E  
 Wilsonville, OR 97070  
 503-570-4960  
 ADACoordinator@ci.wilsonville.or.us

<b>Today's Date:</b>
<b>Complainant's Name:</b>
<b>Phone Number:</b>
<b>Home Address:</b>
<b>City / State / Zip:</b>
<b>Date of Alleged Violation:</b>
Please provide a detailed description of the alleged act(s). Where possible, include the name of the person, facility, City Department or program responsible for the alleged discriminatory act and the names and phone numbers of any witnesses. Attach additional pages if necessary.



Section B	
Date Filed:	
Agency or Court:	
Contact Person:	
Address:	
City / State / Zip:	
Phone Number:	
Signature of (check one): <input type="checkbox"/> Complainant <input type="checkbox"/> Authorized Representative	
Signature:	
Date:	

STAFF USE ONLY
Date Received:
Received by:
Complaint File Number:
Comments: <hr/> <hr/> <hr/>







**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  June 1, 2015	<b>Subject: Ordinance No. 769</b> Wilsonville Code, Chapter 3, City Property and Chapter 8, Environment  <b>Staff Member:</b> Kerry Rappold <b>Department:</b> Community Development	
<b>Action Required</b> <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: 5/18/15 <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<b>Advisory Board/Commission Recommendation</b> <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b>  	
<b>Staff Recommendation:</b> Staff recommends City Council adopt Ordinance 769 on first reading.		
<b>Recommended Language for Motion:</b> I move to approve Ordinance No. 769 on first reading.		
<b>PROJECT / ISSUE RELATES TO:</b> <i>Storm water Master Plan</i>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

Amendments to the Chapters 3 and 8 of the Wilsonville Municipal Code related to erosion control standards.

**EXECUTIVE SUMMARY:**

*Revisions to Chapter 3 and 8:*

The proposed revisions to Chapter 3 and Chapter 8 affect the current erosion control requirements. The requirements will be updated and moved from Chapter 3 to Chapter 8. In addition, outdated code sections related to the Public Works Standards will be deleted in Chapter 3.

Ordinance No. 482 was adopted in April 1997, which included the existing erosion control requirements. These requirements were added to Chapter 3. The proposed revisions are necessary to incorporate current best management practices and address federal and state requirements. In revising the requirements, staff determined it would be preferable to have the updated requirements in Chapter 8 because of the relationship to stormwater management.

Chapter 8 was originally developed to address policies related to Water Conservation, Sanitary Sewer Use, Industrial Pretreatment Regulations, Solid Waste, and Business Recycling. In 2014, Chapter 8 was amended to incorporate stormwater policies and implementation measures identified in the 2012 Stormwater Master Plan. In addition, the amendments to Chapter 8 provided the City the ability to enforce the National Pollution Discharge Elimination System (NPDES) Stormwater Permit requirements.

<b>PROPOSED REVISIONS</b>		
<b>Code Section</b>	<b>Action</b>	<b>Reason</b>
Chapter 3 – Section 3.294	Delete references to Public Works Standards	Outdated and no longer necessary
Chapter 3 – Section 3.294	Delete erosion control requirements	Moved to Chapter 8
Chapter 8 – Section 8.536 – 8.570	Incorporate updated erosion control requirements	More suitable location due to relationship to stormwater management

*Erosion Control Inspection Fee:*

The existing and proposed erosion control requirements include a reference to collecting a fee to defray the costs of plan review, enforcement, and field inspection. Currently, only a fee is charged for plan review. Staff is recommending a fee be added to address the costs of field inspections. At a future date, a fee resolution will be brought to the Council for their review. The fee will be based on recovering the costs associated with the program and take into account comparable fees charged in other jurisdictions.

**EXPECTED RESULTS:**

Ensuring the City’s ability to adequately enforce erosion control requirements and comply with NPDES Stormwater Permit requirements.

**TIMELINE:**

Not Applicable

**CURRENT YEAR BUDGET IMPACTS:**

There are no anticipated financial impacts for revisions to Chapter 3 and Chapter 8.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole      Date: 5/7/15

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK\_\_\_\_\_ Date: 5/8/2015\_\_\_\_\_

Ordinance is approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:**

A public hearing will be conducted on the proposed revisions to Chapters 3 and 8.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

Benefits to the community include: more effective erosion control requirements and the protection of natural resources and public infrastructure.

**ALTERNATIVES:**

Not Applicable.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

Not applicable

**ORDINANCE NO. 769**

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING WILSONVILLE CODE CHAPTER 3, CITY PROPERTY AND CHAPTER 8, ENVIRONMENT TO ADD UPDATED EROSION CONTROL REQUIREMENTS**

WHEREAS, the City's current erosion control requirements were adopted with Ordinance No. 482 on April 21, 1997, and codified in Chapter 3 of the Wilsonville Code; and

WHEREAS, portions of Chapter 3, City Property and Chapter 8, Environment need to be revised to update erosion control requirements and comply with State and Federal regulations; and

WHEREAS, preventing erosion is a principal way to protect water resources. When vegetation is left undisturbed by development or land use activities, wind and rain erosion potentials are dramatically reduced and sediments remain on site, rather than washing into wetlands, streams or the stormwater system; and

WHEREAS, water resources that remain free of human-induced sediment loads tend to have lower temperatures, higher dissolved oxygen, lower nutrients and other pollutants, healthier plant communities, higher flows during dry periods and are better able to function during peak flows; all of which conditions are good for fish, wildlife and people; and

WHEREAS, through careful project planning, phasing, timing, construction site management and erosion controls, water resources and the resources that depend on their proper functioning can be protected as development proceeds; and

WHEREAS, the revised erosion control requirements address current best management practices and provide an effective approach to preventing and controlling erosion and sedimentation; and

WHEREAS, after providing due public notice, as required by City Code and State Law, a public hearing was held before the City Council on June 1, 2015, at which time the City Council gathered additional evidence and afforded all interested parties an opportunity to present oral and written testimony concerning the revised erosion control requirements; and

WHEREAS, the City Council has carefully considered the public record, including all recommendations and testimony, and being fully advised;

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

Section 1. The above recitals are incorporated by reference as if fully set forth herein.

Section 2. Based upon such findings, the City Council hereby adopts the amendments to Wilsonville Code, Chapter 3, City Property, and Chapter 8, Environment, as set forth in Exhibit A, attached hereto and incorporation by reference as if fully set forth herein.

Section 3. The City Recorder shall ensure these amendments conform with the City’s code format and to correct any scrivener’s errors.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on June 1, 2015, and scheduled for a second reading at a regular meeting of the Council on June 15, 2015, commencing at 7:00 P.M. at the Wilsonville City Hall.

\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the \_\_\_\_ day of \_\_\_\_, 2015 by the following votes:

Yes: \_\_\_\_ No: \_\_\_\_

\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor the \_\_\_\_\_ day of \_\_\_\_, 2015.

\_\_\_\_\_  
TIM KNAPP, Mayor

SUMMARY OF VOTES:

- Mayor Knapp -
- Council President Starr -
- Councilor Lehan -
- Councilor Fitzgerald -
- Councilor Stevens –

Attachment:  
Exhibit A

**ORDINANCE NO. 769  
EXHIBIT A**

***CODE SECTION AMENDMENTS***

1. Wilsonville Code, Chapter 3, Section 3.294 is to be deleted in its entirety.
2. Wilsonville Code Chapter 8, add new Sections 8.536 – 8.576 as follows:

**8.536 General Policy**

(1) Application and Purpose. It is a City requirement to reduce the amount of sediment and other pollutants reaching public storm and surface water systems resulting from development, construction, grading, excavation, clearing, and any other activity that accelerates erosion, to the limits prescribed herein. These provisions shall apply to all land within the City.

(a) Regulated Activities. To minimize the adverse effects of construction on the environment, Erosion Control Permits are required (unless specifically exempted from this requirement as provided herein) for the following activities:

- 1) All activities requiring a Public Works Permit or a Grading Permit.
- 2) Projects involving construction of public trails, bike paths and pedestrian ways, public or private streets, and underground utilities in existing public rights-of-way or in areas designated in the City's Comprehensive Plan as Significant Resource Overlay Zones.
- 3) All construction projects, including but not limited to capital improvements, Public Works construction and utility installations.

(b) Minimum Requirements:

- 1) No visible or measurable dust, mud, muddy water, or rock shall exit the site, enter the public or private systems or be deposited into any water body.
- 2) Ground-disturbing activities requiring a permit shall install erosion and sediment control (ESC) measures and have them inspected and approved by the City's inspector before any ground breaking occurs.
- 3) During the construction period, these ESC measures shall be upgraded as needed for worst-case storm events and to ensure that sediment and sediment-laden water does not leave the site.

(c) To meet these minimum standards, responsible parties shall:



- 1) As the first step in development, install ESC measures intended to keep soil on site and out of water bodies, storm drainage systems and the public right of way.
  - 2) Remove any soil that enters the public storm system, roadway or right of way.
  - 3) Protect stormwater inlets that are functioning during the course of the project by means of approved ESC measures so that sediment-laden water cannot enter the inlets without first being filtered.
  - 4) Apply permanent or temporary soil stabilization to denuded development areas in conformance with the following schedule:
    - a. Between October 1 and April 30, all inactive denuded sites shall be provided with either temporary or permanent soil stabilization as soon as practicable after ground-disturbing activity occurs. The City will determine whether active construction exists.
    - b. Temporary erosion and sediment control measures to reduce dust and sediment transport shall be applied as soon as practicable before any ground-disturbing activity occurs and immediately when dusty conditions or any transport of sediment occurs.
    - c. Temporary measures shall be maintained until permanent measures are established.
- (d) Temporary and Permanent ESC Measures Required. City policy requires both temporary and permanent ESC measures for any change to improved or unimproved real property that causes, will cause, or is likely to cause, a temporary or permanent increase in the rate of soil erosion from the site.
- (e) If required by the City's authorized representative, construction activities shall be sequenced to reduce the amount and duration of soil exposure to erosion by wind, rain, runoff, and vehicle tracking. The construction schedule is an orderly listing of all major land disturbing activities together with the necessary erosion prevention and sediment control measures planned for a project. This type of schedule guides the applicant on project sequencing so that serious erosion and sedimentation problems can be avoided
- (f) Duties of the Owner/Responsible Party. The Owner's responsible party shall properly install, operate and maintain both temporary and permanent measures as provided in this section and/or in an approved plan, to protect the environment during the term of the project. The responsible party shall also remove temporary erosion controls.

Nothing in these policies shall relieve any person or organization from the obligation to comply with the regulations or permits of any federal, state, or local authority.

**8.538 Erosion Prohibited**

(1) Visible or measurable erosion as determined by the City's authorized representative, that enters, or is likely to enter public storm or surface water systems is hereby prohibited and is a violation of these rules. The owner of the property and the permittee, together with any person who causes or allows erosion to occur, shall be considered to be in violation of these rules.

(2) In determining measurable erosion, the City will rely on the adopted Water Quality Standard not to be exceeded for the waters of the Willamette Basin (Oregon Administrative Rule 340-41-0340), which currently sets criteria for dissolved oxygen, temperature, turbidity, pH, bacteria, and total dissolved solids.

(3) An off-site sedimentation control facility may be utilized if it has been identified and approved in writing by the City's authorized representative, written approval is obtained from the respective property owner, and a written agreement for rehabilitation of the facility by the applicant or contractor is submitted to the City. The owner of the property or the applicant under a Public Works Permit, together with any person or persons, including but not limited to the contractor or the design engineer causing such erosion, shall be held responsible for violation of the City's standards.

**8.540 Erosion Control Permits**

(1) Except as noted herein, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause, a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees. Such changes to land shall include, but are not limited to, grading, excavating, filling, working of land, or stripping of soil or vegetation from land.

(2) Any work requiring a Grading Permit, as specified in the applicable Building Code, shall require an Erosion Control Permit, unless specifically exempted from this requirement as specified in subsection 5(C), below. Where a Grading Permit is being issued for on-site work, the Grading Permit will include an Erosion Control Plan.

(3) No owner, utility company or contractor shall begin construction, grading, excavation, fill, or clearing of land without first verifying in writing that the City has issued an Erosion Control Permit covering such work, or the City has determined that no such Permit is required. No public agency or body shall undertake any public works project without first obtaining an Erosion Control Permit covering such work, or receiving a determination from the City that none is required.

- (a) Construction on slopes greater than 5 percent, or on highly erodible soils, shall be subject to limitations or conditions of approval that may limit excavation or other construction from November 1 through April 30.
- (b) Limits of work are to be specified in the Erosion Control Permit.
- (c) The Contractor shall provide a tentative construction schedule and shall notify the City authorized representative at least 24 hours before the start of excavation or construction.
- (4) No Erosion Control Permit (from the City) is required for the following:
  - (a) For work of a minor nature, provided that all of the following criteria are met:
    - 1) The land development does not require a Public Works Permit, a Grading Permit or a development permit, from the City.
    - 2) No land development activity or disturbance of land surface occurs within 100 feet of the Significant Resource Overlay Zone, as defined in the City's Comprehensive Plan.
    - 3) The slope of the site is less than 12 percent.
    - 4) The work on the site involves disturbance of less than 500 square feet of land surface.
    - 5) The excavation, fill, or combination thereof involves a total of less than 20 cubic yards of material.
      - a. Permits and approvals for land division, interior improvements to an existing structure, and other approvals for which there is no physical disturbance to the surface of the land.
      - b. Activities within the City that constitute accepted farming practices as defined in ORS 215.203, and which are permitted by City zoning.
      - c. Exception from the permit requirement does not exempt the property owner from the responsibilities outlined herein.

**8.542 Erosion Control Permit Process**

- (1) Applications for Erosion Control Permit. Application for a Permit shall include:
  - (a) A grading and erosion control plan that contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion.

- (b) A site map showing:
  - 1) Existing and adjacent drainage including site run-on, public or private receiving water for drainage leaving the site and developed stormwater conveyance systems and facilities.
  - 2) Natural resource features to be protected on and adjacent to the site.
  - 3) Areas to remain undisturbed by construction activities.
  - 4) Sequence and locations of clearing, grubbing and grading, including stockpile locations, management and schedule of their removal.
  - 5) Locations and types of dust and erosion control facilities for each major project phase.
  - 6) Final landscaping plan, including hard surfaces, sodded or mulched areas, and areas to be seeded, including seed mix, rate, area, broadcast method and date of seeding.
- (c) The grading and erosion control plan shall be designed to meet the requirements herein and shall be prepared using either of the following methods:
  - 1) The techniques and methods contained and prescribed in the Clackamas County Water Environment Services most current version of 'Erosion Prevention and Sediment Control Planning and Design Manual (this document is hereby adopted by reference), together with the City of Wilsonville's exceptions stated herein.
  - 2) The Soil conservation Service's Universal Soil Loss Equation or other equivalent methods established by Board rule to prepare a site-specific plan outlining protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year.
- (d) All ESC plans shall include an erosion control legend, erosion control details, both pertaining to the project, and the City of Wilsonville's Erosion and Sediment Control Notes, including the Sediment Fence Notes.
- (e) When required by the City, the Grading and Erosion Control Plan will be designed, approved, and managed by a Certified Professional in Erosion and Sediment Control (CPESE).

**8.544 Maintenance**

- (1) The owner/applicant shall maintain the facilities and techniques contained in the approved Erosion Control Permit so as to assure that they remain effective during the

construction or other permitted activity. If the facilities and techniques approved in an Erosion Control Permit are not effective or sufficient as determined through site inspection the permittee shall submit a revised plan within three (3) working days of written notification by the City. Upon approval of the revised plan by the City, the permittee shall immediately implement the additional facilities and techniques of the revised plan. Where erosion is occurring, the owner/applicant shall correct control measures immediately. The City will re-inspect for compliance.

**8.546 Inspection**

(1) Initial and final ESC inspections are required, and ground breaking may not occur until initial inspection has been approved. Tree protection shall be installed, inspected, and approved before any ESC measures are placed. An erosion and sediment control inspection shall not occur until tree inspection and approval has occurred.

**8.548 Prevention and Cleanup of Tracks, Spills and Deposits**

(1) No person shall drag, drop, track, or otherwise place or deposit, or permit to be deposited, mud, dirt, rock or other such debris upon a public street or into any part of public or private storm or surface water systems.

(2) Any such deposit of material shall be immediately removed using hand labor or mechanical means.

(3) No material shall be washed or flushed into any part of storm or surface water systems without sediment control measures installed, including cleanup, to the satisfaction of the City.

**8.550 Fees for Permit**

(1) The City shall collect a fee to defray the costs of review of plans, administration, enforcement, and field inspection to carry out the rules contained herein.

**8.552 Exceptions to Erosion Control Techniques and Methods**

(1) The erosion control techniques (and methods in the Clackamas County Water Environment Services' most current version of "Erosion Prevention and Sediment Control Planning and Design Manual" shall be used, with the following exceptions:

- (a) Gravel or rock construction entrances (two to three inch crushed aggregate) with geotextile fabric shall be required for each construction entrance. An entrance is required for each vehicle access point on each project and entrances shall be maintained for the duration of the project. Additional measures such as a wheel wash may be required to ensure that all paved areas are kept clean for the duration of the project. The owner/applicant is responsible for design and performance of the construction entrance. Under no circumstance shall vehicles or equipment

enter a property adjacent to a stream, water course, wetland or storm or surface water facility such that it would not be possible to avoid contaminating or depositing mud, dirt, or debris into the water or wetland.

- (b) The use of straw bales as silt barriers is prohibited.
- (c) Silt barriers are not required on a site under the following circumstances:
  - 1) Where a Community Erosion Control Plan is in effect.
  - 2) Where there are no concentrated flows and the slope being protected has a grade of less than 2 percent.
  - 3) Where flows are collected by means of temporary or permanent grading or other techniques, such that the flows are routed to an approved settling pond, filtering system, or silt barrier.
  - 4) Where there are no concentrated flows, slopes are less than 10 percent, and where the runoff passes through a grassed area that is either owned by the applicant, or approved for such use in writing by the owner of the grassed area. The grassed area shall be at least equal in dimensions to the area being protected.
  - 5) Where the surface is protected by appropriate ground cover or matting.

(2) **Neighborhood Erosion Control Plan.** Any individual or group may submit a plan to control erosion from multiple lots. This shall be referred to as a “Neighborhood Erosion Control Plan.” In such cases, the group of lots will be evaluated as if they were one lot.

- (a) If an individual lot in a Neighborhood Erosion Control Plan changes ownership, the new owners may either join the Neighborhood Erosion Control Plan (with the approval of the other “neighborhood” owner or owners), or will need to submit their own erosion control plan if erosion potential still exists on the parcel.
- (b) If a lot changes ownership and the new owner does not join the Neighborhood Erosion Control Plan, the Plan shall be revised to provide for the exclusion.

(3) **Protection Measure Removal.** The erosion control facilities and techniques shall remain in place and be maintained in good condition until all disturbed soil areas are permanently stabilized by installation and establishment of landscaping, grass, mulching, or otherwise covered and protected from erosion. Straw or plastic sheeting are to only be used as temporary measures during construction and are prohibited for use as ground cover for final inspection. A final erosion control inspection shall be required prior to any change in ownership of the subject property.

- (4) **Plastic Sheeting.** Plastic sheeting may be used to protect small, highly erodible



areas, or temporary stockpiles of material. If used, the path of concentrated flow from the plastic shall be protected from eroding.

(5) Ground Cover Establishment. On sites where vegetation and ground cover have been removed from more than one (1) acre of land, ground cover shall be re-established by seeding and mulching on or before September 1 with the ground cover established by October 15. As an alternative to seeding and mulching, or if ground cover is not established by October 15, the open areas shall be protected through the winter with straw mulch, erosion blankets, or other similar method. Ivy shall not be used as a ground cover for erosion control purposes.

**8.554 1200-C and 1200-CN Permits (Construction Stormwater Discharge Permit)**

(1) If the site requires a 1200-C permit from the Oregon Department of Environmental Quality (DEQ), an approved copy of the 1200-C Permit shall be submitted to the City before any clearing or grading will be allowed to proceed. Construction activities including clearing, grading, excavation, and stockpiling that will disturb five (5) or more acres and that may discharge to surface waters or conveyance systems leading to surface waters of the state, require a DEQ 1200-C permit. The 1200-C permits are obtained directly from DEQ, and require a public notice period.

(2) A DEQ 1200-CN permit is required for construction activities that disturb between one (1) acre and five (5) acres as part of a common plan of development or sale if the larger common plan of development or sale will ultimately disturb one acre or more and which may discharge to surface waters or conveyance systems leading to surface waters of the state.

**8.556 Activities in Wetlands**

(1) Both the U.S. Army Corps of Engineers and the Oregon Department of State Lands have permit procedures for construction activities in wetlands that are within the jurisdiction of those agencies. Applicants for an Erosion Control Permit shall be required to demonstrate their compliance with all applicable requirements of those agencies, including any required mitigation.

(2) The construction of underground utilities in wetland areas shall require the use of impermeable barriers, designed and installed in such a manner as to avoid draining the wetlands.

**8.558 Work in Flood-Prone Areas**

(1) Work in flood-prone areas shall be subject to the requirements of Section 4.172 of the Wilsonville Code and to all applicable Federal Emergency Management Agency flood insurance standards.

**8.560 Geotechnical Investigation**

(1) Work on slopes exceeding 12 percent that is not exempt from the Erosion Control Permit requirements included herein shall require a written report from a civil engineer with

geotechnical expertise. That report shall verify that the potential hazards of construction in the area have been considered and that adequate measures will be included in design and construction to assure that risks to life, property and the environment will be avoided or mitigated.

(2) Work on slopes greater than 12 percent shall utilize planning and designs that reduce the potential for erosion in the following ways:

- (a) Limit the extent of disturbance of soils.
- (b) Minimize removal of trees and other vegetative cover, meeting all, or exceeding, requirements of the City's Tree Preservation and Protection code (Section 4.600 of the Wilsonville Code).

Provide landscaping plans that include slope stabilization and re-vegetation.

#### **8.564 Maintaining Water Quality**

- (1) Construction within the banks of a stream shall be kept to a minimum.
  - (a) In-stream operations and schedule shall be in conformance with the Oregon Department of Fish and Wildlife's (ODF&W) in-water work windows and as approved in writing by the City's authorized representative.
  - (b) Comply with the regulatory requirements of ODF&W, Oregon Department of State Lands, US Fish and Wildlife Service, U.S. Army Corps of Engineers and any other state and federal agencies having jurisdiction.

(2) Construction materials and common construction site pollutants shall be controlled, including: demolition wastes, equipment fluids, concrete waste and slurry, sealants, additives, curatives and rinse water; treated wood, wood preservatives and resins; metal debris; solvents and degreasers; paints, paint thinners and paint rinse water; fertilizers, pesticides and herbicides; batteries, fluorescent lights, PCBs, asbestos, lead and contaminated soils. Pollutants such as fuels, lubricants, bitumens, raw sewage, and other harmful materials shall not be discharged into or near rivers, streams, impoundments, drainage systems or onto soil.

(3) All sediment-laden water from construction operations shall be routed through stilling basins, filtered or otherwise treated to reduce the sediment load.

(4) Refer to the City's Public Works Standards for design criteria for water quality facilities and their maintenance and operations.

#### **8.566 Fish and Wildlife Habitat**

- (1) Construction shall be done in a manner to minimize the adverse effects on

wildlife and fishery resources.

(2) Site Preparation

- (a) Native materials shall be conserved for site restoration; for example native soils shall be re-used to fill soil-wrapped lifts.
- (b) If possible, native materials shall be left where they are found and the disturbance area shall be minimized to the maximum extent practicable.
- (c) Materials that are moved, damaged, or destroyed shall be replaced with the functional equivalent during site restoration.
- (d) Any large wood, native vegetation, weed-free topsoil, and native channel material displaced by construction shall be stockpiled for use during site restoration.

(3) Emergency Measures

- (a) In the event of a major unexpected event (spills, fire, flood, landslide, failure of construction measures or equipment) an assigned project representative will be on site or available by phone at all times.
- (b) Work causing or affected by the event shall cease until the assigned representative provides clearance to proceed. The representative shall contact the appropriate permit representatives (e.g., City, ODF&W, DEQ, Oregon Department of State Lands) as appropriate.

(4) The requirements of local, state, and federal agencies charged with wildlife and fish protection shall be adhered to by the entire construction work force by implementing a plan to communicate Erosion Control Permit and other relevant requirements to all workers.

**8.568 Existing Vegetation**

(1) As far as is practicable, existing vegetation shall be protected and left in place. Work areas shall be carefully located and marked to reduce potential damage to vegetation intended to be protected. Trees shall not be used as anchors for stabilizing construction equipment.

(2) Where existing vegetation has been removed, or the original land contours disturbed, the site shall be re-vegetated, and the vegetation established, as soon as practicable. Ivy shall not be used as a ground cover for erosion control purposes.

(3) Work in areas with one or more trees having a diameter of six or more inches at a height of 4 1/2 feet shall be subject to the applicable standards and requirements of Section 4.600 of the Wilsonville Code.

**8.570 Contaminated Soils**

(1) In the event the construction process reveals soils contaminated with hazardous materials or chemicals, the Contractor shall:

- (a) Stop work immediately.
- (b) Immediately notify the City's authorized representative, the design engineer, the Oregon Department of Environmental Quality and an emergency response team of the situation upon the discovery of contaminated soils.
- (c) Ensure no contaminated material is hauled from the site.
- (d) Remove his/her work force from the immediate area of the contamination.
- (e) Leave all machinery and equipment on the site.
- (f) Secure the area from access by the public until such a time as a mitigation team has relieved them of that responsibility.

**8.572 Underground Utilities (exposed areas) and Construction Access Roads**

(1) Utilities that are otherwise located underground, but which are visible where they cross swales, channels, or other intermittent low spots, shall be considered to be underground utilities, as the term is used in this ordinance.

(2) Placement of underground utilities shall not result in dewatering of wetlands.

(3) Ground disturbances created by stream crossings of underground utilities shall be seeded and or planted to appropriate vegetation.

**8.574 Severability**

(1) If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**8.576 Stormwater - Violation**

## **CITY PROPERTY**

### **PARKS AND PLAYGROUNDS**

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- 3.010 Facility Reservation
- 3.020 Use and Consumption of Alcoholic Beverages
- 3.022 Water Safety Regulations
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- 3.320 Permits
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- 3.350 Maintenance
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- 3.370 Financial, Liability and Insurance Provisions
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- 3.510 Definitions
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- 3.540 Credit
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- 3.560 Exemptions

**PARKS AND PLAYGROUNDS**

3.000 Rules & Regulations.

(1) The following rules and regulations are hereby adopted for the regulation and use of municipal parks in and for the City, and shall be observed at all times by all persons using any City park or park facilities. A summary of these rules are authorized to be posted at Parks and park facilities as determined by the City Manager or designee. *(Amended by Ordinance #425 - April 4, 1994)*

(2) No fires and camp stoves so shall be allowed except in the following designated areas:

(a) Park camp stoves or fireplaces provided for such purposes.

(b) Portions of beaches designated as permitting fires, if any.

(c) Portable stoves in established campsites, picnic areas, and designated beaches where fires are permitted.



- (d) No fire shall be left unattended and every fire shall be extinguished before user leaves the park area.
- (3) No person shall in any park area except under agreement or special regulations of the Council:
- (a) Hunt, pursue, trap, kill, injure, molest, or disturb the habitat of any bird or animal.
- (b) Discharge any firearm, pellet gun, bow and arrow, slingshot, or other weapon capable of injuring any person, bird or animal; or
- (c) Possess any loaded firearm.
- (4) Flowers, shrubs, foliage, trees or plant life or products of any type shall not be picked, cut, mutilated or removed, from any park area without written permission from the Council.
- (5) No person shall mutilate, deface, damage or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, or other structure or facility of any kind in a parked area.
- (6) No person shall, except under special regulations of the Council, dig up, deface, or remove any dirt, stones, rock, or other substance whatever, make any excavation, quarry any stone, or lay or set off any blast or roll any barrier stones or move any barriers, or cause or assist in doing any of the said things within a parked area.
- (7) No person shall, except in a designated area, erect signs, markers, or inscriptions of any type within a park without permission from the Council.
- (8) No person in a park may without written permission of the Council:
- (a) Operate a concession, either fixed or mobile;
- (b) Solicit, sell or offer for sale, peddle, hock, or vend any goods, wares, merchandise, food, liquids, or services;
- (c) Advertise any goods or services by any means whatsoever; or
- (d) Distribute any circulars, notices, leaflets, pamphlets, or written or printed information of any kind.
- (9) Motor vehicles shall be operated only on roads and in parking area constructed or designated for motor vehicle use. No motor vehicle shall be operated on any trail or in any part of a park area not constructed or designated for motor vehicle use, or on any road or trail posted as closed to the public, or on any road or trail where signs have been placed or erected by

authority of the Council prohibiting the driving of motor vehicles. Automobiles, trailers, or other vehicles shall be parked only in designated areas.

(10) No animal of any kind shall be brought into or kept in a park area unless confined, or in a vehicle. Except that dogs must be kept on a leash at all times in all city parks and playgrounds. The leash shall be no more than eight (8) feet in length, except that a retractable reel leash may extend up to fifteen (15) feet in length. The authority of the City park employee includes the authority to undertake any lawful measures (including removal of the animal from the park area) deemed by the park employee necessary to prevent the interference by the animal with the safety, comfort and well-being of the park users, or the appearance or sanitary condition of the park area. No animals other than seeing-eye dogs shall be allowed in any building.”

(11) No bottles, cans, ashes, waste, paper, garbage, sewage, or other rubbish or refuse shall be left in a park area, except in the receptacles designated for that purpose.

(12) No person shall set up or use a public address system in a park without the written permission of the Council.

(13) No person shall ride, drive, lead, or keep a saddle horse or riding animal in any park area, except on such roads, trails, or areas designated for that purpose. No horse or other animal shall be hitched to any tree or shrub in such a manner that may cause damage to such tree or shrub.

(14) No person shall wash any clothing or other materials or clean any fish in a pond, stream or river in a park area.

(15) No person shall use abusive, threatening, boisterous, vile, obscene or indecent language or gestures in a park area which interferes with another’s peaceful enjoyment of the park and its facilities. Public demonstrations, public disturbances, or riotous behavior or indecent exposure will not be allowed in any City park area. (*Amended by Ordinance #425 - April 4, 1994*)

(16) No overnight camping will be permitted unless authorized in writing by the Council.

(17) No person shall operate any motor vehicle within a park area at a speed in excess of posted limits.

(18) No person shall operate or use any noise producing machine, vehicle, device, or instrument in such a manner that is disturbing to other park area visitors or neighboring houses.

(19) Except for authorized overnight camping in accordance with the City rules and regulations, no person, other than law enforcement officers or authorized City personnel, shall enter or remain in any park area except during posted hours as established by the Council.

(20) A fenced and signed area on the east side of Memorial Park is hereby designated as dog off leash area in which dogs may be allowed to run off leash provided:

- (a) The dog is properly licensed and has received required vaccinations (rabies);

- (b) The dog's owner, or owner's designee:
  - (1) Removes any and all feces excreted by the dog;
  - (2) Keeps the dog within the designated area during all times it is off leash;
  - (3) Secures the dog by adequate leash when entering or leaving the designated area:
  - (4) Does not take a female dog in estrus into a designated area when other dogs are present, or, if already within a designated area, removes such female dog in estrus when other dogs enter the area; and
  - (5) Is present in the designated area and has voice control of his or her dog.
- (c) No dog shall be permitted to fight, bite, or bark excessively while in a designated dog off leash area, and the owner of a dog fighting, biting, or barking excessively may be cited therefore and/or required to remove his or her dog from the area.

(30) A dog owner or owner's designee is required to remove and properly dispose of any and all feces excreted by said dog or dogs in all city parks.

(31) Smoking or the use of tobacco products is prohibited on all City park property, park facilities and buildings. "Tobacco products" includes any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other form of tobacco which may be used for smoking, chewing, inhalation, or other means of ingestion. (Section added by Ord.712 1/7/13)

### 3.010 Facility Reservation.

- (1) In order to provide for the convenience of advance reservation of park facilities the following procedures are hereby adopted:
  - (a) Formal application must be made at City Hall to reserve any public park and recreation facility for the exclusive use of any particular group.
  - (b) All applications must be made at least two (2) weeks in advance of the date of facility use and shall include the name of the organization/group, the facility requested, date and time and requested, name, address and phone number of person in charge, type of activity and any special requests.
  - (c) Reservation fee shall be paid in advance to assure reservation.
  - (d) The person in charge must sign the application.
  - (e) All applicant for park reservations shall be aware of the fact that reservations for park facilities are on a first-come, first-serve basis.

### 3.020 Use and Consumption of Alcoholic Beverages.

- (1) Alcohol may not be consumed or used in Wilsonville city parks under the following conditions:

- (a) Alcoholic beverages or their consumption shall be limited to wines or beer only.
- (b) In those areas designated by the City for which a reservation has been permitted and the applicant indicated on the application form that alcoholic beverages would be served. This does not in any way eliminate the reservation applicant from those rules and regulations administered under the Oregon Liquor Control Commission (OLCC). *(Amended by Ordinance #425 - April 4, 1994)*

### 3.022 Water Safety Regulations

- (1) No person shall swim, dive, or fish ,on or from the Memorial Park dock.
- (2) The ordinance will sunset on the date of the conclusion of the described grant agreement. *(Section 3.022 added by Ordinance No. 752 adopted 12/1/14)*

### 3.030 Enforcement and Penalty.

- (1) In addition to City Police, all City park employees or Council persons in charge of City parks or any park area are authorized and directed to enforce by all lawful means full compliance by the public with the foregoing rules and regulations. *(Amended by Ordinance #425 - April 4, 1994)*
- (2) Any person violating any park rule or regulation as delineated by Sections 3.000 and 3.020 of this Code, except those involving theft or damage over \$50.00, shall be punished upon a first conviction for a violation pursuant to Section 1.012, and upon a subsequent conviction for a Class C misdemeanor pursuant to Wilsonville Code, Section 1.012. Provided, however, a violation of a park rule which involves theft or damage to property grater than \$50.00 shall be treated as a crime under state criminal laws. Provided further a conviction for violation of Section 3.000(31) shall only be punished as a violation pursuant to Section 1.012. *(Amended by Ordinance #253 - February 21, 1984. Further Amended Ordinance #425 - April 4, 1994) (Amended by Ord. 712 adopted 1/7/13.)*

## CITY WATER AND SEWER FACILITIES

### 3.075 Definitions. *(Added by Ordinance #252 - February 6, 1984)*

- (1) For purposes of Chapter 3, the following words and phrases shall have the meanings ascribed to them in this section:
- (a) Air Gap shall mean the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device, and the flood level of said vessel. An approved air gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case, less than one inch (1"). When an air gap is used at the service connection to prevent

the contamination or pollution of the public potable water system, an emergency by-pass shall be installed around the air gap system and a reduced pressure principle device, as approved by the Foundation for Cross-Connection Control and Hydraulic Research, (hereinafter called F.C.C.C.H.R.), shall be installed in the by-pass system.

(b) Appeals Board shall be the City Council.

(c) Auxiliary Water Supply shall mean any water supply on or available to the premises other than the City's approved public potable-domestic water supply. These auxiliary waters may include water from another purveyor's potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or "used waters" or "industrial fluids." These waters may be polluted or contaminated or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

(d) Backflow shall mean the flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a public potable-domestic water supply system from any source or sources other than the public potable-domestic water supply source of the City.

(e) Backflow Preventor shall be a device or other means designed to prevent backflow or back-siphonage.

(f) Back-Siphonage shall mean the flow of water or other liquids, mixtures or substances into the distributing pipes of a public potable-domestic water supply system from any source other than the public potable-domestic water source of the City, caused by the sudden reduction of pressure in the public potable water supply system.

(g) BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

(h) Building Drain shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste and other drainage pipes inside the walls of the buildings and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

(i) Building Sewer shall mean the extension from the building drain to the property or right-of-way line for connection with the public sewer service connection.

(j) Building Water Service shall mean the piping structures and appurtenances from the City-owned meter up to five feet (5') of the structure.

(k) City Administrator shall be as defined in Section 2.105 of the Wilsonville Code.

(l) City Council shall mean the elected Council by charter of the City of Wilsonville.

- (m) City Rules and Regulations shall mean duly promulgated rules and regulations of the City and its duly constructed departments, agents, agencies and employees.
- (n) Combined Sewer shall mean a sewer receiving both surface runoff and sewage.
- (o) Commercial shall mean all buildings or structures which are not classified residential or industrial.
- (p) Contamination shall mean an impairment of the quality of the public potable water by sewage, industrial fluids, or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.
- (q) Cross-Connection shall mean any physical connection or arrangement of piping or fixtures between two other separate piping systems, one of which contains public potable water and the other, non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or back-siphonage may occur in the potable water system. A water service connection between a public potable water distribution system and a customer's water distribution system, which is cross-connected to a contaminated fixture, industrial fluid system or a potentially contaminated supply or auxiliary water system, constitutes one type of cross-connection. Other types of cross-connections may include, but are not limited to, connectors such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices, sliding multi-part tubes or solid connections.
- (r) Cross-Connections Control by Containment shall mean the installation of an approved backflow prevention device at the water service connection to any customer's premises where it is physically and economically unfeasible to find and permanently eliminate and control all actual or potential cross-connections within the customer's building water service; or, it shall mean the installation of an approved backflow prevention device on the water service line leading to and supplying a portion of a customer's building water service where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of cross-connection.
- (s) Cross-Connections Controlled shall mean a connection between a public potable water system and a non-potable water system with an approved backflow prevention device properly installed, that will continuously afford the protection commensurate with degree of hazard.
- (t) Customer shall mean any individual, firm, company, corporation, association, society, group or owner who receives water service from the City.
- (u) Director shall mean the Community Development Director for the City of Wilsonville. *(Amended by Ordinance #312 - June 3, 1987).*
- (v) Double Check Valve Assembly shall mean an assembly of two independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly



shall meet the design and performance specification and approval of a recognized City approved testing agency for backflow prevention devices. To be approved, these devices must be readily accessible for in-line maintenance and testing in a watertight vault for reduction of possible contamination.

(w) Garbage shall be as defined in Section 8.100(c), of the Wilsonville Code.

(x) Hazard, Degree of shall mean an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

(y) Hazard - Health shall mean any condition, device or practice in the public water system and its operation which could create or, in the judgment of the superintendent, may create a danger to the health and well-being of the water customer. An example of a health hazard is a structural defect, including cross-connections, in a water supply system.

(z) Hazard - Plumbing shall mean a plumbing type cross connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.

(aa) Hazard - Pollution shall mean an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system, which would constitute a nuisance or would be aesthetically objectionable or could cause damage to the system or its appurtenances, but which would not be dangerous to health.

(bb) Hazard - System shall mean an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

(cc) Industrial shall mean all buildings or structures in which a product is manufactured, stored or distributed, or any combination of the above.

(dd) Industrial Fluids System shall mean any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard, if introduced into an approved water system. This may include, but is not limited to, polluted or contaminated waters, all type of process waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality, chemicals in fluid form, plating acids and alkalis, circulated cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances, contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or similar systems, oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used for industrial, fire fighting or other purposes.

- (ee) Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade or business, as distinct from sanitary sewage.
- (ff) Irrigation Water shall mean the water utilized exclusively for irrigation purposes.
- (gg) Major Sewer Line Extension shall mean the extension of a sanitary sewer mainline that is or will be located within public rights-of-way or dedicated easement.
- (hh) May is permissive.
- (ii) Natural Outlet shall mean any outlet into a water course, pond, ditch, lake or other body of surface or groundwater.
- (jj) Official shall mean the Building Official or Plumbing Official for the City of Wilsonville. (*Amended by Ordinance #312 - June 3, 1987*).
- (kk) Owner shall mean the person(s) who may hold title to or lease the property for which water service has or will be provided.
- (ll) pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (mm) Pollution shall mean the presence of any foreign substance (organic, inorganic or biological) in water, which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
- (nn) Potable - Domestic Water shall mean water which is for human consumption.
- (oo) Properly Shredded Garbage shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- (pp) Public Sewer shall mean a sewer, either sanitary or storm, in which all owners of abutting properties have equal rights, and is controlled by public authority.
- (qq) Reduced Pressure Principle Device shall mean an assembly of two independently operating approved check valves with an automatically differential relief valve between the two check valves, tightly closing shutoff valves on either side of the check valve, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized City approved testing agency for backflow prevention assemblies, utilizing the methods outlined by the F.C.C.C.H.R. The device shall operate to maintain the pressure in the zone between the two check valves at a level less than the pressure on the public water supply side of the device. At cessation of normal

flow, the pressure between the two check valves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall be open to the atmosphere. To be approved, the devices must be readily accessible for in-line maintenance and testing and be installed in a location where no part of the device will be submerged.

(rr) Residential shall mean buildings or structures which are built to be occupied for living purposes.

(ss) Sanitary Sewer shall mean a City sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.

(tt) Service Connection shall mean the installation which connects the water service line with the building water service, which includes, but shall not be limited to the following: meter, meter box, meter vault, check valves, fittings, seals or other materials to make such connection as deemed necessary by the Superintendent.

(uu) Sewage shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

(vv) Sewage System shall mean all City-owned facilities for collecting, pumping, treating and disposing of sewage.

(ww) Sewage Treating Plant shall mean any arrangement of devices and structures used for treating sewage by the City.

(xx) Sewer shall mean a pipe or conduit for carrying sewage.

(yy) Shall is mandatory.

(zz) Slug shall mean any discharge of water, sewage, or industrial waste which, in connection with any given constituent or in quantity of flow, exceeds for any period or duration longer than fifteen (15) minutes or more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

(aaa) Storm Drain (sometimes termed "Storm Sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling waters.

(bbb) Superintendent shall mean the City Engineer for the City of Wilsonville. (*Amended by Ordinance #312 - June 3, 1987*).

(ccc) Suspended Solids shall mean solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids and which are removable by laboratory filtering.

(ddd) Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

(eee) Water Department shall mean the Facility Maintenance Division of the Community Development Department. *(Amended by Ordinance #312 - June 3, 1987).*

(fff) Water Main Line shall mean water main lines which are six inches (6") or larger, constructed within a city right-of-way or dedicated easement.

(ggg) Water - Non-Potable shall mean water which is not safe for human consumption.

(hhh) Water Service Line shall mean the water supply system from the water main line to the property line.

### 3.100 Service Connections and Regulations.

(1) Water will be furnished by the City for potable-domestic, residential, business, community, commercial, industrial and fire protection purposes only. No service will be supplied, or water furnished, to any premises, be it residential, commercial or industrial, except on the written application of the owner or occupant of said premises. Application for the use of water must be made on printed forms to be furnished by the City. All applications must state fully and accurately the purposes for which the water is required and, as a condition for the use of the water, the applicant must agree to conform to the rules and regulations of the Facility Maintenance Division and applicable ordinances and resolutions relating to the use and distribution of water. *(Amended by Ordinance #312 - June 3, 1987)*

(2) The City shall install all service connections of such size and location as a customer requests, provided that such request has been approved by the City Engineer, to assure proper sizing, and other relevant matters. The service shall be installed from the main to a point in the City's right-of-way, easement, or land dedicated for such purposes. Where a curb exists, the service shall be installed from the main to a point between the curb line and the property line of the affected premises. The City shall not be responsible for extending, or the cost of extending, a water service line beyond the meter. All pipes from the meter to the premises must be installed in accordance with good engineering and plumbing practices, with complete on-site plumbing improvements to private property to be approved by the Official of the City, and maintenance to meet standards set by the Uniform Plumbing Specialty Code in existence at the time of maintenance. Extensions of a water service line beyond the meter and to the premises to be served with water, shall be at the property owner's or applicant's expense, and such installations shall conform to all City requirements, and shall first be approved by the official or engineer before connection is made to the City water mains. If a water service line is not already provided at the property line, it shall then be installed under City jurisdiction at the owner's expense. *(Amended by Ordinance #312 - June 3, 1987)*

(3) Water mains, service lines, meters and any other water service facilities shall not be extended onto or installed in private property without prior consent of the City, and not then unless an easement is acquired from the property owner to the City for access to the water line(s) for repair or replacement of those lines in the future. Each water main, service line or meter must also be installed or constructed according to the City of Wilsonville's construction standards (currently referred to as Public Works Standards) prior to acceptance by the City of any water main line or water line easement (*Amended by Ordinance #312 - June 3, 1987*).

(4) The owner or customer shall, at his own risk and expense, furnish, install and keep in good and safe condition, equipment that may be required for receiving, controlling, applying and utilizing water for the building service. The City shall not be responsible for loss or damage caused by the improper installation of the equipment or the negligence or wrongful act of the customer in installing, maintaining, using, operating or interfering with the equipment.

(5) The City shall not be responsible for damage to property caused by a spigot, faucet, valve or other equipment that is open when the water is turned on at the meter, except when caused by the negligence of the City or its employees.

(6) A customer making any material change in the size, character or extent of the equipment or operation utilizing water service or whose change in operations results in a large increase in the use of water, shall immediately give the City written notice of the nature of the change and, if requested by the City, amend his application.

(7) The service connection, whether located on public or private property, is the property of the City and the City reserves the right to repair, maintain and replace it.

(8) In all cases where connections to the City's water supply are to be made for meters larger than one and one-half inches (1-1/2"), an estimate of the charges shall be made by the City Engineer, or designated staff person, upon the filing of the application for such service, and such estimated charges shall be paid to the City Recorder before work is commenced. The building service shall not be connected to the meter by the City until the owner or applicant has completed the following:

(a) All fees have been paid by the applicant for such installations;

(b) The applicant's water service(s) or irrigation services to the proposed meter installation are ready to be connected and all sewer/plumbing is complete;

(c) The approved permitted construction plans indicate the set evaluation for the meter boxes to be installed;

(d) The applicant has staked the meter locations and set the elevation markers for the meter boxes;

- (e) The applicant has signed a Hold Harmless Statement which indicates the City will not be responsible for contamination of the water supply on-site by the installation of the meters, and that if any damage occurs after the meter is installed and set, as dated on the return installation form sent to Finance, the applicant shall be billed and be responsible for any repairs. No "Certificate of Occupancy" nor Final Certificate shall be signed by Public Works until such payment is made. *(Amended by Ordinance #312 - June 3, 1987)*
- (9) The City may, at any time and without notice, shut off the water supply from the water mains for repairs, extensions or for violations affecting the safety, health and welfare of the citizens of the City. Neither the City nor any officer, official or employee thereof shall be held responsible for damage caused by shutting off said water supply or by a collapsed or broken water main line, or the explosion or collapse of boilers or tanks.
- (10) No plumber or other person shall be allowed to make connection to the water mains or other water lines of the City or to make alternations in any conduit, pipe or fixture in connection therewith or on any premise without approval of the Superintendent or Director of the City. Water main lines must be laid at least thirty-six inches (36") deep, water service lines must be a minimum of twenty-four inches (24") deep, and both water main lines and service lines shall be separated from all public sanitary sewer lines by a minimum of eighteen inches (18") vertical distance above and ten feet (10') distance horizontally. Each water service line must be provided with stop cocks and drain plugs and all standpipes or fittings of any kind must be located, anchored and installed so as not to interfere with or endanger the meter.
- (11) The City and its officers, officials or employees shall not be held responsible for or liable to any person(s) for any interruptions of water service, depletion or contamination of the City's water source or water supply; and the City and its officers, officials, or employees shall not be held responsible or liable for any injuries to persons or damage to property arising out of or caused by the City's water or water service or for failure to furnish water to any applicant, except such as may be caused by the negligence of the City or its officers, officials or employees.
- (12) A water valve shall be required at the end of any water main line as designated by the Director. Each property user or owner, at the time of installation of water mains to or on the owner's property, shall install a valve of proper structural design as required in the City's Public Works Standards at the location designated by the Director to insure less complicated connections to the water mains by future users. The valve shall be installed at the owner's expense.
- (13) Water service lines shall not be extended outside the City limits and water shall not be metered or sold outside the City limits, except, however, when the Council may approve and authorize, by motion, the extension of a line or lines for the purpose of furnishing City water or sewer to any property or facility which is owned, used, occupied, leased or operated by any agency or department of Federal, State, County or special district; or a public entertainment facility that is privately owned, or privately-owned property where extension of service is required to alleviate a clearly-defined health, safety or fire condition. The extension of a water or sewer line outside the City limits and beyond the Urban Growth Boundary may be approved



provided that the City Council adopts findings demonstrating substantial compliance with statewide Planning Goals 2, 3, 4, 11 and 14. Any extension outside the City limits shall be subject to 3.116 of this Code and such additional fees as shall be determined from time to time by the City Council to be reasonable and prudent. All water and sewer service user fees, whether permanent or temporary, for any services provided outside the City limits shall be billed at two (2) times the normal rate as previously established by Resolution. Except for publicly-owned property or facilities, all other property owners who receive City services under this section shall execute a Consent to Annexation as shall be provided by the City. *(Amended by Ordinance #312 - June 3, 1987)*

(14) It shall be unlawful for anyone other than an employee or agent of the City in the normal performance of duty to operate water valves and appurtenances connected to the municipal water system. *(Amended by Ordinance #274 - May 20, 1985). (Amended by Ordinance #312 - June 3, 1987).*

### 3.101 Cross-Connection Control General Policy.

(1) The purpose of this section is to protect the public potable water supply of the City from the possibility of contamination or pollution by isolating, within its customers' internal distribution system(s) or its customers' private water system(s), contaminants or pollutants which could backflow or back-siphon into the public water supply system; and

To promote the elimination or control of existing cross-connections, actual or potential, between its customers' in-plant potable water system(s) and non-potable water system(s), plumbing fixtures and industrial piping system(s); and

To provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

(2) The Director, or his designee, shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of said Director, or his designee, an approved backflow prevention device is required at the City's water service connection to any customer's premises for the preservation, life, health or safety of the citizens or the water system, the Director, or his designee, shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to his premises. The customer shall, within forty-eight (48) hours of receipt of notice, install such approved device or devices at his own expense. Failure, refusal or inability on the part of the customer to install said backflow prevention device or devices within the forty-eight (48) hour period, shall cause the City to discontinue service of water to the structure or premises until the backflow prevention system, as approved and inspected by the Director, or his designee, is installed. *(Amended by Ordinance #312 - June 3, 1987).*

(3) No water service connection to any premises shall be installed or maintained by the City unless the water supply is protected by State of Oregon regulations, City Code or any combination thereof. Service of water to any premises shall be discontinued by the City if a backflow prevention device required by the City Code is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Water service will not be restored until such conditions or defects are corrected.

(4) The customer's system shall be open for inspection at all reasonable times to authorized representatives of the City to determine whether cross-connections or other structural or sanitary hazards, including violations of the provisions of this chapter, exist. When such a condition becomes known, the Director, or his designee, shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with State statutes and City Code relating to plumbing and water supplies and any regulations adopted pursuant thereto.

(5) (a) An approved backflow prevention device shall also be installed on each service line to a customer's water system at or near the property line or immediately inside the building being serviced, but, in all cases, before the first branch line leading off the service line wherever any of the conditions listed in 1 - 4 below exist. All backflow prevention devices shall be installed under the supervision of the Director, or his designee, and the responsibility for all costs for the installation of any backflow prevention devices required by the Director, or his designee, shall be that of the owner(s). Situations which require specific backflow prevention devices include, but are not limited to, the following examples:

1) In the case of premises having two or more floors, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the building service line that is appropriate for the degree of hazard.

2) In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality, and which is not acceptable as an additional source by the Director, or his designee, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the building water service that is appropriate for the degree of hazard.

3) In the case of premises on which any industrial fluids or other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing a backflow prevention device in the building water service that is appropriate for the degree of hazard. This shall include the handling of process waters and waters originating from the City water system which have been subject to deterioration in quality.

4) In the case of premises having internal cross connections that cannot be permanently corrected and controlled, or having intricate plumbing and piping arrangements, or where all portions of the premises are not readily accessible for inspection purposes,

making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.

(b) The type of protection device required under subsections (1), (2), (3) and (4) above, shall depend upon the degree of hazard which exists and shall be as follows:

1) In the case of any premises where there is an auxiliary water supply as stated in subsection (2) of this section, and it is not subject to subsection (2), the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention device.

2) In the case of any premises where there is water or any other substance that would be objectionable but not hazardous to health if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.

3) In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an air gap separation or an approved reduced pressure principle backflow prevention device or any combination of subsection (b), 1 - 5, as determined by the Director, or his designee. Examples of premises where these dangerous materials exist include, but are not limited to, sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants.

4) In the case of any premises where there are "uncontrolled" cross connections, either actual or potential, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention device at the service connection or by any combination n of subsection (b), 1-5, as determined by the Director or his designee.

5) In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow or back-siphonage from the premises by the installation of a backflow prevention device in the water service line. In this case, maximum protection shall be required; that is, an approved air gap separation or an approved reduced pressure principle backflow prevention device or any combination of subsection (b), 1 - 5, as determined by the Director or his designee, shall be installed in each service to the premises.

6) Any backflow prevention device required herein shall be of a "Device" shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association, entitled "AWWA C506-78 - Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices," the State Health Division, Chapter 333, Section 42-230, Cross-Connection Control requirements, and has met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California, established

by "Specification of Backflow Prevention Device" #69-2, dated March, 1969, or the most current issue.

(i) Said AWWA and FCCC and HR Standards and Specifications have been adopted by the Water Division of the Public Works Department and the City. Final approval shall be evidenced by a "Certification of Approval" issued by an approved testing laboratory certifying full compliance with said AWWA Standards and FCCC and HR Specifications. The following testing laboratory has been qualified by the City to test and certify backflow preventers: Foundation for Cross-Connection Control & Hydraulic Research University of Southern California University Park Los Angeles, CA 90007  
Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the Superintendent and the City.

(ii) Backflow preventers which may be subject to back pressure or back-siphonage that have been fully tested and have been granted a Certificate of Approval by said qualified laboratory, and are listed on the laboratory's current list of "Approved Devices," may be used without further tests or qualifications.

(6) It shall be the duty of the customer/user at any premises where backflow prevention devices are installed, to have certified inspections and operational tests made at least once per year. In those instances where the Director or designee deems the hazard to be great enough, he may require that certified inspections be made at more frequent intervals. These inspections and tests shall be at the expense of the water user or owner and may either be performed by the device manufacturer's representative, by a certified tester approved by the State Health Department. It shall be the duty of the Director or designee to see that these timely tests are made. The customer/owner's and the City's representative may witness the tests, if desired.  
*(Amended by Ordinance #312 - June 3, 1987)*

(7) Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Superintendent finds that the maintenance constitutes a hazard, the Superintendent shall implement any section of this Code, applicable to the situation. *(Amended by Ordinance #252 - February 6, 1984).*

### 3.102 Temporary Connections and Bulk Sales of Water.

(1) Charges for water furnished through a temporary service connection or bulk water connection shall be at the established rates for bulk water customers.

(2) The applicant for temporary service or bulk water shall be required:

(a) To pay to the City, in advance, the estimated cost of installing, operating and removing the facilities to furnish the service.

(b) To deposit an amount sufficient to cover bills for water during the entire period temporary service may be used or to establish credit approved by the City.

(c) To deposit with the City an amount equal to the value of equipment loaned by the City. This deposit shall be refundable, less cost of any necessary repairs.

(3) The City will sell bulk water from the City's municipal water supply providing:

(a) The Director or designee determines there is sufficient City water for any requested bulk water sale. *(Amended by Ordinance #312 - June 3, 1987).*

(b) A written application for the purchase is first filed with the Director or designee on such forms as may be prescribed. *(Amended by Ordinance #312 - June 3, 1987).*

(c) The application is first approved by the Director or designee. *(Amended by Ordinance #312 - June 3, 1987).*

(d) The applicant agrees in an application to comply with the terms thereof and the provision of this section of the Code, and to pay in full the total purchase price for the water purchased and within the time limited therefor. *(Amended by Ordinance #312 - June 3, 1987)*

(4) Temporary connections are to be utilized prior to the final or occupancy permit issuance or final connection of the permanent meter, whichever the case may be. All charges for water used under a temporary service shall be computed through bulk water permits.

(5) No bulk water is to be transported or used outside the City limits unless approval is granted by the City Council or its designee. All connections to the City water or fire hydrants for the purchase of bulk water shall be made at such time and place as directed by the Director or designee, or designated staff person, and the connection location shall be indicated on the application form. Connections shall be made with an appropriate hydrant valve which shall either be furnished pursuant to Section 3.102(2)(a) or by the owner if approved by the Director or Designee. *(Amended by Ordinance #312 - June 3, 1987).*

(6) The customer shall use all possible care to prevent damage to the meter or other equipment loaned by the City to the owner. The owner shall give the City forty-eight (48) hours notification of completion of utilization of equipment loaned by the City. The City shall then remove equipment and make necessary billing preparations. If the meter or other equipment is damaged, the cost of making repairs shall be paid by the owner or customer.

(7) Temporary service connections and bulk water permits have a maximum service time of ninety (90) days. Any additional time will necessitate an extension through reapplication to the Water Department of the City. *(Amended by Ordinance #252 - February 6, 1984).*

### 3.103 Meters.

(1) Meters shall be furnished and owned by the City. All expenses for meter installation shall be that of the owner.

(2) Meters shall be sealed by the City at the time of installation and no seal shall be altered or broken except by the Superintendent or designated staff person.

(3) If a change in meter size and service is required, the installation shall be accomplished on the basis of a new connection.

(4) Water service lines of suitable size shall be furnished by the City upon prepayment of the water service connection and installation charges. The City shall furnish all labor and materials necessary for the connections, including tapping of mains, installation of corporation stops, meters, meter boxes, connections, backflow prevention devices where specified by the Director, and the pipe or tubing that may be necessary. Sizes of meters, pipes and other materials to be used in water service connections and installation shall first be approved by the Director or his designee. Water service connection, from the main to the meter, shall be maintained by the City without further costs to any specific water customer after the proper final inspections and warranty periods for the service installation have been completed. (*Amended by Ordinance #312 - June 3, 1987*).

(5) Meter installations:

(a) Residential - single family:

1) A separate meter shall be installed for each family residence for public potable-domestic use.

(b) Residential multi-family; includes apartments, townhouses, condominiums, duplexes, four-plexes and similar housing:

1) Rental Units:

a) A separate meter shall be required for each building or structure which has need for public potable-domestic water supply, unless a homeowner's association shall, in writing, verify continuous payment of the water charge, but in no event shall not less than one meter per building or structure be installed.

b) A separate meter shall be required for the irrigation system which shall also have a separate distribution line other than the public potable-domestic supply. The irrigation supply can be connected from the potable service with proper backflow preventor as specified by the Superintendent.

c) The owner or customer shall be responsible for payment of all water charges, whether domestic or irrigation, however, where problems of establishing payment responsibilities occur, the owner shall be ultimately responsible for payment.

2) Individually owned units:



a) A separate meter shall be required for each individual unit regardless of how many units are provided per building, unless a homeowner's association shall, in writing, verify continuous payment of the water charge, but in no event shall not less than one meter per building or structure be installed.

b) A separate meter shall be required for the entire project for irrigation purposes, and the irrigation distribution shall be separate from the potable supply.

c) The owner or customer shall be responsible for payment of all water charges whether domestic or irrigation, however, where problems of establishing payment responsibilities occur, the owner shall be ultimately responsible for payment.

(c) Commercial

1) A separate meter shall be installed for each building structure which has need for public potable-domestic water supply.

2) A separate meter shall be required for the entire project for irrigation purposes and the irrigation distributions system shall be separate from the public-domestic or potable supply. The meter can be connected from the public potable water supply, providing a proper backflow preventor is installed as approved by the Superintendent.

3) The owner or customer shall be responsible for payment of all water charges whether domestic or irrigation, however, where problems of establishing payment responsibilities occur, the owner shall be ultimately responsible for payment.

(d) Industrial:

1) A separate meter shall be installed for each building structure which has need for a cosmetic water supply.

2) A separate meter shall be required for the entire project for irrigation purposes and the irrigation distribution system shall be separate from the domestic or potable supply. The meter can be connected from the potable water supply, providing a proper backflow preventor is installed as approved by the Superintendent.

3) The owner or customer shall be responsible for payment of all water charges whether domestic or irrigation, however, where problems of establishing payment responsibilities occur, the owner shall be ultimately responsible for payment.

(6) No electrical ground or television antenna ground shall be permitted to connect to any water service line, water main line or building water service whether on private or public property, due to the possible occurrence of electrolysis of the pipe materials. (*Amended by Ordinance #252 - February 6, 1984*).

### 3.104 Discontinuation of Service

- (1) The City may refuse to furnish water and may discontinue service to premises where an apparatus, appliance or other equipment using water is dangerous, unsafe or is being used in violation of laws, ordinances or legal regulations or as stated in Section 3.100(11).
- (2) The City does not assume liability for inspection apparatus on the customer's property. The City does reserve the right of inspection, however, if there is reason to believe that an unsafe or illegal apparatus is in use.
- (3) The City may refuse to furnish water and may discontinue service to premises where excessive demand by one customer will result in inadequate service to others, subject, however, to the provisions of subsection (6) of this section.
- (4) The City shall have the right to refuse or to discontinue water service to premises in order to protect itself against fraud or abuse.
- (5) The City may, at any time, discontinue service to a customer/owner on any installed meter when there is evidence that the life, health and safety of the potable-domestic water supply can be affected by allowing the service to continue. Temporary water connection service can be disconnected at any time when the customer/owner is in violation of any section of this Code.
- (6) Where wasteful or negligent water use seriously affects the general service, the City may discontinue the service if such conditions are not corrected within five (5) days after the customer is given written notice.
- (7) Should a customer desire to discontinue water service to premises for a period of not less than one (1) month, notice in writing shall be given to the Water Superintendent and payment shall be made for unpaid charges, if there be any, at the office of the Finance Director. Within twenty-four (24) hours after such notice and payment, the water shall be turned off and shall not be turned on again until completion of a reconnection application. There will be a charge of twenty-five dollars (\$25.00) for this service. No discontinuance of water charges will be made for a period of less than one month or without the notice prescribed in this section. The customer shall be responsible for the minimum use charge as established in the governing resolution for the specific size of service.
- (8) When a service connection to premises has been abandoned or not used for a period of one (1) year or longer, the City may remove it. New service shall be placed only upon the owner applying and paying for a new service connection.
- (9) (a) In addition to City employees or agents, fire hydrants shall be operated by personnel of the Fire Department in performance of their regular duties. Fire hydrants shall not be used for purposes other than fire fighting or by the City for flushing water and sewer mains unless an application for a portable or permanent meter to measure water used for private or public

purposes has been approved by the Director or his designee. Operation of fire hydrants by the use of any wrench other than the standard fire hydrant wrench designated for that purpose is prohibited. *(Amended by Ordinance #312 - June 3, 1987).*

(b) It shall be unlawful for any person(s) to willfully break, dig up, injure, damage or destroy any meter, pipe or water main or any building appurtenance or other facility of the City's water system; or to break, damage or remove any locking seal on a water meter; or to open or cause to be opened, any faucet, valve, or fire hydrant attached to the water mains or service pipes of the water system in any other manner than as provided by the rules and regulations now or hereinafter established by the City. *(Amended by Ordinance #252 - February 6, 1984).*

### 3.105 General

(1) When a person desires to take an abnormally large quantity of water for filling a swimming pool, log pond or for other purposes, he shall receive permission from the Superintendent prior to taking such water. Permission to take water in unusual quantities shall be given only if the water can be safely delivered and only if other customers can still be provided with an adequate supply of water so that their uses will receive a continuous supply of water in both quantity and minimum pressure to service their connection.

(2) The owner(s) shall be liable for damage to a meter or other equipment or property owned by the City which is caused by an act of the owner(s), tenants or agents. Damage shall include, but not be limited to, damage from the breaking or destruction of seals by the customer on valves or meters, and damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The City shall be reimbursed by the customer for such damage promptly on presentation of a bill.

(3) No water source development or well development for domestic purposes shall be made within the City limits without prior approval from the Director. *(Added by Ordinance #252 - February 6, 1984).*

### 3.106 Water Rules and Regulations - Penalty.

(1) Any person convicted of violating any provision of Sections 3.100 to 3.104 of this Code, except provisions relating to the payment of water bills and service connection charges, and anyone causing damage to City water hydrants, meters, waterlines or other City property, and anyone using or taking, or attempting to use or take City water from the City water line or hydrant, or other source of City water supply, without an approved permit, shall be guilty upon a first conviction of a violation pursuant to Sections 1.012, and upon a subsequent conviction of a Class B Misdemeanor pursuant to Section 1.011. *(Amended by Ordinance #253 - February 21, 1984).*

(2) Also, the City Administrator may institute and prosecute a civil action in the name of the City for the recovery of damages to City property and/or the taking of City water without payment and/or a permit, and for the City's reasonable attorney's fees as made be allowed by the

trial court having jurisdiction of such matter and reasonable attorneys fees as may be allowable by the appellate court or in the appeal. *(Amended by Ordinance #252 - February 6, 1984).*

3.108 Water Rules and Regulations Water Service Connection Charges.

The Council may from time to time by resolution establish or change water service rates and connection charges, bulk water rates, hydrant connection fees and charges, re-connection charges, equipment use deposits and other necessary fees, charges or deposits, as is reasonable and prudent.

3.110 Authority Intent - General.

Pursuant to the statutes of the State of Oregon and the powers granted by the charter of the City, the City does hereby declare its intention to continue to acquire, own, construct, equip, operate and maintain sanitary sewers, sewage pump stations, sewage treatment plants and outfall sewers; to extend and expand the existing sewerage system of said City; and to construct new systems, reconstruct and repair such existing sanitary sewers, sewage pump stations and sewage treatment plants, as may be deemed proper by the Council.*(Amended by Ordinance #226 - January 6, 1983)*

3.111 Sewer Rules and Regulations Sewer Service Connection Charges

The Council may from time to time establish and change by resolution fees and charges for connection to and use of the sewage disposal system as the Council may deem necessary, in order to provide adequate revenue for the City's sewer department for operation, maintenance and expansion of the City's sanitary sewer system.

3.114 Sewage Collection and Treatment System - Inspectors' Powers.

The Director of Community Development (conforming change, Amend. Ord. #330, 7/5/88) and other duly authorized employees and representatives of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection in accordance with the preceding sections at such times and during such hours as may be reasonably necessary for such inspections and enforcement of this Code.

3.116 Reimbursement for Extensions of Streets, Water, Storm Drainage and Sewer Lines or Other Utility Services.

(1) If any person, on application and approval, pays the costs of improving a street, water, storm drainage, or sewer facility or any cable or other television, telephone, electrical, natural gas or other utility, to serve the owner's property, and the improvement or utility would be adjacent to or serve other property so that street, water, storm drainage, sewer service, cable or other television, telephone, electrical, natural gas or other utility for either commercial, industrial or domestic use is provided for such other property without further improvement or extension of the lines or utilities, the City shall require the owners of the other property prior to providing street

access, water, storm drainage, sewer service, or any cable or other television, telephone, electrical, natural gas or other utility service to such other property, to refund to the person paying the costs of improving the street, water, storm drainage, sewer lines or any cable or other television, telephone, electrical, natural gas or other utility service a pro rata portion of the costs of the extension. The right of the City to require such refunds shall not continue for more than ten (10) years after the date of installation of the improvement, unless, for good cause shown, the City Council authorizes an extension. Refunds are not intended to limit or replace, and are in addition to, any other existing fees or charges collected by the City. The amount to be refunded shall be determined by the council, and such determination shall be final.

Once a determination has been made, the City Recorder shall enter in the docket of City liens a statement of 1) the refund amount upon each particular lot, parcel of land, or portion thereof, together with the fact that, in lieu of lien foreclosure, the City shall require that, prior to providing street access, water, storm drainage, sewer service, or any cable or other television, telephone, electrical, natural gas or other utility service to the effected property, the refund amount shall be paid to the City, 2) the date of installation of the extension or improvement, 3) the date such a refund shall continue which is not more than ten (10) years after the date of the installation, and 4) a description of the improvement and the name of the owners. Upon the expiration of the ten (10) year period and without a refund becoming due and owing, the City Recorder shall remove the entry in toto from the city's lien docket.

(2) Any person proposing reimbursement of the costs of improving a street, water, storm drainage, sewer service, or any cable or other television, telephone, electrical, natural gas or other utility which will be adjacent to other property, shall first file with the City Recorder an application, accompanied by a processing fee established by the City Council, which shall include a description and map outlining the improvement areas showing the adjacent properties which can be served from the improvement and the estimated cost of the improvements as evidenced by bids, projections of the cost of labor and materials, or other similar evidence. The City Recorder shall make a copy thereof and deliver it to the City Engineer who shall inspect the site of the proposed improvement and report in writing to the City Recorder whether or not the improvement is feasible, desirable and necessary for the orderly development and expansion of the city's transportation system, sewage collection, storm drainage, water distribution systems or any cable or other television, telephone, electrical, natural gas or other utility services. Should it be determined by the city's engineer that it is not economically feasible or practical from an engineering study and investigation, the City Recorder shall report such facts to the person who filed the application and return the description and map. To be feasible and desirable for the orderly development and expansion of the city's street, sewer, storm drainage, water systems, or any cable or other television, telephone, electrical, natural gas or other utility services, the City Engineer shall review City-approved plans prepared by the developer, or alternatively, prepare or cause to be prepared all necessary plans and specifications for the proposed project. The City Engineer shall also prepare or cause to be prepared a recommendation to the Council of a refund method to fairly apportion on a pro rata basis the costs of the extension in keeping with subsection (1) above, considering the development potential of adjacent properties, the cost of improvements, prior contributions by property owners, the value of unused capacity, rate making principles employed to finance public improvements and other factors deemed relevant. The

Council may adopt, in whole or in part, the engineer's recommendation, or establish a refund method as it deems appropriate, just and reasonable. Notice and the opportunity for public hearings and challenge to Council action shall be as required by law.

(3) Upon approval by the City Council of the application for the reimbursement for improvement of the street, water, storm drainage, sewer lines, cable or other television, telephone, electrical, natural gas or other utility services, and after preparation of the plans and specifications for the work project, the applicant shall proceed to construct the facility as determined by the City Engineer, or pay to the City Recorder the total estimated costs of the project, including the legal, engineering and supervision costs. In the latter case, the City Recorder shall advertise in a local newspaper once a week for two successive weeks for sealed bid proposals for construction of the improvement project. The bid proposals shall be publicly opened at either a regular or special meeting of the City Council held at least ten (10) days after the first publication for bids. The City Council may waive any irregularity in bidding procedures, reject any or all bids or award a contract to the bidder who, in the opinion of the City Council is best qualified to undertake and perform fully in a satisfactory manner the public improvements which are to be constructed. If there are not any bidders or if all bids are rejected, the City Council may direct the work to be completed either by a City work force or it may award a contract to any person, firm or corporation who, in the opinion of the City Council, is competent and qualified to perform the work in accordance with the plans and specifications. The city may pursue any alternative method of public improvement construction provided in public contracting law. The City Council shall confer with the applicant and obtain his approval before awarding the contract or before deciding to perform the work by the City work force.

(4) Notwithstanding any provisions to the contrary, in the event any utility service is provided pursuant to a franchise agreement, then Council shall direct the work to be completed pursuant to any such franchise agreement.

(5) If, prior to the commencement of construction, an applicant withdraws the application or notifies the City of the desire to abandon the project, the applicant shall pay to the City, in full, its actual costs incurred to that time and including, though not exclusively, all legal and engineering costs.

(6) The applicant may include the City and the application may be made following improvement, but no later than three months after completion and acceptance by the City of the improvement. If the application is filed after construction, the application shall include the actual cost of construction as evidenced by a contract, receipts, bids or other similar documents. In the event the City shall construct or shall pay for the construction of street, water, storm drainage, sewer lines, cable or other television, telephone, electrical, natural gas, or other utility service within privately owned property, and there is no agreement to the contrary, the City shall require the owners of said property prior to providing such street access, water, storm drainage, sewer service, cable or other television, telephone, electrical, natural gas, or other utility services to such property, to refund to the City a pro rata portion of the costs of the extension. The provisions of this section shall apply to the owners of said property the same manner as subsection (1) is applied to the other property owners described therein.



(7) Any street, water, storm drainage, sewer line, cable or other television, telephone, electrical, natural gas, or other utility service extension project which is to be constructed under the provisions of this section shall be done under the supervision and direction of the City Engineer or an engineer employed by the City to supervise such project and in accordance with sections of this Code relating to such matters; and the successful bidder for any such work contract shall furnish to the City a full performance, payment and street restoration bond issued by a corporate surety in an amount and form as may be approved by the City Council. *(Amended by Ordinance #278 – August 19, 1985.)*

(8) Consistent with this section, the City Manager is authorized to adopt, administer and, from time to time, amend rules and regulations necessary to fully administer its terms and shall be entitled Manager’s Rules and Regulations, Administration of Reimbursement Districts. *(Section 3.116 Amended by Ordinance No. 644 – March 3, 2008)*

## PUBLIC IMPROVEMENTS

### 3.200 Street Lighting Types.

(1) Each property in the City shall be included in a Street Light Type as defined by the adopting Resolution.

(2) New street lights to be installed within the city shall be only Sodium Vapor or equivalent luminaries as approved by Council and as provided under Option A of the Portland General Electric Tariff Schedule 91. Any modifications from Option A lighting must first be approved by the City Council.

(3) Application for street lighting service shall be defined in the adopting resolution for rates and installation procedures.

(4) The City Council shall, by resolution, adopt the rate structure for each Street Lighting Type. The rate shall be based on the total street lighting costs as billed by the Company, including any maintenance costs incurred by the city, plus fifteen percent (15%) for the city's administrative costs, shall be added to the proportionate rate for each Street Lighting Type. The billing frequency shall be stated as part of the resolution. The property owner's share of street lighting costs shall be stated separately and included as a part of the city's bill for sewer and/or water utilities. If the owner is not billed for sewer and/or water, a separate bill shall be sent.

(5) Any street lighting billing which is 30 days delinquent shall receive a notice of delinquency. If said billing is not paid within fifteen (15) days of said notice, the City Recorder shall enter in the Docket of the City Liens a statement of the amounts billed upon each particular lot, parcel of land or portion thereof, the name of the owners and the date of entry. Upon such entry in the Lien Docket, the amount so entered shall become a lien and charge upon the respective lots, parcels of land, or portions thereof, against which such billing has been entered as a lien for such street lighting. All such liens of the City shall be superior and prior to all other liens or encumbrances on property insofar as the laws of the State of Oregon permit except other City of Wilsonville liens. Interest shall be charged at such rate per annum as shall be determined by the City Council on all amounts not paid within fifteen (15) days from the date of the notice of delinquency. After expiration of thirty (30) days from the date of such entry of lien on the Docket of Liens, the City may proceed to foreclose or enforce collection of the billing in the manner provided by the general law of the State of Oregon. *(Modified by Ordinance #304 - October 7, 1986).*

### 3.202 Street Lighting - Contract by Council.

The Council may, on its own motion, request of and make a contract with the Company for street lighting service for any area of the City and notwithstanding the fact that the property owners or residents of that area have not requested such service. In such cases, the City's street lighting costs for those areas shall be paid as a general expense of the City with funds which are allocated for that purpose.

3.204 Street Lighting - Fund.

The City Recorder shall establish and maintain a "Street Lighting Fund" for deposit of the City's receipts from street lighting bills and for payment of the City's bills to the Company. The City's administrative costs for all street lighting projects shall be calculated and an accounting made before the close of each fiscal year and more often if required by the Council; and after each accounting, the City Recorder shall transfer from the "Street Lighting Fund" to the City's General fund the City's administrative costs incurred during such accounting period for all street lighting projects. Any surplus remaining in the "Street Lighting Fund" at the close of each fiscal year shall be transferred to any City fund or account as determined by the Council and to be used at such times and for such purposes as the Council may direct.

3.210 Index to Procedures for Local Improvements and Special Assessments

- 3.212 Initiating Improvements
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- 3.218 Financial Investigation Report
- 3.222 Action on Engineers' Report and Financial Investigation Report
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3.212 Initiating Improvements

(1) Whenever the Council shall deem it necessary to make any street, sewer, water line, traffic signal, sidewalk, parking, curbing, drain, or other local improvement defined in ORS 310.140 be paid for in whole or in part by special assessment according to benefits conferred, the Council shall declare by resolution that it intends to make the improvement and direct the City Engineer or an engineer retained by the City to make a survey of the improvement and file a written report with the City Recorder and in accordance with Section

3.218 direct the Finance Director to prepare a financial investigation report, or *(Amended by Ordinance #438 - December 5, 1994)*

(2) When owners of 66 2/3% of the property that will benefit by improvements defined in Subsection (1) request by written petition that the Council initiate an improvement, the Council shall declare by resolution that it intends to make the improvement and direct the City Engineer or an engineer retained by the City to make a survey of the improvement and file a written report with the City Recorder and in accordance with Section 3.218 direct the Finance Director to prepare a financial investigation report. Provided, however, that petitioners shall after the Council's declaration and before the Engineer begins his report, deposit with the City a cash deposit or other financial assurances acceptable to the city, in such amount as the City Engineer shall deem reasonable to defray the City's cost of administration, survey, design, preliminary engineering mapping, and any other action necessary to the processing of the request. *(Added by Ordinance #350 - May 15, 1989)*

3.214 Engineer's Report.

Unless the Council directs otherwise, the engineer's report shall contain the following:

(1) A map or plat showing the general nature, location, and extent of the proposed improvement and the land to be assessed for payment of the cost. The map or plat shall include all existing and future improvements reasonably believed necessary to insure the proper functioning of the improvements proposed.

(2) An estimate of the probable cost of the improvement, including engineering, legal, and administrative costs.

(3) An estimate of the unit cost of the improvement to the benefited properties per square foot, per front foot, or another unit, or combination of units, of cost.

(4) A recommendation concerning the method of assessment to be used to arrive at a fair apportionment of the whole or a portion of the cost of the improvement to benefited properties.

(5) A description of each lot, parcel of land, or portion of land to be benefited with names of the record owners and, when readily available, names of contract purchasers as shown on books and records of the Washington and/or Clackamas County Tax Department (s). To describe each lot or parcel of land under provisions of this section, it shall be sufficient to use the tax account number or the map and tax lot numbers assigned to the property by the tax department (s) of Washington and/or Clackamas County. *(Added by Ordinance #350 - May 15, 1989)*

3.218 Financial Investigation Report.

Where Bancroft Bonding is proposed as a means of project financing, in whole or in part, and unless the Council directs otherwise, the Finance Director will prepare a financial investigation report. The report will contain the following:

( 1) A statement that the tax assessed real market value of the tax lot is equal to two (2) times the pro rata share of the assessment to be assessed the tax lot for its share of the cost of the improvement; provided, however, if the tax lot is specially assessed or if the benefit from the local improvement upon completion would substantially increase the real market value of the tax lot, then its real market value, inclusive of the improvement's benefit, may otherwise be established by an independent certified appraiser from a list provided by the City and the cost of appraisal shall be borne by the property owner; *(Added by Ordinance #438 - December 15, 1994)*

( 2) Number of vacant lots or description of unused lands in area affected;

( 3) Number of similar lots held by the city through foreclosure;

( 4) Delinquency rate of assessments and taxes in the area;

( 5) Real estate value trends in the area;

( 6) Tax levy trends and potential financial impact on improvement district;

( 7) Conformance of the project to the City's Comprehensive Plan;

( 8) Attitude of property owners toward the project;

( 9) Status of municipal debt;

(10) Cost of financing;

(11) Credit worthiness of petitioners.  
*(Added by Ordinance #350 - May 15, 1989)*

### 3.222 Action on Engineer's Report and Financial Investigation Report.

After the engineer's and the financial investigation report are filed with the City Recorder, the Council may by resolution approve the reports or approve them as modified, require the City Engineer or Finance Director to supply additional or different information for the improvement, or abandon the improvement. *(Added by Ordinance #350 - May 15, 1989)*

### 3.224 Emergencies.

In the event the Council declares by unanimous vote that an emergency exists and that an improvement is essential to the welfare of the City, the procedure described in Sections 3.212 to 3.218 shall be followed, except that the Council may then declare its intention to initiate the improvement at any time and the engineer's report shall be completed and construction work shall commence as soon as is reasonably possible. *(Added by Ordinance #350 - May 15, 1989)*

3.226 Application for Installments Payments.

Application for installment payments shall be in conformance with ORS 223.220 as shall be set forth in the financial investigation report Wilsonville Code 3.218 (1). *(Added by Ordinance #376 - October 15, 1990)*

3.228 Prepayment of Balance and Discharge of Lien: Assessment of Bond Interest Payment Cost Differential.

Any owner of a lot against which the final assessment is made and lien documented, may pay the whole amount of the final assessment in accordance with ORS 223.280. The City Council may provide for the cost to the local improvement of the property owner's prepayment if, at the time of the prepayment, the current local government pool investment rate would not yield a sum sufficient to repay the property owner's pro rata share of the bond interest over the remaining life of the bond. This prepayment cost shall be assessed at the time of prepayment and shall be an amount that when added to the prepayment shall yield at the local government pool rate the property owner's pro rata share of the bond interest for the remaining life of the bond. If the Finance Director determines that at the time of prepayment there is a prudent investment vehicle available to the City which will yield a more favorable rate and reduce the cost to the property owner, then the Finance Director may use such an investment vehicle in lieu of the local government pool. *(Added by Ordinance #438 - December 5, 1994)*

3.230 Resolution and Notice of Hearing.

After the council has approved the engineer's report and financial investigation report as submitted or as modified, the Council shall declare by resolution that it intends to make the improvement. The City Recorder shall forthwith give notice of the proposed improvement by posting the notice in the City Hall and by sending a copy of the notice by certified mail, addressed to the last known address of the person currently assessed for the properties to be benefited as shown by the records of the Washington and/or Clackamas County Assessor (s), that a hearing will be held to hear objections, if any to the proposed improvement.

The notice must be mailed and posted at least ten days prior to the hearing.

The notice shall contain the following information and such other information that may be necessary to explain the improvement and procedure:

- (1) A brief description of the project;
- (2) The intent to improve;
- (3) Estimated total cost and cost to each property of the improvement;
- (4) Date, time, and place of the hearing;



(5) Right to present objections or support to the project at the hearing.

*(Added by Ordinance #350 - May 15, 1989)*

3.234 Manner of Doing Work.

The Council may provide in the improvement resolution that the construction work may be done in whole or in part by the City, by contract, by another governmental agency, or by a combination thereof. *(Added by Ordinance #350 - May 15, 1989)*

3.238 Hearing.

If remonstrances are received from or made by owners representing 2/3 or more of the area to be assessed, the improvement proceeding shall be abandoned and shall not be subject to further hearing for at least three (3) months. If remonstrances are less than the amount required to suspend the proposed improvement, the Council may by motion at the time of the hearing or within 120 days thereafter order the improvement carried out in accordance with the resolution. *(Added by Ordinance #350 - May 15, 1989)*

3.242 Call for Bids.

The Council may direct the City Engineer to prepare plans, specifications and then advertise for bids for construction of all or part of the improvement project. If part of the improvement work is to be done under contract bids, the Council shall proceed in accordance with procedures of state law for public contracting. *(Added by Ordinance #350 - May 15, 1989)*

3.246 Assessment Method and Alternative Methods of Financing.

(1) The Council, in adopting a method of assessing the cost of the improvement, may:

(a) Use any just and reasonable method to determine the extent of an improvement district consistent with benefits derived.

(b) Use any just and reasonable method to apportion the sum to be assessed among the benefited properties.

(c) Authorize payment by the City of all or part of the cost of an improvement when in the opinion of the Council the topographical or physical conditions, unusual or excessive public travel, or another character of the work warrant only partial payment or no payment of the cost by owners of benefited properties. Such authorized payment by the City of a part of the cost of the improvement shall be stated in a fixed dollar amount.

(2) If some lots in a subdivision are of questionable marketability, the City may require security from the owner prior to award of bids or project construction. Such security may be, but is not limited to, a bond or deposit of collateral. *(Added by Ordinance #350 - May 15, 1989)*

(3) The Council may elect to provide Bancroft bonding to all or any part of the improvement project. The balance of the project not Bancrofted must be secured to the City in a form acceptable to the City Finance Director prior to award of bids or project construction.

(4) Nothing contained in this section shall preclude the Council from using other means of financing improvements, including federal and state grants-in-aid, sewer charges or fees, revenue bonds, general obligation bonds, or other legal means of financing. If other means of financing are used, the Council may levy special assessments according to benefits derived to cover any remaining cost. *(Added by Ordinance #350, May 15, 1989)*

### 3.250 Assessment Ordinance.

(1) After the work is done and the cost has been actually determined, the Council shall decide whether the benefited property or properties shall bear all or a portion of the cost. The Finance Director shall prepare the proposed assessment for each lot within the assessment district and file the assessments in the city recorder's office.

(2) Notice of the proposed assessment shall be mailed to the owner of each lot proposed to be assessed at the address shown on the Washington and/or Clackamas County Tax Assessor's roll. The notice shall state the amount of assessment proposed on the property and fix a date for a public hearing.

(3) At the hearing, the Council shall:

(a) Consider objections and may adopt, correct, modify, or revise the assessment against each lot or parcel in the district according to special and peculiar benefits accruing to it from the improvement.

(b) By ordinance, allocate the assessment in the manner deemed by the Council to be most equitable. *(Added by Ordinance #350, - May 15, 1989)*

### 3.254 Notice of Assessment.

(1) Within 10 days after the ordinance levying assessments has been passed, the City Recorder shall send a notice of assessment to each owner of assessed property by registered or certified mail.

(2) The notice of assessment shall include the name of the property owner, a description of the assessed property, the amount of the assessment, and the effective date of the assessment ordinance, and shall state when interest will begin to accrue on the assessment. The property will be subject to foreclosure unless the owner either makes application within 10 days to pay the assessment in semi-annual installments not to exceed 30 years as the City Council shall determine, together with any interest thereon on the unpaid assessment and administrative costs

as the City Council shall determine, or pays the assessment in full within 30 days after the effective date of the assessment ordinance. *(Added by Ordinance #350 - May 15, 1989)*

### 3.258 Lien Records and Foreclosure Proceedings

(1) After the assessment ordinance is adopted, the City Recorder shall enter into the docket of liens a statement of the amount assessed on each lot, parcel of land or portion of land, a description of the improvement, names of property owners, and the effective date of the assessment ordinance. On entry into the lien docket the amounts shall become liens and charges on the lots, parcels of land or portions of land that have been assessed for improvement.

(2) Assessment liens of the city shall be superior and prior to all other liens or encumbrances on property insofar as state law permits.

(3) Thirty days after the date of the assessment ordinance, interest shall be charged at a rate to be determined by the Council, and the city may foreclose or enforce collection of assessment liens in the manner provided by state law. *(Added by Ordinance #350 - May 15, 1989)*

(4) Assessment liens that have been Bancrofted in accordance with Oregon Bancroft Bonding Act and become one year delinquent are subject to foreclose and penalty and interest charges, as prescribed in Oregon Revised Statutes.

(5) The City may enter a bid on property being offered at a foreclosure sale. The City bid shall be prior to all bids except those made by persons who would be entitled under state law to redeem the property. *(Added by Ordinance #350 - May 15, 1989)*

### 3.262 Error in Assessment Calculation.

Claimed errors in the calculation of assessments shall be called to the attention of the Finance Director who shall determine whether there has been an error. If there has been an error, the Finance Director shall recommend to the Council an amendment to the assessment ordinance to correct the error. On enactment of the amendment, the City Recorder shall make the necessary correction in the docket of liens and send a corrected notice of assessment by registered or certified mail. *(Added by Ordinance #350 - May 15, 1989)*

### 3.266 Supplemental Assessments.

If an assessment is made before the total cost of the improvement is determined, and if the amount of the assessment is insufficient to defray expenses of the improvement, the Council may declare the insufficiency by motion and prepare a proposed supplemental assessment. The Council shall set a time for hearing objections to the supplemental assessment and direct the city recorder to provide notice as required in Section 3.320. After the hearing, the Council shall make a just and equitable supplemental assessment by ordinance, which shall be entered in the docket of liens as provided by Section 3.250. Notice of the supplemental assessment shall be mailed,

and collection of the assessment shall be made in accordance with Sections 3.254 and 3.250.  
*(Added by Ordinance #350 May 15, 1989)*

3.270 Rebates.

On completion of the improvement project, if the assessment previously levied on any property is found to be more than sufficient to pay the cost of the improvement, the Council shall determine the excess and declare it by ordinance. When declared, the excess amounts must be entered in the lien docket as a credit on the appropriate assessment. If an assessment has been paid, the person who paid or that person's legal representative shall be entitled to payment of the rebate credit. *(Added by Ordinance #350 - May 15, 1989)*

3.274 Remedies.

Subject to curative provisions of Section 3.282, and rights of the City to reassess as provided in Section 3.286, proceedings for writs and review and other appropriate equitable or legal relief may be filed as provided by state law. *(Added by Ordinance #350 - May 15, 1989)*

3.278 Abandonment of Proceedings.

The Council may abandon proceedings for improvements made under Sections 3.210 to 3.294 at any time before final completion of the improvements. If liens have been placed on property under this procedure, they shall be canceled, and payments made on assessments shall be refunded to the person who paid them or to that person's legal representative. In the event the improvement was initiated by the city under Section 3.212(1), such refund shall be made, together with interest not to exceed the legal rate of interest, from the date the refunded assessment was initially paid to the city. *(Added by Ordinance #350 - May 15, 1989)*

3.282 Curative Provisions.

- (1) An improvement assessment shall not be rendered invalid by reason of:
  - (a) Failure of the engineer's report to contain all information required by Section 3.218.
  - (b) Failure to have all the required information in the improvement resolution, assessment ordinance, lien docket, or notices required to be published and mailed.
  - (c) Failure to list the name of or mail notice to an owner of property as required by this ordinance.
  - (d) Any other error, mistake, delay, omission irregularity or other act, jurisdictional or otherwise, in the proceedings or steps specified, unless it appears that the assessment is unfair or unjust in its effect on the person complaining.

(2) The Council shall have the authority to remedy and correct all matters by suitable action and proceedings. *(Added by Ordinance #350 - May 15, 1989)*

3.286 Reassessment.

When an assessment, supplemental assessment, or reassessment for an improvement made by the City has been set aside, annulled, declared, or rendered void, or its enforcement restrained by a court of this state or by a federal court having jurisdiction, or when the Council doubts the validity of the assessment, supplemental assessment, reassessment, or any part of it, the Council may make a reassessment in the manner provided by state law. *(Added by Ordinance #350 - May 15, 1989)*

3.290 Reapportionment of Assessments.

(1) Property in single ownership at the time of the initial hearing at which the City acquires jurisdiction to perform a public improvement need not be divided by the City for the purpose of levying assessments except when the City received actual notice of the division of ownership of such property prior to the enactment of the assessment ordinance. After an assessment has been levied upon contiguous property in single ownership as provided in this section, there shall be no division or reapportionment of the assessment lien except under the following procedure:

(a) The owner of all or any portion of a parcel of contiguous land subject to a single assessment may make application to the Finance Director for a division and reapportionment of the assessment; and such application shall contain a legal description of each parcel of land into which the property is proposed to be divided together with the name and address of each of the owners and other parties having an interest in such property.

(b) The Finance Director shall prepare a written report reapportioning the assessments within fifteen (15) working days of receipt of the application with recommendations to the City Council. The Finance Director shall mail the report to each owner or party having an interest in the property being reapportioned and shall include notice of the time that the City Council shall hear the recommendations.

(c) The Finance Director shall make no recommendation for reapportionment of an assessment which will impair the security of the City for collection of the assessments upon the property, and provided further no recommendation for reapportionment of an assessment shall be made unless all installment payments are current. The Finance Director may recommend to Council conditions upon such reapportionment's for the protection of the City. *(Amended by Ordinance #376 - October 15, 1990)*

(d) The City Council by resolution shall adopt, modify, or deny the recommendations made by the Finance Director on reapportionment.

~~3.294 Public Works Standards.~~

~~(1) — The "Standard Specifications for Public Works Construction in the City of Wilsonville, Oregon," as amended 1981, is hereby adopted as the Public Works standards for the City. All work done and materials used for public improvements in the City shall conform to such specifications unless otherwise provided for in the particular specification for work authorized by the Council.~~

~~(2) — Not less than three (3) copies of the "Standard Specifications for Public Works Construction in the City of Wilsonville, Oregon" shall be kept and maintained on file in the office of the City Recorder for use and examination by the public.~~

~~(3) — Any person violating any provisions of this section shall be punished upon a first conviction for a violation pursuant to Section 1.012, and upon a subsequent conviction for a Class C Misdemeanor pursuant to Section 1.011. Each day of any violation constitutes a separate offense. (Amended by Ordinance #253 — February 21, 1984)~~

~~(4) — The City Manager and/or City Council may authorize and direct the City Attorney to institute and prosecute in the name of the City in the courts of this state an appropriate suit or action to enjoin violations or threatened violations of this section, or to recover fees chargeable pursuant to this section. In case of any such civil suit, action, or appeal therefrom, the City shall be entitled to recover its costs and disbursements incurred therein and reasonable attorneys' fees as may be fixed by the court in such suit, or action, or appeal.~~

#### ~~Section 1. — General Policy~~

~~A. — All projects involving the construction of public trails (including bike paths and pedestrian ways), public or private streets, and underground utilities in existing public rights-of-way or areas designated as Primary Open Space in the City's Comprehensive Plan shall require the issuance of a Public Works Permit, unless specifically exempted from this requirement as provided herein. Public Works Permits required as specified herein shall include Erosion Control Permits. It is the policy of the City to require temporary and permanent measures for all construction projects, including but not limited to capital improvements, Public Works construction and utility installations, to minimize the adverse effects of construction on the environment. The responsible party shall properly install, operate and maintain both temporary and permanent measures as provided in this section and/or in an approved plan, to protect the environment during the term of the project. In addition, these policies shall apply to all properties within the City, regardless of whether the property is involved in a construction or development activity.~~

~~B. — Nothing in these policies shall relieve any person or organization from the obligation to comply with the regulations or permits of any federal, state, or local authority.~~

~~C. — All projects involving the construction of public trails (including bike paths and pedestrian ways), public or private streets, and underground utilities at locations other than public rights-of-way or Primary Open Spaces shall require the issuance of an Erosion Control Permit, unless specifically exempted from this requirement as provided herein. The following~~



~~paragraphs specify the use of erosion prevention techniques, sediment control measures and other measures to protect the environment. The use of erosion prevention techniques shall be emphasized, rather than sediment control measures. This is especially important on larger construction sites immediately before and during the rainy portion of the year. Erosion prevention techniques are designed to protect soil particles from the forces of water and wind so that they will not erode. These techniques include such things as construction scheduling, ground cover, and matting. Sediment control measures are designed to capture soil particles after they have been dislodged and attempt to retain the soil particles on site. These measures include such things as silt fences and settling basins. Both erosion prevention techniques and sediment control measures have appropriate uses. However, numerous case studies have shown that sediment control measures are less effective in preventing soil movement than erosion prevention techniques.~~

~~Section 2. Public Meetings for Projects Involving Primary Open Space~~

~~A. On projects involving the construction of trails, streets, or underground utilities directly affecting three or more tax lots, in areas designated as Primary Open Space in the City's Comprehensive Plan, applicants shall notify the owners of properties within 250 feet of the proposed project, as listed on the County Assessor's records provided to the City. A copy of this notice shall also be placed as either a legal or display advertisement in a newspaper of general circulation in Wilsonville. The required mailed notice and the newspaper advertisement shall include a map and a description of the proposed project and shall state that anyone in the vicinity may request a public meeting by filing such a request, in writing, with the City Engineering Division, not more than ten days after the postmarked or published date of the notification. The receipt of a written request for a public meeting shall cause the City Engineer to delay the issuance of a Public Works Permit for the proposed project until the owners of property in the vicinity can again be notified and a public meeting conducted to review the proposed project with interested persons, and allowing for the preparation of responses to concerns that may be raised in the public meeting.~~

~~1) Failure of any party to receive written or published notice shall not invalidate the process. However, the applicant shall provide a signed affidavit listing the names and addresses of those to whom the invitation was sent and an affidavit listing the newspaper and publication date.~~

~~2) If the City Engineer determines that a sufficient effort has not been made to contact neighboring property owners, the City Engineer may require the applicant to schedule another meeting and improve the public notification.~~

~~3) Public meetings may be conducted in City offices, with proper scheduling. The applicant shall be responsible for conducting the meeting, preparing minutes of the meeting, and shall prepare a written response to any and all concerns raised by the public in the meeting. That written information shall be provided to the City Engineer with the application for a Public Works Permit. The applicant shall specifically address each comment raised and~~

~~shall indicate any changes to the proposed project that resulted from comments received from the public.~~

~~B. Exemptions from public meeting requirement. The following are exempt from the requirement of a public meeting listed above:~~

~~1) Projects where a public hearing has already been conducted by the City's Development Review Board, Planning Commission, or City Council on the proposal;~~

~~2) Projects where a public meeting has already been held and the owners of property within the neighborhood were invited to participate in that meeting, as provided in section 2, above;~~

~~3) Repairs to existing facilities;~~

~~4) Maintenance of existing facilities;~~

~~5) Individual underground utility service to not more than two tax lots;~~

~~6) Projects conducted entirely within existing, publicly owned right of way;~~

~~7) Emergency measures needed to protect lives or property.~~

### ~~Section 3. Erosion Control~~

~~Application and Purpose. It is a City requirement to reduce the amount of sediment and other pollutants reaching the public storm and surface water system resulting from development, construction, grading, excavating, clearing, and any other activity which accelerates erosion, to the limits prescribed herein. These provisions shall apply to all land within the City.~~

### ~~Section 4. Erosion Prohibited~~

~~Visible or measurable erosion as determined by the City Engineer, or the City Engineer's agent, which enters, or is likely to enter, the public storm or surface water system, is hereby prohibited, and is a violation of these rules. The owner of the property, the permittee under a Construction Permit Agreement, together with any person who causes or allows erosion to occur, shall be considered to be in violation of these rules.~~

~~In determining measurable erosion, the City will rely on the adopted Water Quality Standard that are not to be exceeded for the waters of the Willamette Basin (OAR 340-41-445). They currently include standards for dissolved oxygen, temperature, turbidity, pH, bacteria, and total dissolved solids.~~

### ~~Section 5. Erosion Control Permits~~

~~A. — Except as noted herein, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause, a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees. Such changes to land shall include, but are not limited to, grading, excavating, filling, working of land, or stripping of soil or vegetation from land. Any work requiring a Grading Permit, as specified in the applicable Building Code, shall require an Erosion Control Permit, unless specifically exempted from this requirement as specified in subsection 5(c), below. Where a Grading Permit is being issued for on-site work, the Grading Permit may include the Erosion Control Permit.~~

~~B. — No utility company or contractor shall begin construction, grading, excavation, fill, or the clearing of land without first verifying in writing that the City has issued an Erosion Control Permit covering such work, or the City has determined that no such Permit is required. No public agency or body shall undertake any public works project without first obtaining an Erosion Control Permit covering such work, or receiving a determination from the City that none is required.~~

~~1) — Construction on slopes greater than 5%, or on highly erodible soils, shall be subject to limitations or conditions of approval that may limit excavation or other construction from November 1 through April 30.~~

~~2) — Limits of work are to be specified in the Erosion Control Permit. The Contractor shall provide a tentative construction schedule and shall notify the City Engineer's office at least 24 hours before the start of excavation or construction.~~

~~C. — No Erosion Control Permit (from the City) is required for the following:~~

~~1) — For work of a minor nature, provided that all of the following criteria are met:~~

~~a) — The land development does not require a Grading Permit or a development permit, from the City, and~~

~~b) — No land development activity or disturbance of land surface occurs within 100 feet of a Primary Open Space, as defined in the City's Comprehensive Plan, and~~

~~c) — The slope of the site is less than 12 percent, and~~

~~d) — The work on the site involves the disturbance of less than 500 square feet of land surface, and~~

~~e) — The excavation, fill, or combination thereof involves a total of less than 20 cubic yards of material.~~

~~2) Permits and approvals for land division, interior improvements to an existing structure, and other approvals for which there is no physical disturbance to the surface of the land.~~

~~3) Activities within the City which constitute accepted farming practices as defined in ORS 215.203, and which are permitted by City zoning.~~

~~4) Exception from the permit requirement does not exempt the property owner from the responsibilities outlined herein.~~

#### ~~Section 6. Erosion Control Permit Process~~

~~A. Applications for Erosion Control Permit. Application for a Permit shall include a grading and erosion control plan which contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion. The grading and erosion control plan shall meet the requirements herein. The grading and erosion control plan shall be prepared using either of the following methods:~~

~~1) Using the techniques and methods contained and prescribed in the Erosion Prevention and Sediment Control Plans Technical Guidance Handbook, City of Portland and Unified Sewerage Agency, Revised, February 1994, together with the exceptions herein. This document is hereby adopted by reference.~~

~~2) A site specific plan outlining the protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year as calculated using the Soil conservation Service Universal Soil Loss Equation or other equivalent methods established by Board rule. An Erosion Control Information Form (from Appendix B of the Technical Guidance Handbook), shall be filled out for all private developments, public rights-of-way and public works construction sites.~~

#### ~~Section 7. Maintenance~~

~~The applicant shall maintain the facilities and techniques contained in the approved Erosion Control Permit so as to assure that they remain effective during the construction or other permitted activity. If the facilities and techniques approved in an Erosion Control Permit are not effective or sufficient as determined through site inspection, the permittee shall submit a revised plan within three working days of written notification by the City. Upon approval of the revised plan by the City, the permittee shall immediately implement the additional facilities and techniques of the revised plan. In cases where erosion is occurring, the City may require the applicant to install interim control measures prior to submittal of the revised erosion control plan.~~

#### ~~Section 8. Inspection~~

~~—Prior to the foundation inspection of a building, the permittee shall call the City for an inspection of the erosion control measures for that property. On a site development project, the erosion control measures shall be installed prior to the start of any excavation work.~~

~~Section 9. Physical Erosion~~

~~—No person shall drag, drop, track, or otherwise place or deposit, or permit to be deposited, mud, dirt, rock or other such debris upon a public street or into any part of the public storm and surface water system, or any part of a private storm and surface water system. Any such deposit of material shall be immediately removed using hand labor or mechanical means. No material shall be washed or flushed into any part of the storm and surface water system without erosion control measures installed to the satisfaction of the City and any such action shall be an additional violation.~~

~~Section 10. Permit Fee~~

~~—The City shall collect a fee to defray the costs of review of plans, administration, enforcement, and field inspection to carry out the rules contained herein.~~

~~Section 11. Exceptions to Erosion Control Techniques and Methods~~

~~—The erosion control techniques and methods in the Erosion Prevention and Sediment Control Plans Technical Guidance Handbook dated February 1994 may be used, with the following exceptions:~~

~~A. — A gravel construction entrance shall be required, rather than an option. If there is more than one vehicle access point, a gravel construction entrance shall be required at each entrance. The responsibility for design and performance of the driveway remains with the applicant. Under no circumstance shall vehicles or equipment enter a property adjacent to a stream, water course, or other storm and surface water facility, or a wetland, such that it would not be possible to avoid contaminating or depositing mud, dirt, or debris into the water or wetland.~~

~~B. — Silt Barriers. The use of straw bales as a silt barrier is discouraged.~~

~~C. — Exceptions to Silt Barrier Requirement. Silt barriers are not required on a site:~~

~~— 1) — Where a Community Erosion Control Plan is in effect.~~

~~— 2) — Where there are no concentrated flows and the slope being protected has a grade of less than 2 percent.~~

~~— 3) — Where flows are collected through the use of temporary or permanent grading or other means such that the flows are routed to an approved settling pond, filtering system, or silt barrier.~~

~~4) Where there are no concentrated flows, slopes are less than 10 percent, and where the run-off passes through a grassed area which is either owned by the applicant, or approved for such use in writing by the owner of the grassed area. The grass area shall be at least equal in dimensions to the area being protected.~~

~~5) Where the surface is protected by appropriate ground cover or matting.~~

~~D. Neighborhood Erosion Control Plan. Any individual or group may submit a plan to control erosion from multiple lots. This shall be referred to as a "Neighborhood Erosion Control Plan." In such case, the group of lots will be evaluated as if they were one lot.~~

~~If an individual lot in a Neighborhood Erosion Control Plan changes ownership, the new owners may either join the Neighborhood Erosion Control Plan (with the approval of the other "neighborhood" owner or owners), or will need to submit their own Erosion Control Plan if erosion potential still exists on the parcel. If a lot changes ownership and the new owner does not join the Neighborhood Erosion Control Plan, then the Plan must be revised to provide for the exclusion.~~

~~E. Protection Measure Removal. The erosion control facilities and techniques shall remain in place and be maintained in good condition until all disturbed soil areas are permanently stabilized by installation and establishment of landscaping, grass, mulching, or otherwise covered and protected from erosion. A final erosion control inspection shall be required prior to any change in ownership of the subject property.~~

~~F. Catch Basin Protection. A filter system may not be used on catch basins in public streets as a part of erosion control plans for development of a single family residential area unless it is a part of a Neighborhood Erosion Control Plan and none of the individual lots are being occupied.~~

~~G. Plastic Sheeting. Plastic sheeting shall generally not be used as an erosion control measure in single family house construction. Plastic sheeting may be used to protect small, highly erodible areas, or temporary stockpiles of material. If used, the path of concentrated flow from the plastic must be protected.~~

~~H. Ground Cover Establishment. On sites where vegetation and ground cover have been removed from more than one acre of land, ground cover shall be re-established by seeding and mulching on or before September 1 with the ground cover established by October 15. As an alternative to seeding and mulching, or if ground cover is not established by October 15, the open areas shall be protected through the winter with straw mulch, erosion blankets, or other similar method. Ivy shall not be used as a ground cover for erosion control purposes.~~

~~Section 12. 1200-C Permit (Erosion Control Joint Permit)~~



~~—The Department of Environmental Quality (DEQ) requires permits for construction activities which will disturb five or more acres. The 1200-C permit is required for compliance with the Federal NPDES rules contained in 40 CFR Parts 122, 123, and 124 adopted by EPA November 16, 1990. All persons and organizations involved in construction activities shall comply with all additional requirements specified in that permit.~~

#### ~~Section 13. Activities in Wetlands~~

~~—Both the Army Corps of Engineers and the Oregon Division of State Lands have permit procedures for construction activities in wetlands that are within the jurisdiction of those agencies. Applicants for Public Works Permits shall be required to demonstrate their compliance with all applicable requirements of those agencies, including any required mitigation.~~

~~—The construction of underground utilities in wetland areas shall require the use of impermeable barriers, in such a manner as to avoid draining the wetlands.~~

#### ~~Section 14. Work in Flood Prone Areas~~

~~—Work in flood prone areas shall be subject to the requirements of Section 4.162 of the Wilsonville Code and to all applicable Federal Emergency Management Agency (FEMA) flood insurance standards.~~

#### ~~Section 15. Geotechnical Investigation~~

~~—Work on slopes exceeding 12%, which is not exempt from the Public Works Permit requirements included herein, shall require a written report from a civil engineer with geotechnical expertise. That report shall verify that the potential hazards of construction in the area have been considered and that adequate measures will be included in the design and construction to assure that risks to life, property and the environment will be avoided or mitigated.~~

#### ~~Section 16. Dust~~

~~—Dust shall be minimized to the extent practicable, utilizing all measures necessary, including, but not limited to:~~

- ~~A. Sprinkling haul and access roads and other exposed dust producing areas with water.~~
- ~~B. Applying dust palliatives on access and haul roads.~~
- ~~C. Establishing temporary vegetative cover.~~
- ~~D. Placing wood chips or other effective mulches on vehicle and pedestrian use areas.~~



~~Contractor shall immediately notify the City and an emergency response team of the situation upon its discovery.~~

~~Section 21. — Underground Utilities (exposed areas)~~

~~—— Utilities that are otherwise located under ground, but which are visible where they cross swales, channels, or other intermittent low spots, shall be considered to be underground utilities, as the term is used in this ordinance.~~

~~Section 22. — Enforcement~~

~~—— Failure to comply with any provision of this Chapter or with any condition of a Permit, shall be deemed a violation of this ordinance and subject to enforcement action pursuant to applicable City ordinance.~~

~~Section 23. — Severability~~

~~—— If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.~~

~~Section 24. — Emergency Enactment.~~

~~—— The matters herein concern the public health, safety and welfare, and in consideration that the construction season has commenced, and in view of prevailing economic conditions, an emergency is declared to exist and this Ordinance shall take effect immediately upon its adoption by the City Council.~~

## Right-of-Way and Public Easement Management

### 3.300 Intent and Scope

- (1) Pursuant to the statutes of the State of Oregon and the powers granted in the Charter of the City, the City Council declares its intent to acquire, own, operate, maintain, and manage rights-of-way and to acquire, maintain, and manage public easements.
- (2) The purpose of this chapter is to provide for the non-discriminatory and competitively neutral management of the public rights-of-way and public easements in the interest of public safety and convenience and the protection of public infrastructure.
- (3) When any of the words or requirements under this chapter are ambiguous and subject to interpretation, they shall be interpreted and applied so as to avoid a violation of federal or state law.
- (4) If any section, sentence, clause or provision in this chapter is held by a court of competent jurisdiction to be invalid or unenforceable, or is preempted by federal or state law, the remainder of this chapter shall not be affected.

### 3.310 Definitions.

The following definitions shall apply generally to the provisions of this chapter:

- (1) **City.** "City" means the City of Wilsonville, an Oregon municipal corporation, and all of the territory within its corporate boundaries, as may change from time to time.
- (2) **City's Authorized Representative.** "City's authorized representative" means the staff or person(s) as designated by the City Engineer to represent the City and/or oversee User's work.
- (3) **City Facilities.** "City Facilities" means City or publicly-owned structures or equipment located within the Right-of-Way or public easement used for governmental purposes.
- (4) **Equipment or Facilities.** "Equipment" or "facilities" means any tangible component, whether referred to singly or collectively, installed, maintained, or operated by User within the right-of-way, public easement, or public utility\_easement. By way of example, the terms means any pole, wire, sensor, loop, light, stabilization or "guy" wire, anchor, pipe, conduit, line, main, duct, cable, wire, switch, transformer, valve, antennae or other equipment, including any equipment box or vault, located wholly or in part under, on, or above the surface of the ground within any right-of-way or easement. "Facility" includes any item placed in the right of way for the purpose of providing electric power, natural gas, telephone, telecommunications, radio, cable television, internet access, sewer, water, storm sewer or other utility or similar service.

- (5) **Franchise.** "Franchise" means an agreement between the City and User which grants a privilege to use public Right-of-Way, public easement or public utility easements within the City for a dedicated purpose and for specific compensation.
- (6) **Non-City Facilities.** "Non-City Facilities" means light poles, utility poles, pipes, cable, wire, conduit, vaults, ducts, fiber or similar equipment that is not owned or operated by the City and that is lawfully placed in the Right-of-Way, public easement or public utility easement.
- (7) **Person.** "Person" means any individual, sole proprietorship, partnership, corporation, association or other organization authorized to do business in the State of Oregon, and includes any natural person.
- (8) **Right-of-Way.** "Right-of-Way" means the space in, upon, above, along, across, over or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, sidewalks, bicycle lanes, and places used or intended to be used by the general public for travel as the same now or may hereafter exist, that the City has the right to allow User to use. Right-of-Way shall not include the airspace above the right-of-Way used for cellular mobile radio service or broadcast television service.
- (9) **Public Easement.** "Public easement" means the space identified within the easement document this is in, upon, above, along, across, over or under the publicly owned and maintained storm, sanitary, or water facility.
- (10) **Public Utility Easement.** "Public utility easement" means the space in, upon, above, along, across, over or under the easement as identified within the easement document. By way of general description, public utility easements are typically created along the border(s) of a tax lot or frontage along public right-of-way and are intended for the use of utility companies and other authorized users to operate, place, relocate and maintain facilities in accordance with city requirements and standards.
- (11) **User.** "User" means a Person that performs Work within the Rights-of-Way, public easement or public utility easements, whether or not a permit is applied for or granted.
- (11) **Work.** "Work" means excavation or fill, or the construction, demolition, installation, replacement, or relocation of Equipment, within the Right-of-Way, public easement or public utility easement.

### 3.320 Permits.

- (1) **Permit Required.** No Person or User shall occupy or encroach on Right-of-Way, Public Easement or Public Utility Easements, nor store materials in, or perform Work, or place, relocate or maintain facilities located within Right-of-Way or easements without first obtaining a permit from the City. Application for such permit shall include at a minimum proposed construction plans and traffic control plans and shall be accompanied by an

application fee. Permits are not required for routine maintenance or repair of above ground Equipment, the installation of new replacement cables or wires on existing aerial facilities, when the installation, maintenance or repair will not impact vehicular, pedestrian, or bicycle traffic by closing or blocking or partially obstructing a lane of travel and for the installation of individual customer service connections, repairs or maintenance that does not require cutting or breaking of the roadway, curb or sidewalk.

Emergency responses related to existing facilities, in order to prevent service interruptions or the imminent threat of harm to persons and property, may be undertaken without first obtaining a permit; however, the City Engineer shall be notified immediately, or as soon as reasonably possible after cessation of the emergency regarding work performed, or being performed, in the Rights-of-Way.

This permit is labeled a “Right of Way and Public Easement Use Permit.” The City Engineer or City’s authorized representative is authorized to establish application forms, reasonable right-of-way management procedures, terms, and conditions for such permits, approve or deny permit applications, and perform such other acts as provided by this ordinance .

(a) **Determination by City.** The City’s authorized representative shall, within 30 days of receipt of a complete permit application, issue a written determination granting, granting with conditions, or denying the permit in whole or in part. If the permit is denied, the written determination shall include the reasons for denial. The permit shall be evaluated based upon the demonstrated ability of the permit applicant to meet the terms of this chapter, the continuing capacity of the public right-of way or public easement to accommodate the permit applicant’s proposed facilities and the applicable federal, state and local laws, rules and polices. If denied, the applicant may appeal to the City Council.

(b) **Additional Terms and Conditions.** If the public interest warrants, The City Engineer or authorized representative and User may negotiate non-discriminatory additional terms and conditions regarding the management of the right-of-way to clarify, enhance, expand, waive or vary the provision of this chapter. The additional terms and conditions may conflict with the terms of Section 3.300 to 3.410 with the review and approval of City Council. Such additional terms and conditions shall be in writing and signed by both the City and applicant.

(2) **Permit Non-Exclusive.** The permit is not exclusive. The City expressly reserves the right to grant permits or rights to other Persons, as well as the City's right to use the Right-of-Way or public easement for similar or different purposes, as allowed hereunder. The permit is subject to all recorded deeds, easements, dedications, conditions, covenants, restrictions, encumbrances, and claims of title of record that may affect the Right-of-Way or public easement. Nothing in the permit shall be deemed to grant, convey, create, or vest in User a real property interest in land, including any fee, leasehold interest, or easement.



- (3) **Reservation of City Rights.** Nothing in the permit shall be construed to prevent the City from constructing sewers, grading, paving, repairing and/or altering any Right-of-Way, Public Easement or public utility easement, laying down, repairing or removing water mains or constructing or establishing any other public work, utility or improvement, including repairs, replacement or removal of City Facilities. If any of User's Equipment interferes with the construction or repair of any Right-of-Way, public easement, public work, City utility, City improvement, or City Facility, and the City and User are unable to find a reasonable alternative, User's Equipment shall be removed or relocated as provided in 3.340 below, in a manner acceptable to the City, and subject to industry standard engineering and safety codes.
- (4) **Permit Fee.** The application for a permit shall be accompanied by a permit fee which shall be set and adjusted by the City Manager in an amount designed to reasonably defray administrative expenses.

### **3.340 Construction, Installation and Relocation**

- (1) **Construction and Installation.** Subject to the terms of the permit, User may enter upon the Right-of-Way, Public Easement or public utility easement to perform all Work that is necessary to install, operate, maintain, remove, reinstall, relocate, and replace Equipment in or on User's Facilities or in or on City Facilities. All work shall be in conformance with the Public Works Standards and other federal, state, or local laws and ordinances. The City may determine the methods used to place Equipment to the extent such methods are reasonable and feasible. Any disturbance to existing City or private facilities shall be immediately repaired and brought to equal or better condition.
- (2) **No Interference.** User, in the performance and exercise of its rights and obligations under the permit, shall not interfere in any manner with the existence and operation of any Rights-of-Way, sanitary sewers, water mains, storm drains, gas mains, poles, aerial and underground electrical and telephone wires, electroliers, traffic control signals, light poles, utility poles, pipes, cable, wire, sensor, loop, light, stabilization or "guy" wire, anchor, conduit, line, main, switch, transformer, antennae, vaults, ducts, fiber, cable television, and other telecommunications, utility, communication system or municipal property, without the express written approval of the owner or owners of the affected personal property or properties. Upon notification by the City, User may be required to review plans of others to determine if interference may occur.
- (3) **Under Grounding Required.** All new equipment or facilities shall be constructed pursuant to W. C. 4.300 – 4. 320. User is prohibited from installing any new aerial cables, wire, or conduit except in locations where existing aerial cables, wire, or conduit have not yet been brought underground, permission for attachment or over-wrapping is obtained, and the City has no planned and funded construction project to bring aerial utilities underground. -

When new construction occurs, existing overhead equipment or facilities on the project site or immediately adjacent to the project site, shall be brought under ground, wherever reasonably possible, in a location acceptable to the City. The cost of bringing such equipment or facilities underground (but not the cost of any upgraded equipment or facility) shall be the responsibility of the developer responsible for the project site.

(4) **Hours of Work.** Except for emergencies, hours of work are as follows:

Monday through Friday:	7:00 a.m. to 8:00 p.m. Pacific Standard Time
Monday through Friday:	7:00 a.m. to 9:00 p.m. Pacific Daylight Time
Saturday:	9:00 a.m. to 6:00 p.m. Pacific Standard Time
Saturday:	9:00 a.m. to 7:00 p.m. Pacific Daylight Time
Sunday:	No work Allowed unless authorized by the City Engineer

(5) **Obtaining Required Permits.** If the excavation, installation, operation, maintenance, removal, reinstallation, relocation or replacement of the Equipment in the Right-of-Way or easement requires any additional permits, User shall obtain the permits and pay any standard and customary permit fees as provided by law.

(6) **Plans.** Upon request, and in a generally recognized format acceptable to the City, each User shall provide the City with an accurate map(s) certifying the approximate horizontal and vertical location, size and type of material of all of User's under ground facilities within the public Rights-Of-Way, Public Easement or Public Utility Easement or easements or a portion thereof. A User shall not be required to "pothole" or conduct "vertical locates" to satisfy a mapping request unless reasonably required for the design of a City public improvement project. For 100% City-financed projects, City shall be responsible for any elevation surveys and contacting Digsafelyoregon.com (one call) for any pre-engineering locates.

(7) **Duty to provide information.** Within sixty (60) business days of a written request from the City, each User shall:

(a) Furnish the City with information sufficient to demonstrate that User has complied with all requirements of this ordinance provided that the city outline the specific area(s) and matter for which City is reviewing the Users compliance .

(b) Make available for inspection by the City at reasonable time and intervals all maps, diagrams, plans and other documents, maintained by the User that describe or locate facilities within the public Right-of-Way or easement.

(8) **Relocation.** City shall have the right to require User to change the location of its Equipment or to remove its Equipment from the Right-of-Way and Public Easement, and to relocate its equipment within a Public Utility Easement. Costs for relocation or removal necessitated for anything other than publicly--funded projects shall be borne by the Person requesting/ necessitating relocation or removal. User shall pay the cost for

relocation of User's Equipment for publicly-funded projects to the extent the City is not reimbursed . When a project is funded with both private and public funds, User shall pay the percentage of the costs that is equal to the percentage of City funds that were spent on the relocation. Prior to relocation, the City shall make a reasonable effort to find an alternative location within a public Right-of-Way for relocated facilities. If User shall fail to relocate or remove any Equipment as requested by the City by the date established by the City, the City may cause the Equipment to be removed at User's sole expense. Upon receipt of a detailed invoice for payment from the City, User shall reimburse the City for the costs the City incurred within sixty (60) days. This subsection operates concurrently with Oregon Administrative Rules.

- (9) **Repairs and Restoration.** Repairs to existing City Facilities that have been damaged during User's installation, operation, maintenance, removal, reinstallation, replacement or relocation of Equipment in the Right-of-Way or easement and/or restoration of landscaping shall be in conformance with the Public Works Standards. If User does not repair the Right-of-Way or easement to at least the condition that existed prior to construction within the time frame given in the permit or as otherwise agreed to by the City, then the City may, upon fifteen (15) days (or less if public safety requires) prior written notice to User, repair the Right-of-Way or easement at User's sole expense. Upon the receipt of a detailed invoice from the City, User shall reimburse the City for the costs the City incurred within sixty (60) days.
- (10) **Use by City.** The City, at its cost, may install pipes or conduit in any trench or excavation created by User, to the extent that such space therein or thereon is reasonably available. The City may also require User to excavate trenches larger than needed by User, with the excess capacity to be utilized by the City and with the City responsible for the incremental cost provided that such requirement does not impose unreasonable delay on the User's construction activities.
- (11) **Safety.** User shall perform all Work in a manner that ensures safety of workers and the public. Safety requirements and traffic maintenance shall be in conformance with the Public Works Standards.
- (12) **Moving of Structures and Equipment.** Whenever it becomes necessary to allow for the passage of buildings, machinery or other objects, User shall temporarily rearrange, remove, lower or raise its wires, cables or other Facilities as necessary, at no cost to the City. However, any person or persons, other than the City, desiring to move any such buildings, machinery or other objects, shall pay the entire actual cost incurred by User for changing, altering, moving, removing or replacing its wires, cables, or other Facilities so as to permit such passage, and shall deposit in advance with User a sum equal to such cost as estimated by User. The person or persons that requested the move shall pay all direct damages caused directly by the changing, altering, moving, removing or replacing of such wires, cables or other Facilities, except for damages and claims that are the direct result of User's negligent acts. Except in an emergency, User shall be given not less than thirty (30) days written notice by the party desiring to move such building or other

objects. Such notice shall detail the route of movement of such buildings or other objects over and along the streets, alleys, avenues, thoroughfares and public highways of the City. Upon receiving required notice, User shall complete such moves as soon as practicable, and without undue delay. Furthermore, the passage of buildings, machinery or other objects shall be with as much haste as possible and shall not be necessarily delayed or cause User unnecessary expense or waste of time.

**3.350 Maintenance.** User shall install and maintain all Equipment in a manner that prevents injury to the Right-of-Way, Public Easement or Public Utility Easement, the City's property or the property belonging to another person. User shall, at its own expense, repair, and maintain Equipment from time to time as may be necessary to accomplish this purpose.

**3.360 Vacation.** If the City vacates any Right-of-Way, or portion thereof, that User uses, User shall remove its Equipment from the Right-of-Way at its own expense unless the City reserves a public utility easement, which the City shall make a reasonable effort to do. User shall be notified of proposed vacation at least 90 days before User shall be required to relocate or remove its Equipment. If User fails to remove its Equipment within thirty (30) days, or as otherwise necessary to complete removal, after a Right-of-Way is vacated, the City may remove the Equipment at User's sole expense. Upon receipt of a detailed invoice from the City, User shall reimburse the City for the costs the City incurred within sixty (60) days.

**3.370 Financial, Liability and Insurance Provisions.**

(1) **Insurance.**

(a) When the City, at its sole discretion, determines that the User's Work or manner of performance warrants, User shall maintain public liability and property damage insurance that protects User and the City, as well as the City's officers, agents, and employees, from the claims referred to in Paragraph C of this Section. The insurance shall provide coverage at all times of not less than \$500,000 for bodily injury including death and personal injury for one claimant, \$1,000,000 for bodily injury including death and personal injury for each occurrence, and \$1,000,000 for each occurrence involving property damages, plus costs of defense; or a single limit policy of not less than \$1,000,000 covering all claims per occurrence, plus costs of defense. Motor vehicle liability insurance in the amount of \$1,000,000 for each occurrence shall be maintained. The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon. The insurance shall be without prejudice to coverage otherwise existing and shall name as additional insureds the City and its officers, agents, and employees. The coverage must apply as to claims between insureds on the policy. The Certificate of Insurance shall provide that the insurance shall not be canceled or materially altered without thirty (30) days' prior written notice first being given to the City. If the insurance is canceled or materially altered, User shall provide a replacement policy with the terms as outlined in this Section. User shall maintain continuous uninterrupted coverage, in the terms and amounts required. User may self insure any or all of the above coverage.

(b) User shall maintain on file with the City a Certificate of Insurance or self-insurance certifying the coverage required above.

(2) **Financial Assurance.** When the City, at its sole discretion, determines that User's Work or manner of performance warrants, the City may request and the User shall provide a financial security. The form of the financial security (bond, cashiers check, letter of credit, etc.) shall be reasonably determined by the City Engineer or authorized representative. The value of the financial security shall be in an amount determined by the City Engineer or designee but shall not exceed 150% of the engineer's estimated value of the Work the User is obligated to perform. The estimated value of the Work shall be verified by the City's authorized representative. The financial assurance instrument shall be reasonably reviewed and approved as to form by the City Attorney.

(3) **Indemnification**

(a) User shall indemnify, defend, and hold the City, its officers, agents, and employees harmless from any claims for injury, damage, loss, liability, cost or expense, including court and appeal costs and attorney fees or expenses, arising from any casualty or accident to person or property by reason of any act done under the permit, by or for User, its agents or employees, or by reason of any neglect or omission of User to keep its Equipment in a safe condition, but not if arising out of or by reason of any negligence or willful misconduct by the City, its officers, agents or employees. The City shall provide User with prompt notice of any such claim, which User shall defend. No settlement or compromise of any such claim will be done by the City or the User without the prior written approval of the other party. User and its agents, contractors and others shall consult and cooperate with the City while conducting its defense.

(b) User shall also indemnify the City for any damages, claims, additional costs or expenses assessed against or payable by the City arising out of or resulting, directly or indirectly, from User's failure to remove or relocate any of its Equipment in the Rights-of-Way or easements in a timely manner, unless User's failure arises directly from the City's negligence or willful misconduct or that of another User.

**3.380 Vegetation.** User shall prune or cause to be pruned any vegetation to the extent allowed by law, including but not limited to tree limbs and roots that protrude into the Right-of-Way or easement and inhibit the operation of the User's Equipment. Except for an emergency, before pruning any vegetation, User shall obtain any required permits from the City. The City shall provide notification to users of any pruning or permitting requirements. All pruning shall be done using proper arboricultural practices. User shall be responsible for the costs of pruning and of replacing or treating any vegetation that is not pruned in accordance with proper arboricultural practices and that is damaged or dies as a result. If User fails to replace or treat damaged or dead vegetation within thirty (30) days after receiving written notice from the City, the City may replace or treat the vegetation at User's sole expense. Upon receipt of a detailed invoice from the City, User shall pay the City for the costs the City incurred within sixty (60) days.

**3.390 Discontinued Use.** Whenever User discontinues use of any Equipment and does not intend to use the Equipment within six (6) consecutive months, User shall remove the Equipment from the Right-of-Way or easement unless the City agrees, in writing, that the Equipment may remain in the Right-of-Way or easement and the User conveys title or ownership of the Equipment to the City. The City shall not unreasonably withhold such agreement. If User fails to remove Equipment that is no longer going to be used, and the City has not agreed to allow User to abandon such Equipment in place, the City may remove the Equipment at User's sole expense. Upon receipt of a demand for payment from the City, User shall pay the City for the estimated costs or a detailed invoice of the costs the City incurred within sixty (60) days.

**3.400 Assignment.** Except as provided below, the permit shall not be assigned or transferred without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned, or delayed. User may assign a franchise or permit to a parent, subsidiary, affiliate, or to any entity that acquires all or substantially all the equity or assets of User by sale, merger or otherwise without the consent of the City, but upon written notice to the City.

**3.410 Franchise Required.**

**“Section 3.410 Franchise Required**

(1) Unless exempted by state or federal law, User shall enter into a non-exclusive Franchise agreement with the City for cable services and other services as specifically set forth in City Code. To the extent allowed by law, the requirements of this chapter may be varied or waived by the provisions of a franchise agreement to account for the different impact of various user's facilities on the City's rights of way; provided, however, that no such franchise or similar authorization shall contain material terms which are substantially more favorable or less burdensome than the material terms and conditions of other franchise agreement users with the same impacts.

“(2) To the extent that this Ordinance is not in conflict with, and can be implemented with, User's existing Franchise agreements, this Ordinance shall apply to all such Franchise agreements for use of the public rights of way or public easements.

“(3) Severability. In the event any provisions of this Ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. **Section amended in entirety by Ord. 767 adopted 2/19/15**

**3.420 Alternative Procedures for Disposition of City Property**

**(1) Authority and Purpose**

Pursuant to ORS 221.727, the City Manager or designee is authorized to sell, transfer, or modify the City's interest in any real property which is held or granted to the City or the public as a right of way or for the limited purpose of allowing installation, construction, and/or maintenance of public utility facilities.

**(2) Authority of the City Manager to Sell, Transfer, or Modify**



(a) The City Manager or designee may sell, transfer, or modify the City's interest in real property which is held or granted to the City or the public for the limited purpose of allowing installation, construction, and/or maintenance of public utility facilities when such property is no longer needed for public use or when such sale, transfer, or modification will further the public interest.

(b) The City Manager or designee may sell, transfer, or modify the City's interest in real property which is held or granted to the City or the public as a right of way when the sale, transfer, or modification of the right of way is a condition of approval of a land use development permit.

(c) Relevant factors to be considered by the City Manager or designee include, but are not limited to:

- (i.) The need of the City or a utility provider for the easement or any portion thereof.
- (ii.) Existing utility facilities within or near the easement.
- (iii.) Future plans for development or for extension of utility services within or near the easement.
- (iv.) Topography and lateral support of the easement and of the surrounding area.
- (v.) Development proposals for the property subject to the easement or any nearby property.
- (vi.) Appropriate consideration to be provided in exchange for a transfer.

(d) The City Manager or designee may sell, transfer, or modify the property interest, or a portion thereof, by quit claim deed or by such document as otherwise approved by the City Attorney, conditioned upon the satisfaction of conditions under which the public interest may be better served.

Section 3.420 added with adoption of Ord. 669 on 10/5/09.

## PRIVILEGE TAXES

### 3.500 Purpose

The purposes of this ordinance are to require utilities and others occupying rights of way administered by the City to compensate the public for the use of those rights of way and to assure that the City's costs related to maintenance, administration and preservation of rights of way for such use are paid for by those who cause such costs.

### 3.510 Definitions

As used in this chapter, the following terms have the following meanings:

(1) Equipment or Facilities. "Equipment or Facilities" shall have the meaning given that term in W.C. 3.310 (4), viz, any tangible component, whether referred to singularly or collectively, installed, maintained, or operated by User within the right-of-way, public easement, or public utility easement. By way of example, the terms mean any pole, wire, pipe, conduit, line, main, duct, cable, wire, switch, transformer, valve, or other equipment, including any equipment box or vault, located wholly or in part under, on, or above the surface of the ground within any right of way. "Facility" includes any item placed in the right of way for the purpose of providing electric power, natural gas, telephone, telecommunications, radio, cable television, internet access, sewer, water, storm sewer or other utility or similar service.

(2) Right-of-Way. "Right-of-Way" shall have the meaning given that term in W. C. 3.310(8), viz, the space in, upon, above, along, across, over or under the public street, roads, highways, lanes, courts, ways, alleys, boulevards, sidewalks, bicycle lanes, and places used or intended to be used by the general public for travel as the same now or may hereafter exist, that the City has the right to allow User to use. Right-of-Way also includes public utility easements.

(3) Telecommunications carrier. "Telecommunications carrier" has the meaning given that term in ORS 133.721.

(4) Gross revenues. As used in Section 3.530 (1), "gross revenues" has the meaning given that term in ORS 221.515(2). As used elsewhere in Section 3.530 (2), "gross revenues" means all revenue, including but not limited to monthly service charges received from customers within the City, any separately charged amounts received from customers within the City (excluding amounts collected for taxes and paid to the taxing entity), and any other amounts received for services (including resale services and rent) that use facilities but excluding any amount paid directly by the United States Government, or revenue from Cellular Mobile Radio Services/Mobile Telephone ("CRMS") services.

### 3.520 Tax Imposed

Except as provided in this Section, a privilege tax is imposed on all persons who place equipment or facilities in or on City right of way.

### **3.530 Amount of Tax**

The privilege tax shall be as established by Resolution of the City Council or as follows:

(1) The privilege tax for a telecommunications carrier with facilities in rights of way and who provide service within the City shall be seven percent of gross revenues earned within the City.

(2) The privilege tax for all others with facilities in rights-of-way within the City and serving city residents shall be five percent of gross revenues.

(3) The privilege tax for those with antennas or other facilities in the right-of-way, public easement or public utility easement, e.g., wireless/CMRS providers, shall be as negotiated and agreed to by the city and provider.

(4) The privilege tax for persons who have facilities in rights of way but do not provide service within the City shall be \$.75 per calendar quarter per foot of line, wire, pipe, or conduit in the right-of-way

(5) The privilege tax shall be cumulative. By way of example, a person required to pay tax on both antennas and facilities shall pay both the tax on antennas and the tax on facilities.

### **3.540 Credit**

Any person paying a franchise fee to the City shall be entitled to a credit towards the Privilege Tax in the full amount of the franchise fee paid.

The gross revenues of a telecommunication carrier that provides telecommunication services using utility facilities owned or operated by other utilities may be reduced by the amount paid for the use of such utility facilities if the utility that owns or operates the utility facilities reports the amount paid to them as gross revenue as required by this section.

### **3.550 Payment, Accounting and Audit**

(1) The privilege tax shall be paid quarterly within 30 days after the end of the quarter. Unless otherwise agreed to by the City in writing, quarters shall end on March 31, June 30, September 30 and December 31 of each year. Each payment shall be accompanied by an accounting of applicable gross revenues and a calculation of the amount payable. Late payment fees shall be assessed at 12% per annum.

(2) The City may audit any person subject to or paying the privilege tax as follows:

(a) The City may, at any time within six years of receipt, investigate any accounting submitted and determine the accuracy of the amount reported. The utility

shall make available for investigation all records, including historical records and books of the utility necessary for verification of the report. Such investigation may be done by the City or any person selected by the City. Neither acceptance of payment nor a failure to make an investigation shall be deemed to prevent subsequent investigation by the City, or to estop the City from collecting any amount due.

(b) If, upon investigation or otherwise, the fee or tax paid is determined to be excessive, a refund of the excess will be paid. If the fee paid is found to be insufficient, the manager shall notify the utility of the amount of the deficiency and demand payment of the amount.

(c) If a utility fails to properly report the true amount of gross revenue or other basis from all accounts within the City as determined by the city after investigation, a late payment charge will be owed on the under reported gross revenue calculated from the first day of the calendar quarter in which the error occurred to the date on which the city received payment, compounded monthly. The late payment charge shall be due at the same time that the utility is required to make payment of any insufficiency of the license fee or privilege tax. If the city manager determines that the insufficiency is due to fraud, intent to evade the fee or tax, or is greater than 15% of the total amount due, a penalty of 25% of the amount of the total fee or tax shall be paid in addition to the amount due and the late payment charge.

(d) Within 10 days from the receipt of notice by the manager that the license fee or privilege tax paid is insufficient and demands payment, the utility may appeal to the council. Such appeal must be in writing and specifying the grounds of such appeal. If no such appeal is taken, if the council decides adversely,, or if the council decides that any other amount is due, the manager shall proceed to collect the amount determined to be due and unpaid.

(e) In addition to any other penalties prescribed by law, if a licensee fails to make payment of any deficiency determined to be due and unpaid in accordance with the provisions of this subsection within 10 days of such final determination, the manager may suspend the license issued to the licensee.

(f) If any person operates without a license as required by this Article, operates during a period of suspension after licensee has exhausted all due process rights, or materially under reports the license fee or privilege tax which is due, such person shall be liable for an additional penalty, computed at two percent (2%) of the gross revenues received during the applicable period, which shall be paid in addition to the applicable license fee or privilege tax.

(3) Refunds. In the event that a utility is ordered to refund any revenues by a governmental entity or agency with jurisdiction to make such an order and such refund will affect the license fee or privilege tax paid pursuant to this section, the calculation of the license fee or privilege tax shall not include the refund except pursuant to a mutually agreed upon schedule. If

there is a substantial budgetary impact, such schedule may include spreading the impact of the refund on the future license fee or privilege tax to be paid to the City over a period of time commencing the first full fiscal year following the ordering of the refund. Such schedule shall minimize the administrative impact to the Licensee and may include interest on the unpaid refund.

(4) Other City Costs. All licensees shall, within thirty (30) days after written demand, reimburse the city for all reasonable costs and expenses incurred by the City in connection with any termination, revocation or lesser sanction of the license consistent with applicable state and federal laws.

### **3.560 Exemptions**

The following exemptions apply:

(1) Any facility placed in the right-of-way solely to provide service for transportation or vehicular use of the right-of-way is exempt from the tax.

(2) Any facility placed in the right-of-way by or with another government entity, pursuant to an Intergovernmental Agreement (“IGA”) entered into with the City, in accordance with ORS Chapter 190, which IGA serves a public purpose and is subject to other reasonable and nondiscriminatory consideration that the City determines will better serve the public need, safety, or welfare than the tax would otherwise provide.

Amended by Ordinance No. 482, April 21, 1997.  
Section 3.000 Amended by Ordinance No. 489, October 20, 1997  
Section 3.000 Amended by Ordinance No. 712, adopted January 7, 2013  
Section 3.116 Amended by Ordinance No. 644 – March 3, 2008  
Section 3.022 added by Ordinance No. 752 adopted December 1, 2014  
Section 3.300 Added by Ordinance No. 615 adopted December 18, 2006  
Section 3.410 Amended by Ordinance No. 767 adopted February 19, 2015  
Section 3.420 Added by Ordinance No. 669, adopted October 5, 2009  
Section 3.500 Added by Ordinance No. 616 adopted December 18, 2006  
Section 3.560 Amended by Ordinance No. 765 adopted January 5, 2015

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**ENVIRONMENT**

**GENERAL PROVISIONS**

**8.000 General Provisions – Environment**

(1) Chapter 8 of this Code is enacted for the purpose of promoting the general public welfare by ensuring procedural due process in the administration and enforcement of the City's Comprehensive Plan, Design Review, Permitting Process, Building Code, Development Standards and Public Works Standards.

(2) This Chapter shall be known as the Environment Ordinance and includes those ordinances familiarly referred to as the Water Conservation Ordinance, Public Sanitary Sewer Use Ordinance, Industrial Wastewater Ordinance, Storm Water Ordinance, and Garbage Disposal Ordinance, and Environment Enforcement, etc.

**8.002 Administration.**

Except as otherwise provided herein, the Public Works Director, hereinafter referred to as “Director”, shall administer, implement and enforce the provisions of this Chapter. Any powers granted to or duties imposed upon the Director may be delegated by the Director to a duly authorized representative.

**8.004 Abbreviations.** The following abbreviations shall have the designated meanings:

- |      |                |  |
|------|----------------|--|
| (1)  | <u>BOD</u>     | Biochemical Oxygen Demand                          |
| (2)  | <u>BMP</u>     | Best Management Practices                          |
| (3)  | <u>BMR</u>     | Baseline Monitoring Reports                        |
| (4)  | <u>CFR</u>     | Code of Federal Regulations                        |
| (5)  | <u>CIU</u>     | Categorical Industrial User                        |
| (6)  | <u>COD</u>     | Chemical Oxygen Demand                             |
| (7)  | <u>DEQ</u>     | Oregon Department of Environmental Quality         |
| (8)  | <u>US EPA</u>  | U.S. Environmental Protection Agency               |
| (9)  | <u>gpd</u>     | Gallons Per Day                                    |
| (10) | <u>IU</u>      | Industrial User                                    |
| (11) | <u>mg/l</u>    | Milligrams per liter                               |
| (12) | <u>NPDES</u>   | National Pollutant Discharge Elimination System    |
| (13) | <u>NSCIU</u>   | Non-Significant Categorical Industrial User        |
| (14) | <u>O&amp;M</u> | Operation and Maintenance                          |
| (15) | <u>POTW</u>    | Publicly Owned Treatment Works                     |
| (16) | <u>RCRA</u>    | Resource Conservation and Recovery Act             |
| (17) | <u>SIC</u>     | Standard Industrial Classification                 |
| (18) | <u>SIU</u>     | Significant Industrial User                        |
| (19) | <u>SNC</u>     | Significant Non-Compliance                         |
| (20) | <u>SWDA</u>    | Solid Waste Disposal Act (42 U.S.C. 6901, et seq.) |
| (21) | <u>TSS</u>     | Total Suspended Solids                             |

(22) USC United States Code

**8.006 Definitions.** For the purpose of this Chapter, the following terms, words, phrases and their derivations shall have the meaning given herein, unless the context specifically indicates otherwise:

(1) Act or “the Act”. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

(2) Approval Authority. The Oregon Department of Environmental Quality (DEQ).

(3) Authorized or Duly Authorized Representatives of the User.

(a) If the user is a corporation, authorized representative shall mean:

1) The president, secretary, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

2) The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate or direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulation; can ensure that the necessary systems are established or action taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the user is a partnership, or sole proprietorship, an authorized representative shall mean a general partner or the proprietor, respectively.

(c) If the user is a Federal, State or local government facility the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs (3) (a)-(c) above may designate a duly authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the authorization is submitted to the City.

(4) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter mg/l).

(5) Best Management Practices or BMP's means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMP's include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMP's may also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.

(6) Building Drain. Shall mean that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the exterior walls of the buildings and which conveys it to the building sewer, which begins five (5) feet ( 1.524 meters) outside of the building exterior wall.

(7) Building Sewer (Sanitary). Shall mean that part of the horizontal piping of a drainage system that extends from the end of a building drain and that receives the sewage discharge of the building drain and conveys it to a public sanitary sewer, private sanitary sewer, private sewage disposal system, or other point of disposal (aka sanitary sewer lateral)..

(8) Building Sewer (Storm). Shall mean that part of the horizontal piping of a drainage system that extends from the end of a building drain and that receives the stormwater or other approved drainage, but no sewage discharge from a building drain, and conveys it to a public stormwater system, private stormwater system or other point of disposal (aka storm sewer lateral).

(9) Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S. C. 1317) that applies to a specific category of users and that appears in 40 CFR Chapter I, Subchapter N, Parts 405-471, incorporated herein by reference.

(10) Categorical Industrial User. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.

(11) Chemical Oxygen Demand (COD). A measure of oxygen required to oxidize all compounds, both inorganic and organic in water. COD is expressed as the amount of oxygen consumed from chemical oxidant in mg/l during a specific test.

(12) City. The City of Wilsonville, Oregon or the City Council of Wilsonville, Oregon or a designated representative of the City of Wilsonville, Oregon.

(13) City Authorized Representative for Stormwater. A Representative selected by the Community Development Director to oversee stormwater activities and enforcement.

(14) Color. The optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

(15) Combined Sewer. Shall mean a sewer receiving both surface runoff and sewage.

(16) Commercial. Shall mean for the purposes of this Chapter, all buildings or structures of which are not designed for the purposes of these sections as residential or industrial in keeping with the City's zoning and building code provisions. Commercial when used in the context of this chapter's pretreatment standards shall mean industrial.

(17) Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on either an increment of flow or time.

(18) Contractor. Shall mean a person or persons, corporation, partnership or other entity who is a party to an agreement with the City.

(19) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added, is heat.

(20) Control Authority. The City of Wilsonville, Oregon or designated representative of the City, tasked with the administration of this Chapter.

(21) Customer. Shall mean any individual, firm, company, association, society, corporation, group or owner, who receives utility services from the City such as water, sanitary sewer, stormwater and streetlights.

(22) Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

(23) Daily Maximum Limits. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of a day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measure of the pollutant concentration derived from all the measurements taken that day.

(24) Department of Environmental Quality or DEQ. The Oregon Department of Environmental Quality or where appropriate, the term may also be used any duly authorized official of the Department.

(25) Director. The City of Wilsonville Public Works Director for the City of Wilsonville or designated representative of the Director.

(26) Discharge. The discharge or the introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c) or (d), of the Act.



(27) Environmental Protection Agency or EPA. The US Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Regional Water Management Division Director, the Regional Administrator or other duly authorized official of said agency.

(28) Existing Source. Any source of discharge that is not a “new source”.

(29) Garbage. Shall mean all refuse and solid wastes, including ashes, rubbish in cans, debris generally, dead animals, street cleaning and industrial wastes and things ordinarily and customarily dumped, solid wastes from domestic and commercial preparation, cooking and dispensing food, and from the handling, storage and sale of product, but not including source separated recyclable material purchased from or exchanged by the generator for fair market value for recycling sewage and body waste.

(30) Grab Sample. A sample that is taken from a waste stream on a one-time basis without regard to the flow in the waste stream over a period of time not to exceed 15 minutes.

(31) Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(32) Illicit Discharge. Any discharge to the public or natural stormwater conveyance system that is not composed entirely of stormwater, except discharges governed by and in compliance with an NPDES permit.

(33) Indirect Discharge or Discharge. The introduction of pollutants into the POTW from a non-domestic source.

(34) Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

(35) Industrial. Shall mean in the context of building sanitary sewer permits and connections, all buildings or structures in which a product is manufactured, stored, or distributed, or any combination of the above in keeping with the City's zoning and building code provisions. It shall otherwise mean in the context of this Chapter for pretreatment standards, non-domestic.

(36) Industrial User. A source of indirect discharge.

(37) Industrial Wastewater. Any non-domestic wastewater originating from a nonresidential source.

(38) Interference. A discharge, which, alone or in conjunction with a discharge or discharges from other sources:

(a) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes; use or disposal; and

(b) Therefore is a cause of a violation of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or any more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

(39) Local Limits. Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in this Chapter.

(40) Maximum Allowable Headwork's Loading. The maximum pollutant loading that can be received at the headwork's of the POTW and be fully treated to meet all disposal limits and without causing interference. This value is calculated in the derivation of Technically Based Local Limits.

(41) Major Sanitary Sewer Line Extension. Shall mean the extension of a sanitary mainline that is, or will be, located within public rights-of-way or dedicated easements.

(42) Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

(43) Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during the month.

(44) Monthly Average Limits. The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

(45) National Pretreatment Standard. National pretreatment standard is defined in 40 CFR 403.3(l) as any regulation containing pollutant discharge limits promulgated by EPA under Section 307(b) and (c) of the Clean Water Act applicable to users, including the general and specific prohibition found in 40 CFR 403.5.

(46) Municipal Separate Storm Sewer System (MS4). A system of conveyances, including roads, ditches, catch basins, and storm drains that are owned or operated by a public entity.

(47) New Source.

(a) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of Proposed Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such Standards are hereafter promulgated in accordance with that section provided that:

- 1) The building, structure, facility or installation is constructed at a site at which no other source is located; or
- 2) The building, structure, facility or installation completely replaces the process of production equipment that causes the discharge of pollutants at the existing source or
- 3) The production of wastewater generating processes of the buildings, structure, facility or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent factors, such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity, as the existing source should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (a) (1), (2) of this section but otherwise alters, replaces or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

- 1) Begun, or caused to begin as part of a continuous on-site construction program;
  - a) Any placement, assembly, or installation of facilities or equipment; or
  - b) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities for equipment or
- 2) Entered into a binding or contractual obligation for the purchase of facilities of equipment that is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for

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feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(48) Non-contact Cooling Water. Water used for cooling that does not come into contact with any raw material, intermediate product, waste product or finished product.

(49) NPDES Stormwater Permit. A National Pollutant Discharge Elimination System permit issued pursuant to Section 402 of the Clean Water Act (33 U.S.C. 1342).

(50) NPDES Waste Discharge Permit. A National Pollutant Discharge Elimination System permit issued pursuant to ORS 468B.050 and the Federal Clean Water Act.

(51) Official. Shall be the Building Official for the City of Wilsonville.

(52) Owner. Shall mean the person(s) who may hold title to or lease the property for which water service has or will be provided.

(53) Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of the City's NPDES Permit (including an increase in the magnitude or duration of a violation).

(54) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, state, or local governmental entities.

(55) pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

(56) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

(57) Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration in the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into the POTW. This reduction or alteration may be obtained by physical, chemical or biological processes, by process changes or by other means except by diluting the concentration of the pollutant unless allowed by the applicable Pretreatment Standard.

(58) Pretreatment Requirement. Any substantive or procedural requirements related to the pretreatment, other than national pretreatment standards, imposed on an industrial user.

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(59) Pretreatment Standard or Standard. Prohibited discharge standards, categorical Pretreatment standards and Local Limits.

(60) Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain types or characteristics of wastewater as established by EPA, DEQ, and/or the Director.

(61) Properly Shredded Garbage. Shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewers, with no particle greater than one half (1/2) inch (1.27 centimeters) in any dimension.

(62) Public Sewer. Shall mean a sewer, either sanitary or storm, in which all the owners of abutting property have equal rights, and which is controlled by public authority.

(63) Public Stormwater System. A stormwater system owned or operated by the City of Wilsonville.

(64) Publicly Owned Treatment Works or POTW. A “treatment works” as defined in Section 212 of the Act, (33 U.S.C. 1292) which is owned by the City. This definition includes any devices or systems used in collection, storage, treatment, recycling and reclamation of sewage, or industrial wastes, and any conveyances which convey wastewater to a treatment plant or other point of discharge. The term also means the municipal entity having responsibility for the operation and maintenance of the system.

(65) Public Works Director. The person designated by the City to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this Chapter or their duly authorized representative.

(66) Residential. Shall mean for the purposes of this Chapter, building sewers and connections, buildings or structures, which are built to be occupied for living purposes in keeping with the City’s zoning and building code provisions.

(67) Residential Users. Persons only contributing sewage wastewater to the municipal wastewater system.

(68) Receiving Stream or Water of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Oregon or any portion thereof.

(69) Sanitary Sewer. Shall mean a City sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted.

(70) Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

(71) Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.)

(72) Sewer. Shall mean a pipe or conduit for carrying sewage in the case of sanitary (wastewater) sewer lines. Shall mean a pipe or conduit for carrying stormwater runoff, surface waters or drainage in the case of storm water lines.

(73) Sewer Lateral. See Building Sewer – Sanitary and Storm definitions.

(74) Significant Industrial User.

(a) Except as provided in paragraph (b) of this section, the term Significant Industrial User means:

- 1) An industrial users subject to Categorical Pretreatment Standards or
- 2) Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blow-down wastewater); contributes a process waste stream which makes up 5 per cent of more of the average dry weather hydraulic or organic capacity of the POTW or is designated as such by the City on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

(b) The City may determine that an Industrial User subject to the categorical Pretreatment Standards is a Non-significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met.

- 1) The Industrial User, prior to City's findings, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
- 2) The Industrial User annually submits the certification statement required in Section 8.310(14) together with any additional information necessary to support the certification statement; and
- 3) The Industrial User never discharges any untreated concentrated wastewater.



(c) Upon finding that an industrial user meeting the criteria in paragraph (a)(2) of this section has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with CFR 403.8(F)(6), determine that such industrial user is not a significant industrial user.

(75) Slug Load or Slug Discharge. Any discharge at a flow rate or concentration which has the potential to cause a violation of the specific discharge prohibitions of this article. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, Local Limits of Permit conditions.

(76) State. State of Oregon.

(77) Storm Drain. (Sometimes termed "storm sewer"). Shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling waters.

(78) Stormwater. Any flow occurring during or following any form of natural precipitation and resulting there from, including snow melt.

(79) Suspended Solids or Total Suspended Solids (TSS). The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid which is removable by laboratory filtering.

(80) Toxic Pollutant. One of the pollutants or combination of those pollutants listed as toxic in regulations promulgated by the Environmental Protection Agency under the provision of Section 307 (33 U.S.C. 1317) of the Act.

(81) Treatment Plant Effluent. Any discharge of pollutants from the POTW into waters of the state.

(82) User or Industrial User. Any person who contributes, or causes or allows the contribution of sewage, or industrial wastewater into the POTW, including persons who contribute such wastes from mobile sources.

(83) Wastewater. The liquid and water-carried industrial wastes, or sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which is contributed to the municipal wastewater system.

(84) Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(85) Water is water from the City water supply system

(86) Water Course. Shall mean a channel in which a flow of water occurs, either continuously or intermittently.

**8.008 Miscellaneous Provisions**

(1) Pretreatment Charges and Fees. The City may adopt, from time to time, by Administrative Authority, in the City's Master Fee Schedule reasonable charges and fees for reimbursement of costs of setting up and operating the City's Pretreatment Program which may include;

(a) Fees for permit applications including the cost of processing such applications;

(b) Fees for monitoring, inspection and surveillance procedures including the cost of reviewing monitoring reports submitted by industrial users;

(c) Fees for reviewing and responding to accidental discharge procedures and construction;

(d) Fees for filing appeals;

(e) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Chapter and are separate from all other fees, system development charges, fines and penalties chargeable by the City.

(2) Non-exclusivity. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Director may take other action against any industrial user when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any non-compliant industrial user.

**ENVIRONMENT**

**WATER CONSERVATION**

**8.101 Declaration of Emergency**

A. When the City Water supply has become, or is about to become, depleted to such an extent as to cause a serious water shortage in the City, the Mayor shall have the authority to declare an emergency water shortage and to direct that the provision of Section 8.101, 8.102 and 8.130 of this article of the Code be enforced.

- B. In the event the Mayor is unavailable to declare an emergency, the following shall be the order of succession of authority, based upon availability:
- a. The President of the Council;
  - b. Any other council person;
  - c. The City Manager;
  - d. The Public Works Director

**8.102 Notice of Declaration of Emergency**

When a declaration of emergency is announced by the Mayor, the City Manager shall make the declaration public in a manner reasonably calculated to provide reasonable notice to the public. This provision shall not be construed as requiring personal delivery or service of notice or notice by mail.

**8.108 Standards – Purpose.**

This Section is established because during the summer months and in other times of emergency there is or may be insufficient water in the City water supply system to allow irrigation and other uses of water at all times by all parties; and the level of water supplied by the City is at certain times dangerously low; and it is imperative to the public well-being that certain uses of water not essential to health, welfare and safety of the City be restricted from time to time.

**8.112 Standards – Application.**

The provisions of this Section shall apply to all persons using water, both in and outside the City, regardless of whether any person using water shall have a contract for water services with the City.

**8.114 Standards – Wasted Water.**

(1) Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the City may discontinue the service if such conditions are not corrected after due notice by the City.

(2) Water shall not be furnished except through a meter to any premises where there are defective or leaking pipes, faucets, closets or other fixtures, or where there are water closets or urinals without self-closing valves and, when such leakage or other defects are discovered and not corrected, the City may discontinue service after giving due notice and until repairs are made. If significant deficiencies are not corrected in a timely manner, as defined by the Public Works Director, the City may introduce enforcement action in conformance with Section 8.150 Violations.

(3) Water must not be allowed to run to waste through any faucet or fixture or kept running any time longer than actually necessary. Sprinkling of lawns, gardens, and parking strips shall be confined to what is actually needed and no running to waste on sidewalks, streets, and gutters shall be permitted. When any such waste is discovered, the water service to the premises may be discontinued.

**8.116 Section Not Used**

**8.118 Standards – General.**

(1) In all new construction and in all repair and/or replacement of fixtures or trim, only fixtures or trim not exceeding the following flow rates and/or water usage shall be installed. These rates are based on a presence at the fixture of 40 to 50 PSI.

Water closets, tank type	–	1.6 gallons per flush.
Water closets, flush-o-meter type	-	1.6 gallons per flush
Urinals, tank type	-	1.0 gallons per flush
Shower heads	-	2.5 GPM
Lavatory, sink faucets	-	2.5 GPM
Metered faucets	-	0.25 gallons per use

(2) Faucets on lavatories located in restrooms intended for the transient public in service stations, park toilet rooms, train stations and similar facilities shall be metering or self-closing.

(3) Any water connective device or appliance requiring a continuous flow of five GPM of more and not previously listed in this section shall be equipped with an approved water recycling system.

**8.120 Section Not Used**

**8.130 Use of Water During Emergency – Prohibited Uses of Water.**

(1) When a declaration of emergency is announced and notice has been given in accordance with this Section, the use and withdrawal of water by any person may be limited and include prohibition of the following:

- (a) Sprinkling, watering or irrigating shrubbery, trees, lawns, grass, groundcovers, plants, vines, gardens, vegetables, flowers or any other vegetation.
- (b) Washing automobiles, trucks, trailers, trailer houses, railroad cars, or any other type of mobile equipment
- (c) Washing sidewalks, driveways, filling station aprons, porches and other surfaces.
- (d) Washing the outside of dwellings, washing the inside or outside of office buildings.
- (e) Washing and cleaning any business or industrial equipment and machinery.
- (f) Operating any ornamental fountain or other structure making a similar use of water.
- (g) Maintaining swimming and wading pools not employing a filter and re-circulating system.
- (h) Permitting the escape of water through defective plumbing.

**8.132 Use of Water During Emergency – Exemptions.**

At the discretion of the Mayor, one or more of the uses specified in Section 8.130 may be exempted from the provisions of this section. The exemption shall be made public as provided in Section 8.102 of this Chapter.

**8.134 Use of Water During Emergency – Length of Restriction.**

The prohibition shall remain in effect until terminated by an announcement by the Mayor in accordance with Sections 8.102.

**8.136 Use of Water During Emergency – Declaration Period.**

(1) The Mayor shall cause each declaration made by him pursuant to Sections 8.101 to 8.150 to be publicly announced by means of posting notice in three (3) public and conspicuous places in the City, and he may cause such declaration to be further announced in a newspaper of general circulation within the City when feasible. Each announcement shall prescribe the action taken by the Mayor, including the time it became or will become effective, and shall specify the particular use for which the use of water will be prohibited.

(2) Whenever the Mayor shall find the conditions which gave rise to the water prohibition in effect pursuant to Sections 8.101 to 8.150 no longer exist, he may declare the prohibition

terminated in whole or in part in the manner prescribed by these sections, effectively immediately upon announcement.

(3) The Mayor shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section, and this includes the notice of termination, both in whole or in part.

**8.140 Authority of Officer.**

Any police officer of the City, Clackamas County or designated employee of the City may enter the premises of any person for the purpose of shutting off or reducing the flow of water being used contrary to the provisions of Sections 8.101 to 8.150.

**8.150 Penalties.**

A person convicted of a violation of any provisions of Sections 8.101 to 8.140 shall be punished upon a first conviction thereof for a violation pursuant to Section 1.012, and upon a subsequent conviction thereof for a Class C Misdemeanor pursuant to Section 1.011. Each day such a violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such hereunder.



**PUBLIC SANITARY SEWER USE**

**8.200 Public Sanitary Sewer Use – General Provision**

(1) Purpose. Provides for the required use of public sanitary sewer facilities except as otherwise set forth, for the regulation of the building of and connection to public sanitary sewer facilities and for the uniform regulation of indirect discharge to the Publicly Owned Treatment Works (POTW) through the issuance of permits to certain non-domestic users and through enforcement of general requirements for other users, authorizes monitoring and enforcement activities, establishes administrative review procedures, requires user reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(2) Application to Users within and outside of City limits. Provisions of this article shall apply to users within the City limits and to users outside the City limits who, by contract or agreement with the City, are included as users of the municipal wastewater system.

**8.202 Use of Public Sanitary Sewer Required.** Except as herein provided in this chapter:

(1) It shall be unlawful for any person to place, deposit or permit to be deposited in any manner as described herein on public or private property within the City of Wilsonville, or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.

(2) It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(3) The owner of any house, building, or property used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley of right-of-way, in which there is now located or may in the future be located, a public sanitary sewer of the City, is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sanitary sewer in accordance with the provisions of this section of the Code within ninety (90) days after the date of official notice to do so, provided that said public sanitary sewer for the residential use is within three hundred (300) feet of the property. Commercial and industrial buildings or structures shall connect no matter what the distance is from the public sanitary sewer to the property to be served.

**8.204 Private Sewage Disposal.**

(1) Where a public sanitary sewer is not available under the provisions of Section 8.202(4), the building sewer shall be connected to a private sewage disposal system.

(2) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the City.

(a) The application for such permit shall be made on a form furnished by the City, and shall be supplemented by any plans, specifications and other information as are deemed necessary by the City. The appropriate Type B Construction Permit and plan check fee shall be paid by the City at the time the application is filed.

(b) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the City. Inspection of the work in any stage of construction shall be allowed and, in any event, the applicant for the permit shall notify the City when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the City.

(3) The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations to the Oregon State Board of Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than ten thousand (10,000) square feet. No septic tank or cesspool shall be permitted to discharge any natural outlet. If it is determined by the City that a health hazard would be created or that the soil is unable to transfer the sewage runoff through the soil as an effective means of treatment of sewage disposal, the City shall reject the septic or private sewage disposal system, and require, at the owner's expense, construction of an adequately sized sanitary sewer line as approved by the City to connect to an existing public sanitary sewer system. The owner shall construct the sanitary sewer by those requirements of the Public Works Standards of the City of Wilsonville

(4) At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided in Section 8.202(4), a direct connection shall be made to the public sanitary sewer in compliance with this Code, and any septic tanks, cesspools and similar disposal facilities shall be removed or opened and filled with sand or gravel in accordance with the Oregon Plumbing Specialty Code.

(5) Where existing buildings are too low to be served by gravity by an available sanitary sewer, the existing septic tank facilities shall be maintained in use and, when so ordered by the City under Section 8.202(4), approved pumping facilities shall be installed to pump the septic tank effluent to the available sanitary sewer system.

(6) The owner shall operate and maintain private sewage disposal or pumping facilities in a sanitary manner at all times, at no expense to the City.

### **8.205 Conflict**

No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by State health officials.

**8.206 Buildings Sanitary Sewers and Connections.**

(1) No unauthorized person shall uncover, make any connections to or opening into, use, alter or disturb any sanitary sewer lateral or appurtenance thereof without first obtaining a written permit from the Building Official. In each case, the owner or their agent, shall make application on a special form furnished by the City. The permit applications shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the official.

(2) There shall be three (3) classes of building sanitary sewer lateral permits:

- (a) Residential, Single, and Multifamily,
- (b) Commercial; and
- (c) Industrial Service.

(3) All costs and expenses incident to the installation and connection of the building sanitary sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage to the City that may directly or indirectly be occasioned by the installation of the building sanitary sewer.

(4) A separate and independent building sanitary sewer shall be provided for every building; except, however, when one building stands at the rear of another on an interior lot and no private sanitary sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, then the building sanitary sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(5) Old building sanitary sewers may be used in connection with new buildings only when they are found, on examination or through tests, by the Official, to meet all requirements of this Code Chapter.

(6) The size, slope, alignment, construction material of a building sanitary sewer, and the methods to be used excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Oregon Structural Specialty Code and the Oregon Plumbing Specialty Code and other applicable rules and regulations of the City.

(7) Whenever possible, the building sanitary sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sanitary sewer.

(8) No person shall make connection of roof down spouts, areaway drains, or other sources of stormwater runoff to a building sanitary sewer or sewer drain which, in turn, is connected directly or indirectly to the public sanitary sewer.

(9) The connection of the building sanitary sewer into the public sanitary sewer shall conform to the requirements of the State of Oregon Specialty Plumbing Code in effect at the time, and other applicable rules and regulations of the City. All such connections shall be made

gas-tight and water-tight. Any deviation from prescribed procedures and materials must be approved by the Building Official before installation.

(10) The applicant for the building permits shall notify the Building Official when the building sanitary sewer is ready for inspection. The connection shall be made under the supervision of the Building Official or designated representative. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored at the applicant's or owner's expense in a manner satisfactory to the City, in accordance with adopted Public Works Standards.

(11) All excavations for building sanitary sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.

(12) The property owner is responsible for the maintenance, repair and replacement of the sanitary sewer lateral from the building to the sanitary sewer main. Sewer lateral maintenance work, which, as used herein, includes pipe clean-out, clog removal, root removal, foaming and any other work or protocol required to ensure proper flow. Repair and replacement work for the sewer lateral shall be done in accordance with the City's Public Works Standards and the City's Right of Way Permit.

#### **8.206 Equipment and/or Vehicle Washing Facilities**

(1) Equipment and/or Vehicle wash areas shall be covered

(2) Equipment and/or Vehicle washing facilities shall be equipped with a water recycling system approved by the Public Works Director.

(3) Best available technology shall be utilized for the pretreatment system of any drainage to the sanitary sewer system.

(4) No coin operated equipment and/or vehicle washing facilities shall be installed or used until plans have been submitted to and approved by the City. The plans shall show the method of connections to an approved pretreatment system before discharging into the sanitary sewer system, disposal of rain or surface water and the protection of the potable water system. No rain or surface water shall be conveyed to or through the sanitary sewer system.

#### **8.208 Use of Public Sanitary Sewers.**

(1) No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb, any public sewer or appurtenance thereof without first obtaining a written permit from the City.

(3) When required by the City, the owner of any property serviced by a building sanitary sewer carrying industrial wastes or large quantities of discharge shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sanitary sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when

required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

(4) All measurements, tests and analysis of the characteristics of water wastes to which reference is made in this chapter of the Code shall be determined in accordance with the current edition of the "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon testing of suitable samples taken at said control manhole.

In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sanitary sewer to the point at which the building sanitary sewer is connection. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. When customary measurement for BOD characteristics is impractical due to time constraints and the necessity to have immediate measurable results, mg/l of BOD may be based on forty-two percent (42%) of measured C.O.D.

(5) Grease, oil and sand interceptors shall be provided when, in the opinion of the Director or Building Official, they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand, or other harmful substances; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the Director or Building Official and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his expense.

(6) Separation of Domestic and Industrial Waste Streams. All new and domestic wastewaters from restrooms, showers, drinking fountains, etc., unless specifically included as part of a categorical pretreatment standard, shall be kept separate from all industrial wastewaters until the industrial wastewaters have passed through a required pretreatment system and the industrial user's monitoring facility. When directed to do so by the Director, industrial users must separate existing domestic waste streams.

(7) Hauled Wastewater. Septic tank waste (septage) or hauled septage shall not be accepted into the municipal wastewater system.

(8) Vandalism. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the municipal wastewater system. Any person found in violation of this requirement shall be subject to the sanctions set out in Section 8.604

### **8.210 Public Sanitary Sewers – Construction**

(1) No person shall construct, extend or connect to any public sanitary sewer without first obtaining a written permit from the City and paying all fees and connection charges and furnishing boards as required herein and the Public Works Standards for the City of Wilsonville.

The provisions of this section requiring permits shall not be construed to apply to contractors constructing sanitary sewers and appurtenances under contracts awarded and entered into by the City.

(2) The application for a permit for public sanitary sewer construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable sections of the Code, rules and regulations of the City prepared by a registered civil engineer in the State of Oregon showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications shall be examined by the City Engineer or and authorized representative of the City Engineer who shall within twenty (20) days, approve them as filed or require them to be modified as he may deem necessary.

(3) All sewer works plans, specifications and construction procedure shall conform to Public Works Standards for the City of Wilsonville.

(4) Prior to issuance of a permit for public sanitary sewer construction, the applicant shall furnish to the City a performance bond, or cash deposit, in the amount of the total estimated cost of the work. Such performance bond, or cash deposit, shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and replacement of defective materials for a period of one (1) year from and after the date of acceptance of the work by the City.

(5) Except as provided, the extension of the public sewage facilities to serve any parcel or tract of land shall be done by and at the expense of the owner. The size of all sanitary sewer mains and other sewage facilities shall be as required by the City Engineer to lay sewer pipe larger than that required for his own purposes, to accommodate other users, and may be reimbursed under the provisions of Section 3.116 of the Wilsonville Code for the difference in cost between the size of the line installed and that which would be required for his own use.

(6) Where special conditions exist, in the opinion of the City Engineer, relating to any reimbursement agreement pursuant to the provisions of this section, The City may, either in addition to, or in lieu of any of the provisions of the section, authorize a special reimbursement contract between the City and the person or persons constructing public sewerage facilities. Said special reimbursement agreement shall be made and entered into prior to the issuance of a permit for the work by the City.

(7) Vehicle maintenance installations shall be covered and equipped with oil/water separation and spill protection approved by the Public Works Director for any drainage to the sanitary system.

(8) Vehicle fueling installations shall be covered and equipped with oil/water separators, spill control manholes, shut off valves and spill protection approved by the Public Works Director for any drainage to the sanitary system.



(9) Outside storage areas for grease, oil, waste products, recycling, garbage, and other sources of contaminants shall be equipped with oil/water separators, shut off valves and spill protection approved by the Public Works Director for any drainage to the sanitary sewer system. No drainage is allowed to enter the storm sewer system

**8.212 Public Sanitary Sewers – Property Damage Prohibited.**

No unauthorized person shall with intent to cause substantial inconvenience or with intent to cause damage, break, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works which is a municipal public utility. Any person violating this provision and as a result thereof damages any part of the sewage works, shall be subject o arrest and prosecution under the laws of the State of Oregon as set forth in OPRS 164.345 through 164.365.

**8.214 Powers and Authorities of Inspectors**

(1) In addition to the authority set forth in Section 8.312, the Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing, in connection with the provisions and regulations of City sewage collection and treatment system as provided for in this Chapter.

(2) While performing the necessary work on private properties referred to in Section 8.312(1) and 8.214(1) above, the owner of the premises or representative shall notify the City or duly authorized employee of the City to observe all safety rules applicable to the premises established by the owner. The premises shall be maintained in a safe condition and the owner or representative shall have a duty to notify the Director and any duly authorized representative of the City of any unsafe conditions.

(3) The City or duly authorized employee of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a negotiated easement, of for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works which is connected to or lying within an easement. All entry and subsequent work, if any, on said easement of any connection thereto, on the sanitary system shall be done according to those regulations as stipulated in the Code of the City of Wilsonville.

**ENVIRONMENT**

**INDUSTRIAL WASTEWATER REGULATIONS**

**8.300– General Provisions.**

(1) Purpose and Policy This chapter sets forth uniform requirements for Users of the (POTW) for the City of Wilsonville and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] Section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this chapter are:

(a) To prevent the introduction of pollutants into the POTW that will interfere with its operation;

(b) To prevent the introduction of pollutants into the POTW, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the POTW;

(c) To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;

(d) To promote reuse and recycling of industrial wastewater and sludge from the POTW;

(e) To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements and any other Federal or State laws which the POTW is subject thereto.

(f) This Chapter authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires User reporting.

**8.301 Applicability.**

This Chapter shall apply to all Users of the POTW, whether inside or outside of the City limits, by contract, permit, or agreement with the City.

**8.302 General Sanitary Sewer Use Requirements**

(1) Prohibited Discharge Standards

(a) General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which will cause Interference or Pass Through. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State or local pretreatment standards or requirements.

(b) Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- 1) Pollutants which create fire or explosion hazard in the POTW, including but not limited to waste streams with a closed cup flash point of less than 140°F (60°C) using the test methods prescribed in 40 CFR 261.21.
- 2) Solid or viscous substances in amounts which will obstruct the flow in the POTW resulting in Interference.
- 3) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through.
- 4) Waste streams having a pH less than 5.5 or more than 10.0, or which may otherwise cause corrosive structural damage to the POTW, City personnel or equipment. In cases where pH is continuously monitored, a violation is deemed to have occurred if the pH falls outside the 5.5 to 10.0 range more than 60 minutes in any one calendar day beginning at midnight and/or more than seven hours 26 minutes in any one calendar month, except that any discharge below 5.0 or above 11.0 is a violation.
- 5) Pollutants, including oxygen- demanding pollutants (BODs, etc) released at a flow rate and/ or pollutant concentration- which, either singly or by interaction with other pollutants, to pass through or interfere with the POTW, any wastewater treatment or sludge process, or constitute a hazard to humans or animals.
- 6) Noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sanitary sewers for maintenance and repair.
- 7) Any substance which may cause the treatment plant effluent or any other residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the system cause the City to be in noncompliance with sludge use or disposal regulations or permits issued under Section 405 of the Act; the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or other State requirements applicable to the sludge use and disposal practices being used by the City.
- 8) Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plants effluent thereby violating the City's NPDES permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than ten percent (10%) from the seasonably established norm for aquatic life.

9) Any wastewater having a temperature greater than 150°F(55°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F(40°C).

10) Any wastewater containing any radioactive waste or isotopes except as specifically approved by the Director in compliance with applicable State Federal regulations.

11) Any pollutants which result in the presence of toxic gases, vapor or fumes within the system in a quantity that may cause worker health and safety problems.

12) Any trucked or hauled pollutants.

13) Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, deionized water, non-contacting cooling water and unpolluted industrial wastewater, unless specifically authorized by the Director.

14) Sludges, screenings, or other residues from the pretreatment of industrial wastes.

15) Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit.

16) Material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes that interfered with the POTW.

17) Material identified as hazardous waste according to 40 CFR Part 261 except as specifically authorized by the Director.

18) Wastewater causing, alone or in conjunction with other sources, the treatment plant effluent to fail toxicity test.

19) Recognizable portions of the human or animal anatomy.

20) Detergents, surface active agents, or other substances which may cause excessive foaming in the POTW.

21) Any wastewater from dry cleaning machines.

22) Wastewater discharging from Dental facilities which contain mercury shall be provided with an approved amalgam separator.

23) Wastes prohibited by this section shall not be processed or stored in such a manner that these wastes could be discharged to the POTW.

(2) National Categorical Pretreatment Standards

(a) Users must comply with the categorical Pretreatment Standards found in 40 CFR Chapter 1, Subchapter N, Parts 405-471 and incorporated herein. The City shall recognize any variance to the Categorical Standards authorized by the DEQ under 40 CFR 403.13 for fundamentally difference factors from those considered by the EPA when developing the categorical pretreatment standard.

(b) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined waste stream formula in 40 CFR 403 .6(e) using the combined waste stream formula.

(c) Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the City may impose equivalent concentration or mass limits in accordance with Section (1) and (2) of this section.

1) Equivalent Concentration Limits: When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the City may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.

2) The City may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the Director.

When converting such limits to concentration limits, the City will use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by Section 8.302(6) of this Chapter. In addition, the City will document how the equivalent limits were derived for any changes from concentration to mass limits, or vice versa, and make this information publicly available.

3) Once included in its permit, the Industrial User must comply with the equivalent limitations developed in this Section 8.302(2) in lieu of the promulgated categorical Standards from which the equivalent limitations were derived.

(d) Many categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.

(e) Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the City within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the City of such

anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.

(3) State Requirements. Users must comply with State requirements and limitations and discharges to the POTW shall be met by all users which are subject to such limitations in any instance in which they are more stringent than Federal requirements and limitations or those in this ordinance.

(4) Local Limits

(a) Authority to Establish Local Limits: The City is authorized to establish Local Limits pursuant to 40 CFR 403.5(c). The Director may develop BMP's by ordinance or in individual wastewater permits to implement Local Limits and 8.032.

(b) Numerical Local Limits.

1) No nonresidential user shall discharge wastewater containing restricted substances into the POTW in excess of limitations specified in its Wastewater Discharge Permit or adopted, by resolution, by the City. The Director shall publish and revise, from time to time, standards for specific restricted substances. These standards shall be developed in accordance with 40 CFR Section 403.5 and shall implement the objectives of this Chapter. Standards published in accordance with this Section will be deemed Pretreatment Standards for the purposes of Section 307(d) of the Act.

(a) At their discretion, the Director may impose mass limitations in addition to or in place of the concentration based limitations referenced above. The more stringent of either the categorical standards or the specific pollutant limitations for a given pollutant will be specified in the Wastewater Discharge Permit.

(b) Specific effluent limits shall not be developed and enforced without individual notices to persons or groups who have requested such notice and an opportunity to respond.

(5) City's Right to Revision. The City reserves the right to establish, by ordinance or in wastewater permit, more stringent limitations or requirements or discharges to the POTW if deemed necessary to comply with the objectives presented in this Chapter.

(6) Dilution. No user shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard, or requirement. The City may impose mass limitations on Users who are using dilution to meet applicable pretreatment standards or regulations, or in other cases when the impositions of mass limitation is appropriate.

(7) Authority to Condition or Deny Industrial Discharge. The City reserves the right to Condition or deny any, or all industrial discharges to the City Sanitary Sewer system.



### **8.304 Pretreatment of Wastewater**

#### **(1) Pretreatment Facilities**

(a) Users shall provide necessary wastewater treatment as necessary to comply with this Chapter and shall achieve compliance with all categorical pretreatment standards, local limits and the prohibitions set out in Section 8.302, within the time limitations specified by the Director, EPA, or the State, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the facility.

(b) The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the City under the provisions of this Chapter.

#### **(2) Additional Pretreatment Measures**

(a) Whenever deemed necessary, the Director may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharge only into specific sanitary sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this Chapter.

(b) The City may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.

(c) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter, even though a wastewater discharge permit is not issued.

(3) Accidental Discharge/Slug Discharge Control Plans. The City shall evaluate whether each SIU needs a discharge/Slug discharge control plan or other action to control Slug discharges. The City may require any User to develop, submit for approval and implement such a plan or take such other action that may be necessary to control Slug Discharges, Alternatively, the City may develop such plan for any User.

(a) An accidental discharge/Slug discharge plan shall address, at a minimum, the following:

- 1) Description of discharge practices; including non-routine batch discharges.
- 2) Description of stored chemicals.

3) Procedures for immediately notifying the Director of any accidental or Slug discharge, as required by this Chapter;

(4) Procedures to prevent adverse impact from any accidental or Slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(5) Failure to comply with Spill/slug control plan conditions shall subject the permittee to enforcement action.

### **8.306 Wastewater Discharge Permit**

(1) Authority to Require Data Disclosure. When requested by the Director, a Users whether operating under a wastewater discharge permit or not; and whether the User meets the criteria of a significant industrial user or not; the User must submit information on the nature and characteristics of all production processes; material storage, and their wastewater generated on site. The user must submit this data within thirty (30) days of the request. The Director is authorized to prepare a form for this purpose and may periodically require industrial users to update this information.

#### (2) Wastewater Discharge Permit Requirement

(a) SIU Wastewater Discharge Permit Required. No significant industrial users shall discharge to the POTW without first obtaining an individual wastewater permit from the Director, except that a SIU that has filed a timely application pursuant to Section 8.306(3) of the chapter may continue to discharge for the period of time specified therein.

(b) Other Users May Obtain Wastewater Discharge Permit: The Director may require other users, to obtain individual wastewater permits as necessary to carry out the purposes of this chapter.

(c) Violation of Wastewater Discharge Permit. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this Chapter and subjects the wastewater discharge permittee to the sanctions set out in Sections 8.602 through 8.606 of this Chapter. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

(3) Permitting Existing Connections. Any user required to obtain an individual discharge permit who was discharging wastewater into the POTW prior to the effective date of this Chapter and who wishes to continue such discharges in the future, shall within ninety (90) days after said date, apply to the City for an individual wastewater permit in accordance with Section 8.306(5) below, and shall not cause or allow discharges to the POTW to continue after one hundred

eighty (180) days of the effective date of this Chapter except in accordance with the permit issues by the Director.

(4) Permitting New Connections. Any SIU proposing to begin or recommence discharging industrial waste into the POTW must obtain a wastewater permit prior to beginning or recommending such discharge. An application for this individual wastewater discharge permit must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

(5) Wastewater Permit Application Contents. All users required to obtain a individual wastewater discharge permit must submit a permit application. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision. The City may require Users to submit all or some of the following information as part of a permit application:

(a) Identifying Information. The name, mailing address and location (if different from mailing address) of the facility, including the name of the operator and owner, Contact information, descriptions of the activities, facilities, and plant production processes on the premises;

(b) Environmental Permits. A list of any environmental control permits held by or for the facility;

(c) Description of Operations. A brief description of the nature, average rate of production (including each product produced by type, amount, processes and rate of production) and Standard Industrial Classification (SIC) or North American Industry Classification System (NAIS) of the operations carried out by such user. This description should include a schematic process diagram which indicates pints of discharge to the POTW from the regulated processes, codes for pretreatment the industry as a whole and any processes for which categorical pretreatment standards have been promulgated;

(d) Types of waste generated and a list of all raw materials and chemicals used at the facility which are or could accidentally or intentionally discharged to the POTW;

(e) Number and type of employees, and hours or operation, and proposed or actual hours of operation;

(f) Type and amount of raw materials processed (average and maximum per day);

(g) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains and appurtenances by size, location and elevation and all points of discharge;

(h) Time and duration of the discharge;

(i) The location for monitoring all wastes covered by the permit;

(j) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams as necessary to use the combined waste stream formula in 40 CFR 403.6(e).

(k) Measurement of Pollutants.

1) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

2) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the City, of regulated pollutants in the discharge from each regulated process.

3) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

4) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 8.310(10) of this Chapter. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the City or the applicable Standards to determine compliance with the Standard.

5) Sampling must be performed in accordance with procedures set out in Section 8.310(11) of this Chapter.

(l) Any other information as may be deemed by the Director to be necessary to evaluate the permit application.

(6) Application Signatories and Certification.

(a) All wastewater discharge permit applications, user reports and certification statements must contain the following certification statement and be signed by an authorized representative of the user:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

(b) If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization

satisfying the requirements of this Section must be submitted to the City prior to or together with any reports to be signed by an Authorized Representative.

(c) A facility determined to be a Non-Significant Categorical Industrial User by the City must annually submit the signed certification statement in Section 8.310(14).

(7) Wastewater Permit Decisions The Director will evaluate the data furnished by the user and may require additional information. Within sixty (60) days of receipt of a complete permit application, the Director will determine whether or not to issue an individual wastewater discharge permit. The City may deny any application for a wastewater discharge permit.

### **8.308 Wastewater Permit Issuance**

(1) Permit Duration. Permits shall be issued for a specific time period not to exceed five (5) years. A permit may be issued for a period less than five (5) years at the discretion of the Director. Each permit will indicate a specific date on which it will expire.

(2) Permit Contents. Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Director to prevent pass through or interference and to protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facility sludge management and disposal, and protect against damage to the POTW.

(a) Wastewater Permits must contain:

1) A statement that indicates wastewater discharge permit issuance date, expiration date and effective date.

2) A statement that the wastewater discharge permit is nontransferable without prior notification to and approval from the City and provisions for furnishing the new owner or operator with a copy of the existing permit;

3) Effluent limits, including Best Management Practices, based on applicable standards in Federal, State, and local law;

4) Self-monitoring, sampling, reporting, notification and record keeping requirements. These requirements shall include an identification of pollutants (or Best Management Practices) to be monitored, sampling location, sampling frequency, and sample type based on Federal State and local law;

5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State or local laws.

6) Requirement to control Slug Discharges, if determined by the Director to be necessary. Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

(b) Wastewater Discharge Permits may contain, but need not be limited to, the following:

- 1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- 2) Requirements for the installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate or prevent the introduction of pollutants into the treatment works;
- 3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.
- 4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- 5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged into the POTW;
- 6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
- 7) A statement that compliance with permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the permit;
- 8) Other conditions as deemed appropriate by the Director to ensure compliance with this Chapter; and State and Federal laws, rules, and regulations; the term of the permit.

(3) Permit Issuance Process

(a) Permit Appeals. Any person including the industrial user, may petition the City to reconsider the terms of the permit within ten (10) days of the issuance of the final permit.

(b) Failure to submit a timely petition for review shall be deemed a waiver of the administrative appeal.

(c) In its petition, the appealing party must indicate the permit provisions objected to, the reasons for this objection, and the alternative conditions, if any, it seeks to place in the permit.

(d) The effectiveness of the permit shall not be stayed pending the appeal.

(e) If the City fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a



permit, or not modify a permit shall be considered final administrative action for purposes of judicial review.

(f) Aggrieved parties seeking judicial review of administrative permit decisions must do so by complaint with the Circuit Court for Clackamas County, State of Oregon within thirty (30) days of the final administrative decision.

(4) Permit Modifications. The Director may modify the permit for good cause and at any time including, but not limited to, the following:

(a) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;

(b) To address signification alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of permit issuance;

(c) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

(d) Information indicating that the permitted discharge poses a threat to the POTW, City personnel, of the receiving waters;

(e) Violation of the terms or conditions of the wastewater discharge permit;

(f) Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting;

(g) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 401.13;

(h) To correct typographical or other errors in the permit;

(i) To reflect a transfer of the facility ownership and/or operation to a new owner/operator.

(5) Permit Transfer.

(a) Wastewater Discharge Permits may be transferred to a new owner and/or operator only if the permittee gives at least thirty (30) days advance notice to the Director and the Director approves the permit transfer. Failure to provide advance notice of a transfer renders the permit void as of the date of facility transfer, and the new owner will be consider in violation of the City Codes for discharging without a permit. The notice must include a written certification to the new owner which:

1) States that the new owner has no immediate intent to change the facility's operations and processes;

- 2) Identifies the specific date on which the transfer is to occur;
- 3) Acknowledges full responsibility for complying with the existing permit.

(6) Permit Revocation

(a) Wastewater discharge permits may be revoked for the following reasons:

- 1) Failure to notify the City of significant changes to the wastewater prior to the changed discharge;
- 2) Failure to provide prior notification to the City of changed conditions pursuant to Section 8.310(5);
- 3) Misrepresenting or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- 4) Falsifying self-monitoring reports;
- 5) Tampering with monitoring equipment;
- 6) Refusing to allow the City timely access to the facility premises and records;
- 7) Failure to meet effluent limitations;
- 8) Failure to pay fines;
- 9) Failure to pay sewer charges;
- 10) Failure to meet compliance schedules;
- 11) Failure to complete a wastewater survey or the wastewater discharge permit application;
- 12) Failure to provide advance notice of the transfer of business ownership of a permitted facility;
- 13) Violation of any pretreatment standard or requirement or any terms of the permit or this Chapter;
- 14) Upon cessation of operations.
- 15) Upon issuance of a new wastewater discharge permit to the User.

(7) Permit Renewal. A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit renewal by submitting a complete permit application, in accordance

with Section 8.306 of this Chapter, a minimum of ninety (90) days prior to the expiration of the User's existing wastewater discharge permit. The existing permit shall remain in effect until the renewed permit is issued, providing the User has submitted the renewal application ninety (90) days prior to the expiration of the User's existing wastewater discharge permit. If the User did not comply with the renewal application submittal criteria, the User will not be authorized to continue discharging past the expiration date of the existing permit without the written authorization of the City.

(8) Regulation of Wastewater Received From Other Jurisdictions.

(a) The City may accept wastewater from individual industrial users located in other jurisdictions, or other municipalities under the following conditions:

1) Municipalities – the municipality must develop and implement a sanitary sewer use ordinance that meets, or exceeds, the Wilsonville Industrial Wastewater Regulations, Chapter 8. The municipality must submit their request in writing and the request for Extra-Jurisdictional wastewater treatment a list of industrial users within their jurisdiction, the nature and volume of the industrial discharges, the combined discharge from the municipality that will be treated by the Wilsonville wastewater treatment plant. Municipalities will not be issued wastewater discharge permits. Municipalities must enter into an Extra-Jurisdictional Agreement between the City of Wilsonville and the requesting municipality.

2) Extra-Jurisdictional Industrial Users – the industrial user must submit a Wastewater Permit Application to the City. The Industrial User must agree to comply with the terms and conditions of the permit, including right-of-entry for purposes of inspection, and sampling, enforcement actions specified in the permit.

(b) An inter-jurisdictional agreement, as required by paragraph A, above, shall contain the following conditions:

1) A requirement for the contributing municipality to adopt a sanitary sewer use ordinance which is at least as stringent as this Chapter and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 8.302 of this Chapter. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the Wilsonville ordinance or Local Limits;

2) A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;

3) A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the City; and which of these activities will be conducted jointly by the contributing municipality and the City;

- 4) A requirement for the contributing municipality to provide the City with access to all information that the contributing municipality obtains as part of its pretreatment activities;
- 5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
- 6) Requirements for monitoring the contributing municipality's discharge;
- 7) A provision ensuring the City access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the City; and
- 8) A provision specifying remedies available for breach of the terms of the inter-jurisdictional agreement.
- 9) Where the contributing municipality has primary responsibility for permitting, compliance monitoring, or enforcement, the inter-jurisdictional agreement should specify that Wilsonville shall have the right to take action to enforce the terms of the contributing municipality's ordinance or to impose and enforce Pretreatment Standards and Requirements directly against dischargers in the event the contributing jurisdiction is unable or unwilling to take such action.

### **8.310 Reporting Requirements**

#### **(1) Baseline Monitoring Reports.**

(a) Users that become subject to new or revised categorical Pretreatment Standards are required to comply with the following reporting requirements even if they have been designated a Non-Significant Categorical Industrial Users

(b) Within either 180 days after the effective date of a categorical pretreatment standard, or 180 days after the final administrative decision on a category determination under 40 CFR 403.6(a) (4), whichever is later, existing Categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the City a report which contains the information listed in paragraph (b) below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard shall be required to submit to the City a report which contains the information listed in paragraph (b) below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.

(c) Users described above shall submit the information set forth below:

- 1) All information required in Section 8.306(2) through Section 8.306(7)
- 2) Measurement of Pollutant.

The City may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

(a) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

(b) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

(c) Sampling and analysis shall be performed in accordance with Section 8.310(10);

(d) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW

(e) Compliance Certification. A statement, reviewed by the User's authorized representative and certified to be a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional Operations and maintenance (O&M) and/or additional pretreatment is required in order to meet pretreatment standards and requirements.

(f) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest possible schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 8.310(2) of this Chapter; and

(g) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 8.310(3) and signed by an Authorized Representative.

The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

(2) Compliance Schedule Progress Reports. The following conditions shall apply to the compliance schedule required by Section 8.310(1) of this Chapter:

(a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of

additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

(b) No increment referred to above shall exceed nine (9) months;

(c) The User shall submit a progress report to the City no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

(d) In no event shall more than nine (9) months elapse between such progress reports to the City.

(3) Reports on Compliance with Categorical Pretreatment Standard Deadline

a) Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the City a report containing the information described in Section 8.306(5) of this Chapter. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 8.302(2), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 8.310(14) of this Chapter. All sampling will be done in conformance with Section 8.310.

(4) Periodic Compliance Reports.

All SIUs are required to submit periodic compliance reports even if they have been designated a Non-Significant Categorical Industrial User under the provisions of Section 8.310(4).

(a) Except as specified in Section 8.310(4), all Significant Industrial Users must, at a frequency determined by the City submit no less than twice per year (June and December, or on dates specified, reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the City or the Pretreatment Standard necessary to determine the compliance status of the User.

(b) All periodic compliance reports must be signed and certified in accordance with Section 8.310(14) of this Chapter.



(c) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

(d) If a User subject to the reporting requirement in this Section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the City, using the procedures prescribed in Section 8.310(11) of this Chapter, the results of this monitoring shall be included in the report.

(5) Report of Changed Conditions. Each user must notify the Director of any significant changes to the User's operations or system which might alter the nature, quality, or volume at least thirty (30) days before the change.

(a) The Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater permit application under Section 8.306(5), if necessary.

(b) The Director may issue a wastewater permit under Section 8.308(7) or modify an existing wastewater discharge permit under Section 8.308(4) in response to changed conditions or anticipated changed conditions.

(6) Reports of Potential Problems.

(a) In the case of any discharge, including but not limited to accidental discharge non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW the user shall immediately telephone and notify the City of the incident. This notification shall include the location and discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

(b) Within five (5) days following an accidental discharge, the user shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Chapter.

(c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of an accidental discharge as described above. Employers shall ensure that all employees who may cause or suffer such a discharge to occur are advised of all the emergency notification procedures.

(d) Significant Industrial Users are required to notify the City immediately of any changes at its facility affecting the potential for a Slug Discharge.

(7) Reports from Un-Permitted Users. All users not required to obtain an individual wastewater permit shall provide appropriate reports to the City as the Director may require.

(8) Notice of Violation/Repeat Sampling and Reporting

(a) If sampling performed by a User indicates a violation, the User must notify the City within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within thirty (30) days after becoming aware of the violation.

(9) Notification of the Discharge of Hazardous Waste

(a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division City, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one-hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 8.310(5) of this Chapter. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 8.310(1), 8.310(3), and 8.310(4) of this Chapter.

(b) Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

(c) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the City, the EPA Regional Waste Management Waste Division City, and State

hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

(d) In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Chapter, a permit issued hereunder, or any applicable Federal or State law.

(10) Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the City or other parties approved by EPA.

(11) Sample Collection.

(a) Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

(b) The City shall establish the frequency of monitoring necessary to assess and assure compliance by the User with applicable Pretreatment Standards and Requirements.

(c) Except as indicated in Section (d) and (e) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the City. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows:

1) For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field;

2) For volatile organics and oil and grease, the samples may be composited in the laboratory.

3) Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

(d) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(e) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 8.310(1) and 8.310(3), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the City may authorize a lower minimum. For the reports required by paragraphs Section 8.310(4), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

(12) Date of Receipt of Reports Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

(13) Recordkeeping Users subject to the reporting requirements of this Chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Chapter, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 8.302(4). Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the City.

(14) Certification Statements

(a) Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 8.306(6); Users submitting baseline monitoring reports under Section 8.310(1); Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 8.310(3); Users submitting periodic compliance reports required by Section 8.310(4), and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 8.310(4). The following certification statement must be signed by an Authorized Representative:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

(b) Annual Certification for Non-Significant Categorical Industrial Users - A facility determined to be a Non-Significant Categorical Industrial User by the City must annually submit the following certification statement signed in accordance with the signatory requirements in Section 8.310(14). This certification must accompany an alternative report required by the City:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR \_\_\_\_\_, I certify that, to the best of my knowledge and belief that during the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ [months, days, year]:

1) The facility described as \_\_\_\_\_ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 8.006 (b) 1-3.

2) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and

3) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

4) The Facility never discharged concentrated untreated wastewater.

### **8.312 Compliance Monitoring**

#### **(1) Right of Entry; Inspection and Sampling.**

(a) The City, an authorized representative of the US EPA and/or authorized representative of the Oregon DEQ shall have the right to enter the premises of any user to ascertain whether the purpose of this Chapter is being met and all requirements are being complied with. Users shall allow authorized personnel ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(b) Where a user has security measures in force that require proper identification and clearance before entry into their premises, the industrial user shall make necessary arrangements with its security guards, so that upon presentation of suitable identification, personnel from the City, State and US EPA will be permitted to enter, without delay, for the purposes of performing specific responsibilities.

(c) The City, State, and US EPA shall have the right to set up or require installation of, on the industrial user’s property, such devices as are necessary to conduct sampling, and/or metering of the user’s operations.

(d) The City may require the User to install monitoring equipment as necessary. The facility’s sampling and monitoring equipment shall be maintained at all times in a safe and

proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy. The location of the monitoring facilities shall provide ample room in or near the monitored facility to allow accurate sampling and preparation of samples and analysis and whether constructed on public or private property, the monitoring facilities should be provided in accordance with the City's requirements and all applicable local construction standards and specifications, and such facilities shall be constructed and maintained in such manner so as to enable the City to perform independent monitoring activities

(e) Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be borne by the user.

(f) Unreasonable delays in allowing the City access to the user's premises shall be a violation of this Chapter.

(2) Search Warrants. If the Director has been refused access to a building, structure or property or any part thereof, and if the Director has probable cause to believe that there may be a violation of this Chapter, or that there is a need to inspect as part of a routine inspection program of the City designed to protect the overall public health, safety and welfare of the community, then upon application by the City Attorney, the Municipal Court Judge of the City may issue a search and/or seizure warrant describing herein the specific location subject to the warrant. The warrant shall specify what, if anything, may be search and/or seized on the property described. Such warrant shall be served at reasonable hours by the Director in the company of a uniformed police officer of the City.

### **8.314 Confidential Information**

(1) Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the City, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.



**8.316 Publication of Users in Significant Noncompliance**

(1) The City shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users or any other Industrial User that violates paragraphs (c), (d) or (h) of this Section and shall mean:

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 8.302;

(b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 8.302 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH.

(c) Any other violation of a Pretreatment Standard or Requirement as defined by Section 8.302 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the City determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

(d) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the City exercise of its emergency authority to halt or prevent such a discharge;

(e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(f) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to accurately report noncompliance; or

(h) Any other violation(s), which may include a violation of Best Management Practices, which the City determines will adversely affect the operation or implementation of the local pretreatment program.

**8.318 Affirmative Defense**

(1) Upset

(a) For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (c), below, are met.

(c) A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- 1) An upset occurred and the User can identify the cause(s) of the upset;
- 2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
- 3) The User has submitted the following information to the City within twenty-four (24) hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five (5) days:
  - a) A description of the indirect discharge and cause of noncompliance;
  - b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
  - c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (d) In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.
- (e) Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.
- (f) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

(2) Prohibited Discharge Standards. User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibition and the specific prohibitions in Section 8.302 of this chapter if it can prove it did not know or have reason to know that its discharge alone or in conjunction with other discharges, would cause pass through or interference and that either:

(a) A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to and during the pass through or interference; or

(b) No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with the NPDES permit, and in the case of interference, in compliance with applicable sludge use or disposal requirements.

(3) Bypass.

(a) For the purposes of this Section

1) Bypass means the intentional diversion of waste streams from any portion of a User's treatment facility.

2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) A User may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of (c) and (d).

(c) Bypass Notification

1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the Control Authority, if possible at least 10 days before the date of the bypass.

2) An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Director within twenty-four (24) hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The Director may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(d) Bypass is prohibited, and the Director may take enforcement action against an Industrial User for a bypass, unless;

1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.

2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintaining during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

3) The Industrial User submitted notices as required under paragraph (c) of this section.

4) The Director may approve an anticipated bypass after considering its adverse affects, if the Director determines that it will meet paragraph (d) 1) of this Section.

### **8.320 Pretreatment Charges and Fees**

(1) The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's Pretreatment Program, which may include:

(a) Fees for wastewater discharge permit applications including the cost of processing such applications;

(b) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge;

(c) Fees for reviewing monitoring reports and certification statements submitted by Users;

(d) Fees for reviewing and responding to slug discharge procedures and construction;

(e) Fees for filing appeals;

(f) Fees to recover administrative and legal costs (not included in Section 8.604, Section 8.606 and 8.316) associated with the enforcement activity taken by the City to address IU noncompliance; and

(g) Other fees as the City may deem necessary to carry out the requirements contained herein.

(2) These fees relate solely to the matters covered by this Chapter and are separate from all other fees, fines, and penalties chargeable by the City.

## SOLID WASTE DISPOSAL

### **8.400 Garbage – General Regulations.**

(1) The regulation of the disposal and hauling of garbage in the City under the provisions of this Code shall be under the supervision of the City Council or an agent or employee of the City, duly assigned by the City Council and the powers and duties of said Council or as designated shall include, though not exclusively, authority to conduct periodic inspections to insure full compliance with terms and provisions of these sections and to arbitrate or provide for arbitration of any and all disputes arising between the Garbage Contractor or Garbage Franchisee of the City and the citizens of the City.

(2) It shall be unlawful for any person in possession, charge or in control of any dwelling, apartment, trailer camp, restaurant, camp, place of business or manufacturing establishment where garbage is created or accumulated, to fail at all times to keep portable cans or containers of standard type and construction and to deposit said garbage therein, provided however, that stiff paper products and wooden or metal waste matter may remain outside of cans or containers, if neatly and orderly stored. Said cans or containers for garbage shall be strong, watertight, rodent proof, insect proof and be of capacity approved by the City and shall have tight fitting lids. Said cans or containers shall be kept tightly closed at all times except when being emptied or filled and shall be kept and maintained at a place or places reasonably accessible to garbage haulers at first floor or ground level. Recyclable materials containers may be open if the materials are not likely to attract animals.

(3) It shall be unlawful to burn, dump, collect, remove or in any other manner accumulate or dispose of garbage upon any street, alley, public place or private property, within the City, otherwise than as herein provided. Waste paper, rubbish and debris, brush, grass, wood and cuttings from trees, but excepting paper, cardboard or wood containers in commercial quantities, may be burned in furnaces, outside fireplaces or incinerators on private property in keeping with State and County laws, or upon special permit from the fire chief of the City, they may be burned in open fires. It shall always be unlawful to burn, within City limits, any wet garbage or other substance which creates foul or obnoxious orders. Any unauthorized accumulation of garbage on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of garbage within thirty (30) days after the effective date of this Code shall be deemed in violation of this Section.

(4) It shall be unlawful for any person to haul garbage upon the streets and public thoroughfares of the City, except as otherwise provided herein.

(5) All persons in the City are hereby required to dispose of all perishable garbage before the same shall become offensive and to dispose of all non-perishable garbage promptly and not permit the same to accumulate on or about the premises and to dispose of the same by burning, burying or such manner as shall not create a nuisance and as permitted by these sections.

(6) Any person may transport garbage produced by himself or itself upon the streets of the City provided that such garbage must be hauled in such manner as to prevent leakage or litter upon the streets and must be deposited upon designated dumping grounds or disposed of in a manner not inconsistent with these sections.

(7) Except as provided herein, it shall be unlawful for any person, firm or corporation, other than a person, firm or corporation under contract with the City as provided in Section 8.402 of this Code to gather and haul garbage over the streets of the City.

#### **8.402 Garbage – Contract Garbage Hauler**

(1) The Mayor of the City is hereby authorized and directed to enter into a contract with a person, firm or corporation for a period of five (5) successive years from and after the effective date of this Code granting to the said person, firm or corporation the exclusive right to collect, convey or dispose of all garbage as herein defined and which accumulates in the City. The terms and conditions of such contract to be first approved by the City Council. Upon expiration of said contract by the lapse of time or otherwise the Mayor of the City is hereby authorized to enter into a renewal contract or other contracts with other persons, firms, or corporations as may be required for the collection, conveyance, removal and disposal of garbage within the City.

(2) For the right to collect and haul garbage over the streets of the City, the Contractor shall pay to the City as a license and inspection fee, annually, and in advance, an amount equal to three percent (3%) of the gross revenue collected by the Contractor for garbage collections services; and fee to be based upon the prior year's gross revenue.

(3) The rates and compensation for the service rendered by the contract garbage hauler shall be reasonable and uniform and shall not be in excess of a schedule of charges and compensation to be fixed by the contract. Provided that such rates and charges may be changed from time to time after negotiations with the Contractor.

#### **8.404 Garbage – Violation.**

Any person violating any of these terms of this Chapter shall upon a first conviction thereof, be punished for a violation pursuant to Section 1.012 of the Wilsonville Code and upon a subsequent conviction thereof, be punished for a Class C Misdemeanor pursuant to Section 1.011 of the Wilsonville Code. In addition, upon a conviction, a person shall be liable for the costs of prosecution.

**STORMWATER**

**8.500 General Provisions**

(1) Purpose. Provides for the building of and connection to public stormwater facilities and for the uniform regulation of discharges to the public stormwater system through the issuance of permits and through enforcement of general requirements for other users, authorizes monitoring and enforcement activities, establishes administrative review procedures, requires user reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(2) Application to Users within and outside of City limits. Provisions of this article shall apply to users within the City limits and to users outside the City limits who, by contract or agreement with the City, are included as users of the public stormwater system.

**8.502 Stormwater System Construction**

(1) No unauthorized person shall uncover, make any connections to or opening into the public stormwater system, use, alter or disturb any storm sewer lateral or appurtenance thereof without first obtaining a permit from the City. In each case, the owner or their agent, shall make application on a special form furnished by the City. The permit applications shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City's authorized stormwater representative.

(2) All costs and expenses incidental to the installation and connection of stormwater facilities shall be borne by the owner. The owner shall indemnify the City from any loss or damage to the City that may directly or indirectly be occasioned by the installation of stormwater facilities or connections to the public stormwater system.

(3) The size, slope, alignment, construction materials of stormwater facilities, and the methods to be used excavating, placing of the pipe or other facilities, jointing, testing and backfilling the trench, shall all conform to the requirements of the State of Oregon Plumbing Specialty Code and other applicable rules and regulations of the City, including the City's Public Works Standards.

(4) The connection of the stormwater facilities to the public stormwater system shall conform to the requirements of the State of Oregon Specialty Plumbing Code in effect at the time, and other applicable rules and regulations of the City, including the City's Public Works Standards. Any deviation from prescribed procedures and materials must be approved by the City's authorized stormwater representative before installation.

(5) The applicant shall notify the City's authorized stormwater representative when the stormwater facilities are ready for inspection. The connection shall be made under the supervision of the City's authorized stormwater representative. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored at the applicant's or owner's expense in a manner satisfactory to the City, in accordance with the City's requirements.



(6) All excavations for stormwater facility installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.

**8.504 Use of Public Stormwater System**

(1) No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb, any public stormwater system or appurtenance thereof without first obtaining written permission from the City.

(2) Stormwater shall be discharged to storm sewers and natural outlets under the authority and regulations of the NPDES Municipal Stormwater Permit Program, administered by the Oregon Department of Environmental Quality.

(3) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the public stormwater system.

(4) It shall be unlawful to discharge in or into any natural outlet or stormwater sewer inlet (catch basin, grate, roof downspout, etc.) within the City of Wilsonville, or in any area under the jurisdiction of said City, any sewage or other polluted water.

(5) Stormwater shall be protected from soap, wax, or other pollution runoff from vehicle wash facility entrance and exits.

**8.506 Public Stormwater System – Property Damage Prohibited**

(1) No unauthorized person shall with intent to cause substantial inconvenience or with intent to cause damage, break, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the public stormwater system. Any person violating this provision and as a result thereof damages any part of the public stormwater system, shall be subject to arrest and prosecution under the laws of the State of Oregon as set forth in ORS 164.345 through 164.365.

**8.508 Right of Entry**

(1) Where it is necessary to perform inspections, measurements, sampling and/or testing, to enforce the provisions of this code, or where the City's authorized stormwater representative has reasonable cause to believe that there exists upon the premises a condition which is contrary to or in violation of this code which makes the premises unsafe, dangerous or hazardous, the City's authorized stormwater representative is authorized to enter the premises at reasonable times to inspect or to perform the duties imposed by this code. Provided, however, that if such premises is occupied that credentials be presented to the occupant and entry requested. If such premises are unoccupied, the City's authorized stormwater representative shall first make a reasonable effort to locate the owner or other person having charge or control of the

premises and request entry. If entry is refused, the City's authorized stormwater representative shall have recourse to the remedies provided by law to secure entry.

(2) The premises shall be maintained in a safe condition by the owner or a person having charge or control of the premises and upon contact by the City's authorized stormwater representative the owner or a person having charge or control of the premises shall have a duty to notify City's authorized stormwater representative of any safety rules or unsafe conditions applicable to the premises.

(3) Not with standing, Section 8.508(1) above, the City's authorized stormwater representative shall be permitted to enter all private properties through which the City holds an easement, according to the terms of the easement. Any storm water facility work within said easement shall be done according to the regulation provided in this Code and/or the Public Works Standards.

### **8.510 Discharge of Pollutants**

(1) The commencement, conduct, or continuance of any non-stormwater discharge to the public stormwater system is prohibited and is a violation of this ordinance, except as described below.

(2) The prohibition shall not apply to any non-stormwater discharge permitted or approved under an Industrial or Municipal NPDES Stormwater permit, waiver, or discharge order issued to the discharger and administered by the DEQ, provided that the discharger is in full compliance with all requirements of the permit, waiver, or discharge order and other applicable laws or regulations and provided that written approval has been granted by the City for any discharge to the municipal separate storm wastewater system (MS4).

- (a) Except as provided in subsection (3), the prohibition shall not apply to the following non-stormwater discharges to the public stormwater system: water line flushing, landscape irrigation, diverted stream flows, rising groundwater, uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(20)) to the MS4, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, de-chlorinated swimming pool discharges, street wash water, and flows from firefighting.
- (b) "Street wash water" is defined for purposes of this section to be water that originates from publicly-financed street cleaning activities consistent with the City's NPDES municipal stormwater permit.
- (c) Discharge of flows to the public or private stormwater system from private washing of sidewalks, streets and parking lots are discouraged to the maximum extent practicable.

(3) The City may require best management practices to reduce pollutants, or may prohibit a specific discharger from engaging in a specific activity identified in subsection (2) if at any time the City determines that the discharge is, was, or will be a significant source of pollution.

**8.512 Discharge in Violation of Permit**

Any discharge that would result in or contribute to a violation of an existing or future Municipal NPDES Stormwater permit and any amendments, revisions, or reissuance thereof, either separately considered or when combined with other discharges, is a violation of this chapter and is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such persons shall defend, indemnify, and hold harmless the City in any administrative or judicial enforcement action against the permit holder relating to such discharge.

**8.514 Waste Disposal Prohibitions**

(1) No person may cause or contribute to pollution, including but not limited to any refuse, rubbish, garbage, litter, yard debris, landscape materials, compost, topsoil, bark, gravel, sand, dirt, sod, sediment or sediment-laden runoff from construction or landscaping activities, hazardous materials, or other discarded or abandoned objects, articles, and accumulations in or to the public stormwater system.

(2) Runoff from commercial or industrial operations or businesses that wash or detail vehicles, engines, transmissions, equipment, interior floors, or parking lots, shall not discharge directly to a private or public stormwater system except as allowed under Section 8.510 of this code; this includes but is not limited to outdoor commercial, industrial or business activities that create airborne particulate matter, process by-products or wastes, hazardous materials or fluids from stored vehicles, where runoff from these activities discharges directly or indirectly to a private or public stormwater system.

**8.516 General Discharge Prohibitions**

(1) It is unlawful to discharge or cause to be discharged directly or indirectly into the public stormwater system any of the following:

- (a) Any discharge having a visible sheen, or containing floating solids or discoloration (including but not limited to dyes and inks);
- (b) Any discharge having a pH of less than 6.5 or greater than 8.5 or that contains toxic chemicals in toxic concentrations;
- (c) Any discharge which causes or may cause damage, interference, nuisance or hazard to the public stormwater system or the City personnel; and
- (d) Any discharge containing human sanitary waste or animal feces.

**8.518 Compliance with Industrial NPDES Stormwater Permits**

Any industrial discharger, discharger associated with construction activity, or other discharger subject to any NPDES Stormwater permit issued by the Oregon DEQ, from which pollutants may enter the public or private stormwater system, shall comply with all provisions of such permits, including notification to and cooperation with local entities as required by State and Federal regulations. Proof of compliance with said permits may be required in a form acceptable to the City prior to issuance of any grading, building, occupancy permits or business license.

**8.520 Compliance with Local, State, and Federal Regulations**

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. 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, state laws.

**8.522 Conflicts with Existing and Future Regulatory Requirements of Other Agencies**

Any provisions or limitation of this chapter and any rules adopted pursuant hereto are superseded and supplemented by any applicable local, state and federal requirements existing or adopted subsequent hereto, which are more stringent than the provisions and limitations contained herein.

**8.524 Accidental Spill Prevention and Control**

Accidental spills and releases by dischargers who are not required to obtain a NPDES Stormwater permit but who handle, store or use hazardous or toxic substances or discharges prohibited under Section 8.512 and there is a reportable quantity as defined in OAR 340-142-0050, on their sites shall prepare and submit to the City an Accidental Spill Prevention and Control Plan within 60 days of notification by the City. If other laws or regulations require an Accidental Spill Prevention and Control Plan, a plan that meets the requirement of those other laws and regulations will satisfy the requirement of this Section.

**8.526 Notification of Spills**

- (1) As soon as any person in charge of a facility or responsible for emergency response for a facility becomes aware of any suspected, confirmed, or unconfirmed release of material, pollutants, or waste creating a risk of discharge to the public stormwater system, such persons shall:
  - (a) Begin containment procedures;
  - (b) Notify proper emergency personnel in case of an emergency;
  - (c) Notify appropriate city and/or state officials regarding the nature of the spill; and

- (d) Follow-up with the city regarding compliance and modified practices to minimize future spills, as appropriate.

(2) The notification requirements of this section are in addition to any other notification requirements set forth in local state, or Federal regulations and laws. The notification requirements do not relieve the person of necessary remediation.

**8.528 Requirement to Eliminate Illicit Connections**

(1) The City's authorized stormwater representative may require by written notice that a person responsible for an illicit connection to the public stormwater system comply with the requirements of this chapter to eliminate the illicit connection or secure approval for the connection by a specified date.

(2) If, subsequent to eliminating a connection found to be in violation of this chapter, the responsible person can demonstrate that an illicit discharge will no longer occur, that person may request approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.

**8.530 Requirement to Remediate**

Whenever the City finds that a discharge of pollutants is taking place or has taken place which will result in or has resulted in pollution of stormwater or the public stormwater system, the City's authorized stormwater representative may require by written notice to the responsible person that the pollution be remediated and the affected property restored, to the requirements of this Chapter.

**8.532 Requirement to Monitor and Analyze**

Whenever the City's authorized stormwater representative determines that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution or illicit discharges to the public stormwater system, the City's authorized stormwater representative may, by written notice, order that such person undertake such monitoring activities and/or analyses and furnish such reports as the City's authorized stormwater representative may deem necessary to demonstrate compliance with this chapter. The written notice shall be served either in person or by certified or registered mail, return receipt requested, and shall set forth the basis for such order and shall particularly describe the monitoring activities and/or analyses and reports required including but not limited to, that which may be undertaken by a third party independent monitor, sampler and/or tester. The recipient of such order shall undertake and provide the monitoring, analyses and reports within the time frames set forth in the order.

**8.534 Erosion Prevention and Sediment Control**

(1) Any person performing construction work in the city shall comply with the provisions of this chapter and shall provide and maintain erosion and sediment controls that

prevent discharges of pollutants to the public stormwater system. Any person performing construction work in the city shall comply with the City's Public Works Standards which establishes standards and guidelines for implementing Best Management Practices designed to provide erosion prevention and sediment control from construction sites.

(2) The City's authorized stormwater representative may make periodic inspections to ensure compliance with the requirements of the Public Works Standards.

### **8.536 General Policy**

(1) Application and Purpose. It is a City requirement to reduce the amount of sediment and other pollutants reaching public storm and surface water systems resulting from development, construction, grading, excavation, clearing, and any other activity that accelerates erosion, to the limits prescribed herein. These provisions shall apply to all land within the City.

(a) Regulated Activities. To minimize the adverse effects of construction on the environment, Erosion Control Permits are required (unless specifically exempted from this requirement as provided herein) for the following activities:

- 1) All activities requiring a Public Works Permit or a Grading Permit.
- 2) Projects involving construction of public trails, bike paths and pedestrian ways, public or private streets, and underground utilities in existing public rights-of-way or in areas designated in the City's Comprehensive Plan as Significant Resource Overlay Zones.
- 3) All construction projects, including but not limited to capital improvements, Public Works construction and utility installations.

(b) Minimum Requirements:

- 1) No visible or measurable dust, mud, muddy water, or rock shall exit the site, enter the public or private systems or be deposited into any water body.
- 2) Ground-disturbing activities requiring a permit shall install erosion and sediment control (ESC) measures and have them inspected and approved by the City's inspector before any ground breaking occurs.
- 3) During the construction period, these ESC measures shall be upgraded as needed for worst-case storm events and to ensure that sediment and sediment-laden water does not leave the site.

(c) To meet these minimum standards, responsible parties shall:

- 1) As the first step in development, install ESC measures intended to keep soil on site and out of water bodies, storm drainage systems and the public right of way.
- 2) Remove any soil that enters the public storm system, roadway or right of way.
- 3) Protect stormwater inlets that are functioning during the course of the project by means of approved ESC measures so that sediment-laden water cannot enter the inlets without first being filtered.
- 4) Apply permanent or temporary soil stabilization to denuded development areas in conformance with the following schedule:
  - a. Between October 1 and April 30, all inactive denuded sites shall be provided with either temporary or permanent soil stabilization as soon as practicable after ground-disturbing activity occurs. The City will determine whether active construction exists.
  - b. Temporary erosion and sediment control measures to reduce dust and sediment transport shall be applied as soon as practicable before any ground-disturbing activity occurs and immediately when dusty conditions or any transport of sediment occurs.
  - c. Temporary measures shall be maintained until permanent measures are established.

(d) Temporary and Permanent ESC Measures Required. City policy requires both temporary and permanent ESC measures for any change to improved or unimproved real property that causes, will cause, or is likely to cause, a temporary or permanent increase in the rate of soil erosion from the site.

(e) If required by the City's authorized representative, construction activities shall be sequenced to reduce the amount and duration of soil exposure to erosion by wind, rain, runoff, and vehicle tracking. The construction schedule is an orderly listing of all major land disturbing activities together with the necessary erosion prevention and sediment control measures planned for a project. This type of schedule guides the applicant on project sequencing so that serious erosion and sedimentation problems can be avoided



(f) Duties of the Owner/Responsible Party. The Owner's responsible party shall properly install, operate and maintain both temporary and permanent measures as provided in this section and/or in an approved plan, to protect the environment during the term of the project. The responsible party shall also remove temporary erosion controls.

Nothing in these policies shall relieve any person or organization from the obligation to comply with the regulations or permits of any federal, state, or local authority.

### **8.538 Erosion Prohibited**

(1) Visible or measurable erosion as determined by the City's authorized representative, that enters, or is likely to enter public storm or surface water systems is hereby prohibited and is a violation of these rules. The owner of the property and the permittee, together with any person who causes or allows erosion to occur, shall be considered to be in violation of these rules.

(2) In determining measurable erosion, the City will rely on the adopted Water Quality Standard not to be exceeded for the waters of the Willamette Basin (Oregon Administrative Rule 340-41-0340), which currently sets criteria for dissolved oxygen, temperature, turbidity, pH, bacteria, and total dissolved solids.

(3) An off-site sedimentation control facility may be utilized if it has been identified and approved in writing by the City's authorized representative, written approval is obtained from the respective property owner, and a written agreement for rehabilitation of the facility by the applicant or contractor is submitted to the City. The owner of the property or the applicant under a Public Works Permit, together with any person or persons, including but not limited to the contractor or the design engineer causing such erosion, shall be held responsible for violation of the City's standards.

### **8.540 Erosion Control Permits**

(1) Except as noted herein, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause, a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees. Such changes to land shall include, but are not limited to, grading, excavating, filling, working of land, or stripping of soil or vegetation from land.

(2) Any work requiring a Grading Permit, as specified in the applicable Building Code, shall require an Erosion Control Permit, unless specifically exempted from this requirement as specified in subsection 5(C), below. Where a Grading Permit is being issued for

on-site work, the Grading Permit will include an Erosion Control Plan.

(3) No owner, utility company or contractor shall begin construction, grading, excavation, fill, or clearing of land without first verifying in writing that the City has issued an Erosion Control Permit covering such work, or the City has determined that no such Permit is required. No public agency or body shall undertake any public works project without first obtaining an Erosion Control Permit covering such work, or receiving a determination from the City that none is required.

(a) Construction on slopes greater than 5 percent, or on highly erodible soils, shall be subject to limitations or conditions of approval that may limit excavation or other construction from November 1 through April 30.

(b) Limits of work are to be specified in the Erosion Control Permit.

(c) The Contractor shall provide a tentative construction schedule and shall notify the City authorized representative at least 24 hours before the start of excavation or construction.

(4) No Erosion Control Permit (from the City) is required for the following:

(a) For work of a minor nature, provided that all of the following criteria are met:

1) The land development does not require a Public Works Permit, a Grading Permit or a development permit, from the City.

2) No land development activity or disturbance of land surface occurs within 100 feet of the Significant Resource Overlay Zone, as defined in the City's Comprehensive Plan.

3) The slope of the site is less than 12 percent.

4) The work on the site involves disturbance of less than 500 square feet of land surface.

5) The excavation, fill, or combination thereof involves a total of less than 20 cubic yards of material.

a. Permits and approvals for land division, interior improvements to an existing structure, and other approvals for which there is no physical disturbance to the surface of the land.

- b. Activities within the City that constitute accepted farming practices as defined in ORS 215.203, and which are permitted by City zoning.
- c. Exception from the permit requirement does not exempt the property owner from the responsibilities outlined herein.

#### **8.542 Erosion Control Permit Process**

- (1) Applications for Erosion Control Permit. Application for a Permit shall include:
  - (a) A grading and erosion control plan that contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion.
  - (b) A site map showing:
    - 1) Existing and adjacent drainage including site run-on, public or private receiving water for drainage leaving the site and developed stormwater conveyance systems and facilities.
    - 2) Natural resource features to be protected on and adjacent to the site.
    - 3) Areas to remain undisturbed by construction activities.
    - 4) Sequence and locations of clearing, grubbing and grading, including stockpile locations, management and schedule of their removal.
    - 5) Locations and types of dust and erosion control facilities for each major project phase.
    - 6) Final landscaping plan, including hard surfaces, sodded or mulched areas, and areas to be seeded, including seed mix, rate, area, broadcast method and date of seeding.
  - (c) The grading and erosion control plan shall be designed to meet the requirements herein and shall be prepared using either of the following methods:
    - 1) The techniques and methods contained and prescribed in the Clackamas County Water Environment Services most current version of 'Erosion Prevention and Sediment Control Planning and Design Manual (this document is hereby adopted by reference), together with the City of Wilsonville's exceptions stated herein.

- 2) The Soil conservation Service's Universal Soil Loss Equation or other equivalent methods established by Board rule to prepare a site-specific plan outlining protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year.
- (d) All ESC plans shall include an erosion control legend, erosion control details, both pertaining to the project, and the City of Wilsonville's Erosion and Sediment Control Notes, including the Sediment Fence Notes.
- (e) When required by the City, the Grading and Erosion Control Plan will be designed, approved, and managed by a Certified Professional in Erosion and Sediment Control (CPESE).

#### **8.544 Maintenance**

(1) The owner/applicant shall maintain the facilities and techniques contained in the approved Erosion Control Permit so as to assure that they remain effective during the construction or other permitted activity. If the facilities and techniques approved in an Erosion Control Permit are not effective or sufficient as determined through site inspection the permittee shall submit a revised plan within three (3) working days of written notification by the City. Upon approval of the revised plan by the City, the permittee shall immediately implement the additional facilities and techniques of the revised plan. Where erosion is occurring, the owner/applicant shall correct control measures immediately. The City will re-inspect for compliance.

#### **8.546 Inspection**

(1) Initial and final ESC inspections are required, and ground breaking may not occur until initial inspection has been approved. Tree protection shall be installed, inspected, and approved before any ESC measures are placed. An erosion and sediment control inspection shall not occur until tree inspection and approval has occurred.

#### **8.548 Prevention and Cleanup of Tracks, Spills and Deposits**

(1) No person shall drag, drop, track, or otherwise place or deposit, or permit to be deposited, mud, dirt, rock or other such debris upon a public street or into any part of public or private storm or surface water systems.

(2) Any such deposit of material shall be immediately removed using hand labor or mechanical means.

(3) No material shall be washed or flushed into any part of storm or surface water

systems without sediment control measures installed, including cleanup, to the satisfaction of the City.

### **8.550 Fees for Permit**

(1) The City shall collect a fee to defray the costs of review of plans, administration, enforcement, and field inspection to carry out the rules contained herein.

### **8.552 Exceptions to Erosion Control Techniques and Methods**

(1) The erosion control techniques and methods in the Clackamas County Water Environment Services' most current version of "Erosion Prevention and Sediment Control Planning and Design Manual" shall be used, with the following exceptions:

- (a) Gravel or rock construction entrances (two to three inch crushed aggregate) with geotextile fabric shall be required for each construction entrance. An entrance is required for each vehicle access point on each project and entrances shall be maintained for the duration of the project. Additional measures such as a wheel wash may be required to ensure that all paved areas are kept clean for the duration of the project. The owner/applicant is responsible for design and performance of the construction entrance. Under no circumstance shall vehicles or equipment enter a property adjacent to a stream, water course, wetland or storm or surface water facility such that it would not be possible to avoid contaminating or depositing mud, dirt, or debris into the water or wetland.
- (b) The use of straw bales as silt barriers is prohibited.
- (c) Silt barriers are not required on a site under the following circumstances:
  - 1) Where a Community Erosion Control Plan is in effect.
  - 2) Where there are no concentrated flows and the slope being protected has a grade of less than 2 percent.
  - 3) Where flows are collected by means of temporary or permanent grading or other techniques, such that the flows are routed to an approved settling pond, filtering system, or silt barrier.
  - 4) Where there are no concentrated flows, slopes are less than 10 percent, and where the runoff passes through a grassed area that is either owned by the applicant, or approved for such use in writing by the owner of the grassed area. The grassed area shall be at least equal in dimensions to the

area being protected.

5) Where the surface is protected by appropriate ground cover or matting.

(2) Neighborhood Erosion Control Plan. Any individual or group may submit a plan to control erosion from multiple lots. This shall be referred to as a “Neighborhood Erosion Control Plan.” In such cases, the group of lots will be evaluated as if they were one lot.

(a) If an individual lot in a Neighborhood Erosion Control Plan changes ownership, the new owners may either join the Neighborhood Erosion Control Plan (with the approval of the other “neighborhood” owner or owners), or will need to submit their own erosion control plan if erosion potential still exists on the parcel.

(b) If a lot changes ownership and the new owner does not join the Neighborhood Erosion Control Plan, the Plan shall be revised to provide for the exclusion.

(3) Protection Measure Removal. The erosion control facilities and techniques shall remain in place and be maintained in good condition until all disturbed soil areas are permanently stabilized by installation and establishment of landscaping, grass, mulching, or otherwise covered and protected from erosion. Straw or plastic sheeting are to only be used as temporary measures during construction and are prohibited for use as ground cover for final inspection. A final erosion control inspection shall be required prior to any change in ownership of the subject property.

(4) Plastic Sheeting. Plastic sheeting may be used to protect small, highly erodible areas, or temporary stockpiles of material. If used, the path of concentrated flow from the plastic shall be protected from eroding.

(5) Ground Cover Establishment. On sites where vegetation and ground cover have been removed from more than one (1) acre of land, ground cover shall be re-established by seeding and mulching on or before September 1 with the ground cover established by October 15. As an alternative to seeding and mulching, or if ground cover is not established by October 15, the open areas shall be protected through the winter with straw mulch, erosion blankets, or other similar method. Ivy shall not be used as a ground cover for erosion control purposes.

#### **8.554 1200-C and 1200-CN Permits (Construction Stormwater Discharge Permit)**

(1) If the site requires a 1200-C permit from the Oregon Department of Environmental Quality (DEQ), an approved copy of the 1200-C Permit shall be submitted to the City before any clearing or grading will be allowed to proceed. Construction activities including clearing, grading, excavation, and stockpiling that will disturb five (5) or more acres and that may discharge to surface waters or conveyance systems leading to surface waters of the state,

require a DEQ 1200-C permit. The 1200-C permits are obtained directly from DEQ, and require a public notice period.

(2) A DEQ 1200-CN permit is required for construction activities that disturb between one (1) acre and five (5) acres as part of a common plan of development or sale if the larger common plan of development or sale will ultimately disturb one acre or more and which may discharge to surface waters or conveyance systems leading to surface waters of the state.

### **8.556 Activities in Wetlands**

(1) Both the U.S. Army Corps of Engineers and the Oregon Department of State Lands have permit procedures for construction activities in wetlands that are within the jurisdiction of those agencies. Applicants for an Erosion Control Permit shall be required to demonstrate their compliance with all applicable requirements of those agencies, including any required mitigation.

(2) The construction of underground utilities in wetland areas shall require the use of impermeable barriers, designed and installed in such a manner as to avoid draining the wetlands.

### **8.558 Work in Flood-Prone Areas**

(1) Work in flood-prone areas shall be subject to the requirements of Section 4.172 of the Wilsonville Code and to all applicable Federal Emergency Management Agency flood insurance standards.

### **8.560 Geotechnical Investigation**

(1) Work on slopes exceeding 12 percent that is not exempt from the Erosion Control Permit requirements included herein shall require a written report from a civil engineer with geotechnical expertise. That report shall verify that the potential hazards of construction in the area have been considered and that adequate measures will be included in design and construction to assure that risks to life, property and the environment will be avoided or mitigated.

(2) Work on slopes greater than 12 percent shall utilize planning and designs that reduce the potential for erosion in the following ways:

(a) Limit the extent of disturbance of soils.

(b) Minimize removal of trees and other vegetative cover, meeting all, or exceeding, requirements of the City's Tree Preservation and Protection code (Section 4.600 of the Wilsonville Code).



Provide landscaping plans that include slope stabilization and re-vegetation.

### **8.564 Maintaining Water Quality**

- (1) Construction within the banks of a stream shall be kept to a minimum.
  - (a) In-stream operations and schedule shall be in conformance with the Oregon Department of Fish and Wildlife's (ODF&W) in-water work windows and as approved in writing by the City's authorized representative.
  - (b) Comply with the regulatory requirements of ODF&W, Oregon Department of State Lands, US Fish and Wildlife Service, U.S. Army Corps of Engineers and any other state and federal agencies having jurisdiction.

(2) Construction materials and common construction site pollutants shall be controlled, including: demolition wastes, equipment fluids, concrete waste and slurry, sealants, additives, curatives and rinse water; treated wood, wood preservatives and resins; metal debris; solvents and degreasers; paints, paint thinners and paint rinse water; fertilizers, pesticides and herbicides; batteries, fluorescent lights, PCBs, asbestos, lead and contaminated soils. Pollutants such as fuels, lubricants, bitumens, raw sewage, and other harmful materials shall not be discharged into or near rivers, streams, impoundments, drainage systems or onto soil.

(3) All sediment-laden water from construction operations shall be routed through stilling basins, filtered or otherwise treated to reduce the sediment load.

(4) Refer to the City's Public Works Standards for design criteria for water quality facilities and their maintenance and operations.

### **8.566 Fish and Wildlife Habitat**

(1) Construction shall be done in a manner to minimize the adverse effects on wildlife and fishery resources.

#### (2) Site Preparation

(a) Native materials shall be conserved for site restoration; for example native soils shall be re-used to fill soil-wrapped lifts.

(b) If possible, native materials shall be left where they are found and the disturbance area shall be minimized to the maximum extent practicable.

(c) Materials that are moved, damaged, or destroyed shall be replaced with the functional equivalent during site restoration.

(d) Any large wood, native vegetation, weed-free topsoil, and native channel material displaced by construction shall be stockpiled for use during site restoration.

(3) Emergency Measures

(a) In the event of a major unexpected event (spills, fire, flood, landslide, failure of construction measures or equipment) an assigned project representative will be on site or available by phone at all times.

(b) Work causing or affected by the event shall cease until the assigned representative provides clearance to proceed. The representative shall contact the appropriate permit representatives (e.g., City, ODF&W, DEQ, Oregon Department of State Lands) as appropriate.

(4) The requirements of local, state, and federal agencies charged with wildlife and fish protection shall be adhered to by the entire construction work force by implementing a plan to communicate Erosion Control Permit and other relevant requirements to all workers.

**8.568 Existing Vegetation**

(1) As far as is practicable, existing vegetation shall be protected and left in place. Work areas shall be carefully located and marked to reduce potential damage to vegetation intended to be protected. Trees shall not be used as anchors for stabilizing construction equipment.

(2) Where existing vegetation has been removed, or the original land contours disturbed, the site shall be re-vegetated, and the vegetation established, as soon as practicable. Ivy shall not be used as a ground cover for erosion control purposes.

(3) Work in areas with one or more trees having a diameter of six or more inches at a height of 4 1/2 feet shall be subject to the applicable standards and requirements of Section 4.600 of the Wilsonville Code.

**8.570 Contaminated Soils**

(1) In the event the construction process reveals soils contaminated with hazardous materials or chemicals, the Contractor shall:

(a) Stop work immediately.

- (b) Immediately notify the City's authorized representative, the design engineer, the Oregon Department of Environmental Quality and an emergency response team of the situation upon the discovery of contaminated soils.
- (c) Ensure no contaminated material is hauled from the site.
- (d) Remove his/her work force from the immediate area of the contamination.
- (e) Leave all machinery and equipment on the site.
- (f) Secure the area from access by the public until such a time as a mitigation team has relieved them of that responsibility.

**8.572 Underground Utilities (exposed areas) and Construction Access Roads**

- (1) Utilities that are otherwise located underground, but which are visible where they cross swales, channels, or other intermittent low spots, shall be considered to be underground utilities, as the term is used in this ordinance.
- (2) Placement of underground utilities shall not result in dewatering of wetlands.
- (3) Ground disturbances created by stream crossings of underground utilities shall be seeded and or planted to appropriate vegetation.

**8.574 Severability**

- (1) If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**8.5736 Stormwater – Violation**

Any person violating any of the terms of this Section shall upon a first conviction thereof, be subject to the violation fine provisions pursuant to City Code Chapter 1.012 of the Wilsonville Code and upon a subsequent conviction thereof, shall be subject to the Class C Misdemeanor fine provisions pursuant to City Code Chapter 1.011. In addition, upon a conviction, a person shall be liable for the costs of prosecution.

**ENFORCEMENT**

**8.602 Administrative Enforcement Remedies**

(1) Enforcement. In addition to the imposition of civil penalties, the City shall have the right to enforce this Chapter by injunction, or other relief, and seek fines, penalties and damages in Federal or State courts. Any discharge that fails to comply with the requirements of these rules and regulations or provisions of its industrial wastewater discharge permit may be subject to enforcement actions as prescribed in Section 8.602(2) through Section 8.602(9) below.

(a) The City is hereby authorized to adopt, by ordinance or resolution, an Enforcement Response Plan, with procedures and schedules of fines, to implement the provisions of this Section.

(b) The type of enforcement action shall be based, but not limited by the duration and the severity of the violation; impacts on water quality, sludge disposal, interference, work health and safety; violation of the City's NPDES discharge permit. Enforcement shall, generally, be escalated in nature.

(2) Notification of Violation. Whenever the City finds that any User has violated or is violating this Chapter, a wastewater permit or order issued hereunder, or any other pretreatment requirement, the Director of his agent may serve upon said user a written Notice of Violation. Within ten (10) days of receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Director. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of this Notice of Violation. Nothing in this section shall limit the authority of the City to take emergency action without first issuing a Notice of Violation.

(3) Consent Orders. The City may enter into Consent Orders, Assurance of Compliance, or other similar documents establishing an agreement with the any User responsible for the noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the document. Such documents shall have the same force and effect as administrative orders issued pursuant to Section 8.602(4) or 8.602(5) below and shall be judicially enforceable.

(4) Show Cause Hearing. The City may order any industrial user which causes or contributes to violation(s) of this Chapter, wastewater permits or orders issued hereunder, or any other pretreatment requirement to appear before the City and show cause why a proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User. Whether or not the User appears as notified, immediate

enforcement action may be pursued following the hearing date. This action shall not be a bar against, or establish a prerequisite for, taking any other action against the User.

(5) Compliance Orders. When the City finds that a User has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(6) Cease and Desist Orders. When the City finds that a User has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the City may issue an order to the User directing it to cease and desist all such violations and directing the User to:

(a) Immediately comply with all requirements:

(b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatening violation, including halting operations and/or terminating the discharge. This action shall not be a bar against, or establish a prerequisite for, taking any other action against the User.

(7) Administrative Fines.

(a) When the City finds that a User has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may fine such User in an amount not to exceed five thousand dollars (\$5,000). Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines may be assessed for each day during the period of violation.

(b) Assessments may be added to the user's next scheduled sewer service charge and the City shall have such other collection remedies as may be available for other service charges and fees. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of twenty percent (20%) of the unpaid balance, and interest shall accrue thereafter at a rate of seven percent (7%) per month. A lien against the User's property shall be sought for unpaid charges, fines, and penalties.

(c) Users desiring to dispute such fines must file a written request for the City to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Where a request has merit, the City may convene a hearing on the matter. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. the City may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

(d) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

(8) Emergency Suspensions. The City may immediately suspend an user's discharge and the industrial user's wastewater discharge permit, after informal notice to the industrial user, whenever such suspension is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause an imminent endangerment to the health and welfare of persons. The City may also immediately suspend an user's discharge and the industrial user's wastewater discharge permit, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

(a) Any User notified of a suspension of its discharge activity or wastewater permit shall immediately stop or eliminate its contribution. In the event of an industrial user's failure to immediately comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including immediate severance of the sewer connection to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The City may allow the User to recommence its discharge when the user has demonstrated to the satisfaction of the City that the period of endangerment has passed, unless the termination proceedings set forth in Section 8.602(9) are initiated against the user. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this Section.

(b) Any user which is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the Director prior to the date of any show cause or termination hearing under Section 8.602(4) or 8.602(9).

(9) Termination of Permit. Any User who violates the following conditions is subject to discharge termination:

(a) Violation of discharge permit conditions;

(b) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(c) Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;

(d) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling;

(e) Violation of the pretreatment standards in Section 8.302 of this Chapter.

Such Users will be notified of proposed termination of its discharge and be offered an opportunity to show cause under Section 8.602(4) above why the proposed action should not be taken.

Exercise of this option by the City shall not be a bar to, or establish a prerequisite for, taking any other action against the User.

(10) Appeals. Any enforcement action by the City may be appealed to the City Council by filing a petition for reconsideration. The petition must show cause why an enforcement action should not be taken.

(a) Enforcement action appeals must be filed with the City Recorder within ten (10) working days of receipt of the enforcement action.

(b) The petition for appeal shall indicate the nature of the interpretation that is being appealed. The matter at issue will be a determination of the appropriateness of the interpretation of the enforcement response and the requirements of the pretreatment program.

(c) Upon appeal, the City Council shall first determine whether the appeal shall be heard on the record only, or upon an evidentiary hearing *de novo*. Where an appellant has been afforded an opportunity of an evidentiary hearing by the City, then appeal shall be limited to a review of the record and a hearing for receipt of arguments regarding the record. Where an appellant has not been afforded an evidentiary hearing, or upon finding that under prejudice should otherwise result, the City Council shall conduct an evidentiary hearing *de novo*.

(d) Unless otherwise provided by the City Council, an evidentiary hearing *de novo* on appeal shall require a record be kept of the following:

- 1) The record, if any, of the matter before the City.
- 2) A factual report prepared and presented by the City.
- 3) All exhibits, materials and memoranda submitted by any party and received or considered in reaching the decision under review.
- 4) A record of testimonial evidence, if any.



(e) Upon review, the City Council may by order affirm, reverse or modify in whole or part a determination or requirement of the decision that is under review. When the Council modifies or renders a decision that reverses a decision regarding and enforcement action, the Council, in its order, shall set forth its finding and state its reasons for taking the action.

#### **8.604 Judicial Enforcement Remedies**

(1) Injunctive Relief. Whenever the City finds that a user has violated or continues to violate the provisions of this Chapter, permits or orders issued hereunder, or any other pretreatment requirements, the City through the City's attorney, may petition the Circuit Court of Clackamas County for issuance of a temporary or permanent injunction, as may be appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Chapter on activities of the user. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for taking any other action against the User.

(2) Civil Penalties. A User which has violated or continues to violate the provisions of this Chapter, a wastewater permit, or any order issued hereunder, or any other Pretreatment Standard or Requirement may be liable to the City for a maximum civil penalty of five thousand dollars (\$5,000) per violation per day. In the case of a monthly or other long term average discharge limit, penalties shall accrue for each business day during the period of this violation.

(a) The City may recover reasonable attorney's fees, court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

(b) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm, caused by the violation, the magnitude and duration, any economic benefit gained through the industrial user's violation, corrective actions by the industrial user, the compliance history of the user, and any other factors as the justice requires.

(c) Filing a suit for civil penalties shall not be a bar to, or a prerequisite for, taking any other action against the user.

(3) Criminal Prosecution.

(b) Any User who willfully or negligently violates any provisions of this Chapter, any orders or permits issue hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$5,000 per violation per day or imprisonment for not more than one year or both.

(b) Any User who knowingly makes any false statement, representations, or certifications in any application, record, report, plan or other documentation filed or required to be maintained pursuant to this Chapter, or wastewater discharge permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Chapter shall, upon conviction, be punished by a fine of not more than \$5,000 per violation per day or imprisonment for not more than one year or both.

(c) Any User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$5,000 per violation, per day, or be subject to imprisonment for not more than one year, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

(d) In the event of a second conviction, the user shall be punished by a fine not to exceed \$6,000 per violation per day or imprisonment for not more than three (3) years or both.

(4) Remedies Nonexclusive

The remedies provided for in this ordinance are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the City may take other action against any User when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any noncompliant User.

**8.606 Supplemental Enforcement Action**

(1) Performance Bonds. The City may decline to reissue a permit to any User who has failed to comply with the provisions of this Chapter, a previous wastewater discharge permit, or orders issued hereunder, or any other Pretreatment Standard or Requirement, unless such user first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the City to be necessary to achieve a consistent compliance.

(2) Liability Insurance. The City may decline to reissue a permit to any industrial user which has failed to comply with the provisions of this Chapter, a previous wastewater discharge permit, or orders issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurance sufficient to restore or repair damage to the POTW caused by its discharge.

(4) Payment of Outstanding Fees and Penalties. The City may decline to issue or reissue a wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this ordinance, a previous wastewater discharge permit, or order issued hereunder.

(5) Water Supply Severance. Whenever a User has violated or continues to violate provisions of this Chapter, orders, or permits issued hereunder, water services to the industrial user may be severed and service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

(6) Public Nuisance. Any violation of the prohibitions of effluent limitations of this Chapter, permits, or orders issued hereunder is hereby declared by a public nuisance and shall be corrected or abated as directed by the City. Any person(s) creating a public nuisance shall be subject to the provisions of Chapter 7 of the Wilsonville City Codes governing such nuisance, including reimbursing the City for any costs incurred in removing, abating or remedying said nuisance.

(7) Informant Rewards. The City may pay up to five hundred dollars (\$500) for information leading to the discovery of noncompliance by a User. In the event that the information provided results in an administrative fine or civil penalty levied against the industrial user, the Director is authorized to disperse up to ten percent (10%) of the collected fine or penalty to the informant. However, a single reward payment may not exceed ten thousand dollars (\$10,000).

(8) Contractor Listing. Users which have not achieved consistent compliance with applicable pretreatment standards and requirements are not eligible to receive a contract for the sale of goods or services to the City. Existing contracts for the sale of goods or services to the City held by an industrial user found to be in significant violation with pretreatment standards may be terminated at the discretion of the City.

## **BUSINESS RECYCLING REQUIREMENTS**

### **8.700. Definitions.**

For the purposes of this Chapter, the following terms shall mean:

(1). Business. Any person or persons, or any entity, corporate or otherwise, engaged in commercial, professional, charitable, political, industrial, educational or other activity that is non-residential in nature, including public bodies. The terms shall not apply to businesses whose primary office is located in a residence, conducted as a home occupation. A residence is the place where a person lives.

(2). Source separate. To separate recyclable material from other solid waste.

### **8.710. Purpose.**

The purpose of sections 8.700 through 8.750 is to comply with Business Recycling Requirements set forth in Metro Code chapter 5.10. A significant increase in business recycling will assist the Metro region in achieving waste reduction goals, conserving natural resources and reducing greenhouse gas emissions.

### **8.720. Business Recycling Requirements.**

1. Businesses shall source separate from other solid waste all recyclable paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans for reuse or recycling.
2. Businesses shall ensure the provision of recycling containers for internal maintenance or work areas where recyclable materials may be collected, stored, or both.
3. Businesses shall post accurate signs where recyclable materials are collected, stored or both that identify the materials that the business must source separate for reuse or recycling and that provide recycling instructions.
4. Persons and entities that own, manage or operate premises with Business tenants, and that provide garbage collection service to those Business tenants, shall provide recycling collection systems adequate to enable the Business tenants to comply with the requirement of this section.

### **8.730. Exemption from Business Recycling Requirements.**

A business may seek exemption from the business recycling requirement by providing access to a recycling specialist for a site visit and establishing that it cannot comply with the business recycling requirement for reasons that include, without limitation, space constraints and extenuating circumstances.

### **8.740. Compliance with Business Recycling Requirements.**

A business or business recycling service customer that does not, in the determination of the City or the City's agent, comply with the business recycling requirement may receive a written notice of noncompliance. The notice of noncompliance shall describe the

violation, provide the business or business recycling service customer an opportunity to cure the violation within the time specified in the notice and offer assistance with compliance.

A business or business recycling service customer that does not, in the determination of the City or the City's agent, cure a violation within the time specified in the notice of noncompliance may receive a written citation. The citation shall provide an additional opportunity to cure the violation within the time specified in the citation and shall notify the business or business recycling service customer that it may be subject to a fine.

**8.750 Violations.**

A business or business recycling service customer that does not cure a violation within the time specified in the citation may be subject to a fine provision pursuant to City Code Chapter 1.012, of up to \$250.00 for the first violation and up to \$500.00 for subsequent violations in a calendar year.

# CITY OF WILSONVILLE, OREGON

## Industrial Pretreatment Program Enforcement Response Plan

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## **SECTION I. INTRODUCTION**

The General pretreatment Regulations, 40 CFR 403.8(f)(1)(vi)(A) require POTW's with approved pretreatment programs to obtain remedies for noncompliance by any Industrial User. Specifically, 40 CFR 403.8(f)(5) requires the POTW to develop and implement an enforcement response plan.

EPA states that a violation occurs when any of the following conditions apply:

- Any requirement of the City's rules and regulations has not been met.
- A written request is not met within the specified time.
- A condition of a permit issued under the authority of rules and regulations is not met within the specified time.
- Effluent limitations are exceeded, regardless of intent or accident.
- False information has been provided by the discharge.

Each day a violation occurs is considered a separate violation. Each parameter that is in violation is considered to be a separate violation.

Actions that can be taken by the City, in response to violations, are described in this Enforcement Response Plan. .

This Enforcement Response Plan is intended to provide guidance to the City Staff for the uniform and consistent enforcement of the City Sewer Use Ordinance to all Users of the system. The Enforcement Response Plan should be considered a guide for making decisions on the appropriate actions to be taken to return the User to full compliance in the shortest possible time while not being excessive. For additional information see the City of Wilsonville Code, Chapter 8.

## **SECTION II. ENFORCEMENT REMEDIES**

### **A. Preliminary Enforcement Contacts**

It is of mutual interest to the City and the IU to resolve compliance problems with a minimum of formal coercion. As an aid to the communication process surrounding a formal enforcement action, the City will use the following informal responses:

#### 1. Phone Calls

A phone call maybe the initial informal action taken by the City for missed deadlines and other minor incidents of noncompliance as detected by sampling, inspection and/or as



soon as a compliance deadline is missed or noncompliance is detected. The City is not required to take this action prior to taking other enforcement options.

A written record of the phone conversation is kept and will contain the following information:

- name of company (IU);
- wastewater discharge permit number;
- name and title of person contacted;
- date and time; nature of violation;
- items discussed;
- results of conversation;
- initials or signature of City personnel initiating the phone call.

## 2. Informal Compliance Meeting

An informal compliance meeting may be held to discuss violations which have recurred, violations which remain uncorrected, or violations of a magnitude which warrant more communication between the City and the Industry. The compliance meeting is held specifically to include an authorized representative of the IU (e.g., vice president, general partner, or their duly authorized representative to ensure that he/she is aware that the industry is in noncompliance.

If possible, the compliance meeting should be held before significant noncompliance (SNC) is reached by the industrial user. The industrial user should already be aware of the criteria for SNC, and the compliance meeting will reinforce that the result of SNC includes enforcement measures mandated by federal regulations. The industry may in turn communicate any progress or measures it has taken to regain compliance.

## **B. Administrative Enforcement Remedies**

Administrative Enforcement Remedies are actions that may be initiated at the City Staff level and are intended to be used as an escalation of enforcement. These enforcement actions are considered “formal” and are to be in a written format.

### 1. Notice of Violation

The Notice of Violation (NOV) is an appropriate initial response to any violations and may often be the first response. An informal enforcement action is not required prior to issuing a Notice of Violation. . The purpose of a NOV is to notify the industrial user of the detected violation. It may be the only response necessary in cases of infrequent and generally minor violations. As a general rule, the NOV will be issued not later than 5 business days after discovery of the violation. .

The NOV may be issued by the Pretreatment Coordinator.

The NOV will require the IU to submit a written explanation of the violation and a plan for its satisfactory correction within 10 days of receipt of the NOV. If the user does not return to compliance or submit a plan of correction, the City will escalate to more stringent enforcement responses.

2. Administrative Order

An Administrative Orders (AO) are enforcement actions requiring the IU to take a specific action within a specific time period, and may require the IU to seek outside assistance or to modify their production process to eliminate continued non-compliance. An Administrative Order is considered an escalation of the enforcement beyond an informal enforcement action and a Notice of Violation. The City is not required to take informal or less severe enforcement actions prior to issuing an Administrative Order. It is recommended that in most cases a Notice of Violation be issued prior to issuing an Administrative Order to assure the IU management are aware of the problem before ordering an action that may impact the productivity of the IU. The terms of an AO may or may not be negotiated with IUs.

a. Cease and Desist Order

A Cease and Desist Order directs a user in significant noncompliance (SNC) to cease illegal or unauthorized discharges immediately or to terminate its discharge altogether. A Cease and Desist Order should be used in situations where the discharge could cause interference of a pass through, or otherwise create an emergency situation. The Order may be issued immediately upon discovery of the problem or following a hearing. In an emergency, the Cease and Desist Order may be given initially by telephone, with follow-up (within 5 days) by formal written notice.

b. Consent Order

The Consent Order combines the force of an AO with the flexibility of a negotiated settlement. The Consent Order is an agreement between the City and the IU normally containing three elements:

- compliance schedules;
- stipulated fines or remedial actions; and
- signatures of the City and industry representatives.

Consent Orders are intended to provide a scheduled plan of action to be taken by the IU (sometimes actions to be taken by the City) to return to compliance. The compliance schedule should identify all significant actions in a step wise order and when each step should be completed. Routine written reports should be required of the IU providing written documentation of the status of the Consent Order at the time of the report. Typically Consent Orders should not exceed six months in overall time, and not specific step to exceed a 90 day period. In some cases the completion of one consent order leads to the issuance of a second or third

consent order dependent on the outcome of the previous consent order. Consent orders are effective providing the IU discharge is not contributing to pass through or interference of the POTW. The City may establish interim permit limits or special discharge requirements while a Consent Order runs its course.

No informal or less severe enforcement action is required to be taken prior to issue of a Consent Order. Before issuing a Consent Order the City should consider the impact the IU's discharge is having on the POTW (pass through or interference) and the evidence that is used to determine the need for the order. The milestone dates established for completion of steps within the Consent Order become enforceable at the same level of a discharge limit of the permit or a requirement of the City ordinance.

3. Show Cause Order

An order to show cause directs the user to appear before the City, and explain it noncompliance, and who cause why more severe enforcement actions against the user should not go forward. The order to show cause is typically issued after information contacts, NOVs, Consent Orders or Compliance Orders have failed to resolve the noncompliance. However, the Show Case Order/hearing can also be used to investigate violations or previous orders.

The Show Cause Order will either be hand-delivered or mailed with return receipt required. The Order will indicate the nature of the violations and the proposed enforcement response. At the Show Cause meeting, the Public Works Director will present a factual report prepared as the basis for the proposed enforcement action. The IU will present exhibits, material and memoranda. A record of testimonial evidence will be kept by the City.

Within thirty (30) days following the Show Cause meeting, the PW Director will render a decision regarding an enforcement action to be taken, setting forth findings and stating reasons for taking the action. Affirmative defenses to discharge violations (WC, Section 8.318) will be taken into consideration of the Director's decision.

Within ten (10) working days of receiving notice of the enforcement action to be taken, the IU may appeal the Director's decision to the City Council, pursuant to WC, Section 8.602 (10).

4. Compliance Order

Compliance Orders are similar to Consent Orders, in that, specific actions are mandated and milestone dates are established for the completion of each mandatory action. The primary difference is that a Compliance Order is not negotiated with the IU. The City establishes the mandatory actions and milestone

dates without consideration of the IU with the primary focus on protection of the POTW. Compliance Orders may include the acquisition of professional assistance, engineering design, additional or replacement pretreatment equipment, development of best management practices, action plans, increased or special testing and/or self-monitoring requirements, and other activities that the City may deem necessary to returning the IU to full compliance. Compliance Orders may establish interim limits and requirements while the IU is operating under the compliance order. The compliance order should require routine reporting during the course of the compliance order.

No previous enforcement action is required prior to issuance of a compliance order

5. Administrative Fines

Administrative Fine are a monetary penalties assessed by the City's Public Works Director for violations of pretreatment standards and requirements, violations of the terms and conditions of the discharge permit and/or violations of compliance schedules. Administrative fines are punitive in nature and not related to a specific cost borne by the City. Instead, such fines are intended to recapture the full or partial economic benefit of noncompliance, and to deter future violations. The maximum amount of the fine is \$5,000 for each day that each violation continues.

Administrative Fines are recommended as an escalated enforcement response, particularly when NOV's or administrative orders have not prompted a return to compliance. Whether administrative fines are an appropriate responses to noncompliance also depend greatly on the circumstances surrounding the violation. The City will consider the factors as set forth in Section III of this plan when determining the amount of the fine.

6. Emergency Suspension Order

The Public Works Director may suspend an industrial user's discharge and the industrial user's discharge permit, without informal notice or previous enforcement action, in order to stop an actual or threatened discharge which reasonably appears to present or cause an imminent endangerment to the health or welfare of persons, or an endangerment to the environment. Any industrial user notified of an emergency suspension must immediately stop or eliminate its discharge to the POTW. In the event of the industrial user's failure to immediately comply voluntarily with the suspension order, the City may sever sewer connection prior to the date of any show cause or termination hearing. The industrial user must submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrences before discharge to the POTW can be restored.

7. Termination of Permit

Termination of service is the revocation of an industrial user's privilege to discharge industrial wastewater into the City's sewer system. Termination may be accomplished by physical

severance of the industry's connection to the collection system, by issuance of a suspension order which compels the user to terminate its discharge, or by court ruling. Termination of service is an appropriate response to industries which have not responded adequately to previous enforcement responses. Unlike civil and criminal proceedings, termination of service is an administrative response which can be implemented directly by the City. However, the decision to terminate service requires careful consideration of legal and procedural consequences.

Any industrial user who violates the Wilsonville Code of Ordinances, discharge permit or compliance orders is subject to discharge permit termination as an enforcement remedy. Non-compliant industrial users will be notified in writing of the proposed termination of their discharge permit and will be offered an opportunity to show cause why the action should not be taken. The Public Works Director is authorized to terminate an IU's discharge if it presents or may present an endangerment to the environment or if it threatens to interfere with the operation of the POTW

In contrast to the Emergency Suspension Order, the Notice of Termination of the Discharge Permit is to be used when significant changes in the industrial user's operations have occurred without authorization resulting in new pollutant contributions or volume of wastewater discharged. Furthermore, through the course of administering, monitoring and compliance activity, the City may acquire new information which was not available at the time the discharge permit was issued. Until corrections have been made, and continuing discharge compliance can be assured, the City may terminate the IU's permitted right to discharge into the City's POTW.

### **C. Judicial Enforcement Remedies**

There are four judicial enforcement remedies which are available to the City, as outlined in Wilsonville Codes – Injunctive Relief, Civil Penalties, Criminal Penalties, and Remedies Non-Exclusive.

#### **1. Injunctive Relief**

Injunctive relief is the formal process of petitioning the Circuit Court of Clackamas County for the issuance of either a temporary or permanent injunction which restrains or compels the specific performance of the discharge permit, order or other required imposed on the activities of the industrial user. Injunctive relief is carried out by the City Attorney in conjunction with the City manager, Public Works Director and the Mayor.

#### **2. Civil Penalties**

Civil litigation is the formal process of filing lawsuits against industrial users to secure court ordered action to correct violations and to secure penalties for violations including the recovery of costs to the POTW of the noncompliance. It is normally pursued when the corrective action required is costly and complex, the penalty to be assessed exceeds that which the City can assess administratively, or when the industrial user is considered to be recalcitrant and unwilling to cooperate. Civil litigation also includes enforcement measures which require involvement or

approval by the courts, such as injunctive relief and settlement agreements. Civil litigation is pursued by the City Attorney and only initiated as authorized by the City Council.

3. Criminal Prosecution

Criminal prosecution is the formal process of charging individuals and/or organizations with violations of ordinance provisions that are punishable, upon conviction, by fines and/or imprisonment. The purposes of criminal prosecution are to punish noncompliance established through court proceedings, and to deter future noncompliance. Criminal prosecutions are up to the discretion of the City Attorney and may be filed in municipal court.

4. Remedies Nonexclusive (§8.312)

The remedies provided for in the ordinance are not exclusive. The Public Works Director may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's Enforcement Response Plan. However, the Director may take other action against any User when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any noncompliant User.

**D. Supplemental Enforcement Remedies**

Supplemental or innovative enforcement remedies are used to complement the more traditional enforcement responses already described. Normally, supplemental responses are used in conjunction with more traditional approaches. The following are provided for in the City Code:

- § Performance Bonds
- § Liability Insurance
- § Payment of Outstanding Fees and Penalties
- § Water Supply Severance
- § Public Nuisance
- § Informant Rewards
- § Contractor Listing

**SECTION III – ASSESSMENT OF ADMINISTRATIVE FINES**

A. Base-Penalty Matrix

The following matrix provides a sample of suggested base-penalty (BP) for administrative fines based on the magnitude of the violations. The City should keep in mind that the following suggested fines are not mandatory and should be applied based on the various factors discussed in this section.

<b>Class of Violation</b>	<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
Class I	\$5,000	\$2,500	\$1,000
Class II	\$2,000	\$1,000	\$500
Class III	\$500	\$250	\$100

B. Class of Violations

Class I:

- \* Un-permitted discharge or failure to halt discharge which cause harm to the POTW and/or the environment.
- \* Failure to comply with notification requirements of a spill or slug load or upset condition.
- \* Violation of an Administrative Order or compliance schedule.
- \* Failure to provide access to premises or records.
- \* Any violation related to water quality which causes a major harm or poses a major risk of harm to public health or the environment.
- \* Significant Noncompliance (40 CFR 403.8(f)(2)(vii)(A-H).
- \* Process waste stream dilution as a substitute for pretreatment.

Class II:

- \*\* Operation of a pretreatment facility without first obtaining a Discharge Permit. (No harm to POTW or the environment).
- \*\* Any violation related to water quality which is not otherwise classified.
- \*\* Recurring violations of local discharge permit limits or Federal Standard.

Class III

- \*\*\* Un-permitted discharge which causes no harm to POTW.
- \*\*\* Failure to operate and maintain a pretreatment facility.
- \*\*\* Monitoring, record keeping, and reporting violations.
- \*\*\* First-time violation of a local permit limit or Federal Standard regulating the discharge of pollutants.

C. Magnitude of Violations

Major:

- pH value less than 5.0 or more than 11.0,.
- More than 2.0 times the maximum allowable limit established for regulated pollutants, other than pH.
- Anything directly attributable to an upset condition or damage of the POTW.
- Recurring failure to meet the terms of a compliance order or recurring failure to correct a known violation.
- Missed compliance milestone or report submittal deadline by more than 30 days without good cause.
- Any other violation meeting the definition of significant noncompliance (See Sections II and III, as well as the Enforcement Response Matrix).

Moderate:

- From 1.2 to 2.0 times the maximum allowable limit established for regulated pollutants, other than pH.
- Third Notice of Violations of a Discharge Permit condition or compliance order in a 12 month period.



Minor:

- pH value of 5.0 to 5.5 and 10.0 to 11.0 to 1.2 times the maximum allowable limit for regulated pollutants, other than pH.
- Second Notice of Violation for the same Discharge Permit condition or compliance order in a 12 month period.
- Missed compliance milestone or report submittal deadline without good cause by up to 30 days.
- Violations detected during site visits which do not results in harm to the POTW or the environment.

D. Maximum/Minimum Fines

No administrative fine, civil or criminal penalty pursuant to this matrix shall be less than \$100. The maximum fine/penalty may not exceed \$5,000 per each day per violation.

E. Assessment of Fines/Penalties

1. Assessment Protocol

When determining the amount of an administrative fine or civil penalty to be assessed for any violation, the Public Works Director shall apply the following procedures:

- Determine the class and the magnitude of each violation.
- Choose the appropriate base penalty (BP) from the BP Matrix in paragraph A of this section.
- Starting with the base-penalty (BP), determine the total amount of penalty through application of the formula:

$$\mathbf{BP + [(0.1 \times BP) (P+H+O+R+C)] + EB}$$

Where:

BP = Base-Penalty

P = prior significant action taken against the IU. (Significant actions refers to any violation established either with or without admission by payment of a penalty.)

H = compliance history

O = violation repetitive or continuous

R = whether the violation resulted from an unavoidable accident, or a negligent, intentional or flagrant act

C = Cooperation and effort put forth to correct the violation

EB = Approximated dollar sum of the economic benefit that the IU gained through noncompliance.

2. Values for (P) shall be as follows:

- (i) 0 if no prior significant actions or there is insufficient information on which to base a finding.
- (ii) 1 if the prior significant action is one Class Two or two Class Threes;
- (iii) 2 if the prior significant action(s) is one Class One or equivalent;
- (iv) 3 if the prior significant actions are two Class One or equivalents;
- (v) 4 if the prior significant actions are three Class Ones or equivalents;
- (vi) 5 if the prior significant actions are four Class Ones or equivalents;
- (vii) 6 if the prior significant actions are five Class Ones or equivalents;
- (viii) 7 if the prior significant actions are six Class Ones or equivalents;
- (ix) 8 if the prior significant actions are seven Class Ones or equivalents;
- (x) 9 if the prior significant actions are eight Class Ones or equivalents;
- (xi) 10 if the prior significant actions are nine Class Ones or equivalents, of it any of the prior significant actions were issued for any violation of WC, Chapter 8.
- (xii) In determining the appropriate value for prior significant actions as listed above, the Director shall reduce the appropriate factor by:
  - (1) A value of two (2) if all prior significant actions are greater than three years but less than five years old;
  - (2) A value of four (4) if all the prior significant actions are greater than five years old;
  - (3) In making the above restrictions, no finding shall be less than 0.
- (xiii) Any prior significant action which is greater than ten years old shall not be included in the above determination.

3. Values for (H) shall be as follows:

(H) = Past history of the IU to take steps to correct violations cited in prior significant actions. In no case shall the combination of (P) and (H) be a value of less than zero.

- (i) -2 if IU took all feasible steps to correct each violation contained in any prior significant action;

- (ii) 0 if there is not prior history or if there is insufficient information on which to base a finding:

4. Values for (O) shall be as follows:

**Where (O) = whether the violation was repeated or continuous**

- (i) 0 if the violation existed for one day or less and did not recur on the same day;
- (ii) 2 if the violation existed for more than one day or if the violation recurred on the same day.

5. Values for (R) shall be as follows:

Where: (R) = whether the violation resulted from an unavoidable accident, or a negligent, intentional or flagrant act.

- (i) 0 if an unavoidable accident, or if there is insufficient information or make a finding.
- (ii) 2 if negligent
- (iii) 6 if intentional; or
- (iv) 10 if flagrant

6. Values for (C) shall be as follows:

Where: (C) is the Cooperation and effort put forth by the IU to correct the violation.

- (i) 2 if IU was cooperative and took reasonable efforts to correct the violation or minimize the effects of the violation;
- (ii) 0 if there is insufficient information to make a finding, or if the violation of the effects of the violation could not be corrected.
- (iii) 2 if IU was uncooperative and did not take reasonable efforts to correct the violation or minimize the effects of the violation.

7. Values for (EB) shall be as follows:

Where: (EB) = Approximated dollar sum of the economic benefit that the IU gained through noncompliance. The penalty may be increased by the value assigned to (EB), provided that the sum penalty does not exceed the maximum allowed. In order to ensure that no IU may be able to pollute as a cost of doing business, the PW Director is empowered to take more than one enforcement action against any noncompliance IU (WC, Section 8.140(2)).

- (i) Add to the formula the approximate dollar sum of the economic benefit gained through noncompliance, as calculated by determining both avoided costs and the benefits obtained through any delayed costs, where applicable;
- (ii) The PW Director need not calculate nor address the economic benefit component of the civil penalty when the benefit obtained is de minimis;

#### **SECTION IV. NON COMPLIANCE DEFINED**

##### **A. Noncompliance**

Noncompliance is any violation of one or more of the, Wilsonville Code, Chapter 8, any of the conditions or limits specified in the IU's Wastewater Discharge Permit or any compliance order issued by the City. Enforcement action must be initiated for the following instances of noncompliance:

1. Industry failure to submit a permit application form;
2. Industry failure to properly conduct self-monitoring;
3. Industry failure to submit appropriate reports;
4. Industry failure to comply with appropriate pretreatment standards by the compliance deadline date;
5. Industry failure to comply with pretreatment limits as determined from review of self-monitoring reports or City sampling;
6. Industry falsification of information;
7. Sewer use violation of the municipal code

##### **B. Significant Noncompliance:**

Significant Noncompliance shall be applicable to all Significant users or any other Industrial User that violates paragraphs (3), (4) or (8) of this Section and shall mean:

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameters during a six month period exceeded (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits. .
2. Technical Review Criteria (TRC) violations, defined as those in which thirty-three percent (33%) of more of wastewater measurements taken for each pollutant parameter taken during a six-month period equal or exceeded by the product of a numeric Pretreatment Standard or Requirement, including Instantaneous Limits multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
3. Any other violation of a Pretreatment Standard or Requirement (daily maximum or longer- term average, Instantaneous Limits or narrative standard) that the City determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of City personnel of the general public);

4. Any discharge of pollutant that has caused imminent endangerment to the public or to the environment or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge.

5. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.

6. Failure to provide within forty five (45) days after the due date, required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, , periodic self-monitoring reports, and reports on compliance with compliance schedules.

7. Failure to accurately report noncompliance; or

8. Any other violation(s), which may include a violation of Best Management Practices, which the City determines will adversely affect the operation or implementation of the pretreatment program.

#### **SECTION V. RANGE OF ENFORCEMENT REPOSESES**

When the City is presented with the need for enforcement response, it will select the most appropriate response to the violation. The City will consider the following criteria when determining a proper response:

- § . Magnitude of violation;
- § . Duration of the violation;
- § . Effect of the violation on the receiving water;
- § . Effect of the violation on the POTW;
- § . Compliance history of the industrial user; and
- § . Good faith of the industrial user.

These six criteria are discussed in detail below:

1. Magnitude of the Violation

Generally, an isolated instance on noncompliance can be met with an informal response and a Notice of Violation or Consent Order. However, certain violations or patterns of violations are significant and must be identified as such. Significant Noncompliance (SNC) may be on an individual or long-term basis of occurrence. Categorization of an IU as being in SNC provides the City with priorities for enforcement action and provides a means for reporting on the IU performance history. SNC is a violation which meets one or more of the criteria set forth in Section IV B.

2. Duration of Violation

Violations, regardless of severity, which continue over long periods of time will subject the industrial user to escalated enforcement actions. For example, an effluent violation which occurs in two out of three samples over a six-month period or a report which is more than 45 days overdue is considered SNC, while a report which is two days late would not be deemed significant.

The City's response to these situations must prevent extended periods of noncompliance from recurring. The City may issue an administrative order for chronic violations. If the industrial user fails to comply with the administrative order, the City will assess administrative penalties or initiate judicial action. If the prolonged violation results in serious harm to the POTW, the City will also consider terminating services or obtaining a court order to halt further violations as well as to recover the costs of repairing the damage.

3. Effect on the Receiving Water

One of the primary objectives of the national pretreatment program is to prevent pollutants from "passing through" the POTW and entering the receiving stream. Consequently any violation which results in environmental harm will be met with a SNC categorization and corresponding enforcement action. Environmental harm will be presumed whenever an industry discharges a pollutant into the sewerage system which:

- a. Passes through the POTW and causes a violation of the POTW's NPDES permit (including water quality standards); or
- b. Has a toxic effect on the receiving waters (i.e. fish kill).

The enforcement response should ensure the recovery from the noncompliance user of any NPDES fines and penalties paid by the City to any party whether governmental or otherwise. If a user's discharge causes repeated harmful effects, the City will seriously consider terminating service to the user.

4. Effect on the POTW

Some of the violations may have negative impacts on the POTW itself. For example, they may result in significant increases in treatment costs, interfere or harm POTW personnel, equipment, process, operations, or cause sludge contamination resulting in increased disposal costs. These violations will be categorized as SNC. For example, when the industrial user's discharge upsets the treatment plant, damages the collection system through pipe corrosion, causes an obstruction or explosion, or causes additional expenses (e.g. to trace a spill back to its source), the POTW's response will include cost recovery, civil penalties, and a requirement to correct the condition causing the violation.

5. Compliance History of the User

A pattern of recurring violations (even if different program requirements) may indicate whether that the user's treatment system is inadequate or that the user has taken a casual approach to operating and maintaining its treatment system. Accordingly, users exhibiting recurring compliance problems will be categorized as SNC. Compliance history is an important factor for deciding which of the two or three designated appropriate remedies to apply to a

particular violator. For example, if the violator has a good compliance history, the City may decide to use the less severe option.

6. Good Faith of the User

The user's "good faith" in correcting its noncompliance is a factor in determining which enforcement response to invoke. Good faith is defined as the user's honest intention to remedy its noncompliance coupled with actions which give support to this intention. Generally, a user's demonstrated willingness to comply will predispose the City to select less stringent enforcement responses. However, good faith does not eliminate the necessity of an enforcement action. For example, if the City's POTW experiences a treatment upset, the City will recover its costs regardless of prior good faith. Good faith is typically demonstrated by cooperation and completion of corrective measures in a timely manner (although compliance with previous enforcement orders is not necessarily good faith).

**SECTION VI. ENFORCEMENT PROCEDURES**

The City must document procedures to evaluate industry self-monitoring data, reports and notices to accurately determine the compliance status of each significant user. These procedures must identify all violations, including non-discharge or reporting violations.

This Enforcement Response Plan designates responsibilities for this evaluation task. The task is assigned to the Pretreatment Coordinator since he/ she is familiar with the IU's and the City's pretreatment program rules and regulations. The Pretreatment Coordinator is responsible to identify the noncompliance and alert the Public Works Director (PWD) of the possible need for enforcement action.

The City will examine all monitoring data and reports within five (5) days of receipt. In order to review reports, the Pretreatment Coordinator will apply the following procedures:

- The Pretreatment Coordinator has established schedules in the Industrial Wastewater Discharge Permits to designate when self-monitoring reports are due. Each self-monitoring report will be checked to see that it is submitted by its due date, and is appropriately signed and certified. Likewise, the Pretreatment Coordinator will check notifications and report requirements.
- All analytical data will be screened by comparing it to categorical or local limits or to any additional discharge standards which may apply.
- All violations will be identified and a record made of the response. At a minimum, this will be accomplished by circling the violation, using a red ink marker.
- The Pretreatment Coordinator, Responsible for screening data, must alert the PWD to the noncompliance. This allows the City to determine its enforcement response in a timely manner.

Industrial waste discharges violations are usually detected by the following six ways:



- (1) An industrial user reports a violation.
- (2) The City's collection system monitoring and field surveillance detects a possible violation.
- (3) The treatment plant process is upset.
- (4) An unauthorized waste disposal procedure is identified during a facility inspection.
- (5) Investigation of a Citizen Concern Action Report.
- (6) Emergency crews (i.e. police, fire, rescue) report a hazardous material incident.

Industrial source investigations will be initiated for each of the examples presented above, and ensuing enforcement actions will be of an escalating nature (see Enforcement Response Matrix). Enforcement will begin with administration remedies (e.g. Notice of Violation, Consent Orders, Compliance Orders). If necessary, civil/criminal penalties will be sought and/or emergency suspension of sewer service will be ordered. Appropriate fines and penalties (civil/criminal) will be sought, as provided in WC Chapter 8.

The enforcement plan uses a three-level approach to enforcement action toward any noncompliance event.

**LEVEL I:** Responses represent the enforcement efforts utilized by the City to bring the IUU into compliance before a state of significant noncompliance (SNC) is reached. The following enforcement actions are utilized at this level of response.

<b><u>Response</u></b>	<b><u>City Personnel</u></b>
1. (Informal) Phone Call	Pretreatment Coordinator
2. (Informal) Compliance Meeting	Pretreatment Coordinator
3. Notice of Violation (WC, Section 8.602(2))	Pretreatment Coordinator
4. Consent Order (WC, Section 8.602(3))	Pretreatment Coordinator

**LEVEL II:** Responses are taken when an IU has reached significant noncompliance. Level II enforcement action must include the issuance of an Administrative Order, as described below:

<b><u>Response</u></b>	<b><u>City Personnel</u></b>
1. Compliance Order (WC, Section 8.602(5))	Public Works Director
2. Cease and Desist Order (WC, Section 8.602 (6))	Public Works Director City Attorney

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- |  |  |
|--|--|
| 3. Emergency Suspension<br>(WC, Section 8.602 (8)) | Public Works Director<br>City Attorney |
| 4. Termination of Permit<br>(WC, Section 8.602(9)) | Public Works Director<br>City Attorney |

When an IU is in SNC, the Pretreatment Coordinator will do the following:

1. Report such information to DEQ as a component of the City's annual pretreatment program report.
2. Include the IU in the annual published list of industries which were significantly violating applicable pretreatment standards and requirements during the previous 12 months. The procedures the ESM will follow for compiling the list of IU's, includes:
  - a. Prepare a compliance history from the City's pretreatment records for each SIU.
  - b. Review the history of each SIU for either a pattern of noncompliance, or if the SIU has been or continues to be in SNC.
  - c. To the extent that an SIU meets the criteria in (b), above, the SIU will be placed on the list for publication in the largest daily newspaper within the City of Wilsonville.
  - d. The published list of IU's in SNC will include the following information:
    - I. Duration of violation.
    - ii. Parameters and/or reporting requirements violated.
    - iii. Compliance actions taken by the City.
    - iv. Whether or not the IU is currently in compliance or on a compliance schedule.

**LEVEL III:** This level of enforcement is reserved for the extreme occasion when the IU is in SNC and does not respond to an Administrative Order, does not adhere to compliance schedules, and where fines have not been effective in bringing the IU into compliance with pretreatment regulations. Level III enforcement may also be used for willful discharge of wastewater in amounts which cause pass through or interference, and cases of falsification. The timeframe for initiating Level III enforcement actions will range from immediate (e.g. reasonable potential to cause harm to the public, the POTW, or the environment, or a court ordered injunction for gaining access to an IU's facility) to not more than sixty (60) days. This level of enforcement requires the consultation of the City Attorney to determine the appropriateness and legal basis for the action to be implemented.

**Response**

1. Injunctive Relief  
(WC, Section 8.604(1))

**City Personnel**

- City Attorney  
City Council

2. Civil Penalties

City Attorney

- |                             |                                       |
|-----------------------------|---------------------------------------|
| (WC, Section 8.604(2))      | City Council                          |
| 3. Criminal Prosecution     | City Attorney                         |
| (WC, Section 8.604(3))      | City Council                          |
| 4. Supplemental Enforcement | Public Works Director, City Attorney, |
| (WC, Section 8.606)         | City Council                          |

**SECTION VII. TIME FRAMES FOR ENFORCEMENT ACTION AND FOLLOW-UP**

The City will provide timely response to violations. In Section I and Section IV it has been established that the Pretreatment Coordinator will review industrial user reports within five (5) days of receipt. Similarly, violations observed in the field or upon receipt of compliance information will be responded to within five (5) days. Complex or larger violations may require a longer response time, and communications will be made with the industrial user (IU) regarding the time of the City's response. All formal enforcement notices will either be hand-delivered or mailed with return receipt required.

After its initial enforcement response, the City will closely track IU's progress toward compliance. This may be done by inspection, as well as timely receipt of required progress reports. The frequency of user self-monitoring may be increased. When follow-up activities indicate that the violation persists or that satisfactory progress is not being made, the City will escalate its enforcement response, using the steps of the enforcement matrix as a guide.

The Pretreatment Coordinator will establish a manual log to record the receipt of required reports. This log will contain 12 sections. Each section will be titled with the name of the month, January through December. The pages in each monthly section will list all of the industrial users who are required to report. Under each listed industry will be listed the type of report due and its due date. Following the due date will be a place to write the date the report is actually received. Next to each listed industry, also on the same line which identifies required reports and due dates, will be an area to note a summary of compliance status, including enforcement actions, calculations of administrative fines and/or SNC, and enforcement action timelines.

At the end of the month, the material in the report log will be transferred to a computer file created for each industrial user for ongoing storage and retrieval. The written records will be placed in a loose-leaf notebook developed to hold all pretreatment information pertinent to the particular industry.

In summary, the tracking of noncompliance, including SNC will be accomplished as follows:

1. Monitoring reports, inspection reports and compliance reports will be reviewed by the Pretreatment Coordinator within 5 days of receipt. Likewise, all pretreatment program violations will be identified and documented and the initial (Level 1) enforcement response (e.g. phone call

or compliance meeting **and** an NOV or Consent Order) will occur within 5 days of receipt of reports.

2. Violations classified by the Pretreatment Coordinator as SMC will be followed with an enforceable Level II order to be issued by the Public Works Director within 3 days of receipt or detection of noncompliance.

3. Assisted by the City Attorney, the Pretreatment Coordinator will respond to persistent or recurring violations with an escalated enforcement response (Level III) within 60 days after the initial enforcement action. Violations which threaten health, property or the environment will be treated as an emergency and an immediate enforcement response (e.g. Termination of Permit, Suspension Order, Injunctive Relief) will be initiated.

## **SECTION VIII. RESPONSIBILITIES OF PERSONNEL**

### **A. POTW Supervisor**

The wastewater treatment plant Supervisor is responsible for the overall operation and maintenance of the POTW, including employee safety, and protection of the treatment plant. The Supervisor is also responsible for compliance with the NPDES permit for wastewater discharge. The Supervisor has the authority to recommend to discontinue sewer service in emergency situations where there reasonably appears to present an imminent endangerment or substantial endangerment to the health or welfare of persons. The Supervisor will work under the direction of the Public Works Director.

### **B. Pretreatment Coordinator (PC)**

The City will have a Pretreatment Coordinator who will be an individual thoroughly familiar with the program requirements and responsible for ensuring implementation of the City's pre-treatment program requirements. The Pretreatment Coordinator is also responsible for the administration and implementation of the pretreatment program. The Pretreatment Coordinator will screen monitoring data, do inspections, and detect noncompliance. The Pretreatment Coordinator will be the person typically working with industrial users. The Pretreatment Coordinator is responsible for recommending to the Public Works Director any enforcement action and publishing the annual list of significant noncompliance violators. The Pretreatment Coordinator will also review industrial user reports and make reports of violations. The Pretreatment Coordinator is also responsible to track all actions of enforcement, by establishing time lines and all necessary follow-up and make recommendations to the Public Works Director, City Attorney and City Council for enforcement action. The PC will work under direction of the Public Works Director.

### **C. Public Works Director (PWD)**

As provided by WC, Section 8.006(58), the Public Works Director is the person designated to supervise and assume responsibility for the overall operations of the City's public works infrastructure, including the POTW, NPDES, permit compliance and the industrial

pretreatment program. The PWD is primarily involved in the escalation of enforcement responses and determining administrative fines. The Public Works Director works under the direction of the City Manager and supervises the Pretreatment Coordinator.

**D. City Attorney**

The City Attorney will be responsible for advising staff and City Council on pretreatment enforcement matters. The Attorney works under the direction of the City Council. The City Attorney will also be responsible for preparation and implementation of judicial proceedings.

**E. City Council**

The City Council for the City of Wilsonville will be responsible for authorizing any Level III enforcement action taken, except in an emergency. As defined by City Charter, the City Council will be ultimately responsible for effluent quality, sludge use and disposal, NPDES compliance, the issuance of administrative orders, fines and assessments, and any judicial action followed by the sewer use ordinance.

**SECTION IX. ENFORCEMENT RESPONSE MATRIX**

**A. Definitions**

AF	Administrative Fee
CA	City Attorney
CC	City Council of the City of Wilsonville
CDO	Cease and Desist Order. Unilateral order to require immediate IU compliance
CM	Compliance Meeting
CO-1	Consent Order. Voluntary compliance agreement, including specified timeframe
CO-2	Compliance Order. Unilateral order to require IU compliance within specified timeframe
ES	Emergency suspension of IU discharge and discharge permit
ESM	Environmental Services Manager
IU	Industrial User
Level III	When IU does not comply with CO-1 and CO-2, and AF has not been effective in bringing the IU into compliance, this level of enforcement requires the consultation of the CA to determine appropriate legal action which may include; injunctive relief, civil penalties, criminal prosecution
NOV	Notice of Violation
PC	Pretreatment Coordinator
PWD	Public Works Director
SNC	Significant Noncompliance
SCO	Show Cause Order requiring IU to appear and demonstrate why the City should not take a proposed enforcement action against it. The meeting may also serve as a forum to discuss corrective actions and compliance schedules.
TP	Termination of Permit

**B. Applying the Enforcement Matrix**

The matrix specifies enforcement actions for each type (or pattern) of noncompliance. The Pretreatment Coordinator will select an appropriate response from the list of enforcement actions indicated by the matrix. There are a number of factors to consider when selecting a response from among these actions. Several of the factors are identical to those used in originally establishing the guide:

1. Good faith of the user.
2. Compliance history of the user.
3. Previous success of enforcement actions taken against the particular user.
4. Violation's effect on the receiving waters.
5. Violation's effect on the POTW.

Since the remedies designed in the matrix are all considered appropriate, the city staff and city council must weigh each of the factors outlined above before deciding whether to use a more or less stringent response. City personnel shall consistently follow the enforcement response matrix. To do otherwise sends a signal to industrial users and the public that the City is not acting in a predictable manner and may subject the City to charges of arbitrary enforcement decision making, thereby jeopardizing future enforcement. The enforcement response matrix is to be used as follows.

1. Locate the type of noncompliance in the first column and identify the most accurate description of the violation in column 2.
2. Assess the appropriateness of the recommended response(s) in column 3. First offenders or users demonstrating good faith efforts may merit a more lenient response. Similarly, repeat offenders or those demonstrating negligence may require a more stringent response.
3. From column 3, apply the enforcement response to the industrial user. Specify correction action or other responses required of the industrial user, if any. Column 4 indicates personnel responsible for initiating each response.
4. Follow-up with escalated enforcement action if the industrial user's response is not received or the violation continues.

**SECTION IX. ENFORCEMENT RESPONSE MATRIX**

**ENFORCEMENT RESPONSE MATRIX**

Noncompliance	Nature Of Violation	Violation Level	Enforcement Responses	Staff
<b>I. Unauthorized Discharge (No Discharge Permit)</b>				
A. Discharge without a Permit	IU unaware of requirement, no harm to POTW or Environment	I	Phone Call & NOV with Permit Application Form	PC
	IU unaware of requirement, Harm to POTW or Environment	II	CO-2 with AF	PWD
	Recurring Un-permitted Discharge	III	SCO	CA, CC
B. Discharge without a Permit Failure to Renew Existing Permit	IU did not submit permit renewal application within 90 days of permit expiration date	I	Phone Call & NOV with Permit Application Form	PC
	IU did not submit permit renewal application follow NOV and permit application, exceeded 45 days beyond submittal due date.	II	CO-2 with AF	PWD
	IU did not submit permit renewal application follow NOV and permit application, exceeded 60 days beyond submittal due date.	III	Confer with CA to determine appropriated Level III enforcement action	PWD, CA, CC



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**ENFORCEMENT RESPONSE MATRIX (Continued)**

Noncompliance	Nature Of Violation	Violation Level	Enforcement Responses	Staff
<b>II. Discharge Limit Violation</b>				
<b>A. Reported Limit Violation</b>	Sample results exceed numerical permit limit but does not exceed Technical Review Criteria for severity.	I	Phone Call &/or NOV	PC
	Four (4) violations for same pollutant with three (3) consecutive months	II	CM and CO-1	PWD
	Sample results exceed numerical permit limit (chronic violation) and exceeds the Technical Review Criteria (TRC)	II	CO-2 and AF pending severity of violation with adverse impact to POTW	PC, PWD,
	Recurring Violations resulting in SNC (Significant Noncompliance)	II	CDO with AF	PWD CA,
	Discharge limit violation which causes POTW interference, pass-through or health hazard.	II	CDO with AF	PWD, CA,
	Any discharge causing endangerment to the public or the environment	III	ES and SCO	PWD, CA, CC
<b>B. pH Limit Violations – Grab Sampling</b>	Any excursion detected during a 24-hour period.	I	Phone call & NOV,	PC
	Four (4) violations within 3 consecutive months	I	CM & CO-1	PC
	pH violations resulting in Significant Noncompliance	II	CO with possible AF	PWD, CA,CM
<b>C. pH Limit Violation – continuous</b>	Excursion exceeding 60 min. in 24 hour period (level 1) except that per 40 CFR 403.5(b)(2) any discharge below 5.0 is a violation. Excursions above 11.0 is also a violation.	I	Phone & NOV. ** 4 excursions in one quarter: CM & C)-1	PC
	Excursions exceeding 7 hours and 26 min. during a calendar month> (Level I)	I	Phone call & NOV. **4 excursions in one quarter: CM & CO-1	PC
	Daily or monthly violations occurring	II	CO-2 with AF	PWD

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	during 66% or more of a 6 month period. (Level II)			
D. pH Limit Violation – resulting in harm to POTW or environment	pH violations resulting harm to POTW or environment are considered significant non compliance	II	If reported IU, CO-2 with possible AF.  If not reported by IU, CDO with AF	PWD, CA

**ENFORCEMENT RESPONSE MATRIX (Continued)**

Noncompliance	Nature Of Violation	Violation Level	Enforcement Responses	Staff
<b>II. Discharge Limit Violation (continued)</b>				
E. Spill or Slug Discharge resulting in mass loading violations	Reported by IU: No damage to POTW, Isolated Occurrence.	I	Phone call & NOV.	PC
	Second occurrence within 6 month period.	I	CO-1	PC
	Reported by IU. Resulting in pass-through interference, or damage to POTW. Isolated occurrence.	II	CO-2 with possible AF	PWD
	Second occurrence within 6 month period.	III	Confer with CA to determine appropriated Level III enforcement action	PWD, CA, CC
	Not Reported by IU. No damage to POTW	I	CM and CO-1	PC
	Second occurrence within 6 month period.	II	CO-1 with possible AF	PWD, CA, CM
	Not Reported by IU. Resulting in interference, pass-through or damage	II	CDO with AF	PWD, CA
	Second occurrence within 6 month period.	III	Confer with CA to determine appropriated Level III enforcement action	PWD, CA, CC
<b>III Monitoring and Reporting Violations</b>				
A. Reporting Violations	Report is improperly signed or certified.	I	Phone call & NOV	PC
	Second occurrence within 6 month period	II	CM and CO-1	PC
	Scheduled reports late, 45 days or less, isolated incident	I	Phone call & NOV	PC
	Scheduled reports late more than 45 days.	II	CO-2 with AF	PWD
	Failure to Submit Reports; or reports are	II	CDO with possible AF	PWD, CA, PC

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	always late.			
	Incomplete Reports	I	Phone Call &/or NOV second incident CM and CO-1	
	Failure to Accurately Report noncompliance	II	CO-2 with AF	PWD, CA
	Scheduled reports late more than 60 days	III	SCO	PWD, CA, CC

**ENFORCEMENT RESPONSE MATRIX (Continued)**

Noncompliance	Nature Of Violation	Violation Level	Enforcement Responses	Staff
III Monitoring and Reporting Violations (continued)				
A. Reporting Violations (continued)	Report Falsification	III	Confer with CA to determine appropriated Level III enforcement action; Possible criminal actions	PWD, CA. CC
B. Monitoring Violations	Failure to monitor all pollutants as specified by discharge permit	I	Phone Call &/or NOV	PC
	Second occurrence within 6 month period	II	CO-1with a possible AF	PWD, PC
	Improper sampling with evidence of intent	III	SCO and Confer with CA to determine appropriated Level III enforcement action; Possible criminal actions	PWD, CA. CC
	Failure to install monitoring equipment. Delay of 30 days or less, with good cause	I	Phone Call &/or CO-1	PC
	Failure to install monitoring equipment. Delay of more than 30 days.	II	CM andCO-1 with possible AF	PWD
	Pretreatment Equipment and Monitoring Equipment no maintained or out of service, evidence of neglect.	II	CO-2 with possible AF	PWD

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**ENFORCEMENT RESPONSE MATRIX (Continued)**

Noncompliance	Nature Of Violation	Violation Level	Enforcement Responses	Staff
III Monitoring and Reporting Violations (continued)				
C. Compliance Schedule in Discharge Permit	Milestone Date missed by 30 days or less	I	Phone Call &/or NOV	PC
	Milestone date missed by more than 30 days or delay will affect other compliance dates (good cause of delay)	I	CM & CO-1	PC
	Milestone date missed by more than 30 days or delay will affect other compliance dates (without good cause for delay).	II	CO-2 with possible AF	PWD
	Violation of Compliance Schedules issued to enforcement discharge permit compliance schedule.	III	SCO and Confer with CA to determine appropriated Level III enforcement action; Possible criminal actions	PWD, CA, CC
IV. Other Violations				
A. Waste Streams are Diluted in lieu of Pretreatment	Initial Violation	II	CDO with possible AF	PWD, CA
	Recurring Violations	III	SCO and Confer with CA to determine appropriated Level III enforcement action; Possible criminal actions	PWD, CA, CC
B. Failure to meet compliance date for starting construction or attaining final compliance.	No Harm to POTW or environment. Delay, with good cause, less than 90 days.	I	CM and CO-1	PC
	Delay exceeds 90 days	II	CO-2 with possible AF	PWD
C. Failure to Properly Operate and Maintain a Pretreatment Facility	Evidence of neglect of intent	II	CO-2 with possible AF	PWD

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**ENFORCEMENT RESPONSE MATRIX (Continued)**

Noncompliance	Nature Of Violation	Violation Level	Enforcement Responses	Staff
<b>V. Violations Detected During Site Visit</b>				
A. Entry Denied by the IU	Entry consent or copies of records denied.	II	Obtain warrant and return to IU for site visit. Follow-up with SCO for TP	PC PWD, CA, CC
B. Illegal Discharge	No Harm to POTW or environment	I	CM and CO-1	PC,
	Discharge causes harm or there is evidence of willful intent or neglect.	II	CDO with possible AF	PWD
	Recurring with evidence of willful intent or neglect.	III	SCO and Confer with CA to determine appropriated Level III enforcement action; Possible criminal actions	PWD, CA, CC
C. Improper Sampling	Unintentional sampling at incorrect location	I	Phone Call &/or NOV	PC
	ReOccurring unintentional sampling and incorrect location	II	Phone call &/or NOV	PC
	Reoccurring unintentional using incorrect techniques	II	Phone Call &/or NOV	PC
	Unintentionally using incorrect sample collection techniques	I	Phone Call &/or NOV	PC
D. Inadequate Record Keeping	Inspection finds records incomplete or missing	I	NOV possible CO-1	PC
	Recurrence of records incomplete or missing.	II	CO-2 with possible AF	PWD
E. Failure to report additional monitoring	Inspection finds additional monitoring data	I	NOV with possible CO-1	PC
	Recurrence of failure to report additional monitoring data.	II	CO-2 with possible AF	PWD

**SUMMARY OF  
TIME FRAMES FOR RESPONSES**

1. Compliance Reports – reviewed within 5 days of receipt.
2. All violations will be identified and documented within 5 days of receiving compliance information.
3. **Level I** Enforcement Response (NOV, CO-1) – within 5 days of violation detection.
4. **Level II** Enforcement Response (CO-2, CDO, EX, TP, SCO) – within 30 days of violation detection.
5. **Level III** Enforcement Response (judicial and supplemental enforcement actions) time frame is subject to case-by-case legal review by the City Attorney, but in no case will the initiation of a Level III action exceed 60 days.
6. Recurring Violations – follow-up enforcement within 60 days.
7. Violations which threaten health, property or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or terminating service.

**Entire Chapter 8 of the Code repealed and replaced by Ordinance No. 654 adopted on August 18, 2008.**  
**Section 8.700-8.750 Added by Ordinance No. 664, adopted 6/1/09**  
**Amended by Ordinance No. 689, adopted January 20, 2011 (correct scrivener errors)**  
**Entire Chapter 8 Amended by Ordinance No. 753, adopted October 24, 2014**

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 Work Session and City Council Meeting Calendar 5/22/2015

**ITEMS ARE TENTATIVELY SCHEDULED AND MAY BE MOVED TO ANOTHER MEETING.**

MAY 20	BUDGET COMMITTEE MEETING (TENTATIVE)
<p><b>JUNE 1</b></p> <p><b>STAFF REPORTS DUE</b></p> <p><b>MAY 19<sup>TH</sup></b></p> <p><b>STEVENS OOT</b></p>	<p>Executive Session – <b>Allow 45 minutes Prop. Acquisition</b></p> <p>Work Session</p> <ul style="list-style-type: none"> <li>· Metro Solid Waste Community Enhancement Grant (Ottenad)</li> <li>· Wilsonville Community Sharing (Cole)</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>· Resolution declaring the city’s eligibility to receive state shared revenues (Cole/Rodocker)</li> <li>· Resolution declaring the city’s election to receive state revenues(Cole/Rodocker)</li> <li>· Resolution adopting the budget, making appropriations, declaring the Ad Valorem Tax Levy and classifying the levy as provided by ORS 310.060(2) for fiscal year 2015-16 (Cole/Rodocker)</li> <li>· Memorial Park Master Plan (Sherer)</li> <li>· ADA Transition Plan (Weigel)</li> <li>· Ordinance No. 769 1<sup>st</sup> Reading – carried over from 5/18/15 (Rappold)</li> <li>· Right of Way Privilege Tax Amendment (Kohlhoff)</li> </ul> <p>Continuing Business</p> <ul style="list-style-type: none"> <li>·</li> </ul> <p>New Business</p> <p>City Manager’s Business</p>



<p style="text-align: center;"><b>JUNE 15</b></p> <p style="text-align: center;"><b>STAFF REPORTS DUE</b></p> <p style="text-align: center;"><b>JUNE 2</b></p>	<p>Executive Session – CM Eval; Property acquisition</p> <p>Work Session</p> <ul style="list-style-type: none"> <li>• Update on West Side Urban Renewal Substantial Amendment add Coffee Creek Feasibility Study (Retherford)</li> <li>• Recreation and Aquatic Survey Results (Troha/Sherer) recommendation on election date</li> <li>• Frog Pond Concept Plan (Neamtzu) 25 minutes</li> <li>• Basalt Creek Update Prep for Joint Council Meeting [30 min.] (Bateschell/Neamtzu)</li> </ul> <p>Mayor’s Business</p> <ul style="list-style-type: none"> <li>• CM Contract Renewal</li> </ul> <p>Communications</p> <ul style="list-style-type: none"> <li>• Greater Portland Inc. (GPI) 2020 Work Update (Retherford)</li> </ul> <p>Consent Agenda</p> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>• Budget Supplemental (Rodocker)</li> <li>• Resolution authorizing a supplemental budget adjustment for FY 2014-15 (Cole/Rodocker)</li> <li>• Resolution authorizing transfer of budget appropriations within certain funds for FT 2014-15 (Cole/Rodocker)</li> </ul> <p>Continuing Business</p> <ul style="list-style-type: none"> <li>• Ord. 769 2<sup>nd</sup> Reading</li> </ul> <p>New Business</p> <ul style="list-style-type: none"> <li>• Tourism Committee</li> <li>• Resolution Surplus Property Tooze Rd, Property</li> <li>• MOU with TVWD &amp; Hillsboro on Water Line (Kohlhoff)</li> </ul> <p>City Manager’s Business – Quarterly Goals Update</p> <p>URBAN RENEWAL AGENCY</p> <ul style="list-style-type: none"> <li>• Supplemental Budget Public Hearing</li> </ul>
<p style="text-align: center;"><b>June 17</b></p>	<p style="text-align: center;"><b>Basalt Creek Update</b> – Joint meeting with Tualatin Council in Tualatin 6:00 PM</p>

<p><b>JULY 6</b></p> <p><b>STAFF REPORTS DUE</b></p> <p><b>JUNE 16</b></p>	<p>Executive Session – Work Session</p> <ul style="list-style-type: none"> <li>· Ballot Measure Title, Caption, Summary Recreation/Aquatic Center (Kohlhoff)</li> <li>· Transportation system Performance Modeling (Adams)</li> <li>· NPDES Retrofit Strategy Update Stormwater CIP List (Rappold)</li> <li>· Ballot measure, title, re: Coffee Creek UR District (Kohlhoff)</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <ul style="list-style-type: none"> <li>· Charbonneau High Priority Utility Repair PSA (Weigel)</li> </ul> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>· Revise Public Works Standards for Stormwater (Rappold/Adams) tentative</li> </ul> <p>Continuing Business</p> <p>New Business</p> <ul style="list-style-type: none"> <li>· Resolution to place ballot measure on XX Ballot (Kohlhoff)</li> <li>· Metro IGA for Community Enhancement Fund (Ottenad)</li> </ul> <p>City Manager’s Business</p>
<p><b>July 15<sup>th</sup></b></p>	<p>Neighborhood BBQ Courtside Neighborhood Park</p>
<p><b>July 20<sup>th</sup></b></p> <p><b>Staff Reports due</b></p> <p><b>July 7</b></p>	<p>Executive Session – Work Session</p> <ul style="list-style-type: none"> <li>· Recreational Marijuana Code Provisions (Kohlhoff)</li> <li>· Revise Public Works Standards for Stormwater (Rappold/Adams) tentative</li> <li>· Frog Pond Planning (Neamtzu) 35 min.</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>·</li> </ul> <p>Continuing Business</p> <p>New Business</p> <p>City Manager’s Business</p>

*Ballot Title etc. Amending if necessary*

<p><b>August 3</b></p> <p><b>Staff Reports due July 21<sup>st</sup></b></p>	<p>Executive Session – Work Session</p> <ul style="list-style-type: none"> <li>· Implement Transit Technology (Miller)</li> <li>· Coffee Creek feasibility study &amp; Annexation Strategy (Retherford)</li> <li>· Charbonneau French Prairie Dr. Pathway improvements (Weigel)</li> </ul> <p>Communications</p> <ul style="list-style-type: none"> <li>· Sewer Lateral Repair Grant Program (Kerber/Labrie)</li> </ul> <p>Consent Agenda</p> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>· Revise Public Works Standards for Stormwater (Rappold/Adams) tentative</li> </ul> <p>Continuing Business</p> <p>New Business</p> <ul style="list-style-type: none"> <li>· Ballot Title, Recreation Center Vote (Sherer)</li> <li>· Charbonneau French Prairie Dr. Pathway improvements contract award(Weigel)</li> </ul> <p>City Manager’s Business</p> <ul style="list-style-type: none"> <li>· Department Work Programs</li> </ul>
<p><b>August 17</b></p> <p><b>Staff Reports due August 4th</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"> <li>· Branding??</li> <li>· Revise Public Works Standards for Stormwater (Rappold/Adams) tentative</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <ul style="list-style-type: none"> <li>· Library Renovation Design (Duke)</li> <li>· Award Contract for I-5 Undercrossing Trail (Rappold)</li> </ul> <p>City Manager’s Business</p>

Absolutely last meeting to approve sending ballot measure to November election

<b>August 19<sup>th</sup></b>	Neighborhood BBQ River Fox Park
<b>September 10</b> <b>This is a Thursday</b>  <b>Staff reports due</b> <b>August 18</b>	Executive Session – Work Session <ul style="list-style-type: none"><li>• Villebois Village Center Applications (Edmonds)</li><li>• Medical Shuttle Implementation Update (Allen)</li><li>• Reroute of 2X Runs (Allen)</li></ul> Communications  Consent Agenda  Public Hearing  Continuing Business  New Business  City Manager’s Business

<p><b>September 21</b></p> <p><b>Staff Reports due September 8</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"><li>· Parks &amp; Rec. Comprehensive Master Plan (Sherer)</li></ul> <p>Communications</p> <ul style="list-style-type: none"><li>· Transit Technology Upgrade (Loomis)</li></ul> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <p>City Manager’s Business – Quarterly Goals Update</p>
<p><b>October 5</b></p> <p><b>Staff Reports due September 22</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"><li>· Murase Plaza Re-Trade (Sherer)</li></ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <ul style="list-style-type: none"><li>· Budget Supplemental (Rodocker)</li></ul> <p>Continuing Business</p> <p>New Business</p> <ul style="list-style-type: none"><li>· Murase Plaza Re-Trade (Sherer)</li></ul> <p>City Manager’s Business</p>

<p><b>October 19</b></p> <p><b>Staff Reports due October 6</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <p>City Manager’s Business</p>
<p><b>November 2</b></p> <p><b>Staff Reports due October 20</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"> <li>• Boones Ferry Master Plan (Sherer)</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <p>City Manager’s Business</p>
<p><b>November 3</b></p>	<p>Election Day</p>

<p><b>November 16</b></p> <p><b>Staff reports due November 3</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"> <li>· Review of CD “buckets” of funding &amp; analyze cost recovery by fees and charges and GF (Cole)</li> <li>· Review sewer revenue requirements and cost recovery (Cole)</li> <li>· IS strategy report to council (Miller)</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <ul style="list-style-type: none"> <li>· Review of CD “buckets” of funding &amp; analyze cost recovery by fees and charges and GF (Cole)</li> <li>· Review sewer revenue requirements and cost recovery (Cole)</li> <li>·</li> </ul> <p>City Manager’s Business</p>
<p><b>December 7</b></p> <p><b>Staff reports due November 17</b></p>	<p>Executive Session –</p> <p>Work Session</p> <ul style="list-style-type: none"> <li>· Wastewater Utility Rate &amp; SDC Update (Kraushaar/Ward)</li> <li>· Canyon Creek Rd. Ped. Crossings (Weigel)</li> <li>· Kinsman Road extension property acquisition (Retherford)</li> <li>· Substantial amendment to West Side URA (Retherford)</li> <li>· Sidewalk repair grant program (Kerber/Gray)</li> </ul> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <ul style="list-style-type: none"> <li>· Wastewater Utility Rate &amp; SDC Update (Kraushaar/Ward)</li> <li>· Award Contract for construction Canyon Creek Rd. Ped. Crossings (Weigel)</li> <li>· Sidewalk Repair Grant Program (Kerber)</li> </ul>



	City Manager's Business
<b>December 21</b> <b>Staff Reports due</b> <b>December 8</b>	Executive Session –  Work Session .  Communications  Consent Agenda  Public Hearing  Continuing Business  New Business  City Manager's Business – Quarterly Goals Update
<b>January 4</b> <b>Staff reports due</b> <b>December 22</b>	Executive Session –  Work Session . Road Maint. Fee Update (Kraushaar/Ward/Cole/Kerber) CNG Station Expansion (Simonton)  Communications  Consent Agenda  Public Hearing  Continuing Business  New Business Street Maint. Fee Update (Kraushaar/Ward)  City Manager's Business

<p><b>January 21 Thursday</b></p> <p><b>Staff reports due January 5</b></p>	<p>Executive Session –</p> <p>Work Session</p> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p> <p>City Manager’s Business</p>
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Council Goals Quarterly Updates:

- June 2015
- September 2015
- December 2015
- March 2016

2016	
February	<ul style="list-style-type: none"> <li>· Vactor Truck Replacement (Simonton) FY16-17 budget</li> </ul>
March	<ul style="list-style-type: none"> <li>· Villebois RP-5 (Neamtzu / Adams)</li> <li>· Citywide Signage &amp; Wayfinding Plan and implementation ROW bike signage (Neamtzu)</li> </ul>
April	<ul style="list-style-type: none"> <li>· Transportation SDC Update (CD)</li> <li>· Pursue Town Center Master Plan (Bateschell)</li> <li>· Library Renovation Permit/Construction (Duke)</li> </ul>
May	<ul style="list-style-type: none"> <li>· Advance Road Middle School and public infrastructure (Construction 2016/17)(Adams)</li> <li>· Regional Park 7/8 in Villebois (Pauly)</li> </ul>
June	<ul style="list-style-type: none"> <li>· Kinsman Rd. Extension CIP 4004(Weigel)</li> <li>· Construction start summer 2016 Tooze Road Urban Upgrade signalized intersection @ Grahams Ferry Rd (Ward)</li> </ul>
July	<ul style="list-style-type: none"> <li>· Town Center Redevelopment Concept Plan (Bateschell)</li> <li>· PW, PD, CC Parking Lot Repair construction contract award (Baker)</li> </ul>
August	<ul style="list-style-type: none"> <li>· Old Town Escape Corridor Plan design and construction (Adams)</li> <li>· Transit Master Plan (TMP Update (Lashbrook)</li> </ul>
September	<ul style="list-style-type: none"> <li>· Frog Pond Area Concept Plan Implementation Phase 2 (Neamtzu)</li> <li>· Basalt Creek Concept Plan (Bateschell)</li> </ul>
October	
November	
December	<ul style="list-style-type: none"> <li>· "Fill the Gap" Strategic Plan/Map (Rothenberger)</li> </ul>

2017	
January	<ul style="list-style-type: none"> <li>· Water Treatment Plant Master Plan Willamette River Water Supply Initiative (Mende)</li> <li>· Interceptor Improvements and Upsizing (Mende)</li> <li>· WWTP Outfall Replacement and Upsizing (Mende)</li> </ul>
February	<ul style="list-style-type: none"> <li>· I-5 Undercrossing Trail Phase 2 (Rappold)</li> </ul>
March	<ul style="list-style-type: none"> <li>· Old Town Escape property acquisition (Retherford)</li> </ul>
April	
May	<ul style="list-style-type: none"> <li>·</li> </ul>
June	
July	
August	
September	<ul style="list-style-type: none"> <li>· French Prairie Bridge Project development and preliminary design (Weigel)</li> </ul>
October	
November	
December	