



City Council Meeting September 9, 2021

**Executive Session - 5:00 p.m.
Work Session – 5:25 p.m.
Council Meeting - 7:00 p.m.
(Held in Council Chambers)**

This meeting is taking place with social distancing precautions in place.

To Provide Public Comment:

- Written comments may be submitted to the City Recorder (Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070).
- Digital comments (email) may be submitted to cityrecorder@ci.wilsonville.or.us.
- Individuals may participate online through the Zoom videoconferencing platform.
- Contact City Recorder at (503) 570-1506 cityrecorder@ci.wilsonville.or.us to register.

You can watch the City Council Meeting here:

YouTube: [youtube.com/c/CityofWilsonvilleOR](https://www.youtube.com/c/CityofWilsonvilleOR)

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

City of Wilsonville

City Council Meeting

September 9, 2021



AMENDED
AGENDA

WILSONVILLE CITY COUNCIL MEETING
SEPTEMBER 9, 2021
7:00 P.M.

CITY HALL
29799 SW TOWN CENTER LOOP EAST
WILSONVILLE, OREGON

Mayor Julie Fitzgerald

Council President Kristin Akervall
Councilor Charlotte Lehan

Councilor Joann Linville
Councilor Ben West

CITY COUNCIL MISSION STATEMENT

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

**Executive Session, Work Session, and City Council meetings
will be held in the Council Chambers, City Hall, 1st Floor**

- 5:00 P.M. EXECUTIVE SESSION** [25 min.]
A. Pursuant to: ORS 192.660(2)(e) Real Property Transactions
ORS 192.660(2)(h) Legal Counsel / Litigation
ORS 192.660(2)(d) Labor Negotiator Consultations
- 5:25 P.M. REVIEW OF AGENDA AND ITEMS ON CONSENT** [5 min.]
- 5:30 P.M. COUNCILORS' CONCERNS** [5 min.]
- 5:35 P.M. PRE-COUNCIL WORK SESSION**
- A. Wilsonville Transit Center Transit-Oriented Development (Brashear/Rybold) [25min.]
B. ODOT Presentation on I-5/I-205 Tolling and Congestion Management
and I-5 Boone Bridge Project (Ottenad) [45 min.]
C. Redistricting for Congressional Districts and State Legislative Districts (Ottenad) [15 min.]
- 7:00 P.M. ADJOURN**

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, Thursday, September 9, 2021 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on September 7, 2021. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

7:00 P.M. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance
- C. Motion to approve the following order of the agenda.

7:05 P.M. MAYOR'S BUSINESS

- A. Upcoming Meetings

7:15 P.M. COMMUNICATIONS

- A. Wilsonville Boones Ferry Historical Society CEP Report (Schenk/Mombert)
- B. PGE Outage Discussion (Delgado/Gagliano)

7:50 P.M. CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

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

8:00 P.M. COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

- A. Council President Akervall
- B. Councilor Lehan
- C. Councilor West
- D. Councilor Linville

8:20 P.M. CONSENT AGENDA

- A. Minutes of the August 16, 2021 City Council Meeting. (Veliz)

8:25 P.M. NEW BUSINESS

- A. **Resolution No. 2922**
A Resolution Adopting Collective Bargaining Agreement Between The City Of Wilsonville And Wilsonville Municipal Employees Association (WILMEA). (Troha/Villagrana)

8:40 P.M. CONTINUING BUSINESS

- A. **Ordinance No. 849** – *2nd Reading*
An Ordinance Of The City Of Wilsonville Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan For Economic Development Purposes Known As The Twist Bioscience Wilsonville Investment Now (WIN) Zone. (Neamtzu)

8:50 P.M. PUBLIC HEARING

- A. None.

8:50 P.M. CITY MANAGER'S BUSINESS

8:55 P.M. LEGAL BUSINESS

9:00 P.M. ADJOURN

9/9/2021 12:16 PM Last Updated

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated.) 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 cityrecorder@ci.wilsonville.or.us.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 9, 2021		Subject: Wilsonville Transit Center Transit-Oriented Development (TOD)	
		Staff Members: Kimberly Rybold, AICP, Senior Planner; Dwight Brashear, Transit Director	
		Departments: Community Development and SMART	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Provide input on vision and goals for transit-oriented development at the Wilsonville Transit Center.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Goal 3.3: Transit-Oriented Development at Wilsonville Transit Center	<input checked="" type="checkbox"/> Adopted Master Plan(s): Equitable Housing Strategic Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

The project team will share an assessment of existing conditions and gather City Council input on project vision and goals for transit-oriented development (TOD) at the Wilsonville Transit Center.

EXECUTIVE SUMMARY:

The 2020 Equitable Housing Strategic Plan (EHSP) identified exploration of transit-oriented development (TOD) at the Wilsonville Transit Center as a high-priority implementation action the City should initiate within two years of plan adoption. As noted in Implementation Action 1A of the EHSP, the approximately 1.3-acre City-owned property at the Wilsonville Transit Center presents an opportunity to promote TOD with affordable and/or workforce housing. As a City-owned property, there is an opportunity to incentivize affordable housing through land write downs (sale or lease of land for a nominal amount). Other potential support could include development/permitting incentives or a public-private partnership that would provide development or infrastructure subsidies in exchange for fulfillment of community goals. The parking lot adjacent to the TOD site currently has 399 spaces. Many of those spaces are not utilized during the day and overnight parking is permitted but rare, so there is an opportunity for shared parking between the park and ride and future development.

As a first step in exploring TOD, the EHSP recommended the City complete a Development Opportunity Study to assess the City's goals for the site and better understand the types of development that may be feasible. To assist in this work, the City has contracted with Leland Consulting Group, a land use and real estate consulting firm with experience in preparing development opportunity studies for local government. The project team also includes an affordable housing specialist to provide insight on potential funding strategies for affordable housing. As a first step in this study, the project team prepared an assessment of existing conditions and context for the site (Attachment 1). This assessment is intended to assist City Council in providing feedback on vision and goals for a TOD project at the Transit Center, both in terms of whom the project will serve and any desired amenities to be included with development.

The assessment contains a broad range of information about the TOD site itself as well as the surrounding area context. It also discusses real estate trends that could impact development on this site, along with information on commonly used funding sources for affordable housing. This work was informed by interviews with several key stakeholders including City staff, TriMet's TOD Manager, Metro TOD Program staff, and staff from the Housing Authority of Clackamas County. These interviews provided the project team an opportunity to learn more about potential funding resources for a project at the TOD site, as well as ideas and approaches from other TOD and affordable housing projects in the region. The following key points help to shape the development context at the TOD site:

- The EHSP identifies a range of different types of households that are especially in need of affordable and equitable housing. These include low-income households, seniors, Latinx households, middle-aged millennials, and those seeking to move from renting to owning. While a TOD housing project might not be able to serve all of these populations, there may be opportunities to serve one or more of these groups.
- There are four primary affordable housing funding sources that provide funding for most affordable housing projects completed in Oregon—the Metro Bond, 9% Low Income Housing Tax Credit (LIHTC) program, Local Innovation and Fast Track (LIFT) Rental Housing Program, and 4% LIHTC program. Successful affordable housing projects typically involve a combination of funding sources. Based on likely funding criteria for each source, the project team grouped the funding sources into two conceptual projects consisting of approximately 100 affordable units on the TOD Site. Project 1 would include permanent supportive housing for homeless or formerly homeless veterans (emphasis of

Metro Bond and 9% LIHTC criteria). Project 2 would be focused on providing family housing that includes a social service component targeted to the Latinx community (focus on the LIFT criteria coupled with 4% LIHTC). Understanding the City's vision for who will be served by this project is important as each funding source imposes a different set of criteria, requirements, and timing on projects.

- Several stakeholders identified active ground floor community or commercial space as a possible feature of this project. However, there are some challenges associated with commercial space in affordable housing projects, including funding limitations from typical affordable housing sources and BOLI prevailing wage requirements that may significantly increase project costs. Visibility of commercial space and associated parking may also be challenging on this site. The City should think carefully about whether active ground floor space should be seen as a desirable goal or a “must have” requirement.
- Feasibility of the TOD project may depend on City support and resources. In addition to meeting criteria for individual funding sources, a preliminary feasibility analysis indicates that other City support may be necessary to make a project feasible including a land value write down, System Development Charge (SDC) waivers for affordable units, property tax abatement, and utilization of shared parking for the TOD project. While TriMet TOD staff has expressed initial support of shared parking in support of TOD on this site, the project team will need to continue conversations with TriMet to work out details of a shared parking agreement. If parking cannot be shared with the existing park and ride lot, the project team would need to explore alternative approaches to providing project parking.
- The site's current zoning could support an affordable TOD project, provided that square footage minimums for ground-floor commercial space are met. Depending on the City's vision for the site, it is possible that alternative zoning approaches may be necessary to support development. The project team will continue to assess these approaches as site design alternatives are created.

To inform the creation of site design alternatives and a funding strategy for this project, the project team seeks feedback on the following questions:

- Which of the two project types identified in the existing conditions assessment best aligns with the City's goals for development at the Wilsonville Transit Center? Are there other target residents or services not included in these concepts that the project team should consider?
- In addition to the goal of providing affordable housing, to what degree are other site amenities such as ground floor commercial uses or active space essential to a successful TOD project?
- Are there any other project outcomes that should be considered?

Based on City Council feedback, the project team will create site design alternatives that further evaluate the feasibility of development. The results will serve as the basis for a developer solicitation for design and construction of a TOD project. These design alternatives will serve as guidance for the City's vision at the TOD site, but the selected project developer, in collaboration with the City, would determine the exact design and development program.

EXPECTED RESULTS:

City Council will provide feedback on vision and goals for the Wilsonville Transit Center TOD site.

TIMELINE:

The project team will use input received on project vision and goals to develop site alternatives, which will be shared with City Council in November. A developer solicitation through a two-step Request for Qualifications (RFQ) and Request for Proposal (RFP) process is anticipated in late 2021 or early 2022, depending on desired project type and anticipated funding sources.

CURRENT YEAR BUDGET IMPACTS:

Total project scope is approximately \$80,000. Consultant services will be funded by professional services funds from the SMART budget.

FINANCIAL REVIEW:

Reviewed by: KAK Date: 8/24/2021

LEGAL REVIEW:

Reviewed by: BAJ Date: 8/19/2021

COMMUNITY INVOLVEMENT PROCESS:

The priorities identified in the Equitable Housing Strategic Plan, including exploration of transit-oriented development at the Wilsonville Transit Center, were generated through a community input process that included focus groups, surveys, and Task Force input. Any TOD project at the Wilsonville Transit Center will go through the typical City development review process before the Development Review Board, which allows for public comment from residents, neighbors and property owners.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

A TOD project at the Wilsonville Transit Center would provide needed affordable housing opportunities in close proximity to transit service. Locating housing in close proximity to transit service can generate additional transit ridership. The Wilsonville Transit Center is one of the City's limited opportunities to provide true transit-oriented development within the community.

ALTERNATIVES:

City Council can provide additional suggestions on goals and project type for consideration in the development of site design alternatives and a funding strategy.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Existing Conditions and Context Summary: August 2021

Wilsonville Transit Center TOD Strategy

Existing Conditions and Context Summary

Date August 12, 2021
To Kim Rybold, Senior Planner, City of Wilsonville
From Brian Vanneman, Chris Zahas, and Sam Brookham, Leland Consulting Group

Introduction

In summer 2021, the City of Wilsonville engaged the Leland Consulting Group (LCG or Leland) team to prepare a Wilsonville Transit Center Transit Oriented Development (TOD) Strategy. The goals of the Strategy are to identify one or more development alternatives for the City’s TOD Site and adjacent Transit Center that are consistent with the City’s vision and are logistically and financially feasible; and to set the stage for the City’s anticipated future recruitment of one or more developers for the site.

This document summarizes existing conditions at the site and surrounding area, as well as important contextual considerations such as an evaluation of the City’s goals, relevant real estate development trends, and affordable housing funding sources.

The purpose of this document is to provide the City Council and staff with a common baseline understanding of context for affordable housing development at the site to inform the City’s decisions about the TOD project. The document begins with an executive summary and a series of key questions regarding future development, which are also repeated in the body of the document. The Leland team includes LCG, DDV Consulting (financial and feasibility analysis for affordable housing projects), YBA Architects (architecture and urban design), and HHPR (engineering and site development assessment).

This report is organized as follows:

- Introduction..... 1
- Executive Summary and Key Questions..... 2
- The City’s TOD Vision and Goals..... 4
- The Area: West Side Wilsonville..... 9
- The Site: Wilsonville Transit Center and TOD 30
- Affordable Housing Funding Sources and Other Public Support..... 42
- Appendices..... 51

Summary of Key Findings and Key Questions

The section serves two purposes. The first purpose is to summarize the Leland team's key findings regarding project context, existing conditions in the area and at the site, and affordable TOD opportunities and constraints. The second purpose is to pose a series of questions for the City and project team that are not resolved at this time. These questions may ultimately be answered by this project process, by the City, or by future affordable housing developers of the site. However, where possible, there is a benefit to providing answers sooner rather than later.

Summary of Key Findings

- The City's *Equitable Housing Strategic Plan* identifies a range of different types of households that are especially in need of affordable and equitable housing. These include low income households, seniors, LatinX households, middle aged millennials, and those seeking to move from renting to owning. The City should review these different types of households and determine if the TOD site should be prioritized to serve one or more of these groups see page 6).
- A preliminary list of "place making" and "other" goals for the project begins on page 7. The City should review these goals, and identify any that should be prioritized or removed, and provide recommended adjustments.
- The West Side area (defined in this report as the area of the City west of I-5) surrounding the TOD Site has a number of strengths for future affordable housing residents, and which will be seen as positive by the primary affordable housing funding sources. These include:
 - Good transit service that connects potential future residents to commercial services, employment, parks, schools, residential neighborhoods, community centers/services and other amenities within Wilsonville and other cities.
 - Existing pedestrian, bicycle, and auto transportation infrastructure that makes similar connections as transit.
 - Close to the Coffee Creek Wetlands with views to the west.
 - Close to I-5 interchange.
- Wilsonville: A desirable, growing, and accessible community, where rising housing costs have led the community to seek ways to deliver more affordable housing. (Some funding sources target locations where housing is unaffordable, and the fact that the City has already designated this as a desirable site for affordable housing is a positive.) Challenges include the fact that there are no existing residential or commercial uses within a quarter mile, and most nearby uses are industrial and/or employment, which generates freight traffic on surrounding streets, and potentially, other nuisances such as noise.
- The "TOD Site" has been identified and approved by the City as a "Future Development Parcel" since at least 2008. In addition, land use applications that were approved by the City envisioned that the existing park and ride lot could be expanded to the west, into what was then identified as "Future Park and Ride Site" and which this report also refers to as the Kinsman Site. Both of these site uses received approval under a variety of City review and approval processes, including Stage I and II Planned Development. These approvals provide a clear basis for proceeding with TOD at this location.
- Active ground floor community or commercial space has been identified as a desirable feature of this project, and the site's existing zoning could conceivably require well in excess of 10,000 square feet of commercial space, depending on how the project is designed. However, there are a number of challenges associated with commercial space in affordable housing projects. The Leland team is not aware of any primary affordable housing funding source that provides capital for commercial space. In addition, sizeable commercial spaces will trigger BOLI prevailing wage rates on the remaining (affordable residential) component of mixed-use projects, and likely increase the costs of the residential component of the project by 10% to 15%. Also, locating the parking for the commercial component of the project will be challenging, in part because no on street parking is allowed. Together, this could

create a funding gap on the order of \$5 million or more. Therefore, the City should think carefully about whether active ground floor space should be seen as a desirable goal or a “must have” requirement.

- The park and ride immediately north of the TOD Site has 399 spaces, and relatively low levels of occupancy. TriMet and SMART have indicated that they are open and supportive of the concept of shared parking--future affordable TOD residents parking on the park and ride lot—as long as this does not limit other users’ access to transit. The park and ride lot can also be expanded to the west. Reaching a long-term shared parking agreement with TriMet, or expanding the park and ride lot to the west, will be hugely beneficial or essential to the financial feasibility of the TOD, because it will probably be cost prohibitive or impossible to build adequate parking on the TOD Site.
- At this early stage, there appear to be at least four entitlement pathways for a TOD project at this site: 1) via the existing PDI zoning; 2) via the provisions of Senate Bill 8 under the current zoning, if residential uses can be considered to be “adjacent” to the TOD Site; 3) via the provisions of Senate Bill 8 and a rezone to Public Facilities; 4) via a different approach such as an Overlay zone or area specific regulations. The strengths and weaknesses of each should be evaluated and considered as this project proceeds. One issue associated with the existing zoning is that commercial space would probably be required, which will challenge project feasibility as discussed above. In contrast, Public Facilities zoning does not permit commercial space. Zoning and entitlement considerations are summarized beginning on page 37.
- This report identifies four “primary” affordable housing funding sources shown that provide funding for most of the affordable housing projects completed in the State of Oregon. These are the 1) Metro Bond, 2) 9% Low Income Housing Tax Credit (LIHTC) program, 3) LIFT, and 4) 4% LIHTC program. The Leland team believes it is important to focus on these programs first, since they are critically important to affordable projects, and each imposes a different set of criteria, requirements, and timing on projects.
- The Leland team has grouped the four primary funding sources into a conceptual Project 1 and Project 2. Project 1 would be primarily funded by a combination of the Metro Bond and 9% LIHTC. Project 2 would be primarily funded by a combination of LIFT and 4% LIHTC. LCG’s early assessment is that either of these two funding approaches could enable the development of a +/- 100 unit affordable housing project on the TOD Site, subject to certain conditions (shared or surface parking, on the park and ride or Kinsman Site; minimal or no commercial space; average site development costs). A likely target market for Project 1 would be permanent supportive housing for homeless or formerly homeless veterans at 0% to 60% median family income (MFI); Project 1 could also provide deeply affordable units for another special needs population. Because the Metro Bond and 9% LIHTC funding sources are both competitive, with applications due in the first four to six months of 2022, Project 1 also implies an aggressive timeline for this TOD project. A likely target market for Project 2 would be family housing that includes a social service component (e.g., connections to off-site employment or educational training) targeted to the LatinX community (given that community’s population in Wilsonville and the criteria of the LIFT program) and affordable to households earning an average of 60% MFI. The City should consider these options, and others in light of its goals. Projects 1 and 2 are further described starting on page 42.
- Feasibility of the TOD project will likely depend on City support. In addition to the conditions above, the Leland team’s preliminary feasibility analysis indicates that the following types of City support may be necessary to make this project feasible: a land value write down; System Development Charge (SDC) waivers for affordable units; property tax abatement (already provided in the City for affordable projects); helping to secure off-site parking for the TOD project; championing the project; and potentially providing other support that may become more apparent as this project moves forward, particularly if development costs are higher than currently anticipated.

Key Questions

- Should development at the TOD Site and/or Wilsonville Transit Center be focused on providing housing for one or more of the groups identified in the City’s Equitable Housing Strategic Plan? Or does the City prefer not to specify target group(s) and make a determination of what is most appropriate based on proposals to be submitted in the

future by potential developers? These questions are closely linked to the questions listed below associated with affordable housing funding sources and the preliminary concepts of Projects 1 and 2.

- Does the City believe that the Place Making and Other goals summarized in this report capture the City's non-housing related goals? How would the City modify or add to these goals?
- Given the challenges associated with developing commercial space as part of affordable housing projects that are discussed in this report, should commercial space be a goal or requirement for the TOD project?
- Does the City have a preferred entitlement pathway at this early stage in the process?
- Does the City feel that Project 1 or Project 2 is more consistent with its vision and goals for the site, or are both equally acceptable?
- Are the types and level of City support described above acceptable to the City or is it too early to say?

The City's TOD Vision and Goals

In June 2020, the City adopted the *Wilsonville Equitable Housing Strategic Plan*. This Plan evaluated the need for equitable and affordable housing throughout the City and identified implementing a TOD at the subject site as a priority action to begin exploring within two years of the Plan's adoption. According to the Plan, "the City-owned property at the Wilsonville Transit Center is the City's main opportunity to promote TOD with affordable and/or workforce housing...The City is interested in completing a Development Opportunities Study and Prospectus to understand development possibilities and constraints, clarify objectives for site development, and compile materials that the City can use as it conducts outreach with potential developers." Add a statement here to explain what this section contains, especially since the next section feels a bit out of place but also provides important context for the conversation around vision and goals

Affordable Housing and Households

The table below is intended to help stakeholders better understand the types of households in Clackamas County and Wilsonville that may be in need of affordable housing at the subject site, and whether the private market or public subsidies provide housing for these groups. Public subsidies are typically required for housing at 60% median family income (MFI) and below. The information below is primarily adapted from materials prepared by Metro and Oregon Housing and Community Services (OHCS, a State of Oregon agency). This table uses a three-person household and a two-bedroom unit as an example, as Federal and State agencies assume that an average of three people will occupy a two-bedroom unit.

Income range	0-30% MFI (Median Family Income)	30-60% MFI	60-80% MFI	80-120% MFI
Household Income (for a three-person family, 2021)	< \$26,130	< \$52,260	< \$69,680	< \$104,040 (\$97,100 is MFI)
Maximum Rent (2-bedroom unit)	\$653	\$1,307	\$1,742	\$2,613
Example households	<ul style="list-style-type: none"> • Adult on disability insurance • Couple with social security 	<ul style="list-style-type: none"> • Full time minimum wage worker • Preschool teacher • Construction laborer 	<ul style="list-style-type: none"> • Two full time minimum wage workers • Carpenter 	<ul style="list-style-type: none"> • Police officer • Electrician
How is housing for this MFI range provided?	<p>The private market does not provide housing affordable at this level.</p> <p>Housing affordable at this level requires an ongoing subsidy, such as rental assistance vouchers.</p> <p>Many households in this income bracket also benefit from support services for residents on site, which require additional subsidies or resources.</p>	<p>The private market does not typically provide new housing affordable at this level—at least not in locations with good access to transit and amenities.</p> <p>Regulated affordable housing at this level often requires subsidies to construct.</p> <p>Most regulated (or “deed restricted” or “subsidized”) affordable housing is built to serve households at 60% MFI and below.</p>	<p>The private market does not provide much new rental housing at this level.</p> <p>Most people in this group live in older rental housing stock that was built by private sector developers and has now “filtered” down to become more affordable.</p>	<p>The private market provides rental apartments, and owner-occupied units, such as attached and small-lot housing, condos, cottage clusters, and accessory dwelling units for this group.</p>

Sources: Metro; Oregon Housing and Community Services.
<https://www.oregonmetro.gov/sites/default/files/2018/04/19/Equitable-Housing-Initiative-Factsheet-Affordability-201804.pdf>;
<https://www.oregon.gov/ohcs/compliance-monitoring/Documents/rents-incomes/2021/LIHTC/Clackamas-County-2021-Rent-Income-Limits.pdf>.

Refining the City’s Vision and Goals

Vision, Goals, and Priorities. The sections below provide some information and questions about ways the City could refine its vision, goals, requirements, and priorities for the TOD site.

As used here, vision and goals are closely related terms. The City’s vision for the TOD site will probably include a number of individual goals that describe how the City would like to see the site developed in the future. City staff have already

provided a number of preliminary goals for the project, which are summarized below. Priorities refers to choices about which of the goals, or what aspects of the goals, are most important to achieve.

Because public sector and developer resources are finite, and because some goals may actually be in conflict with each other, it is possible that the TOD project will not be able to achieve all the goals—but it is still worth defining what they are. LCG will take feedback based on this report, further refine the vision and goals for the project, prepare a set of development alternatives that respond to the goals, and test the financial feasibility of these alternatives.

Goals and Requirements. Another thing to consider is whether the elements that the City wants in this TOD project should be considered goals or requirements.

Requirements are “must haves.” If a development alternative or development proposal does not include one of the City’s requirements, then it would automatically be eliminated from consideration. Goals are “want to haves.” They imply a clear desire for some outcome, but also more flexibility—more ways that a development proposal could meet the spirit of the goal, if not the exact letter.

We recommend that the City have relatively few requirements, and a handful of goals—five to eight is usually the most manageable. Also, LCG will work with the City to refine these goals and requirements in the coming months. The City should be careful not to establish requirements that are not possible for any developers to meet.

Why Have Goals? LCG has found that having a clearly defined vision and goals for a public-private development project such as this is important. It helps the consultant team to create a series of development alternatives that respond to the goals, and then for all to evaluate whether these alternatives meet the goals. It helps to make sure multiple parties stay on the same page. The vision and goals should be clearly communicated to potential future developers via a Request for Qualifications (RFQ) or Request for Proposals (RFP), so that only developers who understand the City’s goals and are able to deliver on them submit proposals.

Affordable Housing Goals

While the *Equitable Housing Strategic Plan* sets a broad policy framework for the entire City, it did not describe a specific type of housing for the TOD site.

Therefore, one question is whether Wilsonville’s City Council and staff believe it is important to prioritize housing intended to serve one or more particular demographic groups at the TOD site. There are some benefits to identifying priorities for the site. They may give the consultant team clear direction on what to design or not design: For example, the in-unit and site features of housing for seniors and families differs, as described further in the Affordable Housing section on page 24. If there is a policy priority to serve one or more particular groups at this site, then this should be reflected in the Leland team’s site designs and financial analysis, and when appropriate, should also be communicated to developers. In addition, because some affordable housing funding sources (see page 42 for details) are intended to provide housing for specific demographic groups, it may increase this project’s odds of securing funding in the future.

On the other hand, it is not absolutely necessary for the City to have a clear policy priority at the site; the Leland team’s work can still proceed. However, this may only delay a decision by the Council or staff until later in this process—e.g., when the Leland team presents a series of development concept designs and financial analysis, or even later, when the City receives submittals from developers.

If there is no clear policy priority, it may be difficult to evaluate one proposal against another. Also, a lack of clarity may deter some developers who focus on a particular type of housing.

The table below shows some of the key high-level findings of the *Equitable Housing Strategic Plan* in the left column, and potential implications for the TOD site on the right.

Citywide findings from the <i>Equitable Housing Strategic Plan</i>	Potential Implications for TOD Site
<p>Significant housing deficits for households earning between 30% and 50% median family income (MFI).</p>	<p>Affordable rental housing.</p> <p>Particularly for households at or below 30% MFI, households are more likely to rely on fixed incomes, disability, or rental assistance vouchers; and may benefit from permanent supportive services such as mental health, substance abuse, or job training.</p>
<p>Wilsonville will likely continue to have a large share of residents aged 60+.</p> <ul style="list-style-type: none"> • Downsizing, aging in place and multigenerational households • Homes close to services 	<p>Affordable senior housing. Smaller unit sizes. Typically, lower parking demand.</p>
<p>Increasing share of LatinX households</p> <ul style="list-style-type: none"> • Multigenerational households • Need for relatively affordable housing 	<p>Larger rental or ownership units to accommodate larger households. May benefit from culturally specific support services such as Spanish language connections to education and job training in Spanish.</p>
<p>More middle-aged millennials</p> <ul style="list-style-type: none"> • Homeownership for Millennials will increase. • Demand for relatively affordable ownership and rental, near amenities 	<p>Owner-occupied or rental homes, for households now between 25 and 40years old. Some larger units for households with children. Also see below, as a significant number of Millennial households are likely to have incomes comparable to the median renter household.</p>
<p>Homeownership is out of reach for many residents. In 2019, when the <i>Equitable Housing Strategic Plan</i> was underway, a median renter household could potentially afford homes valued at between \$221,000 and \$252,000, but the median housing price was \$454,500.</p>	<p>Owner-occupied homes for medium income households, such as attached single family homes, duplexes, narrow lot homes, or stacked flats/condos.</p>

Sources: *Equitable Housing Strategic Plan*; *Leland Consulting Group*.

Other goals related to affordable housing development at the site may include a goal for a specific number of affordable housing units; and/or a goal for a project of a particular size, scale, or height.

Place Making Goals

As a part of our existing conditions analysis, LCG has spoken with staff at the City and SMART, and other stakeholders at the Housing Authority of Clackamas County, TriMet, and Metro’s TOD program.

During these discussions, stakeholders have raised the following as potential goals for the TOD that encompass issues that are broader than the provision of affordable housing. These may also become part of the vision and goals for the

future development. **The City Council should review these goals, identify any that should be prioritized or removed, and provide recommended adjustments.**

- Quality development: The building and site should be attractive and incorporate high quality materials, design, and landscaping.
- Place making: Use new development here to create a sense of place—a place that has some memorable design features, and where people want to spend time, rather than just a stand-alone building.
- Active Ground Floor Space. The TOD should include active ground floor spaces that serve the TOD residents, and potentially residents and employees from the surrounding West Side.
 - Active ground floor space has the potential to advance the goal of place making above, by creating visible places in the building, and on surrounding sidewalks, plazas, and streets, where people can interact with each other and the built amenities.
 - SMART has indicated an interest in a small (+/- 500 square feet) transit rider's welcome center in the TOD.
 - "Active ground floor space" may include commercial uses or community services. Specific commercial uses mentioned thus far include day care, health and dental care, food and beverage (e.g., coffee shop or lunch spot) and/or other services that would meet the needs of TOD residents and the surrounding population. Some of the types of community services that have been mentioned include resident support services, community meeting space, education, connections to employment opportunities, and social services for higher-need populations such as substance use treatment, case management, and life skills training.
- A plaza or open space that is connected to the SMART boarding areas and active ground floor spaces in the building.
- Support Transit Ridership, by placing housing and some active ground floor uses in proximity to transit. Transit oriented development has been shown to generate transit ridership.
- Be a good neighbor to existing, surrounding employment uses.

Other Goals

The following are other potential goals for the City's consideration. While some of these may seem so self-evident that they need not be included in the vision or goals, LCG has found that these types of goals can help to elevate some development alternatives and eliminate others.

Potentially, the TOD project should:

- Represent a fiscally prudent investment of City funds and other public funds.
- Be financially feasible for any nonprofit or private developers with whom the City partners in the future. We anticipate that a nonprofit or private developer will ultimately be the developer, owner, and operator of the TOD project.
- Be completed sooner rather than later. While definitions of "sooner" can vary, it is still sometimes useful to call attention to the fact that the City's prefers action in the near term compared to the long term. The precise definition of "sooner" will depend in part on the type of project pursued by the City and developer, the timing of the funding sources pursued, and other factors.

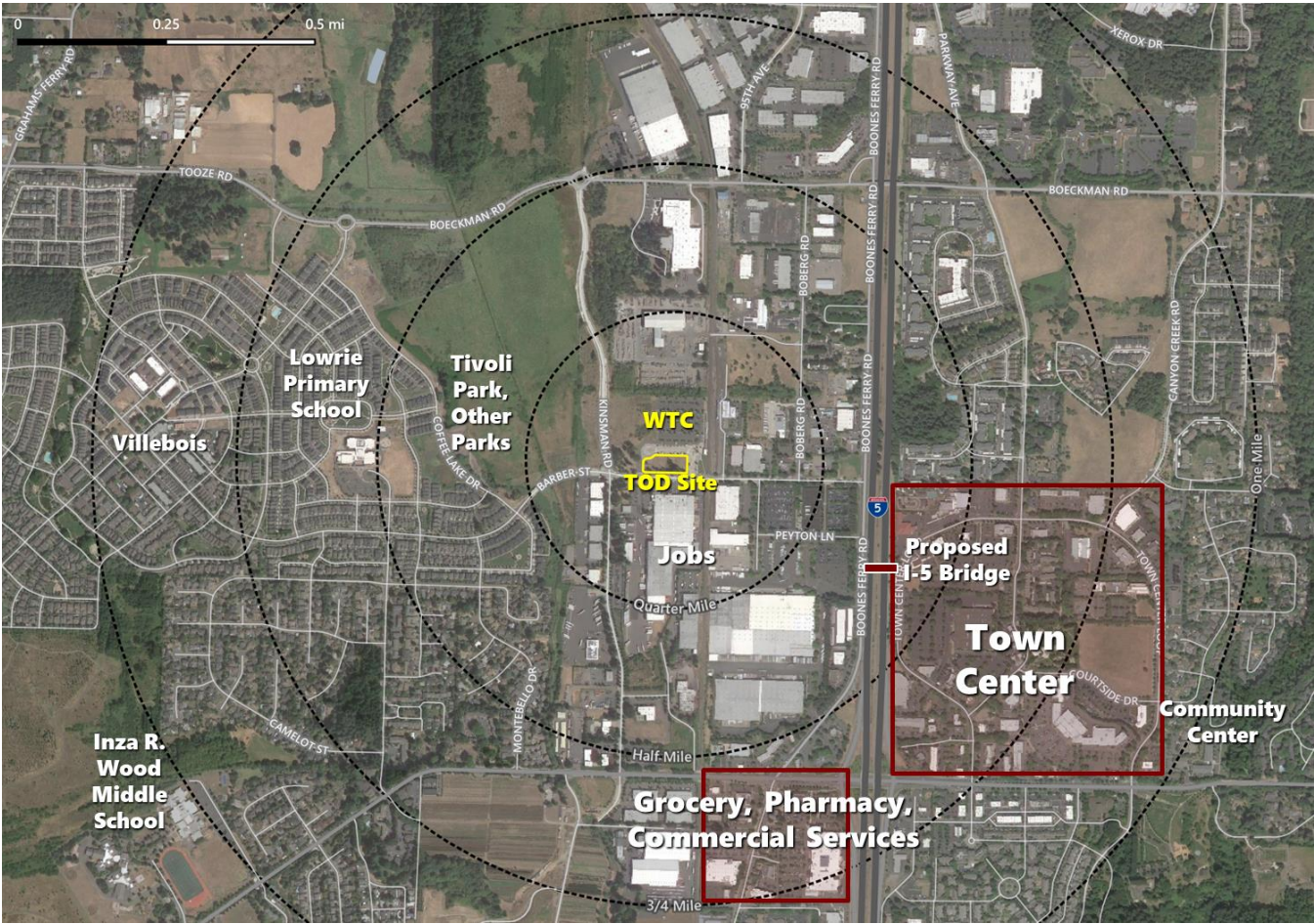
The Area: West Side Wilsonville

As shown below, the Wilsonville Transit Center (previously called South Metro Area Transit (SMART) Central at Wilsonville Station) and TOD Site are centrally located in Wilsonville’s west side (the area of the City west of I-5).

The transit center is the central hub for Wilsonville’s SMART’s bus service, and the Westside Express Service (WES) commuter rail, which runs to the Beaverton Transit Center via Tualatin and Tigard. While transit service is discussed in greater depth below, it will be a very important asset for future residents of the site and provides connections from the site to virtually all of the key destinations in the City.

Quarter Mile. The area within a quarter-mile of the site is predominately a light industrial and employment district, including the Coca-Cola distribution plant immediately to the south. The recently constructed Kinsman Road to the west of the site includes a shared path that runs adjacent to the Coffee Lake Creek Wetlands—a beautiful and environmentally important natural area.

Figure 1. Area Context



Source: City of Wilsonville, Metro RLIS, LCG.

Half Mile. Within a half-mile of the site are many more employers, natural areas and parks, and the City’s planned I-5 Pedestrian Bridge, which will provide a unique and highly visible pedestrian and bike (and possibly transit) connection linking Wilsonville’s west and east sides, including key destinations such as Villebois and the Wilsonville Town Center.

The natural route for pedestrians and bicyclists traveling over the bridge will go on Barber past the TOD site. There are bicycle lanes currently on Barber. Future residents of the site will also be able to reach Villebois within a half-mile.

Villebois is a 500-acre, mixed-use, master-planned community in west Wilsonville that boasts a variety of housing options, parks, schools, and a Town Center. Villebois includes more than 2,600 residential units.

Three Quarters Mile. Lowrie Primary School, which educates children from pre-kindergarten to 5th grade, is located less than three quarters of a mile west, over the Barber St. bridge and within Villebois. Inza R. Wood Middle School is further west.



The planned I-5 Pedestrian Bridge

Most of the major commercial amenities are within a three-quarter to one-mile radius of the site. Just south of Wilsonville Road and at about three quarters of a mile from the site, Old Town Square and surrounding commercial areas provide the following goods and services: grocery (Fred Meyer), pharmacy (Walgreens), numerous restaurants, financial services, health and personal care (e.g., dental, optometry), fitness, and others. Many affordable housing funding sources prioritize funding projects that are well served by transit and that are in close proximity to commercial services and jobs. Therefore, for the benefit of future residents and funding availability, these services are a significant benefit. East of I-5, an even wider range of services is available in the Wilsonville Town Center. Major tenants include Safeway, Wilsonville City Hall, Clackamas Community College, and (just east of the Town Center) Wilsonville Community Center and Wilsonville Memorial Park. These amenities are already accessible by transit (and other modes), and the I-5 Pedestrian Bridge will make them even more accessible to the site.

Figure 2. Area Strengths and Challenges – Summary
(Site Strengths and Challenges are covered starting on page 30)

Strengths	Challenges
<ul style="list-style-type: none"> • Good transit service that connects potential future residents to commercial services, employment, parks, schools, residential neighborhoods, community centers/services and other amenities within Wilsonville and other cities. • Existing pedestrian, bicycle, and auto transportation infrastructure that makes similar connections as transit. (Many affordable housing funding sources prioritize funding projects that are well served by transit and that are in close proximity to jobs and services.) • Coffee Creek Wetlands; views to the west • Close to I-5 interchange. • Wilsonville: A desirable, growing, and accessible community, where rising housing costs have led the community to seek ways to deliver more affordable housing. (Some funding sources target locations where housing is unaffordable, and the fact that the City has already designated this as a desirable site for affordable housing is a positive.) 	<ul style="list-style-type: none"> • No existing residential or commercial uses within a quarter mile. • Most nearby uses are industrial and/or employment, generating freight traffic on surrounding streets, and potentially, other nuisances such as noise. On the whole, City staff stated that the area is not that noisy. • At-grade rail crossing to the east (serving freight rail) creates noise from passing train horns.

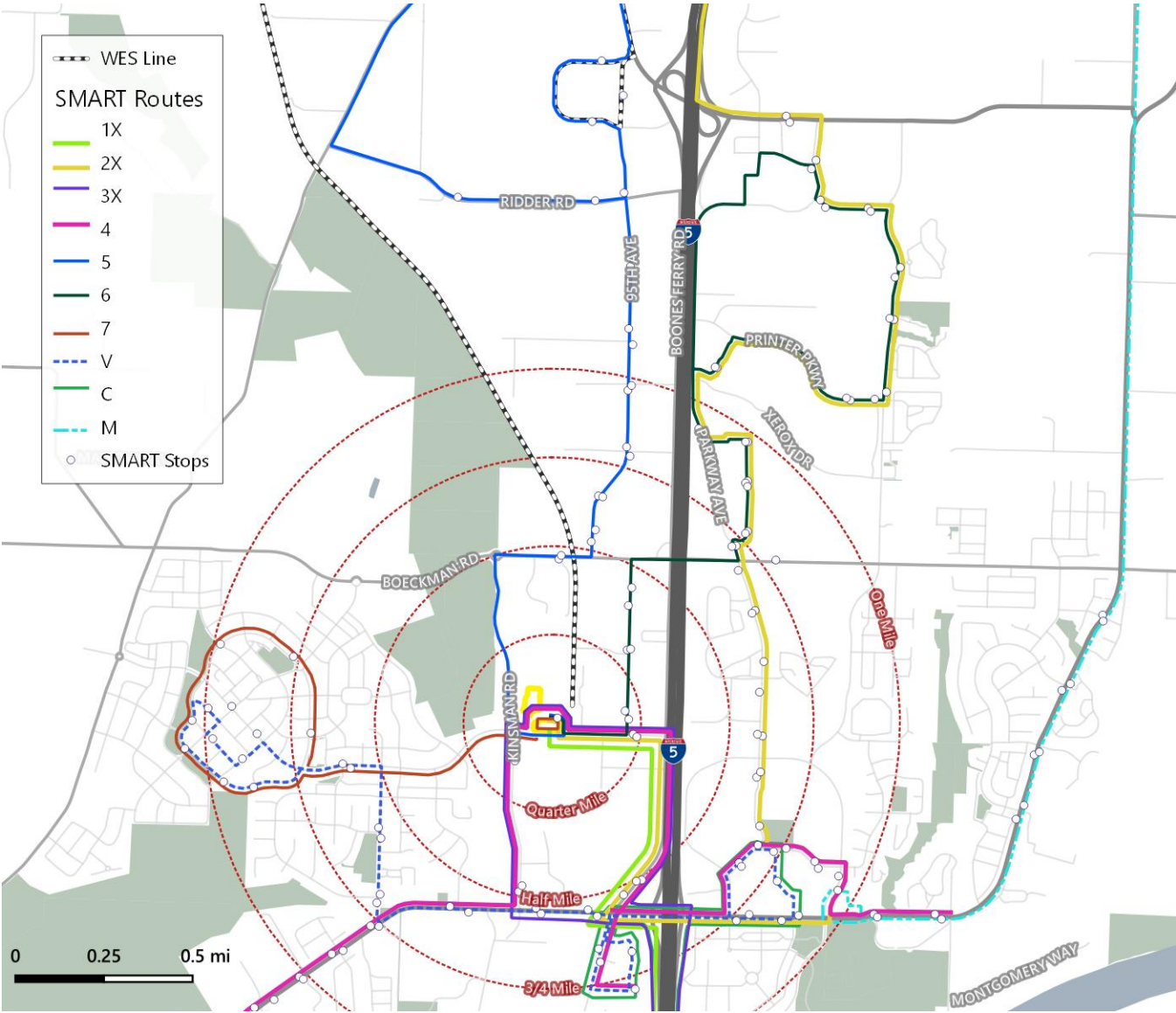
Transit Ridership and Routes

Wilsonville’s SMART runs many bus and shuttle routes to, from, and through the Wilsonville Transit Center. SMART’s bus routes and the TriMet WES Line are shown on the following map.

Weekday transit ridership is highest on Line 4, which generally runs along Wilsonville Road from Willamette Way to Rose Lane with deviations to circle up to the Transit Center via Kinsman Road and Boones Ferry Road and the Wilsonville Town Center via Town Center Loop and Courtside Drive. The line with the second-highest ridership is the 2X, which runs east and north from the Wilsonville Transit Center to the Tualatin Park and Ride via the Wilsonville Town Center. Line 1X has the third highest ridership and runs south to Salem from the Wilsonville Transit Center.

SMART routes within Wilsonville, to Tualatin Park & Ride, and Canby are free. SMART charges a fare for the Route 1X to Salem. Therefore, future residents at the TOD Site will be well served by transit and have access to jobs and services in Wilsonville; Tualatin, Tigard, Beaverton, and the Portland metro area; and Salem.

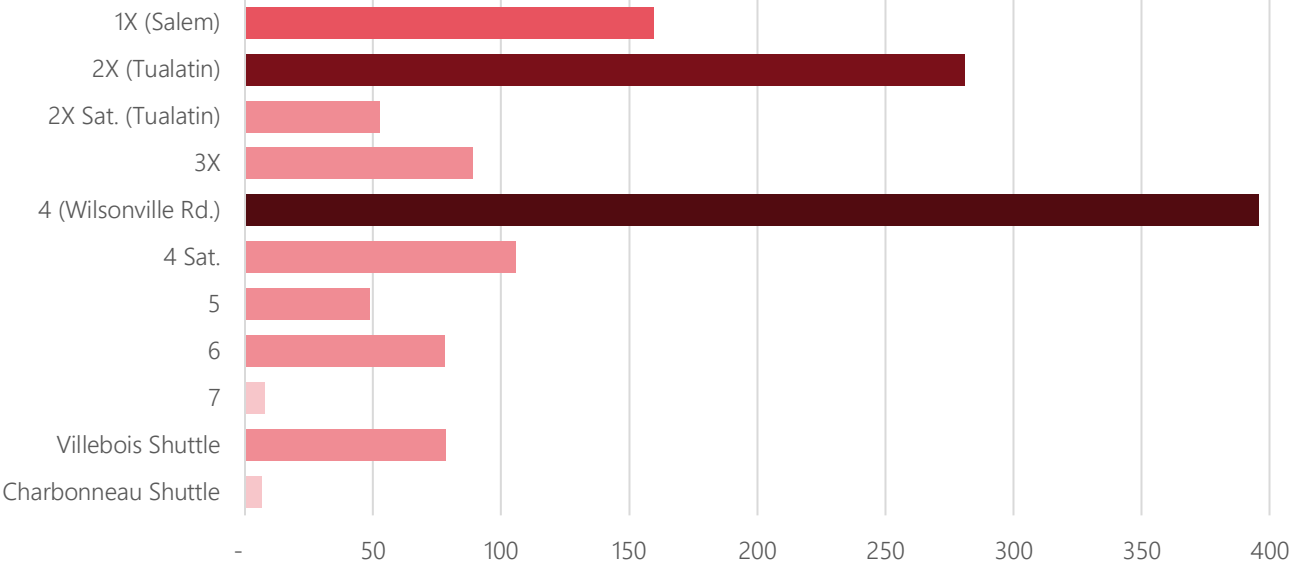
Figure 3. Wilsonville SMART Transit Routes and WES Line



Source: City of Wilsonville, Metro RLIS, LCG

Figure 4 below shows the average daily weekday ridership on SMART’s transit lines. Data is shown for pre-COVID 19, which is more likely an indicator of future ridership than data for 2020. SMART runs a Saturday service for the 2X and 4 lines, and ridership data is also shown for these weekend services. The 4 line will connect residents at the TOD site to the commercial services at Old Town Square, the Wilsonville Town Center, and elsewhere.

Figure 4. Average Daily Transit Ridership (Weekday), July 2018 through June 2019



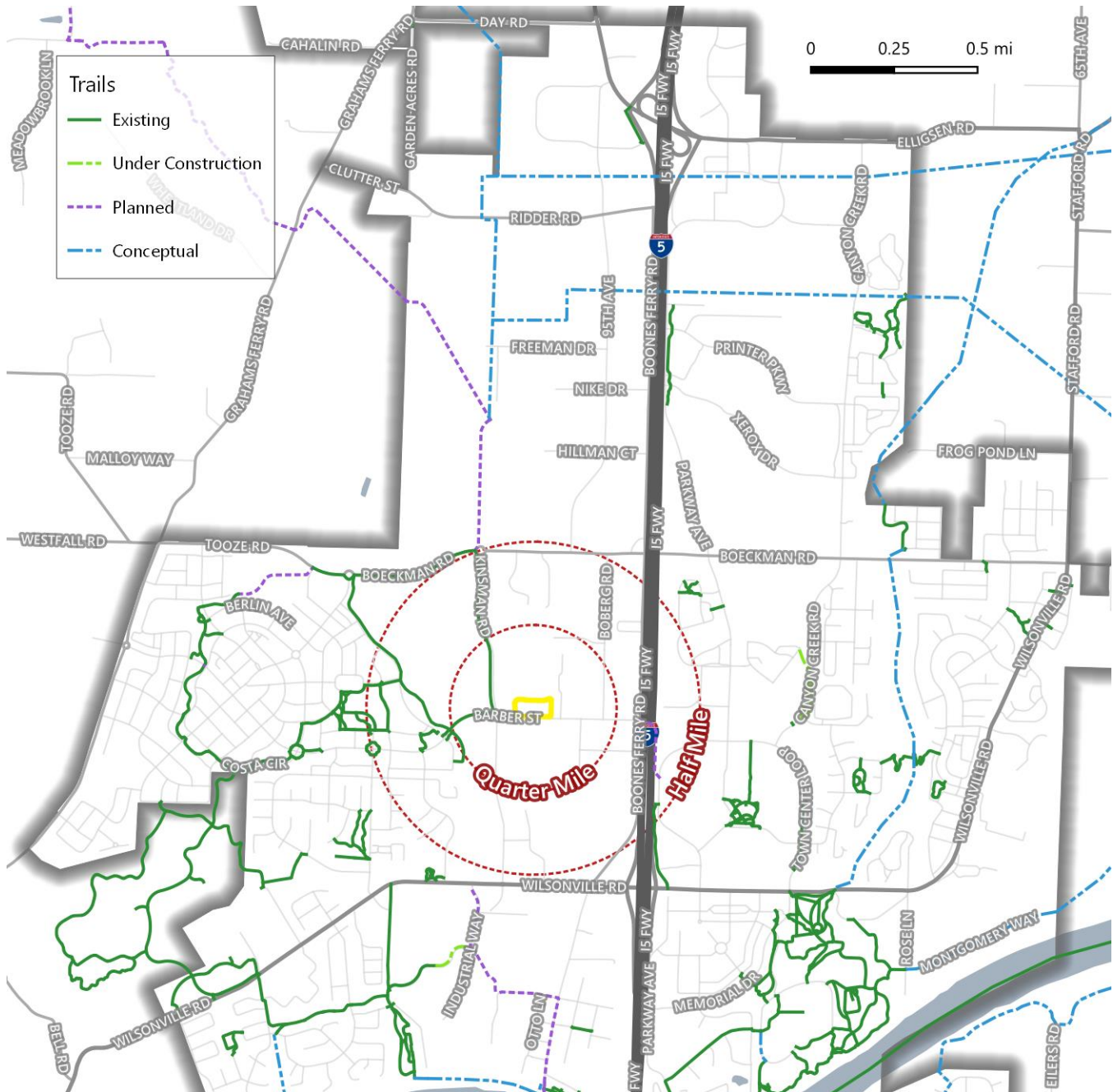
Source: SMART

Trails

Figure 5 below shows the existing and planned trail network in relation to the subject site.

When complete, the Ice Age Tonquin Trail (mostly shown below purple and green along Boeckman Rd, through Villebois, and continuing southwest) will be 22 miles in length and will connect the Willamette River in Wilsonville to Cook Park in Tualatin. Metro, in partnership with local cities and counties, lead the development of the Tonquin Trail master plan and development is now occurring at the local level.

Figure 5. Trails



Source: City of Wilsonville, Metro RLIS, LCG

Property Ownership

The area immediately surrounding the TOD Site (within a quarter-mile) is comprised of larger industrial, commercial, and vacant parcels. Many of the lots are publicly owned, primarily by the City of Wilsonville (including the City’s Urban Renewal Agency), Metro, and TriMet. A majority of the publicly owned land is undevelopable, such as the 31.8-acre wetland area about a quarter-mile to the west.

Table 1. Property Ownership and Acreage



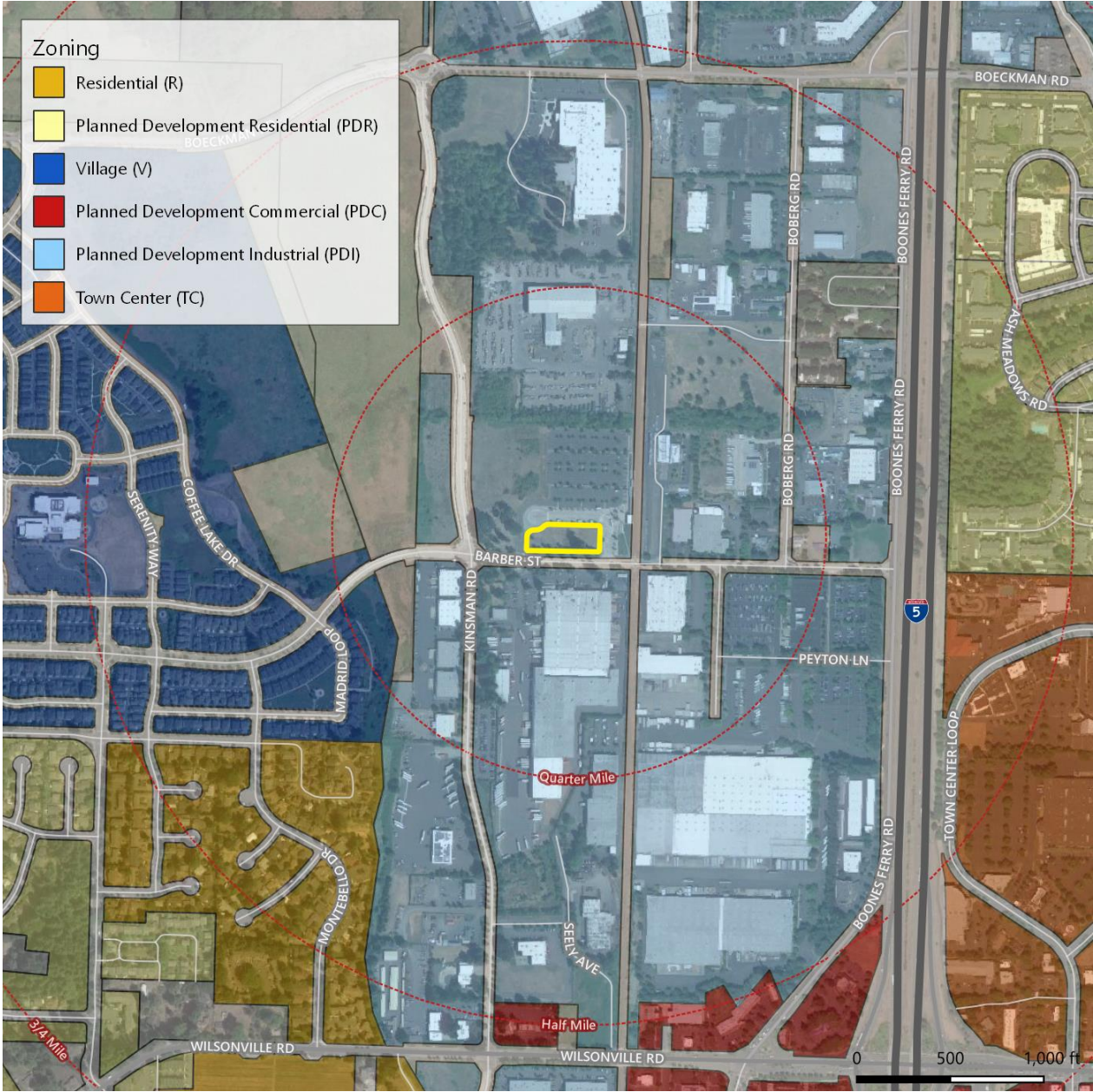
Source: Clackamas County Assessor, LCG

Zoning: West Side Overview

The TOD Site and Transit Center sites are zoned Planned Development Industrial (PDI). The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. Uses that are typically permitted include a range of industrial and employment uses, such as warehouses, storage and wholesale distribution, manufacturing and processing, motor vehicle services, fabrication, office complexes, corporate headquarters, call centers, research and development, and industrial services.

Other permitted uses also include any use allowed in a Planned Development Commercial (PDC) Zone, subject to some limitations. A more detailed evaluation of the zoning as it applies to the site is included on page 37.

Figure 6. Zoning Map



Source: City of Wilsonville, Metro RLIS, LCG

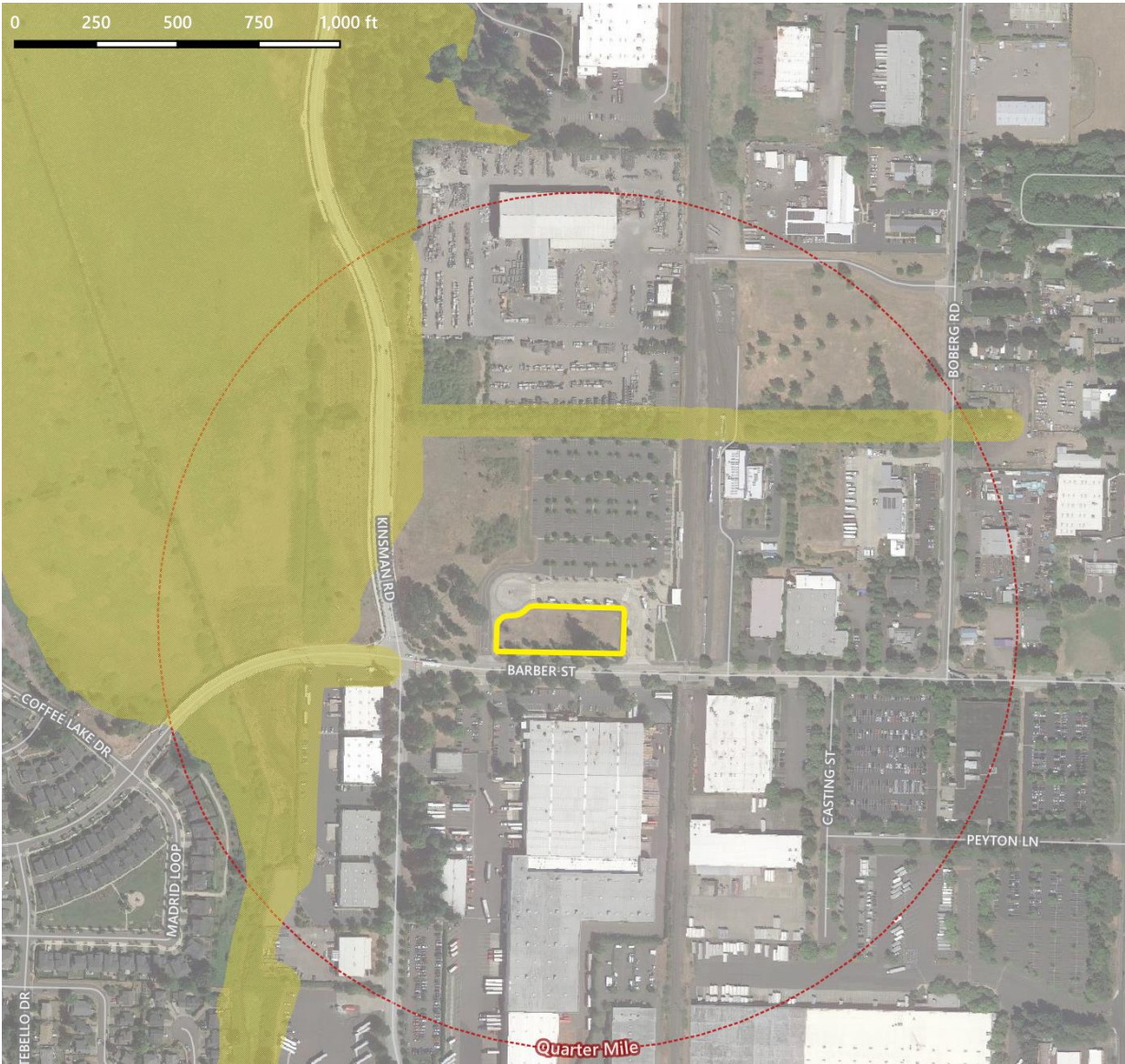
Environmental Regulations

This section describes the known environmental regulations that LCG is aware of that could affect development of the TOD and/or Transit Center sites.

SROZ Areas

Significant Resource Overlay Zone (SROZ) areas near the TOD site are shown in the map below. SROZ is defined in Wilsonville Development Code Section 4.139.00 as: "The delineated outer boundary of a significant natural resource that includes: a significant Goal 5 natural resource, lands protected under Metro's Urban Growth Management Functional Plan Title 3 (Water Quality Resource Areas), riparian corridors, and significant wildlife habitat." While development could theoretically occur in SROZ areas, any development must comply with the regulations set forth in Section 4.139.00, which are extensive. Therefore, LCG's baseline assumption is that no development will take place in an SROZ area.

Figure 7. Significant Resource Overlay Zone (SROZ) Areas



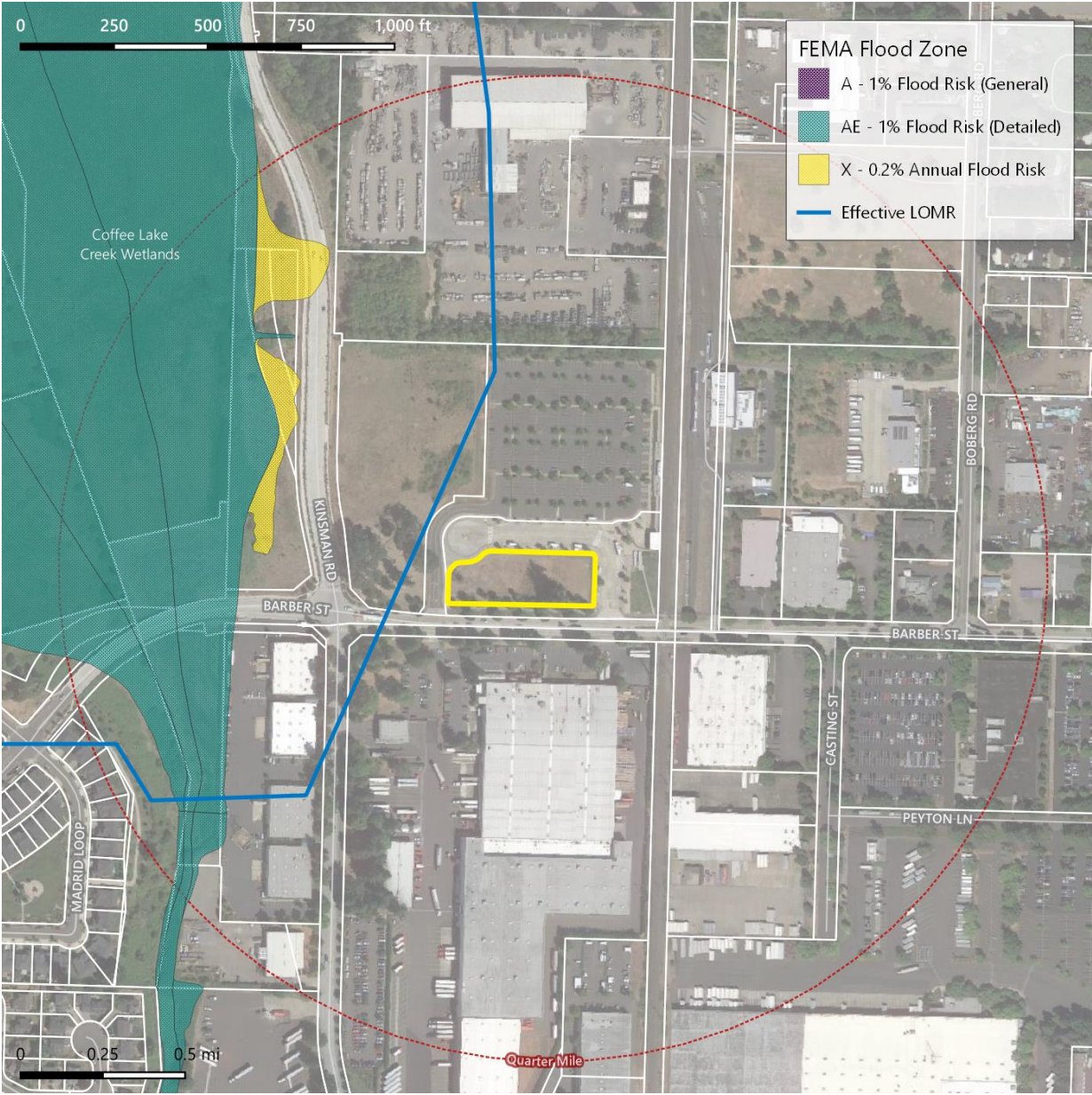
Source: City of Wilsonville, Metro RLIS, LCG

FEMA Flood Zones

The Federal Emergency Management Agency (FEMA) have developed flood maps as a way for communities to know which areas have the highest risk of flooding. Different levels of flood risks are given a flood zone and may require a property owner or developer to pay higher rates of insurance to protect their property if it is deemed at risk of flooding, which may be prohibitively expensive for new development.

Neither the TOD nor Transit Center sites are currently deemed at risk of flooding.

Figure 8. FEMA Flood Zones



Source: City of Wilsonville, Metro RLIS, LCG

The blue line indicates the presence of an “Effective LOMR” (Letter Of Map Revision).¹ It identifies the original flood plain line per the mapping. Since that time, Letters of Map Amendment (LORMs) have been published clarifying the flood plain limits with better survey data, modeling, etc. The actual flood plain line per FEMA based on their maps and all amendments is the light blue and yellow shaded areas, neither of which extend east of Kinsman Road.

Title 13 Lands

In the 1970s, Oregon established a set of 19 Statewide Planning Goals as part of a strong program for land use planning. Since that time, local jurisdictions have enacted various policies and rules in order to meet the intent of the Statewide Planning Goals. Goal 5—“to protect natural resources and conserve scenic and historic areas and open spaces”—requires local governments to adopt programs that will protect natural resources and conserve scenic, historic and open space resources for present and future generations.

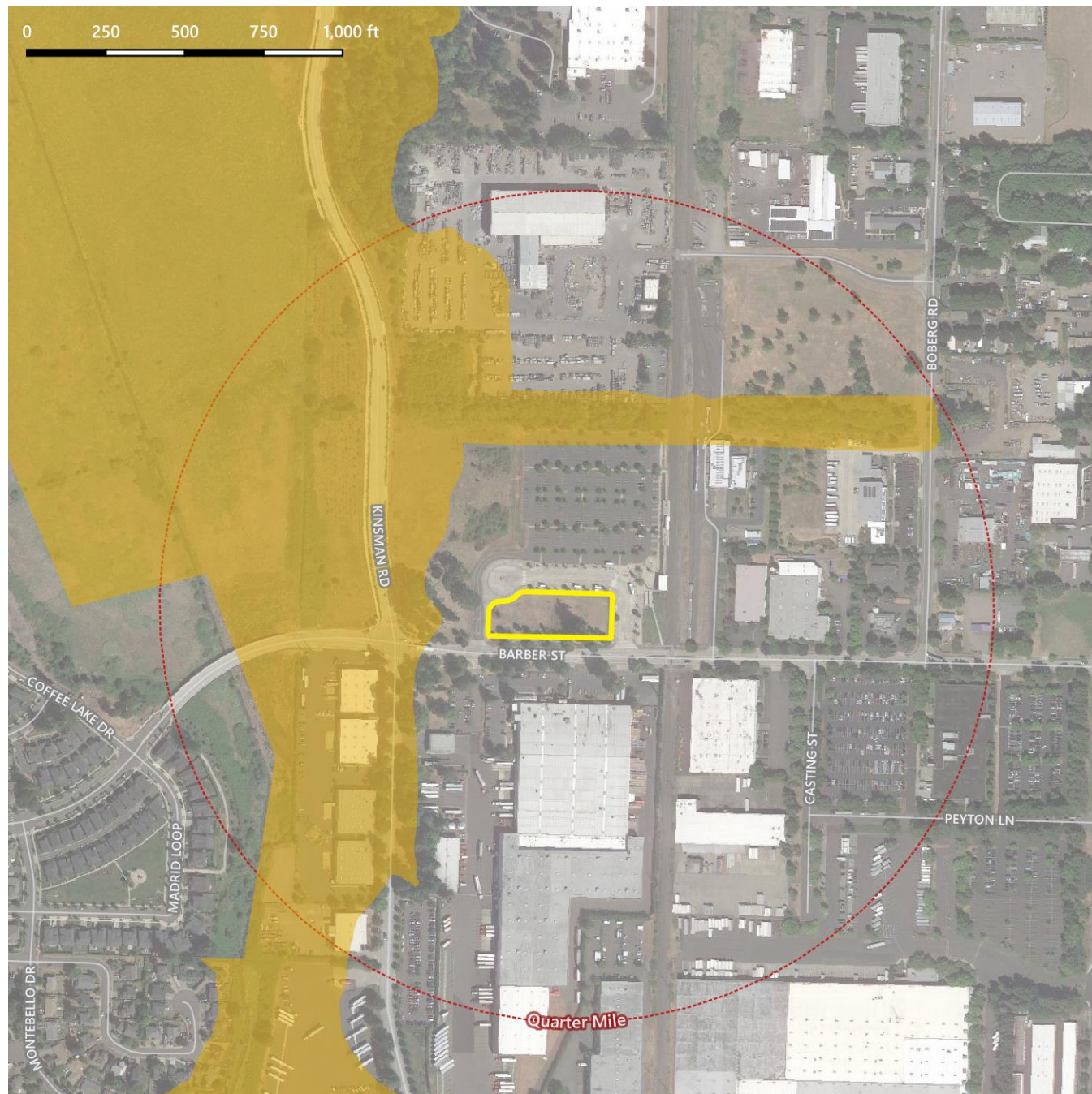
In 2005, the Metro Council adopted Title 13 (Nature in Neighborhoods) into its Urban Growth Management Functional Plan to meet Goal 5, which establishes standards for protecting natural resources, open spaces, and scenic and historic areas. Title 13 includes provisions that encourage habitat-friendly development practices (e.g., pervious paving options, alternative stormwater treatment facilities, transferable development rights, etc.) while also regulating development activity within designated Habitat Conservation Areas (HCAs).

With the earlier adoption of Title 3 (Water Quality and Flood Management), Metro had already established protections for streams and wetland areas designated as Water Quality Resources (WQRs). There is some overlap of HCAs with WQRs, and the new Title 13 regulations are intended to complement and enhance the existing Title 3 rules.

Title 13 lands are shown in the map below and cover a significant portion of the undeveloped area of the transit center site and a small northern portion of the parking lot. There are no Title 13 lands on the TOD subject site.

¹ <https://www.fema.gov/glossary/letter-map-revision-lomr>

Figure 9. Title 13 Lands



Source: City of Wilsonville, Metro RLIS, LCG

Mitigation Areas

The following map is a zoomed-in map that combines some of the elements shown previously, particularly the SROZ boundaries.

It also highlights an Oak Tree Mitigation Area (approximate area), which consists of large, mature oak trees that must be preserved as a mitigation condition of the Kinsman Road construction to the west. Neither the TOD Site, Park and Ride, nor the circulation areas of the Transit Center are impacted by known environmental or mitigation conditions. However, both SROZ and mitigation areas are located on the "Kinsman Site," which was identified in previous land use approvals as a location for future expansion of the existing park and ride. Attributes of these sites are explained in greater detail starting on page 30.

Figure 10. Wilsonville Transit Center: SROZ and Oak Tree Mitigation Areas



Source: City of Wilsonville, Metro RLIS, LCG
Note on Oak Tree Mitigation Area: LCG drew these based on Pages from DSL JPA Permit Application + Updates

Demographics

This section summarizes demographic attributes for a range of comparison geographies. One purpose is to understand how the surrounding population differs from other parts of Wilsonville or the County, as such differences could inform the types of affordable housing or commercial/community services provided at the site. In the tables below, Wilsonville *West Side* and *East Side* are referenced. For the purposes of this analysis, Interstate 5 is the dividing line between West and East Wilsonville. Each of the three buffers (0.5-, 1-, and 2-mile) are radii around the center point of the TOD subject site.

The following table provides basic information relating to household totals, growth, and size, tenure (renter/owner), age, and education. The table includes various shades of green that highlight the differences between each of the comparison areas (low = white, high = darkest green). Important takeaways include:

- West Wilsonville has experienced significant growth over the past decade, driven predominantly by the gradual building out of Villebois. There are still significantly fewer households in West Wilsonville than East Wilsonville, however, and very few close to the subject site.
- West Wilsonville has the largest household size of all comparison areas, is dominated by owner-occupied households, and is also the youngest in terms of median age. Combined, these indicators potentially indicate that a significant share of the households in this area are young family homeowners.
- The area immediately surrounding the site is a major employment hub. Two-thirds of the city’s jobs are located within one mile of the site. The City of Wilsonville is also a major employment center overall, with nearly three times as many jobs as households.
- The Wilsonville population is generally more educated than the average Clackamas County resident.

Figure 11. Demographic Characteristics

	0.5-mile Buffer	1-mile Buffer	2-mile Buffer	Wilsonville West Side	Wilsonville East Side	City of Wilsonville	Clackamas County
2021 Households (est.)	602	5,057	10,571	3,776	6,738	10,514	164,025
'10-'21 Annual HH Growth	12.5%	5.9%	2.8%	4.7%	1.7%	2.7%	1.1%
2021 Employees (est.)	2,146	20,675	29,058	7,128	21,413	29,562	174,708
Household Size	2.16	2.23	2.26	2.72	2.07	2.30	2.56
% Renter	38.7%	42.9%	46.2%	25.2%	57.0%	45.6%	27.8%
Median Age	37.1	35.6	36.9	34.8	39.7	37.4	42.5
% w Bachelor's + (25+ y/o)	51.3%	50.2%	49.5%	45.5%	50.0%	48.1%	39.1%

Source: ESRI (from U.S. Census Bureau)

Select income characteristics are shown below. Takeaways include:

- Larger, more family-oriented households likely contribute to West Wilsonville’s significantly higher household income and lower per capita income.

- A greater proportion of lower-income households live within one-mile of the subject site than on average in Wilsonville and Clackamas County.

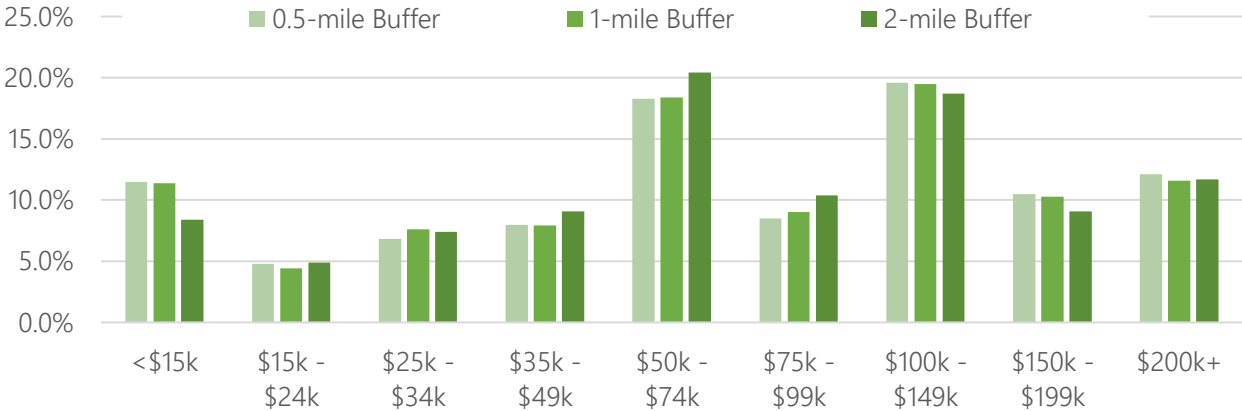
Figure 12. Income Characteristics

	0.5-mile Buffer	1-mile Buffer	2-mile Buffer	Wilsonville West Side	Wilsonville East Side	City of Wilsonville	Clackamas County
Household Income	\$76,573	\$75,694	\$74,740	\$100,787	\$66,933	\$73,923	\$79,738
% HHs Earning <\$35K	23.1%	23.4%	20.7%	20.5%	21.1%	20.9%	18.3%
Per Capita Income	\$46,992	\$45,285	\$45,025	\$42,632	\$44,956	\$43,928	\$42,014

Source: ESRI (from U.S. Census Bureau)

As the following figure shows, the largest proportion of nearby households (about 18 percent) earn between \$50,000 and \$74,999 and between \$100,000 and \$149,999. About 20 percent of households within one mile of the subject site earn less than \$35,000 per year.

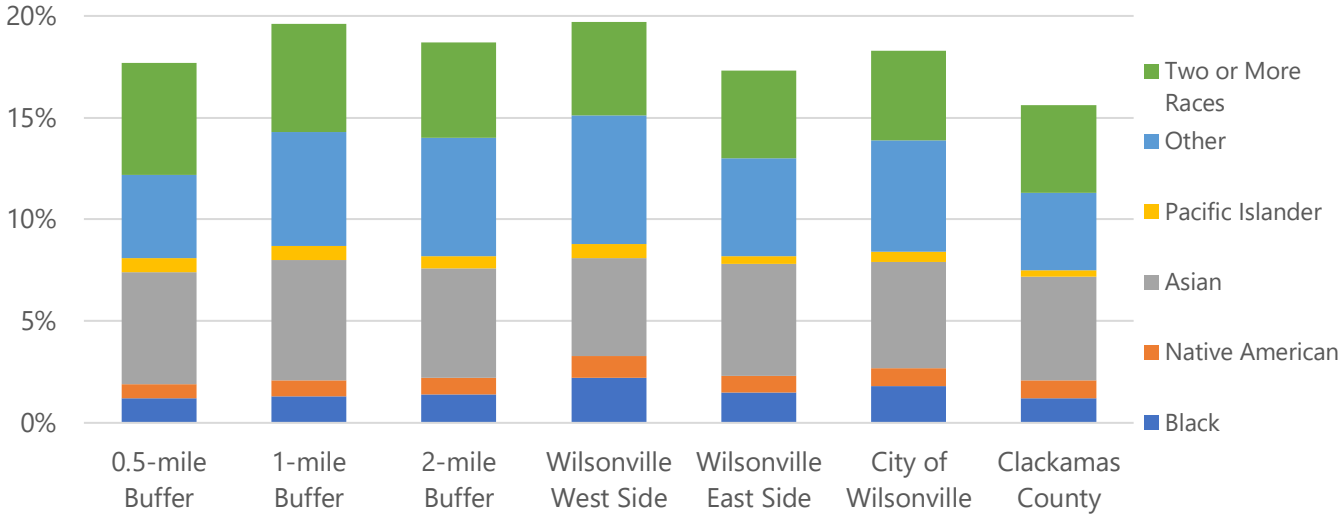
Figure 13. Households by Income, 2021 (est.)



Source: ESRI (from U.S. Census Bureau)

The Wilsonville population is generally more diverse than Clackamas County, and West Wilsonville is particularly diverse in comparison. Within one mile of the site, there is a significant Asian population (5.9 percent of the total, compared to 5.2 and 5.1 percent for Wilsonville and Clackamas County, respectively).

Figure 14. Population Race/Ethnicity, 2021 (est.)



Source: ESRI (from U.S. Census Bureau)

More detailed age characteristics for the various comparison geographies are shown in the table below.

- Almost half (46.4 percent) of the Wilsonville population is under the age of 35, compared to around 41 percent in Clackamas County.
- The population of the Wilsonville West Side and within one mile of the site is especially young. There is a significantly lower population of senior residents in both these areas.

Table 2. Population Age Characteristics

	0.5-mile Buffer	1-mile Buffer	2-mile Buffer	City West Side	City East Side	City of Wilsonville	Clackamas County
2021 Pop (est.)	1,300	11,286	24,356	11,361	14,306	25,667	423,494
<18	22.2%	23.4%	21.5%	21.7%	18.6%	20.0%	20.7%
18-34	24.6%	25.7%	25.7%	28.6%	24.6%	26.4%	20.0%
35-44	14.2%	14.6%	13.8%	15.1%	13.4%	14.1%	12.4%
45-54	11.9%	12.0%	11.5%	12.9%	10.2%	11.4%	12.8%
55-64	12.2%	11.6%	11.9%	11.2%	11.9%	11.6%	14.8%
65+	14.9%	12.7%	15.6%	10.5%	21.3%	16.5%	19.3%

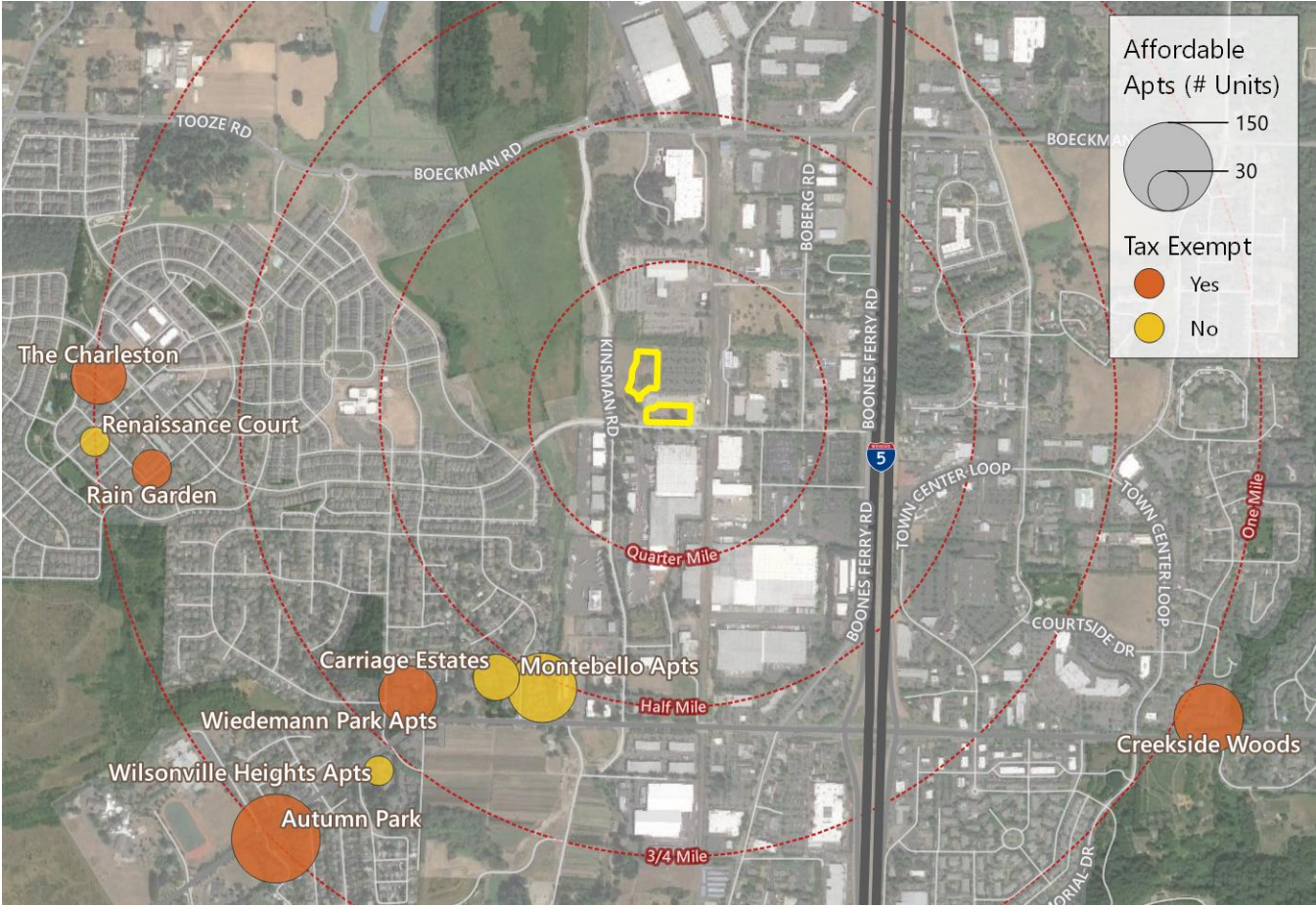
Source: ESRI (from U.S. Census Bureau)

Real Estate Market: Affordable Housing and Commercial Space

Affordable Housing

The City of Wilsonville has eight affordable apartment projects, five of which are tax exempt. All eight projects are shown in the map below and further data about the five tax-exempt developments is shown in the table that follows.

Figure 15. Affordable Housing in Wilsonville



Source: City of Wilsonville, LCG

Table 3. Tax Exempt Affordable Apartments, Wilsonville

Apartment	Population Served	Number of Units	Parking Ratio	Year Built	Assessed Value (2020)	Est. City Tax Abatement
Autumn Park	Family	144	1.0	1988	\$8,636,427	\$39,769
Charleston	Family	51	0.4	2009	\$1,622,618	\$7,472
Creekside Woods	Senior	84	0.48	2010	\$1,978,086	\$9,109
Rain Garden	Low Income, Referral Only	29	0.3	2009	\$917,242	\$4,224
Wiedemann Park	Senior	57	1.1	1998	\$2,750,108	\$12,664
Total		365			\$15,904,481	\$73,239

Source: City of Wilsonville

Of the non-tax exempt affordable apartments in Wilsonville, Wilsonville Heights and Montebello serve family populations and Renaissance Court is low income, referral only.

The following two pages highlight three of the five affordable housing projects that were built in 2009 to 2010. Information for these three properties is more readily available due to age, and the deal structures are likely more relevant than the other two properties that were built more than two decades ago.

Creekside Woods Apartments

Creekside Woods is a public-private partnership project that offers 84 affordable apartments for seniors. Forty-four units are reserved for seniors aged 62+, which are subsidized through HUD's 202 program; the remaining units are available to seniors age 55+ who earn a qualifying low income. Eligibility is based on annual income. The project also received tax credits through the Oregon Housing Authority.

Creekside Woods is located on the former Wesleyan Church property, which the Urban Renewal Agency of the City of Wilsonville (URA) acquired to provide a site for the development of senior affordable housing. The URA entered into a memorandum of understanding on December 3, 2007, with Northwest Housing Alternatives Inc. (NHA), the awarded proposer, to design and construct affordable senior housing.



Source: Costar

The City of Wilsonville and NHA entered into a Disposition and Development Agreement, and NHA subsequently received land use approval from the City's Development Review Board (DRB) for an affordable senior housing development of 84 units. The URA owns the site and ground-leases the property to Creekside Woods Limited Partnership, as designated in the Master Ground Lease agreement, for purposes of constructing and operating the affordable senior housing development.²

Because it is an affordable senior housing project and both seniors and lower-income households sometimes have lower car ownership rates, Creekside Woods was provided a waiver to park at 0.48 parking spaces per unit (40 spaces for 84 units)—significantly below the 1.25 to 1.75 spaces that is generally required for apartment units per the City's development code. Lower parking ratios can enable more senior and affordable housing to fit into compact sites, and this is one issue that will likely be explored at the TOD Site. However, there have apparently been recurring concerns in the community that Creekside Woods has too few parking spaces, and demand for resident parking may spill onto nearby sites.

² Source: NHA, City of Wilsonville [Joint Venture Agreement](#)

Rent ranges from \$767 per unit for a one-bedroom apartment (\$1.27 per square foot per month) to \$858 for a two-bedroom (\$1.22 per square foot per month). There are 77 one-bedroom units and seven two-bedroom units. There are 40 surface parking spaces available (0.48 per unit).

The project was built in 2010 and includes 104,000 square feet of building area on 6.74 acres of land.

The Charleston Apartments

The Charleston is a 52-unit affordable housing project in Villebois that was built in 2009 on 0.5 acres of land. Total building area totals 33,000 square feet. The site was purchased in June 2008 for \$277,500 (\$12.74 per square foot).

All apartments are one-bedroom, one-bathroom units that rent for about \$1.00 per square foot per month (\$629 per unit per month). There are 22 surface parking spaces available (0.42 per unit).



Source: Costar

Rain Garden Apartments

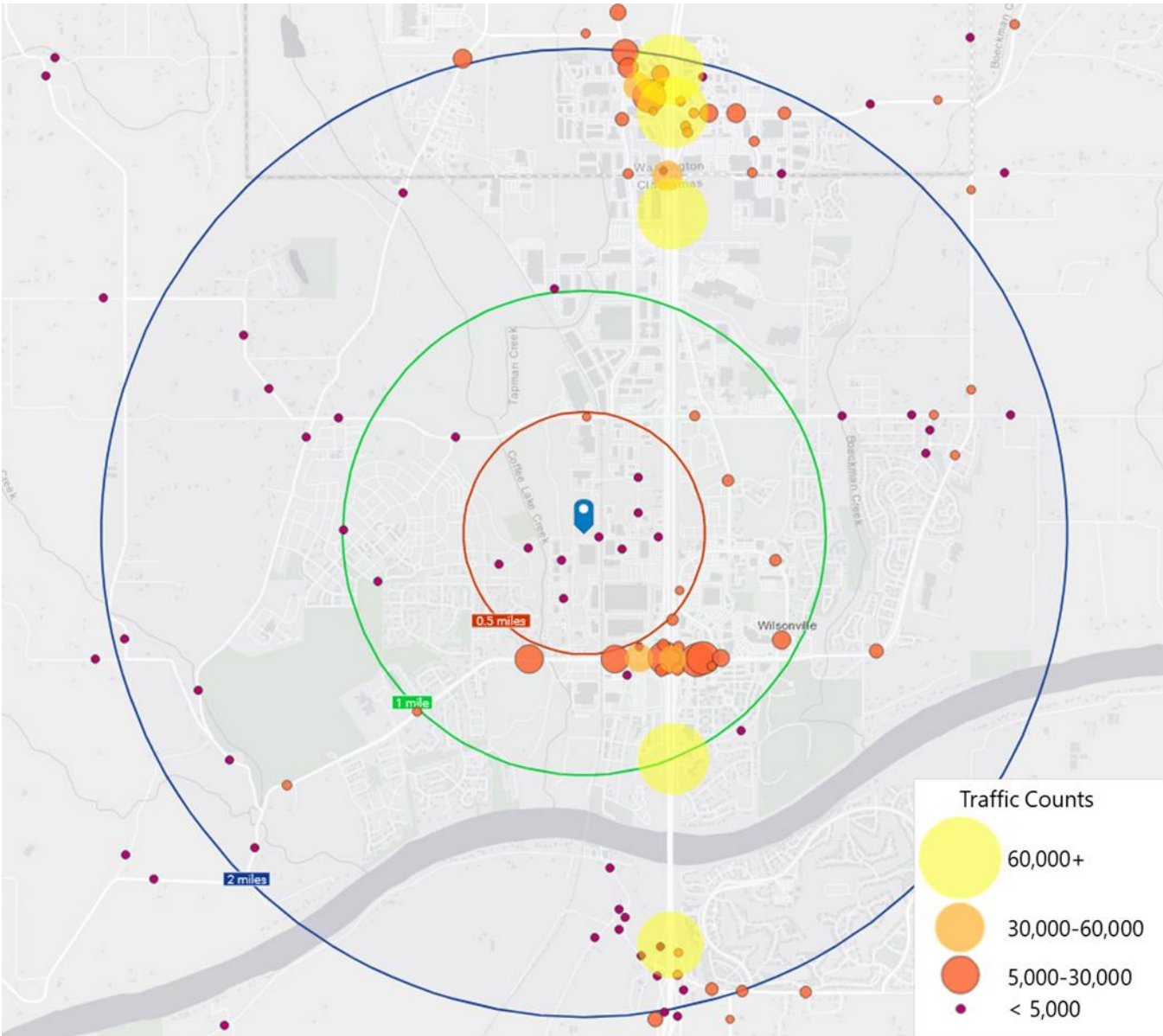
Rain Garden, located in Villebois, offers 29 studio apartments for adults exhibiting signs of mental illness. The 21,243 square foot building receives funding from Low-Income Housing Tax Credits (LIHTC) (which necessitates that a certain number of units are set aside for households earning less than 50% or 60% of the area median income) and the Home Investment Partnerships Program (which necessitates that at least 20% of all units are occupied by families earning less than 50% of AMI).



Traffic Counts: Visibility for Commercial Spaces

The amount of auto trips on roads that front the site is one factor that is taken into account by developers, commercial brokers, and business owners considering building commercial space or locating at a given site. In most cases, commercial tenants prefer higher traffic counts, since this indicates that more potential customers see their storefront each day, and their store is more visible and accessible. It may correspond to higher population and employment counts in the surrounding market area. Average Daily Trips (ADT) near the site are shown below. The source of the traffic count data is ESRI, which collects counts from various sources, projects, and years. As such, the counts shown below should simply be considered an indication of high-level trends and not an up-to-date comprehensive dataset.

Figure 16. Traffic Counts (Average Daily Trips) Near the Site



Source: ESRI.

Local roads generally carry 5,000 or fewer trips per day and are seen as less desirable for major regional or national tenants. Major arterials usually carry more than 10,000 trips per day and are preferred by tenants. Barber Road, south of the subject site, carries fewer than 5,000 cars per day. Any commercial space would likely be placed more than 200 feet east of the intersection with Kinsman Road, and it likely would not be highly visible from Kinsman.

General Commercial/Retail Space

Because TOD development at the site may include commercial space, the state of Wilsonville’s commercial market is summarized here. Commercial rents vary widely in the City, depending on the location, exposure/visibility of the property, anchor tenants in the center, and other factors. Asking rents for new leases in the City of Wilsonville between 2016 and 2021 are shown below and range from \$12.00 to \$33.50 per square foot triple net (NNN, i.e., tenants pay property taxes, insurance, maintenance, and utilities), with an average of \$19 per square foot NNN.

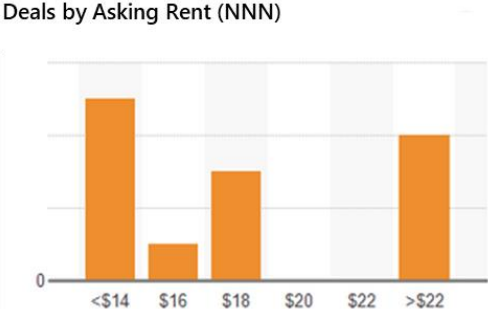
Rents are of critical importance to developers of mixed use buildings (affordable or market rate), since developers look to commercial rent revenue to cover the costs of construction and operation of the commercial spaces. If commercial rents are too low, commercial projects do not cover their costs or “pencil.” As discussed in more detail below, the affordable housing funding sources that LCG is aware of do not pay for the cost of building or operating commercial space.

Near the subject site, LCG identified one comparable commercial space within the mixed-use Domaine at Villebois. This building, like the subject site, fronts on streets with relatively low traffic volumes. Brighten Montessori School leases 1,620 square feet on the ground floor for \$15 per square foot; the lease was signed in June 2017. Other spaces in this building are leased for \$14 per square foot NNN. In the Town Center, recent leases (fall 2020) have been signed for \$18 per square foot NNN. By contrast, Argyle Square, about 1.75 miles to the northeast near the Elligsen Road/I-5 interchange, with much greater visibility than the subject site, has one of the highest asking rental rents, asking \$32 to \$35 per square foot per year triple-net.

Figure 17. General Commercial/Retail Rents for New Leases, City of Wilsonville, 2016 to 2021

Rents Per SF	Survey	Low	High
NNN Asking Rent	\$19.12	\$12.00	\$33.50
NNN Starting Rent	\$15.00	\$15.00	\$15.00
NNN Effective Rent	\$16.31	\$16.31	\$16.31

Concessions	Survey	Low	High
Months Free Rent	-	-	-
TI Allowance Per SF	-	-	-
Concessions	-	-	-
Asking Rent Discount	0.0%	0.0%	0.0%
Annual Rent Increase	3.0%	3.0%	3.0%



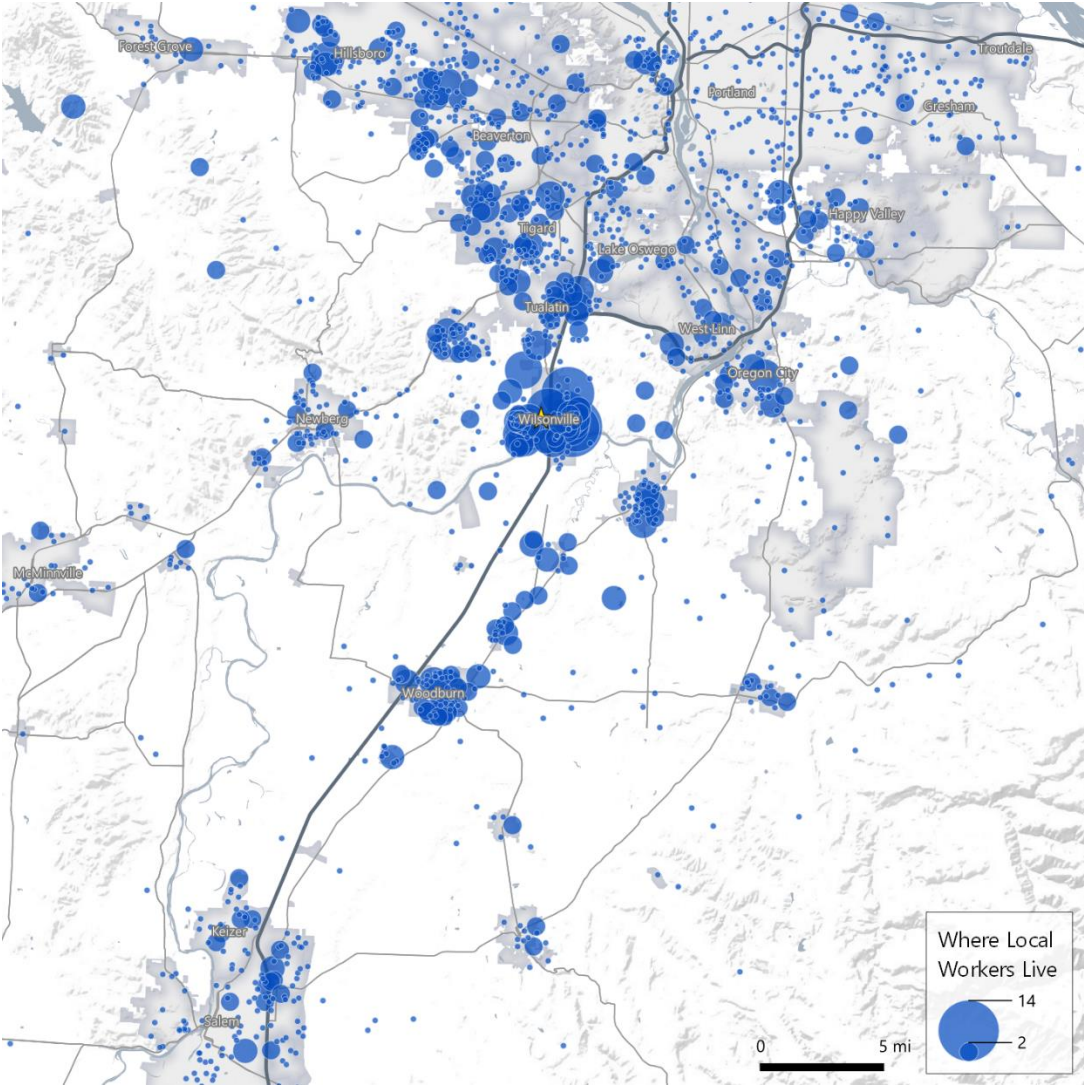
Based on this information, LCG expects to use a lease rate of between \$18 and \$25 per square foot NNN for financial modeling purposes. This is much lower than the rents that would be needed to justify speculative new commercial construction. Commercial developers active in the metro region have stated that NNN rents in the mid-\$30s to \$40+ per square foot are required for new space, however, the actual rent depends on the costs of land, construction, and other factors. Wilsonville’s retail development pipeline is limited and follows three years of no new construction. The commercial real estate environment, and particularly the retail sector, remains uncertain thanks to the pandemic. Even with vaccines, it is probable that retailers will continue to be impacted for the foreseeable future, impacting demand, rent growth, and the capital markets in the process.

Commute Patterns of Local Workers

As of 2018, per Longitudinal Employer-Household Dynamics (LEHD) employment data from the US Census Bureau, approximately 2,600 people worked within a half-mile of the site. Of these, about 100 lived on the west side of Wilsonville and 120 lived on the east side, meaning only about 10 percent of these local workers were also Wilsonville residents. The vast majority lived in the rest of the Portland metro region to the north. Just 300 lived in the area encompassing Sherwood, Newberg, and Canby, and another 300 lived in the area encompassing McMinnville and Salem.

- About 33 percent lived within 10 miles of the site (primarily Wilsonville and the SW Portland metro region)
- 45 percent lived between 10 to 24 miles from the site (deeper into the Portland metro region).
- 22 percent lived more than 25 miles from the site

Figure 18. Home Locations of Employees Who Work Within a Half-Mile of the Site



Source: LEHD (2018)

About half of these local workers earn more than \$40,000 per year, one-quarter earn between \$15,000 and \$40,000, and one-quarter earn less than \$15,000 (likely indicating that part-time employment accounts for a significant proportion of jobs). These categories (e.g., more than \$40,000) are provided by the Census' LEHD program, and unfortunately do not provide a significant amount of specificity about households' earnings—for example, we cannot tell how many households are earning more than \$60,000 per year. In terms of industries, Administration, Waste Management, and Remediation accounts for 26 percent of these jobs, Wholesale Trade accounts for 22 percent, Manufacturing accounts for 20 percent, and Transportation and Warehousing accounts for 13 percent.

Out of all cities, Portland houses the most local workers (10.5%), following by Wilsonville (8.5%), Salem (5.1%), Beaverton (3.8%), Hillsboro (3.8%), Tigard (3.2%), Woodburn (3.2%), and Tualatin (2.4%). These commute patterns are relatively consistent across all demographic and income characteristics.

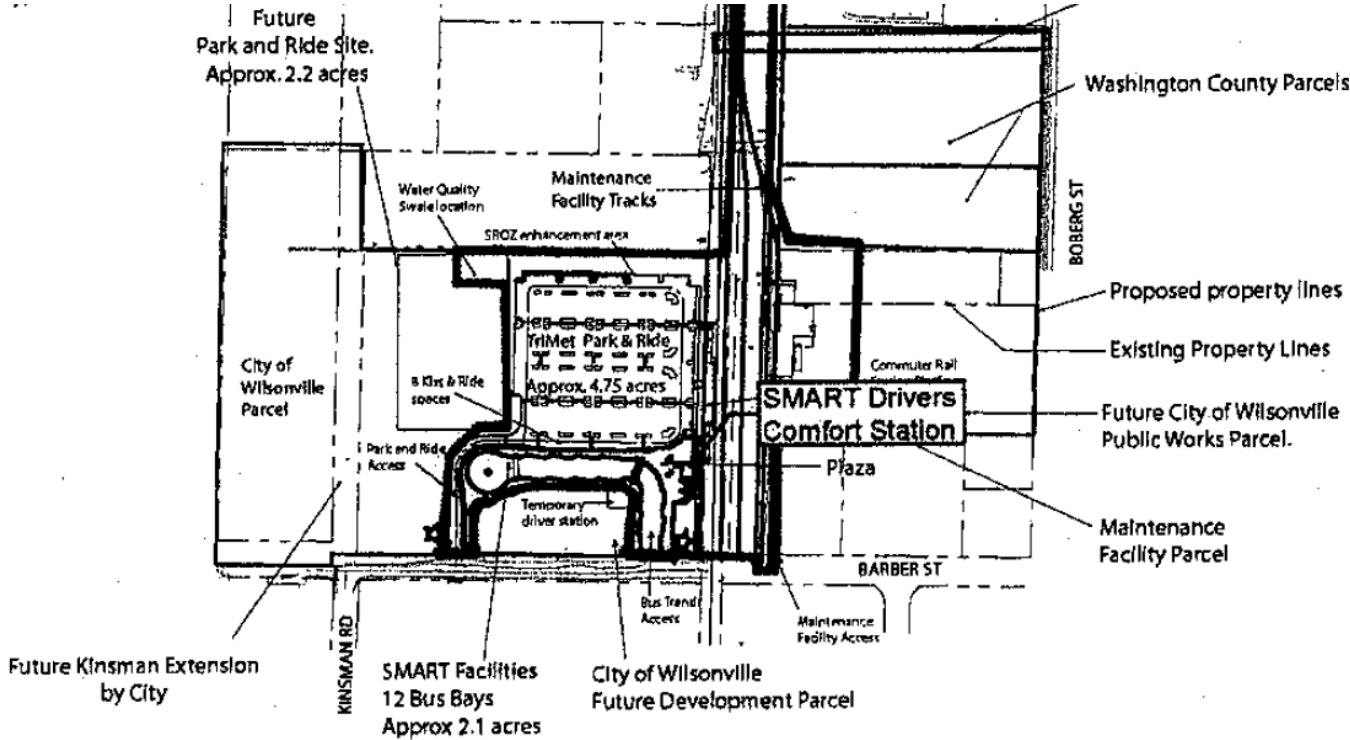
The Site: Wilsonville Transit Center and TOD

Site History

During the 1990s, the Cities of Wilsonville, Tualatin, Tigard, and Beaverton, together with Washington County, TriMet, and the Portland & Western Railroad, began planning of what ultimately became the Westside Express Service (WES) commuter rail line.

This process ultimately led to the construction of the Wilsonville Transit Center site, including the park and ride, bus bays, boarding platforms, TOD Site, and other features that we see today. Figure 19 below shows one drawing of the Wilsonville Transit Center site that was prepared for a City application in 2008 and shows the major features of the site that are in place today.

Figure 19. "Washington County Commuter Rail Stage 2 Master Plan," City of Wilsonville, 2008.



Through the Wilsonville Commuter Rail Station & SMART Improvements Development Application in 2006, the applicants (TriMet and the City of Wilsonville/SMART), sought approvals for the desired Wilsonville Transit Center uses under an extensive set of City development applications: Zone Change, Stage I and II Planned Development, Site Design Review, Type C Tree Permit, and Significant Resource Impact Report Review. The zone change was from RA-H (Residential Agriculture-Holding) to PDI, the current zoning. The application was approved. Construction began after this approval and was completed for nearly the entire site in 2008.

The following is one excerpt from this application that shows the thought process behind the location of the overall Transit Center:

“The Draft and Final Environmental Assessments for the Commuter Rail Project analyzed two possible sites for the Wilsonville commuter rail terminus facilities. One site was located directly east of the freight rail corridor and west of SW Boberg Road. The other site was located directly west of the freight rail corridor and north of SW Barber Street.

The Federal Transit Administration (FTA) issued a Finding of No Significant Impact in April of 2001 and provided authorization for the purchase of specific properties on behalf of the Project. Based on the FTA authorization, Washington County purchased 18.87 acres (County Property) east of the rail corridor on June 20, 2002, to accommodate the commuter rail station platform, park & ride (400 spaces), transit center with six bus bays, and commuter rail maintenance facility.

Early in the final design process for the project, the City, County, SMART, and TriMet identified the need to maximize operational efficiencies at the Wilsonville terminus through shared parking and a joint Commuter Rail/SMART transit facility. The parties agreed in principle to:

- a. Shift the public functions (station platform, bus bays, and shared commuter rail and transit center park & ride lot) to the west side of the railroad tracks; and
- b. Retain the location of the Commuter Rail maintenance facility and storage track on the County Property east of the railroad tracks.

On August 19, 2004, FTA provided authorization for the City of Wilsonville to purchase the 21.12-acre property (City Property) west of the railroad corridor and north of SW Barber Street.” (Section 1, pages 4-5, August 18, 2006.)

Development of most of the site was permitted together, with the exception of the SMART Operators’ Break and Public Restroom Building, which was approved in 2009.

Key Takeaways. Key takeaways relevant to this TOD Strategy include:

- The “TOD Site” has been identified and approved by the City as a development site since at least 2008. The map above identifies the TOD Site as “City of Wilsonville Future Development Parcel.”
- Land use applications that were reviewed and approved by the City envisioned that the existing parking lot could be expanded to the west, into what was then identified as “Future Park and Ride Site” and which this report has referred to as the Kinsman Site.
- Both of these site uses received approval under a variety of City review and approval processes, including Stage I and II Planned Development.
- Deviations from these approved uses may require additional approvals. For example, if the future park and ride site were to be made available for some other uses.

Figure 20. Wilsonville Transit Center and TOD Site: Current Aerial Map

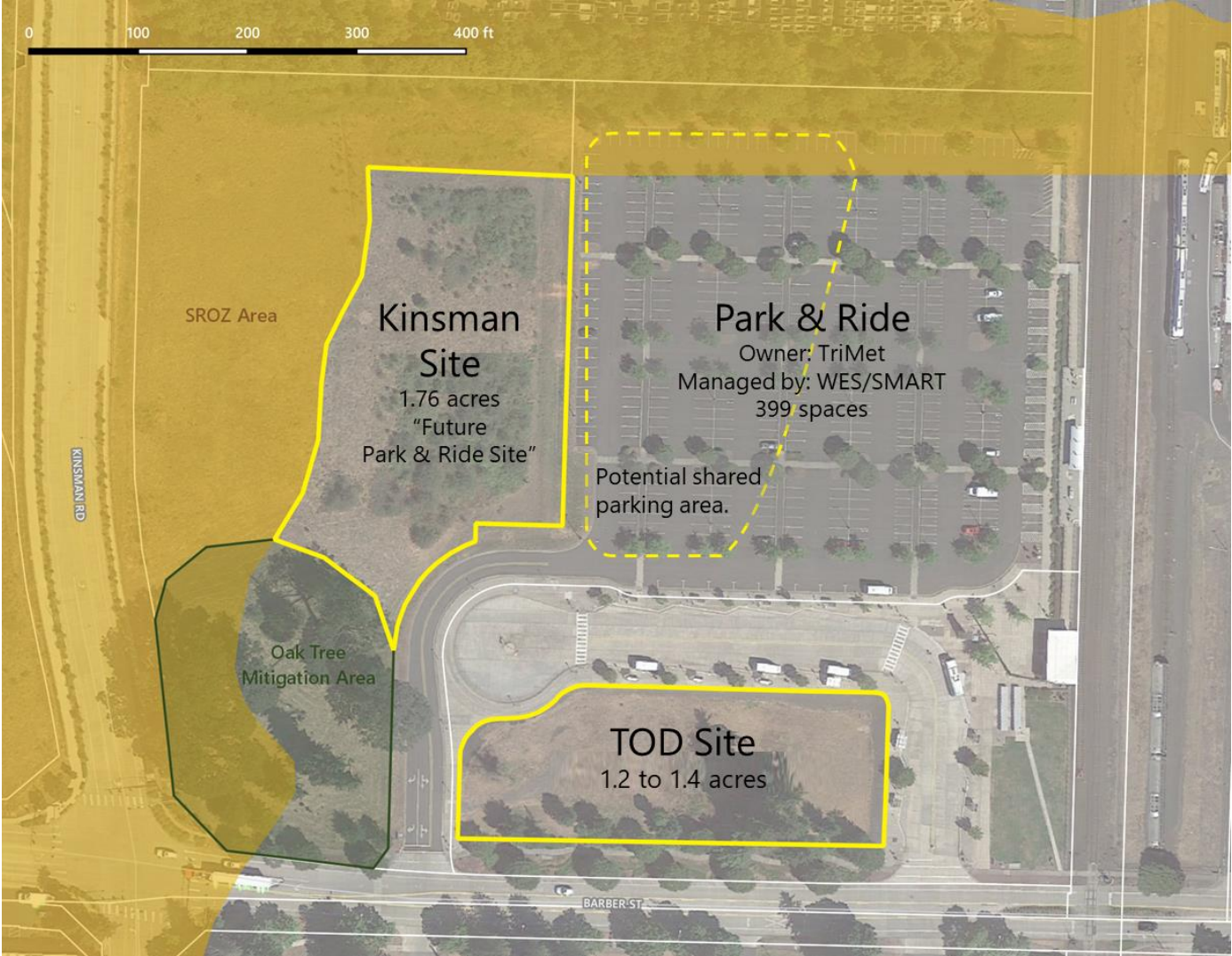


Parking and Park & Ride Management

Determining how and where to provide parking for the future TOD will be an important component of this site planning process.

There are multiple locations where parking for the TOD could be provided: on the TOD site; on the existing park & ride lot, shared with transit users; and on the Kinsman Site, potentially shared with transit users. A potential shared parking area is shown below, along with other site features.

Figure 21 Site Context



Source: City of Wilsonville, Metro RLIS, LCG.

The park and ride has 399 parking spaces. It is owned by TriMet, and according to TriMet, operated by WES. TriMet has also granted SMART the authority to manage its use on a day to day basis.

TriMet has conducted single-day “spot” parking occupancy counts in several past years. LCG’s understanding is that these counts were completed during the daytime peak period, when the greatest amount of cars would be parked on site. The results of those counts are shown in Figure 22 below. During the three years when these counts were conducted, the park and ride was 50% occupied during peak hours on average. The LCG team conducted a visual count at 10am during a summer 2021 weekday—a period of lower overall transit ridership due to the COVID-19 pandemic—and the park and ride was less than 10% occupied at this time. We assume that park and ride occupancy may return to its pre-COVID occupancy over time as ridership returns to its historic average.

Figure 22. Wilsonville Transit Center Park & Ride Occupancy, 2015 to 2017

Year	Capacity (Spaces)	Daily Use	Occupancy %
2015	399	150	38%
2016	399	260	65%
2017	399	185	46%
Average		198	50%

Source: TriMet.

Shared Parking. During the weekday peak parking demand time, it is reasonable to assume that in the future nearly 200 parking spaces will be unoccupied. After 5:00 or 6:00 pm, SMART staff told LCG that it is reasonable to assume that no cars are parked in the park and ride, and that therefore there would be 399 unoccupied spaces.

This represents an opportunity for shared parking.

Shared parking is a best practice in TOD planning. It enables more uses to be accommodated on a given site, and in particular enables planners to site more housing near transit stations. In many developments, the area allocated to parking is larger than the area developed as buildings. In addition, sharing parking significantly reduces the cost of building parking for TODs, particularly because multistory, mixed-use TODs sometimes require structured parking, which is expensive (\$20,000+ of additional hard cost of construction per space). By reducing development cost, more affordable housing units become feasible.

During stakeholder interviews conducted as a part of this project, TriMet and SMART indicated their openness to sharing parking on this site between future TOD residents and the park and ride. TriMet’s project work and policy documents also indicate a high level of receptivity for shared parking, assuming that shared parking does not diminish the agency’s ability to serve other transit riders. TriMet has implemented a shared (residential, commercial, and park-and-ride) parking structure at the Platform District/Orenco Station in Hillsboro. TriMet is also involved in a proposed affordable housing TOD project at the Elmonica Station in Beaverton in which the developers are planning to share parking among multiple uses. Over the past several years, TriMet has also been working with affordable housing developers at the Fuller Road Station on the MAX Green Line. At that station, part of TriMet’s park and ride lot is being redeveloped as a 100-unit affordable housing project. Resident parking (at 0.8 parking spaces per unit) will be provided

on area that was formerly part of the Fuller Road park and ride. Past TriMet policy analyses have also highlighted the benefits of shared parking.³

On Street Parking. Barber St. is identified in the City TSP as a Collector. The cross section for a Collector includes on street parking. However, historically, the City has not allowed on-street parking in industrial areas due to conflicts with truck traffic. Therefore, LCG assumes that no on-street parking will be permitted as part of the TOD.

TOD Site Conditions

Barber St. Frontage. The southern edge of the TOD Site is shown below. Barber St. is three lanes in this location, including a center turn lane and two drive lanes, and bike lanes on the north and south. As mentioned above, on street parking has historically not been allowed on collector streets in Wilsonville's industrial areas. Along the southern edge of the TOD Site, this photo shows a planted area, a curving sidewalk around which is planted a series of deciduous street trees, several taller Douglas Fir trees towards the middle of the site, and (at right) a basin/depressed area at right on the site. The planted areas contain engineered curb inlets and swales that collect, detain, and filter stormwater. There is also utility infrastructure in the frontage, including a PGE vault, a fire hydrant, and likely some amount of sewer and water pipes (the Leland team's assessment of utility infrastructure is underway but incomplete).

The sidewalk and frontage on the TOD Site are unusual and different from the frontages immediately to the west and east.



Source: Google maps.

The Leland team will be looking for ways to retain all the trees on the site, particularly the Douglas Firs. A final determination regarding which trees would need to be retained will be determined at the time of development and will be informed by an arborist's report and will depend in part on the health of the trees, particularly the Douglas Firs.

³ *Community Building Sourcebook*, TriMet, 2007. *TriMet's Park and Ride Program / TOD Planner Idea Exchange* presentation, Young Park/TriMet, 2009. Also see: *Community Investment Toolkit Volume 2: Innovative Design and Development Codes*, Metro, 2008.

Nonetheless, LCG's understanding is that, if necessary for development of affordable housing, some trees may need to be removed.

This frontage likely has several implications for development of the site. First, it is not clear what the exact developable area of the site is as it will depend on the future design of this frontage. For that reason, we currently list an approximate site size of between 1.2 and 1.4 acres. Second, because of the features described above (winding sidewalk, trees, engineered swales, PGE vault) it is likely to be costly or infeasible to modify or replace. For example, moving the PGE vault would be very expensive; modifying the swales might require that their stormwater management functions be recreated elsewhere on the site. This may add cost and complexity to the TOD development process. Third, the frontage presents challenges for commercial space on the site. Ideally, any commercial space is highly visible and accessible, with parking on-street, on-site, or both. The existing trees and frontage improvements limit visibility and may make accessing commercial spaces more difficult. With no on street parking allowed, most or all parking will need to take place on site. The park and ride parking to the north is too far away to serve commercial tenants. The Leland team will be considering these issues and features as we prepare site development concepts.

TOD Site Dimensions. The TOD Site is currently part of a 3.4-acre tax lot that includes SMART bus circulation lanes and other site features. This tax lot will need to be partitioned by the City before it can be sold or leased to a TOD developer and developed. As mentioned above, LCG's current estimate is that the future TOD parcel will be 1.2 to 1.4 acres in size.

The dimensions of the TOD Site appear to be adequate to accommodate the development of one or more buildings that include housing and/or commercial space. The site is approximately 388 feet wide (east to west) and 155 feet deep (north to south). This depth will easily accommodate most multifamily apartment buildings, which are approximately 65 feet deep. At four stories, an approximately 100 unit building can fit on the site, which is a reasonable size for an affordable rental housing project.

However, as mentioned above, a significant challenge will be accommodating the parking required for residential and commercial uses.

Basin. As shown in the photos above and below, most of the site is depressed below the grade of the surrounding streets and sidewalks. This is most visible on the eastern side of the site, where the site is between 4 and 6 feet lower. Towards the western end of the site, the site is less than 3 feet lower, and in some cases is higher than the surrounding streets.

Development may therefore require that some fill be imported, or that other earth moving/site preparation approaches are used, which will increase the cost of development, but should be manageable.



Zoning and Entitlement

This section describes the existing zoning that applies to the TOD Site, as well as some alternative ways that the site could be regulated, including via Senate Bill 8, an Overlay Zone, or other approach.

Existing Zoning: PDI

Permitted uses. The Site is currently zoned PDI (Planned Development Industrial), which is intended to provide opportunities for a variety of industrial operations and associated uses. Among the uses that are typically permitted in the PDI zone is “any use allowed in a PDC Zone” (4.135.03.O). The PDC (Planned Development Commercial) zone permits retail, office, and service uses, and also “any use allowed in a PDR Zone or PDI Zone” (4.131.01.A.5). The PDR zone allows a range of residential development types, including multiple family dwelling units such as apartments, single family dwellings, duplexes, public parks, and accessory uses. Therefore, the PDI zone, via the PDC and PDR zones, permits the primary types of uses that are currently under consideration for the site: affordable housing and commercial/community serving ground floor uses.

Scale. The scale and amount of development in the PDI zone is governed by site requirements such as parking, setbacks, landscaping, etc. The PDI zone does not limit the scale or amount of development via density ranges, or FAR (floor area ratio). There is no height maximum in the PDI zone. The maximum for commercial development is 35 feet, but the majority of the TOD project is expected to be residential so that limit is unlikely to apply here.

Commercial Uses. The current zoning does place limitations on some uses. The PDI zone states that Service Commercial and Retail uses cannot “exceed 5,000 square feet of floor area in a single building, or 20,000 square feet of combined floor area within a multi-building development.” The PDC zone states that uses allowed in a PDI or PDR zone (e.g., multifamily housing) are allowed, “provided the majority of the total ground floor area is commercial.”

Therefore, the current zoning on site implies that TOD buildings on the site must be mixed use, i.e., affordable housing on upper floors over ground floors that include a majority (e.g., 51%) of commercial use, but that the commercial area cannot be more than 5,000 square feet. One approach to meeting these requirements is one or more separate, mixed use TOD structures, each of which has a floor plate of approximately 9,000 square feet, and a ground floor commercial area of approximately 4,501 square feet.

Challenges of Commercial Development. This type of commercial requirement creates a number of significant challenges for this affordable TOD project:

- As covered further below, LCG is not aware of any primary affordable housing funding source that provides capital for commercial space. The primary affordable housing funding sources do not allow affordable housing developers to use commercial rents to cover debt service in their pro formas. Thus, commercial spaces have significant costs (hard cost of construction, tenant improvements, soft costs such as design, engineering, permitting) but no allowed revenue from the point of view of affordable housing funding sources. Assuming three buildings with 4,501 square feet of commercial space each, and a total project cost of \$360 per square foot, this creates a \$4.8 million funding gap for which there is no obvious funding source.
- According to Metro's TOD program, commercial space will trigger BOLI prevailing wage rates on the remaining (affordable residential) component of mixed-use projects. Most affordable housing funding sources such as Low Income Tax Credits do not require prevailing wage rates. A recent report by Metro found that prevailing wage rate projects cost 13% more on average than non-prevailed projects. LCG's assessment is that this would lead to a cost increase of about \$3.5 million, which would further challenge the financial feasibility of the TOD.
- Much or all parking for commercial uses may need to be accommodated on the TOD site (no on street parking is allowed and parking in the park-and-ride lot is inconvenient for commercial patrons), which will diminish the amount of site area available for affordable housing.
- Site issues including low drive-by traffic and visibility mean that this is not an ideal site for commercial uses.

Nonetheless, as documented above, initial stakeholder interviews indicate that a mixed-use project may be a priority for the City, in order to provide services to future TOD residents, transit riders, and others, and in order to create a more active and vibrant place.

Therefore, the ideal regulatory environment would allow ground floor commercial uses but not require them.

There may also be creative ways to build to the code. For example, ground floor live-work spaces could be considered to be "other commercial uses." LCG will continue to evaluate the commercial requirements in the existing code and how they could be creatively met by site development alternatives. Other approaches to zoning/entitlement, such as Senate Bill 8 and an Overlay Zone are covered below.

Parking

Parking Ratios. Parking is governed by Section 4.155 of Wilsonville's development regulations. This section covers parking requirements for multifamily units (ranging from a minimum of 1.25 spaces for a 1 bedroom unit to 1.75 for a 3 bedroom unit), commercial retail space (a minimum of 4.1 spaces per 1,000 square feet for spaces of 1,501 square feet or more), and other uses. Because of the high parking ratio associated with commercial uses, the amount of commercial uses will have a significant impact on the total parking required.

In the past, the City has provided reduced parking requirements (0.48 spaces per unit) for the Creekside Woods senior affordable housing project. The weighted average parking ratio for the City's five tax-exempt affordable projects is 0.8 parking spaces per unit, while the average parking ratio for 20 market-rate apartment projects located in Wilsonville and surveyed by LCG is 1.1 parking spaces per unit. This difference in parking ratios is consistent with LCG's view that housing that is near quality transit service, and/or serves lower-income or senior populations, is likely to require less parking. TriMet cites parking ratios of well under 1.0 parking spaces per unit at some of its affordable TOD projects, for

example at the Fuller Road TOD now under construction in Clackamas County which has a ratio of 0.8 parking spaces per unit. As part of a stakeholder interview conducted for this project, TriMet also stated that if a TOD were approved under low parking ratios, this would increase their receptiveness to a shared parking agreement, as it would require fewer total spaces be set aside for a given number of affordable units. However, the City's experience has been that, at Creekside Woods, actual parking demand may be higher than was expected or provided.

Off Site/Shared Parking. Section 4.155.02.G covers Off Site Parking. This section states that parking may be provided on other parcels, provided that those parcels are within 500 feet (measured from the nearest parking space to the main building entrance, following a sidewalk or other pedestrian route), and the DRB has approved the off-site parking through the Land Use Review. "The right to use the off-site parking must be evidenced in the form of recorded deeds, easements, leases, or contracts securing full and permanent access to such parking areas for all the parties jointly using them."

Therefore, the code allows shared parking between the TOD Site and Park and Ride, under certain conditions. LCG plans to prepare development alternatives that share parking between these parcels, for reasons covered on page 34 above.

Conclusion. There appear to be three ways to park the TOD project: 1) on the existing Park and Ride, via a shared parking agreement with TriMet; 2) on the Kinsman Site/Future Park and Ride Site owned by the City of Wilsonville; and 3) on the TOD site. The ideal approach appears to be (1), via a binding shared parking agreement with TriMet would be put in place that allows residents and patrons of the TOD to park at the Park and Ride. While there are clear reasons for all parties to support such an agreement, and a preliminary indication from TriMet that it is open to discussing shared parking at this site (see page 33 for details), one point that will need to be negotiated will be the amount of parking spaces needed at the Park and Ride, and the parking ratio required for affordable units. Option (2) appears to be viable, but would introduce more development costs and regulatory approval processes. If neither (1) nor (2) are possible, then the TOD project would need to park on the TOD site, which would significantly reduce the number of affordable units and commercial space that could be built since parking would take up a large amount of the site area.

Landscaping, Open Space, and Setbacks

Development Code section 4.176, Landscaping, Screening, and Buffering, requires that not less than fifteen percent (15%) of the total lot area shall be landscaped with vegetative plant materials. Development Code section 4.113, Standards Applying To Residential Developments In Any Zone, requires that the minimum open space area in a development is equal to 25% of the size of the Gross Development Area. The Leland team will be incorporating these sections into its baseline development site design alternatives. The team will also incorporate the implications of the City's tree code.

Setback standards are set forth in the PDI zone (4.135.06) and call for 30-foot front, rear, and side setbacks. However, a TOD developer could apply for a waiver to the minimum setback requirements, and the setback is measured from the property line, which is currently south of the curving sidewalk.

Such setbacks are not ideal for residential or mixed use development that are intended to create a sense of place through active ground floor uses that connect to surrounding sidewalks. In this case, active ground floor uses could also include residential stairs, stoops, windows, or other features that connect directly to sidewalks. Typically, such projects are built in locations with zoning that requires no or minimal setbacks. However, given the conditions described above, TOD should be able to be built in this location.

Summary of Existing Regulations

The above sections regarding uses, parking, and setbacks summarize the code issues that the Leland team believes are most likely to have significant impacts on the feasibility and design of the TOD.

Both the commercial requirements included in the PDI and PDC code, and the parking situation—which is a combination of code requirements and potential off-site shared parking arrangements—could have a significant impact on feasibility and project design. The commercial requirements could create a funding gap of \$5 million or more.

As the Leland team prepares and presents development alternatives, additional nuances of the zoning code could become apparent, and these nuances could also impact the design and feasibility of various aspects of TOD. If this is the case, the Leland team will let the City know about these issues as soon as possible.

Senate Bill 8

Senate Bill 8 was Introduced at the Oregon State Legislature and signed by the Governor in 2021.

The bill “requires local governments to allow development of certain affordable housing on lands not zoned for residential uses,” among other provisions.

The bill further provides that, “a local government shall allow affordable housing, and may not require a zone change or conditional use permit for affordable housing on property” in certain circumstances. In particular, this “applies on property zoned to allow for industrial uses only if the property is (A) publicly owned; (B) *adjacent to lands zoned for residential uses or schools*; and (C) not specifically designated for heavy industrial uses.”

It is not clear to LCG whether the above provisions of Senate Bill 8 could be applied to the TOD Site give the agency requirements, in part because adjacent can be interpreted to mean “near” or “next to.” The TOD site is about a quarter mile away from the closest homes in Villebois. Legal review may be necessary in order to determine the applicability of these sections of Senate Bill 8.

Senate Bill 8 also states that local governments shall allow affordable housing and may not require a zone change or conditional use permit if the property is zoned as public lands. The City’s Development Code provides for a Public Facility Zone in Section 4.136.

Overlay Zone

The City’s development code currently provides “Overlay Zones and Area Specific Regulations” for Old Town, Coffee Creek Industrial Area, and several other parts of the City. One purpose of these area-specific regulations is to provide additional goals, requirements, regulation, and guidance regarding development in particular sub-areas, where goals or conditions differ from the larger surrounding area. For example, the Coffee Creek Industrial Design Overlay District is within the Planned Development Industrial - Regionally Significant Industrial Area (RSIA) Zone, and provides additional standards that are intended to address issues such as transportation connectivity and preservation of trees and natural features. Therefore, it appears possible that an overlay zone applying to the Transit Center area or TOD Site could clarify the uses and regulations appropriate for a TOD in this location and modify certain regulations that do not appear to be optimal (e.g., commercial requirements), for this project that has been part of master planning efforts since at least 2008. An overlay zone could be better tailored to the specific conditions at the Transit Center than other approaches such as the Public Facilities Zone discussed above. For example, while the Public Facilities Zone appears to prohibit commercial uses, an overlay zone could permit but not require commercial uses. It could also permit commercial uses subject to certain limitations. It could provide for “TOD appropriate” parking ratios or shared parking under certain conditions.

Summary of Entitlement Pathways

The City’s current zoning for the site imposes certain regulations summarized above that may challenge the development of an affordable, mixed-use TOD project at the site.

The Leland team will be further assessing the impact of zoning as we advance through this TOD Strategy process, and in particular as we prepare site development alternatives.

However, at this early stage, it is worth considering that there appear to be at least four entitlement pathways for a TOD project at this site: 1) via the existing PDI zoning; 2) via the provisions of Senate Bill 8 under the current zoning, if residential uses can be considered to be adjacent; 3) via the provisions of Senate Bill 8 and a rezone to Public Facilities; 4) via a different approach such as an Overlay zone.

Other Conditions and Potential Future Analysis

Engineering Assessment. HHPR Engineering is currently conducting an engineering assessment of the site in order to identify transportation, sewer, water, and stormwater improvements that may need to be completed by future TOD developers. This analysis is underway, and a draft will be complete in August 2021. HHPR has contributed to this report, including the above analysis of SROZ and other environmental regulations, site frontage utilities, and other site development considerations. LCG has included all known and significant site development considerations in this report.

Other Analyses. In addition, LCG recommends that the City consider or complete the following reports and analyses for the TOD site either prior to releasing a developer solicitation, or soon after releasing a developer solicitation.

These analyses should provide developers with additional confidence that the site is developable as envisioned. In some cases, one report can complete more than one of the bullets listed below:

- Phase 1 Environmental Site Assessments (ESA): Preliminary assessment of the likelihood of environmental issues at the site.
- Preliminary Geotechnical Investigation: Identifies condition of soils and their capacity to support the intended development types. Based on the prevalence of industrial development in the surrounding areas, the Leland team assumes at this time that the dominant soils in the area will support four to five story mixed-use development.
- Title Report: Clearly identifying any easements, liens, or other encumbrances on the property.
- Survey, e.g., with topographical lines. It may be appropriate to delay this work until the proposed boundaries of the TOD site are clearly defined via this TOD Strategy process.

In addition, other analysis may be identified as this TOD Strategy moves forward.

Affordable Housing Funding Sources and Other Public Support

Funding affordable housing is complex, in part because it typically involves a range of non-traditional financing sources provided via federal, state, regional, and local municipal government agencies. These funding sources are required because the rental revenue generated by the project is intentionally below market and therefore cannot pay for the costs of development and operation. In addition to these funding sources, most affordable housing projects are also partially funded by “traditional” debt (e.g., a bank loan).

In addition to funding support, public agencies such as cities often provide other types of support that are discussed in this section. While these types of support do not involve direct financial support for a given project, they are very valuable, and can be critical to enabling a project to move forward.

The three types of funding sources and public support discussed in this section are:

- Primary Funding Sources and Public Support
- City Funding and Support
- Other Funding Sources and Support

Primary Funding Sources

The four affordable housing funding sources shown in Figure 23 below provide funding for most of the affordable housing projects completed in the State of Oregon. The Low Income Housing Tax Credit (LIHTC) programs also are the most extensively used across the country. All four of these sources provide a large share of funding for each project. Therefore, while the financing for most affordable housing projects is complicated and can involve numerous funding sources, the Leland team believes it is important to focus on these programs first, since they are critically important to affordable projects, and each imposes a different set of criteria, requirements, and timing on projects. It is therefore useful to know early on if the City believes their project vision is most aligned closely aligned to one or more of these funding sources; or conversely, if the City believes that *any* of the sources could be a good fit for the Wilsonville TOD. If *none* of these sources appears to be a good fit, the project would likely be difficult to fund.

The funding sources are arranged from left to right, with the sources that generally provide more deeply affordable housing to special needs populations at left, and less deeply affordable housing at right.

The Leland team has also grouped the four funding sources into a conceptual Project 1 and Project 2. LCG’s early assessment is the combination of two sources (either the Metro Bond and 9% LIHTC, or LIFT and 4% LIHTC) could enable the development of a +/- 100 unit affordable housing project on the TOD Site, subject to certain conditions (shared or surface parking, minimal commercial space, average site development costs). Project 1 could be considered to be permanent supportive housing for homeless or formerly homeless veterans. Project 2 could be considered to be family housing that includes a social service component (e.g., connections to off-site employment or educational training) targeted to the LatinX community (given that community’s population in Wilsonville and the criteria of the LIFT program).

Note that the application deadlines shown below are approximate and change from year to year.

Three of the four funding sources above are provided by the State’s Oregon Housing and Community Services (OHCS) agency. The Metro Bond is allocated locally by the Housing Authority of Clackamas County (HACC).

Figure 23. Primary Affordable Housing Funding Sources

	Metro Bond	9% LIHTC	LIFT	4% LIHTC
	/	"Project 1"	/	"Project 2"
Agency	HACC	OHCS	OHCS	OHCS
Competitive	Yes	Yes	Yes	No
Application? Deadline?	Yes. Likely Q2 2022	Yes. Likely due March or April 2022.	Yes. Likely due March 2022.	No, N/A
Typical Household MFI	< 30% to 60%	< 30% to 60%	60% - Rental 80% - Ownership	60%
Key Criteria	<p>The 2022 funding round is likely to have a much-increased emphasis on Permanent Supportive Housing including supportive services; e.g., individuals experiencing homelessness, via supportive programs for employment, life skills, and substance counseling.</p> <p>The 2022 funding round will also provide significantly less funding than in 2020.</p>	<p>Highly competitive program that rewards projects that provide more deeply affordable units to special needs populations in gentrifying areas.</p> <p>The Leland team’s assessment is that this program will likely require that projects include Permanent Supportive Housing in order to be competitive.</p>	<p>Focus on communities of color. Culturally specific services must be provided.</p> <p>Emphasis on family housing (e.g., units that are 2 bedrooms or larger).</p> <p>(Projects are usually rental or ownership—the two types are usually not mixed within a single structure.)</p>	<p>Average of 60% AMI. Project receives funding if financially feasible</p>

Three of the four funding sources are competitive, meaning that projects seeking funding must submit an application, are scored on a range of criteria, and may be approved or denied funding. The 4% LIHTC program is unique among these funding sources in that it is not competitive: A project that submits an application is allocated funds, so long as the housing provided is affordable at 60% MFI, and the project is judged to be financially feasible. This is a significant differentiator and advantage for this program, though the units provided via this program are typically not as deeply affordable as the other programs.

Additional information and criteria for these programs are covered below. This report provides a simplified summary of affordable housing funding sources.

Metro Bond

Add a short sentence here describing what the Metro Bond funding is. Within Clackamas County, the Metro Bond is distributed locally by HACC.

2020 NOFA. The first round of Metro Bond funding was distributed in 2020, via the January 2020 Notice of Funding Availability (NOFA) which outlined the criteria that HACC used to allocate funding to projects, the timing of funding allocations, and other information.

According to Metro, Clackamas County allocated a total of \$51.1 million to non-profit or for-profit affordable housing projects via the 2020 NOFA.⁴ Other documents indicate that \$44.2 million was distributed among three projects, or an average of \$14.7 million per project.

The primary goals/criteria used by HACC in 2020 to allocate funds were:

- Ensure that approximately 41% of units meet the needs of the County's most vulnerable households and are affordable to extremely low-income households earning 30% or less of MFI. At least 25% of all units will be supported with rental assistance provided by HACC.
- Meet the needs of families by making at least 50% of the units two bedrooms or larger.
- Create affordable homes for households earning between 61 – 80% of AMI by using up to 10% of the funding.
- Develop or acquire approximately 812 new affordable housing units via the 2020 and all other funding rounds.

2022 NOFA. HACC will release a 2022 NOFA, which will probably provide a set of funding criteria that uses the above criteria as a starting point and adds some additional criteria. While the Leland team does not have access to a full list of 2022 criteria, the Leland team and City staff met with HACC staff during summer 2021 in order to understand the likely investment criteria, and expect the major change to be associated with a preference or requirement for permanent supportive housing (PSH), consistent with the May 2020 measure that now raises funds for “people experiencing homelessness or at risk of experiencing homelessness.”⁵ Permanent supportive housing can be defined as follows:

Supportive housing is a combination of housing and services intended as a cost-effective way to help people live more stable, productive lives, and is an active "community services and funding" stream across the United States.

Supportive housing is widely believed to work well for those who face the most complex challenges—individuals and families confronted with homelessness and who also have very low incomes and/or serious, persistent issues that may include substance use disorders, mental health, HIV/AIDS, chronic illness, diverse disabilities or other serious challenges to stable housing.

Supportive housing can be coupled with such social services as job training, life skills training, alcohol and substance use disorder treatment, community support services, and case management to populations in need of assistance. Supportive housing is intended to be a pragmatic solution that helps people have better lives while reducing, to the extent feasible, the overall cost of care. As community housing, supportive housing can be developed as mixed income, scattered site housing not only through the traditional route of low income and building complexes.

⁴ <https://www.oregonmetro.gov/sites/default/files/2021/05/17/metro-affordable-housing-bond-program-report-with-exec-summary-05142021.pdf>

⁵ <https://www.oregonmetro.gov/public-projects/supportive-housing-services>

The 2022 NOFA will almost certainly provide significantly less funds than the 2020 funding round. HACC has indicated that between \$11 million and \$20 million may be available. At least one other affordable project is expected to be highly competitive for these funds (in Lake Oswego). Assuming that HACC provides a comparable amount of funds for each project, the 2022 NOFA could fund one or maybe two projects.

The timing of the NOFA release and subsequent applications is yet to be determined. However, HACC has indicated that the NOFA would likely be released in the first quarter of 2022 (January through March) or possibly early in the second quarter, with applications to be submitted by developers in summer 2022.

Therefore, if this is a funding source that the City sees as a critical piece of its ideal TOD project, the City should select a preferred developer by late 2021 or early 2022 and establish a shared project vision between City and developer by the first quarter of 2022. The City and Leland team will need to move quickly to make this happen.

9% Low Income Housing Tax Credit (LIHTC) Program

The 9% LIHTC (usually pronounced lie-tech, and also called “9% tax credits”) program is a highly competitive federal/state program that rewards projects that provide more deeply affordable units to special needs populations, particularly in gentrifying areas. The Leland team’s assessment, based on DDV’s recent pursuits of this funding source, is that this program will likely require that projects include permanent supportive housing in order to be competitive, and further that a project on the TOD site that provided permanent supportive housing for homeless or formerly homeless veterans (or other special needs population) would be a strong candidate for 9% LIHTC funding. This is because each individual project is incentivized to meet more of the OHCS goals and criteria in order to secure funding. There is no way to be certain in advance that a project will secure 9% LIHTC funding, and indeed, some projects do not receive funding for several rounds.

One reason that developers seek 9% LIHTC funds is that they are intended to provide a subsidy of approximately 70% of a given development’s qualified basis (roughly the cost of construction excluding land). By contrast, the 4% LIHTC program is intended to provide a 30% subsidy; therefore, this program tends to generate units that are not as deeply affordable as the 9% program. These project subsidy levels are approximate and depend on individual project design and cost. 9% LIHTC projects must remain affordable for 60 years. A detailed description of the LIHTC program from a federal perspective can be found a 2021 report by the Congressional Research Service.

The goals, investment criteria, requirements, and process associated with the 9% and 4% LIHTC programs in Oregon are summarized in the State’s [Qualified Allocation Plan](#) (QAP) for Low Income Housing Tax Credits (January 20th, 2021). The 9% LIHTC criteria are summarized below in Figure 24 and complete details can be found in the QAP. The Leland team has completed a preliminary assessment of the Wilsonville TOD site’s capacity to meet certain of these criteria and will conduct a more detailed assessment if the City decides to pursue this funding source. As suggested above, the criteria place a priority of permanent supportive housing and special needs populations.

The Wilsonville TOD Site would likely score well on certain “location efficiency” criteria, including, urban areas with high walk scores, access to employment opportunities, access to schools and education, and being within 0.25 miles of a fixed transit stop. By contrast, it is not clear the subject site would score well in the Vulnerable Gentrification Areas criteria. These criteria provide points if projects are located in a census tract with Concerted Revitalization Plan, “demonstrated through investment of public resources into capital improvements of residential, commercial, or infrastructure;” are in a federally-designated Opportunity Zone (the Transit Center is not); for having a higher rate of non-white residents than comparable census tracts (possible); a higher rate of people without high school degrees than comparable census tracts (does not appear so); and a higher rate of renters than comparable census tracts (depends on

how comparability is defined; East Side Wilsonville has a higher share of renters than the West Side). The project's ability to meet some other criteria is dependent on the attributes of the project.

Figure 24. LIHTC Scoring Criteria: New Construction, Acquisition, Rehab

Scoring Topic	Points Available
[Either] Permanent Supportive Housing (PSF)	5 points
[Or] Family Sized Units	5 points
Special Needs Target Populations	4 points
State Priority Total	9 points
Location Need Data	7 points
Location Efficiency	5 points
[Either] Opportunity Area	5 points
[Or] Vulnerable Gentrification Areas	5 points
Need and Opportunity Total	17 points
Affirmative Fair Housing Marketing	7 points
Resident Services	7 points
Partnerships Total	14 points
Rents: Serving Lowest Income - AMI	5 points
Rents: Serving Lowest Income - RA	3 points
General IRS Section 42 Requirements	4 points
Federal Preferences Total	12 points
Federal Subsidy Leverage	4 points
Cost Effectiveness	1 point
LIHTC Effectiveness	3 points
Funding Efficiency Total	8 points
Financial Viability	10 points
Readiness to Proceed	6 points
Project Readiness Total	16 points
MWESB Capacity	4 points
Development Team Experience	3 points
Performance	5 points
Development Team Capacity Total	12 Points
Total Points Available	93 points

Source: State of Oregon Qualified Allocation Plan (QAP) For Low Income Housing Tax Credits, 2021.

Local Innovation and Fast Track (LIFT) Rental Housing Program

The Local Innovation and Fast Track (LIFT) Rental Housing Program's objective is to build new affordable housing for low income households, in particular, families. OHCS worked with the Housing Stability Council and program stakeholders to develop a plan to efficiently use the newly committed funds and maximize the impact it will have in communities across the state.

The primary goals of the LIFT Rental program are to create a large number of new affordable housing units to serve low income Oregonian families and to serve historically underserved communities, such as rural communities and communities of color.

Additional goals of the LIFT Rental program are to provide affordable housing units to serve families in service as quickly as possible; to serve families through rental housing earning at or below 60% Area Median Income (AMI) and families in homeownership earning at or below 80% AMI; focusing on service connections including but not limited to those from the Oregon Department of Human Services (DHS) child welfare or family self-sufficiency programs, Community Action Agencies, Coordinated Care Organizations, and Homeownership Centers. Also, identify building strategies that require lower state subsidy or results in a lower cost of affordable housing development.⁶ Projects that request a lower amount of LIFT funds per unit receive higher scores and are more competitive.

Within the Portland metropolitan region and other urban and suburban parts of the state, LIFT has often been used to provide housing and related culturally specific services. Because the City's *Equitable Housing Strategic Plan* identifies the LatinX community as a large and growing part of Wilsonville whose housing needs are not being met, the Leland team's assessment is that there is a strategic opportunity to build a LIFT-funded TOD project that serves the LatinX community with housing and some supportive services such as Spanish speaking apartment management, culturally specific connections to education and/or job training, or other needed services to be determined.

4% Low Income Housing Tax Credit (LIHTC) Program

As stated above, the 4% LIHTC program is intended to provide approximately 30% of a project's qualified basis (roughly the cost of construction excluding land). 4% LIHTC projects must remain affordable for 30 years. 4% LIHTC are considered to be "non-competitive" credits and are subject to OHCS preferences or selection criteria outlined in the QAP. The primary requirements for receiving 4% LIHTC funding are that a) the project be affordable to households earning 60% AMI on average and b) that OHCS views the project as financially feasible. In addition, the project and developer must meet OHCS' Minimum Thresholds for Application; however, most affordable housing developers are familiar with these thresholds and are prepared to meet them.

Projects that secure 4% LIHTC funds typically also receive financing using tax-exempt bond proceeds which are associated with the State of Oregon's Private Activity Bond Authority; no separate application is required. The tax-exempt bonds are subject to the volume cap limitations, but generally these limits are not exceeded in any given year.

OHCS accepts 4% LIHTC applications at any time during the year on a rolling basis. A two-part process has been established in an effort to clarify and expedite the processing of tax credit and bond funding.

The Leland team's assessment is that 4% LIHTC funds could be paired with LIFT funds in order to fund a +/- 100 unit family housing project with culturally specific a LatinX service plan.

⁶ This LIFT summary description is adapted from the OHCS fact sheet:
<https://www.oregon.gov/ohcs/development/Documents/factsheets/factsheet-lift.pdf>

City Funding and Support

As of August 2021, the Leland team has conducted preliminary financial analysis of “Project 1” and “Project 2” described briefly above, as well as other development options. Based on this analysis and our professional experience, we believe that the City should be prepared to provide the following types of funding and support:

- **Champion the Project.** Unforeseen obstacles nearly always arise for affordable TOD projects as these projects move from initial concept to groundbreaking. The City will need to be a champion for this project, for example, to ensure that zoning and the regulatory environment allow the project to move forward, find a preferred developer, work to secure access to parking at the park and ride site or elsewhere, communicate the project’s benefits to community members, support the selected developer in pursuit of funding, and champion the project in ways that will only become apparent later on.
- **Land Write Down.** Provide a land write down. In other words, seek to sell or lease sites for a nominal amount to the selected affordable housing developer. This appears to be a critical aspect of enabling project feasibility given current area median incomes, construction costs, and other assumptions. This is also typical for many, or most affordable housing projects completed recently in the Portland metro region.
- **Provide System Development Charge (SDC) Waivers** for most or all affordable housing units. In order to “waive” SDCs, cities typically transfer funds from one fund category (e.g., urban renewal) to another (e.g., parks or transportation).
- **Property Tax Abatement.** Provide property tax abatement during the time that housing units are required to be affordable (typically 30 to 60 years, depending on the program). The City already has a property tax abatement program in place, as described above.
- **Secure Off-Site Parking,** either on the Park and Ride site or the Kinsman Site (“Future Park and Ride Site”), as described above. If this cannot be accomplished, then it may be possible to build a considerably smaller (e.g., 50 units or fewer) TOD project on the TOD Site along with on-site parking; however, it likely will be challenging to secure funding for a project of this size.
- **Other support, to be determined.** At this preliminary stage, the above types of City support appear adequate to make an affordable housing project at the subject site feasible. However, as noted above, unforeseen obstacles could appear. For example, it is not uncommon for cities to support the development of affordable housing via the construction of adjacent or nearby infrastructure, e.g., a parking lot expansion or other improvements. Because affordable housing funding sources are narrowly targeted to the (vertical) construction of affordable housing, costly infrastructure or other site improvements can be too great for affordable projects to bear. The Leland team will be on the lookout for additional types of City support as this project proceeds, and always be seeking to balance the City’s goal of providing affordable housing with fiscal prudence.

Other Funding Sources

The following other funding sources may be appropriate for an affordable TOD project at the subject site. The Leland team will evaluate the applicability of these sources to TOD projects as this TOD Strategy moves forward, and the attributes of the City's desired TOD project comes into greater focus. However, as stated above, our view is that the financial feasibility of any TOD project at this site will depend on that project's capacity to secure two (or potentially one) of the primary funding sources described above. The funding sources described below can help to close any funding gaps, but they rarely provide an amount of capital that is comparable to the sources described above.

HOME

The federal HOME Investment Partnership Program (HOME) is a key resource that Clackamas County uses to address the need for affordable housing for low-income households. The HOME Program was created under Title II of the National Affordable Housing Act of 1990. Clackamas County's HOME Program provides funds to projects that benefit low-income people. The Leland team will be evaluating whether Clackamas County HOME funding could be paired with one of the primary funding sources to enhance the financial feasibility of the Wilsonville TOD project.

Eligible projects are ones that result in:

- Safe, decent affordable rental opportunities for individuals, families, the elderly and persons with disabilities or special needs;
- Assistance for homebuyers;
- Affordable home ownership opportunities; or
- Preservation of existing owner-occupied housing units.
- Funds may only be used for units that will be occupied by low- or very low-income households

Project Funding

HOME funds are allocated in amounts appropriate to the scope of the proposed project and the needs and resources of the applicant. The minimum investment of HOME funds in a project is \$1,000 per HOME-assisted unit. The maximum amount of HOME funds in a project is limited by:

1. The per unit subsidy limit. The HOME assistance cannot exceed the maximum amounts allowed per unit by HOME Program rules found at 24 CFR 92.250. The typical per-unit subsidy is up to \$50,000. Requests for funding in excess of \$50,000 per unit may be approved on a case-by-case basis.
2. The total per-unit development costs. HOME assistance per unit cannot exceed the average per-unit development costs for the unit. (The HOME subsidy would then be subsidizing non-HOME units, which do not come under the occupancy and rent controls of HOME).
3. The financial needs of the project. HOME projects may not receive more subsidy than is required to produce a financially feasible project.
4. The ratio of HOME funds to total development costs. The County typically limits HOME funds to no more than 50 percent of the total costs of any project.

Community Development Block Grant (CDBG).

CDBG funds are administered via Clackamas County's Community Development Division. In order for any project to be considered for funding, it must meet one of the three broad "National Objectives" established by Congress. The national objectives are as follows:

- **Benefit to Low- and Moderate-income Persons.** A CDBG project meets this goal if it benefits:
 - All residents of a residential area recognized by HUD as a low and moderate income area.
 - A group of individuals of which 51% have low or moderate incomes.
 - Low or moderate income individuals.
- **Prevention or Elimination of Slums or Blight:** the project may meet HUD recognized criteria for slums and blight.
- **Urgent Needs:** the project must address a problem which is demonstrated to have arisen or escalated in the past 18 months, which poses a serious threat to the health and welfare of the community, and for which other financial resources cannot be provided or have been denied.

Based on Clackamas County's CDBG allocation criteria, it does not appear that CDBG funds could support the Wilsonville TOD. The first reason is that the Transit Center site is not located in a low and moderate income area, as defined by the County and HUD. Second, the County's CDBG emphasis appears to be on housing *rehabilitation* rather than new construction. The Leland team is in the process of further evaluating whether CDBG could be allocated to the Wilsonville TOD project.

Housing Choice Voucher Program (Section 8)

HACC manages the Housing Choice Voucher program. The Housing Choice Voucher program (formerly known as Section 8) provides assistance to families that rent units at rental housing projects that are built and managed by non-profit or for-profit developers. HACC has the capacity to allocate some vouchers to individual projects, such as the Wilsonville TOD. During 2022, it is likely that HACC will allocate vouchers to projects that also receive Metro Bond funds. The voucher program allows individual projects to reach additional households at deeper levels of need and affordability. Households' rent is based on income; tenants pay between 30% and 40% of their adjusted gross income (after eligible allowances) for rent and utilities, and vouchers can make up the difference between the base rent and the households' capacity to pay.

Metro TOD Program

Metro provides grants to housing and mixed use projects around the region that are located in transit rich areas. Funding is scaled to the size of the project and is typically between \$250,000 and \$500,000. Projects must be located either in a designated Metro Center, or within ¼ mile of transit service operating on 15 minute headways. The Transit Center is not within a designated Center. While the SMART lines that operate at the Wilsonville Transit Center appear to be on 30 minute headways, Metro's TOD program has indicated that it is generally supportive of the Wilsonville TOD project and would like to understand more about the project and consider supporting it further as the project advances.

Missing Middle Housing Fund

MMHF supports real estate development projects that specifically target residents making 80% to 120% MFI. As the fund evolves and raises capital, project specific investments may include construction gap financing grants, forgivable loans, nontraditional debt, and/or equity financing. Eligible projects will:

- Target workforce rents and/or sales prices, potentially through income restrictions. At least 50% of the units in the development must target residents making 80%-120% of AMI.

- Incorporate at least one significant innovation meant to lower the cost of construction compared to comparable projects by at least 10%. The level of project support will relate to the demonstrated savings.

Fund priorities will include those that serve traditionally underserved communities, particularly BIPOC and rural communities; diverse geographies across the investment portfolio; community engagement; and sustainable design.

<https://www.missingmiddlehousing.fund/>

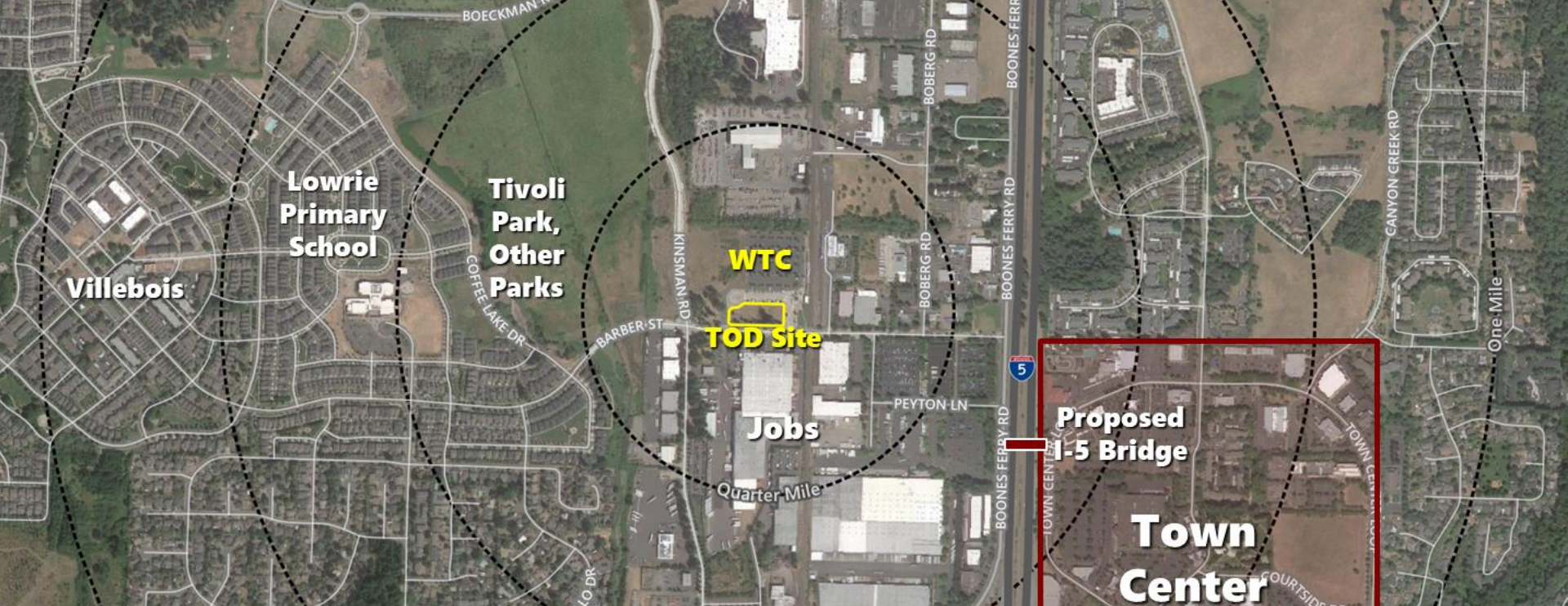
Appendices

Figure 25. Affordable Housing Development Incentives Provided by Cities in the Metro Region

Responding Jurisdiction	Property tax abatement or exemption	SDC waiver	Local general funding for affordable housing	Public land availability	Reduced parking requirements	Density bonus	Vertical Housing Tax Credit	By right-development or accelerated approvals	Flexible design	Inclusionary zoning
Beaverton	X	X	X	X	X		X			
Cornelius	X									
Durham						X				
Forest Grove						X				
Gladstone										
Happy Valley		X			X	X		X		
Hillsboro		X			X	X		X		
King City								X	X	
Milwaukie	X	X	X	X			X			
Oregon City						X		X	X	
Portland	X	X	X	X	X	X	X	X	X	X
Rivergrove										
Tigard	X	X	X	X	X	X	X	X	X	
Troutdale										
West Linn										

***The following jurisdictions did not respond to the survey: Fairview, Johnson City, Lake Oswego, Sherwood, Tualatin, Wilsonville, Wood Village, Gresham and Maywood Park.*

Source: [Metro Housing Bond, 2020 Annual Report](#).



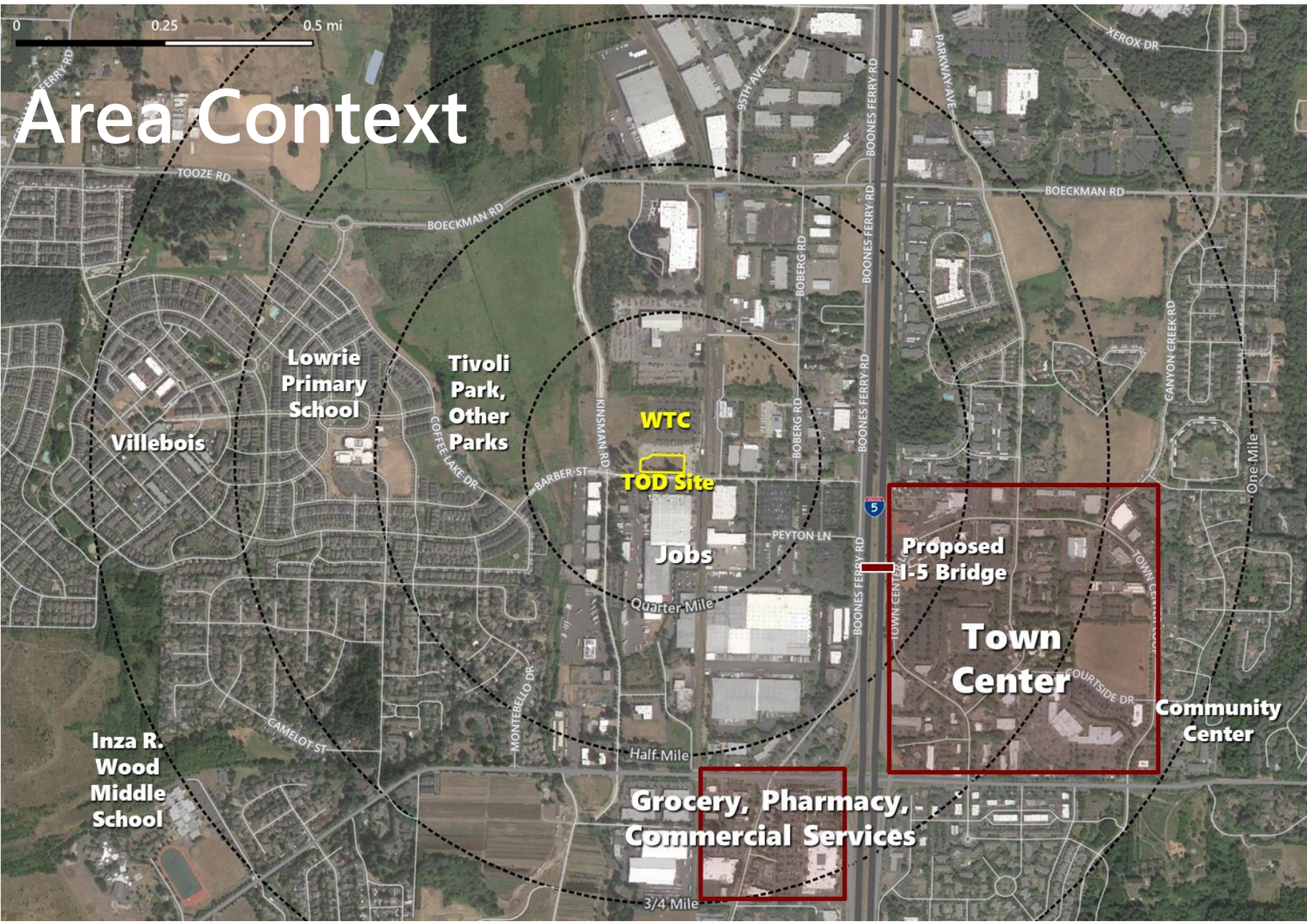
Wilsonville Transit Center Transit-Oriented Development (TOD) Existing Conditions and Project Vision



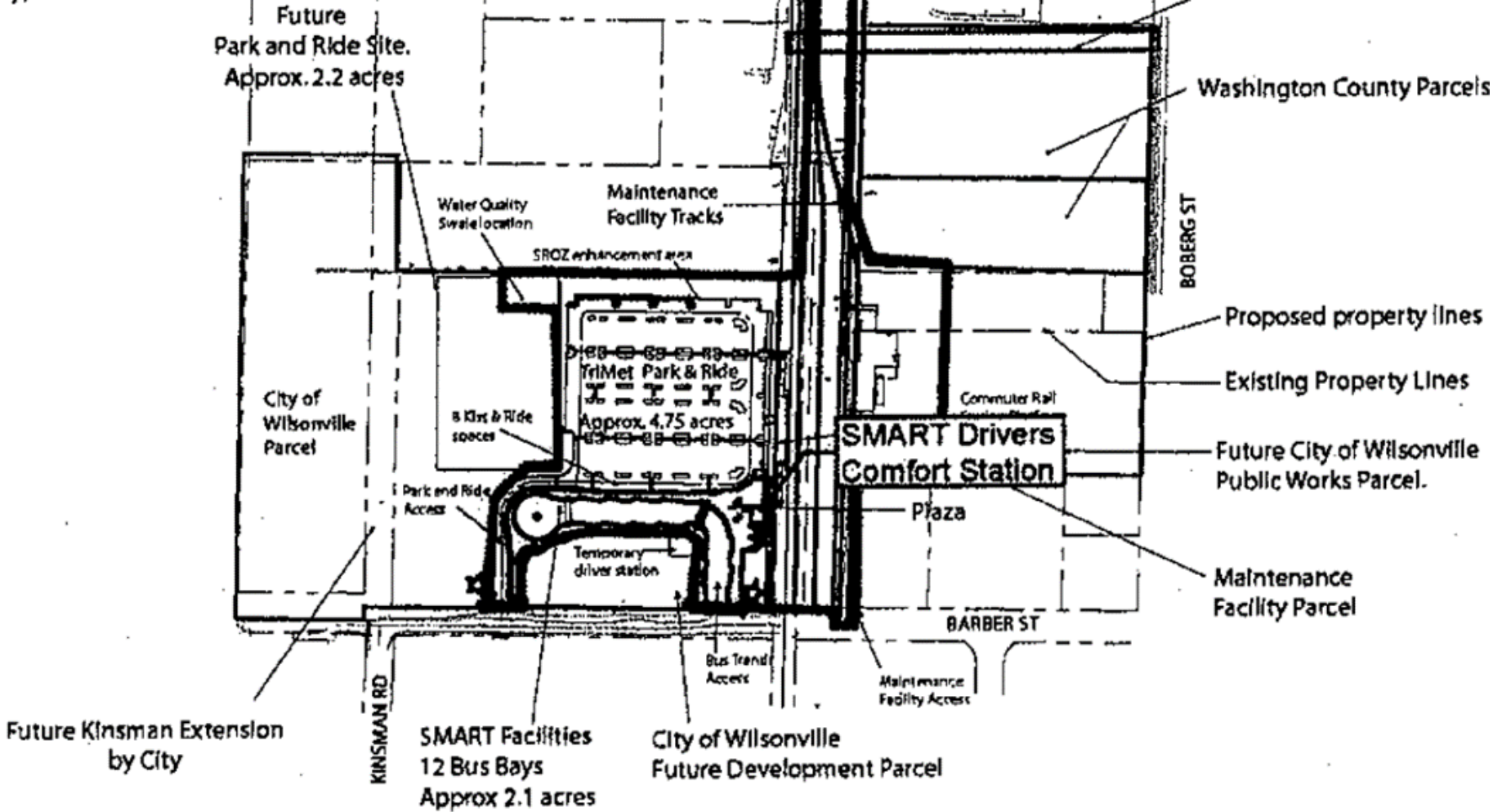
PREPARED BY:



SEPTEMBER 2021

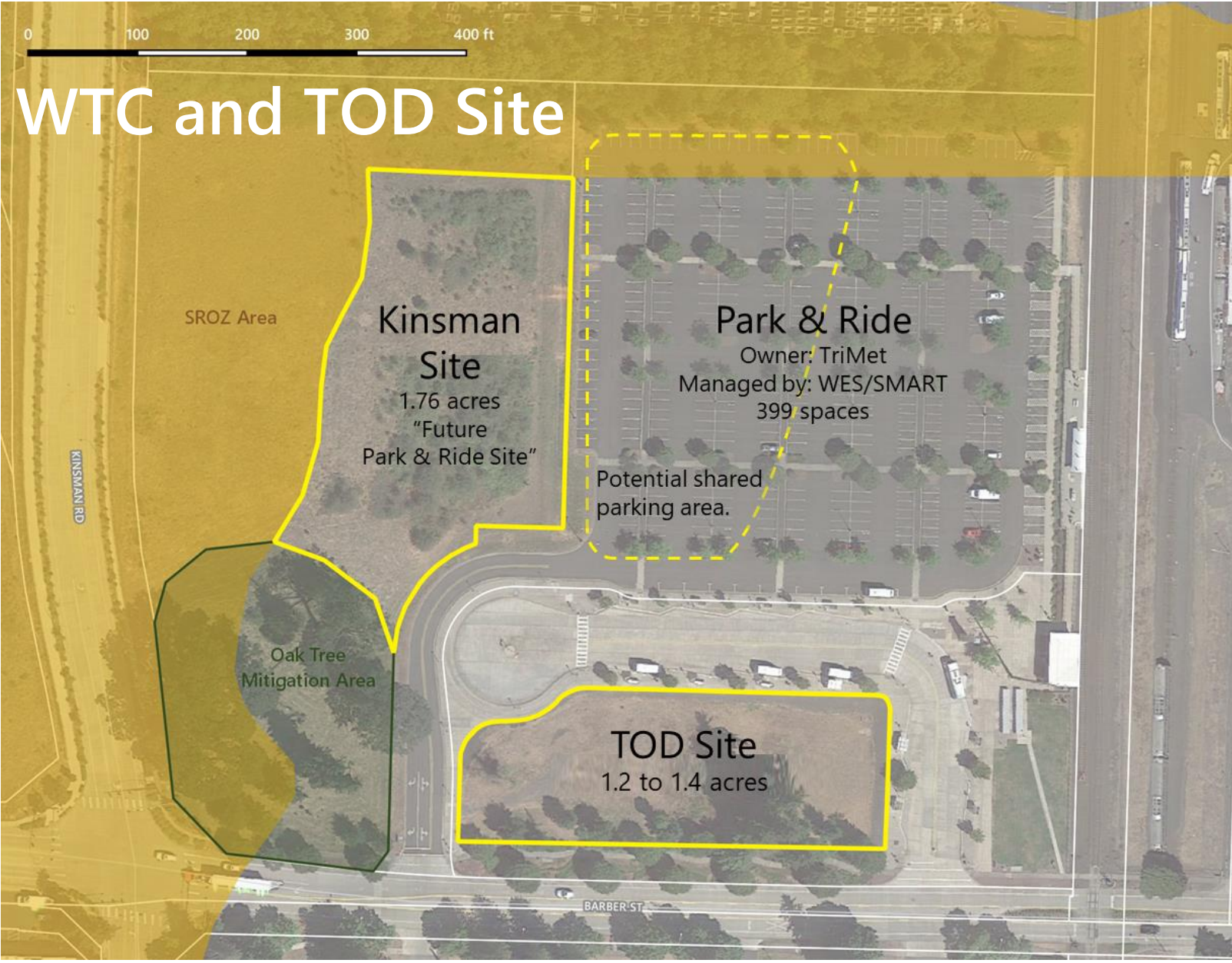


Washington County Commuter Rail Stage 2 Master Plan, City of Wilsonville, 2008



0 100 200 300 400 ft

WTC and TOD Site



Timeline

Analyze Existing Conditions, Clarify Vision

Prepare Development Alternatives and Developer RFQ/RFP

Release Developer RFQ/RFP; Select Developer; Developer Due Diligence

Funding Applications Due from Developers: 9% LIHTC, Metro Bond, LIFT Funding

June to September 2021

September to November 2021

November 2021 to February 2022

March to June 2022

(Nov. presentation to Council)

Vision

- Who should the project serve?
- What types of physical and “place making” attributes should the TOD project include?
- What other goals does the city have for this TOD?



See Existing Conditions Report: Affordable Housing Goals, Place Making Goals sections.

Funding Sources and Conceptual Projects

	"Project 1"		"Project 2"	
	Homeless Veterans Housing Permanent Supportive Housing 0% to 60% AMI		Family Housing 30% to 60% AMI Culturally specific services for the LatinX community	
	Metro Bond	9% LIHTC	LIFT	4% LIHTC

Agency	HACC	OHCS	OHCS	OHCS
Competitive	Yes	Yes	Yes	No
Application? Deadline?	Yes. Likely Q2 2022	Yes. Likely due March or April 2022.	Yes. Likely due March 2022.	No, N/A
Typical Household MFI	< 30% to 60%	< 30% to 60%	60% - Rental 80% - Ownership	60% Av.

Ground Floor Commercial Space



Ground floor commercial space.



"Active" ground floor; no commercial space.

- An attractive feature in many TOD projects
- Commercial space is required by current zoning
- Cost of commercial development not covered by affordable housing sources
- Likely to require prevailing wage rates for entire project

Key Questions for Council

- Which of the two project types identified in the existing conditions assessment best aligns with the City's goals for development at the Wilsonville Transit Center? Are there other target residents or services not included in these concepts that the project team should consider?
- In addition to the goal of providing affordable housing, to what degree are other site amenities such as ground floor commercial uses or active space essential to a successful TOD project?
- Are there any other project outcomes that should be considered?





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Strategic Advisors to Public and Private Development

	“Project 1”		“Project 2”	
	Homeless Veterans Housing Permanent Supportive Housing 0% to 60% AMI		Family Housing 30% to 60% AMI Culturally specific services for the LatinX community	
	Metro Bond	9% LIHTC	LIFT	4% LIHTC
Agency	HACC	OHCS	OHCS	OHCS
Competitive	Yes	Yes	Yes	No
Application? Deadline?	Yes. Likely Q2 2022	Yes. Likely due March or April 2022.	Yes. Likely due March 2022.	No, N/A
Typical Household MFI	< 30% to 60%	< 30% to 60%	60% - Rental 80% - Ownership	60% Av.
Key Criteria	The 2022 funding round is likely to have a much-increased emphasis on Permanent Supportive Housing including supportive services; e.g., individuals experiencing homelessness and programs for employment, life skills, and substance counseling. The 2022 funding round will also provide significantly less funding than in 2020.	Highly competitive program that rewards projects that provide more deeply affordable units to special needs populations in gentrifying areas. The Leland team’s assessment is that this program will likely require that projects include Permanent Supportive Housing in order to be competitive.	Focus on communities of color. Culturally specific services must be provided. Emphasis on family housing (e.g., units that are 2 bedrooms or larger). (Projects are usually rental or ownership—the two types are usually not mixed within a single structure.)	Average of 60% AMI. Project receives funding if financially feasible



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 9, 2021		Subject: ODOT Presentation on I-5/I-205 Tolling and Congestion Management and I-5 Boone Bridge Project	
		Staff Member: Mark Ottenad, Public/Government Affairs Director	
		Department: Administration	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendations: N/A.			
Recommended Language for Motion: N/A.			
PROJECT / ISSUE RELATES TO:			
<input checked="" type="checkbox"/> Council Goals/Priorities Goal 1: Increase mobility for all in Wilsonville	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

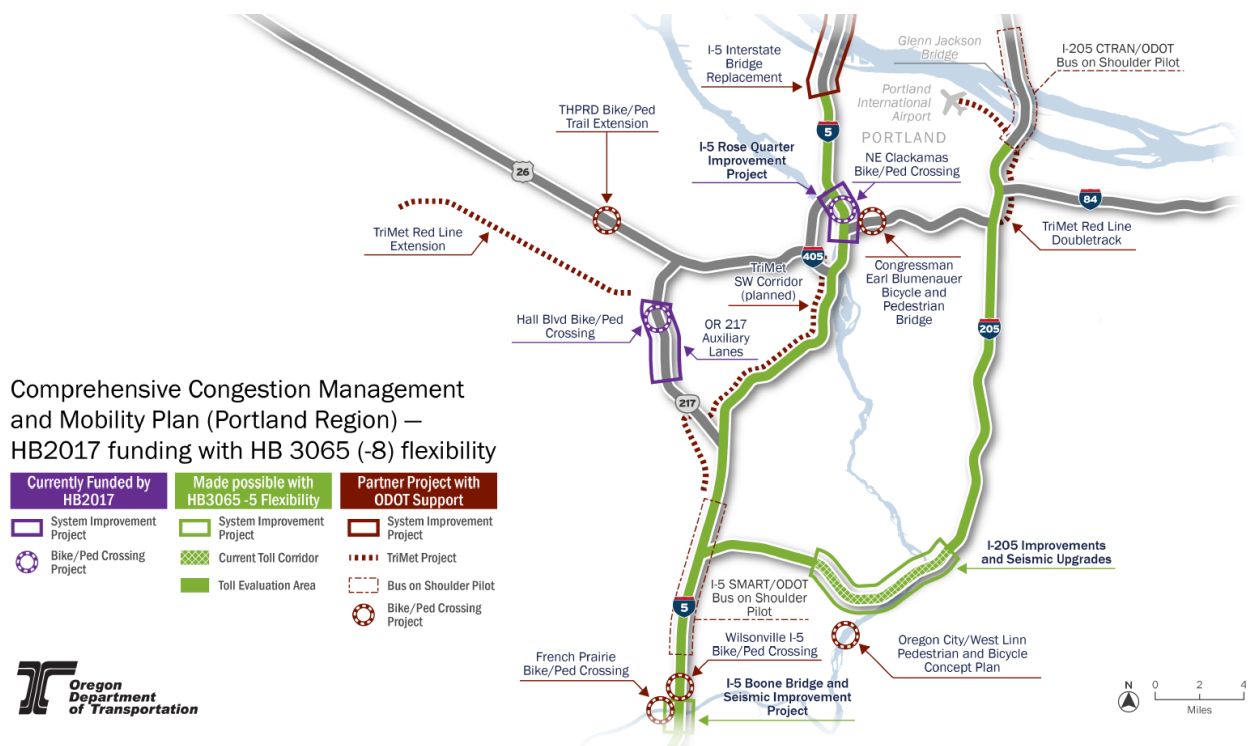
ISSUE BEFORE COUNCIL:

Oregon Department of Transportation (ODOT) staff are scheduled to present to City Council during work session regarding legislative direction to implement tolling and congestion pricing on I-5 and I-205 to generate road-funding revenue and reduce peak rush-hour traffic-congestion. ODOT is using the phrase “Regional Mobility Pricing Project” to describe the initial phase of work that leads to findings under NEPA, the National Environmental Policy Act, which requires federal agencies to determine if their proposed actions will have significant environmental effects.

Additionally, City staff have advised ODOT staff that City Council is also interested in learning more about the status of the:

- I-5 Boone Bridge and Seismic Improvement Project and related projects, including incorporating the proposed French Prairie Bridge as the alternative transportation facility and proposed 2024-27 STIP project for a new extended northbound I-5 auxiliary lane from Wilsonville-Hubbard Cut-off Highway 551 I-5 on-ramp to Charbonneau/Miley Road I-5 on-ramp.
- The I-5 Aurora/Donald interchange improvement plans, the proposed Aurora State Airport Planning Advisory Committee, and potential traffic impacts of new 3.8 million square feet Amazon warehouse in Woodburn.

Below is a diagram ODOT staff presented in May 2021 to the Joint Transportation Committee illustrating primary projects in the Comprehensive Congestion Management and Mobility Plan.



BACKGROUND INFORMATION:

Oregon’s most recent historic transportation investment legislation, House Bill 2017 of 2017, among many legislative instructions directed ODOT to study tolling as a method to pay for the proposed I-205 widening project and a new wider Abernathy Bridge over the Willamette River. The legislation also directed ODOT to study variable-rate tolling or congestion pricing as a means of controlling traffic congestion.

As part of a 2016 Metro-brokered agreement to nominate three major highway projects — one for each county — as regional and state priorities, HB 2017 named as state priorities the I-205/Abernathy Bridge, the I-5/I-84 Rose Quarter Interchange and Highway 217 projects.

In the 2021 legislative session, HB 3055 confirmed directions to ODOT to study tolling of the metro-area I-5 and I-205 corridors for both road-funding revenue generation and traffic congestion management. At the urging of the City of Wilsonville, HB 3055 also named the I-5 Boone Bridge and Seismic Improvement Project as a fourth state priority, and provided \$30 million per year over six years in bonded funding to advance all four state highway priority projects.

The City along with other metro-area cities and mayors have submitted testimony to the Oregon Transportation Commission (OTC) in 2020 and during the 2021 legislative session raising issues of concern pertaining to tolling of the primary highways. ODOT recruited City SMART Transit Director Dwight Brashear to serve on the advisory Equity and Mobility Advisory Committee for the tolling/congestion management project.

Working with the Office of State Representative Courtney Neron (House District 26) and Representative Susan McLain, Co-Chair of the Joint Transportation Committee, the City sought in 2021 to advance legislation directing ODOT to advance the I-5 Boone Bridge and Seismic Improvement Project and to name the proposed French Prairie Bridge as the alternative transportation facility, similar to how ODOT is advancing an alternative transportation facility over the Willamette River as a component of the I-205/Abernathy Bridge project.

Rather than wait for legislative direction, the OTC acted quickly in March 2021 to reallocate \$3.8 million in 2020-23 State Transportation Improvement Funds (STIP) funds to advance the next phase of engineering design and NEPA work for the I-5 Boone Bridge and Seismic Improvement Project.

ODOT has proposed for the 2024-27 STIP to advance a \$9-11 million highway modernization project that is component of the I-5 Boone Bridge Seismic Improvement Project: to build a limited-segment northbound auxiliary lane from the Wilsonville-Hubbard Cutoff Highway 551 on-ramp to the Miley Road / Charbonneau on-ramp to I-5.

The City has monitored the I-5 Aurora/Donald interchange project for several years, primarily through the French Prairie Forum of local governments of the North Willamette Valley. The new Amazon warehouse to be sited near I-5 in Woodburn has generated conversation at that table.

Lucinda Broussard, ODOT Toll Program Director, presented to the City Council nearly one year ago to the date, on September 10, 2020, regarding the ODOT I-205 Toll Project: NEPA Alternatives Public Comment Period, during which the Council provided direction to City staff regarding the City's public comments.

CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW:

Reviewed by: KAK Date: 8/24/2021

LEGAL REVIEW:

Reviewed by: BAJ Date: 8/31/2021

CITY MANAGER COMMENT:

Advancing City Council Goals pertaining to transportation issues is a staff priority.

EXHIBITS:

ODOT Presentation Material

- A. August 18, 2021 – I-205 Toll Project: Purpose and Need Statement
- B. August 16, 2021 – Regional Mobility Pricing Project: Draft Purpose and Need Statement
- C. May 11, 2021 – Comprehensive Congestion Management and Mobility Plan: HB 3065 (-8) Finance Plan presentation before the Joint Committee on Transportation

Letters and Testimony

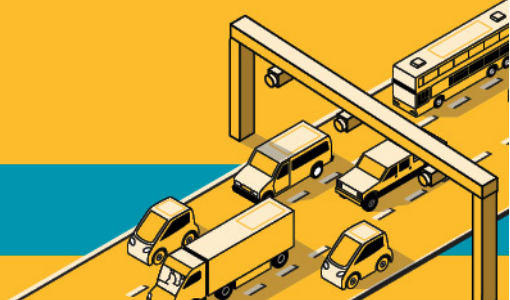
- D. September 30, 2020 – City of Wilsonville Mayor Tim Knapp letter to Lucinda Broussard, Toll Program Director, RE: I-205 NEPA Alternatives Comment Period
- E. October 1, 2020 – The I-205 Cities letter to Oregon Transportation Commission, RE: I-205 Tolling Project Comments
- F. May 11, 2021 – Testimony by City of Wilsonville Mayor Julie Fitzgerald on HB 3065-8 scheduled for public hearing on before the Joint Committee On Transportation
- G. May 11, 2021 – Testimony by MMC, Metropolitan Mayors’ Consortium, RE: HB 3065-8 – MMC Principles for Tolling
- H. May 13, 2021 – Follow-up Testimony by City of Wilsonville Mayor Julie Fitzgerald on HB 3065-8 before the Joint Committee On Transportation
- I. May 20, 2021 – HB 3065-8 - Letter by City of Wilsonville Mayor Julie Fitzgerald to legislative leadership and Joint Committee on Transportation, RE: Clarification of I-5 Boone Bridge Highway Project to Request Naming of Adjacent French Prairie ‘Bike-Ped-Emergency’ Bridge Facility, with March 8, 2021, letter by City of Wilsonville Mayor Julie Fitzgerald to the OTC.

Articles/Media Reports

- J. January 31, 2018 – Article: “Longtime Portland developer says next industrial frontier lies in Woodburn,” Portland Business Journal
- K. September 23, 2020 – Article: “580 apartments approved along Interstate 5,” Portland Tribune
- L. June 24, 2021 – Article: “Amazon pays more than \$27 million for land in Woodburn, plans massive fulfillment center,” The Oregonian/OregonLive
- M. June 30, 2021 – Article: “Amazon's behemoth Woodburn fulfillment center scheduled for 2023 opening,” Portland Business Journal

I-205 Toll Project

PURPOSE AND NEED STATEMENT



REVISED FINAL 8/18/2021

INTRODUCTION

In 2016, the Governor's Transportation Vision Panel held a series of regional forums across the state to better understand how the transportation system affects local economies. The negative effect of congestion in the Portland Metropolitan Region was consistently identified as one of three key themes across Oregon. Congestion in the region affects commuters and businesses, as well as producers who move their products across the state.

In response to the input from stakeholders across the state, House Bill (HB) 2017 Section 120 directed the Oregon Transportation Commission (OTC) to develop a congestion relief fund, and to seek approval from the Federal Highway Administration (FHWA) to implement tolling (also referred to as value pricing or congestion pricing) on the Interstate 5 (I-5) and Interstate 205 (I-205) corridors to reduce traffic congestion in the Portland metro area.

In 2018, the OTC and the Oregon Department of Transportation (ODOT) conducted the Portland Metro Area Value Pricing Feasibility Analysis to study how and where congestion pricing could be applied. Substantial public input and a Policy Advisory Committee informed the final recommendations. For I-205, the Policy Advisory Committee recommended implementing variable-rate tolls¹ on all lanes of I-205 on or near the Abernethy Bridge as a potential funding strategy and for congestion management. In December of 2018, the OTC submitted a proposal to the FHWA outlining the findings of the feasibility analysis and seeking approval to continue the process of implementing tolls on I-5 and I-205 (ODOT 2018a). In January 2019, FHWA provided guidance to move into the next phase of evaluation and study (FHWA 2019). In 2020, FHWA and ODOT determined that an environmental assessment (EA) would be the appropriate NEPA documentation for the I-205 Toll Project (Project).

ODOT identified the I-205 Improvements Stafford Road to OR 213 Project (I-205 Improvements Project) as a priority project for ODOT. The I-205 Improvements Project includes seismic bridge upgrades, adding a third lane north and south, and interchange improvements. The project received NEPA clearance in 2018 and will be constructed in phases. In 2021, HB 3055 provided financing tools that allow construction on the first phase of the I-205 Improvements Project to begin in 2022, which includes replacement of the Abernethy Bridge and adjacent interchanges. Tolls are needed to fund subsequent phases of the I-205 Improvements Project.

¹ Variable-rate tolls are user fees that vary in amount based on certain conditions (e.g. time of day, day of the week, direction of travel). Variable-rate tolls can occur on a fixed schedule that is known to travelers.

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PURPOSE

The purpose of the I-205 Toll Project is to use variable-rate tolls on the I-205 Tualatin River and Abernethy Bridges to raise revenue to fund portions of the I-205 Improvements Project and manage congestion.

NEED FOR THE PROPOSED ACTION

Critical congestion relief projects need construction funding

Available funding for transportation has not kept pace with the cost of maintaining the transportation system or the cost of construction of new transportation and congestion relief projects. ODOT revenue comes from a mix of federal and state sources, including fuels taxes, taxes on heavy vehicles, and driver and vehicle licensing and registration fees. The federal gas tax has not been adjusted since October of 1993 and the share of federal contributions to state transportation projects has greatly decreased. On the state level, escalating expenditures to maintain aging infrastructure, the need to perform seismic upgrades for state's bridges, and rising construction costs have greatly increased financial needs.

Compounding this problem is a substantial increase in travel demand as the state experiences strong population growth, particularly in the Portland metro area. ODOT must explore every possible method for getting the most out of its existing infrastructure, funding projects to ease congestion, and planning for increased earthquake resiliency. The I-205 Improvements Project would provide congestion relief for the recurring bottleneck on I-205 between I-5 and the Abernethy Bridge. ODOT is in the process of obtaining permits and developing a financial plan to support construction of Phase 1A² (reconstruction of the Abernethy Bridge and adjacent interchanges at OR 43 and OR 99E), which is expected to begin in 2022. Other phases are currently unfunded;³ toll revenue is needed to fund construction on future phases of the improvements.^{4,5}

² A description of the I-205 Improvements Project construction phases is located <https://i205corridor.org/>.

³ [HB 3055](#) provides ODOT the ability to finance construction of Phase 1A of the I-205 Improvements Project using state backed borrowing or bonding. If approved, pending environmental review and development of a toll program, tolls could be used long term to pay back loans.

⁴ Net toll revenue for capital projects represents the available cash flow from tolling after covering an allowance for revenue leakage, the costs of toll collection operations and maintenance (O&M), and the costs of roadway facility O&M. Net toll revenues may be used to pay for capital improvement directly and/or they may be used to pay the principal and interest on borrowed (financed) funds.

⁵ The Oregon Constitution (Article IX, Section 3a) specifies that revenues collected from the use or operation of motor vehicles is spent on roadway projects, which could include construction or reconstruction of travel lanes, as well as bicycle and pedestrian facilities or transit improvements in or along the roadway.

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Traffic congestion results in unreliable travel

A 3.3 percent population increase in the Portland metro area from 2015 to 2017 and strong economic growth during these years contributed to a 20.1 percent increase in vehicle hours of delay and 13.4 percent increase in hours of congestion on the highway and regional corridor system. On I-205, daily vehicle hours of delay increased by 25 percent in each direction from 2015 to 2017, indicating that the extent and duration of congestion in the corridor continues to increase and that travel continues to become less and less reliable (ODOT 2018b).

In 2018, more than 100,000 vehicles used the section of I-205 between Stafford Road and OR 213 each day (ODOT 2019). Northbound I-205 from I-5 to the Abernethy Bridge has been identified as one of the region's top recurring bottlenecks during the evening commute. In 2017 this section of I-205 experienced 3.5 hours of congestion in the evening, from 2:45 p.m. to 6:15 p.m. Southbound I-205 from OR 212 to the Abernethy Bridge experienced over 3 hours of congestion in the morning from 6:00 a.m. to 9:15 a.m. (ODOT 2018b). In total, the section of I-205 between Stafford Road and OR 213 experienced approximately 6.75 hours of congestion daily.⁶

The population of the Portland metro region is expected to grow from 2.5 million residents in 2018 to over 3 million in 2040 (23 percent) and over 3.5 million in 2060 (43 percent), further exacerbating existing congestion problems (Census Reporter 2018; Metro 2016b).

Traffic congestion impacts freight movement

Movement of people and goods is critical to support a growing economy. Freight tonnage in the Portland region is expected to double by 2040, with 75 percent of total freight tonnage moved by truck (Metro 2018). I-205 is a designated north-south interstate freight route in a roadway network that links Canada, Mexico and major ports along the Pacific Ocean. Trucks represent 6 to 9 percent of total traffic on I-205 (ODOT 2018b).

Congestion on I-205 affects the ability to deliver goods on time, which results in increased costs and uncertainty for businesses. The cost of congestion on I-205 increased by 24 percent between 2015 and 2017, increasing to nearly half a million dollars each day in 2017 (ODOT 2018b). Increasing congestion and demand for goods will result in more delay, costs, and uncertainty for all businesses that rely on I-205 for freight movement.

Traffic congestion contributes to climate change

Greenhouse gas emissions from cars and trucks have been rising since 2013 and represented 39 percent of total statewide emissions in 2016 (Oregon Global Warming Commission 2018). Idling vehicles sitting in congested conditions contribute to these emissions. In March 2020, the Governor signed an executive order to reduce greenhouse gas emissions 45 percent below 1990 levels by 2035 and 80 percent below 1990 levels by 2050.

⁶ The coronavirus pandemic (COVID-19) has dramatically altered current traffic levels. Future traffic volumes on I-205 are unknown, but as the risks of COVID-19 are reduced, traffic congestion is expected to return.

Purpose and Need Statement
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GOALS AND OBJECTIVES

Project goals and objectives are desirable outcomes of the project beyond the purpose and need statement. The following goals and objectives reflect input collected during the Project's Summer-Fall 2020 engagement and from the Value Pricing Feasibility Analysis Policy Advisory Committee, partner agencies, the Equity and Mobility Advisory Committee, and other Project stakeholders. Through detailed performance measures, these goals and objectives will be considered when comparing potential tolling alternatives to each other and to the future No Build (no tolling) Alternative.

ODOT acknowledges past land use and transportation investments have resulted in negative cultural, health, economic and relational impacts to local communities and populations and that these investments have disproportionately affected historically and currently excluded and underserved communities.⁷ Additionally ODOT recognizes these communities are often left out of transportation planning and decision-making process. These practices, along with more recent gentrification in Portland and surrounding cities have resulted in a mismatch between job locations and housing in areas with few transportation options.

The goals and objectives below, along with input from the Equity and Mobility Advisory Committee, will prioritize equity throughout the Project development process. The Project will engage communities who use or live near the segment of I-205 between Stafford Road and OR 213, especially those that have been historically and currently excluded and underserved, in participation throughout the project design, development, implementation, monitoring, and evaluation processes.

- Goal: Provide benefits for historically and currently excluded and underserved communities
 - Maximize benefits and minimize burdens associated with implementation of tolling
 - Support equitable and reliable access to job centers and other important community places, such as grocery stores, schools, and gathering places
 - Support equitable and reliable access to health promoting activities (e.g. parks, trails, recreation areas) and health care clinics and facilities
 - Design the toll system to support travel options for people experiencing low incomes
- Goal: Limit additional traffic diversion from tolls on I-205 to adjacent roads and neighborhoods
 - Design the toll system to limit rerouting from tolling
 - Design the toll system to minimize impacts to quality of life factors, such as health, noise, safety, job access, travel costs, and environmental quality for local communities from traffic rerouting

⁷ As defined in the Oregon Toll Program's [Equity Framework](#), these communities include: people experiencing low-income or economic disadvantage; Black, Indigenous and People of Color (BIPOC); older adults and children; persons who speak non-English languages, especially those with limited English proficiency; persons living with a disability; and other populations and communities historically excluded and underserved by transportation projects.

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- Goal: Support safe travel regardless of mode of transportation
 - Enhance vehicle safety on I-205 by reducing congested conditions
 - Support safe multimodal travel options (e.g., pedestrians, bicycles, transit, and automobiles) on roadways affected by tolling
- Goal: Contribute to regional improvements in air quality and support the State’s climate change efforts
 - Support reduced vehicle air pollutants and greenhouse gas emissions in the Portland metro area through reducing congestion, resulting in more consistent vehicle speeds, less vehicle idling, and fewer overall motor vehicle emission hours on I-205 and on local roadways affected by tolling
 - Reduce localized air pollutants through reduced congestion and improved travel efficiency, particularly in community areas where pollutants may be concentrated due to traffic congestion
- Goal: Support multimodal transportation choices
 - Support shifts to higher occupancy vehicles (including carpooling) and other modes of transportation (transit, walk, bike, telework)
 - Collaborate with transit providers to support availability and enhancements to transit and other transportation services in the I-205 corridor, especially for historically and currently excluded and underserved communities
- Goal: Support regional economic growth
 - Provide for reliable and efficient regional movement of goods and people through the I-205 corridor
 - Provide for reliable and efficient movement of goods and people on local roadways affected by tolling
 - Improve regional access to jobs and employment centers, especially for historically and currently excluded and underserved communities
- Goal: Support management of congestion and travel demand
 - Design the toll system to improve efficient use of roadway infrastructure and improve travel reliability
- Goal: Maximize integration with future toll systems
 - Design a toll system that can be expanded in scale, integrated with tolling on other regional roadways, or adapted to future toll system applications
- Goal: Maximize interoperability with other transportation systems
 - Design a toll system that is interoperable with other transportation systems in the region

Purpose and Need Statement
8/18/2021

REFERENCES

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Purpose and Need Statement

8/18/2021

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

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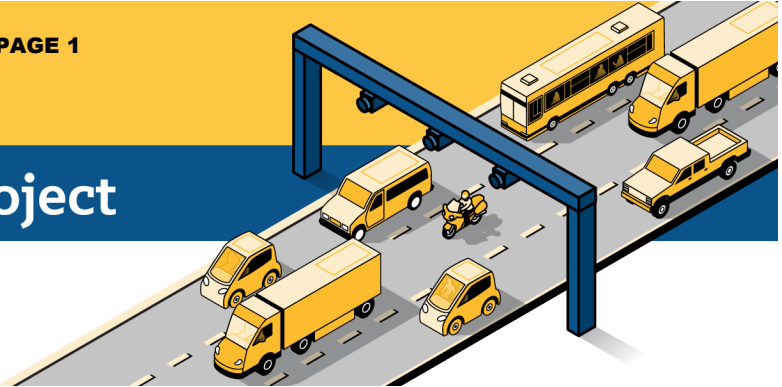
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Regional Mobility Pricing Project

Draft Purpose and Need Statement



The Regional Mobility Pricing Project needs your input on this draft Purpose and Need Statement, as well as the included Goals and Objectives. With your input, this draft Purpose and Need Statement will be enhanced over time and will guide the formation of Project alternatives, which will later be refined to advance into NEPA. Read on and please share your thoughts by emailing the project team at OregonTolling@odot.state.or.us. Please put "Purpose and Need Statement" in the subject line and send us your comments by [September 30, 2021].

INTRODUCTION

In 2016, the Governor's Transportation Vision Panel held a series of regional forums across the state to better understand how the transportation system affects local economies. The negative effect of congestion in the Portland metropolitan area was consistently identified as one of the key themes across Oregon. Congestion in the Portland region affects commuters and businesses, as well as producers who move their products across the state.

In response to the input from stakeholders across the state, House Bill (HB) 2017 Section 120 directed the Oregon Transportation Commission to develop a congestion relief fund and to seek approval from the Federal Highway Administration to implement congestion pricing (also referred to as value pricing or tolling) on the I-5 and I-205 corridors to reduce traffic congestion in the Portland metropolitan area.

In 2018, the Oregon Transportation Commission and the Oregon Department of Transportation (ODOT) conducted the Portland Metro Area Value Pricing Feasibility Analysis to study how and where congestion pricing could be applied. Substantial public input and a Policy Advisory Committee informed the final recommendations

What is a toll?

A toll is a fee imposed to drive on a road or bridge. Bridge tolls and roadway tolls have been used for centuries to pay for construction and maintenance of the facility. Historically, travelers had to stop and pay in cash, but that is no longer necessary with modern technology (FHWA, n.d.)

Is congestion pricing the same thing?

The term congestion pricing describes a type of tolling where drivers are charged a higher price during peak traffic periods. The higher fee encourages some drivers to consider using other travel options such as carpools or transit, or change their travel time to other, less congested times of the day, or not make the trip at all. If a small percentage of drivers choose another mode of travel or time of travel, it can reduce traffic congestion for those who can't modify their trip and improve traffic flow for the entire system. Congestion pricing is a proven tool to manage congestion based on the experience of multiple congestion pricing projects in operation across the country (FHWA 2017).

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Updated August 16, 2021

to implement congestion pricing on all lanes on the I-205 and I-5 corridors in the Portland metropolitan area.¹

ODOT is currently pursuing three toll projects: the Regional Mobility Pricing Project, the I-205 Toll Project, and the Interstate Bridge Replacement Program². ODOT first initiated the I-205 Toll Project in 2019, which at the time proposed congestion pricing on all I-205 lanes on some or all freeway segments between Stafford Road and Oregon Route 213. During a public comment period for the I-205 Toll Project, many commenters and local agencies expressed concerns about fairness, diversion, equity, climate change, and congestion management associated with planning the I-205 Toll Project. ODOT has incorporated that input into this Regional Mobility Pricing Project (the Project), which proposes to implement congestion pricing on all I-5 and I-205 lanes in the Portland metropolitan area, consistent with the longer-term vision that stakeholders advocated for and the Oregon Transportation Commission adopted in 2018.

PURPOSE

The purpose of the Regional Mobility Pricing Project is to implement congestion pricing on I-5 and I-205 in the Portland, Oregon metropolitan area in order to manage traffic congestion on these facilities and to generate revenue for priority transportation projects.

NEED FOR THE PROPOSED ACTION

Daily traffic congestion is negatively affecting the quality of life in a growing region.

Traffic congestion on I-5 and I-205 creates long backups of vehicles traveling at slow speeds—a scenario that many people experience daily while traveling during the morning and evening rush hours. Some of the most significant bottlenecks in the Portland metropolitan area are found on I-5 and drivers experience traffic congestion through these segments that lasts more than 7 hours each weekday:

- Northbound I-5: Broadway to Capitol Highway (6.0 miles, 7.75 hours each weekday)
- Southbound I-5: The Rose Quarter area from Broadway to Rosa Parks Way (3.0 miles, 9.25 hours each weekday)

Between 2015 and 2017, these queues increased 1 hour (ODOT 2018). Free-flow travel time is typically 25 minutes on the I-5 corridor. In 2017, evening peak travel time on southbound I-5 was 100 minutes—a four-fold increase versus free flow.

¹ Please go to https://www.oregon.gov/odot/tolling/ResourcesHistory/20180705_VP-PAC-Rec-to-OTC.pdf for more information on the recommendations from the Policy Advisory Committee.

² In partnership with the Washington Department of Transportation. Please go to <https://www.interstatebridge.org/> for more information on the Interstate Bridge Replacement Program.

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Reoccurring bottlenecks that occur on I-205 last between 3.5 and 4.75 hours (ODOT 2018):

Northbound I-205: Glenn Jackson Bridge to Powell Boulevard (5.8 miles, 4.75 hours each weekday)

Northbound I-205: Abernethy Bridge to I-5 (8.5 miles, 3.6 hours each weekday)

- Southbound I-205: Division to Glenn Jackson Bridge (5.3 miles, 3.75 hours each weekday)

Congested conditions on I-5 and I-205 result in traffic rerouting to other freeways in the region (I-405, US 26, etc.), local streets, and arterial streets. This rerouting results in additional traffic congestion and creates potential safety conflicts. Accident frequency on both freeways and arterials tends to increase with the congestion levels and stop-and-go traffic. The conditions caused by traffic congestion make travel unreliable such that drivers and transit riders cannot predict how long it will take them to get to work, home, services, or childcare arrangements.

Forecasts for the region show that population and employment will continue to steadily grow. The Portland metropolitan area population is expected to grow from approximately 2.5 million residents in 2018 to more than 3 million by 2040 (23%) and more than 3.5 million by 2060 (43%) (Census Reporter 2018; Metro 2016). Since 2011, job growth in Portland has outpaced the nation year over year: In 2019, Portland grew at an average annual rate of 2% compared to the U.S. average of 1.6% (Portland Business Alliance 2020). By 2039, the number of vehicles travelling along the I-5 corridor in the Portland region is projected to be between 127,200 and 192,900, depending on the corridor segment (ODOT 2020), which is an approximate increase of 18% from 2017 traffic counts. Planned roadway projects, improvements in transit, and increased use of active transportation modes (bicycles, walking, etc.) will not fully address the increase in daily trips and hours of traffic congestion (Metro 2018).

Traffic congestion is slowing down economic growth.

Traffic congestion affects the Portland metropolitan area economy through slow and unpredictable travel times for freight, services, small businesses, employers, employees, and low-income earners. From 2015 to 2017, drivers in the Portland region experienced an 18.5% increase in the number of hours of traffic congestion. In 2015, the daily cost of traffic congestion in the Portland metropolitan area was \$1.7 million, which increased to \$2.0 million in 2017. These numbers reflect the economic burden of trucks and cars being delayed on the roadway but do not reflect the environmental and health costs related to motor vehicles, such as vehicle collisions, air pollution, and roadway noise (ODOT 2018).

COVID-19 Pandemic Traffic

Traffic volumes decreased significantly during the early days of the COVID-19 pandemic, and rush-hour traffic congestion has not been as severe as it was before the pandemic. With the economy reopening, vehicle numbers are increasing. As of July 2021, the Portland metro area state-highway volumes are only 3% to 5% below pre-pandemic levels for weekday traffic and 4% to 7% below weekend traffic. ODOT expects that traffic levels will continue to return to pre-pandemic levels and grow in the future. (ODOT 2021)

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Of the interstate freight routes in the region, I-5 carries the highest freight volume, ranging from 10,000 to 19,000 trucks per day, while I-205 carries the second-highest freight volume, ranging from 7,800 to 14,000 trucks per day (ODOT 2018).

Our transportation system must reduce greenhouse gas emissions by managing congestion.

Climate change is a significant threat to Oregon’s economy, environment, and way of life (Gov. Kate Brown 2019). To reduce the negative effects of climate change, Oregon has committed to reducing greenhouse gas emissions by at least 45% below 1990 levels by the year 2035, and by 80% by 2050 (EO 20-04 2020). The transportation sector—particularly personal cars and light trucks—creates approximately 36% of greenhouse gas emissions in Oregon (Oregon Global Warming Commission 2020). Traffic congestion leads to an increase in fuel consumption and carbon dioxide emissions. During congestion, vehicles spend more time on the road, idling or crawling, and undergoing numerous acceleration and deceleration events that leads to an increase in emissions.

To meet the state’s goals for greenhouse gas reduction, total vehicle emissions must be reduced by decreasing the number of hours vehicles spend stuck in traffic, the amount of stop-and-go traffic, and the number of miles traveled by motor vehicles in the state.

Revenues from the gas tax are not sufficient to fund transportation infrastructure needs.

Available funding for transportation has not kept pace with the costs of maintaining Oregon’s transportation system or constructing new transportation and traffic congestion relief projects. ODOT revenue comes from a mix of federal and state sources. The Federal Highway Trust Fund provides states with roughly 25% of public spending for federal highway and transit projects and is funded primarily by the federal fuel taxes (Sargent 2015). The federal gas tax has not been adjusted since October 1993, and the share of federal contributions to state transportation projects has greatly decreased. On the state level, escalating expenditures to maintain aging infrastructure, the need to perform seismic upgrades for the state’s bridges, and rising construction costs have greatly increased financial needs.

Compounding this problem is a substantial increase in travel demand as the state experiences strong population growth, particularly in the Portland metropolitan area. ODOT must explore every possible method for getting the most out of its existing infrastructure, funding traffic congestion relief projects in the region to ease traffic congestion, and planning for increased earthquake resiliency.

Our transportation system must support multimodal travel to reduce congestion.

Multimodal travel accommodates a wide range of travel methods including walking, bicycling, driving, and public transportation. Multimodal streets can increase transportation system efficiency and accommodate more trips in the same amount of space. When effectively integrated, multimodal travel can help advance various environmental, health, and congestion-mitigating benefits for communities. This can result in a reduction of vehicle emissions, which will improve air quality and reduce greenhouse gas emissions (USDOT 2015). Multimodal

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travel provides additional access to populations who do not drive, such as young children, seniors, people with disabilities, low-income residents, and those who do not own a car. (Litman 2021)

The Portland metropolitan area's transportation networks have resulted in inequitable outcomes for historically and currently excluded and underserved communities.

Many urban interstate highways and major civic centers were deliberately built through neighborhoods with concentrations of people experiencing low incomes and communities of color, often requiring the destruction of housing and other local institutions (Federal Register 2021). In the eastern Portland metropolitan area, the construction of I-205 exemplifies these outcomes where the planned highway alignment was changed due to political motivation and public protest (Fackler 2009). The alignment was moved away from Lake Oswego, farther east and south into Clackamas County and farther east in Portland, away from majority white and wealthier cities, reinforcing social and economic inequity (Invisible Walls 2019). In Central Portland during the 1950s and 1960s, the construction of I-5, the Veterans Memorial Coliseum, Emanuel Legacy Hospital, the Portland Public School Blanchard site, and urban renewal programs divided and displaced communities in North and Northeast Portland, affecting and burdening communities of color—especially Black communities—in the historic Albina neighborhood (Gibson 2007).

Because of these discriminatory transportation policies and politics, a geographic mismatch exists between job locations, essential resources, community services, and housing that is affordable (Oregonian 2012). This disproportionality affects communities of color, immigrant communities, people experiencing low income, lesbian, gay, bisexual, transgender, gender non-conforming, and queer (LGBTQ+) individuals and people living with a disability (Federal Register 2021). Members of these communities have fewer transportation options and travel farther between destinations, which increases transportation costs and dependence on unreliable travel options and adds significantly more time in traffic congestion. Collectively, these transportation and land use decisions, and the systems that led to them, have resulted in discrimination and unequal investment in these communities. This leads to lasting trauma and continued economic, social, and health impacts for historically and currently excluded and underserved individuals and communities (Federal Register 2021).

Within denser urbanized areas, there is a greater risk of concentrated air pollutants and heat islands from transportation-related activities. Communities located near major roads can experience increased air pollution from cars, trucks, and other motor vehicles, and can have an increased incident and severity of health problems associated with air pollution exposures (EPA 2014). Higher amounts of traffic, congestion, stop-and-go movement, or high-speed operations can increase the emissions of certain pollutants (EPA 2014).

Managing congestion on the I-5 and I-205 corridors and providing for multimodal transportation options would increase access to valuable community resources for historically

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underserved and dispersed communities. It would also improve air quality within concentrated neighborhoods located along the I-5 and I-205 corridors.

The Project will also implement mitigation measures to avoid additional and compounding negative impacts to these communities.

GOALS AND OBJECTIVES

Project goals and objectives are desirable outcomes of the Project beyond the Purpose and Need Statement. The following goals and objectives reflect input collected during the I-205 Toll Project's Summer-Fall 2020 engagement and from the Value Pricing Feasibility Analysis Policy Advisory Committee, partner agencies, the Equity and Mobility Advisory Committee, and other Project stakeholders; these goals and objectives will be considered when comparing potential congestion pricing alternatives to each other against the future No Build (no congestion pricing) Alternative.

ODOT acknowledges that past land use and transportation investments have resulted in negative cultural, health, economic, and relational impacts to local communities and populations and that these investments have disproportionately affected historically and currently excluded and underserved communities. Additionally, ODOT recognizes that these communities have historically been left out of transportation planning and the decision-making process. These practices, along with more recent gentrification in Portland and surrounding cities, have resulted in a mismatch between job locations and housing in areas with few transportation options.

The draft goals and objectives below, along with input from the Equity and Mobility Advisory Committee, will prioritize equity throughout the Project development process. The Project team will engage communities who use or live near the Project area, especially those who have been historically and are currently excluded and underserved, to participate throughout the formation of conceptual alternatives, development and narrowing of alternatives, decision-making, and Project implementation, monitoring, and evaluation process.

- Goal: Provide benefits for historically and currently excluded and underserved communities.
 - Maximize benefits and minimize burdens associated with implementing congestion pricing.
 - Support equitable and reliable access to job centers and other important community places.
 - Support equitable and reliable access to health promoting activities.
 - Design the congestion price system to support travel options for people experiencing low incomes.
- Goal: Limit additional traffic diversion from congestion pricing on I-5 and I-205 to adjacent roads and neighborhoods.

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- Design the congestion pricing system to limit rerouting from of trips away from I-5 and I-205.
- Design the congestion price system to minimize impacts to quality of life factors, such as health, noise, safety, job access, travel costs, and environmental quality for local communities from traffic rerouting.
- Goal: Support multimodal transportation choices to provide travel options and reduce congestion.
 - Support shifts to higher occupancy vehicles (including carpooling) and other modes of transportation (for example, taking transit, walking, biking, teleworking).
 - Collaborate with transit providers to support availability and enhancements to transit and other transportation services parallel to the congestion priced corridors, especially for historically and currently excluded and underserved communities.
- Goal: Support safe travel regardless of the transportation mode.
 - Enhance vehicle safety on I-5 and I-205 by reducing congested conditions.
 - Support safe multimodal travel options (for example, walking, bicycles, transit, and automobiles) on roadways affected by congestion pricing.
- Goal: Contribute to regional improvements in air quality that reduce contributions to climate change effects.
 - Contribute to reduced vehicle air pollutants and greenhouse gas emissions in the Portland metro area by reducing congestion, therefore resulting in more consistent vehicle speeds, less vehicle idling, and fewer overall motor vehicle emission hours on I-5 and I-205 and on local roadways affected by congestion pricing.
 - Reduce localized air pollutants by reducing congestion and improving travel efficiency, particularly in community areas where pollutants may be concentrated due to traffic congestion.
- Goal: Support regional economic growth.
 - Provide for reliable and efficient regional movement of goods and people through the congestion priced corridors.
 - Provide for reliable and efficient movement of goods and people on local roadways affected by congestion pricing.
 - Improve regional access to jobs and employment centers, especially for historically and currently excluded and underserved communities.
- Goal: Support management of congestion and travel demand.
 - Design the congestion price system to improve efficient use of roadway infrastructure and improve travel reliability.

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- Goal: Maximize integration with future congestion price systems and other transportation systems.
 - Design a congestion price system that can be expanded in scale, integrated with congestion pricing on other regional roadways, or adapted to future congestion price system applications.
 - Design a congestion price system that is interoperable with other transportation systems in the region and nearby states.

Consistent with the requirements of 23 U.S.C. 168, the information in this document, and the public and agency input received, may be adopted or incorporated by reference into a future environmental review process to meet the requirements of the National Environmental Policy Act.

Americans with Disabilities Act and Title VI of the Civil Rights Act of 1964

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

Если вы хотите чтобы информация об этом проекте была переведена на русский язык, пожалуйста, звоните по телефону 503-731-4128.

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如果您想了解这个项目，我们有提供简体中文翻译，请致电：503-731-4128。

For Americans with Disabilities Act or Title VI of the Civil Rights Act of 1964 accommodations, translation/interpretation services, or more information call 503-731-4128, TTY (800) 735-2900 or Oregon Relay Service 7-1-1.

References

Consistent with 23 CFR 450.212 (a)-(c) and 23 CFR 450.318(a)-(d), the following documents and studies were used in preparation of this Statement of Purpose and Need and are incorporated by reference. These materials are publicly available using the weblinks provided.

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Comprehensive Congestion Management and Mobility Plan

HB 3065 (-8) Finance Plan



Oregon Department of Transportation

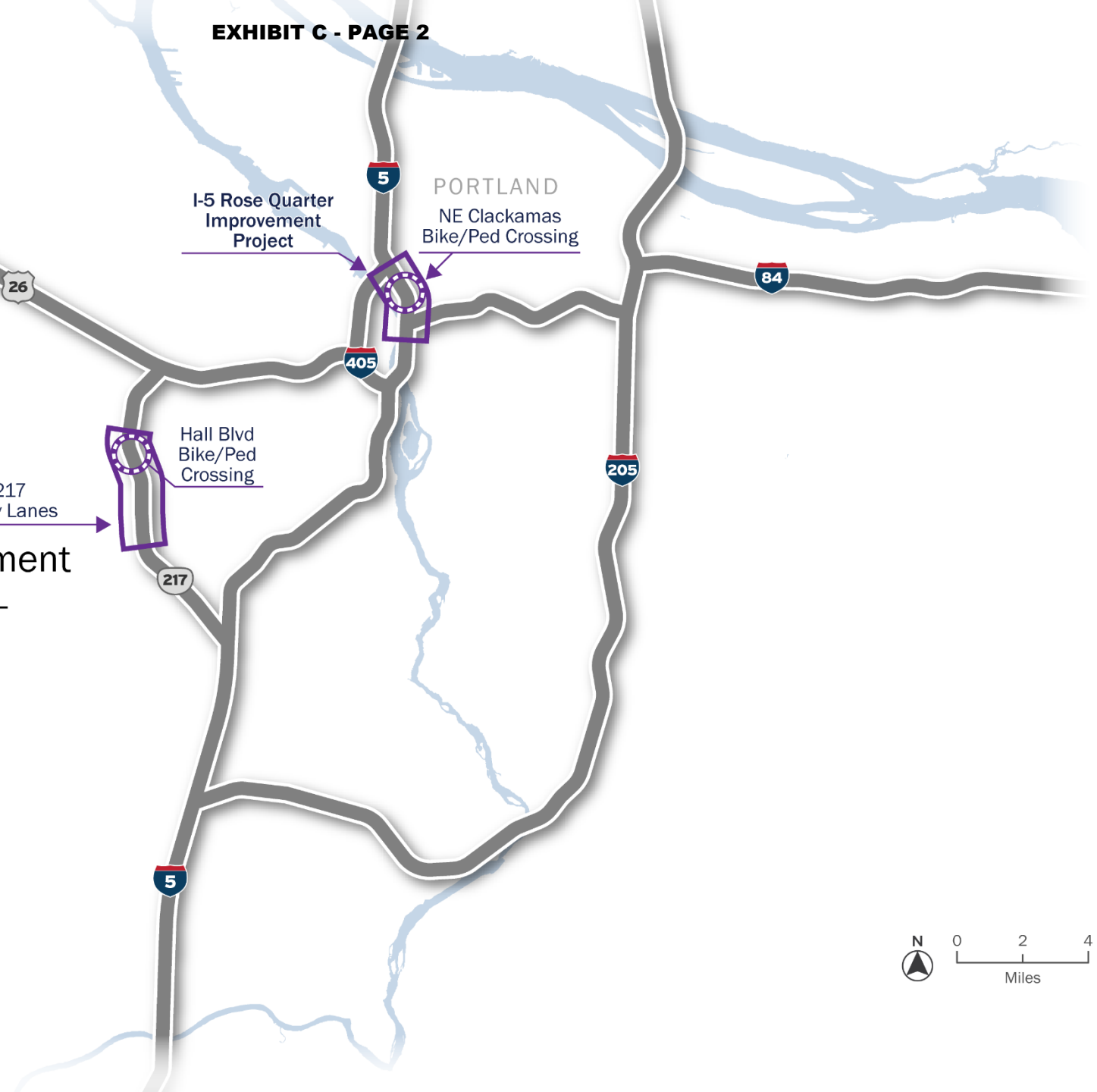
Joint Committee on Transportation

Date: May 11, 2021

Comprehensive Congestion Management and Mobility Plan (Portland Region) – HB2017 funding

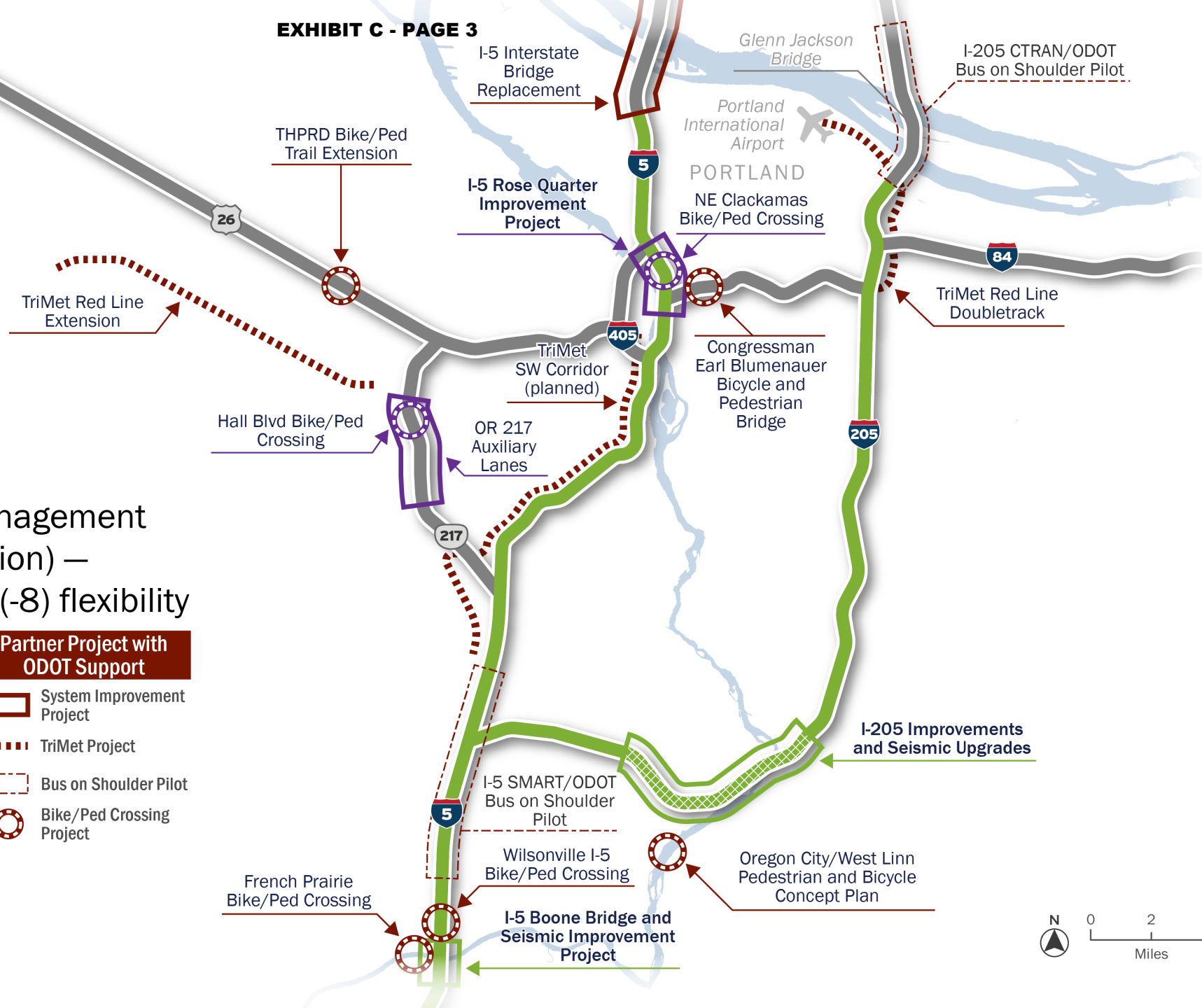
Currently Funded by HB2017

-  System Improvement Project
-  Bike/Ped Crossing Project



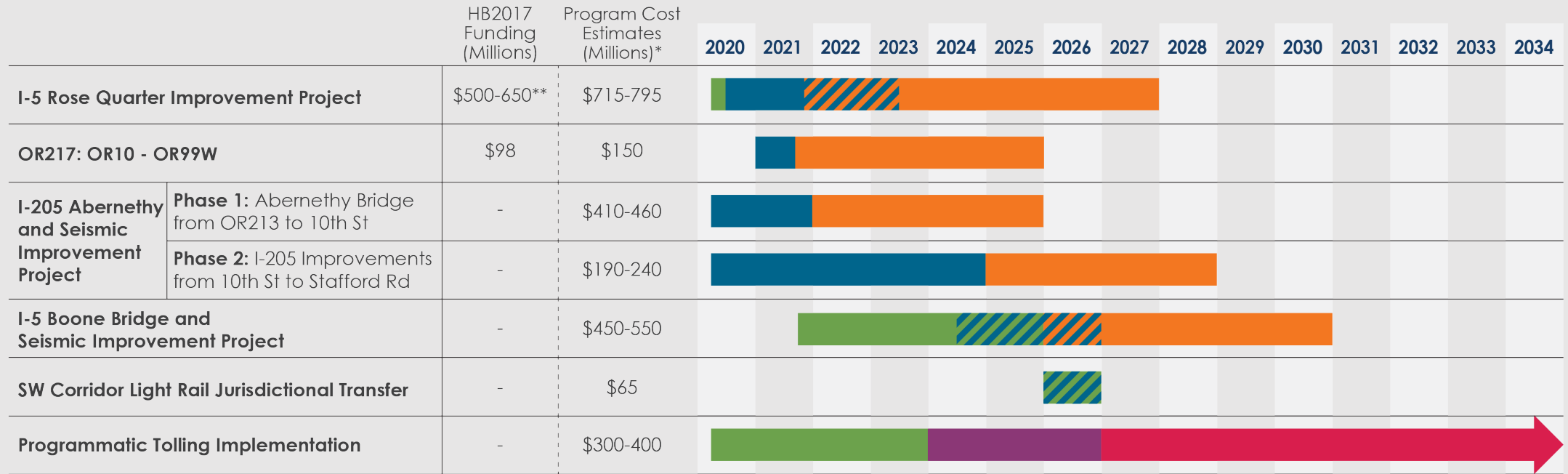
Comprehensive Congestion Management and Mobility Plan (Portland Region) – HB2017 funding with HB 3065 (-8) flexibility

Currently Funded by HB2017	Made possible with HB3065 -5 Flexibility	Partner Project with ODOT Support
System Improvement Project	System Improvement Project	System Improvement Project
Bike/Ped Crossing Project	Current Toll Corridor	TriMet Project
	Toll Evaluation Area	Bus on Shoulder Pilot
		Bike/Ped Crossing Project



COMPREHENSIVE CONGESTION MANAGEMENT AND MOBILITY PLAN: INVESTMENT AND IMPLEMENTATION STRATEGY

HB2017 Funding with HB3065 (-8) Flexibility



*All numbers are estimated as of 2/2021 and subject to change.

** funds estimated to be generated from bond sale(s) of Rose Quarter \$30M designated in HB2017

Legend

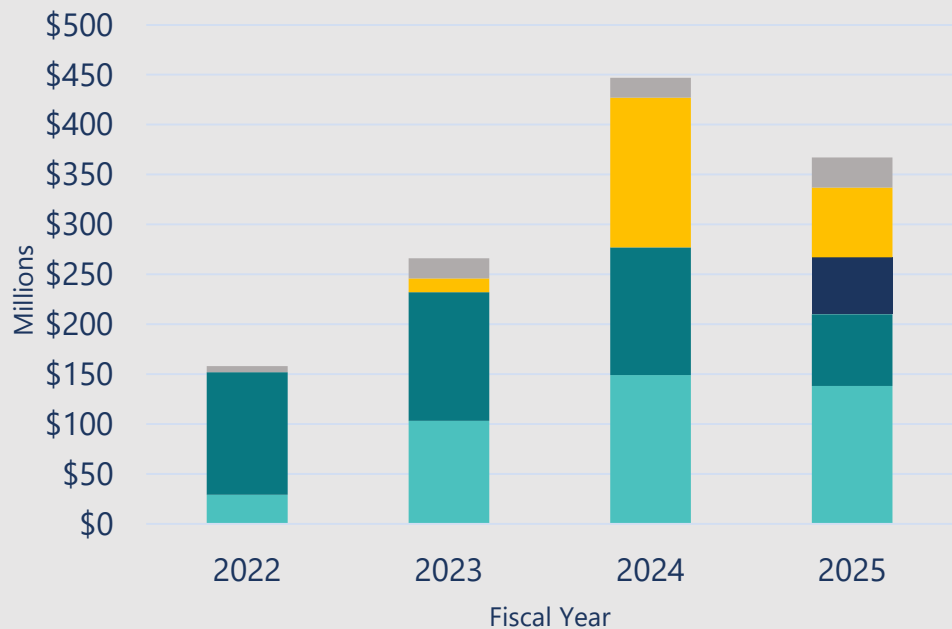
- Planning Phase
- Planning / Design Phase
- Design Phase
- Design / Construction Phase (Alternative Delivery)
- Construction Phase
- Design, Build, Test, and Implement Phase
- Ongoing System-Wide Toll Revenue Collection

HB 3065 (-8): Three Part Finance Plan

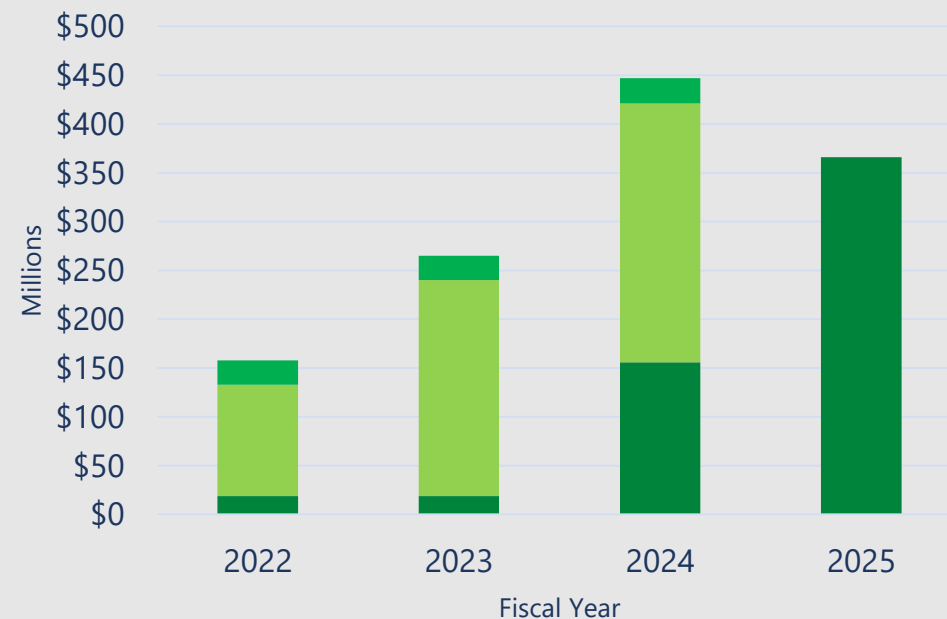
1. Flexibility in existing dedicated funds (\$30m/year in 2022)
2. Enable full utilization of short-term borrowing
3. Tolling modernization text changes

CCMMP Pre-Tolling Finance Plan*

Uses of Funds



Sources of Funds



■ Rose Quarter
 ■ I-205 Phase 1
 ■ I-205 Phase 2
■ Toll Program
 ■ Boone Bridge

■ Other State and Federal Funds
 ■ Short-term Borrowing
■ HB 2017 Dedicated Funds

*Assumes three part finance plan mechanisms available; assumes toll collection 2024 and regional toll program 2025/26.

GOALS

Managing congestion

Raising revenue to fund projects that reduce congestion

The term 'tolling' is an industry term that reflects various types of tolls, including terms such as: Variable rate, congestion pricing, dynamic pricing, flat/fixed rate, managed lanes

Benefits Include

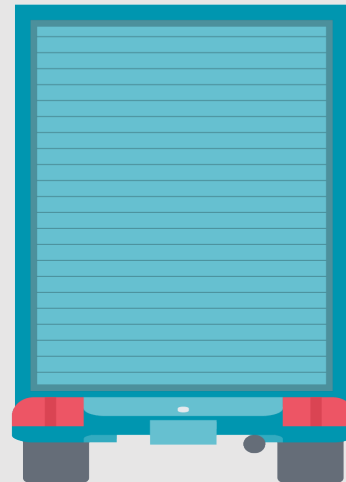
Managing congestion



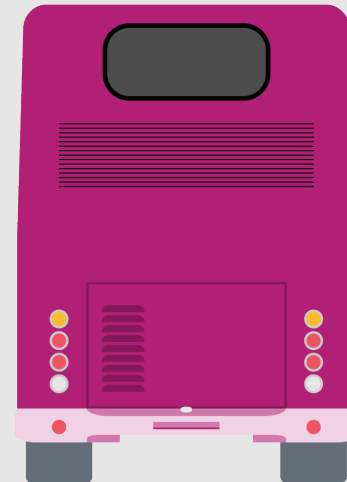
Raising revenue for transportation improvements



Increasing system reliability



Supporting State climate goals by reducing traffic pollution





September 30, 2020

*Submitted via email to
oregontolling@odot.state.or.us*

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: I-205 NEPA Alternatives Comment Period

Dear Ms. Broussard:

The City of Wilsonville appreciates the opportunity to provide comment on the identified Purpose and Need of various alternatives being considered by ODOT during the I-205 NEPA Alternatives comment period. We also appreciate the time that you took to visit with the Wilsonville City Council on August 17 to more fully explain this important project.

As a participating agency in the I-205 Toll Project Draft Agency Coordination Plan, the City of Wilsonville has significant interest in this project that could carry major ramifications for both highway traffic and local-area streets congestion. The City's South Metro Area Regional Transit (SMART) Director also participates on the Equity and Mobility Advisory Committee and the Tolling – Transit Work Group.

As a city with a residential population of 25,000 that hosts over 20,000 jobs, thousands of workers commute daily from as well as to Wilsonville from every corner of the Portland metro region and North Willamette Valley. Approximately half of these jobs (10,000) are in manufacturing and wholesale distribution where both commuting workforce mobility and the timely movement of freight are crucial for Oregon's continued economic development.

The "proposed project purpose" is stated as:

The purpose of the I-205 Toll Project is to manage congestion on I-205 between Stafford Road and OR 213 and raise revenue to fund congestion relief projects through the application of variable-rate tolls.

The project purpose, while led by legislative direction, appears too limiting to either raise sufficient revenue or provide congestion relief. That is, tolling one small segment of highway would appear to neither generate significant revenue to be meaningful nor provide region-wide congestion relief. Therefore, the NEPA analysis should be expanded in scope to look more holistically at the region-wide traffic-congestion impacts and revenue generation of tolling the interconnected Interstate freeway system of the Portland metro region with at least I-5 and I-205 being analyzed.

We agree with the key lead points of the comment letter submitted by the Clackamas County Coordinating Committee dated August 13:

“First, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated. After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Clackamas County question why it is necessary that this project be tolled. The communities of Clackamas County request that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding.

“Second, we request the OTC clarify its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to major highway improvements in the region, including this I-205 improvement as well as other proposed improvements on I-5, I-84, I-405, and OR 217. Our hope is for this analysis to either clarify or alleviate the growing concern that tolls will not be imposed to pay for other major highway improvements elsewhere in the Portland region and in Oregon, leaving Clackamas County businesses and residents to shoulder a major share of the cost of this improvement to the state highway system.

“Third, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation, and urge that toll revenue generated in a project area should remain in that project area. Based on recent comments from ODOT tolling staff we understand that their intent at the August 13th OTC meeting is to seek policy direction to ensure that toll revenue collected in the corridor remains in the corridor. We strongly support ODOT staff’s intention and the concept that the toll revenue collected in a corridor should remain in that corridor.”

Bold in original text.

Additionally, the City provides the following specific comments and recommendations:

1. **Long-term impacts of tolling on the surrounding communities:** The 2027 travel-demand modeling used to select alternatives does not appear to adequately account for the long-term impacts of tolling on the surrounding communities. The City requests that ODOT use Metro’s 2040 travel-demand model to assess the long-term re-routing of traffic that will result from the implementation of tolling on this segment of I-205 and impact our communities.

Additionally, the current scope of alternatives analysis does not study the potential impacts of tolling on the economies of impacted jurisdictions, nor how community quality-of-life may be affected. Therefore, the City requests that ODOT study in the various alternatives both economic and quality-of-life impacts on communities directly impacted by proposed tolling, including the City of Wilsonville.

2. **Increases in diversion on local roads:** The City requests that ODOT study both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, ODOT could apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be

impacted by traffic re-routing from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213.

3. **I-205 tolling location potential impacts:** The City is concerned about proposals to toll I-205 from a location *west of the Stafford Road interchange*, which modeling demonstrates leads to a substantial increase in traffic at the I-5 Elligsen Road interchange in Wilsonville. The I-5 Elligsen Road interchange is the last exit on northbound I-5 prior to reaching I-205, and therefore the potential location of tolling on I-205 appears to have a substantial impact on the interchange prior to tolling location. The City requests that ODOT provide additional traffic-impact studies of a toll location west of the Stafford Road interchange and potential mitigation strategies.
4. **Analyzing traffic impacts beyond Clackamas County:** The City requests that ODOT quantify the impacts of traffic re-routing on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. As a city located in both Clackamas and Washington Counties, the City believes that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.
5. **Analyzing region-wide value-pricing:** The City requests that ODOT uses this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville or possibly south at the I-5 Boone Bridge. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of receiving additional freeway traffic congestion on local roads.

If value pricing is to have a true impact in our region, ODOT and the region at large benefits by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance. Therefore, tolling should be considered at a regional-wide scale to address the major chokepoints of the I-5 Boone Bridge and I-5 Interstate Bridge/Columbia River Crossing. The current situation of spot tolling has unequal impacts on the region, as only certain communities will bear the greatest burden.

6. **Alternative transportation and public-transit options should be studied:** The I-205 corridor has limited parallel transportation routes and many of those are severely lacking basic safety infrastructure for pedestrians and cyclists. The City expects the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus-on-shoulder access and connection routes around the project, improved bicycle-pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion.

Additionally, the current approach by ODOT to the NEPA analysis fails to assess how transit-dependent populations would be impacted by the proposed toll, which could further widen the equity gap. As noted in more detail in the following point, equity and environment justice considerations are to be addressed in NEPA.

- 7. Health and Equity analysis of the alternatives:** The City requests that ODOT access the health and equity impacts of each alternative in the Environmental Assessment. The City recognizes that the Equity and Mobility Advisory Committee (EMAC) is scheduled to provide a more robust analysis of this need; however, this is an opportunity for ODOT to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.

The chief concern is that those persons least financially able to bear additional costs for their transportation for school, work, childcare, medical and family matters are those most impacted by tolls. Lower-income populations will seek to find alternative routes, schedules and transportation modes to try and reduce the financial impact of the tolls. Thus, the alternatives should provide specific information on how the inequitable impact of tolls on lower-income communities is to be addressed.

Thank you for your efforts to create a more complete and resilient transportation system for the benefit of our region.

Sincerely,



Tim Knapp, Mayor
City of Wilsonville

cc: Oregon Transportation Commission (OTC): OTCAdmin@odot.state.or.us
ODOT Region 1 Area Commission on Transportation: Region1ACT@odot.state.or.us
Joint Policy Advisory Committee (JPACT), Metro: transportation@oregonmetro.gov
Clackamas County Coordinating Committee ("C4"): twilson2@clackamas.us
Washington County Coordinating Committee ("WCCC"): lutdir@co.washington.or.us



Happy Valley • Lake Oswego • Milwaukie • Oregon City • Tualatin • West Linn • Wilsonville

October 1, 2020

Robert Van Brocklin, Chair
Oregon Transportation Commission
Oregon Department of Transportation (ODOT)
Salem, Oregon 97301

*Submitted via email to
oregontolling@odot.state.or.us
OTCAAdmin@odot.state.or.us*

RE: I-205 Tolling Project Comments

Dear Chair Van Brocklin and members of the Oregon Transportation Commission:

The Oregon cities most directly impacted by the I-205 Toll Project—Gladstone, Happy Valley, Lake Oswego, Milwaukie, Oregon City, Tualatin, West Linn and Wilsonville—collaboratively offer joint comments from our eight jurisdictions. As local governments representing over 190,000 residents and hundreds of employers located in the I-205 project vicinity, we have collectively identified a key set of issues for ODOT to address during the I-205 Toll Project NEPA process.

Our communities have a significant, vital interest in this project that could carry major ramifications for both highway traffic and local-area streets congestion, as well as social equity issues of mobility and public access to non-highway transportation alternatives. Our comments are focused on four sets of interconnected issues that share similar concerns as those raised by Clackamas County, Clackamas County Coordinating Committee (C4), and Metro.

1. **Study the long-term impacts of tolling on the surrounding communities and increases in traffic diversion on local roads:** The accompanying copies of letters of comments from various jurisdictions provide technical recommendations on how ODOT can conduct this kind of study.

This issue arises in particular since the narrow “purpose of the I-205 Toll Project is to manage congestion on I-205 between Stafford Road and OR 213 and raise revenue.” Thus, the communities along that segment and the “bookends” of I-205 are particularly concerned about long-term impacts of highway traffic diversion onto local roads that should be carefully documented and considered.

2. **Analyze tolling impacts on congestion and revenue-generation for the regional highway system:** For any tolling consideration moving forward, we agree with Metro that the “I-205 Tolling Project and I-5 Tolling Project should be implemented simultaneously to maximize efficiency of the regional system... The traffic on the I-205 corridor and the I-5 corridor is interconnected, and traffic from one can easily be diverted to the other. In order to manage the system, these two major high-volume corridors need to operate in conjunction to make the entire Portland region system more efficient.”

Related to the prior issue, our concern here is that tolling one small segment of a regional highway system would appear to neither generate significant revenue nor provide region-wide congestion relief. Rather, such a limited segment of freeway tolling is shown to induce considerable traffic diversion onto local streets that increases transportation costs and decreases mobility options for those neighboring I-205 communities. Thus, ODOT should analyze a region-wide, coordinated approach to tolling on both major highways I-5 and I-205 from the Columbia River to the Willamette River Boone Bridge for effective congestion management and revenue generation.

3. **Study alternative transportation and public-transit options with an equity lens for mobility:** We support ODOT’s formation of an Equity and Mobility Advisory Committee (EMAC) to help deal with

concerns that those persons least financially able to bear additional costs and time for their transportation for school, work, childcare, medical and family matters are those most impacted by the implementation of tolls. Lower-income populations can be anticipated to seek alternative routes, schedules and transportation modes that reduce the financial impacts of tolls and lead to increased reliance on public transit and alternative transportation options.


We understand that ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus-on-shoulder access and connection routes around the project, improved bicycle-pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion. Thus, the alternatives should provide information on specific alternative transportation and public-transit improvements and how the inequitable impact of tolls on lower-income communities is to be addressed.

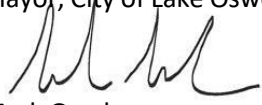
- 4. **Revenue generated by tolls on a highway segment should be invested in that corridor:** The I-205 corridor has limited parallel transportation routes and many of those are severely lacking basic safety infrastructure for pedestrians and cyclists. We strongly agree with Metro’s recommendation that the “term ‘corridor’ should be defined comprehensively when referring to both the I-205 Tolling Project and the I-5 Tolling Project to allow a range of solutions specific to each corridor... This broader definition can help focus improvements in the immediate areas most likely to be impacted by the projects... Metro Council recognizes that the I-205 corridor has specific needs when it comes to mobility and therefore revenue raised from any tolling on I-205 should be spent on improvements that benefit users impacted by the tolling on I-205, within the broader I-205 corridor.”


Thank you for your efforts to create a more complete and resilient transportation system for the benefit of our region and state.


Sincerely,

Tom Ellis
Mayor, City of Happy Valley



Kent Studebaker
Mayor, City of Lake Oswego


Mark Gamba
Mayor, City of Milwaukie


Dan Holladay
Mayor, City of Oregon City


Frank Bubenik
Mayor, City of Tualatin


Russ Axelrod
Mayor, City of West Linn


Tim Knapp, Mayor, City of Wilsonville
Clackamas County Other Cities Representative to
Metro’s Joint Policy Advisory Committee on
Transportation (JPACT)

cc: ODOT Region 1 Area Commission on Transportation: Region1ACT@odot.state.or.us
Joint Policy Advisory Committee (JPACT), Metro: transportation@oregonmetro.gov
Clackamas County Coordinating Committee (“C4”): twilson2@clackamas.us
Washington County Coordinating Committee (“WCCC”): lutdir@co.washington.or.us

Attachments: Letters of comment to OTC/ODOT from jurisdictions regarding I-205 Toll Project, including Metro, Clackamas County, Clackamas County Coordinating Committee, and Cities of Oregon City, Tualatin, West Linn and Wilsonville.



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

September 16, 2020

Robert Van Brocklin, Chair
Oregon Transportation Commission
355 Capitol St NE
Salem, Oregon 97301

RE: I-205 Tolling Project Comments

Dear Chair Van Brocklin and members of the Oregon Transportation Commission,

Metro Council is writing to express our support to the Oregon Transportation Commission (OTC) for the I-205 Tolling Project. We are submitting comments for the record as part of the formal comment period for the I-205 Tolling NEPA process. Metro is a Participating Agency in the NEPA process and we are committed to working with you and the Oregon Department of Transportation (ODOT) towards a successful outcome of the I-205 Tolling Project, which will reduce traffic congestion while creating revenue for transportation.

I-205 is a corridor of significant regional and state interest. It connects employers, the traveling public, and businesses to the Portland International Airport, the state of Washington, and numerous local jurisdictions. The corridor serves as vital infrastructure for the economic health of both the region and the entire state of Oregon. I-205 is often congested at the peak hour, by both daily commuters and freight. The I-205 Tolling Project, with congestion pricing, presents an opportunity to manage traffic while providing much-needed transportation revenue to the region.

Metro Council has a long history of adopting policies and plans that support congestion pricing. For example, reliability and efficiency are expressly noted in Goal 4 of the Regional Transportation Plan and objective 4.6 states: *Expand the use of pricing strategies to manage vehicle congestion and encourage shared trips and use of transit.* As we have learned from other regions, states and countries, congestion pricing can be a powerful tool to manage the transportation system and reduce impacts on climate change. Therefore Metro is pleased to be your partner in the first tolling project in the state of Oregon. Below are our comments for your consideration:

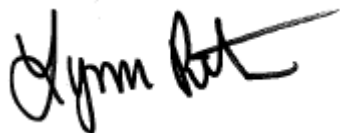
- 1. We respectfully request that the OTC include transportation demand management in the Purpose and Need Statement of the I-205 Tolling Project.** OTC and ODOT have expressed the desire for the I-205 Tolling Project to achieve the dual purpose of managing demand and raising revenue for transportation. This needs to be stated clearly in the Purpose and Need statement of the NEPA document as an essential component of any successful alternative, and not just the objectives.

2. **The I-205 Tolling Project and I-5 Tolling Project should be implemented simultaneously to maximize efficiency of the regional system and reduce greenhouse gases.** The traffic on the I-205 corridor and the I-5 corridor is interconnected, and traffic from one can easily be diverted to the other. In order to manage the system, these two major high-volume corridors need to operate in conjunction to make the entire Portland region system more efficient. Tolling is one of the best tools available for managing congestion.
3. **The I-205 Tolling Project should be implemented with an equity lens.** Specifically, ODOT should provide solutions for low-income persons and Black Indigenous and People of Color (BIPOC) who may be disproportionately impacted by the cost of the toll and/or diversion. Equity outcomes can be achieved in multiple ways, including offering discounts or exceptions from pricing, or using the revenue from the pricing in ways that provide options that benefit BIPOC communities, low income families, and other transportation disadvantaged groups. We applaud ODOT's work to form an Equity Mobility Advisory Committee (EMAC) as a voice for equity in this and future tolling projects in Oregon.
4. **The term "corridor" should be defined comprehensively when referring to both the I-205 Tolling Project and the I-5 Tolling Project to allow a range of solutions specific to each corridor.** Metro has a long-standing definition of a "mobility corridor" that includes nearby land uses, interchanges and multi-modal connections that are adjacent, near or parallel to the primary facility. We ask OTC to adopt a similar definition of a mobility corridor when making decisions about revenue and needed improvements, which will allow ODOT to provide multi-faceted and multi-modal solutions. This broader definition can help focus improvements in the immediate areas most likely to be impacted by the projects. While the term "mobility corridor" should be consistent for both tolling projects, Metro Council recognizes that the I-205 corridor has specific needs when it comes to mobility and therefore revenue raised from any tolling on I-205 should be spent on improvements that benefit users impacted by the tolling on I-205, within the broader I-205 corridor.
5. **For each alternative, ODOT should take into account diversion and multi-modal travel.** While conducting the alternatives analysis for NEPA, ODOT should take into account diversion on local streets and the transportation options that are available or could be available in the future.
6. **We recommend that the OTC continue to engage and consult Metro Council, the Joint Policy Advisory Committee (JPACT) and the public in the Portland region on all major decisions regarding the I-205 Tolling Project.** The tolling project will have localized and regional impacts, and the project needs to engage the leadership representing these geographies. As a Participating Agency in the NEPA process, Metro looks forward to working with ODOT to ensure the success of the I-205 Tolling Project. We appreciate the extensive outreach that ODOT has done to date on this project, and we recommend that ODOT continue to solicit input from the community as well as regional committees moving forward.

Thank you for your consideration of these concerns. Metro appreciates the engagement with OTC on this important project. There continues to be a need for a comprehensive congestion pricing strategy

for the Portland Metro region. As part of a Metro-led Regional Congestion Pricing Study, Metro will share information and lessons learned in partnership with ODOT and local agencies.

Thank you,



Lynn Peterson, Council President



Juan Carlos González, Deputy Council President
and District 4 Councilor



Sam Chase, Metro Councilor, District 5



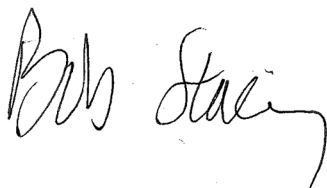
Shirley Craddick, Metro Councilor, District 1



Craig Dirksen, Metro Councilor, District 3



Christine Lewis, Metro Councilor, District 2



Bob Stacey, Metro Councilor, District 6



BOARD OF COUNTY COMMISSIONERS
 PUBLIC SERVICES BUILDING
 2051 KAEN ROAD | OREGON CITY, OR 97045

September 15, 2020

Lucinda Broussard, Toll Program Director

Oregon Department of Transportation
 355 Capitol Street NE, MS 11
 Salem, OR 97301-3871

RE: I-205 NEPA Alternatives Comment Period

Dear Director Broussard:

On behalf of the Clackamas County Board of Commissioners, we respectfully submit our comments on the identified Purpose and Need of ODOT's I-205 Toll Project and the alternatives that will be advanced through the project's National Environmental Policy Act (NEPA) analysis.

Before doing so, the Clackamas County Board of Commissioners would like to be clear that this letter is not an endorsement or acceptance of any proposal to implement tolling on I-205.

First, the desired outcome(s) of this study remains unclear. Is the goal to toll for the purpose of generating revenue to construct the I-205 Widening and Seismic Improvements Project, or is the intention to implement value pricing for the purpose of managing congestion? We respectfully request clarity on the desired outcome(s) of this study and the potential implementation of tolling.

Second, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated. After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Clackamas County question why it is necessary that this project be tolled. We request that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding.

Third, should tolling be implemented in the future, we reject the idea that tolling could be implemented on I-205 before system-wide tolling or congestion pricing is applied.

Clackamas County should not be forced to bear the burden of tolling or congestion pricing, with all of the potential associated impacts, before a system wide approach is applied. It is unfair and unacceptable. We request the OTC clarify its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to major highway

improvements in the region, including these I-205 improvements as well as other proposed improvements on I-5, I-84, I-405, and OR 217.

Fourth, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation. At the August 13th OTC meeting, ODOT Urban Mobility Office staff asked the OTC to consider a revenue policy. We support tolling staff's request that revenue generated in tolling project areas remain in those tolling project areas to help fund capital projects and diversion mitigations.

We also ask for clarification on the definition of project area vs. corridor. Should tolling be implemented, the Clackamas County Board supports the concept that revenue generated from tolling on I-205 be used to fund capital projects on I-205 and mitigations on the adjacent facilities to accommodate the diversion anticipated by the implementation of tolling. Please clarify the definition of corridor or project area relating to the revenue discussion – where, specifically, will the revenue generated be allowed to be spent?

Finally, we are concerned that this study assumes that the current level of diversion off I-205 onto the surrounding street network is the baseline that will be maintained. The current level of diversion is not acceptable, our local networks are over capacity, and we believe that much of the traffic is actually existing diversion from a heavily congested I-205. The proposed environmental analysis does not include an analysis of the current level of diversion. To better understand the current level of traffic diversion from I-205 we request that ODOT undertake two additional model runs. The first model run should be an untolled 2018 build scenario that includes the increased capacity proposed for the I-205 project (an additional lane in each direction on I-205 between OR99E and the Stafford Road interchange). The second model run should be an untolled 2018 base scenario model run that does not include the proposed capacity increases proposed for the I-205 project. A comparison of these two model runs will show the amount of diversion that occurred in 2018 and the locations that were impacted in the surrounding communities. Once the level of existing diversion has been analyzed, it will be possible to better analyze the traffic impacts of the future year alternatives, and better understand the additional diversion that will be experienced due to tolling.

The Board of Commissioners supports C4's comments and requests as listed below -

1. The 2027 travel demand modeling used to select alternatives fails to adequately account for the long-term impacts of tolling on the surrounding communities. We request that ODOT use Metro's 2040 travel demand model to assess the long-term re-routing of traffic that will result from the implementation of tolling on this segment of I-205 and impact our communities.
2. We request that ODOT seek to understand both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be impacted by traffic re-routing from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major

arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213.

3. We request that ODOT analyze the following alternatives in the Environmental Assessment:

- A. The No-Build alternative should be identified as the full 6-lane improvement to I-205 without tolling. This alternative provides the best baseline to determine the impacts of the tolling alternatives.
- B. The following alternatives from the "I-205 Toll Project Comparison of Screening Alternatives": Alternative #3, Alternative #4, and Alternative #5.
- C. An alternative in which the OR 43 Arch Bridge is restricted to bike/ped modes only.
- D. An alternative in which the existing OR 43 Arch Bridge is restricted to bike/ped modes only and a new vehicle bridge across the Willamette River between Oregon City and West Linn is added with sufficient capacity for forecasted 2050 traffic volumes.
- E. An alternative in which the tolled area of I-205 extends eastward from a location west of the Stafford Rd interchange to a location north of the OR 212 interchange.
- F. For each of the above, we request that a version of the alternative be modeled in which equivalent tolls are implemented on I-5 in Portland and I-205 in Clackamas County as was recommended in the 2018 Value Pricing Feasibility Study, and also a version in which only I-205 is modeled.

4. We request that ODOT quantify the impacts of traffic re-routing on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. We believe that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.

5. We request more detailed analysis of how each alternative will meet project objectives by adding a peak hour performance measure analysis on all major roads. While an initial evaluation has been provided, we believe each alternative should receive a full analysis to allow a comparison of all the alternatives.

6. We request that ODOT assess the health and equity impacts of each alternative in the Environmental Assessment. We recognize the Equity and Mobility Advisory Committee (EMAC) will provide a more robust analysis of this need, but we highlight this as an opportunity to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.

7. We request ODOT use this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of discovery. If value pricing is to have a true impact in our region, ODOT and the region at large will benefit by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion

relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance.

Finally, we feel obliged to reinforce our concerns for the impacts of diversion to communities immediately surrounding this project, as well as those peripheral to the project. Diversion already exists on local roads due to bottleneck congestion on I-205. Increased diversion to roads already accommodating diversion is likely to eliminate community support. Hence why Comment 3-A is so important. The I-205 Widening and Seismic Improvements Project must be considered completed for any of this to resonate with our local communities.

We also expect the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus on shoulder access and connection routes around the project, improved pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion.

Thank you for considering our comments, and we look forward to your response as part of the NEPA process.

Sincerely,

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

A handwritten signature in blue ink that reads "Jim Bernard". The signature is written in a cursive style with a large, looping initial "J".

Jim Bernard, Chair
On Behalf of the Clackamas County Board of Commissioners



Public Services Building
2051 Kaen Road
Oregon City, OR 97045
503-655-8581

September 15, 2020

Oregon Transportation Commission
Oregon Department of Transportation
355 Capitol Street NE, MS11
Salem, OR 97301-3871

RE: Comments on I-205 Tolling Study

Chair Van Brocklin and Commissioners,

The Clackamas County Coordinating Committee (C4) would like to take this opportunity to respond to comments on the current tolling study on I-205, based on the discussion from your August 13th OTC meeting. ***Before doing so, C4 would like to be clear that this letter is not an endorsement or acceptance of any proposal to implement tolling on I-205.***

If tolling is implemented in the future, C4 is supportive of the revenue concept presented by ODOT Urban Mobility Office staff at the August 13th OTC meeting. As stated in our NEPA Alternatives comment letter dated August 13, 2020, ***we support the policy request that revenue generated in tolling project areas remain in those tolling project areas to help fund capital projects and diversion mitigations.***

An important consideration within this policy decision will be the definition of project area vs. corridor. Should tolling be implemented, C4 supports the concept that revenue generated from tolling on I-205 be used to fund capital projects on I-205 and mitigations on the adjacent facilities to accommodate the diversion anticipated by the implementation of tolling. Please clarify the definition of corridor or project area relating to the revenue discussion – where, specifically, will the revenue generated be allowed to be spent?

Should tolling be implemented in the future, we reject the idea that tolling could be implemented on I-205 before system wide tolling or congestion pricing is applied. Clackamas County should not be forced to bear the burden of tolling or congestion pricing, with all of the potential associated impacts, before a system wide approach is applied. It is unfair and unacceptable.

C4 also seeks clarity from the OTC on the desired outcome(s) of this study and the potential implementation of tolling. Is the goal to toll for the purpose of generating revenue to construct the I-205 Widening and Seismic Improvements Project, or is the intention to implement value pricing for the purpose of managing congestion? The desired outcome(s) of this study remains unclear, and C4 respectfully requests clarification of the OTC's intent.

We appreciate your request for public comment on this matter.

Thank you for your consideration.

Sincerely,



Jim Bernard, Co-Chair
Clackamas County Chair



Brian Hodson, Co-Chair
City of Canby Mayor

C4 Membership: Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen Port of Portland, Urban and Rural Transit



City of Tualatin

www.tualatinoregon.gov

August 25, 2020

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS11
Salem, Oregon 97301

RE: I-205 NEPA Alternatives Comment Period – City of Tualatin comments

Dear Director Broussard:

On behalf of the Tualatin City Council, I respectfully submit the following comments into the public record as a part of the National Environmental Protection Act (NEPA) comment period on the I-205 tolling alternatives:

1. Please clarify that revenues gained from I-205 tolling will be for investment in the I-205 corridor.
2. The NEPA analysis should fully account for the quality of life impacts from tolling and diversion, especially on businesses, neighborhoods, and schools that serve our equity populations. We are very concerned about the impacts to transportation reliability and access, public health, the environment, and economic impact to family and business budgets. With increased automobile traffic due to diversion on local roads, we are concerns about safety conflicts and air quality, as vehicles will spend more time in congestion emitting carbon.
3. The analysis should go beyond simple mitigation to propose and identify a funding plan for equity-informed improvements for increased transportation options and programs to serve lower income and historically marginalized communities, as is identified as a best practice in TransForm's "*Pricing Roads, Advancing Equity*" report and toolkit. The I-205 corridor has limited parallel transportation routes and many of those are severely lacking of basic safety infrastructure for pedestrians and cyclists.

Of specific importance is Borland Road, which has no transit service and is lacking safety infrastructure for pedestrians and cyclists, yet is home to a free clinic, food bank, day home serving people experiencing homelessness, and a warming/cooling center.

4. Before removing any I-205 alternatives for consideration, we would like to see the following actions, as they will better examine the reality of when I-205 tolling would be in place:
 - a. Run the model with I-5 tolling assumed

- b. Run the model with a 2040 horizon, which would be similar to other major projects in the area, such as the Southwest Corridor
 - c. Greater analysis needs to be completed on the impact to equity and health, specifically with emissions and worker commuting data
5. Clarify how the list of goals and objectives will be addressed and incorporated into the project. Traditionally, NEPA documents are guided by the purpose and need statement and federally required areas of analysis and disclosure. The proposed list of goals and objectives represents categories which are traditionally not studied through a NEPA process. Since these items address many of the equity-based concerns, they should be more than data point considerations in the process to get to a locally preferred alternative. How will solutions, such as new programs or transportation improvements, that derive from equity-based discussions be planned and funded?
6. In addition to alternatives 3 and 4, we recommend furthering analysis of alternative 5 into NEPA.
7. We recommend adding an alternative into the NEPA process where the tolled area extends from a location west of Stafford Road to a location north of the OR 212 interchange. We understand that this would include area located outside of the construction footprint of I-205, but we do not see this as a limiting factor. When I-5 tolling alternatives are selected, there will be no connection to a specific project's construction footprint.
8. With our understanding of the purpose and need statement's importance in NEPA decision-making, and dedication to equity on this project, we believe that it is imperative that equity be referenced in the project's purpose and needs statement.
9. We understand that this section of I-205 was selected from the 2018 Value Pricing Feasibility Study, but we would recommend that tolling be considered at a regional-scale to address the major chokepoints of the Boones Bridge and Columbia River Crossing. The current situation of spot tolling has unequal impacts on the region, as only certain communities will bear the greatest burden.
10. What is the cost of the multiple-year study of tolling I-205? What are the sources and who authorized the funding? In this time of economic uncertainty, why is delaying this project not being considered?
11. How will the project incorporate post-COVID-19 driving conditions and transportation patterns into the tolling study? For example, with the major economic and lifestyle shifts underway – such as a greater proportion of people working from home or needing access to a social safety net – this could have a major impact on future transportation patterns and needs.

We look forward to discussing your consideration and incorporation of our comments, questions, and requests into this project. We look forward to your response as a part of the NEPA process.

Sincerely,



Frank Bubenik, Mayor



Office of the City Manager

625 Center Street | PO Box 3040 | Oregon City OR 97045
Ph (503) 657-0891 | Fax (503) 657-7026

September 11, 2020

Lucinda Broussard
Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: I-205 Tolling NEPA and Alternatives Analysis Comment Letter

Dear Ms. Broussard:

On behalf of the City of Oregon City and with the full support of the Oregon City City Commission, I respectfully submit our comments on the Draft Purpose and Need Statement of the Oregon Department of Transportation (ODOT) I-205 Toll Project and the alternatives that will be advanced through the project's National Environmental Policy Act (NEPA) analysis into public record.

To begin, thank you for your inclusive involvement with local stakeholders since the inception of the newly formed ODOT Toll Program office. As you have likely discerned from your numerous meetings with a variety of cities and stakeholders, our communities recognize the importance of I-205 for Clackamas County and all of northern Oregon and are passionately concerned about the impacts anticipated from the proposed tolling of I-205 through not just Oregon City, but Clackamas County as a whole.

As ODOT begins the process of developing tolling on I-205 Oregon City has three principal concerns regarding the I-205 Tolling Project.

First, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated. After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Oregon City and Clackamas County question why it is necessary that *this* project be tolled. Oregon City requests that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding. As part of that review, we also request the Oregon Transportation Commission (OTC) substantiate its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to all major highway improvements in the region and the state. Oregon City and Clackamas County businesses and residents should not be required to shoulder

the cost of a major improvement to the state highway system, if others in the future will not be required to do the same.

Second, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation and urge that toll revenue generated in a project area remain in that project area. Based on recent comments from ODOT tolling staff we understand that their intent is to seek policy direction to ensure that toll revenue collected in the corridor remains in the corridor. We strongly support ODOT staff's intention and this concept. We urge OTC to affirm that I-205 toll revenues will only be used along the I-205 corridor and other regional and local roadways and alternative mode facilities impacted or missing in the affected corridor.

Third, and the most significant Oregon City concern is with the negative and disproportionate impacts and burdens to Oregon City. Although the Toll Program identifies benefits and burdens of the program regionally, when you take a deeper dive into those impacts at a local level, Oregon City bears many of the burdens and very few benefits. Additionally, the Tolling Program and the impacts to Oregon City are contrary to City Commission Goal 3: Enhance Livability of the Community.

- Diversion: Preliminary modeling results show substantial diversion and increases to traffic volumes on local roadways in Oregon City in all alternatives. We are concerned with the congestion that diversion will create on local roadways already nearing capacity, as well as the impacts to the locally owned roadway infrastructure deteriorating faster than we can maintain it. Additional congestion will decrease local reliability and efficient movement of goods and people through Oregon City. Diversion impacts can be seen and felt noticeably in downtown Oregon City today and will only increase with the implementation of tolling. Diversion onto local streets comes at the expense of Oregon City and our community.
- Safety: Crash trends are usually directly related to congestion and the reliability of the corridor. With more vehicle trips diverting to alternate routes, the crash trend in Downtown Oregon City, as well as the diversion routes, would be expected to increase.
- Multi-Modal Options: With a lack of adequate transit, bicycle, and pedestrian options available for mode shift, those vehicles not able or willing to pay the toll will be diverted to local streets. This will in turn decrease vehicle, bicycle, and pedestrian safety as the traffic volumes on local streets increase. The I-205 Improvements: Stafford Road to OR 213 do not currently include bicycle and pedestrian components, which leaves limited options for commuting along the I-205 corridor as a bicyclist or pedestrian. The OR 43 Arch Bridge is not a low stress or user-friendly option for walking and biking and all other routes are too far out of the travel path for most pedestrians and bicyclists. In order to provide adequate bicycle and pedestrian mode shift options along the corridor, it is imperative that ODOT continue to work with agencies to identify both a bicycle and pedestrian option across the Willamette River and a funding strategy to pay for the infrastructure. A key to a successful decrease in congestion is mode shift to transit. The current

transit options along I-205 are already insufficient and do not lend themselves to many opportunities for mode shift. In order to provide adequate transit mode shift options along the corridor, it is imperative that ODOT allow transit providers to run bus/shuttle on shoulder along the I-205 corridor. Transit Centers, park and rides and bus lanes in the Oregon City area are nonexistent or woefully ill-equipped, inefficient, and currently over capacity. The level of diversion projected on local roadways will impact the ability for existing and future transit service, centralized around the Oregon City Transit Center, to provide reliable and efficient transit service to the project corridor as well as the Oregon City community.

- Economic Growth: The COVID-19 pandemic has put unimaginable stress on our small business community and regrowth with fewer customers could disproportionately disadvantage those in Oregon City. Additional traffic on our roadways and gridlock in downtown Oregon City will make it difficult at best for businesses to survive, let alone thrive. We have made great strides in promoting tourism and continue to move forward with these efforts. We currently see 65% of employees in Oregon City commuting into Oregon City. Many of these jobs are service sector and retail jobs which pay lower wages. With tolling of I-205, we will likely see regional and state economic growth, but again it comes at the expense of Oregon City's economic growth.
- Equity: Oregon City has one of the only census tracts in the project area that qualifies for an Opportunity Zone, which identifies the area as economically distressed. Oregon City also has several neighborhoods that are Community Development Block Grant (CDBG) eligible. The CDBG program is set up to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. Oregon City has a high population of people who identify as having a disability. Additionally, many areas in Oregon City are included in the Transportation Equity Index as 'Above County Average' or are identified as persons experiencing disability.
- Health & Social Services: Oregon City is home to numerous health & social services. Many of the services are not available in other locations and people requiring these services will be burdened with paying a toll or diverting around the tolling.
 - Clackamas County Courthouse located in downtown Oregon City.
 - Providence Willamette Falls Medical Center is a full-service hospital serving the south metropolitan area
 - Clackamas County Health, Housing & Human Services, which provides free health clinics and services. These services are available to many of Clackamas County's historically underserved, and underrepresented communities.
 - Clackamas County Beavercreek Health Center, a free medical clinic.
- Air Quality & Climate Change: We agree that reducing congestion on I-205 will reduce vehicle air pollutants and greenhouse gas emissions through enhanced travel efficiency along I-205, but again that comes at an expense to Oregon City. With a lack of adequate transit, bicycle, and pedestrian options available for mode shift, those vehicles not able or willing to pay the toll will be diverted to local streets. This will

in turn increase the air pollutants and greenhouse gas emissions in Oregon City and surrounding cities. These impacts will be seen and felt considerably in downtown Oregon City.

- Land Use Impacts: Oregon City is identified as one of eight Regional Centers in the metro area, tasked with being the focus of redevelopment, multi-modal transit connections and concentrated growth. Metro's 2011 State of the Centers report notes that all regional centers, with the exception of Oregon City and Tanasbourne, are well connected to the rest of the region through Max Lines, the Westside Express Service (WES) commuter rail line and frequent bus service. Oregon City has worked hard over the years to support development of our downtown area. This has included approval and adoption of a variety of plans and strategies to support a mixed-use dense downtown area that also supports our place as a Regional Center. Work to date has included:
 - Updates to our Comprehensive Plan.
 - In 2004 the Oregon Transportation Commission designated OR 99E in downtown Oregon City a Special Transportation Area (STA). This designation recognizes the local mobility and access needs in Oregon City's downtown are a priority and are as important as the highways' role to move through-traffic. ODOT describes an STA as a corridor where the convenience of movement is focused upon pedestrians, bicycle and transit modes. The primary objective of an STA is to provide access to and circulation amongst community activities, businesses and residences and to accommodate pedestrian, bicycle and transit movement along and across the highway
 - The City has adopted the McLoughlin Boulevard Enhancement Plan (2005) which identified that OR 99E was to be converted to a more pedestrian friendly roadway with narrower travel lanes, reduced vehicle speeds, a raised landscape median, wider sidewalks, pockets of on-street parking, and pedestrian refuges. The City continues to work on implementing this plan and continues to create a more business friendly environment in our downtown.
 - Adoption of a Multimodal Mixed-Use Area (MMA) in our downtown area in 2014 strengthened our desire to create a downtown that provides a high-quality area focused on alternative modes of transportation, and supports compact, mixed use development. This designation acknowledges our commitment to a different set of values that places importance on multimodal travel and a compact, mixed-use pattern of development.
 - The City has adopted a Transportation Demand Management Plan (2017) to examine opportunities and challenges in parking, access and transportation related to the redevelopment of the Willamette Falls Legacy Project, which is directly adjacent to existing downtown Oregon City. The plan provides the foundation for a new multimodal vision for the greater Oregon City downtown.

Oregon City is split from the rest of the Metro area by I-205, the Willamette River and the Clackamas River and yet continues to develop and grow. Additional housing options are planned both in downtown and throughout the city . . . would you choose to live in a location where every time you enter or leave your city you are charged a toll?

Despite concerns with tolling as a policy for funding major transportation improvements, we recognize that ODOT is mandated to advance this project. Therefore, it is our intention to provide comments that will reduce the impacts and result in maximum benefit for not only Oregon City, but Clackamas County and its cities, the Portland region, and the State of Oregon. What follows is a list of comments that we believe will improve the alternatives ODOT advances for consideration under a NEPA analysis.

ODOT has provided Draft Goals & Objectives of the I-205 Toll Project. You state the goals describe desirable outcomes the Tolling Program. Following is a review and feedback on your draft goals:

- **Provide equitable benefits for all users**
 - It is imperative that the goals and objectives not only look at the Toll Program as a whole, but that it also looks at the micro level burdens and benefits for areas immediately adjacent to the project area, especially Oregon City.
 - The Oregon Transportation Commission concluded during the Value Pricing Feasibility Analysis and Proposed Implementation that “We must adopt strategies in combination with tolling to avoid negative impacts”. Currently, we do not believe the objectives adequately address local impacts of tolling. The current alternatives analysis does not fully account for quality of life impacts in Oregon City - citizens, business owners, employees, and visitors of Oregon City will not see equitable benefits, they will be charged a toll to enter or leave Oregon City, or will be required to create diversion on other local streets just to go about their daily needs.
- **Limit additional traffic diversion from I-205 to adjacent roads and neighborhoods**
 - The Performance Comparison Summary in the Open House states that all alternatives have Average Diversion compared to other alternatives, the impacts to Oregon City should not be considered average. The two alternatives proposed for moving forward (Alternative 3 & Alternative 4) show +30 to +40% change in volumes on both the Arch Bridge and along the downtown Oregon City screen line. An increase of this magnitude does not meet this goal as it pertains to adjacent roads and neighborhoods it is essential that the Tolling Program mitigate these impacts and burdens to adjacent neighborhoods.
 - To address the local tolling impacts, we ask that the limits of tolling be revisited and that an alternative in which the tolled area of I-205 extends from a location west of the Stafford Rd interchange to a location north of the OR 212 interchange.

- **Support safe travel regardless of mode of transportation**
 - We request this include enhanced vehicle safety on I-205, and local streets impacted by diversion, by reducing congested conditions.
 - As proposed, this does not address vehicle safety outside I-205. Just as you recommend multi-modal travel does not become less safe on local roadways affected by tolling, we request you also include vehicle travel does not become less safe on local roadways affected by tolling on I-205.
- **Improve air quality and reduce contributions to climate change effects**
 - We request this also look at the impacts of vehicle air pollutants and greenhouse gas emissions resulting from traffic congested on those local roadways which will receive the diversion vehicle trips.
 - Update to address how the local traffic increase from diversion and increased congestion will improve travel efficiency. Additionally, this increased local congestion is expected to impact transit reliability.
- **Support multi-modal transportation choices**
 - The I-205 Improvements: Stafford Road to OR 213 do not currently include bicycle and pedestrian components, which leaves limited options for commuting along the I-205 corridor as a bicyclist or pedestrian. We think that was short sided and a mistake. The OR 43 Arch Bridge is not a low stress or user-friendly option for walking and biking and all other routes are too far out of the travel path for most bicyclists. Through access to and from the Arch Bridge is imperfect. In order to provide adequate bicycle and pedestrian mode shift options along the corridor, it is imperative that ODOT continue to work with local agencies to identify not only a bicycle and pedestrian option across the Willamette River, but funding for the project as well.
- **Support regional economic growth**
 - We agree that alternatives recommended for advancement should provide for reliable and efficient movement of goods and people through the I-205 corridor. We request that the objective of this goal include reliable and efficient movement of goods and people through the I-205 corridor, and local streets impacted by diversion.
- **Support travel demand management**
 - We request this includes ways to improve efficient use of roadway infrastructure and travel time reliability on I-205, and local streets impacted by diversion.
- **Maximize integration with future toll systems**
 - We agree that alternatives recommended for advancement should provide a toll system that shall be expanded in scale, integrated with tolling on other regional roadways, and adapted to future toll system applications. This goal is imperative and we want to request that Oregon Transportation Commission clarify its policy for funding of all major highway improvements and assure stakeholders that tolling will be applied equitably to major highway improvements in the region and the state.

Following are our comments related to Regional Modeling:

1. The 2027 travel demand modeling used to select alternatives fails to adequately account for the long-term impacts of tolling on the surrounding communities. We request that ODOT use Metro's 2040 travel demand model to assess the long-term diversion of traffic that will result from the implementation of tolling on this segment of I-205 and impact Oregon City.
2. We request that ODOT seek to understand both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be impacted by traffic diversion from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213. The City's current Transportation System Plan (TSP) did not include the impacts of tolling in the traffic forecasts and modeling. As such, the projects identified to mitigate forecasted growth in our TSP are only the very start of the necessary mitigation for the diversion from tolling. Beginning with our list of adopted transportation projects is only the start. This analysis should also address how the tolling program will mitigate those impacts of the tolling program. If diversion creates the volume increases as projected in preliminary modeling, how will downtown Oregon City be able to develop into the south metro area Regional Center that it is expected to become.
3. We request that ODOT analyze the following alternatives in the Environmental Assessment. For each of the alternatives listed below, we request that a version of the alternative be modeled in which equivalent tolls are implemented on I-5 in Portland and I-205 in Clackamas County as was recommended in the 2018 Value Pricing Feasibility Study, and also a version in which only I-205 is modeled.
 - a. The No-Build alternative should be identified as the full 6-lane improvement to I-205 without tolling. This alternative provides the best baseline to determine the impacts of the tolling alternatives. ODOT has stated: "ODOT plans to add a third lane in each direction and make the Abernethy Bridge seismically resilient, but construction funding is not available. Toll revenue could help pay for these improvements." Oregon City is concerned that tolling would be implemented on the existing two-lane segments on I-205, creating even more diversion from the current configuration and traffic volumes that we see today.

- b. The following alternatives from the "I-205 Toll Project Comparison of Screening Alternatives": Alternative #3, Alternative #4, and Alternative #5.
 - c. An alternative in which the OR 43 Arch Bridge is restricted to bicycle/pedestrian modes only. ODOT, along with partner agencies that includes Oregon City, is currently beginning planning work on a "Pedestrian and Bicycle Crossing: Oregon City to West Linn" project. This project is intended to conduct a planning study and complete a comprehensive public outreach effort to identify a preferred location for a low stress bicycle/pedestrian bridge over the Willamette River in the vicinity of Oregon City and West Linn.
 - d. An alternative in which the existing OR 43 Arch Bridge is restricted to bicycle/pedestrian modes only and a new vehicle bridge across the Willamette River between Oregon City and West Linn is added with sufficient capacity for forecasted 2050 traffic volumes.
 - e. An alternative in which the tolled area of I-205 extends from a location west of the Stafford Rd interchange to a location north of the OR 212 interchange.
4. We also request that ODOT quantify the impacts of traffic diversion on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. We believe that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.
 5. We request more detailed analysis of how each alternative will meet project objectives by adding a peak hour performance measure analysis on all major roads. While an initial evaluation has been provided, we believe each alternative should receive a full analysis to allow a comparison of all the alternatives.
 6. We request that ODOT assess the health and equity impacts of each alternative in the Environmental Assessment. We recognize the Equity and Mobility Advisory Committee (EMAC) will provide a more robust analysis of this need, but we highlight this as an opportunity to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.

We request ODOT use this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of discovery. If value pricing is to have a true impact in our region, ODOT and the region at large will benefit by studying those impacts now, and potentially pursuing those methods of value pricing if they truly

model congestion relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance.

Finally, we feel obliged to reinforce our concerns for the impacts of diversion to Oregon City. Diversion already exists on local roads due to bottleneck congestion on I-205, and is experienced on the OR 43 Arch Bridge, OR 99E and downtown Oregon City regularly. Increased diversion to roads already accommodating diversion is expected to eliminate community support. The I-205 Widening and Seismic Improvements Project must be considered completed for any of this to resonate with Oregon City.

We also expect the NEPA analysis to inform how ODOT plans to address and mitigate the impacts and burdens of tolling. In order to see the expected mode shift from single occupancy vehicles, adequate opportunities need to be available. This will require improved transit alternatives (bus/shuttle on shoulder and connection routes around the project), improved bicycle and pedestrian accommodations on roadways where diversion will increase as well as adequate bicycle and pedestrian options across the Willamette River.

Thank you for considering our comments, and we look forward to your response as part of the NEPA process.

Sincerely,



Anthony J. Konkol, III
City Manager

cc: City Commission

P:\PublicWorks\Transportation\ODOT Value Pricing & Tolling\NEPA\I-205 Tolling NEPA Comment Letter Oregon City - Final Draft for Signing.docx



CITY HALL 22500 Salamo Rd, West Linn, OR 97068

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CITY OF West Linn

September 15, 2020

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: I-205 NEPA Alternatives Comment Period

Dear Ms. Broussard,

On behalf of the City of West Linn, this letter outlines principal concerns with the Oregon Department of Transportation's (ODOT) NEPA review process and proposed plan to toll a limited stretch of Interstate 205 in our region. While we appreciate ODOT's outreach efforts on this matter, ODOT's proposed plan effectively continues to place the burden of essential and critical proposed upgrades to the Abernethy Bridge and Interstate squarely on the shoulders of local residents.

The ODOT tolling plan is deficient in at least four major ways:

- 1) It unfairly places a disproportionate burden for funding these needed upgrades on the local residents who, because of otherwise insufficient transportation and transit infrastructure, must utilize the facilities on a daily basis; and
- 2) It upends decades of precedent which has allocated the cost of major transportation projects to all interstate users; and
- 3) It has failed to consider the input of West Linn and other local city and county residents, who have made it clear that they do not want to be unfairly targeted for 100% of the burden of paying for this project; and
- 4) It has ignored the opportunity to ask that the state legislature and the federal government allocate funding for these two projects as they have done for highway projects along the I-5 corridor in Eugene/Springfield, Highway 97 in Central Oregon, Interstate 84, or along coastal Highway 101. This point was also made by other cities in the region, as well as the C4 Regional Transportation Coordinating Committee, made up of dozens of regional transportation leaders.

The C4 letter also made a number of key points which we support and wish to re-emphasize two key aspects at this time - these include:

A Regionwide Approach to Tolling (as suggested in the legislative intent in HB2017): *"We request ODOT use this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of discovery. If value pricing is to have a true impact in our region, ODOT and the region at large will benefit by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance."*

Diversion: *"Diversion already exists on local roads due to bottleneck congestion on I-205. Increased diversion to roads already accommodating diversion is likely to eliminate community support. Hence why Comment 3-A is so important. The I-205 Widening and Seismic Improvements Project must be considered completed for any of this*



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CITY OF West Linn

to resonate with our local communities. We also expect the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus on shoulder access and connection routes around the project, improved pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion."

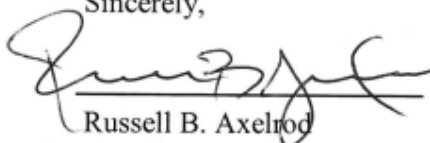
We know that ODOT understands the dire situation facing the Abernethy Bridge, and the serious safety incidents which occur almost daily along I-205. This stretch of federal highway cries out for an immediate fix. The design work is practically completed, and construction needs to begin. Yet, a "tolling-only" plan, as proposed, will very likely lead to further delays in the project.

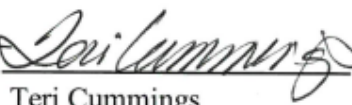
Instead, we urge the Department and the Oregon Transportation Commission to consider a plan which:

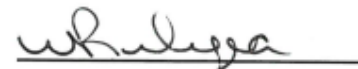
- A) Prioritizes securing immediate funding from the state legislature and any potential federal infrastructure package (the tried and proven approach that has worked for every single state highway project in the state since the 1970s);
- B) Suggests tolling only once a comprehensive, **regionwide** dialogue -- complete with public buy-in -- has been secured, and any tolling is not focused squarely and solely on the residents of West Linn, Oregon City, Milwaukie, Wilsonville, Gladstone, Tualatin, etc. At the very least, the plan needs to recommend a simultaneous and regionwide tolling approach on all major transportation highways (e.g., I-5, I-205, I-84, 217, 26), or at minimum the entirety of I-205 and I-5 through the Metro region. Further, if ODOT is unwilling to consider this alternative, and is to move forward with tolling on a limited confined reach (i.e., Stafford Rd to Abernethy Bridge or Hwy 213), then all funds generated by that tolling **must** be spent within this area **and** ODOT should extend/expand the length of any tolling for a proposed limited segment (such as the proposed Stafford Rd to Abernethy Bridge) to different endpoints to minimize problems with diversion etc. locally - for example extend the tolling reach on I-205 to between I-5 on the south and Hwy 224 on the north;
- C) Prioritizes getting construction underway as soon as possible in order to avoid severe inflationary cost drivers.

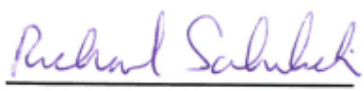
We stand ready to join arms in support of a revised ODOT plan, and ready to get to the business of upgrading this important stretch of highway which runs through the middle of West Linn and our neighboring communities.


Sincerely,


Russell B. Axelrod
Mayor


Teri Cummings
Council President


William Relyea
Councilor


Richard Sakelik
Councilor


Jules Walters
Councilor



September 30, 2020

*Submitted via email to
oregontolling@odot.state.or.us*

Lucinda Broussard, Toll Program Director
Oregon Department of Transportation
355 Capitol Street NE, MS 11
Salem, OR 97301-3871

RE: I-205 NEPA Alternatives Comment Period

Dear Ms. Broussard:

The City of Wilsonville appreciates the opportunity to provide comment on the identified Purpose and Need of various alternatives being considered by ODOT during the I-205 NEPA Alternatives comment period. We also appreciate the time that you took to visit with the Wilsonville City Council on August 17 to more fully explain this important project.

As a participating agency in the I-205 Toll Project Draft Agency Coordination Plan, the City of Wilsonville has significant interest in this project that could carry major ramifications for both highway traffic and local-area streets congestion. The City's South Metro Area Regional Transit (SMART) Director also participates on the Equity and Mobility Advisory Committee and the Tolling – Transit Work Group.

As a city with a residential population of 25,000 that hosts over 20,000 jobs, thousands of workers commute daily from as well as to Wilsonville from every corner of the Portland metro region and North Willamette Valley. Approximately half of these jobs (10,000) are in manufacturing and wholesale distribution where both commuting workforce mobility and the timely movement of freight are crucial for Oregon's continued economic development.

The "proposed project purpose" is stated as:

The purpose of the I-205 Toll Project is to manage congestion on I-205 between Stafford Road and OR 213 and raise revenue to fund congestion relief projects through the application of variable-rate tolls.

The project purpose, while led by legislative direction, appears too limiting to either raise sufficient revenue or provide congestion relief. That is, tolling one small segment of highway would appear to neither generate significant revenue to be meaningful nor provide region-wide congestion relief. Therefore, the NEPA analysis should be expanded in scope to look more holistically at the region-wide traffic-congestion impacts and revenue generation of tolling the interconnected Interstate freeway system of the Portland metro region with at least I-5 and I-205 being analyzed.

We agree with the key lead points of the comment letter submitted by the Clackamas County Coordinating Committee dated August 13:

“First, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated. After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Clackamas County question why it is necessary that this project be tolled. The communities of Clackamas County request that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding.

“Second, we request the OTC clarify its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to major highway improvements in the region, including this I-205 improvement as well as other proposed improvements on I-5, I-84, I-405, and OR 217. Our hope is for this analysis to either clarify or alleviate the growing concern that tolls will not be imposed to pay for other major highway improvements elsewhere in the Portland region and in Oregon, leaving Clackamas County businesses and residents to shoulder a major share of the cost of this improvement to the state highway system.

“Third, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation, and urge that toll revenue generated in a project area should remain in that project area. Based on recent comments from ODOT tolling staff we understand that their intent at the August 13th OTC meeting is to seek policy direction to ensure that toll revenue collected in the corridor remains in the corridor. We strongly support ODOT staff’s intention and the concept that the toll revenue collected in a corridor should remain in that corridor.”

Bold in original text.

Additionally, the City provides the following specific comments and recommendations:

1. **Long-term impacts of tolling on the surrounding communities:** The 2027 travel-demand modeling used to select alternatives does not appear to adequately account for the long-term impacts of tolling on the surrounding communities. The City requests that ODOT use Metro’s 2040 travel-demand model to assess the long-term re-routing of traffic that will result from the implementation of tolling on this segment of I-205 and impact our communities.

Additionally, the current scope of alternatives analysis does not study the potential impacts of tolling on the economies of impacted jurisdictions, nor how community quality-of-life may be affected. Therefore, the City requests that ODOT study in the various alternatives both economic and quality-of-life impacts on communities directly impacted by proposed tolling, including the City of Wilsonville.

2. **Increases in diversion on local roads:** The City requests that ODOT study both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, ODOT could apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be

impacted by traffic re-routing from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213.

3. **I-205 tolling location potential impacts:** The City is concerned about proposals to toll I-205 from a location *west of the Stafford Road interchange*, which modeling demonstrates leads to a substantial increase in traffic at the I-5 Elligsen Road interchange in Wilsonville. The I-5 Elligsen Road interchange is the last exit on northbound I-5 prior to reaching I-205, and therefore the potential location of tolling on I-205 appears to have a substantial impact on the interchange prior to tolling location. The City requests that ODOT provide additional traffic-impact studies of a toll location west of the Stafford Road interchange and potential mitigation strategies.
4. **Analyzing traffic impacts beyond Clackamas County:** The City requests that ODOT quantify the impacts of traffic re-routing on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. As a city located in both Clackamas and Washington Counties, the City believes that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.
5. **Analyzing region-wide value-pricing:** The City requests that ODOT uses this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville or possibly south at the I-5 Boone Bridge. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of receiving additional freeway traffic congestion on local roads.

If value pricing is to have a true impact in our region, ODOT and the region at large benefits by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance. Therefore, tolling should be considered at a regional-wide scale to address the major chokepoints of the I-5 Boone Bridge and I-5 Interstate Bridge/Columbia River Crossing. The current situation of spot tolling has unequal impacts on the region, as only certain communities will bear the greatest burden.

6. **Alternative transportation and public-transit options should be studied:** The I-205 corridor has limited parallel transportation routes and many of those are severely lacking basic safety infrastructure for pedestrians and cyclists. The City expects the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus-on-shoulder access and connection routes around the project, improved bicycle-pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion.

Additionally, the current approach by ODOT to the NEPA analysis fails to assess how transit-dependent populations would be impacted by the proposed toll, which could further widen the equity gap. As noted in more detail in the following point, equity and environment justice considerations are to be addressed in NEPA.

- 7. Health and Equity analysis of the alternatives:** The City requests that ODOT access the health and equity impacts of each alternative in the Environmental Assessment. The City recognizes that the Equity and Mobility Advisory Committee (EMAC) is scheduled to provide a more robust analysis of this need; however, this is an opportunity for ODOT to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.

The chief concern is that those persons least financially able to bear additional costs for their transportation for school, work, childcare, medical and family matters are those most impacted by tolls. Lower-income populations will seek to find alternative routes, schedules and transportation modes to try and reduce the financial impact of the tolls. Thus, the alternatives should provide specific information on how the inequitable impact of tolls on lower-income communities is to be addressed.

Thank you for your efforts to create a more complete and resilient transportation system for the benefit of our region.

Sincerely,



Tim Knapp, Mayor
City of Wilsonville

cc: Oregon Transportation Commission (OTC): OTCAdmin@odot.state.or.us
ODOT Region 1 Area Commission on Transportation: Region1ACT@odot.state.or.us
Joint Policy Advisory Committee (JPACT), Metro: transportation@oregonmetro.gov
Clackamas County Coordinating Committee ("C4"): twilson2@clackamas.us
Washington County Coordinating Committee ("WCCC"): lutdir@co.washington.or.us



Testimony by City of Wilsonville Mayor Julie Fitzgerald on HB 3065-8:

If Metro-Area Highway Tolling Is Implemented, then Legislation Should Establish Key Principles for Use of Revenues and Increase Public Transit

Scheduled for public hearing on May 11, 2021, before the Joint Committee On Transportation

Co-Chairs Beyer and McLain, Vice-Chairs Boquist and Noble, and Members of the Committee:

On behalf of the City of Wilsonville, I am testifying regarding HB 3065-8.

The City agrees with legislative leadership that Oregon's transportation system is woefully underfunded. The revenue increases provided by the legislature's bold 2017 transportation package (HB 2017) have proven to be insufficient at funding key projects on highway corridors of regional, state and national significance such as the I-205/Abernathy Bridge improvement project.

The City appreciates that HB 3065-8 explicitly names the Interstate 5 Boone Bridge and Seismic Improvement Project as a priority facility for the Oregon Department of Transportation to advance.

While the City applauds the legislature's foresight to seek a mechanism for creating a regional/state funding match to a pending federal transportation infrastructure program of considerable significance, serious concerns remain by many segments of the public. Members of the City Council and our constituents seek answers and to resolve issues around the impacts of tolling on our communities on the proposed legislation.

If tolling of the freeways is implemented, then new highway facilities, improved corridor arterials and increased public transit/alternative transportation options must be realized. We agree with the many of the Portland metro-area local elected leaders that if tolling is to be implemented, it must be done in a thoughtful, systemic manner that provides equitable transportation options for all segments of society and results in less traffic congestion:

- **Revenue generated by tolling should be used for new facilities that improve that highway corridor's traffic-flow and sustainability.** Many Oregonians believe that the current highway system has been paid for already. Therefore, it is crucial that if tolling is implemented, then revenues must be used to pay for new highway facilities that replace and improve the traffic-handling capacity and seismic-resilience of outdated facilities on that highway.
- **Impacts of increased highway diversion onto local arterials must be adequately mitigated:** ODOT forecasts that tolling will add to the increasing number of vehicles diverted away from the region's freeway system and onto local roads. The legislature should create a process for ODOT and the Oregon Transportation Commission to designate in conjunction with local jurisdictions specific highway-corridor arterials impacted by diversion traffic, and a program that funds mitigation measures for road improvements and maintenance of those impacted arterials.

We appreciate legislative leadership's specific named inclusion of the Interstate 5 Boone Bridge and Seismic Improvement Project in Section 18 of the -8 amendment that provides for tolling

revenues to fund highway diversion mitigations in subsection (4) that “(a) Reduce traffic congestion not only on the tollway but also on adjacent, connected or parallel highways to the tollways, regardless of ownership; and (b) Improve safety not only on the tollway but also on adjacent, connected or parallel highways to the tollways, regardless of ownership;” and subsection (5) to “(b) Determine appropriate investments or efforts that may minimize or reduce any potential impacts”.

The City respectfully suggests that this same approach as outlined in Section 18 to address tolled highway traffic diversion impacts mitigation be applied *to all and only tolled highway corridors* where diversion is impacting local arterial facilities. Providing similar benefit to the tolled highway corridors’ arterials can help generate support from local jurisdictions impacted by traffic diversion.

- **Approaches to tolling should be system-wide:** The City agrees with metropolitan mayors that if tolling is implemented, then a system-wide approach should apply to both the Metro-area I-5 and I-205 corridors simultaneously to ensure a more efficient and equitable regional system.
- **Multimodal transportation alternatives and public transit must be expanded and coordinated:** Tolling will significantly increase the cost of travel in private vehicles in the Metro region, and therefore will have a greater cost-impact to lower-income communities. Therefore, bus and light-rail transit services and bike and pedestrian infrastructure be expanded and coordinated in order to provide viable transportation alternatives, including advancing highway bus-on-shoulder options. Particularly in the southern half of the Metro area, transit service is inadequate for many work and school commutes.

Since the Oregon Constitution limits funds raised by fuel taxes and user fees to be spent solely on roads and related bike/ped facilities, the legislature will need to provide alternative sources of funding, such as the State Transportation Improvement Fund (STIF) program, to ensure that transit service can be expanded and coordinated to meet growing demand, particularly for both the suburban and urban-rural interface areas. Additionally, public subsidies to lower-income populations to support work/school commuting should be considered as an option for communities impacted by tolled highways.

The City of Wilsonville greatly values our partnership with the leadership of the Oregon Legislative Assembly and ODOT to advance strategic programs that advance Oregon’s transportation system for all segments of society and our economy. We recognize that Oregon faces some big-ticket costs ahead to replace key highway facilities, including \$500 million for the I-205/Abernathy Bridge capacity- and seismic-improvement project, \$500 million for the I-5 Boone Bridge and seismic improvement project, over \$750 million I-5/I-84 Rose Quarter improvement project, and the +\$1 billion Interstate Bridge replacement project. It is unrealistic to expect that the “feds” will bail us out on all of these projects, and therefore we need to look for ways to pull ourselves up by our own bootstraps and use funds generated by the region and state to leverage even greater amounts of federal funds to improve our transportation system. Thank you consideration of this testimony.

Sincerely,



Julie Fitzgerald, Mayor
City of Wilsonville

May 10, 2021

MMC

Metropolitan Mayors' Consortium

Mayor Lacey Beaty
City of Beaverton

Mayor Brian Hodson
City of Canby

Mayor Jeffrey Dalin
City of Cornelius

Mayor Gery Schirado
City of Durham

Mayor Brian Cooper
City of Fairview

Mayor Peter Truax
City of Forest Grove

Mayor Travis Stovall
City of Gresham

Mayor Tom Ellis
City of Happy Valley

Mayor Steve Callaway
City of Hillsboro

Mayor Ken Gibson
City of King City

Mayor Joe Buck
City of Lake Oswego

Mayor Mark Hardie
City of Maywood Park

Mayor Mark Gamba
City of Milwaukie

Mayor Teri Lenahan
City of North Plains

Mayor Rachel Lyles Smith
City of Oregon City

Mayor Ted Wheeler
City of Portland

Mayor Walt Williams
City of Rivergrove

Mayor Keith Mays
City of Sherwood

Mayor Jason Snider
City of Tigard

Mayor Randy Lauer
City of Troutdale

Mayor Frank Bubenik
City of Tualatin

Mayor Anne McEnery-Ogle
City of Vancouver (ex officio)

Mayor Jules Walters
City of West Linn

Mayor Julie Fitzgerald
City of Wilsonville

Mayor Scott Harden
City of Wood Village

Rep. Tina Kotek, Speaker of the House
Sen. Lee Beyer, Co-Chair
Rep. Susan McLain, Co-Chair
Joint Committee on Transportation
Oregon Legislative Assembly

RE: HB 3065-8 – MMC Principles for Tolling

Madam Speaker, Co-Chairs Beyer and McLain, and Members of the Committee:

The Metropolitan Mayors' Consortium (MMC) is an association of the local elected leaders of 25 cities in the greater Portland metro area, collectively home to over 1.7 million Oregonians. The MMC writes to you today regarding the region's need for significant investment in transportation infrastructure, and the shared principles of the region's mayors should the State choose to move forward with a regional interstate highway tolling program as outlined in HB 3065-8.

We agree with legislative leadership that Oregon's transportation system is woefully underfunded. The revenue increases provided by the legislature's bold 2017 transportation package (HB 2017) have proven to be insufficient at funding key projects on highway corridors of regional, state and national significance. For instance, the I-205/Abernethy Bridge capacity- and seismic-improvement project, estimated to cost around \$500 million, remains unfunded. The projected cost of the I-5/I-84 Rose Quarter project continues to escalate, now over \$750 million. The vital I-5/Boone Bridge project that was not even included in HB 2017 is estimated to cost around \$500 million, to say nothing of the multi-billion-dollar I-5 Interstate Bridge project.

While we applaud the legislature's foresight to seek a mechanism for creating a regional/state funding match to a pending federal transportation infrastructure program of considerable significance, we have serious concerns. HB 3065-8 indicates the legislature is preparing to move forward with a region-wide tolling program to manage traffic congestion by way of congestion-pricing, and to generate revenue for the purpose of advancing the major infrastructure projects on I-5, I-205 and elsewhere in the region.

At this time, the MMC mayors and our constituents have too many unanswered questions and unresolved issues around the impacts of tolling on our communities to offer our support for this proposal.

However, should the legislature decide to move forward with this approach, we seek to convey our shared principles to help ensure that a regional tolling program is both equitable and effective.

If tolling of the freeways is implemented, then new highway facilities, improved corridor arterials, and increased public transit/alternative transportation options must be realized. We are pleased to see HB 3065-8 do so in Section 8(2)(j). Section 35 acknowledges the Oregon Constitutional limitations on the use of road-related funds, and we reinforce the notion that the revenue generated from tolling of the Interstate highway system should be used to: 1) pay for *new* facilities that replace and improve the capacity and seismic resilience of outdated facilities on that highway, and 2) fund traffic-mitigation improvements to adjacent local arterials in that highway's corridor.

Metropolitan Mayors' Consortium Interstate Highway Tolling Principles: If tolling is to be implemented, it must be done in a thoughtful, systemic manner that provides equitable transportation options for all segments of society and results in less traffic congestion:

- 1. Revenue generated by tolling should be used for new facilities that improve that highway corridor's traffic flow and sustainability.** Many Oregonians believe that the current highway system has been paid for already. Therefore, it is crucial that if tolling is implemented, then revenues must be used to pay for new highway facilities that replace and improve the capacity and seismic-resilience of outdated facilities on that highway.
- 2. Impacts of increased highway diversion onto local arterials must be adequately mitigated:** The Oregon Department of Transportation forecasts that tolling will add to the increasing number of vehicles diverted away from the region's freeway system and onto local roads. The legislature should create a process for ODOT to designate, in conjunction with local jurisdictions, specific highway-corridor arterials impacted by diversion traffic, and a program that funds mitigation measures for road improvements and maintenance of those impacted arterials.
- 3. Approaches to tolling should be system-wide:** The MMC agrees that "tolling may help reduce congestion and support state GHG emission reduction goals" and that "significant traffic congestion adversely impacts Oregon's economy and quality of life." The MMC would prefer a system-wide approach to tolling that extends beyond the region's freeway system, but at a minimum, any tolling system implemented by ODOT should apply to both the Metro-area I-5 and I-205 corridors simultaneously to ensure a more efficient and equitable regional system.
- 4. Multimodal transportation alternatives and public transit must be expanded and coordinated:** Tolling will significantly increase the cost of travel in private vehicles in the Metro region, and therefore will have a greater cost impact to lower-income communities. Therefore, bus and light-rail transit services and bike and pedestrian infrastructure be expanded and coordinated in order to provide viable transportation alternatives, including advancing highway bus-on-shoulder options. Particularly in the southern half of the Metro area, transit service is inadequate for many commutes.

Since the Oregon Constitution limits funds raised by fuel taxes and user fees to be spent solely on roads and related bike/ped facilities, the legislature will need to provide alternative sources of funding, such as the State Transportation Improvement Fund (STIF) program, to ensure that transit service can be expanded and coordinated to meet growing demand, particularly for both the suburban and urban-rural interface areas. Additionally, public subsidies to lower-income populations to support work/school commuting should be considered as an option for communities impacted by tolled highways.

The MMC seeks engagement and ongoing dialogue with legislative leadership about how best to fund transportation infrastructure improvements and manage congestion in our region. Thank you for your consideration of these principles.

Sincerely,

The Mayors of the MMC



Follow-up Testimony by City of Wilsonville Mayor Julie Fitzgerald on HB 3065-8:

If Metro-Area Highway Tolling Is Implemented, then Legislation Should Establish Key Principles for Use of Revenues and Increase Public Transit

Responses to Questions Posed by Rep. Boshart Davis for Local Governments regarding HB 3065-8 on May 13, 2021, before the Joint Committee on Transportation

Co-Chairs Beyer and McLain, Vice-Chairs Boquist and Noble, and Members of the Committee:

On behalf of the City of Wilsonville, I am providing follow-up testimony responding to questions posed by Representative Boshart Davis to local governments regarding HB 3065-8. We appreciate the opportunity to provide this follow-up testimony, and welcome the opportunity to dialogue further with members of the Joint Transportation Committee and legislative leadership.

Q1 HB2017 committed to funding the Rose Quarter Project, and the intent of this bill is to continue to fulfill that commitment. How does this bill affect your position on the project?

The City of Wilsonville recognizes in developing the transportation-funding bill HB 2017 of 2017, the Oregon legislature worked with many interests to develop the priority highway traffic “bottleneck” projects list that included I-205/Abernathy Bridge and I-5/I-84 Rose Quarter projects.

The -8 amendment adds the crucial I-5/Boone Bridge and Seismic Improvement Project as a priority facility for the Oregon Department of Transportation (ODOT) to advance in conjunction with other HB 2017 priority projects. Given the various community and organizational dynamics associated with each of these projects, the City would expect that the projects might proceed on timelines that may be difficult to specifically program for implementation.

The City recognizes that Oregon’s freight-movement industry strongly supports the Rose Quarter project in order to facilitate timely deliveries for traded-sector industries of manufacturing and wholesale distribution that are located on Swan Island, Rivergate, Port of Portland, etc.

Thus, this bill has no bearing on the City’s position regarding the Rose Quarter project.

Q2 If this bill passes, what benefits does this provide for the local jurisdictions that they don’t have already? What exactly is in this bill that brought the local jurisdictions to a place of support?

The City greatly appreciates that HB 3065-8 explicitly names in Section 1 the Interstate 5 Boone Bridge and Seismic Improvement Project as a priority facility for the Oregon Department of Transportation to advance, along with I-205/Abernathy and the Rose Quarter projects.

Additionally, the City appreciates legislative leadership’s specific named inclusion of the Interstate 5 Boone Bridge and Seismic Improvement Project in Section 18 of the -8 amendment that provides for tolling revenues to fund highway diversion mitigations in subsection (4) that “(a) Reduce traffic congestion not only on the tollway but also on adjacent, connected or parallel highways to the tollways, regardless of ownership; and (b) Improve safety not only on the tollway but also on

adjacent, connected or parallel highways to the tollways, regardless of ownership;” and subsection (5) to “(b) Determine appropriate investments or efforts that may minimize or reduce any potential impacts”. This commitment of support by the legislature to fund traffic mitigation efforts on local arterials impacted by tolled-highway traffic diversion is highly significant to Wilsonville interests.

The City respectfully suggests that this same approach as outlined in Section 18 to address tolled-highway traffic diversion impacts mitigation be applied *to all and only tolled highway corridors* where diversion is impacting local arterial facilities. Providing similar benefit to the tolled highway corridors’ arterials can help generate support from local jurisdictions impacted by traffic diversion.

At this time, the City has a neutral position on HB 3065-8. While the City applauds the legislature’s foresight to seek a mechanism for creating a regional/state funding match to a pending federal transportation infrastructure program of considerable significance, serious concerns remain by many segments of the public. Members of the City Council and our constituents seek answers and to resolve issues around the impacts of tolling on our communities on the proposed legislation.

In essence, if tolling of the freeways is implemented, then new highway facilities, improved corridor arterials and increased public transit/alternative transportation options must be realized. HB 3065-8 makes strides to accomplish these goals; however, there remain unresolved issues regarding use of toll revenues and support for public transit and alternative transportation.

Specifically, revenue generated by tolling a specific highway should be used for (1) new facilities that improve that highway corridor’s traffic-handling capacity and sustainability, along with (2) funding improvements to designated parallel local arterials directly impacted by tolled-highway diversion traffic. At this time, HB 3065-8 does not make this core principle clear on a tolled system-wide basis.

An improved HB 3065 would create a process for ODOT and the Oregon Transportation Commission to designate in conjunction with local jurisdictions specific highway-corridor arterials impacted by diversion traffic, and a program using toll revenues and other sources that funds mitigation measures for road improvements and maintenance of those impacted arterials.

Finally, HB 3065-8 does not address the important issues regarding multimodal transportation alternatives and public transit options that must be expanded and coordinated if tolling is implemented. Tolling will increase the cost of travel in private vehicles on key highways in the Metro region, and therefore will have a greater cost-impact to lower-income communities. Consequently, bus and rail transit services and bike and pedestrian infrastructure be expanded and coordinated in order to provide viable transportation alternatives, including advancing highway bus-on-shoulder options. Particularly in the southern half of the Metro area, transit service is inadequate for many work and school commutes.

Since the Oregon Constitution limits funds raised by fuel taxes and user fees to be spent solely on roads and related bike/ped facilities, the legislature will need to provide alternative sources of funding, such as the State Transportation Improvement Fund (STIF) program, to ensure that transit service can be expanded and coordinated to meet growing demand, particularly for both the suburban and urban-rural interface areas. Additionally, public subsidies to lower-income populations to support work/school commuting should be considered as an option for communities impacted by tolled highways.

Q3 How do you expect your local communities to react to tolling? How do you manage that?

Simply put, no one wants to pay more. Many Oregonians believe that the current highway system has been paid for already. Therefore, it is crucial that if tolling is implemented, then revenues must be used to pay for new highway facilities that replace and improve the traffic-handling capacity and seismic-resilience of outdated facilities on that highway and to pay for mitigation efforts on tolled-highway division traffic that impacts local arterials.

On the other hand, Wilsonville may be the one Portland metro-area community most impacted by the daily I-5/Boone Bridge traffic bottleneck that grinds the freeway to a crawl. Since most local-area arterials are heavily impacted by I-5 traffic, when I-5 grinds to a halt, adjacent city and county roads also tend to clog up. Thus, many Wilsonville residents who commute daily either on the highways or on local arterials would welcome efforts to improve traffic flow and reduce congestion that impacts mobility throughout and beyond the community.

The City recognizes that Oregon faces some big-ticket transportation costs ahead to replace key highway facilities, including \$500 million for the I-205/Abernathy Bridge capacity- and seismic-improvement project, \$500 million for the I-5 Boone Bridge and seismic improvement project, over \$750 million I-5/I-84 Rose Quarter improvement project, and the multi-billion-dollar Interstate Bridge/Columbia River replacement project. It is unrealistic to expect that the “feds” will bail us out on all of these projects, and therefore we need to look for ways to pull ourselves up by our own bootstraps and use funds generated by the region and state to leverage even greater amounts of federal funds to improve our transportation system.

The City anticipates that implementing the provisions of HB 3065 will take a number of years, during which time the legislature, ODOT and other levels of government are expected to provide public-input opportunities that shape a final transportation package. The City of Wilsonville has an active public-engagement program to inform and involve residents in important public-policy discussions. The City publishes a monthly all-city newsletter with a circulation of 14,000 to all addresses in and near Wilsonville. The City actively engages with residents on social media and other channels, including online video. The City Council is scheduling a presentation on HB 3065 issues with ODOT staff for this summer, and would be pleased to host a public Q-and-A open house event for ODOT. Thus, the City has a number of mechanisms and processes in place reach out and engage the local community.

Thank you consideration of this follow-up testimony that the City hopes is responsive to Representative Boshart Davis’ questions posed to local governments.

Sincerely,



Julie Fitzgerald, Mayor
City of Wilsonville



May 20, 2021

Rep. Tina Kotek, Speaker of the House
 Sen. Lee Beyer, Co-Chair
 Rep. Susan McLain, Co-Chair
 Joint Committee on Transportation
 Oregon Legislative Assembly

RE: HB 3065-8 – Clarification of I-5 Boone Bridge Highway Project to Request Naming of Adjacent French Prairie ‘Bike-Ped-Emergency’ Bridge Facility

Madam Speaker, Co-Chairs Beyer and McLain, and Members of the Committee:

I am writing based on a conversation with Rep. Courtney Neron regarding clarification of the proposed I-5 Boone Bridge and Seismic Improvement Project named in HB 3065-8 that is scheduled for work session on May 25. Rep. Neron recommended that the City communicate our specific request to House transportation legislative leadership regarding the adjacent French Prairie ‘Bike-Ped-Emergency’ Bridge alternative transportation facility.

The City very much appreciates that Oregon’s legislative leadership explicitly names the Interstate 5 Boone Bridge and Seismic Improvement Project as a priority facility for the Oregon Department of Transportation (ODOT) to advance in HB 3065-8.

In a related move, on March 11, the Oregon Transportation Commission reallocated \$3.7 million in 2021-24 Statewide Transportation Improvement Program (STIP) funds to advance the next phase of engineering design for the I-5 Boone Bridge and Seismic Improvement Project in preparation for full construction funding.

The ODOT *I-5 Boone Bridge and Seismic Improvement Project Summary Report to the Oregon State Legislature, January 2021*, calls-out on page 11 the need for a safe, bicycle-pedestrian transportation alternative other than walking or bike-riding on the shoulder of I-5 that should be incorporated into the design of the auto-centric highway bridge project.

The City respectfully requests that HB 3065-8 be amended to specify that the Interstate 5 Boone Bridge and Seismic Improvement Project is to utilize the existing planned, adjacent French Prairie “Bike-Ped-Emergency” Bridge Project as the alternative-transportation and emergency-services facility.

The French Prairie “Bike-Ped-Emergency” Bridge offers a number of benefits in addition to providing a safe bicycle and pedestrian access across the Willamette River without the life-endangering hazards of using the I-5 shoulder:

- Improved connectivity between the Oregon Parks & Recreation’s Willamette Valley Scenic Bikeway and the new Portland metro-area Tonquin “Ice Age” Trail.
- Emergency access to I-5 highway accidents for police, fire, ambulance and incident-response vehicles, including heavy-duty ‘clean-up’ vehicles.

- Tourism-development opportunities featuring cycling French Prairie, the Willamette River Greenway, Champoeg State Heritage Park and “Oregon Wine Country.”

For the past 10 years, the City has worked with ODOT, Clackamas County, Federal Highway Administration, Metro and other government agencies and area residents to advance the proposed French Prairie “Bike-Ped-Emergency” Bridge Project as an alternative transportation route and highway emergency-response facility that may be commandeered by emergency-response services. The City won a \$1.25 million FY2010-13 Metropolitan Transportation Improvement Program (MTIP) grant that was complemented with \$250,000 from the City to provide initial engineering-design and public-engagement funding. The project has reached a point where ODOT could subsume the design and construction of the French Prairie Bridge project as the required bicycle and pedestrian alternative transportation facility for the larger I-5 Boone Bridge and Seismic Improvement Project.

It should be noted that ODOT is pursuing a separate bike/ped bridge facility over the Willamette River near Oregon City and West Linn as the alternative transportation facility for the I-205/Abernathy Bridge project. However, ODOT at this time does not appear to have also classified similarly the I-5 Boone Bridge in terms of advancing an appropriate alternative transportation facility; we seek your encouragement of ODOT to do so.

The City communicated our concerns to ODOT and the OTC for the March 11 OTC meeting; however, the City never received a response and the OTC did not appear to take action at the March 11 meeting to incorporate the French Prairie Bridge as the bike/ped alternative transportation facility for the larger I-5 Boone Bridge and Seismic Improvement Project.

I will also note that the City is interested in potentially relocating our water and waste-water infrastructure that serves the Charbonneau District and State of Oregon French Prairie Rest Area south of the Willamette River and currently hangs off of the I-5 Boone Bridge to the proposed French Prairie Bridge. Additionally, the City is willing to discuss a long-term commitment for maintenance of the French Prairie Bridge that may be attractive to ODOT.

The French Prairie “Bike-Ped-Emergency” Bridge Project is listed in the Metro 2018 RTP as Project Number 10133, federal Financially Constrained funding-eligibility list; and in the ODOT 2012-15 STIF as Project Key #17264.

We appreciate your time and consideration of these important issues as we seek to advance multimodal transportation options in conjunction with highway improvements. Thank you.

Sincerely,



Julie Fitzgerald, Mayor
City of Wilsonville

Enc: City of Wilsonville letter to OTC, March 8, 2021; ODOT I-5 Boone Bridge and Seismic Improvement Project Summary Report to the Oregon State Legislature, January 2021, Executive Summary; Interstate 205 Project webpages; French Prairie Bridge webpages

cc: Rep. Courtney Neron, Rep. Christine Drazan, Sen. Kim Thatcher and Sen. Bill Kenemer;
ODOT Director Kristopher Strickler



March 8, 2021

Bob Van Brocklin, Chair
Oregon Transportation Commission
Oregon Department of Transportation

*Submitted via email to
OTCAAdmin@odot.state.or.us*

RE: Support for Advancing the Next Engineering-Design Phase of ODOT's I-5 Boone Bridge and Seismic Improvement Project Scheduled for March 11 OTC Meeting, Agenda Item I: 2021-24 STIP Reallocation

Dear Chair Van Brocklin and members of the Oregon Transportation Commission:

The Wilsonville City Council appreciates that the Oregon Department of Transportation (ODOT) plans to fund the next phase of engineering design for the critically important I-5 Boone Bridge and Seismic Improvement Project with a 2021-24 Statewide Transportation Improvement Program (STIP) reallocation scheduled for the March 11 OTC meeting.

Wilsonville greatly values our partnership with ODOT to improve the severe I-5 Boone Bridge traffic-congestion bottleneck that occurs near daily, which is a high priority for the South Metro/North Willamette Valley region and is of state significance for the timely movement of freight.

Recently ODOT released the *I-5 Boone Bridge and Seismic Improvement Project Summary Report to the Oregon State Legislature, January 2021*. The ODOT Report confirmed that a new seismically resilient I-5 Boone Bridge with additional north- and south-bound auxiliary merge lanes was the most cost-efficient option to decrease accidents and traffic congestion at the Boone Bridge 'bottleneck' between I-5 interchanges for Wilsonville Road and Hubbard-Wilsonville Cut-off State Highway 551, which acts as an I-5/99E Connector to the North Willamette Valley.

The Report calls-out the need for a safe, bicycle-pedestrian transportation alternative other than walking or bike-riding along the shoulder of I-5 that should be incorporated into the engineering design. **The City respectfully requests that the OTC amend the I-5 Boone Bridge project description to specify that the project utilizes the existing, adjacent French Prairie "Bike-Ped-Emergency" Bridge Project (ODOT 2012-15 STIF Project Key #17264) as the alternative transportation and emergency services facility.**

We appreciate your time and consideration of these important issues. Thank you.

Sincerely,

Julie Fitzgerald, Mayor
City of Wilsonville

cc: Wilsonville state legislative members Rep. Courtney Neron, Rep. Christine Drazan, Sen. Kim Thatcher and Sen. Bill Kennemer; ODOT Director Kristopher Strickler

I-5 Boone Bridge and Seismic Improvement Project



Summary Report to the Oregon State Legislature January 2021

Acknowledgements

Oregon Department of Transportation

Rian Windsheimer, Region 1 Manager
Tova Peltz, Region 1 Project Delivery Manager
Matt Freitag, Area Manager - West
Mandy Putney, Project Director – I-205 Improvements: Stafford Rd to OR 213 (former Policy and Development Manager)
Kristen Stallman, Major Projects Manager
Glen Bolen, Interim Planning Manager
Scott Turnoy, Principal Planner
Brian Davis, Structural Design Engineer
Canh Lam, Senior Roadway Engineer
Max Gummer, Geotechnical Design Engineer
Susan Ortiz, Senior Geotechnical Engineer
Paul Langdale, Region Environmental Coordinator
Tobin Bottman, Archaeologist
Justin Brandon, Utilities Specialist
Bert Hartman, State Bridge Program and Standards Manager
Albert Nako, Senior Bridge Standards Engineer
Hope Estes, Community Affairs Coordinator
Karyn Criswell, Public Transportation Division Manager
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Per Onsager, Engineer

HDR, Inc.

Brian Bauman, Environmental Lead

Willamette Cultural Resources Associates

Todd Ogle, Senior Archaeologist
David Ellis, Principal Archaeologist

OP Engineering, PC

Kevin Parrish, Principal Engineer

Schneider Consulting

Brett Schneider, Principal Engineer



For more information on this document, contact:

Kayla Hootsmans, Legislative Coordinator, ODOT

(503) 949-4975

Kayla.R.Hootsmans@odot.state.or.us

Links to Supporting Documents

This document is supported by the **I-5 Boone Bridge and Seismic Improvement Project Technical Report**, which was completed and submitted to the Oregon Legislature in January 2021. To read the full technical report, click **here**.

To read ODOT's response to requests for further analysis of the project related to travel demand, land use, access management and active traffic management, visit the study website by clicking **here**.

There are also links throughout this executive summary for other plans, project websites or reports that have informed the I-5 Boone Bridge and Seismic Improvement Project Technical Report. See these links in one place below:

2018 I-5 Wilsonville Facility Plan

2018 Regional Transportation Plan for the greater Portland region

House Bill (HB) 5050 Budget Note

2006 Wilsonville Bicycle and Pedestrian Master Plan

City of Wilsonville's French Prairie Bridge Project

City of Wilsonville's Transportation System Plan

City of Wilsonville's Parks & Recreation Master Plan

Oregon Bike Bill (ORS 366.514)

Accommodations

For ADA (Americans with Disabilities Act) or Civil Rights Title VI accommodations, translation/interpretation services, or more information call 503-731-4128, TTY 800-735-2900 or Oregon Relay Service 7-1-1.

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

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如果您想瞭解這個項目翻譯成 繁體中文 的相關資訊，請致電 503-731-4128。

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이 프로젝트에 관한 한국어로 된 자료 신청방법 전화: 503-731-4128.

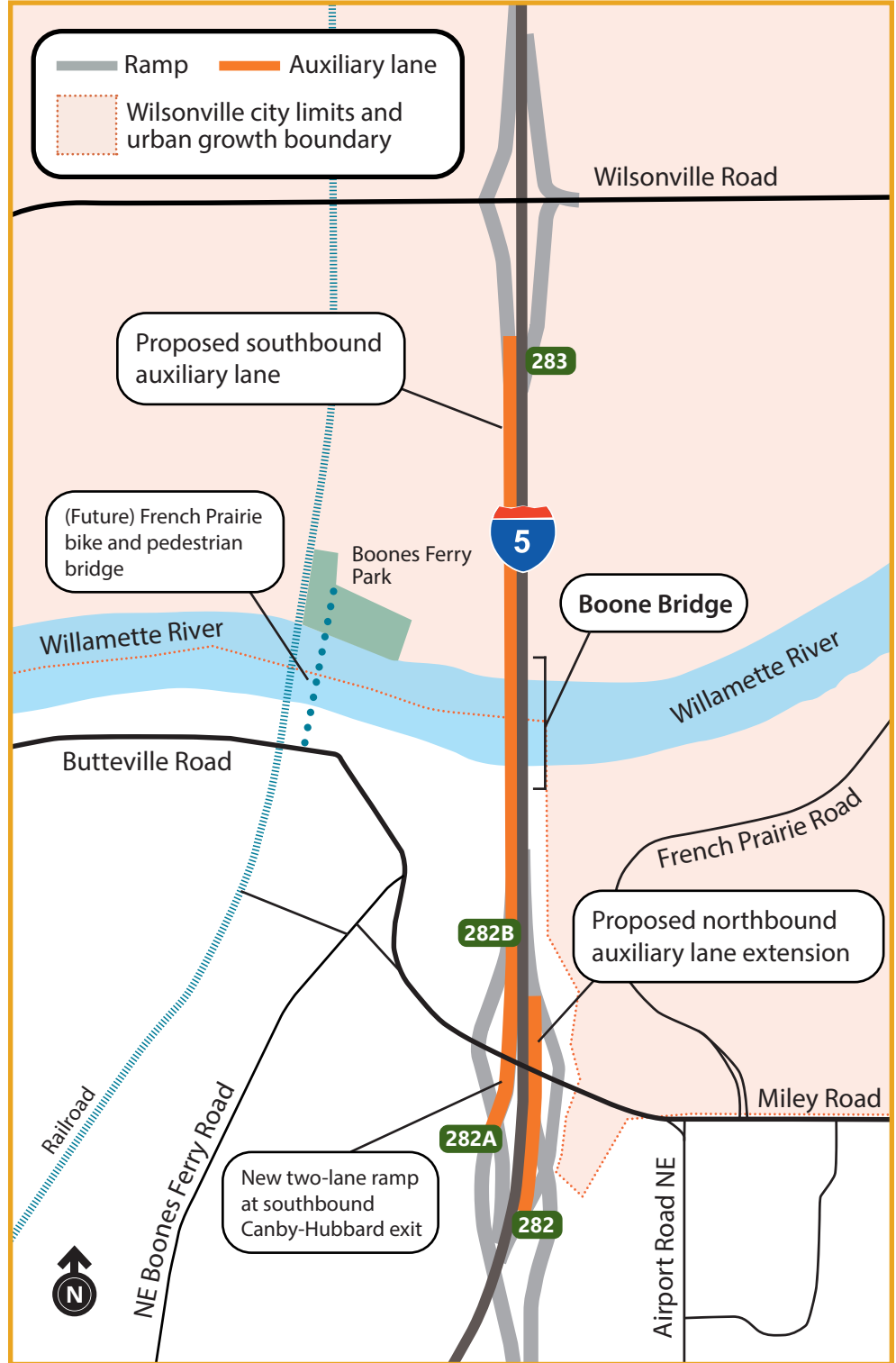
Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

Purpose of this report

The purpose of this study is to determine the best approach for addressing congestion, safety and the seismic resiliency of Interstate 5 in the vicinity of the Boone Bridge.

The I-5 Boone Bridge is located over the Willamette River south of Portland and north of Salem within Clackamas County. A portion of the project area is within the City of Wilsonville and spans the southern Urban Growth Boundary of the Portland Metropolitan Area.

This section of I-5 serves intercity, regional, statewide, interstate and international mobility. I-5 is the key freight corridor for the west coast of the United States, stretching from Canada to Mexico, and has been recognized as a federally designated "corridor of the future." As such, I-5 – especially in the vicinity of the Boone Bridge – is an important Oregon Seismic Lifeline Route for destinations up and down the West Coast. Thus, providing adjacent interchange improvements to improve traffic operations and safety along with a wider, seismically-resilient Boone Bridge is of local, regional, statewide, national and international significance.



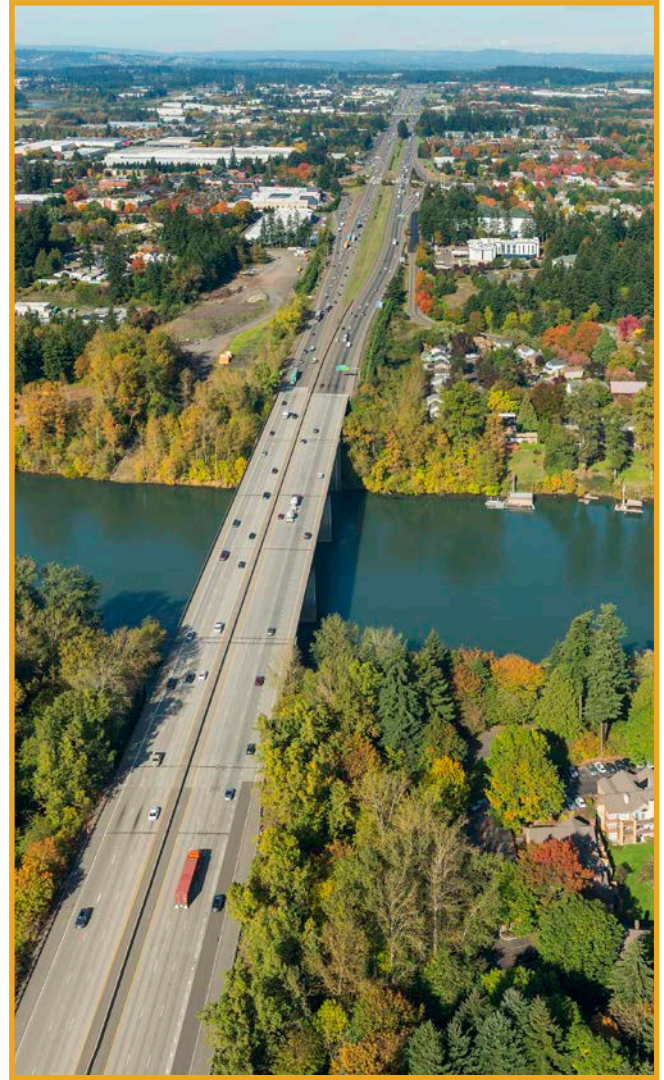
Sections of the Boone Bridge are over 60 years old. The bridge has been widened (with minor retrofitting) piecemeal over time.

The project area in Clackamas County. ODOT is proposing changes to the Boone Bridge and adjacent freeway interchanges that would improve traffic operations, safety and seismic resiliency. Proposed improvements include a new, widened bridge, a northbound auxiliary lane extension, a new southbound auxiliary lane, and an additional exit ramp lane at the southbound Canby-Hubbard exit (282A).



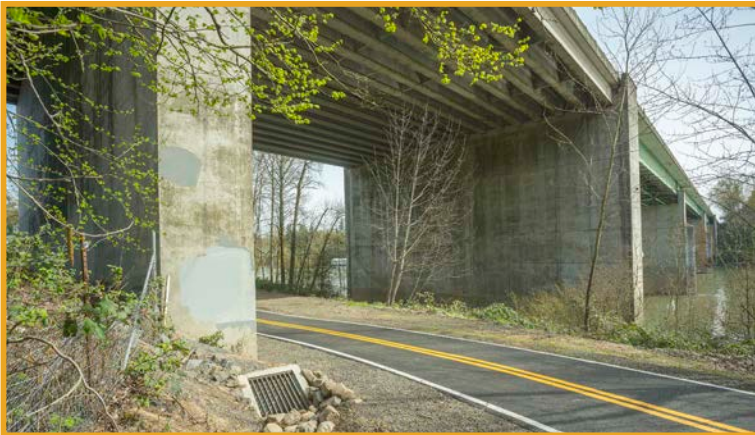
Improving traffic operations and safety

Oregonians in every part of the state rely on getting through and to the Metro region. Today, the Boone Bridge and interchanges to the north and south of the bridge are a traffic bottleneck. Inefficient merging and weaving caused by short merging areas results in congestion and crashes that reduce travel speeds and travel-time reliability for people travelling by car and transit, or moving freight by truck. Without improvement, this bottleneck will continue to deteriorate, leading to slower travel, more costly freight movement and higher safety risks for those who use I-5 and the surrounding transportation network. Now is the time to modernize our regional transportation system and the way we use it. The **2018 I-5 Wilsonville Facility Plan** and **Regional Transportation Plan** (financially constrained) provide a solution to address these issues. The construction of a southbound auxiliary lane on I-5 between the Wilsonville Road entrance ramp and the Canby-Hubbard exit ramp (OR 551), which would become a two-lane exit ramp, addresses the bottleneck in this area. This feasibility study also considers safety issues and congestion on I-5 northbound and associated interchange improvements, specifically a concept to connect the OR 551 entrance ramp to the existing northbound auxiliary lane across the Boone Bridge to improve safety in this section of I-5.



Above: The I-5 Boone Bridge over the Willamette River.

Left: The north end of the Boone Bridge viewed from the multi-use path underneath it.



Seismic lifeline

This segment of I-5, particularly the Boone Bridge over the Willamette River, represents a crucial link on one of Oregon's critical seismic lifeline routes that connects the Portland metro area to the Mid-Willamette Valley and areas to the south. The Boone Bridge, which is over 60 years old and has been widened and modified over time, will require significant upgrades to withstand a major Cascadia Subduction Zone quake and enable I-5 to continue to serve as a primary West Coast route for passenger and freight movement. The Boone Bridge is the only crossing of the Willamette River within 15 miles of the Wilsonville town center for motor vehicles or anyone walking or rolling.

Due to the design and construction of the existing bridge, in the event of a Cascadia Subduction Zone earthquake, the existing bridge will be compromised, impacting an important lifeline route.

Oregon Legislature Directs ODOT to Consider Improvements to the Boone Bridge

In **House Bill (HB) 5050**, specifically in the budget note to HB 5050, the 2019 Oregon Legislature directed the Oregon Department of Transportation (ODOT) to determine the best way to widen and seismically retrofit the I-5 Boone Bridge over the Willamette River, and to provide a programming/funding estimate report back to the Legislature by February 1, 2021.

In spring 2020, using the funding allocated by the OTC, ODOT moved forward with the following tasks, in collaboration with Quincy Engineering, Inc. (Quincy) to resolve the question of structural retrofit vs. structure replacement, defining the necessary next steps and a cost range and delivery schedule:

- We assessed approaches for achieving a seismically resilient I-5 Boone Bridge with a southbound auxiliary lane, including analyses of both Phase 2 seismic retrofit and bridge replacement options. We identified risks associated with each option and recommended an approach.
- We assessed operational and safety improvements for I-5 northbound at the Charbonneau Miley Road/OR 551 Portland-Hubbard Highway interchange in coordination with the Boone Bridge improvements.
- We analyzed potential land use and related travel demand impacts associated with the project, per Metro's request for analysis.
- We developed a planning-level cost range for the recommended bridge replacement and other I-5 improvements assuming planning and environmental work commence in 2022 and construction begins in 2027.
- We developed a scope of work including additional field investigations, analyses, environmental-related tasks, and design work necessary to deliver the 15% design milestone for the recommended Boone Bridge and I-5 interchange improvements.
- We developed a cost estimate to advance the project to the 15% design milestone and further inform a financial programming report to deliver the recommended Boone Bridge Replacement and I-5 interchange improvements through construction.



Right: I-5 northbound mile marker 283 on the south end of the Boone Bridge.

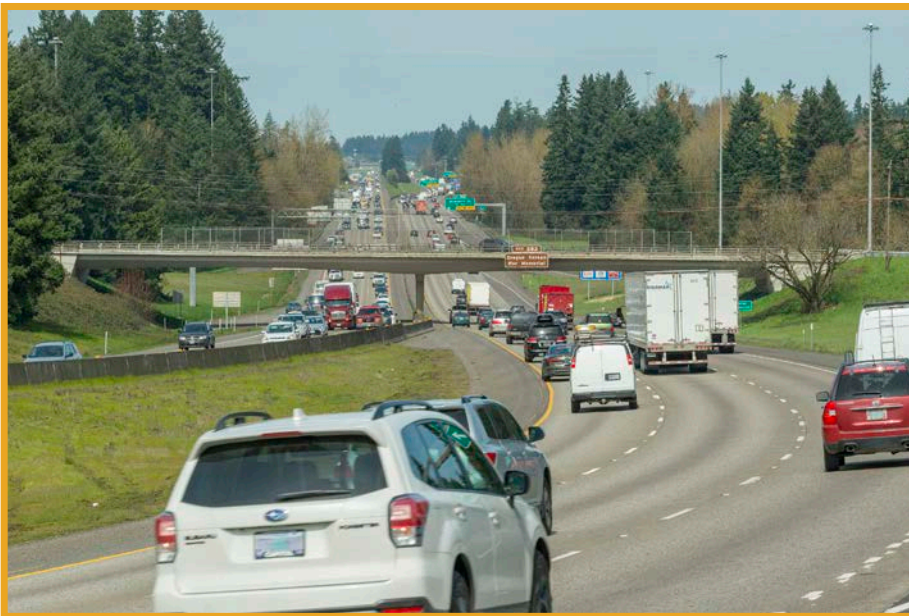
Assessing the Boone Bridge

To assess the existing bridge structure, the ODOT and the consultant team completed the following tasks during the bridge assessment:

- Summarized the existing conditions associated with I-5 southbound, with particular attention to the Boone Bridge and adjacent interchanges.
- Explored the site and prepared preliminary geotechnical analysis, including two cone penetrometer tests completed in June 2020 – one on the north side of the river and one on the south side of the river. Combined with past investigations, these tests furthered our understanding of the soil conditions beneath the Boone Bridge.
- Completed preliminary seismic analysis to identify seismic design criteria and ground motion parameters.
- Identified geologic hazards at the site, including liquefaction and related effects.
- Developed preliminary geotechnical parameters for bridge retrofit and replacement designs.
- Prepared conceptual-level recommendations for seismic mitigation strategies.
- Developed conceptual design, structural analysis, construction staging concept development, and construction access considerations for the retrofit/widening option vs. the full bridge replacement option.
- Identified project constraints and risks associated with each option.
- Developed environmental project prospectus in preparation for NEPA.

The bridge improvements were assessed based on the following assumptions for constructability:

- Maintain three lanes of traffic in each direction during construction.
- Maintain existing horizontal clearance and vertical clearance below the deck to avoid impacts to the navigable waterway of the Willamette River.
- Maximize the use of existing ODOT right-of-way.
- Maintain existing roadway alignment to the extent possible to minimize impacts to existing interchanges.



Left: I-5 northbound at the Miley Road exit ramp to the south of the Boone Bridge.

Retrofit vs. Replacement

The bridge assessment work revealed that the benefits associated with a full bridge replacement outweigh the minimal construction cost savings associated with a retrofit of the existing bridge. Critically, the feasibility assessment found that the entire substructure of the Boone Bridge, including pier supports and foundations, must be replaced in the retrofit option to achieve seismic resiliency. Since the main spans of the bridge are supported by timber pile foundations, this means the substructure for this portion of the bridge is not functional in an earthquake unless these piles can be replaced or an alternate support system is provided. In addition, the foundation soils on both riverbanks consist of soils above the river bottom that will liquefy in an earthquake and flow into the river. These two significant issues associated with the retrofit option will necessitate the replacement of the bridge's entire substructure. Furthermore, a retrofitted and widened Boone Bridge would have substantial ongoing costs to monitor structural deficiencies and require the future replacement of the original bridge superstructure, representing an additional future major capital expense.

In accordance with ODOT Bridge Section guidelines, typically, it is advisable to consider a replacement structure if the cost of the retrofit is greater than one half of the cost of the replacement structure. An order of magnitude comparison for this structure indicates the retrofit and widening option would be over 85% of the cost to replace the Boone Bridge. When combined with additional future maintenance and known capital costs needed to maintain the structure over time, this study indicates the cost to retrofit and widen the bridge may exceed the cost to replace the bridge. Based on these findings, and in collaboration with the ODOT Bridge Section, ODOT recommends proceeding with the bridge replacement option to achieve the planned operational and seismic upgrades to ensure the bridge and this section of I-5 will continue to serve as a critical lifeline and recovery route after a seismic event.

The bridge assessment conducted in this feasibility study recommends replacement of the existing Boone Bridge. It is more cost effective to replace the bridge than to retrofit and widen the existing bridge.



Above: Existing railing and pier supports of the Boone Bridge.

Below: Steel girders that support the weight of the Boone Bridge.



Traffic Operations and Safety Improvements at Interchanges

To address traffic operations and safety impacts within the corridor this project includes both southbound and northbound interchange improvements.

I-5 southbound

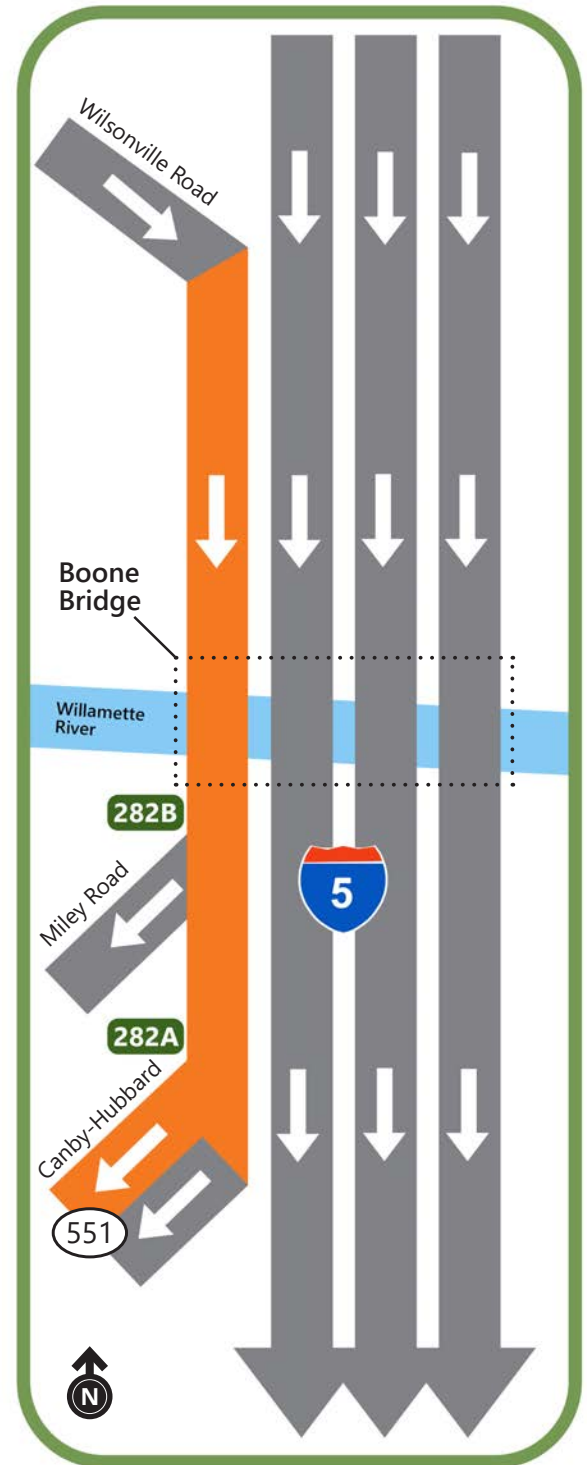
This project includes the addition of a southbound auxiliary lane connecting south Wilsonville and OR 551, including a two-lane exit to OR 551. This interchange improvement is critical to facilitating the operational and safety benefits from adding the southbound auxiliary lane between the Wilsonville Road entrance and the exit to OR 551, as it reduces merging conflicts between exiting traffic and mainline traffic consistent with the **I-5 Wilsonville Facility Plan** and **Regional Transportation Plan**. In addition, bus on shoulder will be possible with these improvements to I-5.

Auxiliary lanes in both the northbound and southbound directions and associated interchange improvements will alleviate traffic bottlenecks, improve travel time reliability and enhance safety on I-5.

Right: Graphic showing the future southbound auxiliary lane on I-5 between the Wilsonville Road entrance and Exit 282A to OR 551 and two-lane southbound exit to OR 551. Proposed additions are shown in orange.

Below: The northbound OR 551 (Canby-Hubbard Highway) on-ramp to I-5, where a proposed auxiliary lane would increase safety by reducing merging crashes.

Proposed auxiliary lane on I-5 south



- Proposed new auxiliary lane
- Existing through lane



Traffic Operations and Safety Improvements, Continued

I-5 northbound

To the immediate south of the Boone Bridge, at the intersection of I-5 and OR 551, high volumes of free-flow traffic, including a large number of trucks, are forced to merge immediately onto I-5 without enough space to zipper merge safely. This segment of I-5, from the Charbonneau entrance ramp to the southern end of the Boone Bridge, is a top 10% Safety Priority Index System (SPIS) location due to short merging distances, closely spaced interchanges and frequently congested conditions both on and just south of the Boone Bridge. This issue is exacerbated by I-5 traffic positioning in the outside lane to take the next northbound exit at Wilsonville Road.

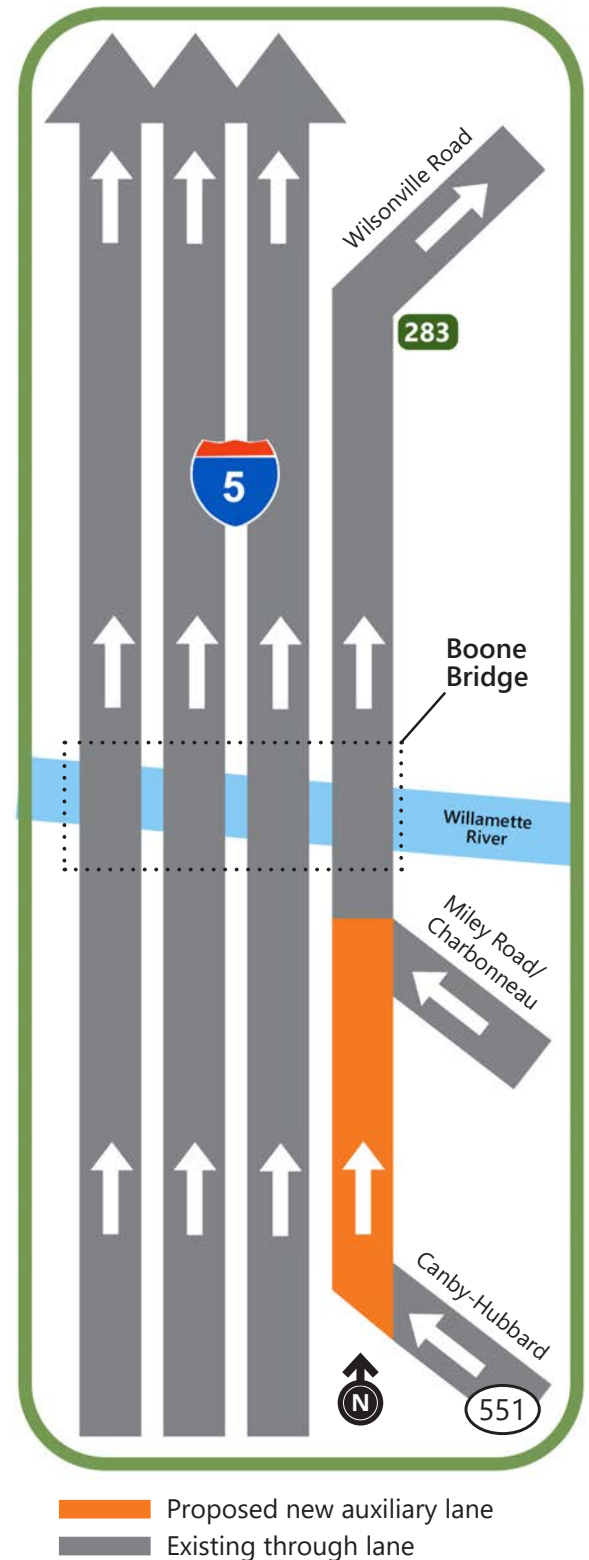
To improve safety in this section of I-5, we recommend extending an auxiliary lane from the northbound OR 551 Canby-Hubbard entrance ramp to the existing northbound auxiliary lane across the bridge. This safety improvement must be incorporated into the design of the Boone Bridge replacement, either as a consideration for implementation at the same time as the Boone Bridge (to realize efficiencies of scale) or as an improvement to be accommodated by the bridge replacement design in the event this safety improvement is built prior to the bridge work.



Above: Short merging distance between the OR 551 Canby-Hubbard entrance ramp and Charbonneau entrance ramp and heavy freight use cause safety conflicts resulting in a top 10% SPIS site.

Photo credit: Google, May 2019.

Proposed auxiliary lane on I-5 north





Consideration for a Parallel Route for Pedestrians and Bicycles: French Prairie Bridge

In 2019, the City of Wilsonville engaged in a planning effort to identify a parallel bicycle and pedestrian bridge over the Willamette River in the vicinity of the Boone Bridge. The City's preferred alignment from this effort is a proposed bridge located approximately 1,400 feet to the west of the I-5 Boone Bridge, adjacent to the existing railroad bridge.

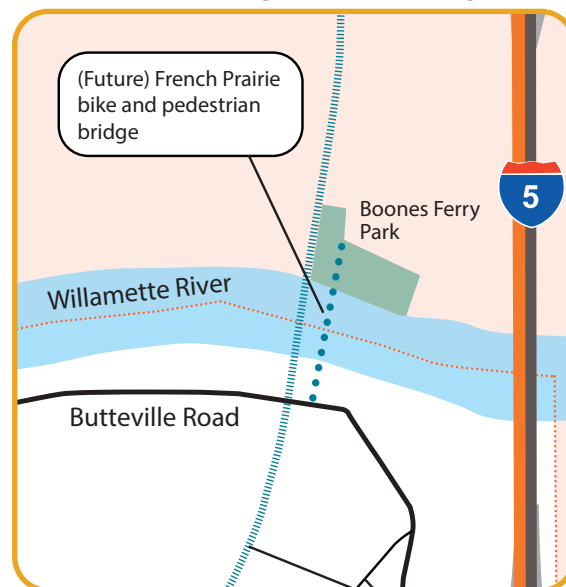
In the **2006 Wilsonville Bicycle and Pedestrian Master Plan**, the City considered an option to add a cantilevered facility to the west side of the Boone Bridge. The City identified challenges with the cantilevered option such as safety from falling debris, as the proposed path would be below the vehicular deck for vertical separation, maintenance, and the need for improved connections to access the bridge on the north and south side of the Willamette River. Ultimately, the Master Plan recommended the construction of a standalone bicycle and pedestrian bridge, which the City has pursued since.

In 2015, the City considered the feasibility of a number of alternatives for their standalone bridge, including a separate bike and pedestrian facility immediately adjacent to the Boone Bridge. The adjacent to I-5 alternative was not selected as the preferred alternative due to challenges such as high cost retaining walls, below average user experience, no direct connection under I-5 to the regional trail, path and walls near a neighborhood, no direct connection between Charbonneau and Memorial Park, farther from Wilsonville Town Center and a lack of supporting bike and pedestrian facilities on Parkway Avenue.

The City's recent study identified a preferred alignment and a high-level cost estimate of roughly \$36 million to \$47 million (2019\$) for the suspension bridge alternative for the **French Prairie Bridge**. No further funding has been identified for project development or construction, however, if constructed, this bridge would provide a parallel dedicated bicycle/pedestrian facility to I-5 over the Willamette River in the vicinity of the Boone Bridge. The French Prairie Bridge alignment has since been adopted into the **City of Wilsonville's Transportation System Plan** and **Parks & Recreation Master Plan**. Wilsonville is currently working on a funding strategy to complete design and construction of the project and has developed a list of environmental and cultural analyses that would support the City's progression into a NEPA phase. ODOT has and will continue to participate and offer technical expertise to inform project development moving forward.

A parallel bicycle and pedestrian bridge (French Prairie Bridge) is planned in the vicinity by the City of Wilsonville. Pedestrians and bicycles could be accommodated on a replaced I-5 Boone Bridge, but the preferred local option is the separate parallel bicycle and pedestrian bridge.

French Prairie Bridge preferred alignment



Presently, pedestrians and cyclists use the shoulder of Interstate 5 in the vicinity of the Boone Bridge. The current bridge replacement estimate assumes the shoulder of I-5 would continue to serve bikes and pedestrians on the new bridge to meet **Oregon Bike Bill (ORS 366.514)** obligations. However, understanding the use of I-5 in this area is not the preferred option if the French Prairie Bridge could be constructed prior to, or concurrently with the I-5 Boone Bridge replacement it would provide an enhanced user experience with regional connections to the existing and planned bicycle and pedestrian trail system that users, the local community and ODOT would prefer.

Minimal Impact on Travel Demand, Land Use

Using the Oregon Statewide Integrated Model (SWIM), ODOT prepared model simulations of travel demand and land use with and without the addition of a southbound auxiliary lane on I-5 between the Wilsonville Road entrance ramp and the Canby-Hubbard exit ramp. The project was added to the SWIM road network to evaluate a ten-year period of 2030 to 2040. The results of the build scenario were compared to a no-build reference scenario in order to identify impacts of the project on travel demand and land use.

The analysis found the change in Annual Average Daily Traffic volumes (AADT) attributed to the southbound auxiliary lane is relatively modest. Growth in AADT is expected to be about 3% higher over the ten-year period (2030-2040) forecast after the project is built compared to the no-build scenario. This is consistent with the expectations for a project intended to address a congestion bottleneck by improving traffic flow and reliability and reducing crash rates. In addition, the analysis found only a negligible difference between the two forecast scenarios in terms of regional population, employment growth and vehicle miles traveled. The analysis likewise indicated no land use changes are expected to occur in the area evaluated due to the project.



Above: The I-5 north Charbonneau exit ramp south of the Boone Bridge.

I-5 traffic can be maintained during construction of the new Boone Bridge.

The 2018 Regional Transportation Plan lists the I-5 Wilsonville Facility Plan project in the financially constrained project list. Inclusion of the southbound auxiliary lane on a replaced Boone Bridge will not impact the growth of neighboring communities and has minimal impact on travel demand as shown in ODOT's analysis of 2040 build and no-build scenarios.



\$450 Million to \$550 Million Investment Required

Based on preliminary studies and less than 3% design, the estimated cost range to deliver this project is \$450 million to \$550 million. This cost range reflects a conceptual planning level estimate to be refined after geotechnical/seismic investigations, environmental review and design work is completed. This cost range incorporates all phases of project delivery, including planning, preliminary and final design and construction resulting in the following improvements:

- Seismically resilient Boone Bridge.
- Southbound auxiliary lane between the Wilsonville Road entrance and the OR 551 exit.
- Two-lane southbound exit to OR 551.
- Northbound auxiliary lane extension from OR 551 to the Boone Bridge.

This preliminary estimate range assumes environmental analysis and NEPA will begin in 2022 and construction beginning in 2027. The cost range provides for consideration of alternative project delivery methods and the additional analysis required to address project risks. Please note, this estimate range does not include the \$36 million to \$47 million the City of Wilsonville estimates the French Prairie Bridge Project would cost that would provide the preferred pedestrian and bicycle route for crossing the Willamette River in the vicinity of the Boone Bridge, which ODOT supports.

I-5 Boone Bridge Seismic Improvement Project Investment and Implementation Strategy



- Planning Phase
- Planning/Design Phase
- Design/Construction Phase (Alternative Delivery)
- Construction Phase

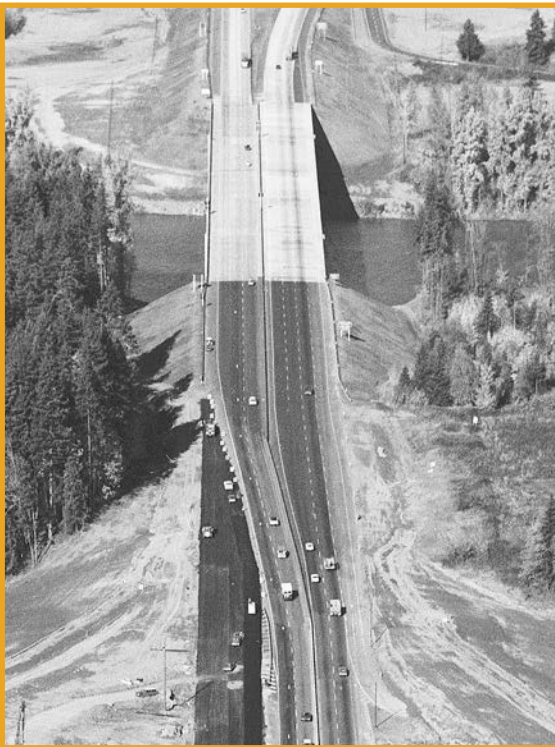
Note: This phased delivery schedule is not financially constrained and it is subject to funding.



Above: The I-5 Boone Bridge.

Key Takeaways

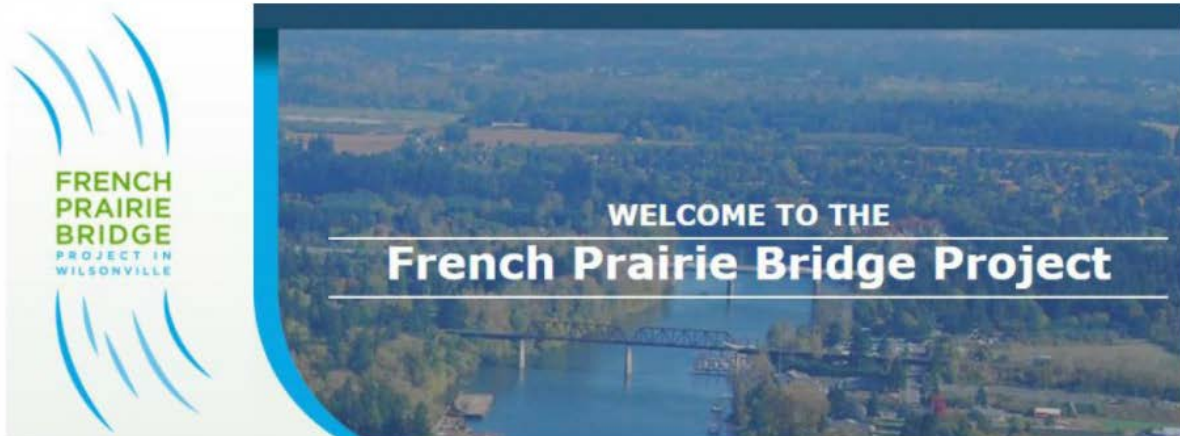
- 1 Sections of the existing Boone Bridge are over 60 years old. The bridge has been widened (with minor retrofitting) piecemeal over time.
- 2 Auxiliary lanes in both the northbound and southbound directions and associated interchange improvements will alleviate traffic bottlenecks, improve travel time reliability and enhance safety on I-5.
- 3 Due to the design and construction of the existing bridge, in the event of a Cascadia Subduction Zone earthquake, the existing bridge will be compromised, impacting an important lifeline route.
- 4 The bridge assessment conducted in this feasibility study recommends replacement of the existing Boone Bridge. It is more cost effective to replace the bridge than to retrofit and widen the existing bridge.
- 5 I-5 traffic can be maintained during construction of the new Boone Bridge.
- 6 A parallel bicycle and pedestrian bridge (**French Prairie Bridge**) is planned in the vicinity by the City of Wilsonville. Pedestrians and bicycles could be accommodated on a replaced I-5 Boone Bridge, but the preferred local option is the separate parallel bicycle and pedestrian bridge.
- 7 The **2018 Regional Transportation Plan** lists the **I-5 Wilsonville Facility Plan** project in the financially constrained project list and the project is currently in Metro's land use and transportation model. Inclusion of the southbound auxiliary lane on a replaced Boone Bridge will not impact the growth of neighboring communities and has minimal impact on travel demand as shown in ODOT's analysis of 2040 build and no-build scenarios.
- 8 Cost range for the project is \$450 million to \$550 million, assuming construction in 2027.



The Boone Bridge, November 1970.

The high-level estimated cost to replace the Boone Bridge with a widened and seismically resilient bridge ranges from \$450M to \$550M with construction beginning in 2027.

French Prairie Bridge Project



<https://www.ci.wilsonville.or.us/engineering/page/french-prairie-bridge-project>

Imagine 1000 miles of regional, multi-use trails in the three county Portland region finally connecting to the 134-mile Willamette Valley scenic bikeway. From the sloughs of the Columbia River, through lush forests, to agricultural lands, shaped by historic floods from Portland to Eugene. A key link to this **vision** relies on crossing the Willamette River at Wilsonville.

The French Prairie Bridge Project, led by the City of Wilsonville, is in the process of planning and developing preliminary designs for a proposed bicycle/pedestrian/emergency-access bridge across the Willamette River. A new bridge would be built near the historic Boones Ferry location, between the I-5 Boone Bridge and the railroad bridge to the west.

The French Prairie Bridge would fill a critical gap in local and regional multi-modal transportation infrastructure, connecting the Portland metro area and the northern portion of the Willamette Valley, known as the French Prairie region.

PROJECT MAP



KEY PROJECT BENEFITS

Emergency Services


- Provide an alternate route for emergency services to access either side of communities along the Willamette River when I-5 is impeded.
- Provide a route for secondary responders working to clear accidents or other incidents on I-5 by reducing the time to clear disruptions and get traffic moving again.
- Provide a seismically resilient route to support post-earthquake responses and recovery efforts.

Healthy Communities


- Fill a gap in bicycle/pedestrian infrastructure, connecting communities south of the Willamette River with access to Wilsonville employers and SMART and Tri-Met WES commuter-rail transit options.
- Improve access to parks and natural areas.
- Connect the planned Portland metro-area Ice Age Tonquin Trail with the **132-mile Willamette Valley Scenic Bikeway** that extends south to Eugene.

Economy


- Benefit southwest Portland metro suburbs by providing a connection with the Willamette Valley Scenic Bikeway, the most heavily trafficked bikeway in the state, which generated \$3.14 million in bike tourism spending in 2014 (*Source: Travel Oregon – July 2015*)
- Fulfill a key strategy identified in the 2014 Wilsonville Tourism Development Strategy (*Source: City of Wilsonville*)



Project Status & Milestones



Project History & About



Project News



Project Documents



Frequently Asked Questions



Committees & Partners

<https://www.oregon.gov/odot/Projects/Pages/I-205.aspx>

Interstate 205 Projects

PROJECTS

Current Projects

Keep Oregon Moving (HB 2017) Projects

Project Archive

CONTACTS

Ask ODOT

Regional Offices

PORTLAND AREA PROJECTS

Interstate 84 Construction

Interstate 5 Construction (Portland to Wilsonville)

Interstate 205 Projects

U.S. 26 Construction (North Plains to OR 35)

Oregon 8 Construction

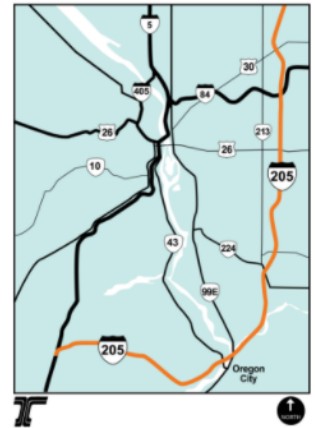
Waterway Access Closures

Interstate 205 is an essential piece of our transportation network. Thousands of Oregonians use this freeway every day.

We have several transportation projects in the area working to help manage congestion, improve safety and support our economy, even after a major earthquake.

It's important to us that you can find the project you are looking for. Below are links to all of the ODOT projects in the I-205 area.

If you need help finding a project, [email Ask ODOT](#) or give us a call, 503-731-8053.



Projects in the Corridor

Sort ▼

Title	Project Details Link	Project City
I-205 Improvements: Stafford Road to OR 213	View Details	Oregon City, West Linn
I-205 Paving: Abernethy Bridge to SE 82nd Avenue	View Details	Portland
I-205 Ramps at Division Street	View Details	Portland
I-205: Bus on Shoulder Pilot	View Details	Portland
I-205: Northbound Auxiliary Lane	View Details	Portland
Oregon City-West Linn Pedestrian-Bicycle Bridge Concept Plan	View Details	Oregon City, West Linn

I-205 Toll Project

Toll funding is needed to complete the construction of the I-205 Improvement Project, which will make the corridor safer and less congested. The project includes critical seismic improvements to the Abernethy Bridge and eight other bridges, and adds a third lane in each direction along I-205 from Stafford Road to OR 213.



<https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=OCWLPBBCP>

Oregon City-West Linn Pedestrian-Bicycle Bridge Concept Plan Planning Phase

Region 1: Portland metro and Hood River County (Oregon City, West Linn, Clackamas)

The Concept Plan will identify a preferred alignment for a safer, more comfortable crossing for people biking and walking across the Willamette River between the communities of Oregon City and West Linn.



Meetings and Events

Online Open House and Survey March 29 - April 13

Thank you to everyone who participated in our online open house and community survey! While the survey is now closed, you can still access the online open house ([English](#) and [Español](#)) to learn about the project. You may also send comments or questions to the project staff.

Virtual Public Meeting Tuesday, April 6 at 6:30 p.m.

The project team held a virtual public meeting on Tuesday, April 6 at 6:30 p.m. Thank you to everyone who joined to share input about the potential crossing alignments!

Click [here](#) to view a video recording of the meeting.

Project Advisory Committee (PAC) Meetings

The committee will meet approximately three times. The committee held their first meeting on January 27 from 3:00 - 5:00 pm and the second meeting is March 31 from 3:00 - 5:00 pm. Materials from the first and second PAC meetings are in the project library at the bottom of this page.

The final PAC meeting will be on May 5 from 3:00 - 5:00 pm.

- [Click here](#) to join the meeting on Microsoft Teams
- Call in using this number: (971) 277-2148
- Phone Conference ID: 220 127 522#

Meeting materials will be posted on this website one week prior to each meeting.

About



People who walk and bike across the Willamette River between Oregon City and West Linn currently use the Arch Bridge (OR 43) which does not have dedicated bike paths or sidewalks that meet the Americans with Disabilities Act standards. To address this, a concept plan will identify an alignment for a safer, more comfortable Willamette River crossing for people biking and walking.

Project Contacts

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Last Updated

4/28/2021 10:12 AM

Project Number

OCWLPBBCP

OREGON CITY- WEST LINN PEDESTRIAN-BICYCLE BRIDGE CONCEPT PLAN

Welcome and Project Background	History	Purpose and Need	Planned Projects in the Study Area
How a Bridge Alignment is Selected		Next Steps	

WELCOME AND PROJECT BACKGROUND



WELCOME TO THE OREGON CITY - WEST LINN PEDESTRIAN AND BICYCLE BRIDGE CONCEPT PLAN ONLINE OPEN HOUSE AND COMMUNITY SURVEY.

The project will select a preferred bridge alignment for people walking, biking, and rolling across the Willamette River to connect the communities of Oregon City and West Linn, enhance safety, and improve regional connectivity.

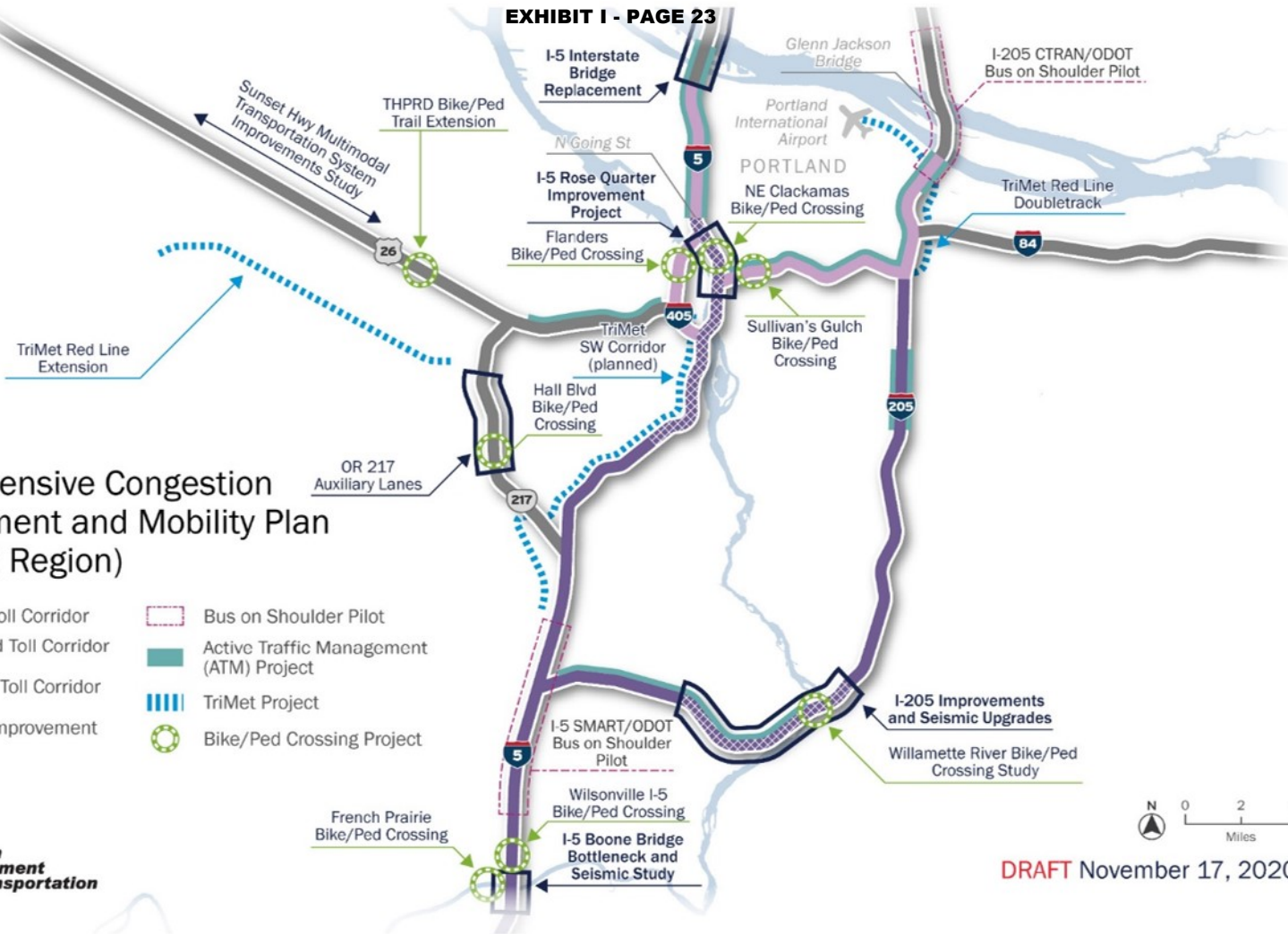
People who walk, bike, and roll across the Willamette River between Oregon City and West Linn currently use the Arch Bridge (OR 43) which does not have dedicated bike paths or sidewalks that meet the Americans with Disabilities Act standards to provide access to people using mobility devices. To address this, Oregon City, West Linn, Clackamas County, Metro and ODOT are exploring potential new bridge alignments between the Willamette Falls and the I-205 Abernethy Bridge.

The open house and community survey are now closed. Thank you for providing your input on walking, biking and rolling (using personal supports such as wheelchairs or walkers or micromobility devices such as e-scooters) in your community and the potential bridge alignments!

PROJECT AREA

The study area consists of culturally and historically significant area that stretches between the Willamette Falls and the I-205 Abernethy Bridge.





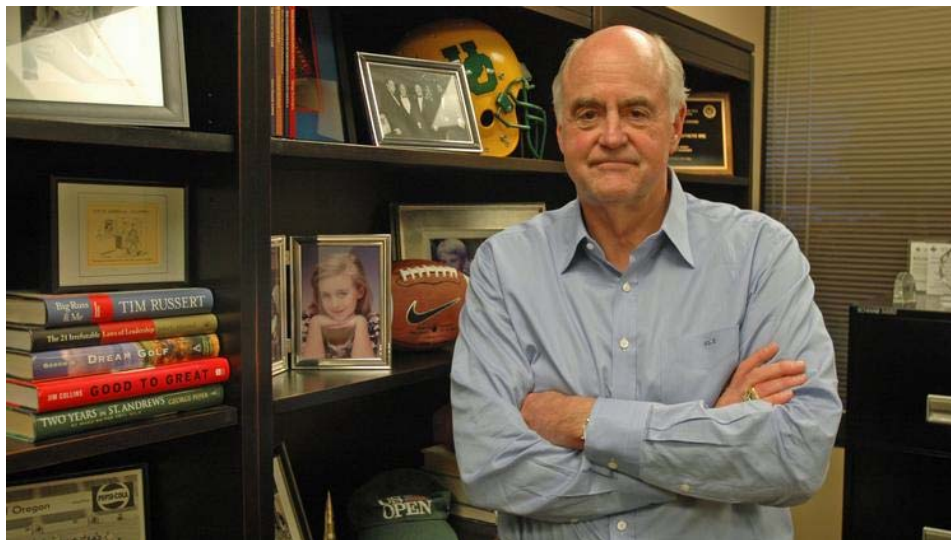
Comprehensive Congestion Management and Mobility Plan (Portland Region)

-  Current Toll Corridor
-  Expanded Toll Corridor Limits
-  Potential Toll Corridor Limits
-  System Improvement Project
-  Bus on Shoulder Pilot
-  Active Traffic Management (ATM) Project
-  TriMet Project
-  Bike/Ped Crossing Project



DRAFT November 17, 2020

Longtime Portland developer says next industrial frontier lies in Woodburn



Developer Gregory Specht, who played football for the University of Oregon in the '70s, believes Woodburn could be the next frontier for industrial development in the Portland region.

By [Jon Bell](#) – Staff Reporter, Portland Business Journal

Jan 31, 2018, 4:13pm PST

<https://www.bizjournals.com/portland/news/2018/01/31/longtime-portland-developer-says-next-industrial.html>

Back in the mid-1980s, Northeast Airport Way was a two-lane road that ran from Portland International Airport east to Northeast 138th Avenue and no farther. It was a somewhat quiet area of town at the time, with little going on commercially save for a Costco.

Fast-forward three decades, however, and the area along Airport Way has become a hive of bustling commercial and industrial activity. Sprawling warehouses line the now four-lane road — which has since been extended all the way to Interstate 84 — as do hotels, chain restaurants and a giant IKEA.

One of the first projects to kick off that eventual hive was a 170,000-square-foot industrial project led by Gregory Specht, who at the time of the project's completion in 1988 worked for Scherzer-Moore Partners, a well-regarded Portland real estate investor. Specht left Scherzer in 1990 to launch his namesake business, but not before picking up a valuable real estate lesson.

“Over time, I’ve learned rule No. 1 in real estate: follow Costco,” Specht said. “It worked on Airport Way, it’s worked in Clackamas, in Tigard, in Beaverton. It’s worked a lot.”

Indeed, Specht Development has found a fair share of success developing a wide range of project types in all those areas and then some over the past 30-some years. But there’s more to Specht’s prolific longevity than its projects’ proximity to Costco stores. Specht himself, a former University of Oregon Ducks tight end who played with legendary quarterback Dan Fouts, is a dealmaker whose hunches and relationships have served him well through several decades and multiple recessions.

His moves, both during a four-year stint with Scherzer and since then, have found him and his team in good fortune, from acquiring a ho-hum business park in Beaverton that later became [Nike's](#) go-to locale for expanding to developing huge industrial projects

and making prominent buys of buildings like the old headquarters of children's apparel brand Hannah Andersson and One Pacific Square.

As the office and multifamily markets cool, and as industrial land all but disappears, Specht Development finds itself heading into a future where land-use policies might just make Woodburn the next industrial hotspot and where continued demand in Portland's Central Eastside Industrial District keeps the area high up on Specht's radar for another new project. Getting in on the right deals — and early — will be key to Specht's future, just as it has been key in its past as one of the metro region's most prominent real estate powerhouses.

"It's easy to do a real estate deal," Specht said. "It's not easy to do a good one."

Industrial evolution

Born and raised in Salem, Specht earned a degree in business administration degree from UO and cut his teeth on real estate after college by building and selling a few residential houses in Salem, as well as working for the company now known as Ticor Title. He was also involved in several projects that converted hotels in downtown Portland into affordable housing.

In 1986, Specht joined Scherzer-Moore, where he helped the firm, backed by the D.C.-based [National Electrical Benefit Fund](#), to acquire land in Wilsonville for 250,000 square feet of industrial space and in Vancouver for an office project. In addition, the firm acquired 54 acres for the Beaverton Creek Business Park in 1988. At the time, the property wasn't close to much.

"I used to say it was in the middle of nowhere but in the middle of everywhere," Specht said.

But Nike was on the rise, and soon the shoe giant came knocking, looking for space to lease. They started with a couple thousand feet here and there; by 2013, they were up to 250,000 square feet and wanted more. According to Specht, who officially founded Specht Development and Specht Properties in 1990, Nike wanted all of the square footage in the business park — more than 500,000 total — even if that meant relocating other existing tenants.

"And that's what happened," Specht said, adding that Nike also currently leases a prime six-acre property in the business park. That property, which is currently forested, is "the best greenfield development site on the west side," Specht said.

Specht sold the business park, save for the six-acre parcel, in 2016 for more than \$50 million. It's also sold a few of its industrial projects for pretty pennies in the past year, including the roughly 500,000-square-foot Interstate Crossroads Distribution Center — which Specht developed with PCCP — for \$56 million and the Stafford Distribution Center in Wilsonville for \$28.2 million. The latter sold to the Goodman family, one of Portland's longstanding real estate families.

"Specht was a great group to work with," said Greg Goodman. "They have a great reputation in the business and lived by their word the whole way" through the transaction.

Woodburn frontier

Industrial has always been a favorite property type for Specht. The company has developed millions of square feet of industrial property, including, most recently, the massive Vista Logistics Park, a 733,000-square-foot project in Gresham done in partnership with New York Life Real Estate. That project is complete but has not yet signed any leases.

But with other developers tying up some of the last remaining large parcels of industrial property in the metro region for Amazon distribution centers, Specht is finding that farther afield from Portland may be the next frontier.

“It’s certainly true,” said Stuart Skaug, a senior vice president with [CBRE](#), of the tight inventory of industrial land in the region. He said the issue is about more than simple supply within the urban growth boundary, however. Though making more land available would help alleviate the situation, bringing more of the existing land up to shovel-ready status would be a big help, too.

“If you have a company that is looking for a site, and you have to tell them that there are powerlines on it, some wetlands, maybe it’s on a slope and that it could take seven to 30 months just to entitle it, they’re going to say nope,” he said.

For Specht, the next “middle of nowhere, middle of everywhere” might just be Woodburn. The company is on the verge of purchasing 108 acres of land in Woodburn that could be developed for a range of industrial uses. Specht said the company won’t build anything speculative on the property; there are plenty of “build-to-suit opportunities out there.” They pitched the site to Amazon, but the retailing giant went to Salem instead, supposedly for the larger workforce potential.

Though many companies say they won’t locate south of Wilsonville, Skaug said for most distribution-minded companies looking to serve the Northwest, Woodburn will look the same as Salem, Portland or Vancouver on a map.

“If you are looking to site a regional distribution center for the entire Northwest, Woodburn works,” he said.

If that’s true, Specht may yet again be ahead of the game as it shores up its plans for Woodburn. The company would also like to get its hands on a block in the Central Eastside, and it will also continue with its construction and property management business lines, which have found it overseeing projects such as the remodel of the U.S. Bancorp Tower.

As for Specht himself, at age 68 he’s just making the turn and starting the back nine of his career. He could see Todd Sheaffer, Specht’s current president who joined the firm in 1996, taking the helm someday, but Specht has no plans to ease up anytime soon. Even if he does retire someday, he’d love nothing more than to see something developed on those six forested acres that Nike’s leasing.

“If they run the tape out on their lease, it will be 2043,” he said. “I’ll be 93 years old — and I’m going to build something on that property.”

CLOSER LOOK

The Company: Specht Development/Specht Properties

Business: Real estate development, construction and property management

Founded: 1990

CEO: Gregory Specht

Employees: 14

Development total: 9.5 million square feet of industrial and commercial property

Notable projects: Vista Logistics Park, 1010 Flanders Building,

580 apartments approved along Interstate 5

By Justin Much, Portland Tribune

Wednesday, September 23, 2020

<https://pamplinmedia.com/pt/9-news/481700-388639-580-apartments-approved-along-interstate-5>

Plans for the new project envision 586 units in west Woodburn near the Walmart.



COURTESY - An aerial rendering of the proposed apartment project in Woodburn.

Plans have been approved to add more housing in west Woodburn, specifically 586 apartment units along Stacy Allison Way near Interstate 5 and Walmart.

West Coast Home Solutions owner and developer Eugene Labunsky of Wilsonville worked with city staff and the Woodburn Planning Commission on the plans, which originally called for 164 one-bedroom, 376 two-bedroom and 46 three-bedroom units.

The Woodburn Planning Commission approved the complex during its May 28 meeting.

Woodburn City Council called up the planning commission's decision June 8 and heard testimony from city staff and the developer on July 13.

The planning commission allowed for six variances to city codes within the approval. The council primarily focused on variances directed at parking and driveway width.

One variance in the original plans allowed the developer to provide 1.77 off-street parking spaces per unit, rather than the two spaces required by city code. Changes to the plans boosted that to 1.9 spaces; from 1,113 spaces to 1,172 spaces. Original plans also listed 53.5% of those spaces as compact parking. That was changed to 25%.

Community Development Director Chris Kerr noted that the five main courtyards were narrowed to provide as much parking as possible.

"They massaged the locations of the buildings and adjusted some of the unit calculations," Kerr said.

The Woodburn Development Ordinance also calls for an architectural wall as a buffer or screen around the complex. As one variance, the commission approved an arboreal buffer in lieu of the wall. Councilor Lisa Ellsworth mentioned laurel as shrubbery that is well suited to such a task.

Revised plans altered the unit configuration somewhat, citing 148 one-bedroom, 390 two-bedroom and 48 three-bedroom units.

One area resident, Steve Rippeteau, weighed in on potential parking issues when the council first addressed the plans July 13. He had attended planning commission hearings and expressed concerns that the parking variance could result in spill over of excess vehicles parked on the neighborhood streets.

Rippeteau also was concerned about what effect waiving the requirement for an architectural sound barrier could have on foot traffic through the area. He viewed the increased parking capacity as a positive.

"I would guess that the 1.9 parking spaces per apartment unit would be an improvement over whatever it was before," Rippeteau said. "It's still not the 2 per (unit). And then at the same time, Lisa (Ellsworth) mentioned the laurel planting as a buffer. Does that also tend to discourage people from walking through yards? I'm not familiar with that plant; the only other one I could think of was blackberry bushes (and) that's not good.

"As I said before, I'm very much in favor of seeing the city increase the housing in the area," Rippeteau added. "But the other concern, beyond the scope of this meeting, is a more accessible drive (on connecting streets). It's already getting too congested around (Highway) 214 and Evergreen and the I-5 junction."

Rippeteau wondered whether state and federal transportation engineers considered adding another I-5 interchange to the south, adding that it would be a boon, perhaps delivering some traffic more directly to the Gervais area.

Overall, the complex designs depict 23 three-story, walk-up buildings, including the leasing office and recreation buildings, on-site improvements, and extending Stacy Allison Way to the south. The project will unfold in two phases, with the first phase entailing 179 apartments across seven buildings north of Hooper Street.

A timeline for that work has yet to be established.

"(There is) still significant engineering and design work to be completed," Kerr said. "It's unlikely there will be any activity occurring on this site until next year."

Amazon pays more than \$27 million for land in Woodburn, plans massive fulfillment center

By [Jeff Manning | The Oregonian/OregonLive](#)

Updated Jun 24, 2021; Posted Jun 24, 2021

<https://www.oregonlive.com/business/2021/06/amazon-pays-more-than-27-million-for-parcels-in-woodburn-plans-massive-fulfillment-center.html>

Internet juggernaut Amazon is planning one of the largest buildings in Oregon history — a five-story, 3.84-million-square-foot fulfillment center — [just west of Interstate 5 in the city of Woodburn](#).

The retail giant earlier this week paid \$27 million to three different sellers for the acreage that could host the new building. Jerry Melby, assistant county clerk at Marion County, said his office recorded the three transactions on Thursday. He confirmed the purchase price and that Amazon Services Inc. was the buyer.

The operation could employ about 1,874 people, according to planning documents.

Amazon's plan has been cloaked in secrecy. City documents referred to a potential big development west of the freeway only as "Project Basie." Amazon was never named.

Tommy Moore, a spokesman for Woodburn, declined to offer any details. "The city is not ready to give a statement right now," he said.

Amazon bought the bulk of its Woodburn land from Specht Woodburn LLC, a company formed by prominent local developer Greg Specht. Amazon paid \$23.3 million for the Specht parcel. He declined to comment.

Amazon thrived during the pandemic, delivering food and just about everything else to a nation of locked-down consumers. It is the second largest private company in the world, with more than a million employees. Sales in the first quarter of this year alone exceeded \$108 billion.

But the company has also come under withering criticism for low pay and harsh working conditions. Just this week, two large delivery companies serving the Portland area notified drivers [they will stop working with Amazon](#), their only client. In an email to drivers, one of the contractors cited "unsafe" working conditions and a deteriorating relationship with the retail giant.

Between Intel's sprawling computer chip factories, Nike's headquarters expansion and several data centers, Oregon has hosted plenty of enormous construction projects of late. At 3.84 million square feet, the Woodburn fulfillment center ranks near the top. The building will be 105-feet tall — double the maximum permissible under the city's current zoning rules, an exception approved by the city — with floor area equivalent to 66 football fields.

Amazon's growth has led to a seemingly inexhaustible appetite for warehouse space, where its employees pick from tens of millions of stored items, pack them and ship them to customers. The company says it operates more than 175 fulfillment centers worldwide, and the Woodburn facility will be its fourth major logistics center in the area.

It's unclear how much the Woodburn project will cost to build. Amazon's facility in Troutdale cost \$180 million. The Woodburn project is more than four times the size of the 855,000 square-foot Troutdale warehouse.

Amazon is proposing several traffic changes to accommodate the expected increase in truck and car volume in the vicinity. Most notably, it wants to overhaul the southbound I-5 exit ramp.

In its project document filed with the city, Amazon pledged to work with the Oregon Department of Transportation "to identify an acceptable modification to the southbound I-5 offramp to maximize the amount of southbound right-turn lane storage and lengthen the overall offramp."

Though it is the second largest private company in the world, Amazon may qualify for Oregon property tax breaks if it goes ahead with the Woodburn project. Some companies inside the Woodburn-Gervais Enterprise Zone qualify for three to five years of property tax abatements.

Amazon officials did not return messages.

Amazon's behemoth Woodburn fulfillment center scheduled for 2023 opening

By [Jonathan Bach](#) – Staff Reporter, Portland Business Journal

Jun 30, 2021 **Updated** Jun 30, 2021, 12:45pm PDT

<https://www.bizjournals.com/portland/news/2021/06/30/amazon-woodburn-fulfillment-center-2023-hiring.html>

E-commerce giant Amazon is laying the groundwork to open a massive fulfillment center in Woodburn in 2023.

The industrial building is expected to be approximately 3.8 million square feet in size and rise five stories, records show. It would sit on about 82 acres of land near Interstate 5.

With the new distribution outpost, Amazon (Nasdaq: AMZN) would grow its presence as a major employer in Oregon, where it says it employs more than 13,000 people already. In May, the company announced a hiring push for more than 1,500 workers in the Portland area. A spokeswoman at the time said the jobs were for “current fulfillment center, sort and delivery stations.”

This new fulfillment center alone is expected to employ more than 1,500, according to Amazon's announcement on Wednesday. The average beginning wage will stand at \$17 an hour.

“Early 2023, we will begin hiring for a wide range of roles, everything from receiving and stowing inventory to shipping customer orders and supporting network logistics,” Alicia Boler Davis, Amazon's vice president of global customer fulfillment, said in a statement.

The Woodburn proposal was [first reported](#) by the Oregonian/OregonLive on June 24. The Business Journal the next day submitted a public records request with the city of Woodburn, which released a [trove of documents](#) that go into the minutiae of the concept. The company did not initially respond to a request for comment. Then, on June 30, Amazon formally announced the plans for the fulfillment center.

Records indicate there would be two daily shifts at the fulfillment center, which was codenamed Project Basie, with 937 workers on each shift. “The Project Basie tenant is anticipated to run a multiple day shift/night shift employment pattern,” project documents state.

This, in turn, would create significant amounts of motor traffic. The development is expected “to generate approximately 1,176 trips during the weekday PM peak hour,” though that still falls below a local allowance of 2,500 trips, records show. The plan calls for more than 1,800 parking spots.

With five floors, the building will stand at about 105 feet tall, which exceeds a 45-foot building height requirement in the area. Project officials are seeking a variance to allow for the additional height, records show.

Why wouldn't a 45-foot-tall building cut it? “The proposed facility requires a five-floor, multi-story structure in which to contain inventory management technology supporting a large number and wide variety of items for fulfillment of customer orders,” the project documents state.

The city of Woodburn also addressed concerns around Enterprise Zone tax breaks in a weekly digital newsletter. Enterprise zones typically afford companies property tax breaks that last three to five years.

“Some people have expressed concerns that Amazon is participating in the Woodburn Enterprise Zone Tax abatement program, however Amazon has indicated that they will not be seeking enterprise zone property tax breaks,” the city said in the newsletter.

Oregon Department of Transportation (ODOT) Staff 9/9/2021 Presentation to Wilsonville City Council

1. Tolling/Congestion Pricing Update

- Oregon Toll Program
- Regional Mobility Pricing Project
- I-205 Toll Program



2. I-5 Boone Bridge and Seismic Improvement Project Update

- Proposed French Prairie Bridge as alternative transportation facility
- 2024-27 STIP project: I-5 NB aux lane from Hwy 551 to Charbonneau/Miley Road

3. South-of-the-River Updates

- I-5 Aurora/Donald interchange improvement plans
- Proposed Aurora State Airport Planning Advisory Committee
- 3.8 million square feet Amazon warehouse in Woodburn



Oregon Toll Program

Wilsonville City Council

Presenters:

Lucinda Broussard, Toll Program Director
(she/her)

Garet Prior, Toll Policy Manager (he/him)

September 9, 2021

ODOT Urban Mobility Office

Our charge



Equity



**Climate
Change**



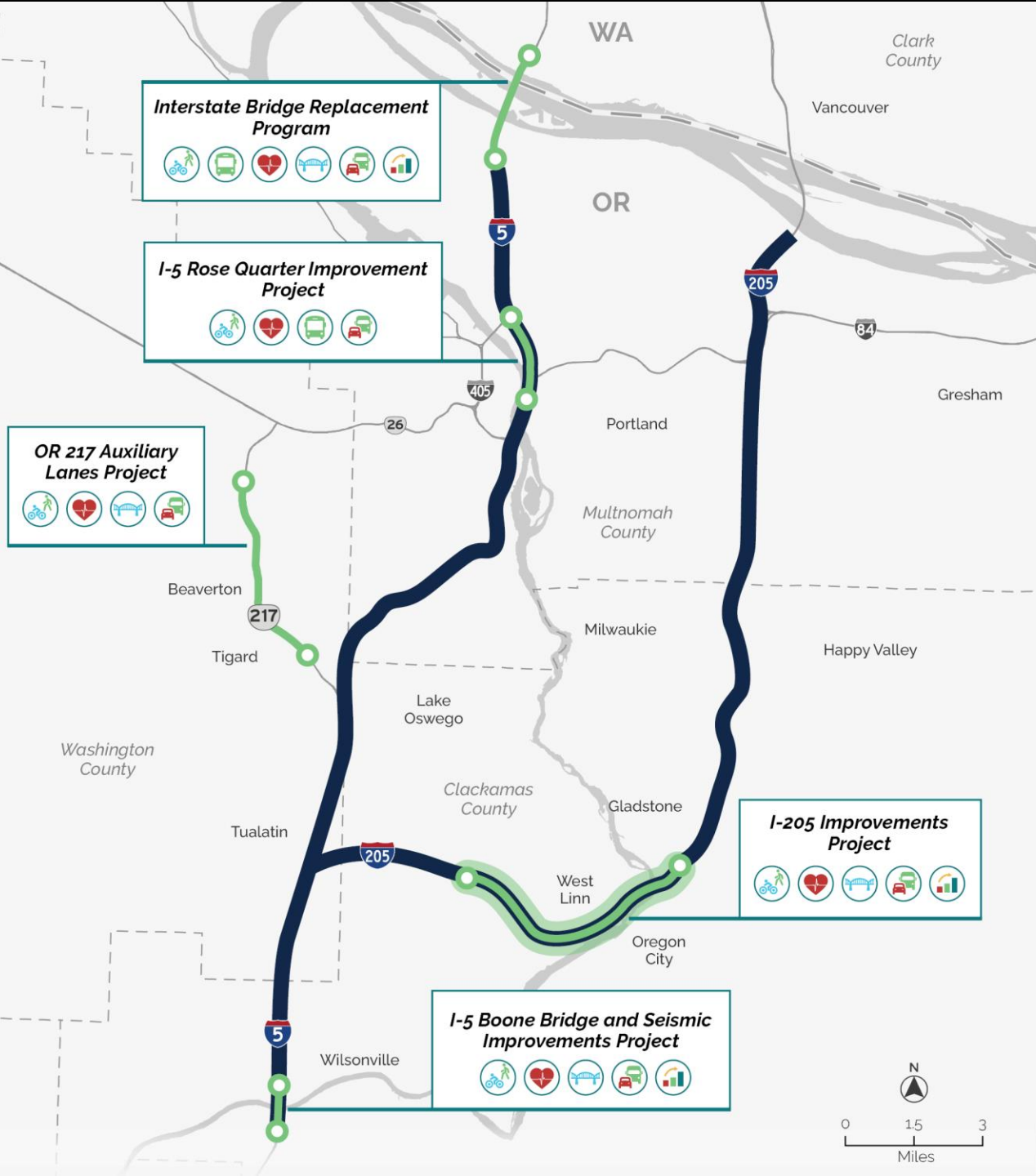
Congestion





Safety









**Reliable
Funding**



-  Core Project
-  Regional Mobility Pricing Project
-  I-205 Toll Project

Project Elements

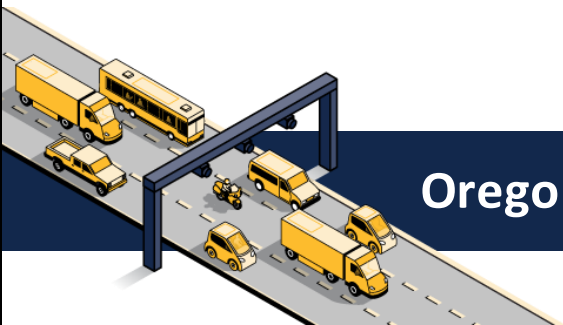
-  Bicycle and Pedestrian Improvements
-  Public Transportation Improvements
-  Safety Enhancements
-  Seismic Bridge Enhancements
-  Congestion Management
-  Toll Revenue Funds Investments

HB 3055 (passed in 2021 Oregon Legislature)

Financial flexibility for ODOT to deliver core projects

ODOT to develop an equitable, income-based toll rate
report by September 2022

Public transit will not pay tolls



Oregon Toll Program

www.OregonTolling.org

Oregon Toll Program



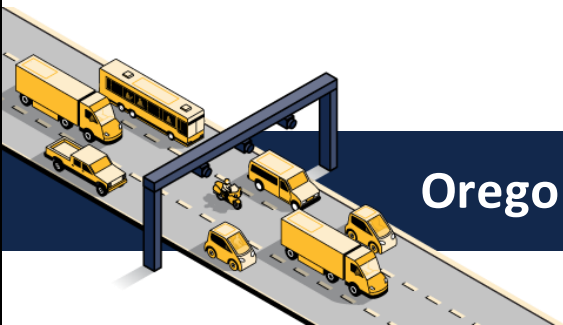
Key terms – we are here to help!

Toll and tolling are general terms

A fee on drivers, which can be charged for a segment of the road or access to an area (bridge)

Congestion pricing is a type of tolling

A type of tolling that charges a higher price during peak traffic periods to manage congestion



Top Questions

Oregon Toll Program



How will it work?



How much will it cost?

You will know the price before you get on the road

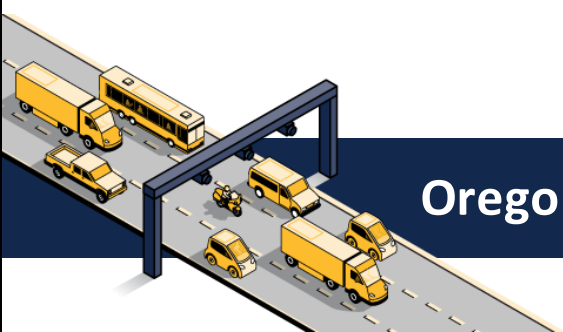
Variable rate, set schedule
(congestion pricing)



Peak Hours Toll Rate



Off-Peak Hours Toll Rate



What will it pay for?



Core
improvement
projects



Transit and
multimodal
transportation
options



Neighborhood
health and
safety



Affordable
options for
people
experiencing
low-income



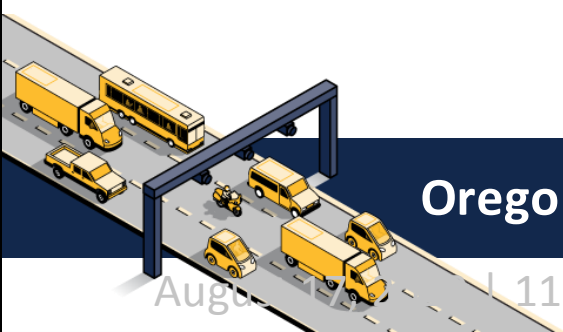
Oregon Toll Program

www.OregonTolling.org

When will it start?



*May require federal approval



Key Decisions

Oregon Toll Program



KEY DECISION: Commitments to advance equity and mobility



Oregon Transportation Commission



Oregon Toll Program

www.OregonTolling.org

Where will I see ODOT's commitment to equity and mobility investments?

Crysalis



Strategies

Adult Emerges



Policies

Adult



Performance Measures
(informs mitigation)



Oregon Toll Program

www.OregonTolling.org

Crysalis



A program or specific investment that is informed by the toll project analysis, but is above and beyond what is required mitigation

Strategies



Adult
Emerges



A statement or administrative rule used to guide decisions and identify actions in pursuit of an outcome, such as advancing equity

Policies



Adult



Performance
Measures

(informs mitigation)

Mitigation

National Environmental Policy Act (NEPA) term that addresses impacts identified in the environmental analysis for a toll project



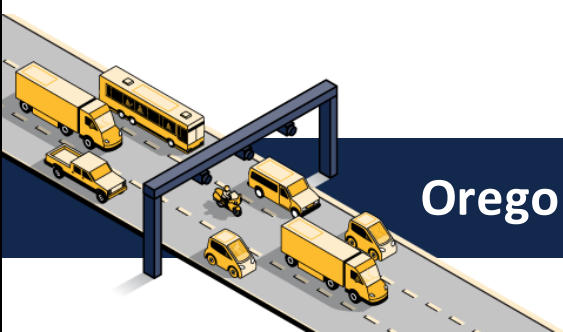


Equity and Mobility Advisory Committee

Oregon Toll Program

EQUITY FRAMEWORK STEP 1

Identify who, what, and where





Oregon Toll Program

**RESEARCH AND
COMMUNITY
FEEDBACK**

Oregon Toll Program

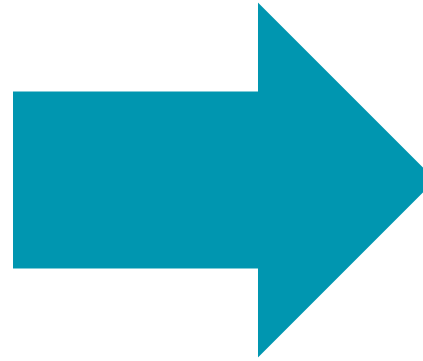
**POLICY & STRATEGY
OPTIONS**

I-205 Toll Project

**UPDATED
PERFORMANCE
MEASURES**

Oregon Toll Program

www.OregonTolling.org



EMAC [DRAFT] RECOMMENDATION TO THE OREGON TRANSPORTATION COMMISSION

The purpose of this working document is to capture the status and history of the Oregon Toll Program's Equity and Mobility Advisory Committee (EMAC) in developing recommendations for the Oregon Transportation Commission regarding the I-205 Toll Project, Regional Mobility Pricing Project, and the Oregon Toll Program (which covers the entire state).

Words in italics = PLACEHOLDER TEXT

November 2021



Oregon Toll Program

www.OregonTolling.org



Congestion pricing coordination

Moving to Our Future:
*Pricing Options for **Equitable Mobility***

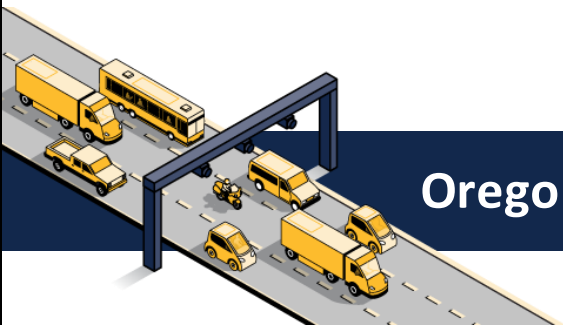


PBOT
PORTLAND BUREAU OF TRANSPORTATION



Regional congestion pricing study

Metro is collecting information to determine if congestion pricing can reduce traffic and greenhouse gas emissions and increase safety and equity in our regional transportation system.



Oregon Toll Program

www.OregonTolling.org

Congestion pricing coordination

- ❑ Address diversion impacts to neighborhood health and safety
- ❑ Investment in transit and multimodal transportation
- ❑ Address impacts to affordability

Moving to Our Future:
Pricing Options for **Equitable Mobility**



Regional congestion pricing study

Metro is collecting information to determine if congestion pricing can reduce traffic and greenhouse gas emissions and increase safety and equity in our regional transportation system.



Oregon Toll Program

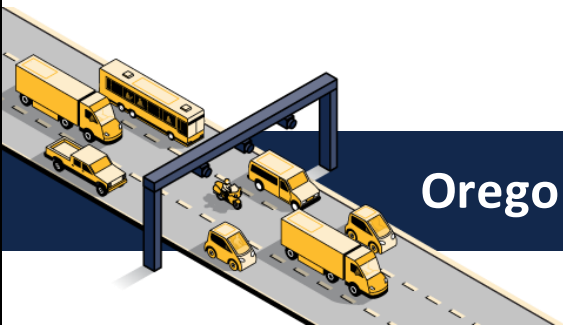
www.OregonTolling.org



Congestion pricing coordination (policy development)

Regional Transportation Plan and Oregon Transportation & Highway Plan updates

- Oregon Transportation Commission, Equity Mobility Advisory Committee, and Region 1 Area Commission on Transportation
- Joint Policy Advisory Committee on Transportation (JPACT), Metro Council, and Transportation Policy Alternatives Committee (TPAC)



Oregon Toll Program

www.OregonTolling.org



Regional Mobility Pricing Project



Equity



Climate Change



Congestion



Safety



Reliable Funding

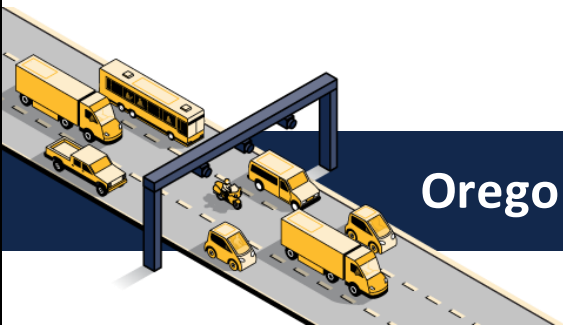


KEY DECISION: Project direction and alternative(s) for analysis (Purpose and Need Statement)

Timing: Early 2022

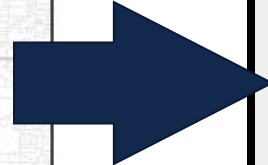
How to get involved?

- Briefings
- Small group conversations with community engagement liaisons
- Presentations to community-based organizations, businesses, and elected boards/commissions
- Regional workshops (September-October)



Oregon Toll Program

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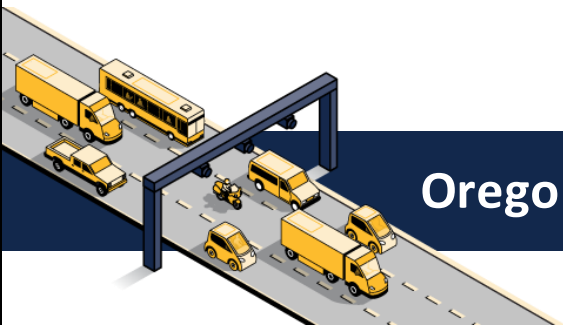


Project requirements

Minimum average operating speed of 45 miles per hour during morning or evening weekday peak hour periods



Source: Roadtrafficsigns.com



Oregon Toll Program

www.OregonTolling.org



Project requirements

Variable toll rate schedule for the Federal Highway Administration's (FHWA) Value Pricing Pilot Program (VPPP) authority

Value Pricing Pilot Program

The Value Pricing Pilot Program provides transportation agencies with options to manage congestion on highways through tolling and other pricing mechanisms. The Federal Highway Administration (FHWA) Office of Operations manages the program with support from the Office of Innovative Program Delivery.

What Is Value Pricing?

Value pricing—sometimes called congestion pricing—works by charging drivers on congested roadways during peak periods. Pricing shifts some rush hour highway travel to other transportation modes or to off-peak periods. By removing even just a small fraction of the vehicles from a congested roadway, pricing helps the system to flow more efficiently.

Who's Eligible for the Program?

State, regional, and local government agencies may apply for tolling authority if they are allocated one of 15 slots available in the program. Each slot may include multiple projects.



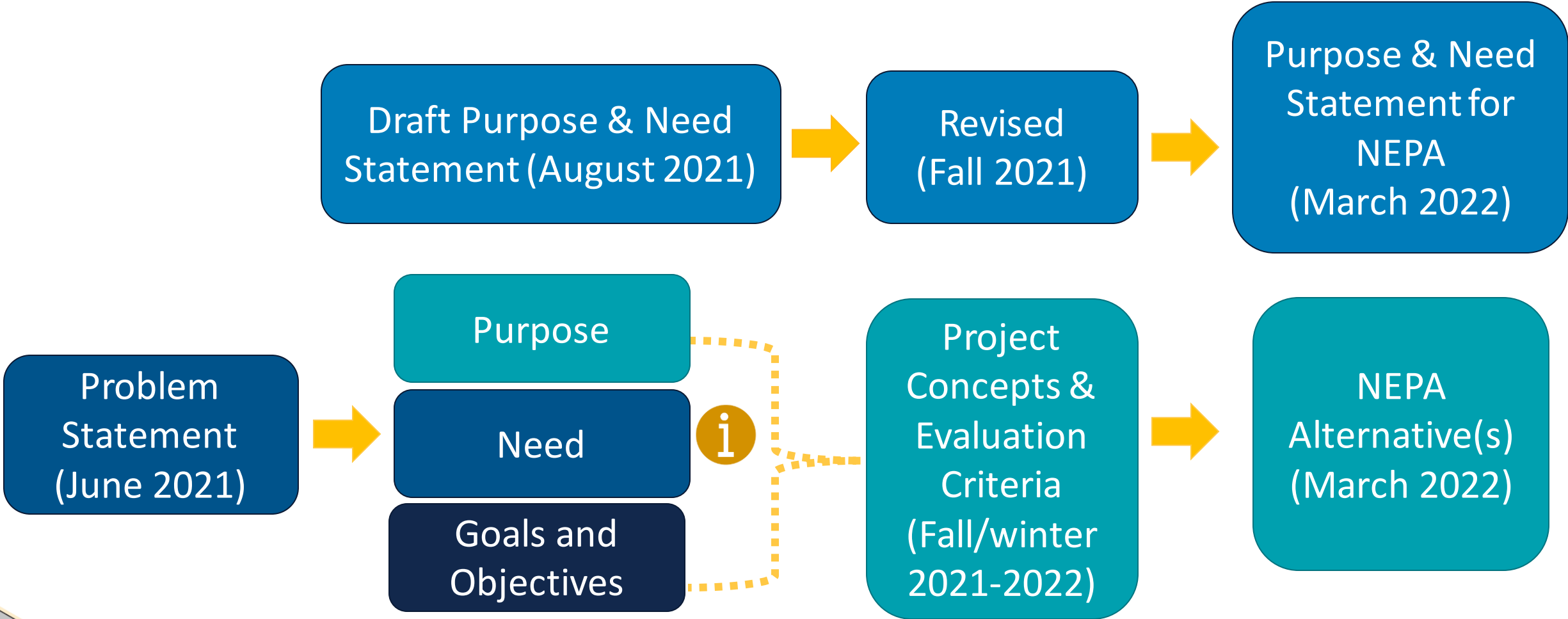
Oregon Toll Program

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Source: FHWA Website



The process: Purpose & Need Statement

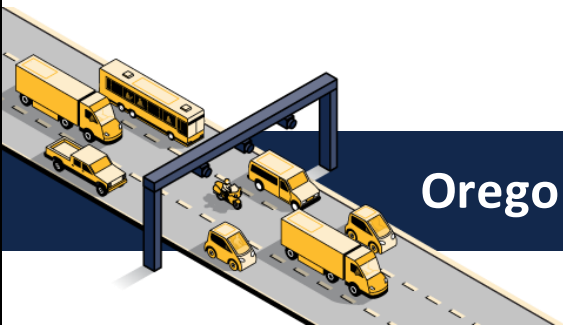


Next steps: TPAC, JPACT, and Metro Council

Discussion today and early 2022

Feedback on the Regional Mobility Pricing Project's draft Purpose and Need Statement, which includes the goals and objectives (**today**)

Feedback on the Regional Mobility Pricing Project's revised Purpose and Need Statement, alternative(s), and performance measures



I-205 Toll Project



Equity



Climate Change



Congestion



Safety



Reliable Funding

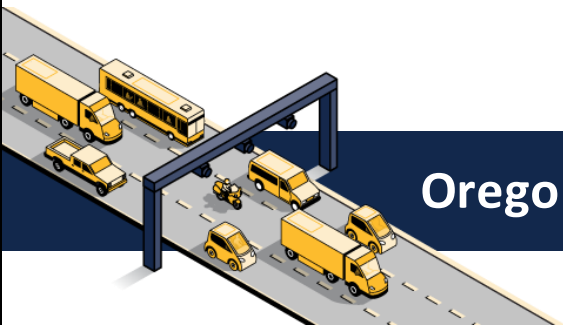


KEY DECISION: Analysis of the impacts and project investments (mitigation)

Timing: Early 2022

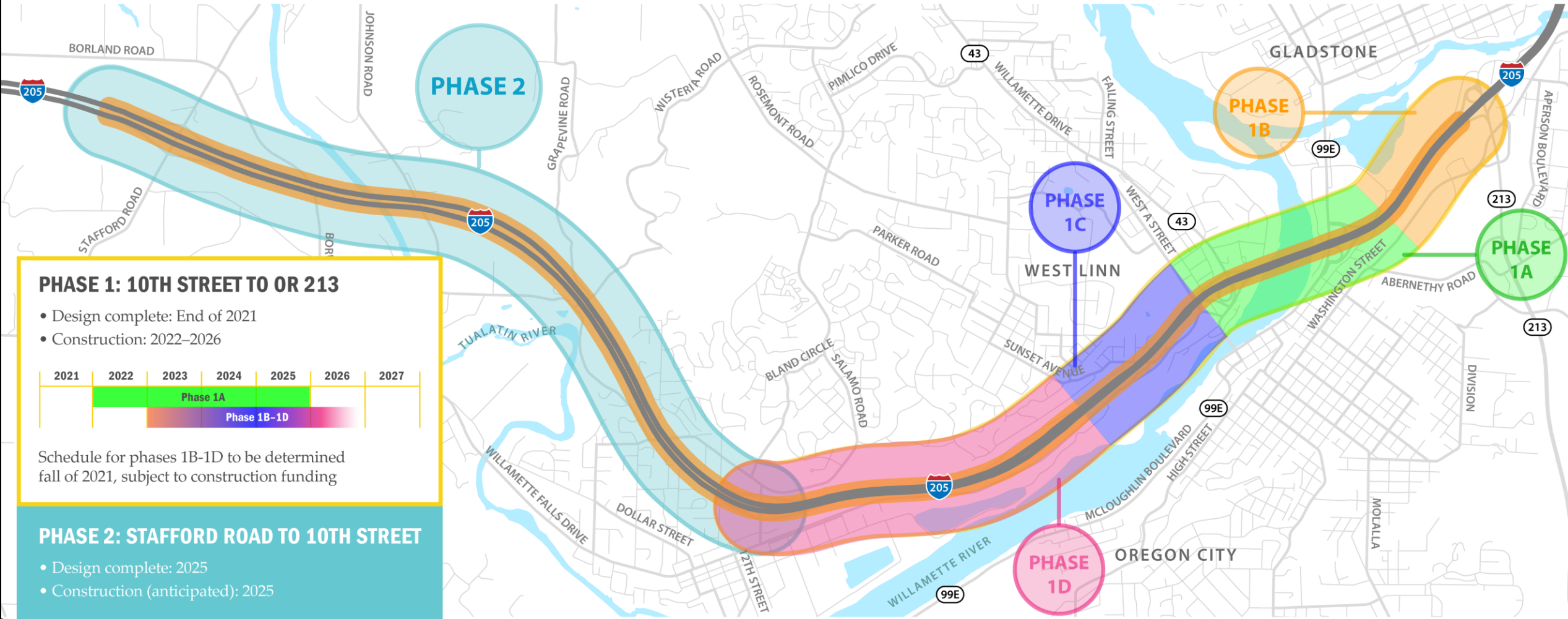
How to get involved?

- Outreach specific to local residents, businesses, and people in the impacted areas
- Small group conversations with community engagement liaisons
- Regular coordination with local governments



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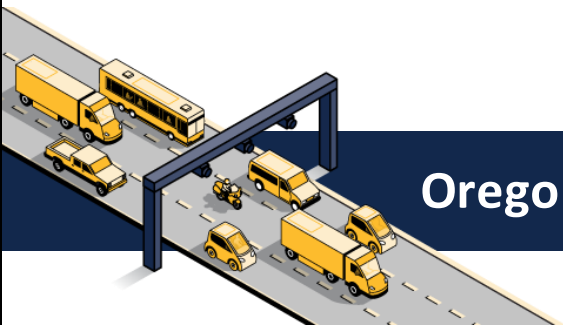
Oregon Toll Program

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Updated approach for the I-205 Toll Project

- **Purpose and Need Statement updated** to link financial connection of projects
- **Analyze Alternative 3** – toll points at Abernethy and Tualatin Bridges (Alternative 4 to be analyzed in Regional Mobility Pricing Project)
- **Analyze No Build** – Abernethy Bridge constructed; third lane is not constructed until toll project approval

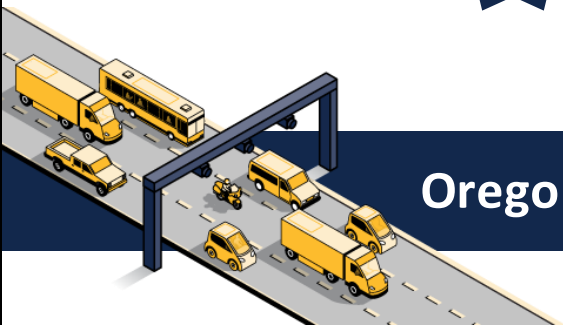


I-205 Toll Project Environmental Assessment (EA) Schedule

2021										2022								
Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	
Transportation Modeling						Transportation Impacts Analysis						D	UPDATE Transportation Modeling		UPDATE Transportation Impacts Analysis			F
			Analysis of Impacts to the Community and Actions to Address Impacts (Mitigation)								UPDATE Analysis of Impacts to the Community and Actions to Address Impacts (Mitigation)							

D *Publish DRAFT Environmental Assessment*

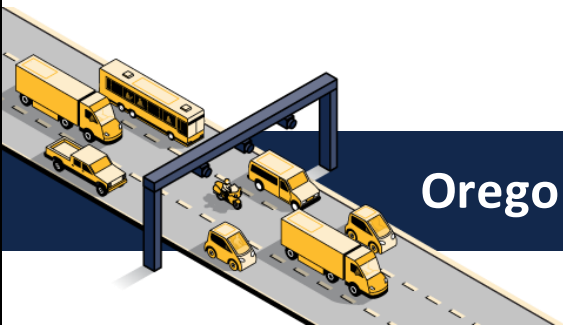
F *Publish FINAL Environmental Assessment Decision*



Next steps: TPAC, JPACT, and Metro Council

Request coming later in 2021

Amendments to the Regional Transportation Plan (RTP) and the Metropolitan Transportation Improvement Plan (MTIP) to connect the I-205 Toll Project with the I-205 Improvements Project



Oregon Toll Program

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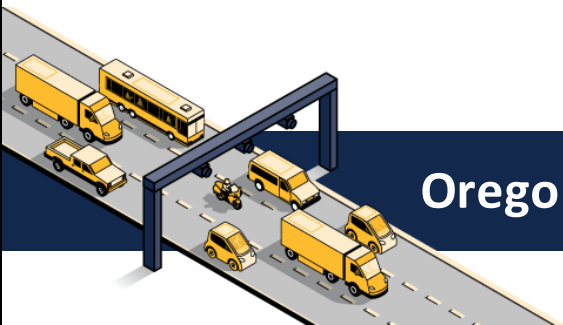
We would love to hear from you!



Go to oregontolling.org



Follow us [@UrbMobilityOfc](https://twitter.com/UrbMobilityOfc)



Oregon Toll Program

www.OregonTolling.org

Please contact us with your questions

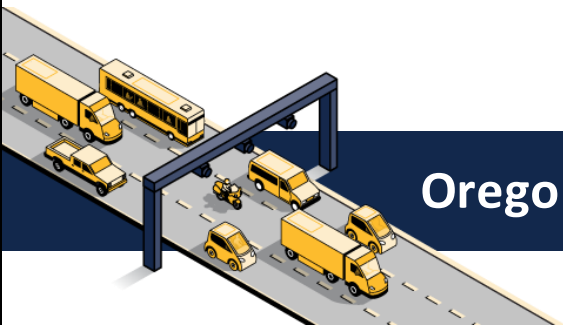
Lucinda Broussard, ODOT Toll Program Director

Lucinda.Broussard@odot.state.or.us
503.731.4980



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Garet.Prior@odot.state.or.us
503.396.2588



Oregon Toll Program

www.OregonTolling.org



Oregon Department of Transportation



I-5 Boone Bridge and Seismic Improvements & 2024-2027 STIP Enhance Proposal

Scott Turnoy
Oregon Department of Transportation
Wilsonville City Council
September 9, 2021



Overview

- I-5 Boone Bridge
 - Brief background
 - Current status and next steps
- 2024-2027 STIP Enhance





Background

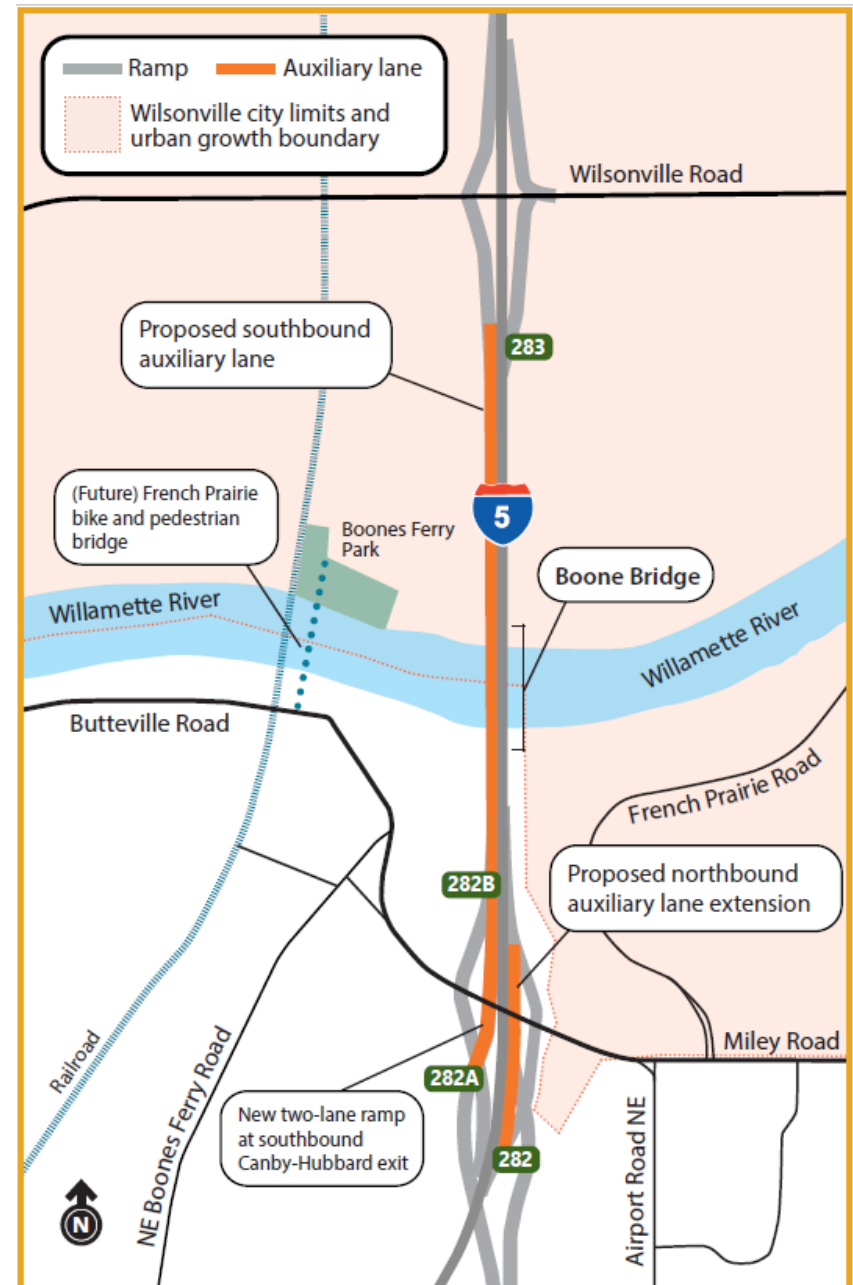
- 2018: I-5 SB Boone Bridge Congestion Study identifies significant bottleneck
- 2018: I-5 Wilsonville Facility Plan recommends improvements (added to 2018 RTP project list)
- 2019: CBOS II identifies I-5 NB bottleneck and considers opportunities to address it
- January 2021: ODOT delivers feasibility study report to Oregon Legislature, recommends Boone Bridge replacement
- March 2021: OTC approves \$3.7M to fund portion of project development through 2023
- June 2021: Oregon Legislature passes HB 3055, but does not vote on HB 3065





Current status and next steps

- Pre-NEPA project development
 - I-5 Boone Bridge replacement and adjacent interchange improvements
- Evaluate options for pedestrian/bicycle conveyance, which may include:
 - French Prairie Bridge
 - Separate facility on Boone Bridge
- Establish environmental classification and prepare for NEPA
- Begin to address risk items to develop project programming cost estimate





2024-2027 STIP Enhance Highway Funding Program

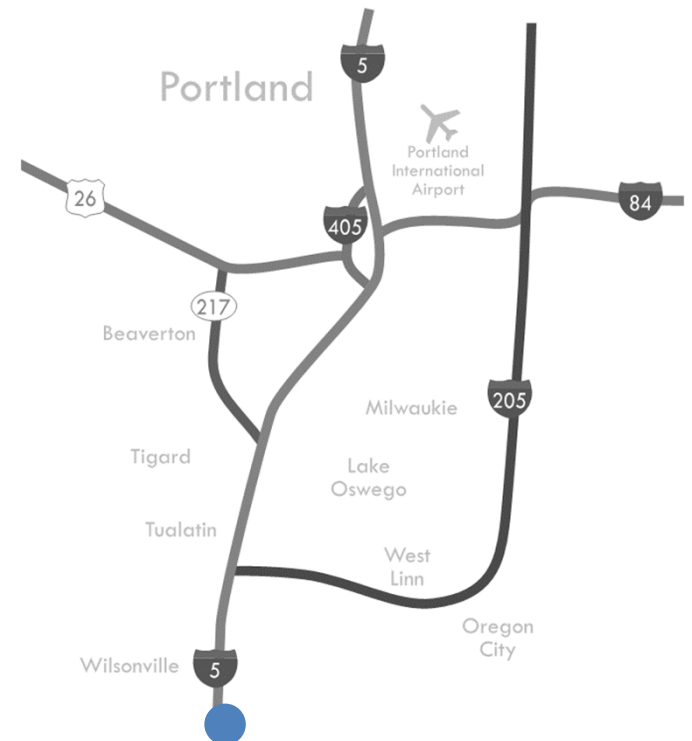
Proposal: I-5 NB auxiliary lane extension to OR 551 entrance ramp

Cost: \$9-11M

Need: Safety issues due to high volumes (including truck volumes), short merging distance, closely spaced interchanges, frequent congestion and traffic positioning for Wilsonville Rd exit

Improvement: Increase merging distance

Benefits: Improves safety, freight mobility, and congestion





2024-2027 STIP Enhance Highway Funding Program

Process Step	Timeframe
ODOT seeks input from ACTs, MPOs on possible projects	June - August
Proposals due from ODOT staff	End of August
★ ODOT will generate a draft project list totaling about \$80 million	Early September
Project scoping and GHG analysis	September-November
Input from ACTs, MPOs on scoped projects	December-January 2022
Final project list totaling \$65 million	February-March 2022



Questions?

Scott Turnoy
Oregon Department of Transportation
Scott.TURNOY@odot.state.or.us

I-5: AURORA-DONALD INTERCHANGE PROJECT (Exit 278)

Project Type: Modernization

Presenters: Anna Henson (ODOT),
Ed Chamberland (DEA)

HB 2017 Project

Key #19062

City of Wilsonville Briefing

September 9, 2021

Progress to Date

1. Completed alternatives analysis and stakeholder outreach
2. Selected preferred alternative → Diverging Diamond Interchange (DDI)
3. Completed environmental documentation
4. Completed Interchange Area Management Plan (IAMP)
5. Completed Phase 1A Bid Documents
6. Waiting for funding confirmation for full project



Preferred Alternative Diverging Diamond Interchange

Construct new I-5 bridge

Reconstruct/realign I-5 travel lanes

Lengthen/widen northbound and southbound on- and off-ramps

Realign/widen Ehlen Road

Realign Bents Road to align with Bents Court

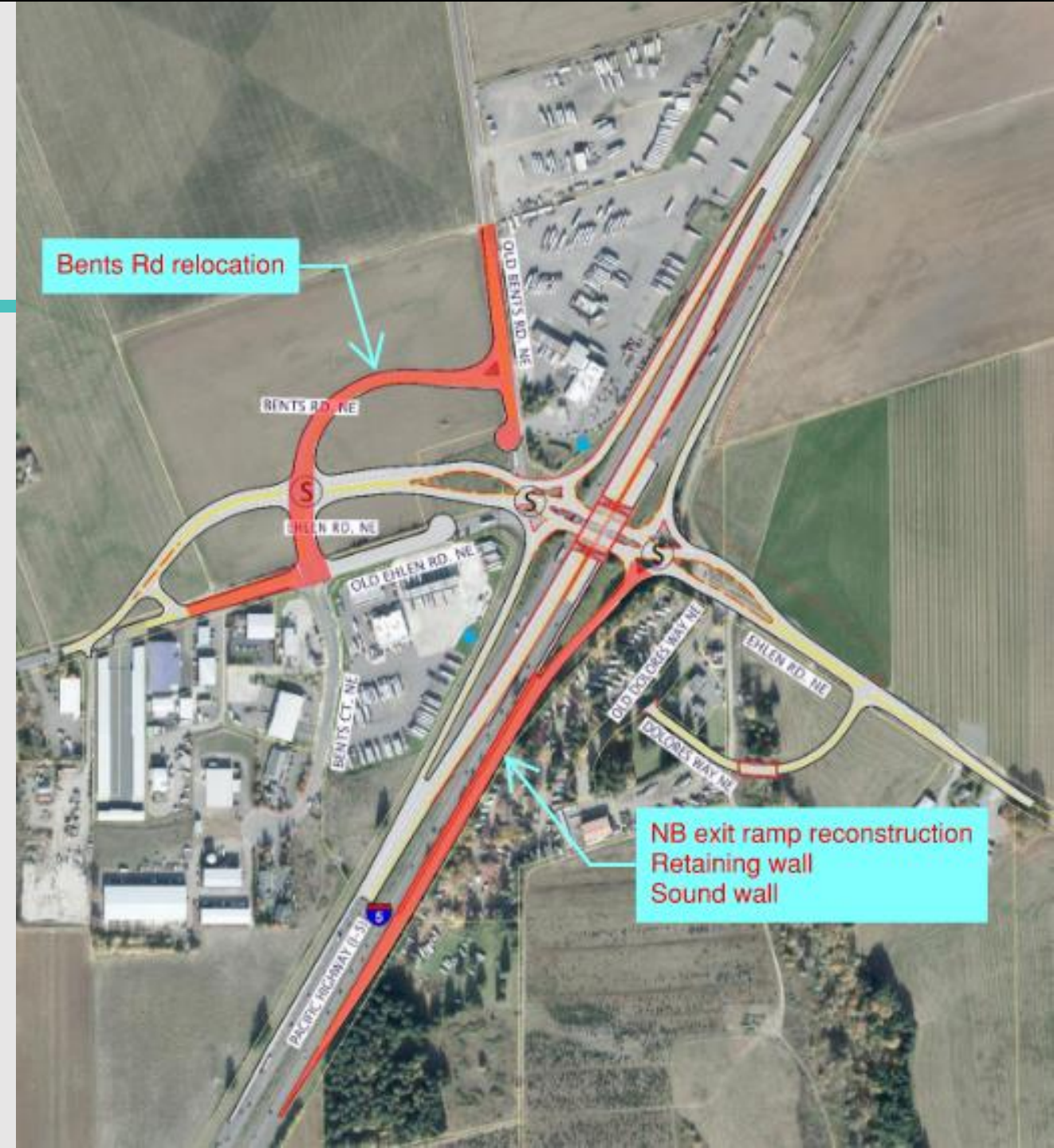
Realign Dolores Way

Project cost= \$72M



Phase 1A

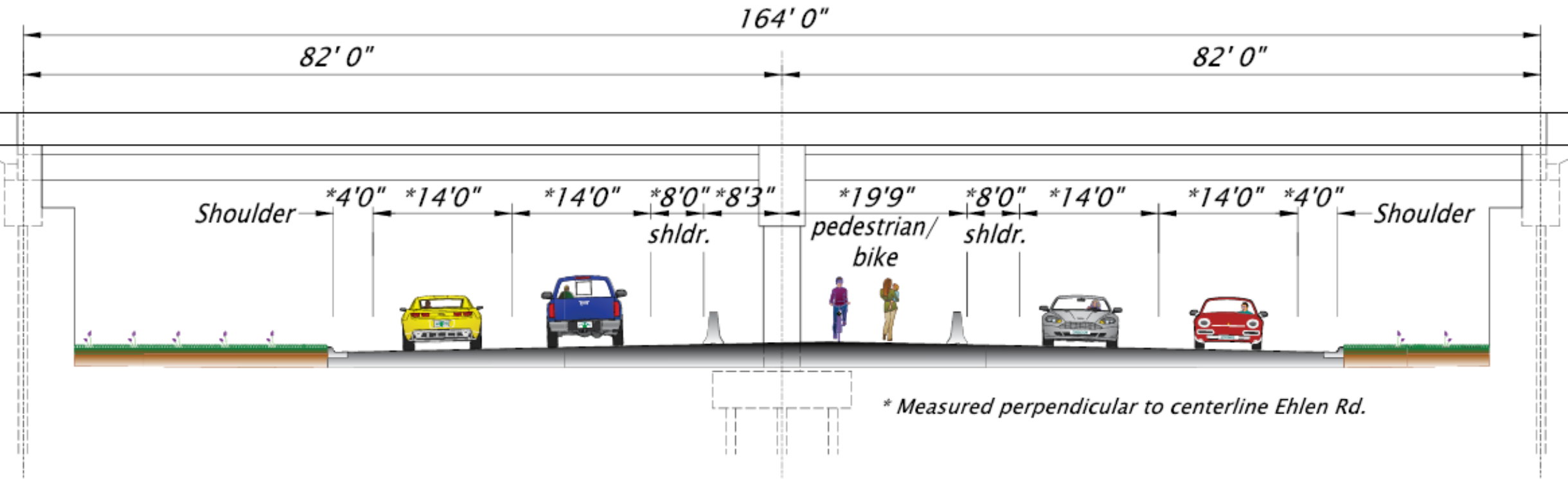
- Lengthen/widen northbound off-ramp
- Widen Ehlen Road
- Realign Bents Road to align with Bents Court
- Construct sound wall and retaining walls by RV Park
- Construction Cost = \$11M
- Addresses immediate safety and operational problems
- 2022 Construction (one year project)



I-5: AURORA-DONALD INTERCHANGE PROJECT

QUESTIONS

Phase 2 (DDI): Ehlen Road



Ehlen Road section looking east.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 9, 2021	Subject: Redistricting for Congressional Districts and State Legislative Districts Staff Member: Mark Ottenad, Public/Government Affairs Director Department: Administration
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution Information or Direction <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments:
Staff Recommendations: Staff recommend for Council consideration selecting either 1) Congress Plan A and Legislative Plan A <i>or</i> 2) Congress Plan B and Legislative Plan B.	
Recommended Language for Motion: Not applicable.	
PROJECT / ISSUE RELATES TO:	
<input type="checkbox"/> Council Goals/Priorities <input type="checkbox"/> Adopted Master Plan(s) <input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL

Based on results of the 2020 Decennial Census, the Oregon legislature’s House and Senate Redistricting Committees have released two sets of maps, one offered by Democratic Party leadership and one by Republican Party leadership, for proposed federal Congressional Districts and state Legislative Districts. Staff seeks direction from City Council regarding the City of Wilsonville’s preferences for representation by elected federal and state representatives in preparation for potential virtual testimony on Monday, September 13.

Of particular note is that Oregon is receiving a new seat in Congress, resulting in a new Congressional District (CD) 6. Wilsonville is currently in CD 5, represented by Congressman Kurt Schrader; both proposed Congressional District maps focus on the greater Wilsonville-area of the South Portland Metro Region due to extensive population growth over the past decade in this area

and the adjacent North Willamette Valley. Due to this population increase, Wilsonville's state Legislative districts are reduced in geographical size, being more compact.

EXECUTIVE SUMMARY

The following is a summary of two sets of maps for proposed federal Congressional Districts and three sets of maps for proposed state Legislative Districts. All maps include the Charbonneau District with Wilsonville's proposed Congressional or State Legislative districts. See Exhibit C, Proposed Redistricting Maps: Congressional Districts (CDs); the maps are also online at: <https://oregon-redistricting.esriemcs.com/portal/home/webmap/viewer.html?useExisting=1&layers=643436c5fa7e4f7289d1af71831cfd5>

Congressional Districts Plans A and B

Congress Plan A's proposed new Congressional District 6 could be described as the "SW Metro-Salem-North Willamette Valley Western Region" district. In this version, Wilsonville is kept whole for the most part and is located on the very eastern edge of southern-most tip of Southwest Metro-area included in the Western Region of the North Willamette Valley proposed for new CD 6 that includes Salem, Newberg and McMinnville.

OPB reports that "Democrats' proposal would center the new Congressional district in two areas that have seen some of the fastest population growth in the last decade: Washington County and the Salem region. The proposal would expand Congressional District 3, currently held by Portland Democratic U.S. Rep. Earl Blumenauer, far to the east and south to encompass Hood River, Wasco, and Jefferson counties, and snatch up a portion of fast-growing Bend. It would send Congressional District 5, held by Democrat Kurt Schrader, deeper into the Portland area, and farther south while divorcing it from the coast."

Positive Pros

- City is united with Tualatin and Sherwood, a secondary preference for the City Council after West Linn.
- Wilsonville is united with a significant amount of Washington County's Metro region, including the cities of Tualatin, Sherwood, Tigard and Beaverton, which share interests in mobility along the South Metro I-5 Corridor.
- The Congressional District representative will have only one Metro-area ODOT "Mega Project" to lobby for federal funding: I-5 Boone Bridge and Seismic Improvement Project.
- Wilsonville becomes more unified with communities along the South Metro and North Willamette Valley I-5 Corridor, including French Prairie and the cities of Woodburn and Salem, Oregon's capital.

Negative Cons

- Divided City: Future designated City Urban Reserves Frog Pond East and South are omitted from map for CD 6, and would become part of CD 5.
- Along with the Frog Pond Urban Reserves, the community's traditional ties with the Advance area located immediately east of Wilsonville are not maintained in a unified district of representation.
- Map boundaries do not follow that of the West Linn-Wilsonville School District, a City Council preference.
- While not united with West Linn, a City Council top preference, the City is united with Council's secondary preferences of Tualatin and Sherwood.
- Wilsonville is united with areas to the west of the North Willamette Valley such as Newberg and McMinnville in Yamhill County, for which Wilsonville has less traditional connections.

Congress Plan B's proposed new Congressional District 6 could be described as the "Clackamas-Marion Counties" district. In this version, Wilsonville is fragmented on the city's northside and located on the western edge of Southeast Metro-area of Clackamas-Marion Counties area of the North Willamette Valley proposed for new CD 6 that includes part of Salem, Oregon City, Milwaukie, Lake Oswego, and West Linn.

OPB reports that "Republicans' congressional proposal, meanwhile, was tilted more in the GOP's favor, the analysis suggested. The plan would create a highly competitive sixth congressional district based around Portland's southern suburbs and stretching down to encompass Salem and out east. It would shrink down two seats held by Blumenauer and U.S. Rep Suzanne Bonamici, so that they're confined to deep blue Multnomah and Washington counties, and rejigger the lines of the competitive districts held by Schrader and Democratic U.S. Rep. Peter DeFazio to favor Republicans."

Positive Pros

- City is united with West Linn, a City Council primary preference.
- Most of the West Linn-Wilsonville School District is located in CD 6, a City Council preference.
- Wilsonville is united with a significant amount of Clackamas County's metro region, including the Metro JPACT and MPAC-recommending C4 Metro Subcommittee cities of Lake Oswego, Gladstone, Happy Valley, Milwaukie, Oregon City, and West Linn, which share interests in mobility along the I-205 Corridor.
- Wilsonville becomes more unified with communities of French Prairie along the South Metro and North Willamette Valley I-5 Corridor, including the City of Salem, Oregon's capital.
- Along with the eastside and westside Urban Reserves, the community's traditional ties with the Advance area located immediately east of Wilsonville and with the Parrott Mountain area are maintained in a unified district of representation.
- The Aurora State Airport is in same district as the City; a separate Congressional Representative might be less likely to challenge issues in another Member's district.

Negative Cons

- Divided City: North Wilsonville within current city limits is excluded from map for CD 6, and would become part of CD 1.
- North Wilsonville UGB expansion areas of Coffee Creek and south Basalt employment zones are excluded from map for CD, and would become part of CD 1.
- Potential North Wilsonville-area Urban Reserves of South and North Elligsen are excluded in whole or part from map for CD 6, and would become part of CD 1.
- While map boundaries do not follow that of the West Linn-Wilsonville School District, a City Council preference, most of the District is located in CD 6.
- The Congressional District representative will have two Metro-area ODOT "Mega Project" to lobby for federal funding: I-205 Widening/Abernathy Bridge project and the I-5 Boone Bridge and Seismic Improvement Project, each estimated at +\$500 million.
- Wilsonville is segmented away from communities with interest in the South Metro I-5 Corridor of Tualatin, Tigard and Sherwood.
- Wilsonville is united with areas to the far east of the North Willamette Valley and Cascade Mountains of Marion County, for which Wilsonville has less traditional connections.

State Legislative Districts Plans A, B and C

The House and Senate Redistricting Committees produced three sets (A, B and C) of state Legislative district maps, each composed of House and Senate districts. See Exhibit D, Proposed Redistricting Maps: Oregon House and Senate Districts; the maps are also online at:

<https://oregon-redistricting.esriemcs.com/portal/home/webmap/viewer.html?useExisting=1&layers=643436c5fa7e4f7289d1af71831cfdd5>

None of the proposed maps matches City Council primary preference to be united with West Linn; however, all proposed maps keep Wilsonville whole, with Charbonneau included. Nor do any of the proposals overlay precisely with the West Linn-Wilsonville School District, another Council preference.

Two out of three proposals (Plans A and C) maintain current HD 26 in basic form, keeping Wilsonville and Sherwood together; the corresponding Senate districts also include Tigard and Bull Mountain.

House Plan A: “Sherwood-Wilsonville House District 26”

Senate Plan A: “Sherwood-Tigard-Wilsonville Senate District 13”

This proposal by House Democrats maintains HD 26 essentially as currently construed; however, SD 13 is reduced to remove the North Willamette Valley westside from Keizer to south Hillsboro to just include Tigard as new city.

While all of Wilsonville is maintained in the same district, future designated City Urban Reserves Frog Pond East and South are omitted from map for HD 26/SD13; all other UGB areas and future Urban Reserves are included. This proposal maintains Wilsonville’s current House representation with Sherwood, and adds the I-5 city of Tigard.

House Plan B: “Newberg-Wilsonville-French Prairie House District 26”

Senate Plan B: “Keizer-Newberg-Wilsonville-French Prairie Senate District 12”

This proposal by House Republicans modifies current HD 24 as representing Sherwood and Wilsonville to instead represent Newberg and Wilsonville; current SD 13 is reconstituted as SD 12 to include Keizer.

Future designated City Urban Reserves Frog Pond East is omitted from map for HD 24/SD12 by Plan B; all other UGB areas and future Urban Reserves are included. This proposal makes a major change over the past 20 years to change Sherwood and Wilsonville for HD 24 to Newberg and Wilsonville, which share less common interests and proximity. Similar to current SD 13, new SD 12 stretches along French Prairie and I-5 south to Keizer.

House Plan C: “Sherwood-Wilsonville House District 26”

Senate Plan C: “Sherwood- Scholls-Tigard-Wilsonville Senate District 18”

This proposal by Senate Democrats modifies the boundaries and shape of current HD 24 as representing Sherwood and Wilsonville for a new HD 26; new SD 18 adds the Scholls area and Tigard.

Future designated City Urban Reserve Frog Pond East is omitted from map for HD 26/SD18 by Plan C, as is current UGB Expansion Area Frog Pond West. Similarly, North Wilsonville UGB expansion areas of Coffee Creek and south Basalt are excluded from map for HD 26/SD 18, as are potential North Wilsonville-area Urban Reserves of South and North Elligsen.

RECOMMENDATIONS

Staff had a difficult time wrestling with the various options, and offers a split alternative for City Council consideration. None of the options are ideal; all place Wilsonville near the edge of the district. Staff suggest two sets of alternatives for Council consideration.

The decision for which set of alternatives may depend on the Council's long-term view of Wilsonville's position vis-à-vis the region and the community's aspirations. Anecdotal reports indicate that the evenly-split Democratic and Republican House and Senate Redistricting Committees will be unable to agree on a final set of maps, leading to the Secretary of State producing proposed district maps; any map set is likely to be appealed in court. Thus, City Council testimony on the Council's preferences may be influential in the final set of maps.

Staff recommend for Council consideration selecting either 1) Congress Plan A and Legislative Plan A or 2) Congress Plan B and Legislative Plan B. The Council would request minor amendments to most plans to include future UGB Expansion Areas or Urban Reserves with low populations that would likely not disturb district head-count targets.

Selecting Congress Plan A and Legislative Plan A indicates that the City Council is looking north and west/southwest, and seeks to become a more integrated with rapidly growing, forward-looking Washington County, where the City has traditionally had less policy-level engagement for federal, state and local funding due to majority of Wilsonville's population residing in Clackamas County portion of town. Traditionally, Wilsonville has had less engagement with areas of the west of Yamhill and Polk Counties.

In these plans, City is united with Tualatin and Sherwood, a secondary preference for the City Council after West Linn, along with a significant amount of Washington County's Metro region, including the cities of Tualatin, Sherwood, Tigard and Beaverton, which share interests in mobility along the South Metro I-5 Corridor. The Congressional District representative will have only one Metro-area ODOT "Mega Project" to lobby for federal funding: I-5 Boone Bridge and Seismic Improvement Project. Wilsonville becomes more unified with communities along the South Metro and North Willamette Valley I-5 Corridor, including French Prairie and the cities of Woodburn and Salem, Oregon's capital.

Selecting Congress Plan B and Legislative Plan B indicates that the City Council is looking east and south, seeking to continue with the status quo in terms of the City's established relationship with federal funding mechanisms of the Clackamas County Coordinating Committee (C4) Metro Subcommittee that makes recommendations for transportation projects and funding to Metro's JPACT. The City's current CD 5 includes Marion and Clackamas Counties, along with Lincoln, Polk and Tillamook Counties; a reduced-size CD may provide Wilsonville with greater influence.

In these plans, City is united with West Linn, a City Council primary preference and most of the West Linn-Wilsonville School District is located in CD 6, also a City Council preference. Wilsonville is united with a significant amount of Clackamas County's metro region, including the Metro JPACT and MPAC-recommending C4 Metro Subcommittee cities of Lake Oswego, Gladstone, Happy Valley, Milwaukie, Oregon City, and West Linn, which share interests in mobility along the I-205 Corridor. Wilsonville becomes more unified with communities of French Prairie along the South Metro and North Willamette Valley I-5 Corridor, including the City of Salem, Oregon's capital. Along with the eastside and westside Urban Reserves, the community's traditional ties with the Advance area located immediately east of Wilsonville and with the Parrott Mountain area are maintained in a unified district of representation. The Aurora State Airport is in

same district as City; a separate Congressional Representative might be less likely to challenge issues in another Member's district. Wilsonville is currently split between two Congressional districts along the Clackamas/Washington County boundary.

BACKGROUND

Every 10 years after the Decennial Census, the Oregon Constitution calls for the Oregon Legislative Assembly to rebalance state legislative and federal Congressional districts based on population and other factors. If the legislature is unable to agree on district boundaries, then Secretary of State is called to develop district maps. The Oregon Supreme Court reviews any district maps and may make other modifications.

On March 15, 2021, the City Council gave staff direction to staff for April 10 testimony before the House and Senate Redistricting Committees. The Council's primary concerns included:

- Top priority is to have all of Wilsonville—including the Charbonneau District and adjacent designated urban reserves—be included in one single legislative district, be that for the Oregon House of Representatives, Oregon Senate or United States Congress.
- Secondary priority is to be included in legislative districts with another neighboring city of the South Metro Region with whom we share more communities of common interests, specifically in order of 1) West Linn, 2) Tualatin, and 3) Sherwood.

The criteria that the legislature or the Secretary of State use for redistricting legislative and congressional districts are listed in ORS 188.010. The criteria to be considered requires that each district, as nearly as practicable, shall:

- Be contiguous;
- Be of equal population;
- Utilize existing geographic or political boundaries;
- Not divide communities of common interest; and
- Be connected by transportation links.

In addition, no district shall be drawn for the purpose of favoring any political party, incumbent legislator or other person or be drawn for the purpose of diluting the voting strength of any language or ethnic minority group.

While all the criteria are significant, equalizing populations in districts is the basic purpose of redistricting. Redistricting is based on total population not just the voting-age population. ORS 188.010 specifies that each district "as nearly as practicable shall" be of equal population, and court decisions have not specified a maximum deviation.

Finally, Article IV Section 6 of the Oregon Constitution requires that two house districts be "nested" in one senate district. If the Oregon Legislative Assembly is unable to reach agreement on maps, then the Secretary of State is called to produce district maps; any set of maps produced is open to court challenge, which appears likely, with the Oregon Supreme Court as the ultimate arbiter.

TIMELINE

Time is of the essence. The City may submit written testimony by September 13, which is also the last opportunity for in-person virtual testimony.

CURRENT YEAR BUDGET IMPACTS

No budget impacts are anticipated.

FINANCIAL REVIEW / COMMENTS

Reviewed by: Date:

LEGAL REVIEW / COMMENT

Reviewed by: Date:

CITY MANAGER COMMENT

EXHIBITS

- A.** Testimony by City of Wilsonville Mayor Julie Fitzgerald on Redistricting, April 10, 2021, before a concurrent meeting of the Senate Committee on Redistricting and House Special Committee on Redistricting.
- B.** Spoken Testimony by City of Wilsonville Mayor Julie Fitzgerald on Legislative Redistricting, public hearing on April 10, 2021, before a concurrent meeting of the Senate Committee on Redistricting and House Special Committee on Redistricting.
- C.** Proposed Redistricting Maps: Congressional Districts (CDs)
- D.** Proposed Redistricting Maps: Oregon House and Senate Districts



Testimony by City of Wilsonville Mayor Julie Fitzgerald on Redistricting:

Legislature Should Unite the Wilsonville Community of Interests in One Single South Metro Region Legislative District and Not Divide Us

Scheduled for public hearing on April 10, 2021, before a concurrent meeting of the Senate Committee on Redistricting and House Special Committee on Redistricting

Submitted April 9, 2021, via email to oregon.redistricting@oregonlegislature.gov

Chairs Taylor and Salinas, Vice-Chairs Knopp and Davis, and Members of the Committees:

On behalf of the City of Wilsonville City Council, I am testifying on our community's strongly-felt, compelling redistricting preference. **Our top priority is to have all of Wilsonville—including the Charbonneau District and adjacent designated urban reserves—be included in one single legislative district**, be that for the Oregon House of Representatives, Oregon Senate or United States Congress. The dilution of Wilsonville's Oregon legislative representation split among House and Senate districts is detrimental to our community's political aspirations and long-term common interests.

Placing Wilsonville in one legislative district meets all of the criteria set forth in ORS 188.010: All of Wilsonville is contiguous; utilizes existing geographic or political boundaries; does not divide communities of common interest; and is connected by transportation links, including I-5, local streets and Wilsonville's free SMART public-transit service.

The Wilsonville City Council's additional priority is to be included in legislative districts with another neighboring city of the South Metro Region with whom we share more communities of common interests, specifically in order of 1) West Linn, 2) Tualatin, and 3) Sherwood. No slight is intended to communities currently in our Oregon legislative districts; however, the Council believes that being placed in a district with one or more of the three nearby cities is preferable to the current situation where Wilsonville is divided among the three House Districts of 26, 37 and 39 and the three Senate Districts of 13, 19 and 20.

Please find following additional information in support of the City's legislative redistricting preferences. Thank you for your time and consideration of our testimony.

Sincerely,

A handwritten signature in blue ink that reads "Julie Fitzgerald".

Julie Fitzgerald, Mayor
City of Wilsonville

Documenting the Case for Wilsonville to Be Unified in One Single Legislative District with Neighboring Communities of the South Metro Region

ORS 188.010 describes the criteria used for creating legislative and Congressional districts in Oregon. As nearly as practicable, each district shall:

- be contiguous;
- utilize existing geographic or political boundaries;
- be of equal population;
- not divide communities of common interest; and
- be connected by transportation links.

The law also specifies that no district is to be drawn to favor any political party, incumbent legislator, or other person. Additionally, districts may not dilute the voting strength of any language or ethnic minority group.

Placing all of Wilsonville in one legislative district meets all of the criteria listed in ORS 188.010: all of Wilsonville is contiguous; utilizes existing geographic or political boundaries; does not divide communities of common interest; and is connected by transportation links, including I-5 and Wilsonville's SMART public-transit service.

A. Following is a specific review of findings that support a conclusion that all of Wilsonville should be placed in one single legislative district and not divided.

- **Be contiguous:**

By definition, all of the City of Wilsonville is contiguous, including the Charbonneau District south of the Willamette River and adjacent designated urban reserves for employment lands and residential areas. See Exhibit A: Map of Wilsonville, including Urban Expansion Areas and Urban and Rural Reserves.

- **Utilize existing geographic or political boundaries:**

The City of Wilsonville has an existing political boundary that is easily distinguished.

The Wilsonville area, including Charbonneau District, share certain characteristics of the North Willamette Watershed topographic features. Wilsonville lies in "topographic bowl," with Pete's Mountain to the east, Ladd Hill/Parrett Mountain to the west, Elligsen Hill and the Tualatin River watershed to the north, and Charbonneau District of south Wilsonville and the Willamette River to the south.

All of Wilsonville, including residents of the Charbonneau District, may participate in elections to elect the Mayor and City Councilors and Metro District 3 Councilor, as well as pay property taxes and receive City services.

- **Not divide communities of common interest:**

Residents of Wilsonville, located on the urbanized UGB edge of the greater Portland metro area, generally do their shopping, schooling and recreating in Wilsonville, which is a full-service city with most amenities readily available.

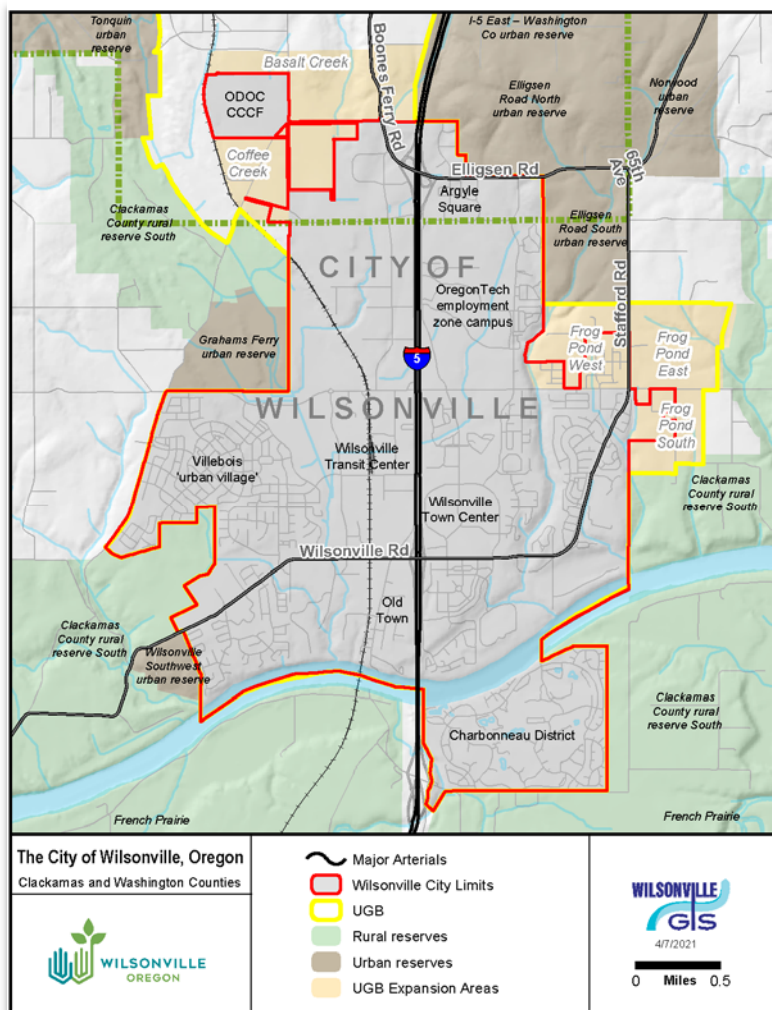
All of Wilsonville is served by City of Wilsonville utilities, including domestic water and wastewater treatment, that is funded by utility rate-payers and systems development charges on new commercial and residential construction.

All of Wilsonville is served with free public transit services of South Metro Area Regional Transit (SMART), one of two Federal Transit Administration urban-area transit providers serving the greater Portland region, that is funded primarily by Wilsonville businesses

All of Wilsonville is served by the Tualatin Valley Fire and Rescue (TVFR) District for emergency services of fire-fighting and medical calls funded by property-tax payers.

All of Wilsonville is served by the Clackamas County Sheriff’s Office (CCSO) for law-enforcement services, including school resource officers for Wilsonville High School, funded by the City of Wilsonville.

Most Wilsonville students attend K-12 schools of the West Linn-Wilsonville School District No. 3 JT. Of approximately 9,230 school-age children attending public schools in Wilsonville,



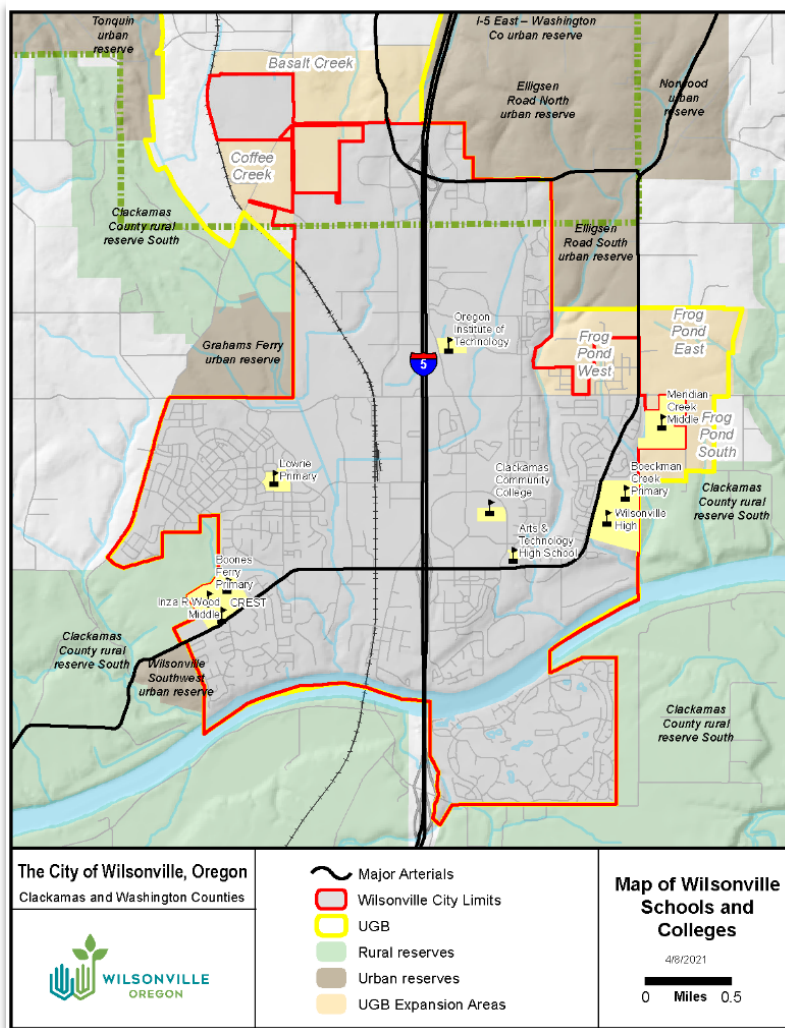
over 99% (9,206) attend primary, middle or high schools of the West Linn-Wilsonville School District located in Wilsonville. See Exhibit B: Map of Wilsonville Schools and Colleges.

As one of Oregon’s fastest growing cities for over 20 years, maintaining a community of common interest is important for our rapidly growing community. City leadership felt so strongly about this issue that in 2004 the City arranged a “land swap” between the Sherwood and West Linn-Wilsonville school districts so that children residing in the new Villebois development of western Wilsonville would attend school with other Wilsonville children.

Both Oregon Instituted of Technology’s Portland Metro Campus and Clackamas Community College’s Wilsonville Campus provide higher-education services to the students of the Wilsonville

schools, employers and the community. The colleges offer several programs, including high-school college-credit classes that contribute towards a bachelor’s degree or an associates degree, workforce development skills-training for Wilsonville employers’ employees, and community classes in a variety of topics.

Wilsonville has a substantial senior-citizen community, including five assisted-living facilities that are located in all residential quadrants of Wilsonville—south, east and west portions of Wilsonville. A substantial portion of the community’s Charbonneau district is composed of senior citizens who rely on City services. The City of Wilsonville operates a very active public seniors program of various social and physical-fitness activities based at the City’s Community Service Building. SMART provides ADA paratransit and dial-a-ride service to all areas of Wilsonville, with a focus on senior residents of Charbonneau.



Already, many residents who reside in adjacent UGB urban-reserve expansion areas view themselves as “Wilsonville residents” or conduct activities like shopping, worshipping and socializing in Wilsonville. Residents located immediately east in the Frog Pond/Advance area, north towards Norwood, west towards Ladd Hill and just south of the Willamette River use Wilsonville as their “home-base” city, representing a community of common interest.

In the 2011 Legislative Redistricting process, Wilsonville was divided between the two House Districts 26 and 39 and between the two Senate Districts of 13 and 20. Charbonneau was segmented away from the rest of Wilsonville into the largely rural House District 39 and State District 20 on the premise that the Canby School District boundary served as better indicator of community of interest than the Wilsonville City, Metro Urban Growth Boundary and the social connections with the rest of the City of Wilsonville. This decision was a mistake in the view of the Wilsonville City Council, which can be rectified by the 2021 Legislative Redistricting process. See Exhibit F: Wilsonville State Legislative Districts Maps and Notes.

The Charbonneau District, composed of over 1,600 households with approximately 2,600 residents is primarily a retirement community that includes a golf course and an assisted-living facility with memory care and hospice services. The Canby School District has confirmed that there are 24 students, or less than 1% of all Wilsonville K-12 students, currently enrolled from the 97070 Wilsonville zip code as of March 31, 2021. Of approximately 9,230 school-age children attending public schools in Wilsonville, over 99% (9,206) attend primary, middle or high schools of the West Linn-Wilsonville School District.

Charbonneau residents view Wilsonville as their community of common interest, and seek to be part of legislative districts where they elect their city and Metro officials, serve on volunteer committees, use the Wilsonville Public Library, ride SMART transit services, and utilize senior services and participate in programs at the Wilsonville Community Center.

- **Be connected by transportation links:**

All of Wilsonville is connected by transportation links, including Wilsonville’s SMART free public-transit service to all locations in town. While growing, Wilsonville has strived to be a compact community that provides multiple transportation options, including by vehicle, walking, biking or public transit.

The Charbonneau District of Wilsonville is connected by transportation links, including I-5 and SMART transit service, to the greater Wilsonville Town Center area, which serves as Charbonneau residents’ primary retail shopping center. The transportation links of Boeckman and Stafford Roads unite the Frog Pond urban reserve with the rest of the community. Similarly, Boones Ferry and Graham Ferry Roads and Day Street unite the Basalt Creek urban reserve expansion area with the rest of the City.

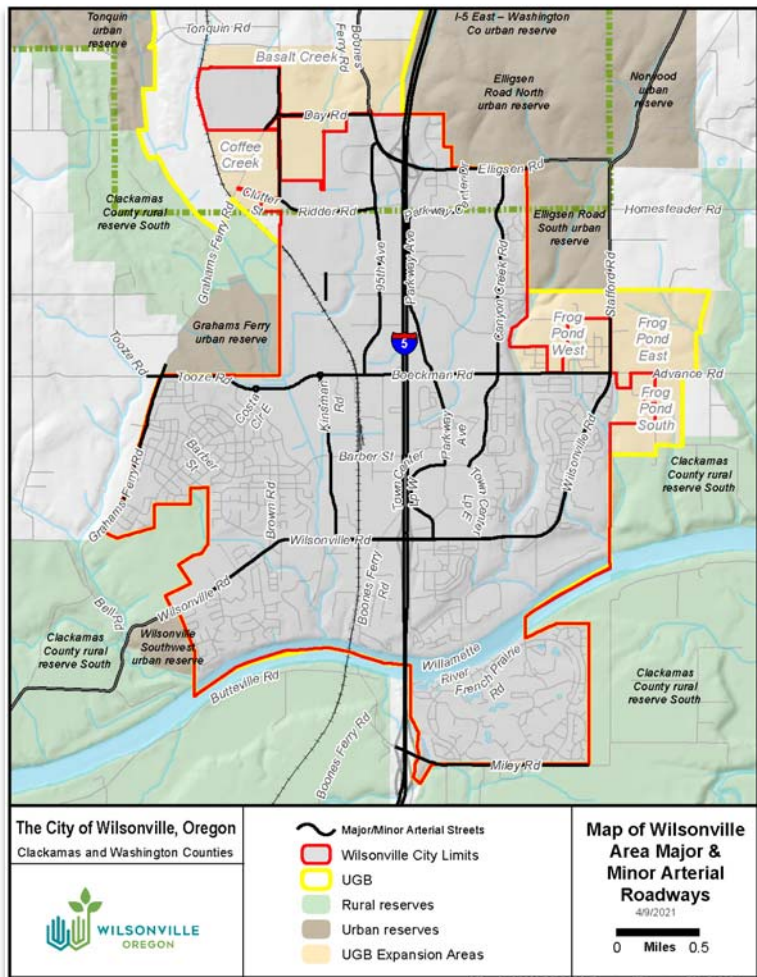
Several major and minor arterials connect the Wilsonville community:

North-South roadway connections:

- I-5 integrates the entire community from the south-end Charbonneau district to the north-end Coffee Creek/Elligsen area.
- Boones Ferry Road, SW 95th Avenue and Kinsman Road act as arterials running parallel and just west of I-5 connecting north and south Wilsonville.
- Parkway Avenue is a major arterial running parallel and just east of I-5 connecting north and south Wilsonville.
- Canyon Creek Road is a major arterial that connects central and north Wilsonville.

East-West roadway connections:

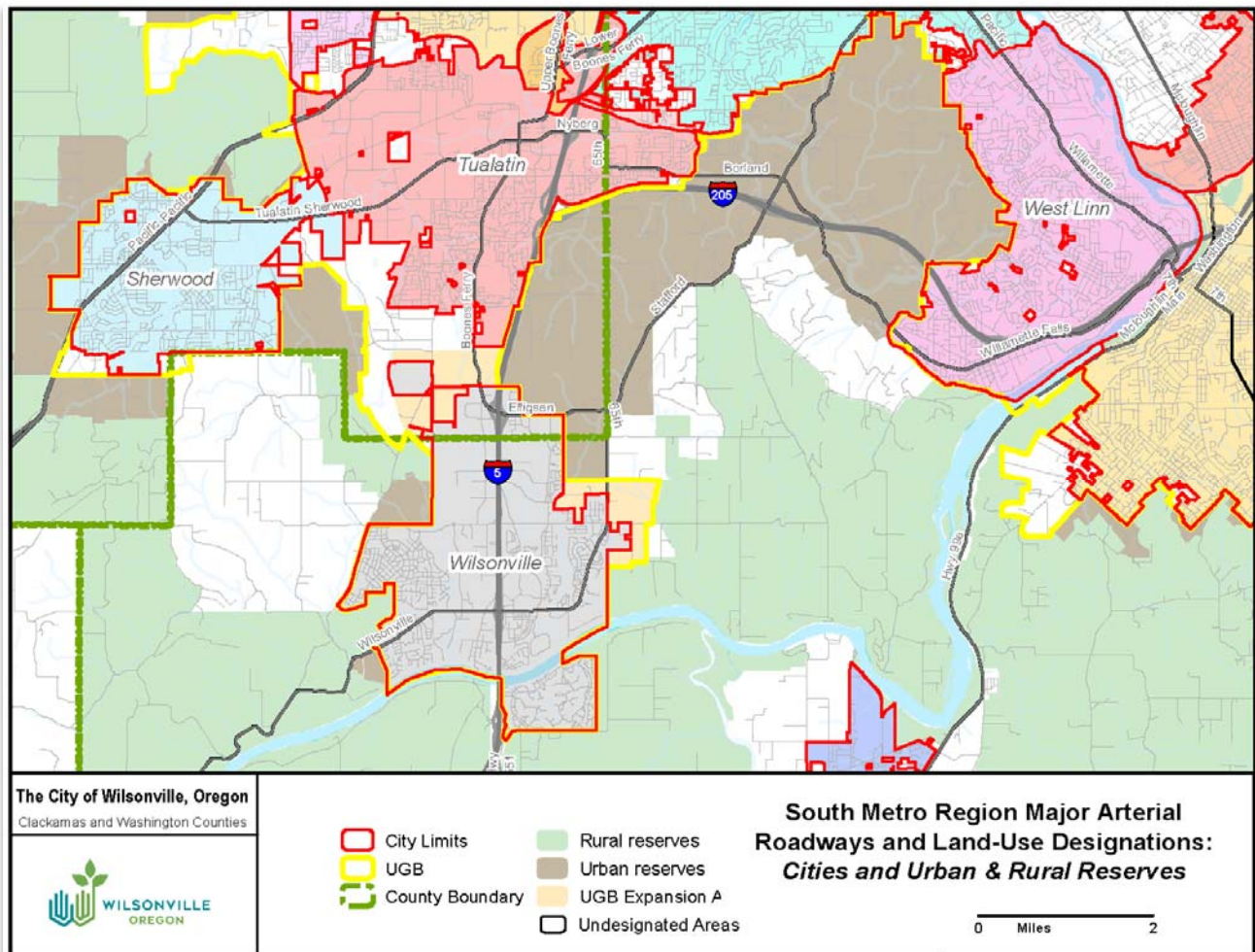
- Wilsonville Road is the community’s primary residential and commercial east-west thoroughfare connecting southeast and southwest Wilsonville.
- Boeckman Road is becoming a major connecting arterial, connecting east-central Wilsonville with west-central Wilsonville and the Villebois urban village development.
- Elligsen Road is the community’s primary industrial and commercial east-west thoroughfare connecting northeast and northwest Wilsonville. Also, the I-5 Exit 286 Boones Ferry/Elligsen Roads Interchange provides the westerly route via Elligsen, Boones Ferry and Day Road to the ODOC Coffee Creek Corrections Facility.



See Exhibit C: Map of Wilsonville Area Major & Minor Arterial Roadways.

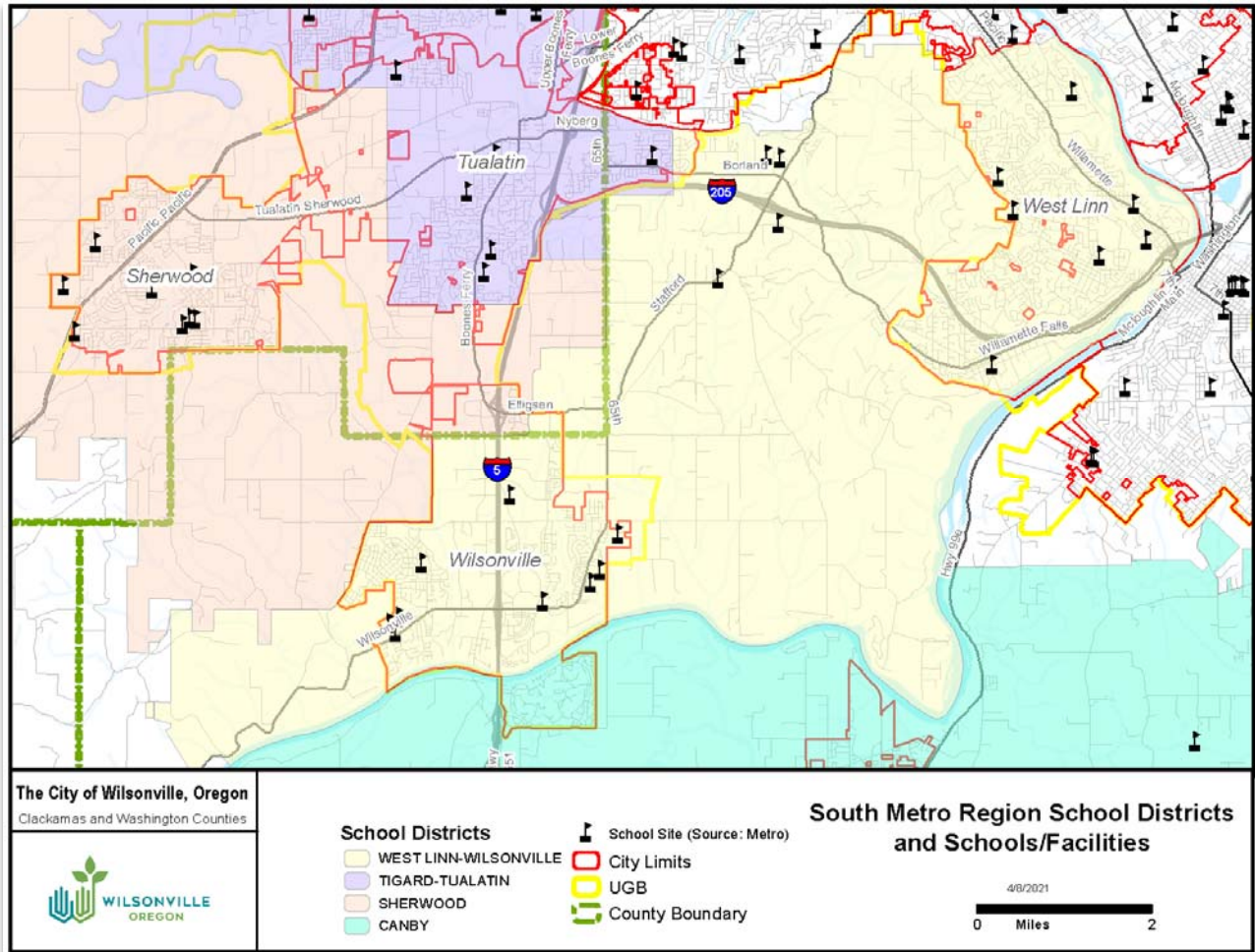
B. Following is a specific review of findings that support including Wilsonville in legislative districts with other neighboring cities of the South Metro Region with whom we share more common communities of interests, in order: 1) West Linn, 2) Tualatin, and 3) Sherwood.

See Exhibit D: Map of South Metro Region Major Arterial Roadways and Land-Use Designations: Cities and Urban and Rural Reserves (image below), and Exhibit E: Map of South Metro Region School Districts and Schools/Facilities.



1) West Linn

The cities of West Linn and Wilsonville share a common school district, West Linn-Wilsonville School District No. 3 JT. Most Wilsonville students attend schools of the West Linn-Wilsonville School District. Of approximately 9,230 school-age children attending public schools in Wilsonville, over 99% (9,206) attend primary, middle or high schools of the West Linn-Wilsonville School District.



Wilsonville schools play a pivotal role in the community for K-12 education, sporting activities, cultural events and providing key social services.

City of Wilsonville city government has a very close association with the West Linn-Wilsonville School District. City support for the West Linn-Wilsonville School District has included contributing \$2 million toward sports fields and facilities at Wilsonville High School, \$3 million towards land purchase for a new primary school to serve the developing Villebois area of west Wilsonville, and an \$800,000 public-art project with the West Linn-Wilsonville School District for the I-5/Wilsonville Road interchange area..

In 2004, the City of Wilsonville worked with the West Linn-Wilsonville School District and Sherwood School District to “trade land” to adjust district boundaries that resulted in the children of residents in the Villebois portion of west Wilsonville being able to attend West Linn-Wilsonville School District schools rather than Sherwood schools in order to allow most Wilsonville children to attend the same schools.

Wilsonville and West Linn are connected by transportation links, including Stafford Road and I-5/I-205.

2) Tualatin

The cities of Wilsonville and Tualatin are located approximately one mile apart, and eventually will grow to share a common city-limits boundary. The two cities share a common economic complexion, with each city having over 30% of its land-base zoned for industrial employment. Businesses tend to move back and forth between the two cities, both located along the South Metro I-5 Corridor, based on expansion/contraction mode or expiring lease terms.

Both Wilsonville and Tualatin are located in two counties: Clackamas and Washington Counties. Wilsonville and Tualatin are currently engaged in planning efforts with Washington County focused on the 595-acre Basalt Creek urban reserve area that unite the two communities.

Wilsonville and Tualatin are connected by various transportation links, including Boones Ferry Road, 65th Avenue, and I-5. Additionally, SMART provides public transit bus service, and the TriMet WES commuter rail train connect the two communities.

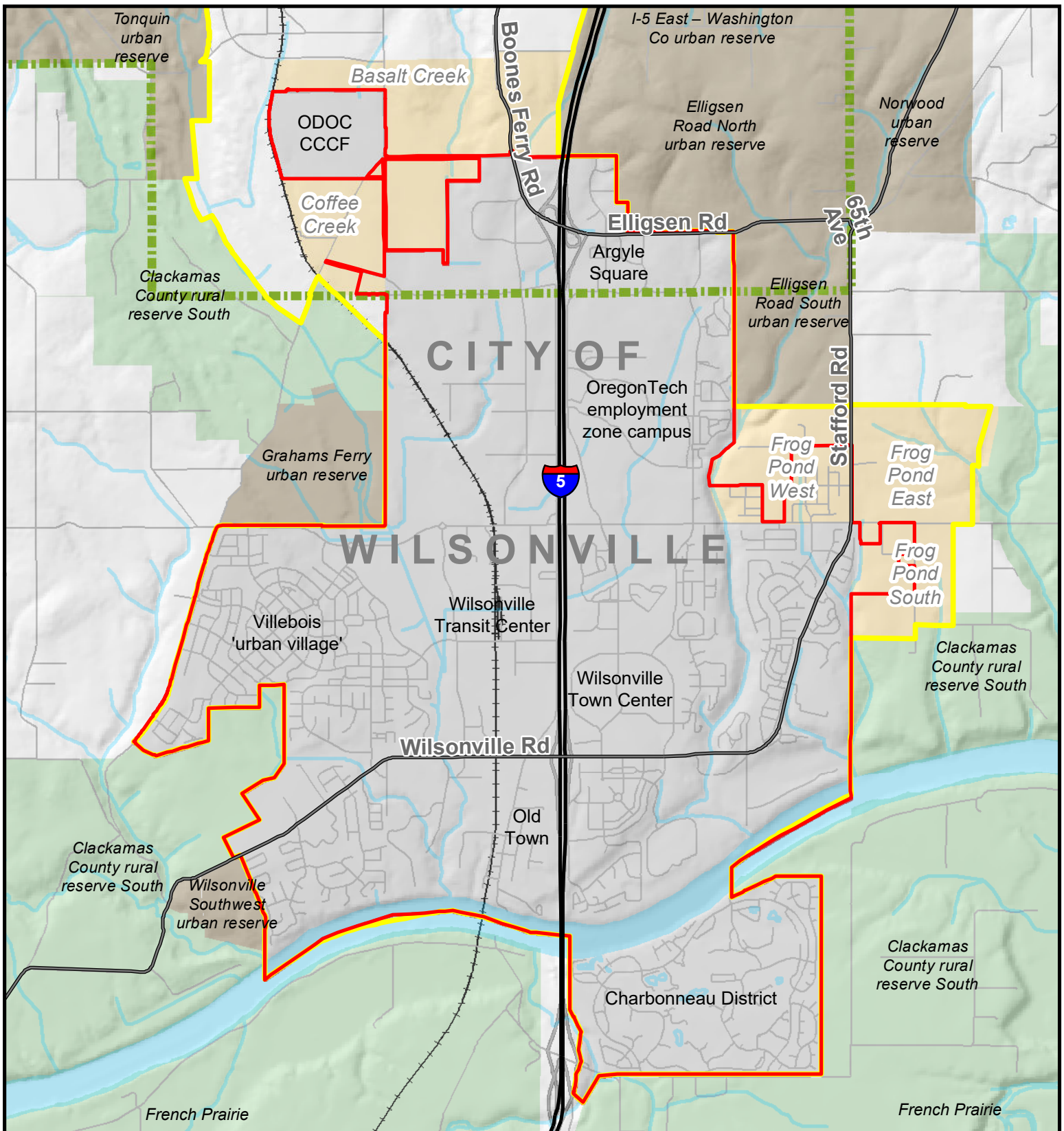
3) Sherwood

The cities of Wilsonville and Sherwood are located approximately 2.4 miles apart, and have been in the same legislative districts for over 20 years. Traditionally, the Wilsonville “Wildcats” and the Sherwood “Bowmen” have the annual fall homecoming football game.

Wilsonville and Sherwood have constructed a five-mile-long water transmission pipeline system that allows Wilsonville’s Willamette River Water Treatment Plant to serve Sherwood’s domestic water needs with 5 million gallons per day.

EXHIBITS ATTACHED:

- Exhibit A: Map of Wilsonville, including Urban Expansion Areas and Urban and Rural Reserves
- Exhibit B: Map of Wilsonville Schools and Colleges
- Exhibit C: Map of Wilsonville Area Major & Minor Arterial Roadways
- Exhibit D: Map of South Metro Region Major Arterial Roadways and Land-Use Designations: Cities and Urban and Rural Reserves
- Exhibit E: Map of South Metro Region School Districts and Schools/Facilities
- Exhibit F: Wilsonville State Legislative Districts Maps and Notes



The City of Wilsonville, Oregon

Clackamas and Washington Counties

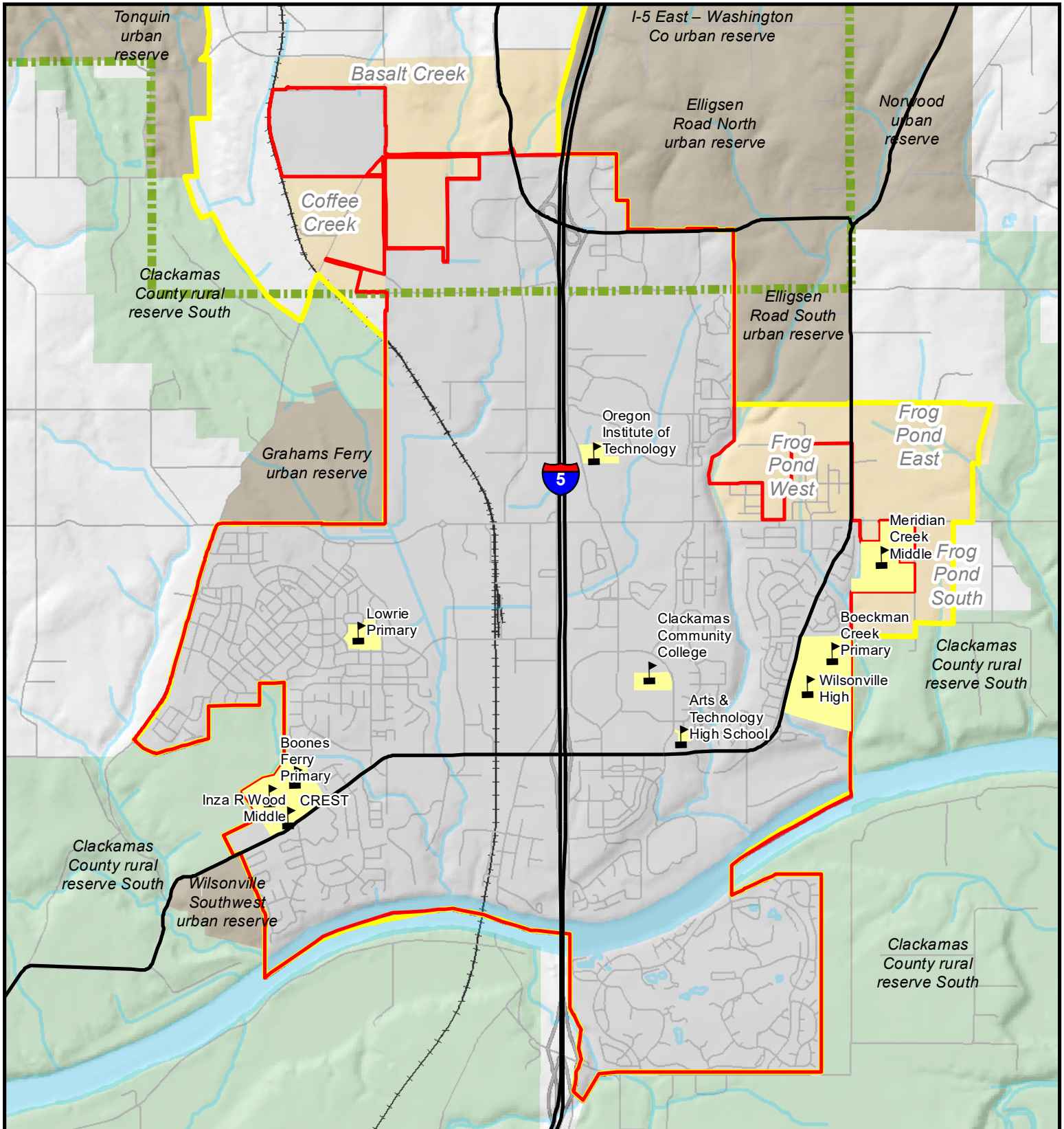


-  Major Arterials
-  Wilsonville City Limits
-  UGB
-  Rural reserves
-  Urban reserves
-  UGB Expansion Areas



4/7/2021





The City of Wilsonville, Oregon

Clackamas and Washington Counties

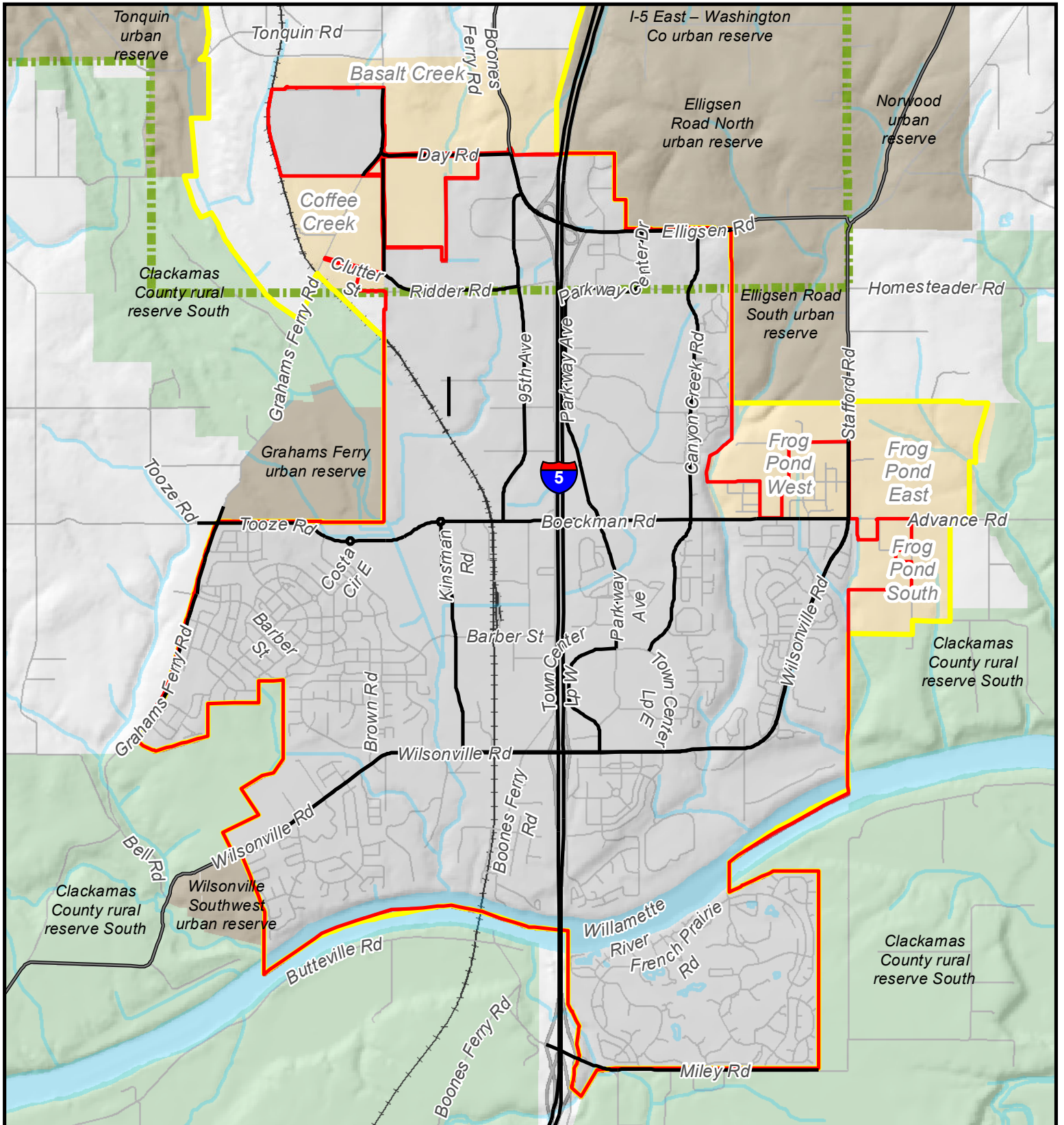


-  Major Arterials
-  Wilsonville City Limits
-  UGB
-  Rural reserves
-  Urban reserves
-  UGB Expansion Areas

Map of Wilsonville Schools and Colleges

4/8/2021











The City of Wilsonville, Oregon

Clackamas and Washington Counties

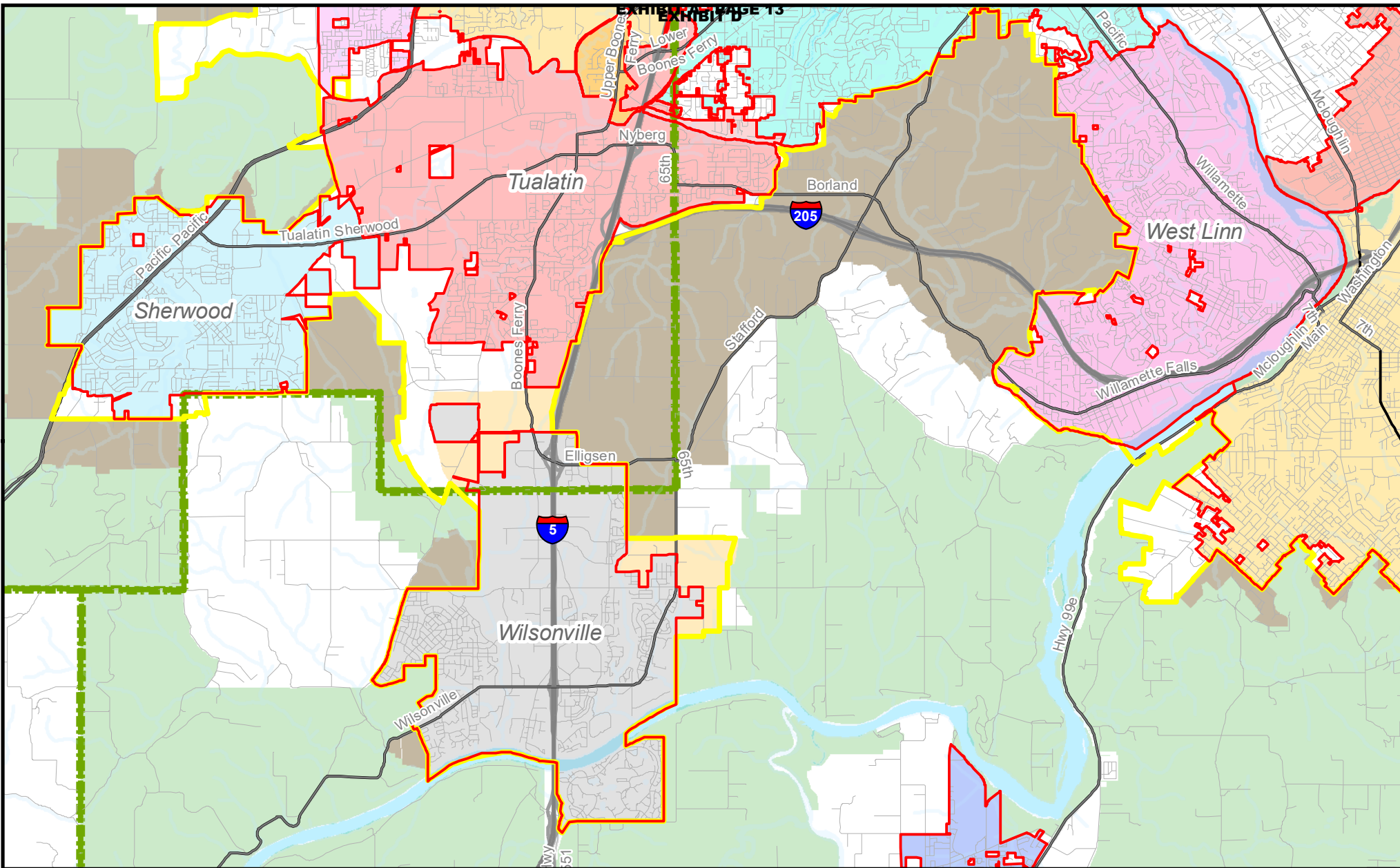


-  Major/Minor Arterial Streets
-  Wilsonville City Limits
-  UGB
-  Rural reserves
-  Urban reserves
-  UGB Expansion Areas

Map of Wilsonville Area Major & Minor Arterial Roadways

4/9/2021





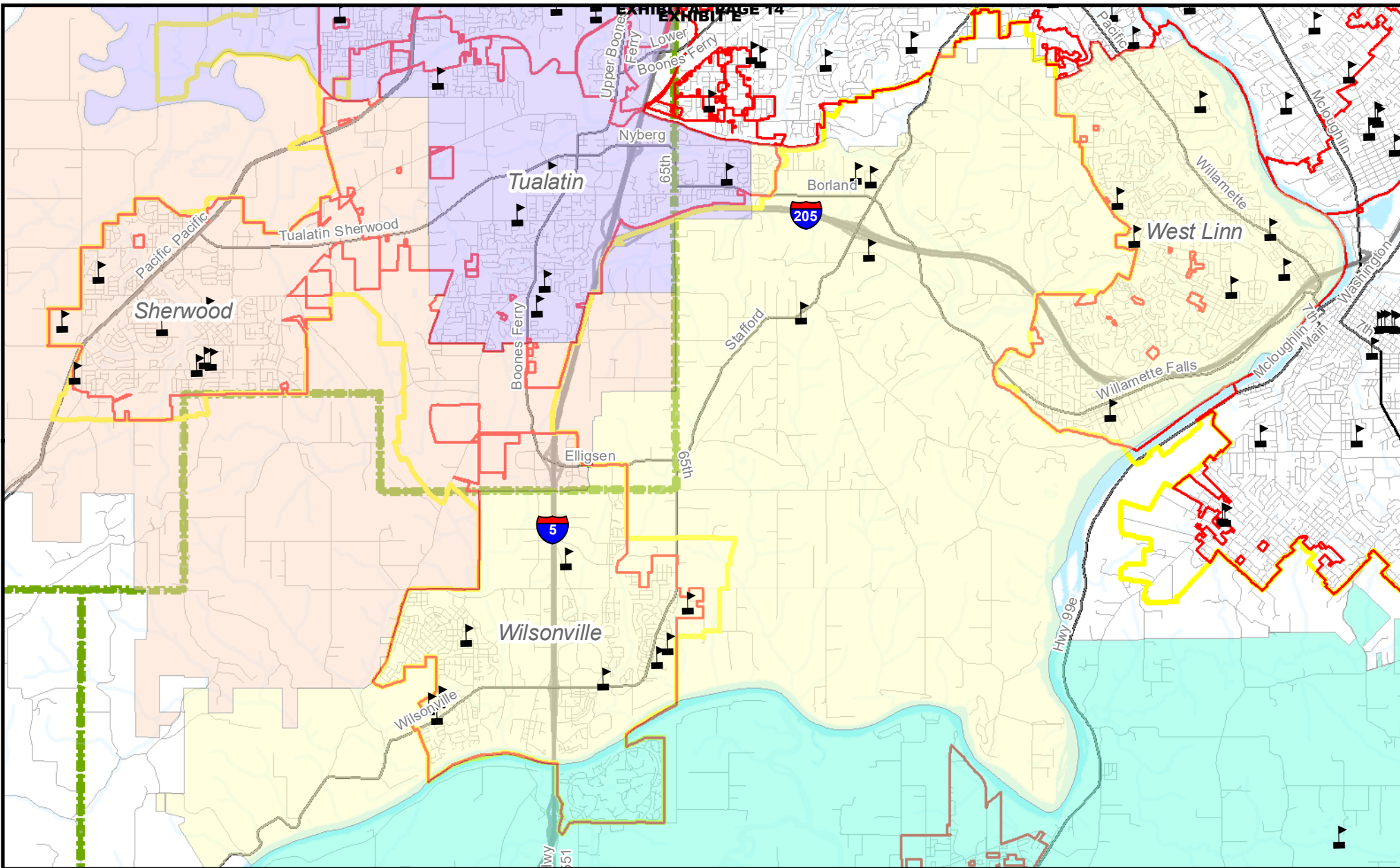
The City of Wilsonville, Oregon
Clackamas and Washington Counties



- City Limits
- UGB
- County Boundary
- Rural reserves
- Urban reserves
- UGB Expansion A
- Undesignated Areas

South Metro Region Major Arterial Roadways and Land-Use Designations: Cities and Urban & Rural Reserves

0 Miles 2



The City of Wilsonville, Oregon
Clackamas and Washington Counties



School Districts

- WEST LINN-WILSONVILLE
- TIGARD-TUALATIN
- SHERWOOD
- CANBY



School Site (Source: Metro)

City Limits

UGB

County Boundary

South Metro Region School Districts and Schools/Facilities

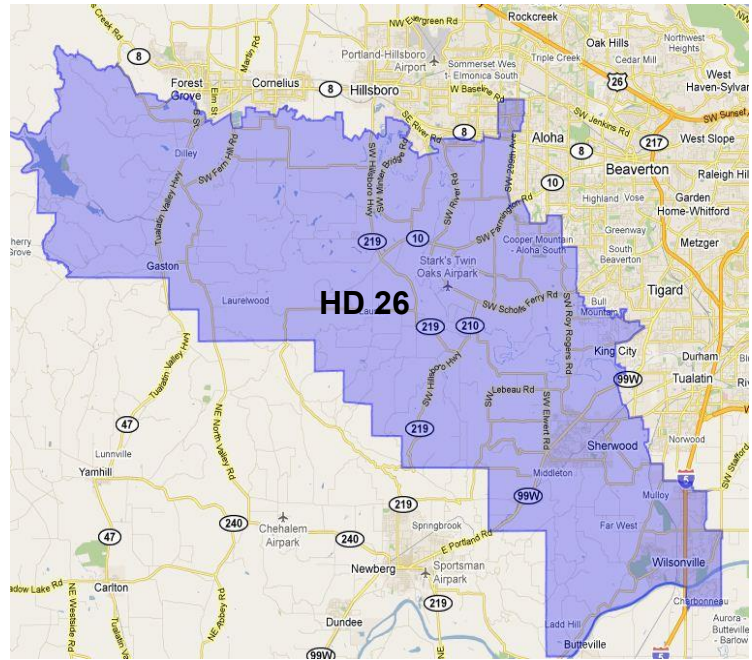
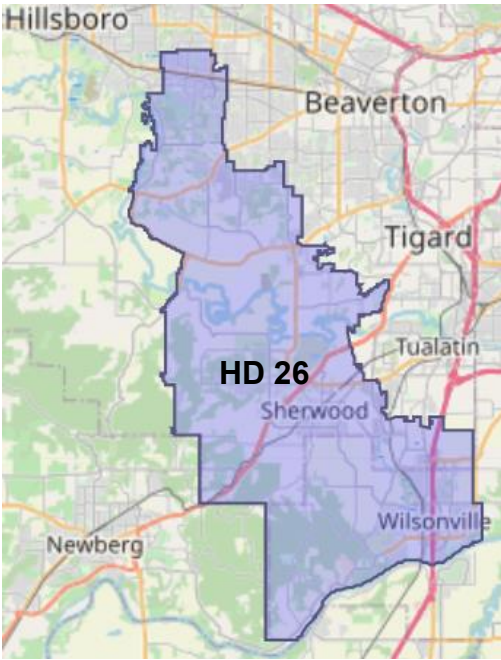
4/8/2021



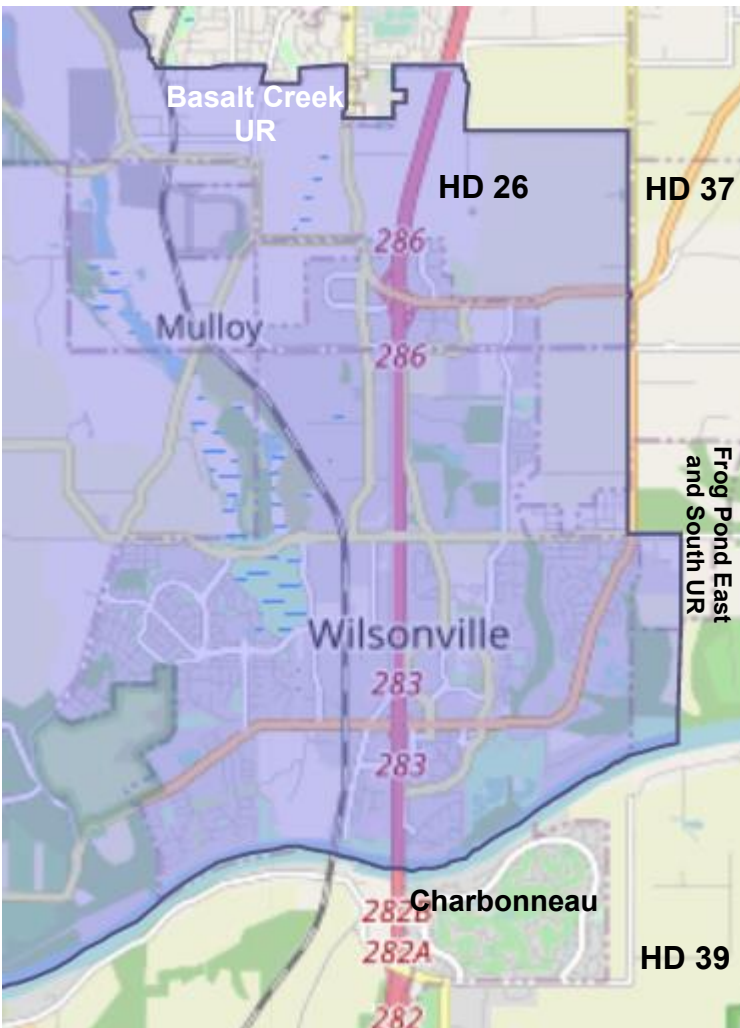
Oregon House District 26 (shown in purple shade)

Current: 2011-2021

Prior: 2001-2011



Close-up of current House District 26 near Wilsonville

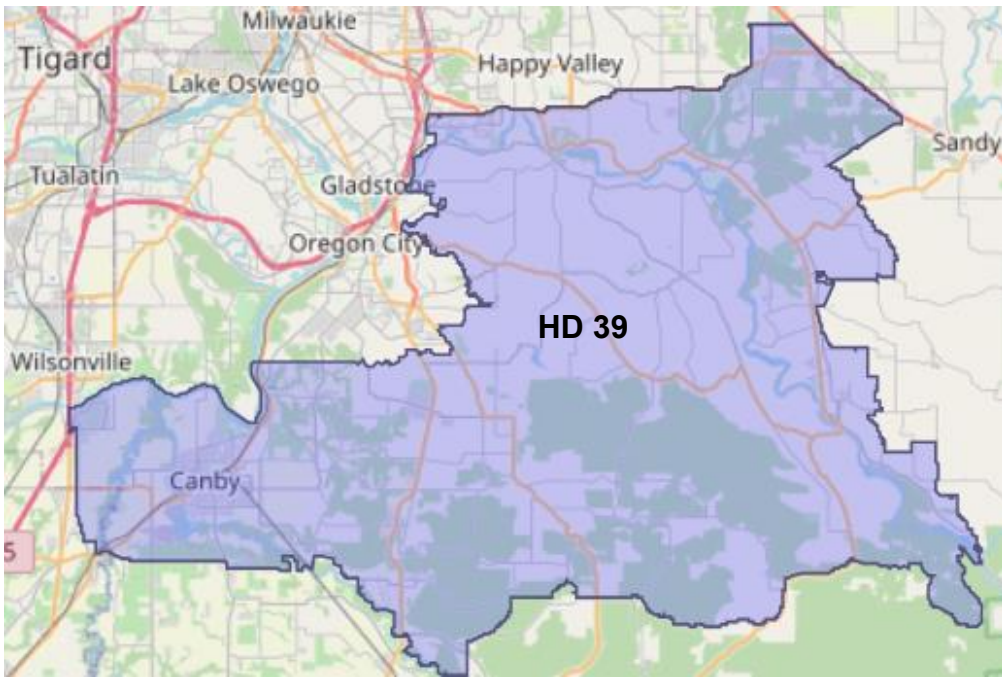


NOTES:

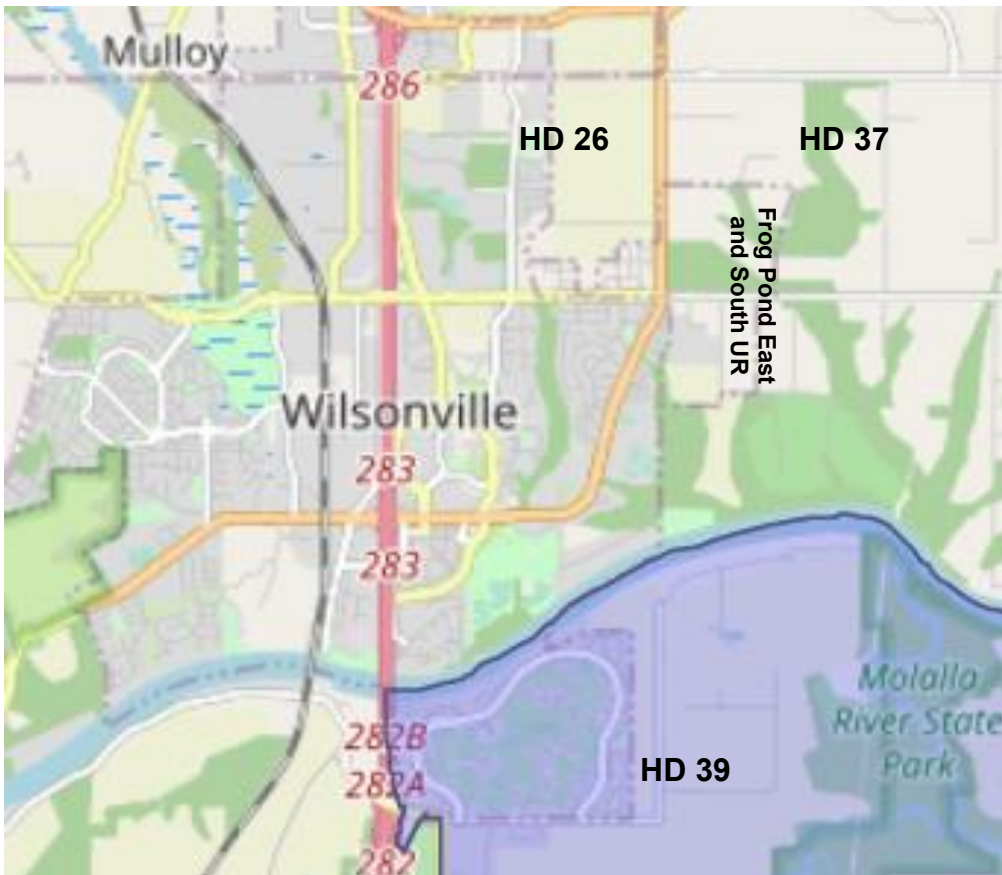
- Basalt Creek Urban Reserve (UR) is currently located in HD 26; prior to 2011 was in HD 37.
- Frog Pond East and South URs are currently located in HD 39; district boundary adjusted in 2011 to include part of Frog Pond South (Meridian Creek Middle School) in HD 26.
- Charbonneau District located in HD 39; prior to 2011 was part of HD 26.

Oregon House District 39 (shown in purple shade)

Current: 2011-2021

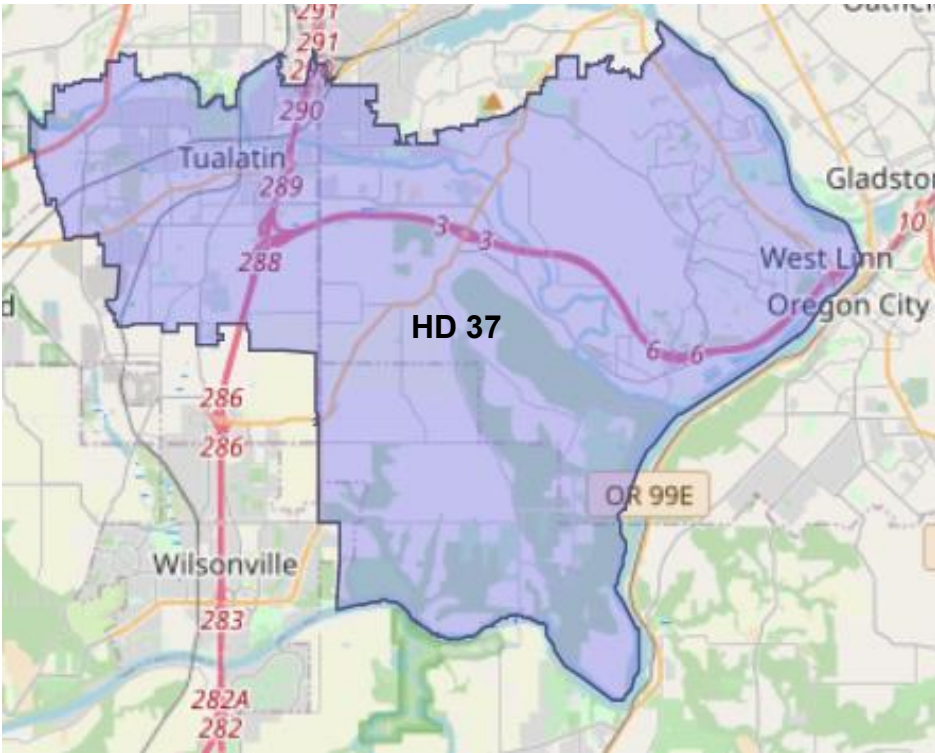


Close-up of current House District 20 near Wilsonville

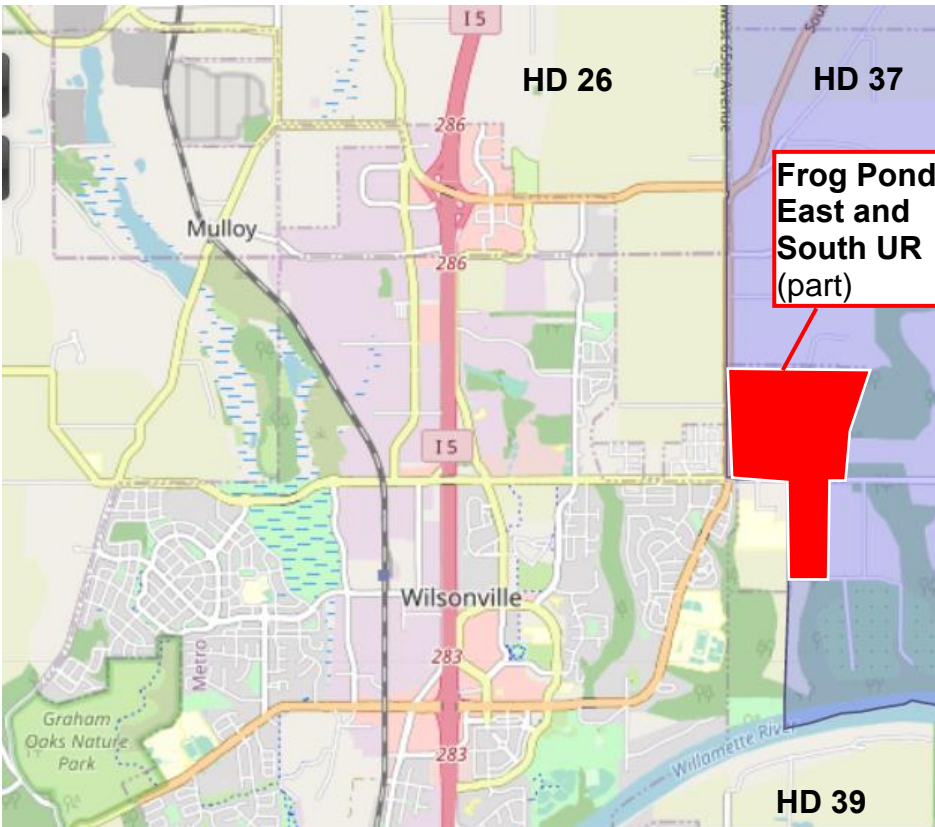


Oregon House District 37 (shown in purple shade)

Current: 2011-2021



Close-up of current HD 37 near Wilsonville



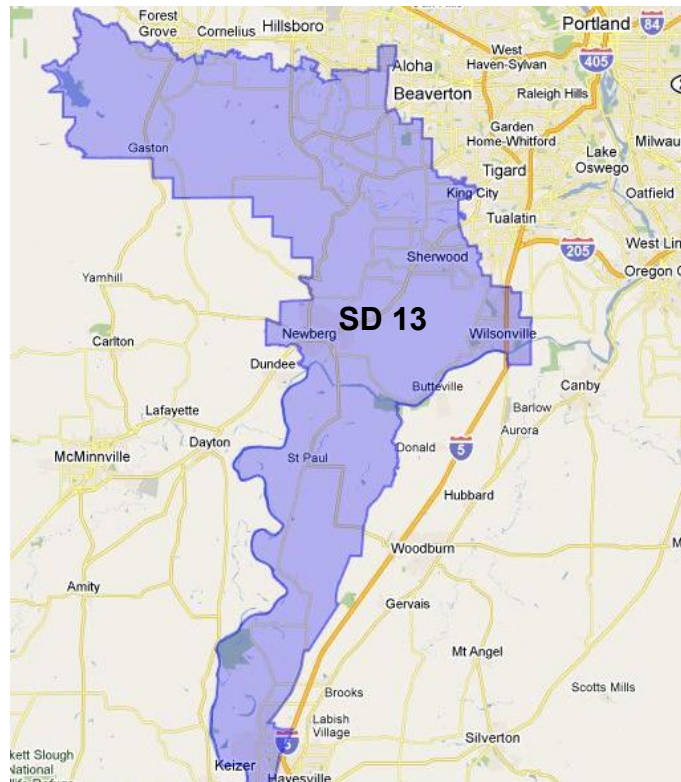
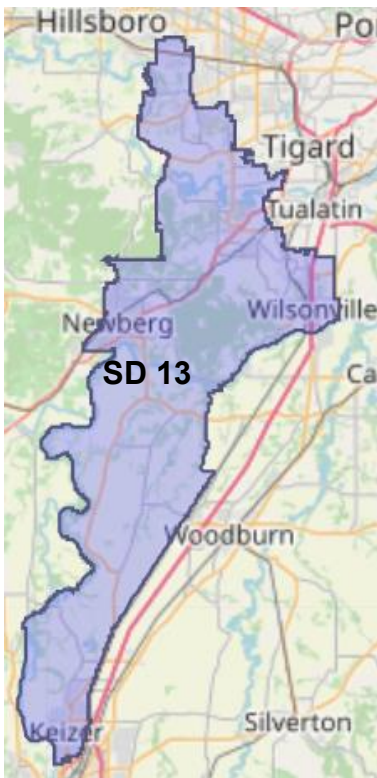
NOTES:

- Frog Pond East and part of Frog Pond South Urban Reserves (UR) in HD 39.
- A portion of Frog Pond South UR was brought into UGB and then annexed into City limits for the Meridian Creek Middle School.

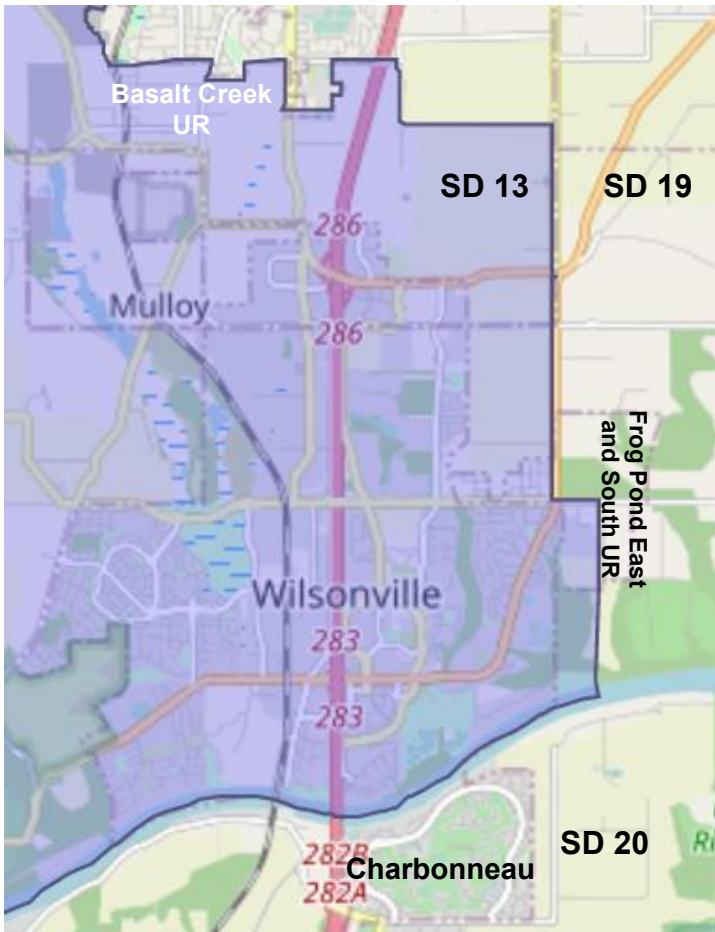
Oregon Senate District 13 (shown in purple shade)

Current: 2011-2021

Prior: 2001-2011



Close-up of current SD 13 near Wilsonville

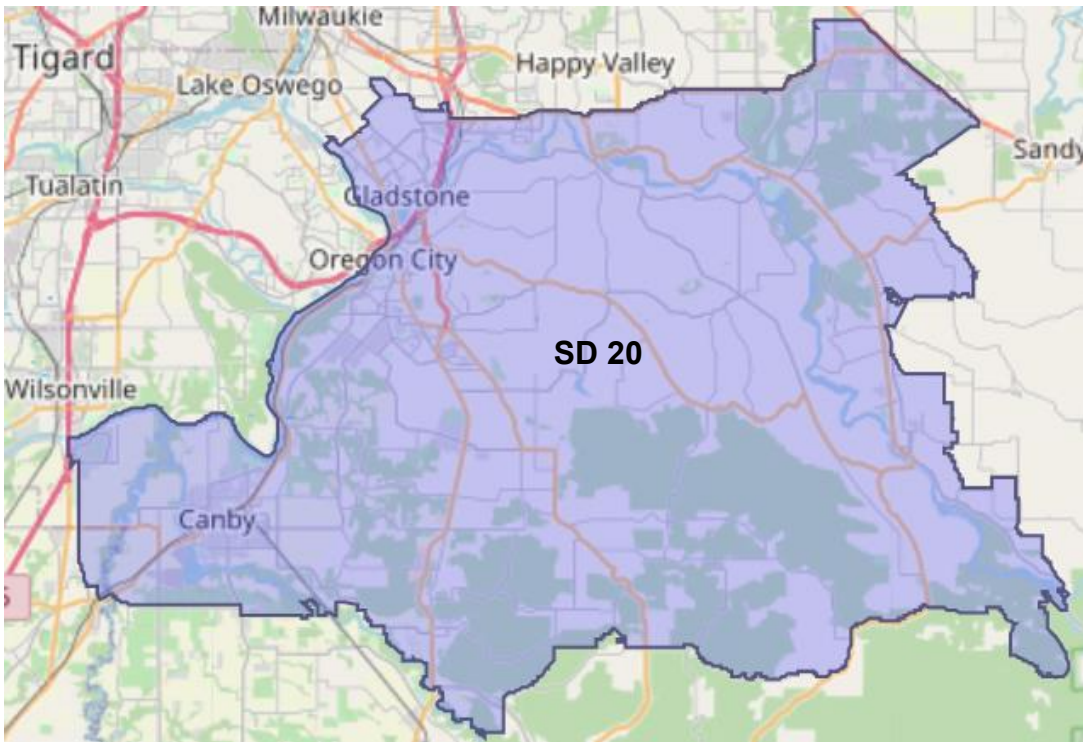


NOTES:

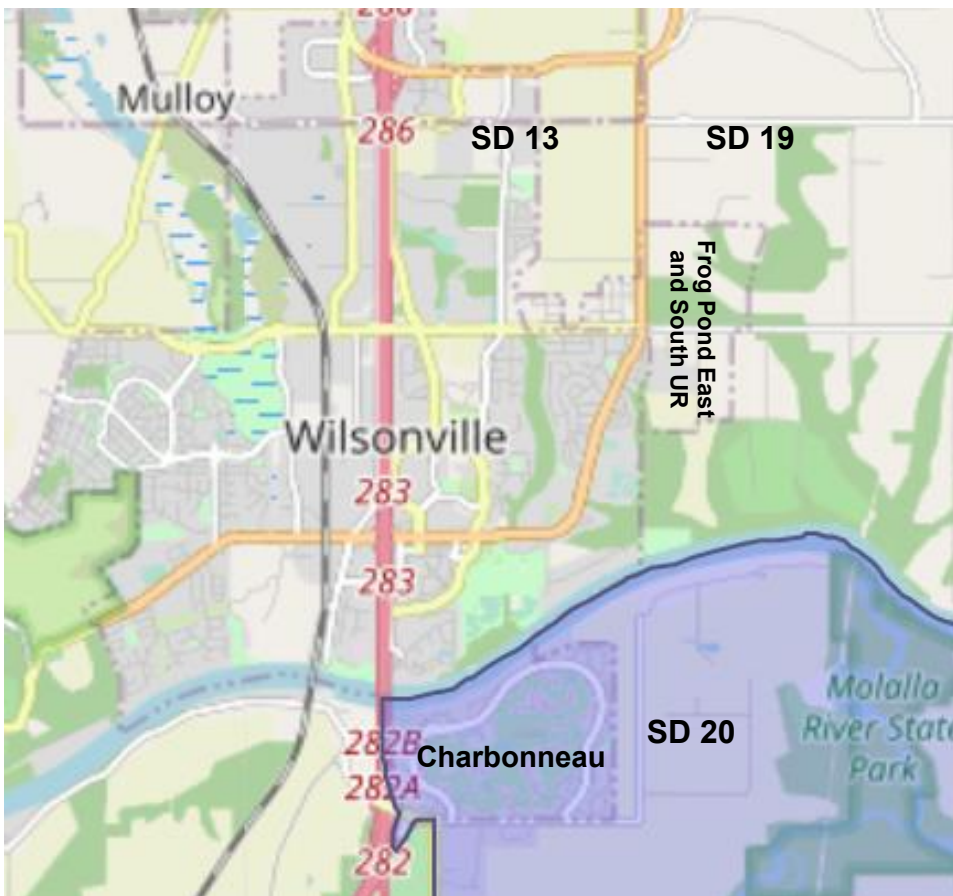
- Basalt Creek Urban Reserve (UR) is currently located in SD 13; prior to 2011 was in SD 19.
- Frog Pond East and South URs are currently located in SD 19; district boundary adjusted in 2011 to include part of Frog Pond South (Meridian Creek Middle School) in SD 19.
- Charbonneau District located in SD 20; prior to 2011 was part of SD 13.

Oregon Senate District 20 (shown in purple shade)

Current: 2011-2021



Close-up of current SD 20 near Wilsonville

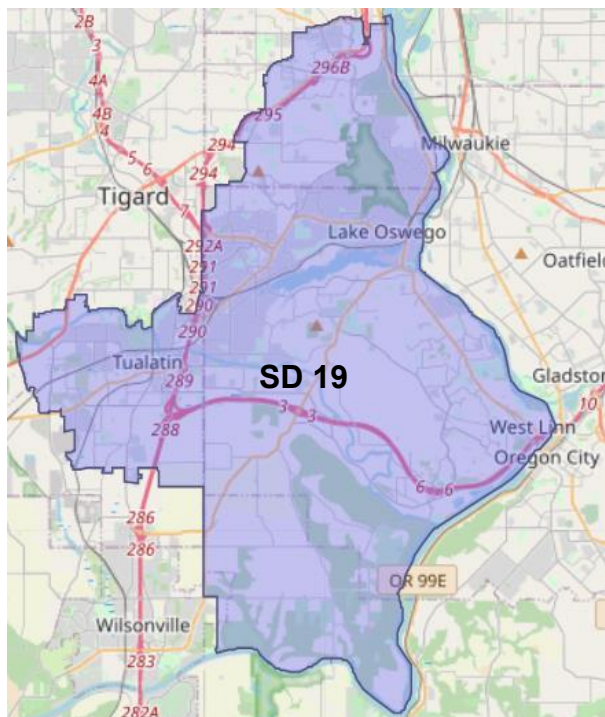


NOTES:

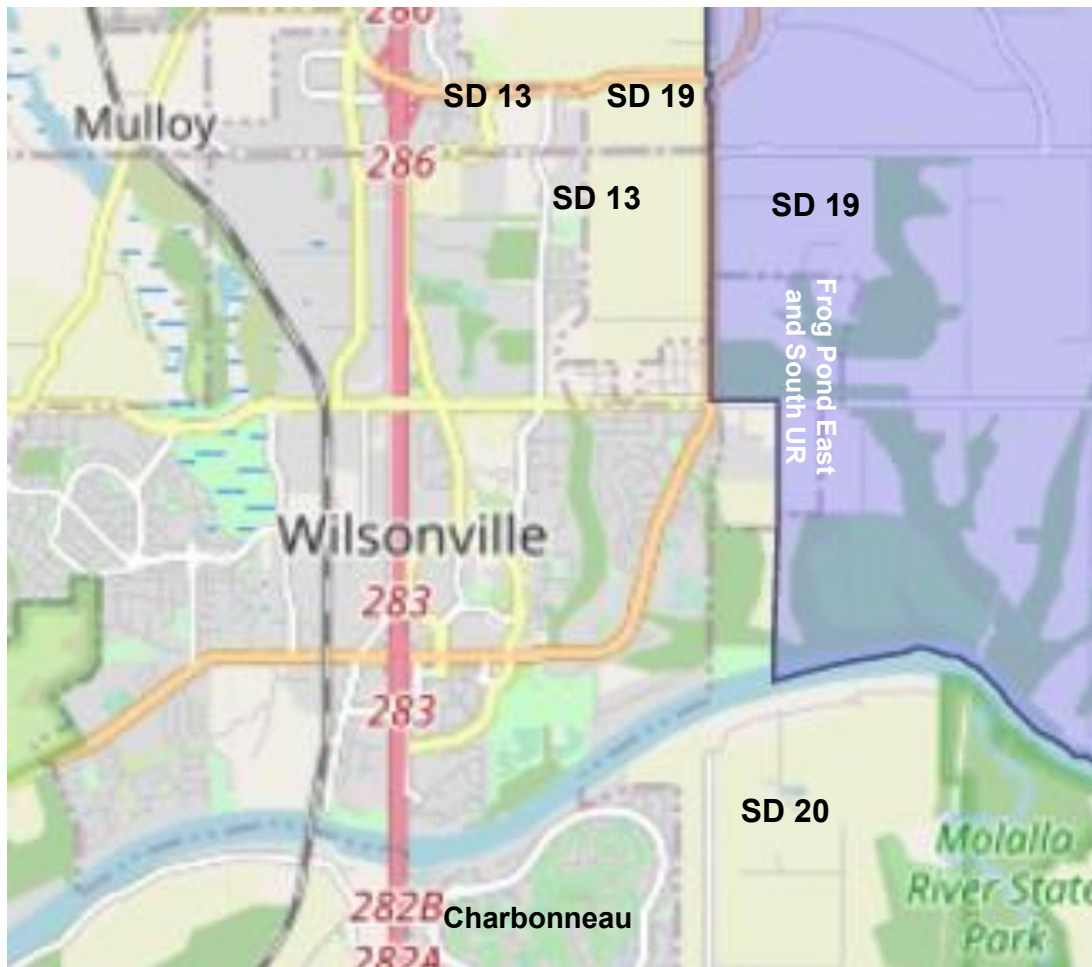
- Charbonneau District located in SD 20; prior to 2011 was part of SD 13.

Oregon Senate District 19 (shown in purple shade)

Current: 2011-2021



Close-up of current SD 19 near Wilsonville



NOTES:

- Frog Pond East and South URs are currently located in SD 19; district boundary adjusted in 2011 to include part of Frog Pond South (Meridian Creek Middle School) in SD 19.



**Spoken Testimony by City of Wilsonville Mayor Julie Fitzgerald on
Legislative Redistricting:**

Legislature Should Unite the Wilsonville Community of Interests in
One Single South Metro Region Legislative District and Not Divide Us

Scheduled for public hearing on April 10, 2021, 3-5 pm, before a concurrent meeting of
the Senate Committee on Redistricting and House Special Committee on Redistricting

Submitted April 9, 2021, via email to oregon.redistricting@oregonlegislature.gov

Good day Chairs Taylor and Salinas and Members of the Committees:

I am Julie Fitzgerald and I serve as the Mayor of the City of Wilsonville.

I am testifying on behalf of the Wilsonville City Council regarding our
community's strongly-felt, compelling redistricting preferences.

**Our top priority is to have all of Wilsonville—including the Charbonneau
District and adjacent designated urban reserves—be included in one single
legislative district.**

The dilution of Wilsonville's Oregon legislative representation split among House
and Senate districts is detrimental to our community's political aspirations and
long-term common interests.

Placing Wilsonville in one legislative district meets all of the criteria set forth in
ORS one eighty-eight:

- All of Wilsonville is contiguous;
- utilizes existing geographic or political boundaries;
- does not divide communities of common interest;
- and is connected by transportation links, including I-5, local streets and
Wilsonville's free SMART public-transit service.

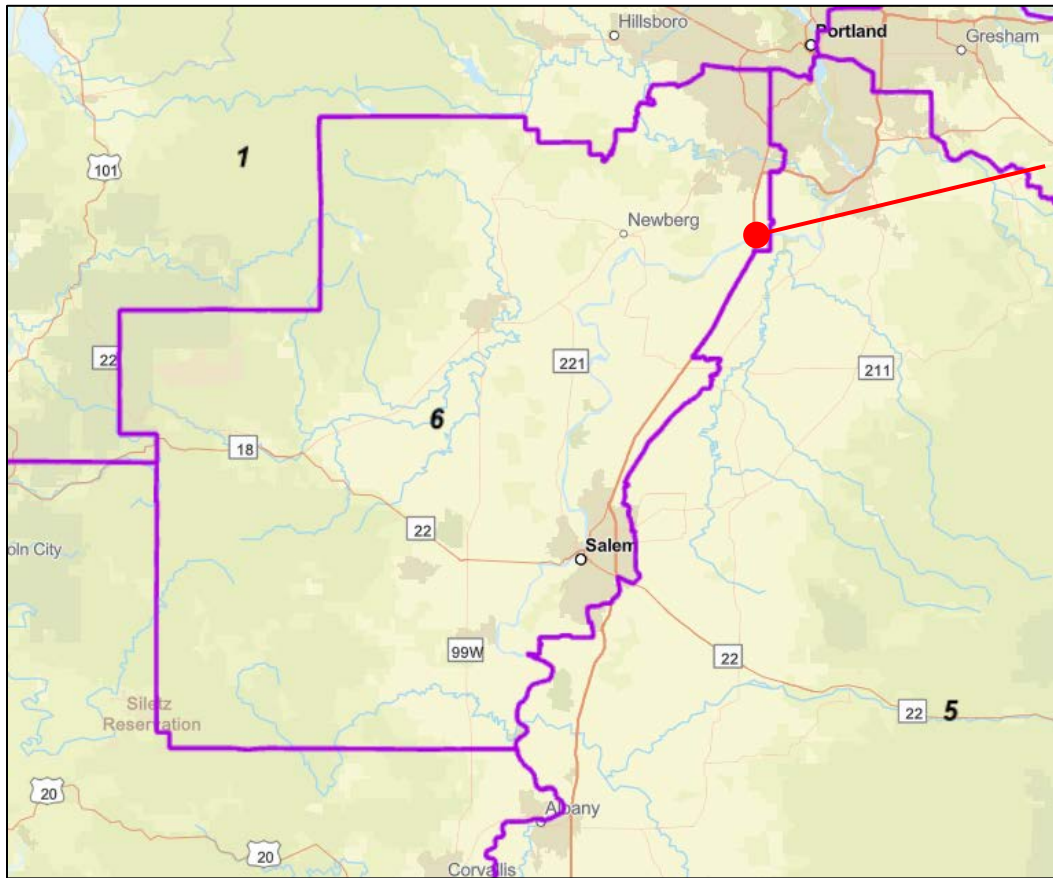
The Wilsonville City Council's additional priority is to be included in legislative districts with another neighboring city of the South Metro Region with whom we share more communities of common interests, specifically in order of 1) West Linn, 2) Tualatin, and 3) Sherwood.

The Council believes that being placed in a district with one or more of the three nearby cities is preferable to the current situation where Wilsonville is divided among the three House Districts of 26, 37 and 39 and the three Senate Districts of 13, 19 and 20.

Thank you for your time and consideration of our testimony.

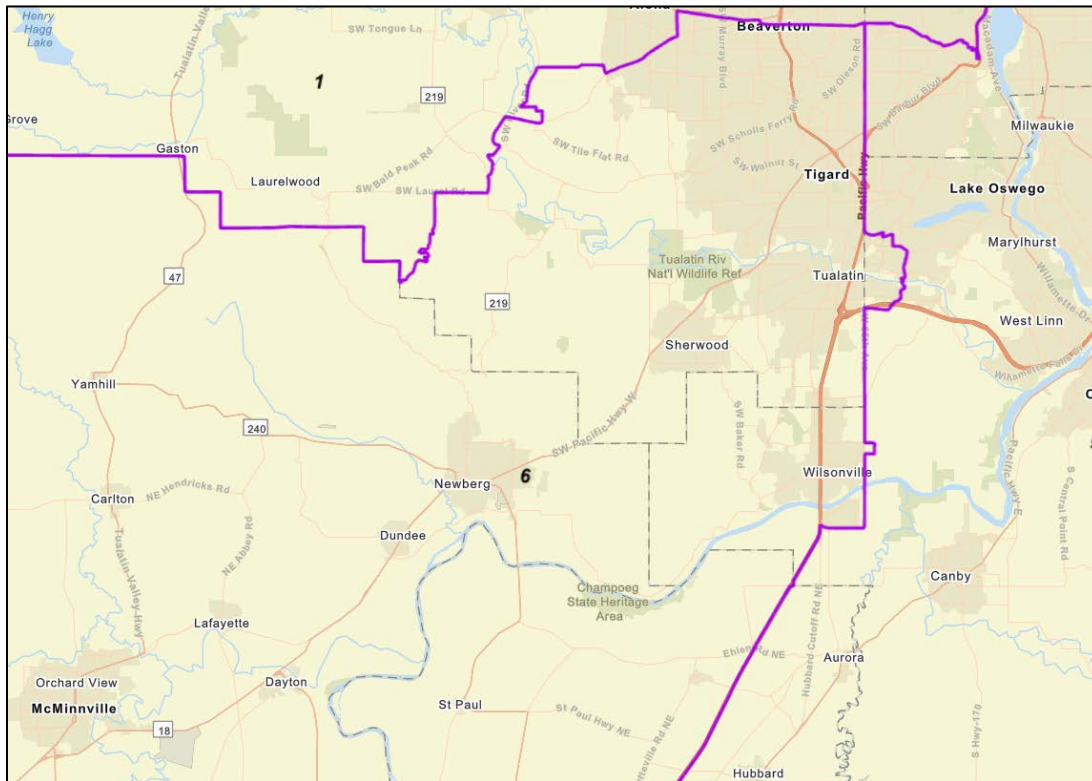
Registration is required to testify by phone or video link. You will receive a confirmation email. If you do not, please contact the committee assistant. To sign up, either use the online form at: https://survey.sjc1.qualtrics.com/jfe/form/SV_erKRB58gKqzK6c6
OR register by calling 833-588-4500.
Registration closes at the time the meeting is scheduled to begin

Congress Plan A: “CD 6 SW Metro-Salem-North Willamette Valley Western Region”

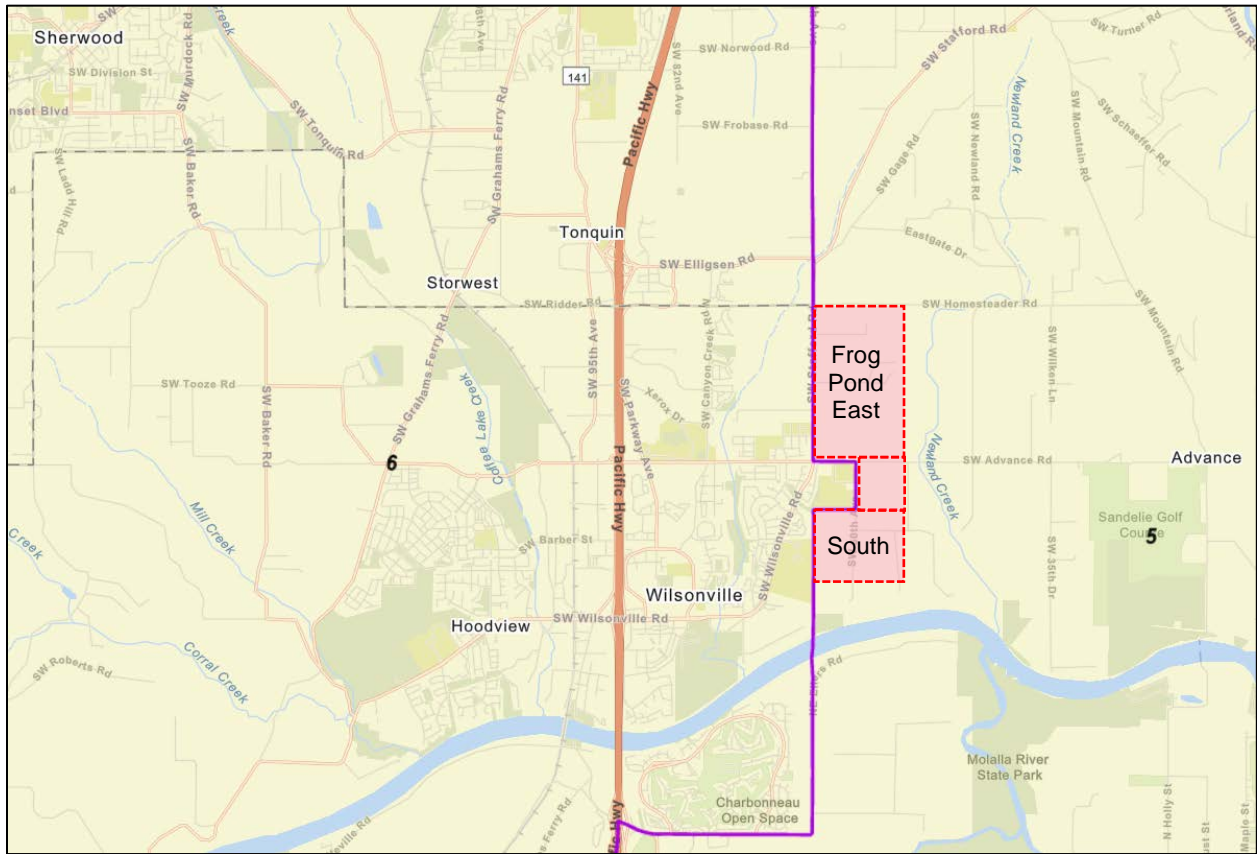


Wilsonville is kept whole for the most part and is located on the very eastern edge of southern-most tip of Southwest Metro-area included in the Western Region of the North Willamette Valley proposed for new CD 6 that includes Salem, Newberg and McMinnville.

ABOVE: Map of CD 6; BELOW: Map showing key relationships of Metro and North Willamette Valley CDs.



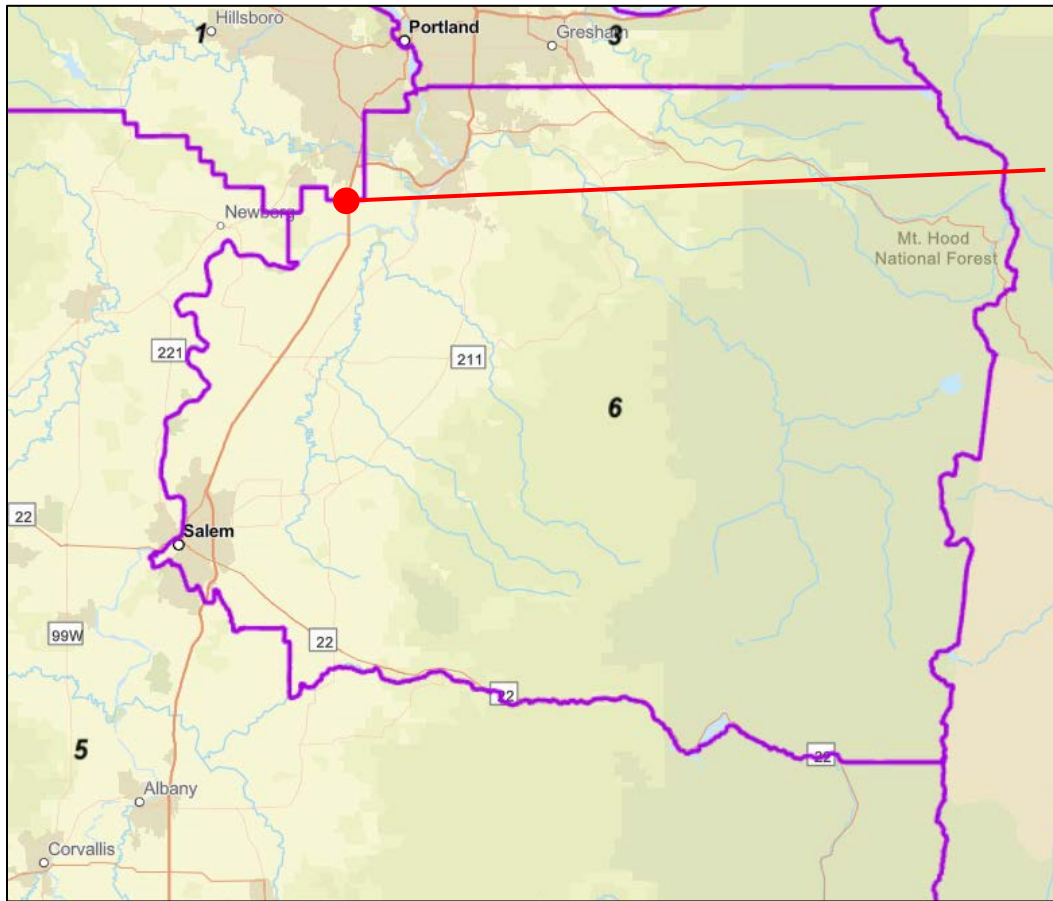
BELOW: Congress Plan A Map showing focus on Wilsonville.



NOTES:

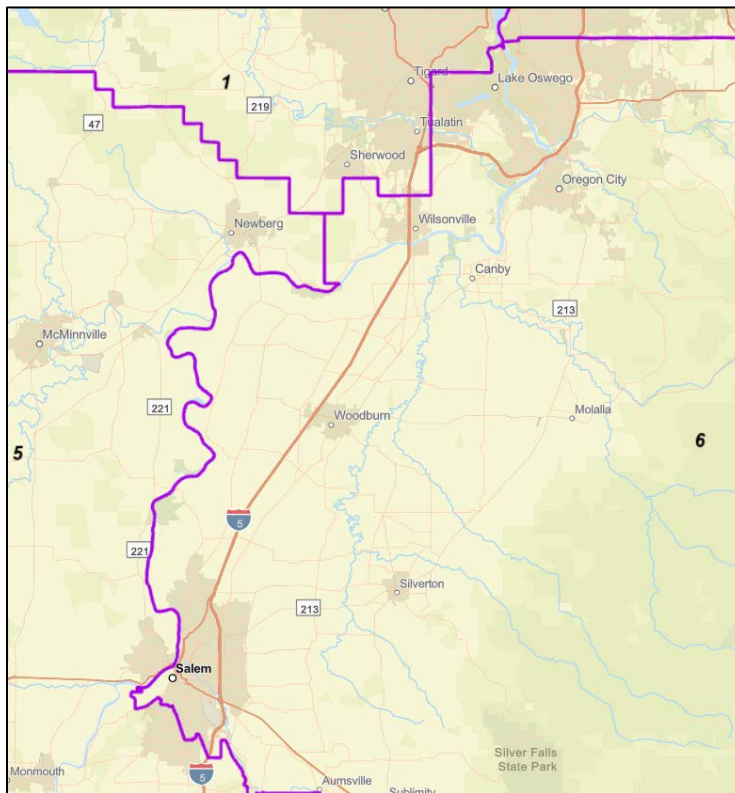
- Future designated City Urban Reserves Frog Pond East and South are omitted from map for CD 6 (shown above approximately in pink with red dotted lines) by Congress Plan A.

Congress Plan B: “CD 6 Clackamas-Marion Counties”

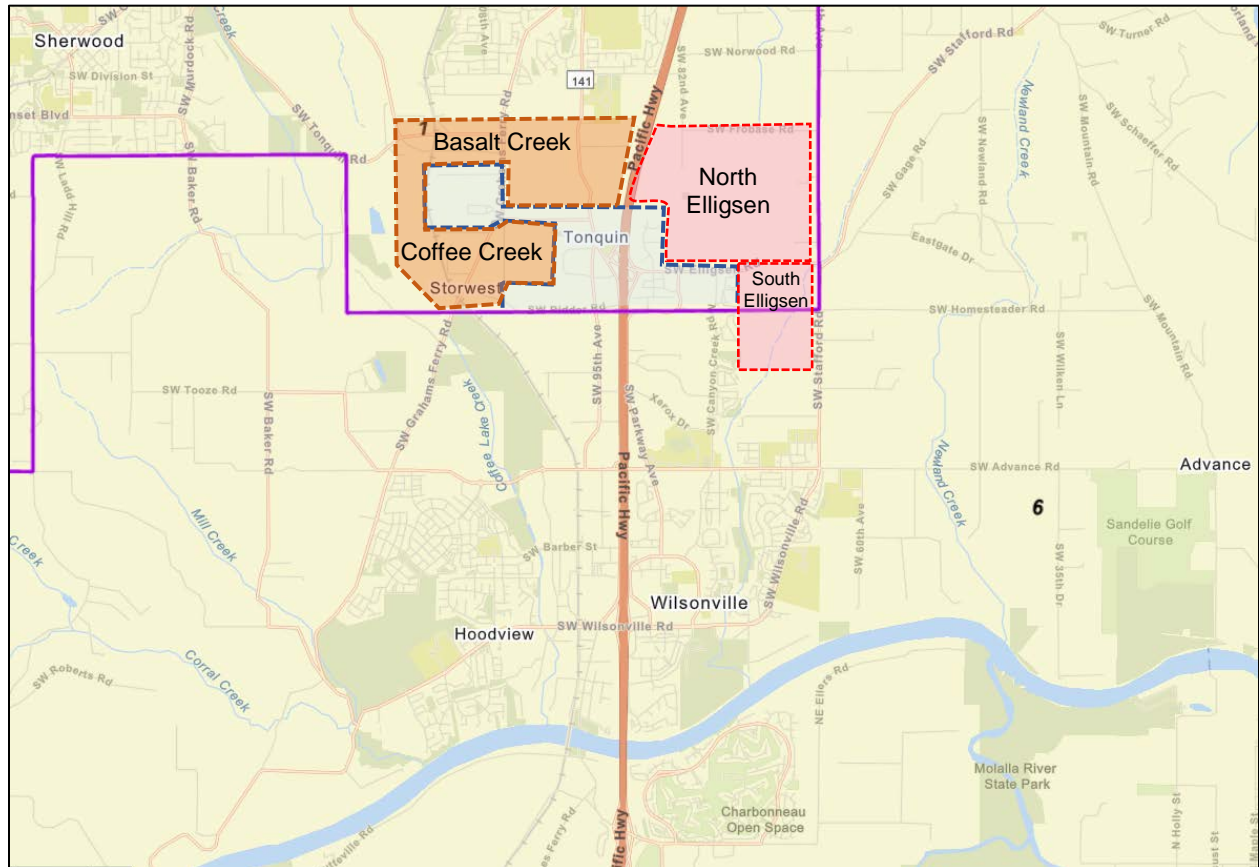


Wilsonville is fragmented on northside and located on western edge of Southeast Metro-area of Clackamas-Marion Counties area of the North Willamette Valley proposed for new CD 6 that includes part of Salem, Oregon City, Milwaukie, Lake Oswego, and West Linn.

ABOVE: Map of CD 6; BELOW: Map showing key relationships of Metro and North Willamette Valley CDs.



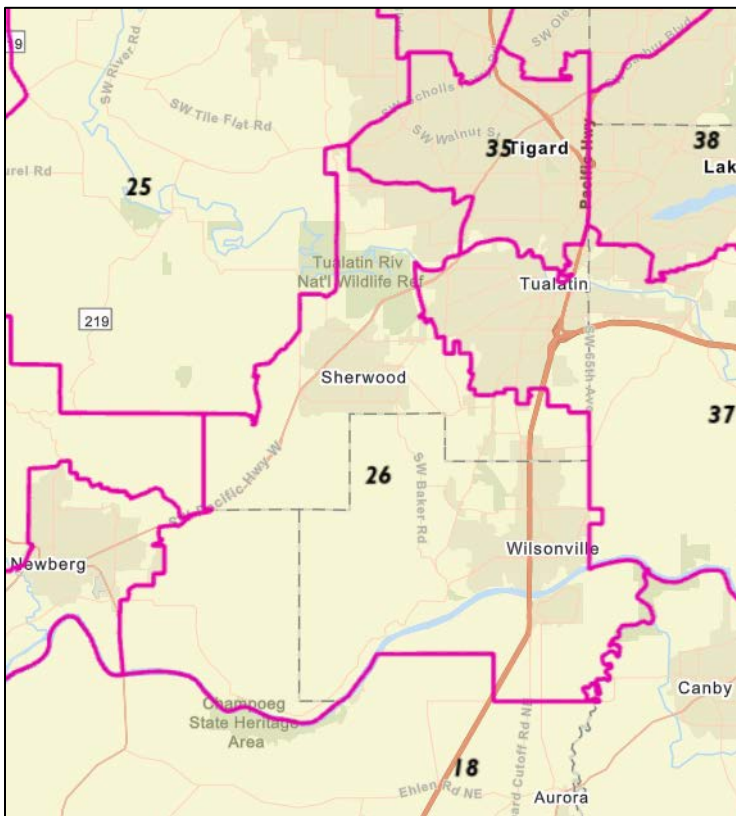
BELOW: Congress Plan B Map showing focus on Wilsonville.



NOTES:

- North Wilsonville within current city limits is excluded from map for CD 6 (shown above approximately in blue with blue dotted lines) by Congress Plan B.
- North Wilsonville UGB expansion areas of Coffee Creek and south Basalt are excluded from map for CD 6 (shown above approximately in orange with tan dotted lines) by Congress Plan B.
- Potential North Wilsonville-area Urban Reserves of South and North Elligsen are excluded in whole or part from map for CD 6 (shown above approximately in pink with red dotted lines) by Congress Plan B.

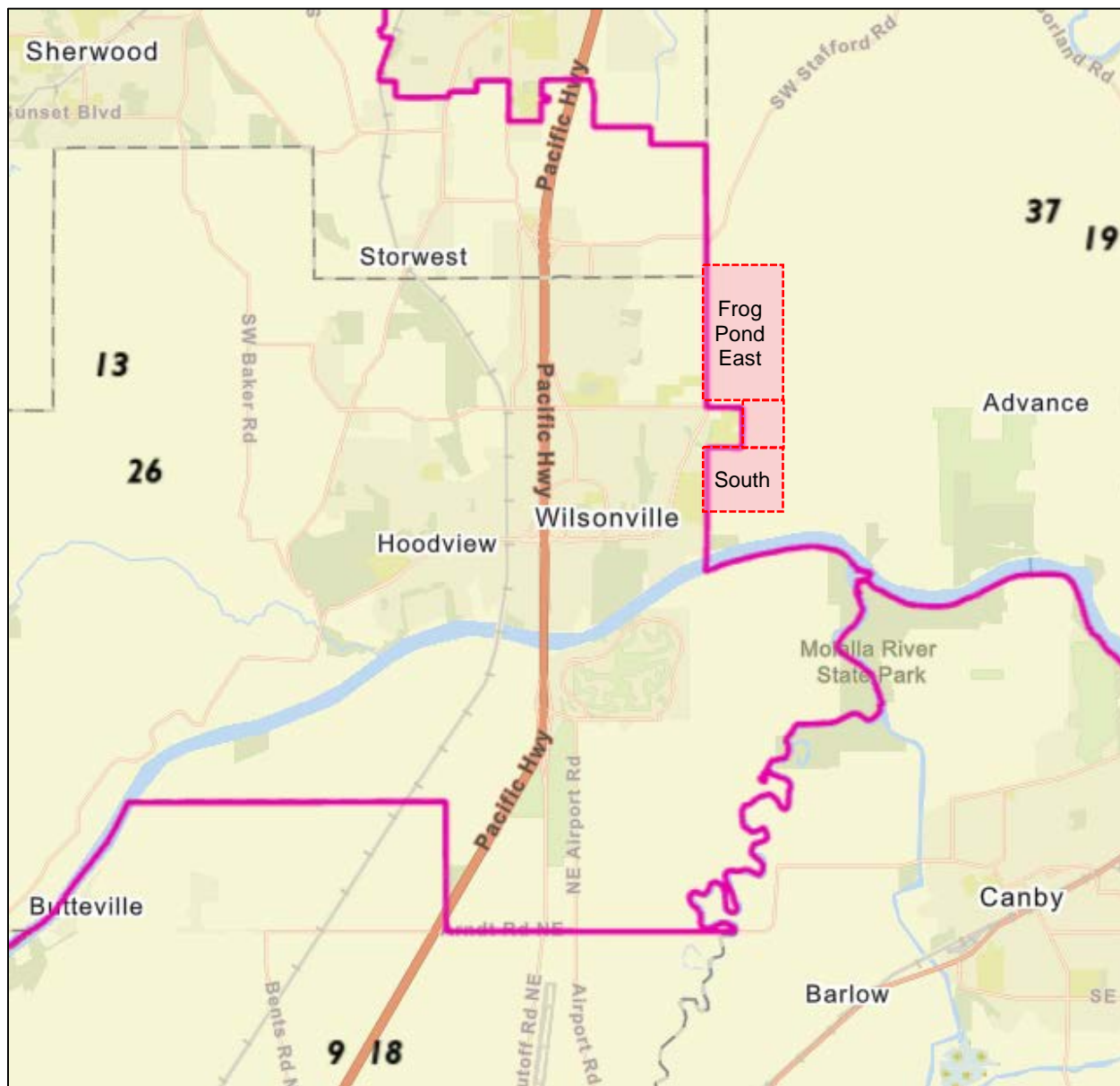
House Plan A: “Sherwood-Wilsonville House District 26”



Senate Plan A: “Sherwood-Tigard-Wilsonville Senate District 13”



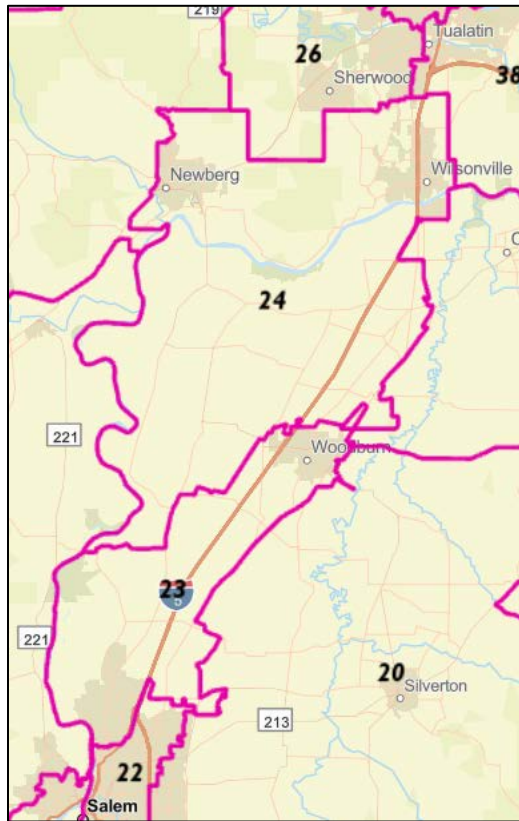
BELOW: Plan A Map showing focus on Wilsonville.



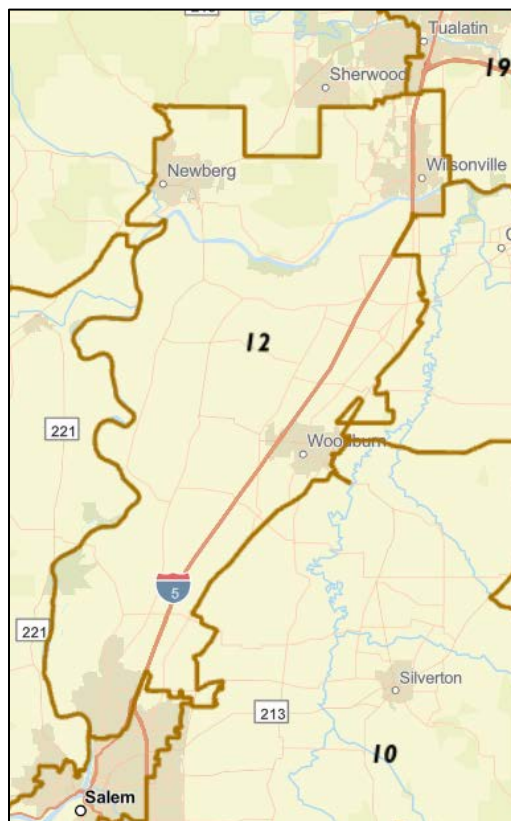
NOTES:

- Future designated City Urban Reserves Frog Pond East and South are omitted from map for HD 26/SD13 (shown above approximately in pink with red dotted lines) by Plan A.

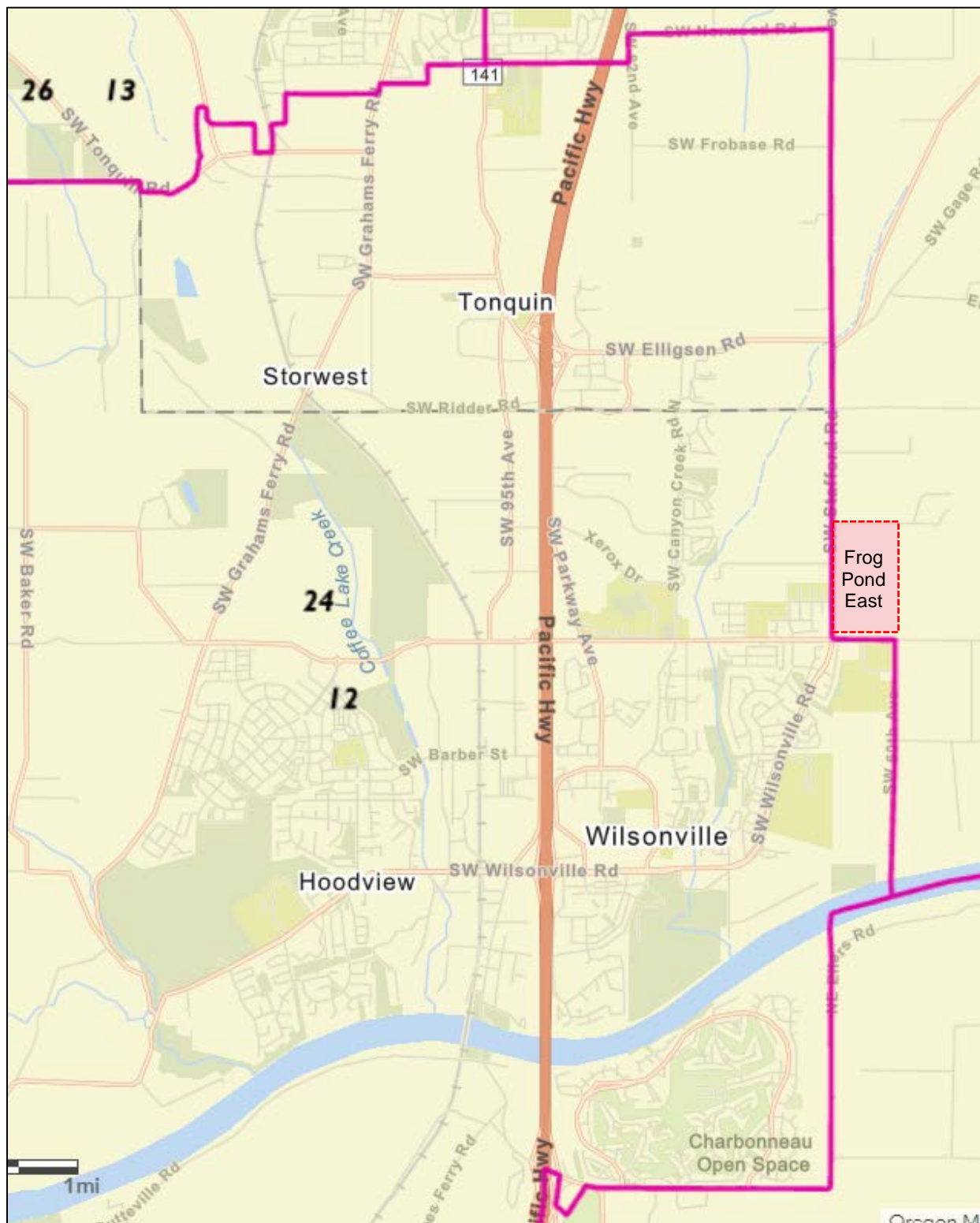
House Plan B: “Newberg-Wilsonville-French Prairie House District 24”



Senate Plan B: “Keizer-Newberg-Wilsonville-French Prairie Senate District 12”



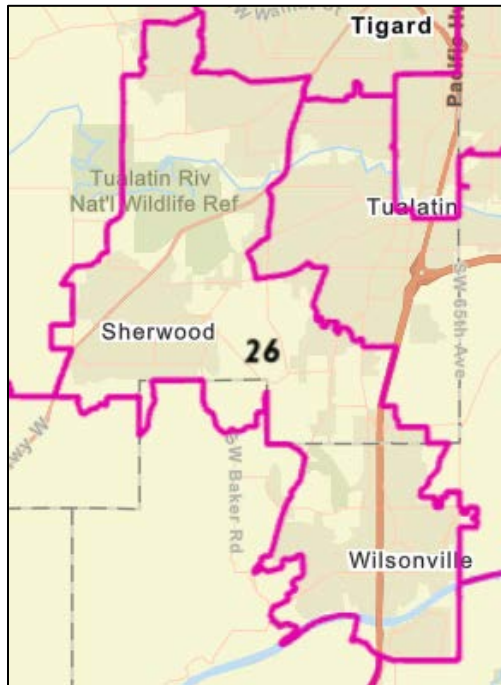
BELOW: Plan B Map showing focus on Wilsonville.



NOTES:

- Future designated City Urban Reserves Frog Pond East is omitted from map for HD 24/SD12 (shown above approximately in pink with red dotted lines) by Plan B.

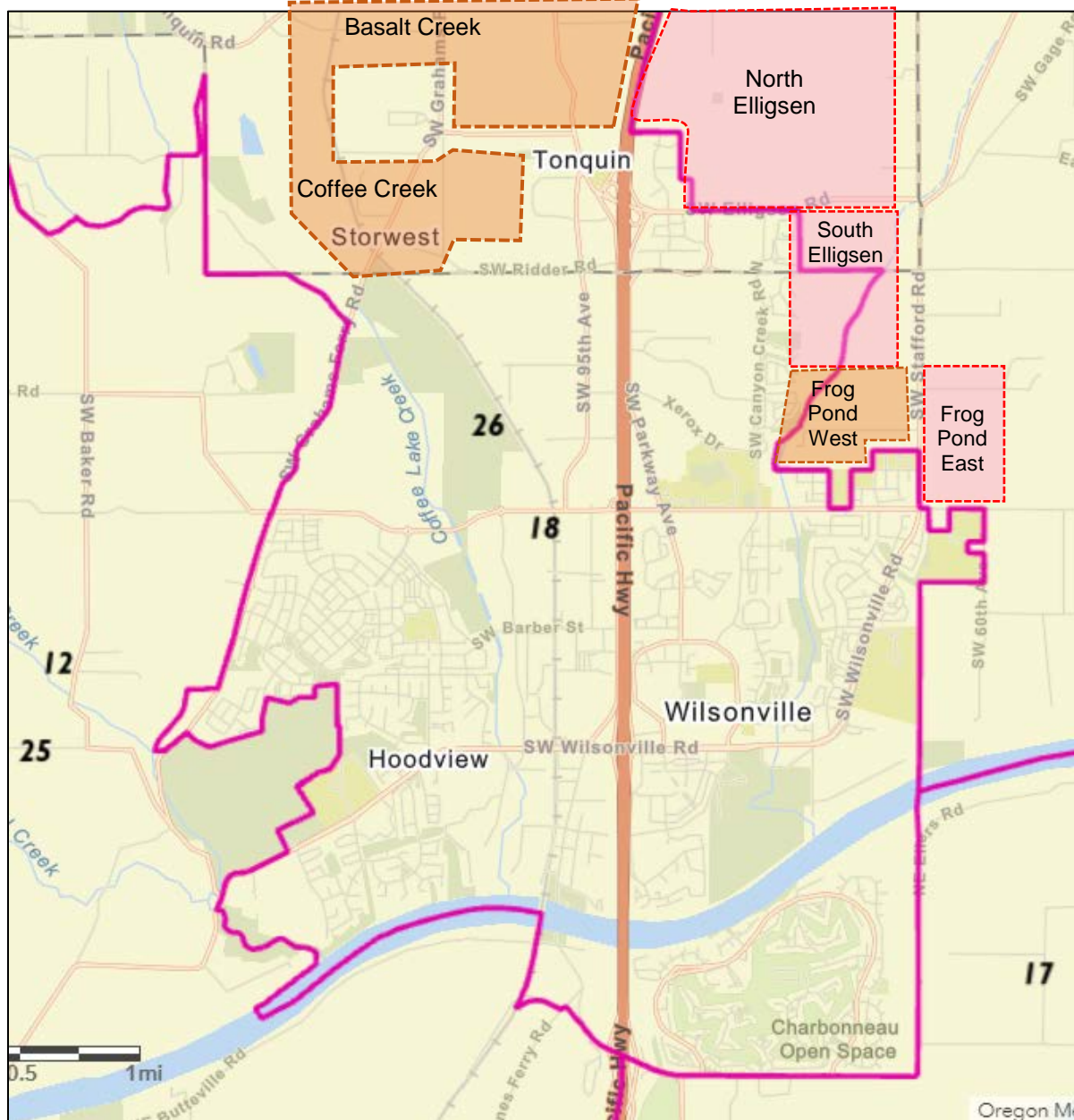
House Plan C: “Sherwood-Wilsonville House District 26”



Senate Plan C: “Sherwood- Scholls-Tigard-Wilsonville Senate District ”



BELOW: Plan C Map showing focus on Wilsonville.



NOTES:

- Future designated City Urban Reserve Frog Pond East is omitted from map for HD 26/SD18 (shown above approximately in orange with tan dotted lines) by Plan C.
- UGB Expansion Area Frog Pond West is omitted from map for HD 26/SD18 (shown above approximately in pink with red dotted lines) by Plan C.
- North Wilsonville UGB expansion areas of Coffee Creek and south Basalt are excluded from map for HD 26/SD 18 (shown above approximately in orange with tan dotted lines) by Plan C.
- Potential North Wilsonville-area Urban Reserves of South and North Elligsen are excluded in whole or part from map for HD 26/SD 18 (shown above approximately in pink with red dotted lines) by Plan C.

CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings 2021
Items known as of 09/09/21

September

Date	Day	Time	Event	Location
9/13	Monday	6:30 p.m.	DRB Panel A - CANCELLED	Council Chambers
9/14	Tuesday	6:00 p.m.	Diversity, Equity and Inclusion (DEI) Committee	Willamette River Room
9/20	Monday	7:00 p.m.	City Council Meeting	Council Chambers
9/22	Wednesday	6:30 p.m.	Library Board	Library
9/27	Monday	6:30 p.m.	DRB Panel B	Council Chambers
9/29	Wednesday	1:00 p.m.	Tourism Promotion Committee Meeting	Willamette River Room
9/30	Thursday	6:00 p.m.	Wilsonville-Metro Community Enhancement Committee	Willamette River Room

October

Date	Day	Time	Event	Location
10/4	Monday	7:00 p.m.	City Council Meeting	Council Chambers
10/11	Monday	6:30 p.m.	DRB Panel A	Council Chambers
10/12	Tuesday	6:00 p.m.	Diversity, Equity and Inclusion (DEI) Committee	Willamette River Room
10/13	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
10/14	Thursday	6:00 p.m.	Parks and Recreation Advisory Board	Parks and Recreation Administration Building
10/18	Monday	7:00 p.m.	City Council Meeting	Council Chambers
10/25	Monday	6:30 p.m.	DRB Panel B	Council Chambers
10/27	Wednesday	6:30 p.m.	Library Board	Library

Community Events:

- 9/15** Bingo from 12:45 p.m. to 1:45 p.m. at the Community Center
- 9/15** Guided Meditation Meetup from 5:30 p.m. to 6:00 p.m. online
- 9/16** Wilsonville Farmers Market from 4:00 p.m. to 8:00 p.m. at Sofia Park
- 9/22** Guided Meditation Meetup from 5:30 p.m. to 6:00 p.m. online
- 9/29** Guided Meditation Meetup from 5:30 p.m. to 6:00 p.m. online
- 10/1** Bridge Group at the Community Center from 1:00 p.m. to 4:00 p.m.
- 10/2** Soccer Shots at the Memorial Park from 9:00 a.m. to 12:00 p.m.
- 10/4** Bridge Group at the Community Center from 1:00 p.m. to 4:00 p.m.
- 10/11** Library closed for Staff In-Service
- 10/20** Bingo from 12:45 p.m. to 1:45 p.m. at the Community Center
- 10/23** Bulky Waste Day from 9:00 a.m. to 1:00 p.m. at Republic Services
- 11/11** City Offices closed in observance of Veterans Day
- 11/17** Bingo from 12:45 p.m. to 1:45 p.m. at the Community Center
- 11/20** Leaf Drop Off Day from 9:00 a.m. to 2:00 p.m. at City Hall
- 11/25 -11/26** City Offices closed in observance of the Thanksgiving Holiday



CEP 2019-2021

Wilsonville Boones Ferry Historical Society



Document artifacts from the WBFHS



The 2019-2021 Community Enhancement Grant funded the historical society's efforts to organize our artifacts in a long term project to educate the community about our history.

Archives currently stored in library attic storage room.

Document artifacts from the WBFHS



- A professional archivist sorted our artifacts into 5 categories and assigned collection numbers.
- 523 items were tagged and each described on collection forms.

523 objects sorted into 5 collections

- Scrapbooks: 72
- Aden store
- IOOF/Rebekah
- Walt Morey
- General historical



523 objects

- We purchased a recognized collections management data base program.
- The archivist entered about half of the items from the collection sheets into the database before COVID complications.



Photographing the artifacts



- The Wilsonville Photography Club and the high school photo club took professional quality pictures of about 20% of the artifacts to add to the database.

Society volunteer helped

- All handled artifacts were lightly cleaned and stored.
- Some are stored in archival wrappings paid for by this and previous CEP grants.
- Hazardous items were isolated (such as chemicals in bottles from the Aden Store)



Unfunded post COVID completion plans

Complete entry of remaining items into data base

Complete photography of objects

Deep cleaning of some artifacts

Sort through odds and ends boxes

Order more archival storage and repack some artifacts properly

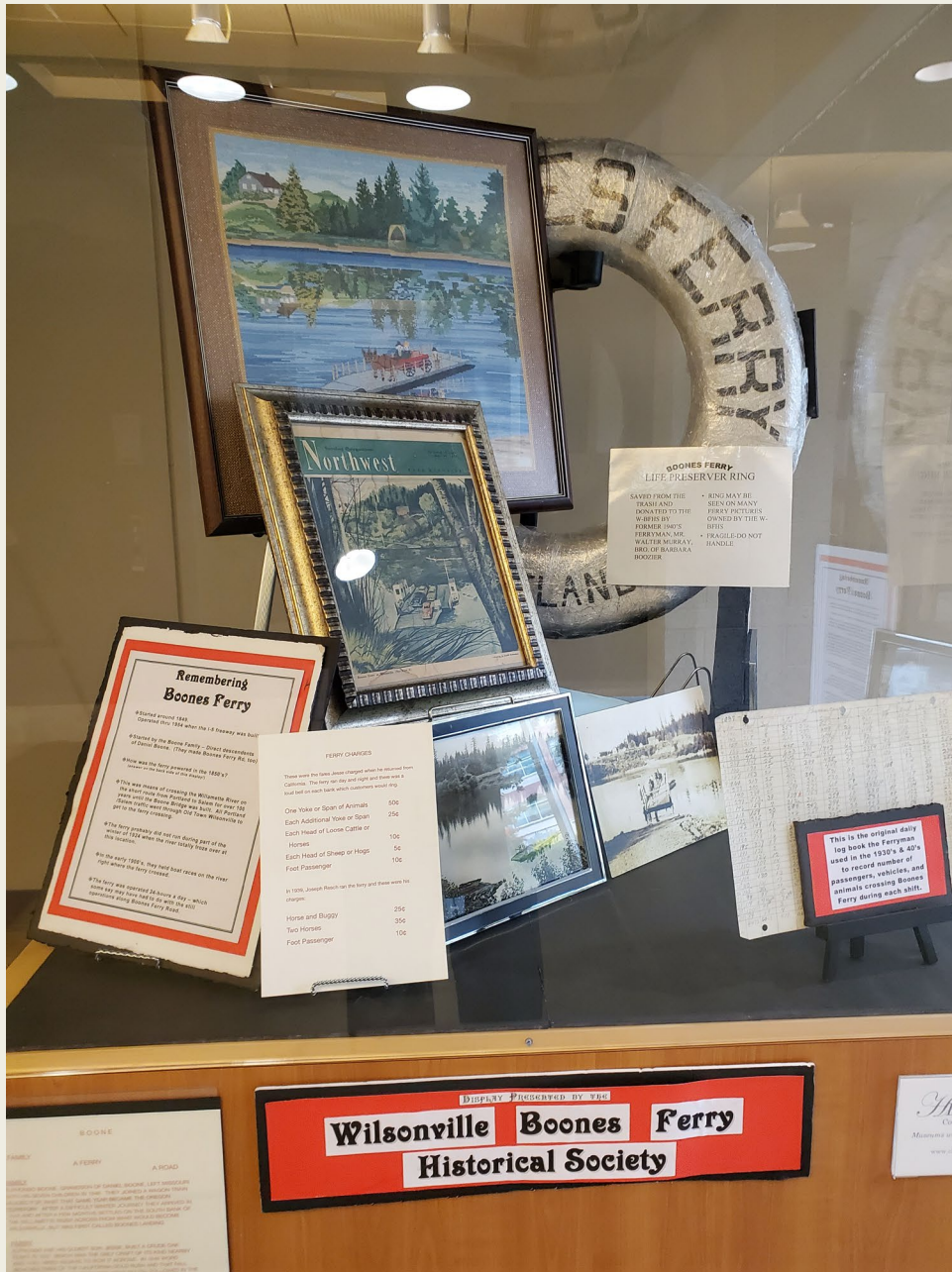
Vote on return of artifacts to appropriate museums:

-Damasch blueprints

-IOOF/Rebekah

Continued refinement of WBFHS **collections management plan.**

- accepting new artifacts
- deaccession of some artifacts
- developing exhibit opportunities



- An exhibit in Clackamas County office buildings with some artifacts.
- We're looking for more opportunities to show off as we refine our searchable database.

Moving forward...

- Our 2020-2022 CEP is to inventory, sort and digitize our photo collection despite a COVID induced late start





QUESTIONS?

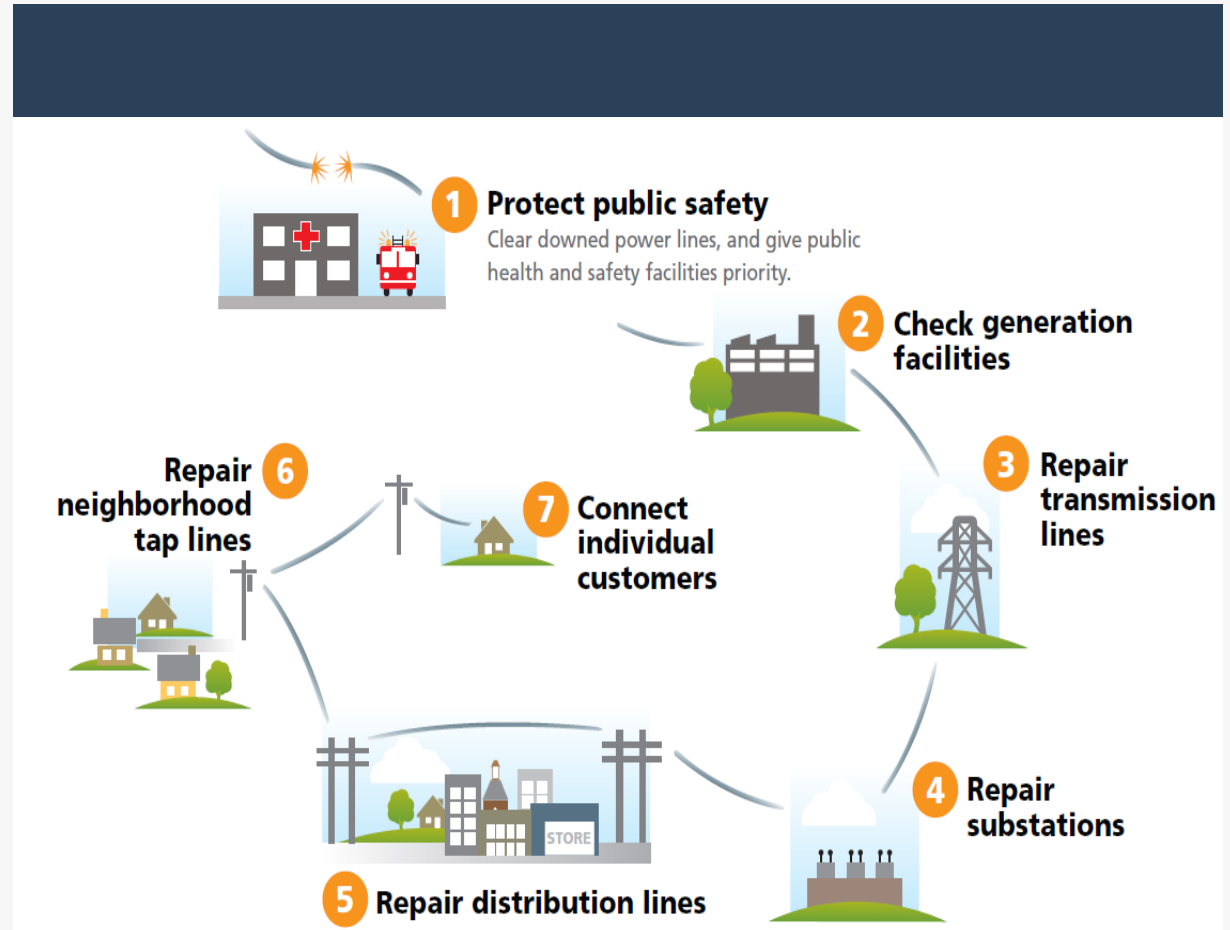
Wilsonville's Old Town and Charbonneau Areas

PGE Service and February Ice Storm



Storm preparedness and response

-
-
-
-
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February Ice Storm – Overall PGE Stats

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- (%)
- (%)
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February Ice Storm – Wilsonville Stats

- ,

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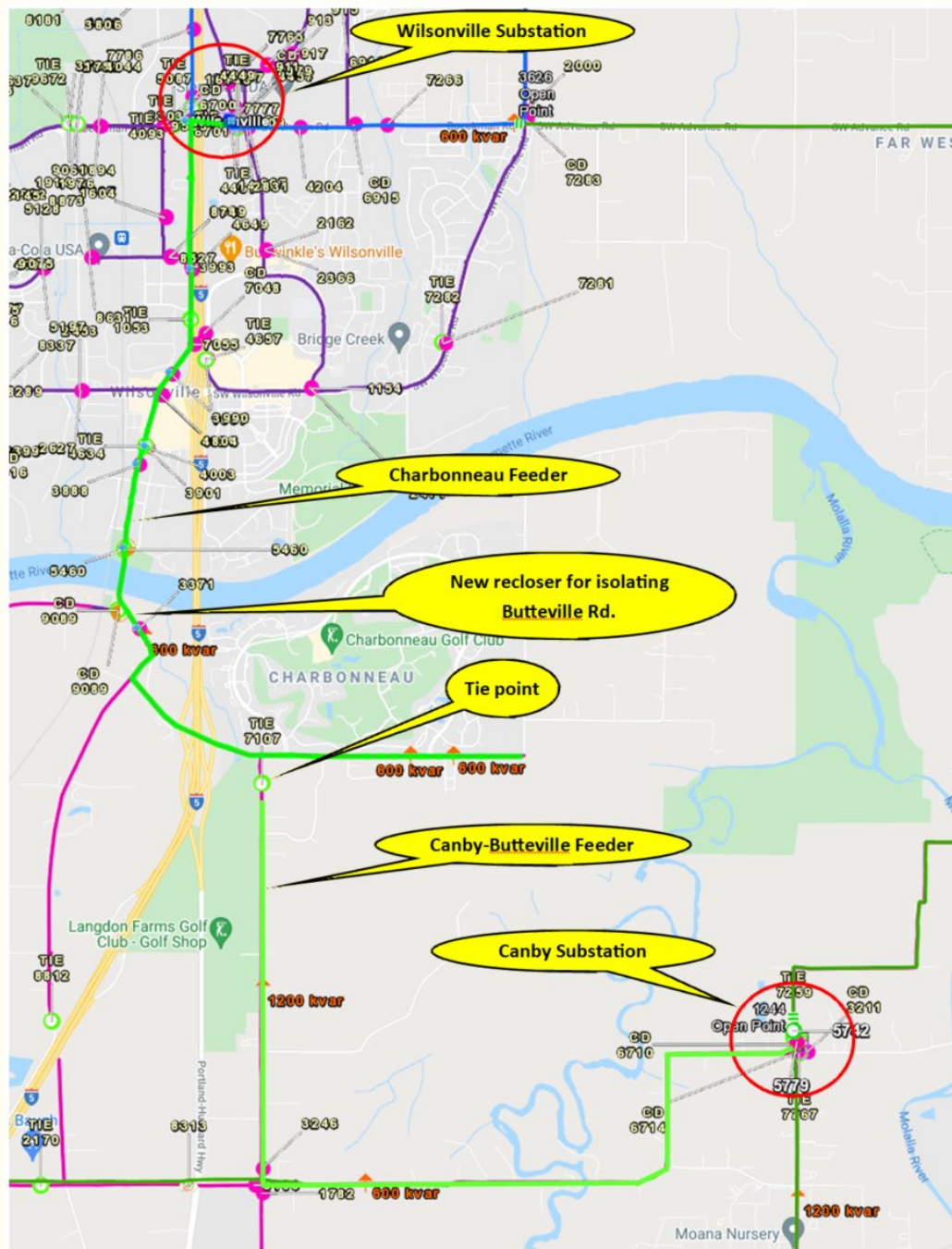
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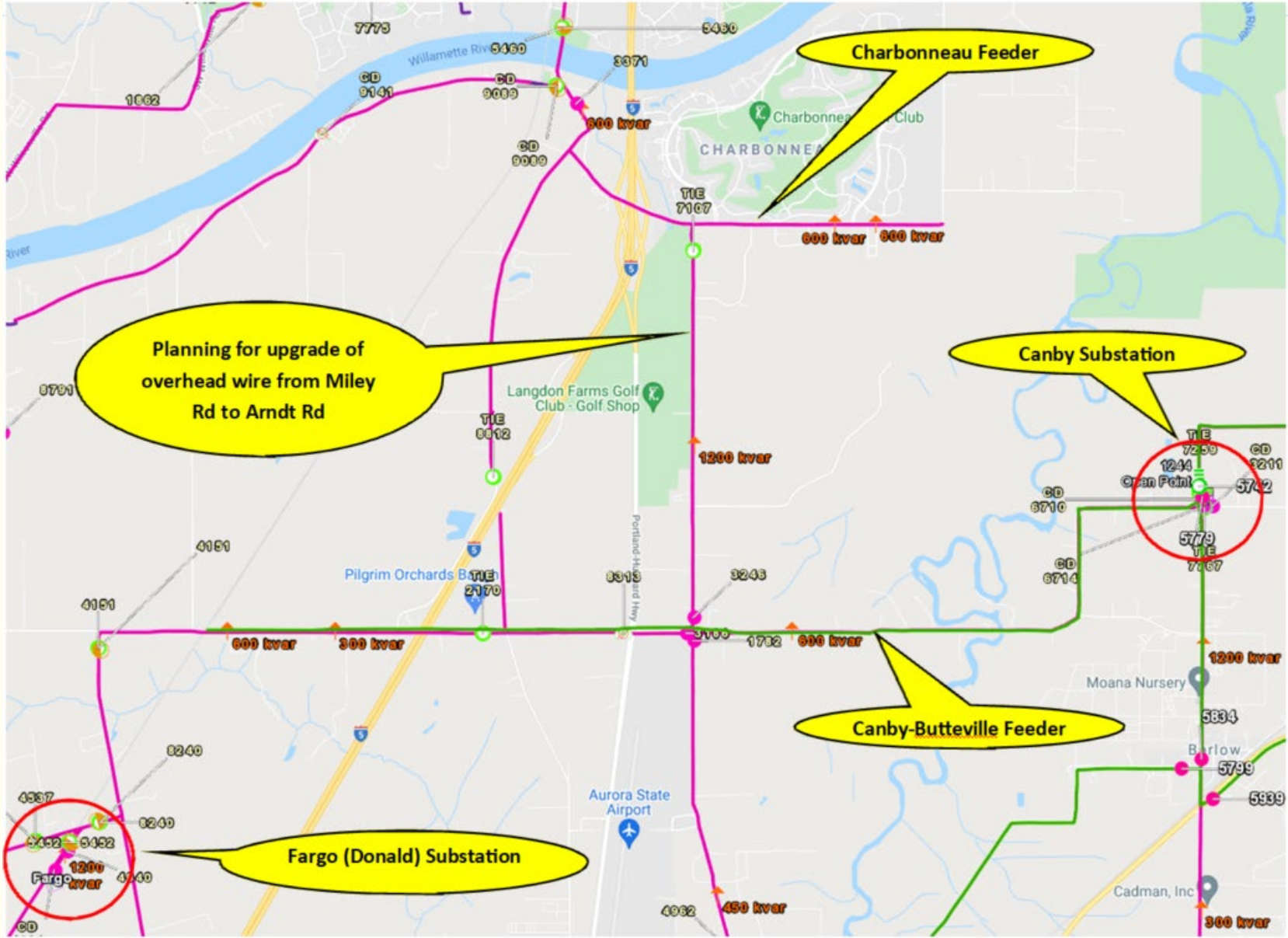
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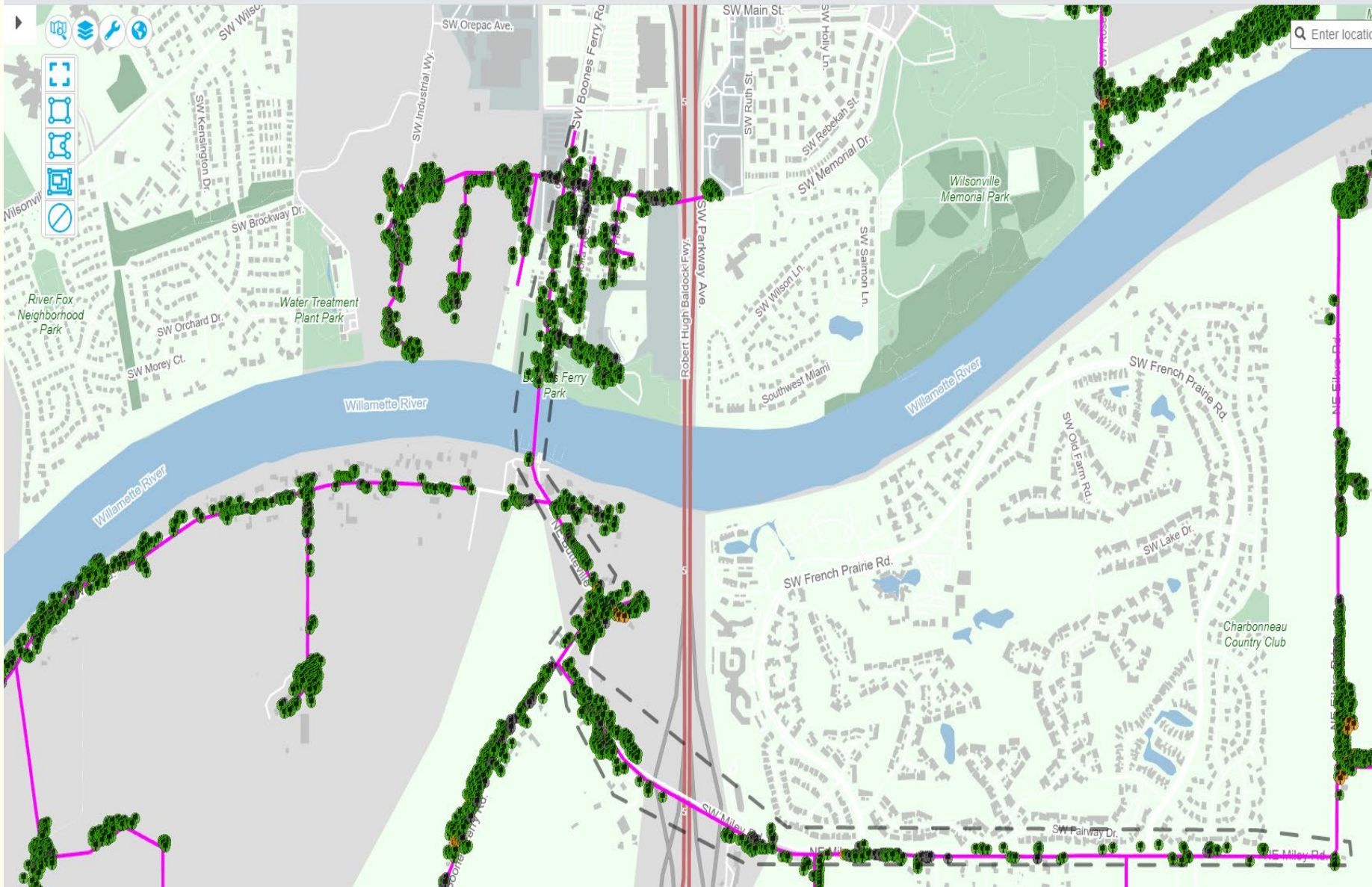
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Feeder Route





Ongoing PGE/Wilsonville Partnerships

- - ()
 - ?
 -
- - PGE's President and CEO, Maria Pope, and Clackamas County Chair, Tootie Smith created video "Be"
 -



Questions?



CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, August 16, 2021. Mayor Fitzgerald called the meeting to order at 7:10 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Fitzgerald
Council President Akervall - Excused
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Chris Neamtzu, Community Develop. Director
Mark Ottenad, Public/Government Affairs Director
Beth Wolf, Systems Analyst
Zoe Monahan, Assistant to the City Manager
Andy Stone, IT Director
Dwight Brashear, Transit Director
Scott Simonton, Fleet Services Manager

Motion to approve the order of the agenda.

Motion: Councilor Lehan moved to approve the order of the agenda. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR'S BUSINESS

A. Upcoming Meetings

The Mayor recognized the difficulties many people had due to the heat wave and appreciated that the Library was available as a cooling center. She then mentioned seeing many families using Town Center Park and Murase Plaza.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

The Mayor explained due to the heat wave, some events were cancelled or rescheduled, such as the historic Walnut Grove dedication event led by Councilor Lehan, which had been rescheduled, to September 16, 2021.

It was announced the next City Council meeting is Thursday, September 9, 2021; moved back a few days from the regular first Monday of the month meeting date due to the Labor Day holiday.

The Mayor reported on the meetings she had attended, which included:

Meeting of the Clackamas County Coordinating Committee (C4)

- ODOT presented on issues pertaining to tolling the metro area highways I-5 and I-205 for both revenue-generation and traffic-congestion management.
 - Originated from House Bill (HB) 2017 which passed some years ago.
 - Considerable discussion and expressions of concerns regarding equity impacts to lower-income households and traffic diversion onto local streets.
 - ODOT developing a list of key local arterials and intersections to be studied for diversion impacts.
 - ODOT convened an Equity and Mobility Advisory Committee for the tolling project. The City's SMART Transit Director Dwight Brashear participates on this committee.
 - ODOT staff are scheduled to present to the City Council in Work Session on Thursday, September 9, 2021. They plan to address the topic of proposed tolling of I-5 and I-205 and perhaps other area highways.
 - ODOT is aware Council is interested in discussing the following issues:
 - 1) The French Prairie Bridge as the alternative transportation facility for the I-5 Boone Bridge and Seismic Improvement Project; and
 - 2) Potential I-5 traffic impacts and mitigations for the new 3.8 million square feet, 5-story-tall Amazon warehouse in Woodburn.
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 - New, extended auxiliary lane is designed to greatly improve traffic merging onto I-5 from Highway 551, with more room and distance for merging.
 - More space for traffic to merge onto I-5 should result in a better daily flow of traffic, and fewer highway accidents just south of the I-5 Boone Bridge.
 - In effect, Hwy 551 is the I-5 / 99E Connector, bringing an entire new lane of traffic onto I-5, for which there is no new lane for traffic.
 - New ODOT extended auxiliary lane will improve traffic flow and safety. However, it is not new highway capacity.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

- All of which demonstrates the importance of public transit as being a viable transportation option for commuting, getting to medical appointments, running errands and shopping.
- The City of Wilsonville’s commitment to public transit with South Metro Area Regional Transit (SMART) provides free in-town transit service, and routes to Salem, Canby, Tualatin and more.

The Mayor shared she met with the Clackamas County Commissioners Sonya Fischer and Martha Schrader. They discussed a range of issues, including housing and unsheltered people, transportation and broadband infrastructure.

The Mayor announced she attended the Metropolitan Mayors Consortium meeting.

The Mayor broadcasted that the Parks & Recreation booklet had been released.

A. Kitakata Sister City Advisory Board Appointments

Kitakata Sister City Advisory Board – Appointment

Appointment of Kevin Stewart to the Kitakata Sister City Advisory Board for a term beginning 8/16/2021 to 12/31/2021.

Motion: Councilor Lehan moved to ratify the appointment of Kevin Stewart to the Kitakata Sister City Advisory Board for a term beginning 8/16/2021 to 12/31/2021. Councilor Linville seconded.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

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Appointment of Sruthy Menon to the Kitakata Sister City Advisory Board for a term beginning 8/16/2021 to 12/31/2023.

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Vote: Motion carried 4-0.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

COMMUNICATIONS

A. 2021 State Legislative Session Report

Mark Ottenad, Public/Government Affairs Director and Greg Leo, Government Affairs Consultant presented the 2021 State Legislative Session Report and PowerPoint. The report and PowerPoint has been made a part of the record.

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.

There was no public input.

COUNCILOR COMMENTS

A. Council President Akervall - Excused

B. Councilor Lehan

Councilor Lehan explained the prior week had been challenging due to the heat wave, which affected a number of City events.

Ms. Lehan reported she attended the following:

- National Night Out in her neighborhood
- City of Wilsonville Staff Picnic
- Historical Pioneer Gathering event at the Fernwood Pioneer Cemetery in Newberg

She announced the dedication ceremony for the Walnut Orchard at Murase Park had been postponed due to the heat wave. Ms. Lehan invited the audience to attend the rescheduled event on Thursday, September 16, 2021 at 11:00 a.m.

Ms. Lehan reminded the celebration of Women's Suffrage is August 26, 2021.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

C. Councilor West

Councilor West recalled he was unable to attend last City Council meeting as he was on a family vacation.

Described Wilsonville High School football is in full swing. Councilor West invited and encouraged the audience and City Council to attend a Friday night football game at Randall Stadium. Mr. West shared there would be a home game on Friday, September 3, 2021 followed by an away game on September 10, 2021.

D. Councilor Linville

Councilor Linville participated in the League of Oregon Cities three-day workshop on City Planning in Oregon presented by John Morgan. Ms. Linville shared the advice taught at the workshop which was the role of decision-makers was to make decisions that are good defensible and credible. Furthermore, decision-makers should come from a place of looking at decisions that do the most good for the most people for the longest period of time.

Ms. Linville described during the workshop types of decision-making and ethics had been discussed. Ms. Linville stated she had received training materials, which included *An Introductory Guide to Land Use Planning for Small Cities and Counties in Oregon*. Furthermore, if other Councilors were interested she would share the training materials with them.

Publicized the C4 Metro Subcommittee had been canceled.

In closing, the Mayor invited and Councilor Linville accepted to attend a Zoom meeting with Clackamas County the following day.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2917**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Manager/General Contractor (CM/GC) Contract With Kiewit Infrastructure West Co. To Provide Preconstruction Services For The Willamette River Water Treatment Plant Expansion Project (Capital Improvement Project #1144).

B. **Resolution No. 2918**

A Resolution Authorizing SMART (South Metro Area Regional Transit) To Enter Into An Agreement With NW Natural Gas, To Provide High Pressure Gas Service At 28879 SW Boberg Road.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

C. Resolution No. 2923

A Resolution Of The City Of Wilsonville Authorizing The Sole Source Selection Of Friends Of Trees For FY 2021-22.

D. Minutes of the August 2, 2021 Council Meeting.

Motion: Councilor West moved to approve the Consent Agenda as read. Councilor Lehan seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

A. None.

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. Ordinance No. 849 – *1st Reading (Legislative Hearing)*

An Ordinance Of The City Of Wilsonville Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan For Economic Development Purposes Known As The Twist Bioscience Wilsonville Investment Now (WIN) Zone.

Ms. Jacobson read the title of Ordinance No. 849 into the record on first reading.

Mayor Fitzgerald provided the public hearing format and opened the public hearing at 7:56 p.m.

Chris Neamtzu, Community Development Director and Nick Popenuk of Tiberius Solutions, LLC provided the staff report and PowerPoint, which has been made a part of the record.

Following staff's presentation Twist Bioscience representatives Angela Bitting Senior Vice President, Corporate Affairs and Paul Woehl, Architect and Mitch Romero presented a PowerPoint, which has also been made part of the record.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Council clarifying questions followed the presentation.

Mayor Fitzgerald invited speakers.

Alexander Gilmore, Wilsonville resident opposed Ordinance No. 849.

Council discussion ensued.

The Mayor closed the public hearing at 8:46 p.m.

Motion: Councilor Lehan moved to adopt Ordinance No. 849 on first reading. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY MANAGER'S BUSINESS

City Manager Cosgrove asked Councilors if while the mask mandate was in place if they would be interested in holding City Council meetings again via Zoom.

After discussion, Council decided to hold their meetings via Zoom while the mask mandate remained in effect.

City Manager Cosgrove explained Council Chambers would remain open for the public therefore; staff would plan to hold hybrid City Council meetings.

Council was then reminded the City's Block Party and Women's Suffrage Day is August 26, 2021.

Mayor Fitzgerald reminded that the City Council packet included City Manager Reports, which provide extensive information on the happenings of the City departments.

City Manager Cosgrove reported he met with Jeanna Troha, Assistant City Manager; Rob Wurpes, Chief of Police and Jim Band, Oregon City Police Chief to discuss actions cities can take on the issues of mental health and outreach to the homeless. Mr. Cosgrove anticipated he would return to Council at a future date to talk about the potential of hiring an outreach coordinator funded for up to 3-years with American Rescue Plan Act (ARPA) funds.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 8:56 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, August 16, 2021. Mayor Fitzgerald called the meeting to order at 7:10 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Fitzgerald
Council President Akervall - Excused
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Chris Neamtzu, Community Develop. Director
Mark Ottenad, Public/Government Affairs Director
Beth Wolf, Systems Analyst
Zoe Monahan, Assistant to the City Manager
Andy Stone, IT Director
Dwight Brashear, Transit Director
Scott Simonton, Fleet Services Manager

Motion to approve the order of the agenda.

Motion: Councilor Lehan moved to approve the order of the agenda. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
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MAYOR'S BUSINESS

A. Upcoming Meetings

The Mayor recognized the difficulties many people had due to the heat wave and appreciated that the Library was available as a cooling center. She then mentioned seeing many families using Town Center Park and Murase Plaza.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

The Mayor explained due to the heat wave, some events were cancelled or rescheduled, such as the historic Walnut Grove dedication event led by Councilor Lehan, which had been rescheduled, to September 16, 2021.

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CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

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CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

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CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

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CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

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Vote: Motion carried 4-0.

SUMMARY OF VOTES

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Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

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CONTINUING BUSINESS

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PUBLIC HEARING

A. Ordinance No. 849 – *1st Reading (Legislative Hearing)*

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CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Council clarifying questions followed the presentation.

Mayor Fitzgerald invited speakers.

Alexander Gilmore, Wilsonville resident opposed Ordinance No. 849.

Council discussion ensued.

The Mayor closed the public hearing at 8:46 p.m.

Motion: Councilor Lehan moved to adopt Ordinance No. 849 on first reading. Councilor West seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Excused
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY MANAGER'S BUSINESS

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CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

LEGAL BUSINESS

No Report.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 8:56 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 9, 2021	Subject: Resolution No 2922 Collective Bargaining Agreement between the City of Wilsonville and Wilsonville Municipal Employees Association (WilMEA) July 1, 2021-June 30, 2024. Staff Member: Jeanna Troha, Assistant City Manager and Andrea Villagrana, HR Manager Department: Human Resources	
Action Required	Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt Resolution No. 2922.		
Recommended Language for Motion: I move to approve Resolution No. 2922.		
Project / Issue Relates To:		
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Oregon Statute requires the governing body approve collective bargaining agreements between the employer and labor unions. The issue before the City Council is consideration of the proposed Collective Bargaining Agreement (CBA) between the City of Wilsonville and Wilsonville Municipal Employees Association (WilMEA) for July 1, 2021 through June 30, 2024.

EXECUTIVE SUMMARY:

The previous CBA expired on June 30, 2021. The parties negotiated for several months and engaged in formal mediation on August 5, 2021 to address unresolved issues. The mediation process was successful in finalizing the attached CBA, which has been ratified by WilMEA.

EXPECTED RESULTS:

N/A

TIMELINE:

N/A

CURRENT YEAR BUDGET IMPACTS:

Funds were not budgeted in personnel services in the FY 2021-2022 budget, but held in contingency because negotiations were underway during the budget process and economic impacts were unknown. Since the negotiation is complete, the finance department will prepare a supplemental budget adjustment to be approved by the City Council.

FINANCIAL REVIEW:

Reviewed by: KAK Date: 8/31/2021

LEGAL REVIEW:

Reviewed by: BAJ Date: 8/31/2021

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

N/A

ALTERNATIVES:

N/A

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 2922
 - A. Collective Bargaining Agreement between the City of Wilsonville and WilMEA.

RESOLUTION NO. 2922

A RESOLUTION ADOPTING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF WILSONVILLE AND WILSONVILLE MUNICIPAL EMPLOYEES' ASSOCIATION (WILMEA).

Whereas, the city of Wilsonville and Wilsonville Municipal Employees Association have negotiated a three year Collective Bargaining Agreement effective July 1, 2021 through June 30, 2024.

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

1. The City Manager is authorized on behalf of the City to execute the negotiated and ratified Collective Bargaining Agreement with WilMEA attached here as Exhibit A as if fully set forth herein.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 9th day of September, 2021, and filed with the Wilsonville City Recorder on this date.

Julie Fitzgerald, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBIT:

- A. Collective Bargaining Agreement between the City of Wilsonville and WilMEA.

TA

8g

8/5/21

PAE 8/5/21

~~Tentative Agreement — 08-05-21~~

~~The Employer reserves the right to add to, modify, withdraw, or otherwise change proposals in the course of bargaining to arrive at a mutually agreeable collective bargaining agreement.~~

CITY OF WILSONVILLE

and

WILSONVILLE MUNICIPAL EMPLOYEES ASSOCIATION

COLLECTIVE BARGAINING AGREEMENT

JULY 1, 2021~~17~~ THROUGH JUNE 30, 2024~~0~~

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PREAMBLE

This Agreement is entered into between the City of Wilsonville, hereinafter referred to as the "City," and the Wilsonville Municipal Employees Association, hereinafter referred to as "Association."

ARTICLE 1 – RECOGNITION

1.1 Association Recognition. The City recognizes the Association as the sole and exclusive collective bargaining representative of all employees covered by this collective bargaining agreement.

1.2 Covered Employees.

Overall Unit. All regular and part-time employees of the City of Wilsonville, excluding the following: supervisory and confidential employees as defined by ORS 243.650(6) and (23); transit employees as defined in ORS 243.738, together with fleet mechanics; interns and/or students; temporary employees; seasonal employees; and employees on on-call status. This unit shall be subject to the collective bargaining dispute resolution process according to strikeable units as under PECBA.

1.3 Employee Descriptions.

Regular Full-Time employees shall be defined as employees who are regularly scheduled to work forty (40) hours a week.

Regular Part-Time employees shall be defined as employees who are regularly scheduled to work twenty (20) or more hours per week.

Less-than-half-time employees shall be defined as employees who are scheduled to work less than twenty (20) hours per week. Less than half time employees are not eligible for any employee benefits or accrual of employee benefits, including but not limited to, holidays, insurance, retirement, or paid leaves. Notwithstanding the above, a less than half time employee who is required to work on a recognized holiday will be compensated at time and one-half for all hours worked on the holiday.

Temporary and Seasonal employees are those employees working less than ~~1600~~ 1560 hours between November 1 and October 31 of the following calendar year ~~per calendar year~~. Such employees are not part of the bargaining unit and are generally covered by City policy.

Grant funded positions: Positions which are funded by a grant covering 15% or more than the total compensation of the position, including benefits provided under City policy, are not part of the bargaining unit, except under the following:

- A. When a position is 15% or more grant funded for a duration of more than 12 months, and if the grant is renewed for an additional period of time exceeding another 12 months, the employee will be included as a member of bargaining unit upon the renewal of the grant.

For all Grant Funded positions:

- 1) Grant funded positions, regardless of bargaining unit status, serve an initial six (6) month probation period upon initial hire.
- 2) An employee placed in the bargaining unit under a grant funded position does not have recall rights, (Article 11). If the City elects to adopt the position into the budget as a fully funded City position, while the employee is currently employed, recall rights are re-established.
- 3) If the grant is discontinued at any time or not funded after expiration, the position is ended.

1.4 New Classifications. Whenever the City develops a new classification, it shall develop a job description for the position and assign a wage rate. Once this procedure is completed, the City shall notify the Association in writing. In the event the Association does not agree with the assigned wage rate, the Association shall notify the City within fourteen (14) days prior to implementation. The Association may request to bargain pursuant to ORS 243.698. The City shall not be precluded from filling the position during negotiations.

1.5 Department. For purposes of this agreement, the Departments are Administration, Community Development, Finance, Human Resources/Risk Management, Information Technology, Legal, Library, Parks & Recreation, Public Works, and Transit.

TTA: 04/29/21

ARTICLE 2 – NON-DISCRIMINATION

~~There shall be no discrimination by the City against any employee because of age, race, marital status, mental or physical disability, national origin, sex, religion, or any other protected class, in accordance with applicable law. Neither will the City discriminate based on gender identity or sexual orientation. The provisions of this Agreement shall be applied without discrimination to all employees.~~

TTA: 04/29/21

ARTICLE 23 – MANAGEMENT RIGHTS

Except as expressly modified or restricted by a specific provision of this Agreement, all charter, statutory and other managerial rights, prerogatives, and functions are retained and vested exclusively in the City, including, by way of description and not limitation, the rights, in accordance with its sole and exclusive judgment and discretion: to direct and supervise all operations and functions; to manage and direct the work force, including, by way of description and not limitation, the right to determine the methods, processes, locations and manner of performing work; to hire, promote, transfer and retain employees; to determine schedules of work and work load; to purchase, dispose of and assign equipment and supplies; to determine the need for a reduction or an increase in the work force; to establish, revise and implement standards for hiring, classification, promotion, quality of work, safety, materials and equipment; to implement new and to revise or discard, wholly or in part, methods, procedures, materials, equipment, facilities and standards, and to sub-contract or contract projects or works it deems appropriate. Utilization of any management rights not specifically limited by this Agreement shall be at the City's discretion, provided any bargaining obligation arising from ORS 243.650-672 and the Status of Agreement article (Article 23) contained herein is satisfied. The City's failure to exercise any right, prerogative, or function hereby reserved to it, or the City's exercise of any such right, prerogative, or function in a particular way, shall not be considered a waiver of the City's right to exercise such right, prerogative, or function or preclude it from exercising the same in some other way not in conflict with the express provisions of this Agreement.

TTA: 04/29/21 (Employer withdrawal of clarification)

ARTICLE 34 – ASSOCIATION SECURITY

34.1 Checkoff. The City agrees to deduct ~~the uniformly required~~ Association membership dues and other authorized fees, contributions or assessments once each month from the pay of those employees who have authorized such deductions in writing.

~~4.2 Fair Share.~~ Fair share shall be deducted from the wages of non-member employees in accordance with ORS 243.666(1) and 243.672(1)(c). Fair share deductions shall be made for the month in which the employee was hired. The aggregate deductions of all fair share payers shall be remitted together with an "itemized reconciliation" to the Association no later than the fifth (5th) working day of the month following the month for which the fair share deductions were made.

~~4.3 Religious Objection.~~ Bargaining unit members who exercise their right of non-association when based on a bona fide religious tenet or teaching of a church or religious body of which such employee is a member, shall pay an amount equivalent to regular monthly Association dues to a non-religious charity or to another charitable organization mutually agreed upon by the employee and the Association. Such payment shall be remitted to that charity by the employee and this fact certified by the employee to the City within fifteen (15) calendar days of the time dues or fair share payment would have been taken out of the employee's paycheck. The City shall, within fifteen (15) calendar days of its receipt, send a copy of such certification to the Association. If an employee fails to provide certification to the City by the fifteenth (15th) day, the City shall resume dues or fair share deductions until such notice is provided.

3.24.4 Electronic Membership Data. The City will furnish the Association, upon reasonable request, using an electronic medium, the following information for each bargaining unit employee: name; employee identification number; ~~fair share~~/member status; amount of dues withheld; classification; base pay rate; hire date; and full-time/part-time status.

TTA: 04/29/21

ARTICLE 45 – ASSOCIATION BUSINESS

45.1 Representatives. The Association will notify the City, in writing, of the names of its representatives and/or elected officers within thirty (30) days of any changes.

45.2 Access. Representatives of the Association shall have reasonable access to the City's facilities to visit employees when necessary during working hours. Notice of such visits to non-public areas shall be given to the department head and the visits shall be conducted in a manner that minimizes any work disruption.

Association representatives/officers will be granted reasonable time off and access to employee work locations during working hours to process grievances through the arbitration step.

45.3 Bulletin Board. Bulletin board space in each building of the City shall be provided the Association for the posting of meeting notices and other information directly related to the Association affairs of the employees covered by this contract.

45.4 Collective Bargaining Activities. The City will allow up to three employees reasonable time off, without loss of pay, for the purpose of collective bargaining sessions, or additional time subject to mutually agreed ground rules. No more than two (2) employees may be off from work from any one division.

TTA: 05-28-21

45.5 Use of the City Email.

- 1) The parties recognize that the City email system, and all portions thereof, is at all times the sole property of the City. This resource is provided or assigned to employees to facilitate the orderly and efficient conduct of the public's business. In general, all such communications are subject to disclosure. The City will not assert any exceptions or exemptions from disclosure as to public records that happen to contain messages relating to Association activity by City employees. The parties recognize that the City may review all City emails in the City system at any time.
- 2) Employees elected/appointed to official positions with the Association and/or representatives may use the City's email system to conduct Association business for the limited purposes of:
 - a) Notifying Association members of meetings and scheduling meetings (date, time, place, and agenda);
 - b) Scheduling meetings among Association officers and/or representatives (date, time, place, and agenda);
and
 - c) Filing official correspondence to the City (e.g., grievance documents).
- 3) Such email communications may only be prepared and sent during non-work time, which is limited to before and after work, and during meal and rest periods.

Misuse of the City email system will be subject to the disciplinary process.

[TTA: 04/29/21](#)

ARTICLE 56 – HOURS OF WORK

56.1 Workweek. Except as provided in Section 6.3, the workweek shall begin on Sunday at 12:01 A.M. and end on at midnight on the following Saturday.

6.2 Regular Work Schedule. The regular schedule for regular full-time employees shall normally consist of five (5) consecutive eight (8) hour days in a workweek with two (2) consecutive days off between regular work weeks.

Based on specific bona fide operational needs, the City may assign a work schedule that has a break in consecutive hours or days. If an assignment to a non-consecutive work schedule becomes necessary, the affected employee(s) shall meet with their supervisor and may suggest alternatives. Once the work schedule change is made, employees will be given an opportunity to bid for the schedule based on their seniority. The parties have adopted this provision for the purpose of encouraging full-time employment while accommodating the operational needs of the City. However, this Section is not intended to create any obligation of the City to guarantee any level of work hours or days.

[TTA: 05-28-21](#)

56.3 Modified Work Schedule. A modified work schedule is a schedule which varies from an eight (8) hour work day and/or varies in consecutive days worked. An employee may apply in writing for authorization to work a modified work schedule, for example, four/ten (4/10) hour days.

As long as the schedule meets the operational and service needs of the City, no employee will be denied a modified work schedule. Modified work schedules may be modified, revised, and/or eliminated consistent with Section 6.4 below.

In the event the City grants a modified work schedule, the City reserves the right to modify the workweek.

5.6.4 Work Schedules. ~~Regular~~ employees shall be notified of their work schedule, including the employee's workdays and hours.

[TTA: 05-28-21](#)

5.5 Schedule Changes. Employees will be given notice of work schedule changes ten (10) work days in advance of the change. If a ten (10) day notice is not given, the employee shall be compensated at the overtime rate as per Article 7.4 for all hours worked outside the regular schedule until the notice requirement is met.

Notwithstanding the above, the ten (10) day notice is not required in the following circumstances:

- A. In the case of an emergency and for the duration thereof;
- B. Mutual agreement between the City and the employee; or
- C. Additional or substituted hours assigned to part-time employees.

[TTA: 05-28-21](#)

An emergency shall be defined as a situation beyond the City's control that requires a schedule change to meet operational needs, e.g., impact of inclement weather, natural disasters, illness or injury. Emergency work schedule changes will be discussed with the Association upon request, but such discussions are not a precondition to implementing the changes.

Employees may exchange days, shifts, or hours of work with supervisor approval provided such change does not result in the payment of overtime or presents a disruption to the normal routine of duties. Such exchanges shall not be considered as schedule changes necessitating the ten (10) day notice.

[TTA: 05-28-21 \(withdrawn clarification of what else are examples of emergencies\)](#)

5.66.5 Rest and Meal Periods. All employees working six (6) or more consecutive hours in any workday shall receive at least a one-half (1/2) hour unpaid lunch break and a fifteen (15) minute paid break during each four (4) consecutive hour work period. Part-time employees working at least four (4) hours in a workday shall receive a fifteen (15) minute paid break period.

Modification of State Law. The provisions of this Section regarding appropriate meal periods and rest periods are intended to modify state law concerning meal periods and rest periods as allowed under OAR 839-020-0050.

[TTA: 05-28-21](#)

ARTICLE ~~67~~ – OVERTIME

~~67.1~~ Waiver. The City and the Association agree to waive application of ORS 653.268 and shall utilize the following provisions in determining compensation for overtime.

~~76.2~~ Definition. Overtime shall be compensated for time worked in excess of eight (8) hours in any one day or forty (40) hours per workweek at a rate of one and one-half (1-1/2) times the employee's regular rate of pay. For the purposes of calculating overtime, paid leaves do not count as hours worked.

For those employees working a modified work schedule, as under Article 6.3, overtime shall be compensated for time worked in excess of the daily scheduled shift or in excess of forty (40) hours per workweek. Part time employees shall be compensated for time worked in excess of forty (40) hours per workweek.

Overtime shall be computed to the nearest fifteen (15) minutes, either way. Personal clean-up time shall count for purposes of overtime compensation.

[TTA: 05-28-21](#)

67.3 Assignment. Overtime work must be authorized by management. An employee may be directed and assigned by the City to work in addition to the employee's regular work schedule. The City shall equally offer overtime assignments among those bargaining unit employees in the department who volunteer for the time and are qualified to perform the necessary work.

67.4 Form of Compensation. The employee may receive payment as compensation for overtime or shall be compensated with time off at one and one-half (1-½) times the regular rate. Compensatory time shall not accrue beyond forty (40) hours. Compensatory time off will not be unreasonably denied, and shall be taken as approved by the department head, consistent with the needs of the City. This section shall not preclude the parties from mutually agreeing to temporarily exceed the 40 hour cap for an employee due to special circumstances up to 240 hours.

[TTA: Employer withdrawal clarification: 04/29/21](#)

67.5 Pyramiding. There shall be no pyramiding of overtime. Time for which overtime or premium compensation may be paid under any provision of this Agreement shall not be counted as time worked for the purpose of computing overtime or premium compensation under any other provision, or any applicable rule or regulation, it being intended and agreed that overtime or premium compensation shall not be duplicated or pyramided for the same time worked or credited.

67.6 Payment Upon End of Employment. Upon ending the employment relationship, an employee shall be paid for unused compensatory time at the employee's final regular rate of pay.

67.7 Callback. Employees called back to work outside of their regular work hours shall be compensated with a minimum of three (3) hours of overtime. The calculation of overtime starts when the employee arrives at work and ends when the work is completed. This callback shall not apply if an employee is called back within three (3) hours of the beginning of his/her callback shift. Callback will apply on an employee's regular day off if overtime is not scheduled in a single block of time. As provided above in Section 7.5, Pyramiding, the City will not be required to compensate an employee twice for the same hours. Specifically, an employee called back more than once in a three (3) hour period shall only receive compensation for one callback. For example, one callback shall apply if an employee is called back two (2) or more times between 8:00 pm and 11:00 pm. However, if the last callback requires the employee to work later than 11:00 pm, work performed beyond 11:00 pm shall be compensated at the normal overtime rate.

Scheduled overtime will be treated as callback if the City fails to schedule the time in a single block.

7.8 Pager Standby Time. "Pager time" is defined as the period of time an employee is required to be ready and available for work outside of his/her regular work hours. During the pager time, the employee shall be required to respond to work calls and shall be required to comply with the City's Drug-Free Workplace & Anti-Drug and Alcohol policy. During the pager time, employees generally will be required to report to work within 45 minutes of the pager call. Employees unable to report to work within 45 minutes, due to circumstances beyond their control, must communicate with a supervisor immediately.

One pager shall be assigned to each of the following two groups: 1) Utilities; and 2) Parks, Facilities, and Roads.

The City will require employees to be on pager time on a rotating basis. In November of each year, the City will post a list of pager time for each of the two groups. The City will assign employees in each group to seven (7) consecutive days of pager time, on a rotating basis, beginning with the least senior employee in each group.

Employees may voluntarily trade (exchange assigned pager time with another employee) or transfer (giving assigned pager time to another employee) their pager time with another qualified employee in their group. Voluntary trades or transfers may only be done for seven (7) consecutive days. Employees must notify their supervisor via email of any voluntary trade or transfer as soon as possible and no later than the next calendar day after the trade or transfer is made.

No employee may carry the pager for more than two (2) consecutive weeks. No employee may accept a transfer of the pager for more than three (3) weeks during a calendar year. Employees must accurately report their pager time on their timesheets.

Employees on pager time for seven (7) consecutive days will be paid ten (10) straight time hours in addition to their regular and overtime wages. Employees will be paid an additional five (5) straight time hours per holiday during their seven (7) consecutive days of pager time.

No overtime shall be paid unless the employee is required to return to work.

TTA: 04/29/21

ARTICLE 78 – SPECIAL ALLOWANCES

78.1 Use of Personal Vehicle. Whenever an employee is authorized to use a personal vehicle in the performance of official City duties, the employee shall be reimbursed at the rate established by the IRS as the maximum allowable rate for business travel. All mileage reimbursed shall be as a result of authorized personal vehicle use. "Authorized" means approved by the employee's Department Head or the City Manager/designee.

The City will verify and announce the allowable IRS rate as of January 1 of each year.

Employees who are required to use a personal vehicle for City use must provide proof of insurance as required by state statute when requested by the City.

78.2 Licenses and Certifications. The City shall pay the fees associated with obtaining and maintaining a SMV/CDL license (including the basic DOT examination) when required by the City to perform the duties of an employee's job, excluding the regular. The City will not pay fees associated with obtaining and maintaining a regular driver's license.

The City will continue to maintain required certificates, licenses and memberships at no cost to employees. For certificates, licenses, and memberships that are not required for the employee's position, funds permitting, employees who hold current job-related certifications, licenses, or memberships will receive first priority for maintaining them. Employees interested in obtaining job-related but not required certifications, licenses or memberships will be allowed the opportunity to apply for licenses, memberships or certifications based on a rotational system beginning with the most senior of those who volunteer.

In the case of a required CDL, the City will pay the associated administrative fees and the basic DOT examination for obtaining and maintaining the license for any cost above that of maintaining a regular driver's license.

The City will offer opportunities for desired certificates, licenses and memberships on an available funds basis. Whenever an employee can obtain or retain a higher certification that is pertinent to his/her job, the City will

maintain that higher level of certification so long as there is no additional cost to the City and certification of the same nature at a lower level is a requirement of his/her job.

~~Funds permitting, employees who hold current job-related certifications, licenses, or memberships will receive first priority for maintaining them. Employees interested in obtaining job-related certifications, licenses or memberships will be allowed the opportunity to apply for licenses, memberships or certifications based on a rotational system beginning with the most senior of those who volunteer.~~

Employees who voluntarily transfer or are promoted to another classification that has a requirement for certifications or licenses may be required to cover the cost of obtaining those certifications or licenses.

TTA: 08-05-21

78.3 Safety Equipment. The City shall provide required safety equipment as listed below and/or as deemed necessary by OSHA and the City will replace ~~theis~~ following equipment as necessitated by wear and tear on the job.

~~Hard hats, ANSI approved safety-toed boots up to \$ 150 for boots or an amount determined by the supervisor and Human Resources, gloves (rubber and regular), safety vests, rubber boots, rain gear, safety glasses, hearing protection, masks, and respirators. The City will reimburse employees, annually, for a one-time purchase of up to \$200 for ANSI-approved safety-toed boots as required by the position.~~

Only positions that have identified job hazards for which safety equipment is required shall be eligible for safety equipment and associated reimbursement of costs.

TTA: 08-05-21

87.4 Clothing. The City will provide clothing and reimbursements to new hires and regular full-time employees and regular part-time employees as provided below:

Coveralls as needed.

Insulated coveralls as needed.

Raingear as needed.

Shirts, annually: Public Works and Parks Operations (5 qty), Stormwater Management Coordinator (5 qty), Engineering Inspectors (5 qty), Building Inspectors (5 qty), Industrial Pre-Treatment Technician Coordinator (5 qty), and Code Compliance Coordinator (5 qty). The City will make available up to 10 shirts for new hires in Public Works and Parks Operations.

Jeans: Public Works and Parks Operations, Stormwater Management Coordinator, Industrial Pretreatment TechCoordinator, Engineering Inspectors, and Building Inspectors not to exceed \$180 per fiscal year. This benefit is taxable to the employee and will be disbursed in monthly payments.

Jackets: 1 Jacket – Planner; 1 Spring and 1 Winter Jacket for: Stormwater Management Coordinator, Industrial Pretreatment TechCoordinator, Engineering Inspectors, Building Inspectors, Code Compliance Coordinator, and Public Works and Parks and Operations as needed.

Clothing and laundry service will be provided as follows: Public Works – Standard Coveralls

Where no monetary allowance is provided, employees will be required to turn in clothing and equipment in order to receive new clothes and equipment on an as needed basis.

[TTA: 08/05/21](#)

78.5 Physical Examination. When employees are required to undergo a physical exam for licensing or certifications for the purposes of their position, such as DOT examinations, the City shall bear the expense for the basic examination. Employees shall be required to see the City's choice in physicians. The City shall provide three (3) different choices in physicians, one of which will be female and one of which will be male. Employees receiving notice of loss of CDL or medical card must report such to the supervisor.

ARTICLE 89 – PROBATIONARY PERIOD

89.1 Original Appointments. All original appointments and hiring of new employees, shall be tentative and subject to a probationary period of not more than six (6) consecutive months from the date of initial employment, except that employees hired as less than half time will remain on probation for 1040 hours or one (1) year, whichever comes first from the hire date. In the event the probationary period is interrupted, it may be extended by the period of the interruption, but not to exceed twelve (12) months from the date of hire.

In cases where the responsibilities of a position are such that a longer period is necessary to demonstrate an employee's qualifications, the probationary period may be extended in the sole discretion of the City; however, no probationary period shall be extended beyond twelve (12) months. The employee and the Association shall be notified in writing of any extension and the reasons therefor. Upon the employee's request, a meeting will be scheduled where the employee is afforded the opportunity to discuss the extension with his/her supervisor. If the employee is not notified of the intent to extend probation within the first six (6) months, probation will be considered completed thereafter.

If an employee's probationary period is being extended for the purposes of obtaining a certification or license, the probationary period will end upon the employee achieving the necessary certification or license.

During the initial probationary period (including any extension thereof, but not after a promotion), the employee shall not be eligible for vacation benefits, but shall earn vacation credit to be taken at a later date. Upon request, the City may allow an employee to use earned vacation hours during probationary periods.

During the initial probationary period, the employee shall accrue and be eligible to use sick leave.

Probationary employees may be terminated or disciplined for any reason, and such action shall not constitute a violation of this contract, nor be subject to the grievance procedure.

Upon completion of the probationary period, the employee shall be considered to have satisfactorily demonstrated qualifications for the position, shall gain regular status, and shall be given a copy of the passing performance evaluation.

89.2 Promotions. A current non-probationary employee who is successful in his/her bid for a promotion within the bargaining unit will serve a six (6) month probationary period for the sole purpose of determining whether the employee can perform the duties of the new position. If the employee is unable to perform the duties of the new position, he/she shall be entitled to return to his/her former job with all seniority and benefits.

In the event the promotional opportunity is outside of the bargaining unit, the employee retains the right to return to the bargaining unit if his/her failure to make probation within six (6) months is for anything other than disciplinary reasons. Time spent outside the bargaining unit will not accrue toward bargaining unit seniority.

TTA: 05/28/21

ARTICLE 910 – GENERAL PROVISIONS

910.1 Seniority. For the purpose of this Agreement, seniority shall be defined as an employee's length of service (actual hours worked, less overtime or comp time hours) within the bargaining unit except as provided below. The City shall provide the Association with a seniority list annually.

If an employee has a break in service for a voluntary reason and returns to employment within twelve (12) months of the break in service, all previous seniority and rates of vacation accrual shall be restored.

Seniority shall be terminated if an employee:

- a) Resigns for voluntary reasons and does not return within twelve (12) months.
- b) Is discharged or resigns in lieu of disciplinary action.
- c) Is laid off and fails to respond to written notice provided in Article 11, Reduction in Force.
- d) Is laid off work for a period of time greater than two (2) years.
- e) Is retired.

Seniority shall not be affected by use of paid leaves, FMLA, OFLA, military leave under applicable statute, and worker's compensation.

910.2 Outside Employment. Notice of outside employment while an employee of the City shall be given to the City Manager or his/her designee. The City reserves the right to require termination of that employment when it:

- a) Proves incompatible with the employee's City work schedule;
- b) Detracts from the efficiency of the employee in his/her City work;
- c) Results in a conflict of interest; or
- d) Poses a safety hazard.

910.3 Contracting Out. Only if contracting work out results in the layoff or demotion of current bargaining unit employees, the City shall notify the Association no less than seventy days (70) days prior to the issuance of any request for proposals or consideration of proposals to contract out work presently and regularly performed by bargaining unit employees. Such notification shall include a detailed analysis of the likely impact on the bargaining unit, and shall also outline the supporting reasons the City deemed pertinent to its decision. If there are financial reasons underlying the decision, the supporting reasons will include economic rationale.

The Association shall have forty-five (45) days from the receipt of such notice to request bargaining over the impacts on the employee of the proposed contracting out on bargaining unit employees. Upon such timely request, the City shall meet with the Association and enter into mid-term bargaining (ORS 243.698) only over the effects of the contracting out decision. In any event, the Association shall be given the opportunity to discuss alternatives with the City.

For the purpose of this Article, effects bargaining shall only be required if the decision to contract out work will create a layoff or demotion of current bargaining unit employees. In the event of a bona fide emergency, notice may be less than seventy (70) days.

910.4 Job Vacancies. Except for reclassifications, the City agrees to post all newly-created positions, promotional opportunities, and/or job openings within the bargaining unit for five (5) workdays prior to any other recruitment process occurring, except that temporary positions may be filled without such notice. The parties may agree to waive this five (5) workday posting requirement. If the duties of the newly-created job are currently being performed by a bargaining unit member, the job will be posted internally only. A copy of all postings will be delivered to the Association at time of posting.

Current employees will be given first opportunity to apply for promotional opportunities within the bargaining unit. In the event the City decides to open the recruitment to outside applicants, the City will notify each internal applicant of the reason(s) for the decision. Regardless of whether or not the City requests outside applicants, all qualified employees will be given an opportunity to interview and full consideration for the position should they participate in an interview.

910.5 Labor/Management Meetings. The parties will, upon mutual agreement, meet regularly to discuss labor-management issues regarding the administration of this Agreement or other issues of concern.

910.6 Position Description. Employees will be provided a copy of their position description at the time of hire. A copy of the position description will be placed in the employee's personnel file. Each employee's position description will be reviewed annually during his/her annual review. If the review results in a modification of the position description, or if a change is made to the position descriptions between annual reviews, the employee and Association will be given an updated copy and a copy will be placed in the employee's personnel file. The copies provided will clearly denote changes made to the job description.

Whenever the City desires to change a job description, it shall provide a copy of proposed changes to the Association fourteen (14) days prior to the proposed implementation date.

910.7 Transfer of Bargaining Unit Work. Nothing prohibits the City from assigning non- bargaining unit employees, including but not limited to employees, supervisors, and managers, work presently and regularly performed by bargaining unit employees in cases of emergencies as determined by the City, absences, relief, training employees, or other incidental bargaining unit work.

910.8 Policy and Procedures. Whenever a procedure or policy is developed or a change is made to an existing written procedure or policy, the City will provide a copy to the Association for review 14 calendar days prior to implementation. In the event the Association makes a demand to bargain within this time, the City shall enter into bargaining pursuant to ORS 243.698. In the event the change is based on urgent circumstances, the City may implement upon notice to the Association. The PECBA process otherwise applies.

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ARTICLE ~~101~~ – REDUCTION IN FORCE

101.1 Layoff. If there are changes of duties in the organization, lack of work, or lack of funds, the City Manager may lay off employees. Layoffs are at the discretion of the City.

All temporary and seasonal positions shall be laid off prior to the layoff of any regular status bargaining unit employees, so long as the temporary work falls within the usual and customary duties of the bargaining unit employees.

An employee shall be given notice of a layoff as soon as reasonably possible, but no less than fourteen (14) calendar days before the effective date. Notice of the layoff will be given to the Association, or designee, and to the employee.

Employees shall be laid off in a department in the inverse order of their bargaining unit seniority within the job description affected by the layoff. The City Manager shall first make every reasonable effort to integrate those employees into another position for which the employee is qualified, as determined by the City, by transfer or consider alternatives to layoff by the Association.

Within individual departments, a bargaining unit employee scheduled for layoff may bump the least senior employee at the same or lower salary range occupying a position the employee previously held in the employee's present department. An employee wishing to bump must exercise his or her right within five (5) calendar days from the date he/she receives his or her layoff notice. To bump to the position, the employee must have completed probation in the position he/she is bumping to. A bump will only be allowed if the employee is still able to perform the essential functions of the job and has all the qualifications presented in the job description. In the event an employee does not currently have the relevant certification/license, the employee is still eligible to exercise this bumping right provided the pertinent certification/license is and can be obtained within six (6) months.

An employee who bumps another employee must complete probation in the job with respect to the essential functions of that job. Failure to complete probation within six (6) months will result in the employee's layoff from that job and the employee will be subject to recall under Sections 11.2 and 11.3.

In an effort to minimize the disruption to the workforce, an employee who is bumped will not have a right to bump and will be laid off.

When layoffs occur in a part-time position, part-time seniority cannot be applied to the same full-time position in the department. This means a part-time employee cannot bump a full-time employee under any circumstances.

101.2 Recall. Employees who were laid off shall be recalled to the position they were laid off from, if it still exists, by inverse order of their layoff, and shall remain eligible for recall for two (2) years. As a result of a layoff, the City reserves the right to direct the work load to other employees.

101.3 Notice. It shall be the responsibility of the employees laid off to keep the City informed of the address at which they may be reached and re-employment shall be offered in person or by certified mail addressed to the last address furnished by the employee. When an offer of re-employment has been made, the laid off employee shall advise the City of acceptance within five (5) calendar days and shall report for duty within ten (10) days of the receipt of the notification by the City. Any employee who fails to accept re-employment at his/her previous position when offered by the City in accordance with provisions of this Article shall be deemed to have forfeited all recall rights.

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ARTICLE 112 – COMPENSATION

112.1 Wages.

~~Effective July 1, 2017, or upon ratification and approval by City Council~~ approval by September 9, 2021, effective September 1, 2021, whichever is later, each employee base wage will be increased by ~~two~~ three and one-half percent (23.5%).

Effective July 1, 2022~~18~~, each employee base wage will be increased by ~~two and one quarter~~one and three-quarters percent (~~2.25~~1.75%).

Effective July 1, 2023~~19~~, each employee base wage will be increased by ~~two and one quarter~~one and one-half percent (~~2.25~~1.50%).

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112.2 Merit Increases. Merit increases within the employee's salary range will be granted to regular full-time and regular part-time employees annually based on satisfactory performance and continuous service. Less than half-time employees will be granted step increases upon either reaching 2,080 hours or two years (whichever comes first).

Movement within the salary range shall be at least four percent (4%), not to exceed the classification's pay range. The City will retain the right to grant employees movement greater than four percent (4%) and grant employees at the top of their range bonuses if deemed appropriate. Discretionary increases above 4% and bonuses are not grievable.

In the event movement within the City's salary range is denied, the employee will be entitled to appeal the decision through the grievance procedure. The Employer will provide reasonable notice of deficiency prior to denial of an employee's movement within the salary range.

112.3 Foreign Language Premium. The City shall pay an additional three percent (3%) above regular base salary to employees fluent in a language other than English (such as Spanish, Russian, or American Sign Language) if the City determines the second language is beneficial to operations.

The City will establish a process to determine an employee's fluency.

12.4 Workers' Compensation. Employees receiving Workers' Compensation benefits will be allowed to integrate their sick leave or other paid leaves with the payments so they will receive their net-gross salary amount each pay period. The gross salary paid by the City will be subject to required withholdings. The "net" shall be defined as their salary less state and federal income taxes and FICA at the time of the injury or illness.

The City will provide employees with full benefits, at the contribution levels outlined in Section 11.52.4, Insurance, below, while on Workers' Compensation for up to one (1) full year after the date of covered illness or injury.

The City and the Association agree that light-duty opportunities will be assigned to employees if work is available and the employee is certified by a physician to perform the duties of the position.

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112.5 Health Insurance.

The City will contribute no more than ninety percent (90%) of the monthly premium per regular full-time employee toward either the Kaiser plans or Copay plans with accompanying dental options. The employee will be responsible for the difference and will pay the monthly amount through a payroll deduction.

Regular part-time employees will be responsible for paying a percentage of the selected health insurance plan premiums on a prorated basis according to their full-time equivalent (FTE) identified on their Personnel Action Form (PAF). The City's contribution will not exceed ninety percent (90%) of the monthly premiums.

The City will also continue to maintain CIS Life Plan 5 (\$ 50,000) and the matching accidental death and dismemberment benefit.

The City shall not be obligated to increase its dollar contributions to the plans after June 30, 2024, unless otherwise mutually agreed or negotiated by the parties.

The City will provide employees with the opportunity to contribute to a Flexible Spending Account.

112.6 Long Term Disability Insurance. The City will provide employees with long-term disability insurance as specified in the policy manual.

112.7 Short Term Disability Insurance. The City will make available, at the employees' expense, a Short Term Disability Insurance policy.

112.8 City's Right to Modify Plans and/or Benefits. The City retains the right to change the plan benefits, insurance carriers, and/or administrators as long as it provides benefits comparable to its current healthcare plan set forth in Section 12.5, Insurance.

112.9 Retirement. The City shall continue to participate in the Public Employees Retirement System (PERS)/Oregon Public Service Retirement Plan Pension (OPSRPP) or any successor plan as required by the governing statutes and administrative rules and will continue to pick-up the employee's contribution of six percent (6%). In the event it is determined by the Legislature, courts, or initiative that the City cannot pick up the employee's contribution, the six percent (6%) shall revert to salary.

The City will continue to participate in the program for use of unused accumulated sick leave as an "option" choice for employees as provided by statute and administrative rule.

112.10 Work Out of Classification. Assignments of personnel to a higher classification on an acting basis may be made by the City. When such assignments are made, they shall be specific and placed in writing to the employee. When so assigned for more than 4 hours in the workday, the employee shall be compensated at five percent (5%) above their current salary.

The City will not change assignments to avoid payment on work out of class, unless such change is an operational necessity.

12.11 Promotion. Employees who are promoted shall receive at least a five percent (5%) pay increase, so long as such increase does not exceed the range the employee is moving to. Reclassifications are not subject to 12.10.

12.11 Reclassification. In order to provide easy access for employees, the City will place all classification descriptions for the bargaining unit on the City's intranet site. Whenever a request for reclassification is made, the City will notify the Association President. The City will acknowledge receipt of reclassification requests within thirty (30) days.

ARTICLE 123 – HOLIDAYS

13.1 Holidays Observed. The City shall observe the following paid holidays:

New Year's Day - January 1st	Labor Day - First Monday in September
M. L. King, Jr.'s Birthday - 3rd Mon. in January	Veterans' Day - November 11 th
Presidents' Day - 3rd Monday in February	Thanksgiving Day—4 th Thursday in November
Memorial Day - Last Monday in May	Day after Thanksgiving
Independence Day - July 4 th	Christmas Day - December 25 th

All regular full-time City employees shall be paid eight (8) hours at their regular straight-time hourly wage for all holidays referred to under this Section. An employee has the option of using vacation, compensatory time, leave without pay, or work extra hour(s) to offset this benefit when given a day off that exceeds eight (8) hours within the pay period.

Regular part-time employees shall receive holiday pay on a prorated basis, as determined by their respective FTE identified on their PAF, not to exceed eight (8) hours.

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123.2 Holidays Falling on Scheduled Days Off. For employees whose normal week is Monday through Friday, whenever a holiday falls on Saturday, the preceding Friday shall be given as a holiday. If it falls on Sunday, the following Monday shall be given as a holiday. The same pattern will be followed for employees whose workweek is other than Monday through Friday. Whenever a holiday falls on an employee's first day off, the preceding day shall be considered the holiday. When a holiday falls on an employee's second day off, the following day shall be considered the holiday.

When a holiday falls on a Monday or Friday giving the majority of City employees a three (3) day weekend, an employee whose days off are other than Saturday and Sunday may, with supervisor approval, choose to take the day preceding or the day after his/her weekend off as a holiday in lieu of taking the actual holiday, thus giving his/her a three (3) day weekend like other City employees.

123.3 Holidays During Leave. Holidays that occur during paid leave time of any type shall not be charged against such leave.

123.4 Holiday Pay. If any employee works on a recognized holiday, that employee shall be paid for all hours worked at time and one-half the regular rate of pay plus regular holiday pay. The time and one-half pay specified above shall occur only on the actual holiday.

123.5 Holiday Work. In scheduling holiday work, the City shall first solicit volunteers from the qualifying work group and give all volunteering employees equal opportunities for holiday work by rotating assignments. When insufficient numbers of people volunteer for holiday work, employees (other than temporary and seasonal employees) shall be assigned on a rotational basis by inverse seniority.

ARTICLE 134 – VACATION

134.1 Accrual.

Vacation leave shall accrue monthly and may be taken when earned. Full-time employees will accrue vacation according to the following accrual schedule:

<u>Months of Service</u>	<u>Accrued Leave Hours (rate)</u>
0-60	8 hours / 12 days
61-120	11.33 hours / 17 days
121-180	13.33 hours / 20 days
181+	16 hours / 24 days

Part-time employees shall accrue vacation leave on a prorated basis, as determined by their respective FTE identified on their PAF, not to exceed the maximum monthly accrual for full-time employees.

143.2 Eligibility. New employees shall not be eligible for vacation leave during probation, although vacation leave shall accrue from the beginning of employment. Up to 40 hours of vacation may be taken after satisfactory completion of probation. Upon request, the City, may allow an employee to use earned vacation days during probationary periods.

134.3 Maximum Accrual. Employees shall be required to take one (1) week of vacation per year, but may only accrue up to 240 hours of vacation leave with pay.

134.4 Scheduling. Supervisors shall schedule vacation for their respective employees with due consideration for the desires of the employees and the City's work requirements. Vacation schedules may be amended to allow each supervisor to meet emergency situations. In the event that more than one (1) employee has requested the same vacation period off and the workload does not permit all employees to have that period off, the supervisor shall first ask for any volunteers who are willing to reschedule their request. In the event there are insufficient volunteers, preference shall be granted on the basis of seniority provided, however, that each employee may only exercise his/her seniority for vacation bidding once per calendar year.

134.5 Pay Upon Separation. Upon separation from employment, unused vacation benefits earned will be paid out with the final paycheck.

134.6 Vacation Cancellation. In the event approved vacation leave is canceled by the City, the employee shall be notified of the cancellation in writing. Unrecoverable transportation, lodging deposits or other bona fide expenses such as hunting tags, event tickets, etc., will be reimbursed by the City.

134.7 Vacation Transfer. Subject to the requirements above in maximum accrual, the City shall have a leave sharing plan that will allow employees to transfer accumulated vacation leave to a leave sharing bank that satisfies the requirements of federal law. Employees who suffer "a medical emergency" and who have exhausted all paid leaves may qualify as recipients of leave donated by a coworker into the leave sharing bank. Donated leaves are irrevocable. Requests for leave donations and leave donation transfers must be submitted in writing.

Whenever an employee is receiving wages and benefits as a result of donated time, the donated time shall be used to offset any and all benefits or roll-up expense to the City.

ARTICLE 145 – SICK LEAVE

145.1 Accrual. All regular full-time City employees shall earn sick leave with full pay at the rate of eight (8) hours for each calendar month of service. Sick leave shall accrue from the date of employment.

Regular part-time employees shall accrue sick leave on a prorated basis, as determined by their respective FTE identified on their PAF, not to exceed eight (8) hours.

154.2 Utilization. Employees are eligible for sick leave for the following reasons:

- a) Non-occupational personal illness or physical disability.
- b) Quarantine of an employee by a physician for non-occupationally related disability.
- c) Illness of an immediate family member requiring the employee to remain at home. For the purposes of this Section, immediate family member shall include spouse, domestic partner, parents (including step-parents), children (including step-children and foster children), current father-in-law and mother-in-law, grandparents, grandchildren, and other relatives living in the employee's household.
- d) Necessity for medical or dental care.
- e) Any time utilized under this Section will be utilized in increments of fifteen (15) minutes which will be rounded up to the next quarter ($\frac{1}{4}$) hour on each occasion.

Documentation of the need for sick leave from an employee's attending physician may be required at the City's discretion for absences in excess of three (3) consecutive work days, or if the City has reason to believe that the employee is abusing sick leave privileges. Misuse of sick leave benefits will be subject to disciplinary action. The City will pay any charges or fees (not covered by health insurance) from the employee's attending physician for providing documentation.

145.3 Notification. An employee who is unable to report for work as scheduled shall report the reasons for absence to his/her supervisor one (1) hour prior to the time the employee is expected to report for work. Sick leave with pay shall not be allowed unless such report has been made or unless emergency circumstances existed to justify the failure to report. Additionally, the employee must call in to report any continuing need to be absent to his/her immediate supervisor prior to the start of each subsequent shift to be eligible for sick leave benefits on these workdays. No daily notice will be required when the employee has submitted a doctor's note which specifically states he/she will be unable to return to work until a certain date.

145.4 Use of Other Accrued Leave. Once sick leave is exhausted, an employee with a serious illness or injury can use other forms of accrued leave (e.g., vacation, compensatory time, etc.).

145.5 Family Medical Leave. Employees shall be granted twelve (12) weeks leave upon request pursuant to ORS 659.470-494. Employees must use, in the following order, sick leave, compensatory time, accrued vacation, and/or leave without pay while on Family Medical Leave. The employee shall submit his/her request for Family Medical Leave in writing.

145.6 Physician Evaluation. The City may require an employee to see a physician of the employee's choice whenever it objectively believes the employee may be unable to safely perform his/her job. The employee will bear the cost of the physician's visit. When it becomes necessary to seek a physician's certification, the City will inform the employee and the Association and place the employee on paid administrative leave until the employee can be examined. The City will be required to pay the employee for the time spent traveling to and from the doctor if outside of administrative leave hours, and will pay mileage. If concerns regarding the employee's ability to safely perform his/her job continue, the City may require the employee to see a physician of the City's choosing. The City will bear the cost of the physician's visit.

145.7 Transfer. The City shall have a leave sharing plan that will allow employees to transfer accumulated sick leave to a leave sharing bank that satisfies the requirements of federal law. Employees who suffer “a medical emergency” and who have exhausted all paid leaves may qualify as recipients of leave donated by a coworker into the leave sharing bank. The transferring employee must maintain a sick leave balance for his/her own use of at least 480 hours. Requests for leave donations and leave donation transfers must be submitted in writing.

Whenever an employee is receiving wages and benefits as a result of donated time, the donated time shall be used to offset any and all benefits or roll-up expense to the City.

145.8 Required Leave. The City Manager/designee may require an employee to use sick leave and leave the work place if it is determined the employee is too ill to work or could expose his/her illness to the public or other employees.

145.9 Return to Work. The City may require an employee to provide documentation from his/her attending physician stating he/she is able to return to work when returning from sick leave.

ARTICLE 156 – EDUCATIONAL OPPORTUNITIES

156.1 Tuition Reimbursement. The City may reimburse an employee for full tuition costs for one (1) class per term, not to exceed three (3) classes per year, provided that:

- a) The class is directly related to the employee's work (or to a position to which an employee can reasonably expect to be promoted).
- b) The employee has made prior arrangement with his/her supervisor and received approval from the City Manager/designee for reimbursement prior to registration for such course.
- c) Prior to reimbursement by the City, the employee must submit evidence of satisfactory completion of the course. Satisfactory completion means the employee receives a grade of “BE” or better, or a passing grade in a pass/fail class.
- d) The employee is not receiving reimbursement for tuition from any other source.

The employee agrees to continue employment with the City at least six (6) months following satisfactory completion of the course or will reimburse the City for tuition costs paid during his/her last six (6) months of employment with the City.

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156.2 Professional Development Compensation. The City shall allow time off with pay and shall pay all expenses of attending classes, lectures, conferences, or conventions, when attendance is on an assignment basis and approved by the City Manager/designee, as set forth in the City’s Professional Development, Travel, and Meals policy. Studying or preparing for classes, lectures, conferences, or conventions shall not be allowed on work time.

Employees who are required to attend out-of-town training, either by the department supervisor or as required by the City to maintain required job-related certifications/licenses, will be paid for the travel time outside of their normal schedule, consistent with Oregon Administrative Rule 839-020-0045. Travel time for required local training will also be paid if it exceeds the normal commute time the employee experiences traveling to and from work. If this time causes them to exceed forty (40) hours in a week, it will be paid at the applicable overtime rate or employees may flex their schedule to compensate for the hours. However, if it is foreseeable the travel time will cause the employee to exceed forty (40) hours in a workweek, the employee must receive the City’s approval of the overtime. Meals shall be reimbursed according to the City’s Professional Development, Travel, and Meals

Policy. Employees who voluntarily attend training that is approved by the City during the employee's normal work schedule shall only be compensated for their normal work schedule.

156.3 Work-Related Courses. When an employee wishes to take a work-related course(s) which is only offered during regular working hours, the City Manager/designee may either:

- a) Pay for the cost of the course and related tests in advance, provided that the employee supervisor for alternative working hours. In the event the employee fails to pass or complete the course or tests, the employee will be required to reimburse the City for the advanced costs; or
- b) Allow time off with pay provided the employee pays his/her own tuition costs and prior arrangements are made with his/her supervisor and approved by the City Manager/designee.

156.4 Cost of Textbooks. The cost of textbooks and technical publications required for courses for an employee's current position shall be the responsibility of the City. Upon completion of such courses, the textbooks and technical publications shall remain City property.

ARTICLE 167 – OTHER LEAVES

167.1 Criteria and Procedure. All requests for an unpaid leave of absence shall be submitted in writing to the City Manager or a designee. The written application must describe the reason for the request and confirm a specified date at which the employee is expected to return to work.

167.2 Approval. Requests for leave will be evaluated on a case by case basis with the operational requirements of the City in mind. Subject to those requirements, approval will not be unreasonably withheld. Requests for leave to conduct Association business will be evaluated in a non-discriminatory fashion.

167.3 Termination of Leave. Notice that the employee has accepted employment or entered into full-time business or occupation may be accepted by the City as a resignation when the employment or business is inconsistent with the reason leave was requested and granted. Any employee who is granted a leave of absence without pay under this Section and who inexcusably fails to return to work immediately upon the expiration of said leave of absence, shall be considered as having resigned his/her position with the City.

167.4 Employee Status. Employees on leave without pay remain employees covered by this Agreement, entitled to its non-economic benefits such as access to the grievance procedure. Unless required by law or otherwise specified in this Agreement, employees on leave without pay shall not accrue any economic benefits, including seniority.

167.5 Bereavement Leave. Full-time employees may be granted up to forty hours of paid leave in the event of the death of an immediate family member. The leave is intended to allow the employee time to attend the funeral and make necessary arrangements. Part-time employees will be eligible for bereavement leave on a pro-rata basis, as determined by their respective FTE identified on their PAF, not to exceed forty (40) hours. An immediate family member includes: the spouse of an employee, the domestic partner of an employee, and children and parents of the domestic partner; the biological, adoptive, or foster parent or child of the employee; the grandparent or grandchild of the employee; the parent-in-law of the employee; the sibling of the employee; or a person with whom the employee was in a relationship of in loco parentis. Under Oregon family leave legislation, employees can take a maximum of two weeks of leave per death of an immediate family member, up to a maximum of 12 weeks per leave year. This leave is counted as OFLA leave. Upon application and mutual agreement with the employee's supervisor, the employee may use accumulated leave after the forty (40) hours of compensated bereavement leave. Such request for additional leave shall not be unreasonably denied.

Deviations from the definition of immediate family shall not be allowed; however, the City will consider other leave for employees who wish to take time off as a result of some other person who is significant to him/her.

167.6 Jury/Witness Duty. When a City employee is called for jury duty or is subpoenaed as a witness in a criminal matter, or in a civil matter arising from his/her City employment, he/she will not suffer any loss of regular City compensation or benefits he/she would have earned during such absence. The combination of daily jury/witness hours and hours worked by the employee will not exceed the employee's daily work schedule.

Employees shall contact their supervisor immediately following the completion of jury/witness duty each day. The supervisor will determine whether the employee is required to return to work following the completion of jury/witness duty.

Employees must either waive the juror/witness compensation or must sign the funds over to the City.

167.7 Military. Military leave is granted to all employees absent from work due to service in the United States uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Generally, advanced notice is required prior to taking military service or training leave.

167.8 Inclement Weather

In the event an employee is unable to make it to work because of inclement weather or the City offers to send employees home as a result of the same, the employee will have the option of using any accrued leave, except sick leave, or take leave without pay.

If an employee reports for work during inclement weather and the City decides to not have the employee work, the employee shall be compensated for a minimum of two (2) hours of work.

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ARTICLE 178 – DISCIPLINE

178.1 Discipline and Discharge. No covered employee shall be disciplined or discharged except for just cause. Oral warnings, even if reduced to writing, are not considered to be discipline and may not be protested through the grievance procedure. Disciplinary actions include, but are not limited to: written reprimands, suspensions, demotions and discharge. Whenever an employee is disciplined the employee shall be asked to sign the notice of disciplinary action as specified in Section 20.4, Signature Requirement, ~~and the employee may refuse to do so.~~

Informal discipline and corrective actions, such as counseling, specific directives, work improvement plans, oral warnings (even if reduced to writing) and other similar actions are not considered discipline and will not be placed in the personnel file as such. Corrective actions are not subject to the grievance process. They may be used for notice of disciplinary sanctions and are subject to review in yearly evaluations. Employees may provide written rebuttal within ten (10) calendar days, to be placed with the informal discipline or corrective action.

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178.2 Excluded Employee. Probationary employees (as defined in Section 9.1, Original Appointments), less-than-half-time, temporary, and seasonal employees may be terminated or disciplined for any reason, and such action shall not constitute a violation of this contract, nor be subject to the grievance procedure.

178.3 Imposition. If a supervisor has reason to discipline an employee, he/she shall make a reasonable effort to impose such discipline in a manner that will not unduly embarrass the employee before other employees or the public.

178.4 Representation Rights. Upon request, an employee will be entitled to have an Association representative (as under Article 5.1) and/or Association Counsel, without unreasonable delay, present whenever the employee is being interviewed regarding a matter that could lead to a disciplinary action against the employee. Employees subject to discipline, as defined in Section 18.1, will be provided ~~48-24~~ hours written notice of intent to interview the employee. The notice will include facts sufficient to identify the allegation of misconduct, notice of place and time of the interview, and the right to have Association representation as per above. An employee's representation rights may only be invoked in accordance with the standard set forth by the Oregon Employment Relations Board. During any interview of this nature, either party may record the proceeding. If the meeting is recorded, the party making the recording will be obliged to provide a copy of the recording if requested by the other party. If a copy of the recording is requested, a reasonable fee may be imposed.

The supervisor is encouraged to advise an employee of his/her right to Association representation on a matter that might lead to discipline.

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178.5 Due Process. Prior to imposition of an economic disciplinary sanction, the following procedural due process shall be followed:

- a) The employee shall be given advance written notice of the charges or allegations that may subject them to discipline and of the disciplinary sanctions being considered.
- b) The employee will be given an opportunity to refute the charges or allegations either in writing or orally in an informal hearing prior to the implementation of any discipline. If discharge is the disciplinary sanction being considered, the employee will be given at least seven (7) calendar days' notice of the informal hearing, unless mutually agreed to schedule it earlier.

178.6 Just Cause Standards. For the purpose of this Agreement, just cause shall be determined based on the following questions:

- a) Did the City give the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee's conduct?¹
- b) Was the City's rule or managerial order reasonably related to a) the orderly, efficient or safe operation of the City's business; and b) the performance the City might properly expect of the employee?
- c) Did the City, before administering discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order of management?
- d) Was the City's investigation conducted fairly and objectively?
- e) At the investigation, did the City obtain substantial and compelling evidence or proof that the employee was guilty as charged?

¹ The parties agree that there are some offenses that are so egregious that forewarning of consequences is not necessary.

- f) Has the City applied its rules, orders and penalties evenhandedly and without discrimination to all employees?
- g) Was the degree of discipline administered by the City reasonably related to a) the seriousness of the employee's proven offense; and b) the record of the employee and his/her service with the City?

178.7 Notice of Discipline. When an employee is disciplined, the Association President/designee will be given notice of the action against the employee, unless the employee declines that such notice be given.

178.8 Discovery Materials. In the event the Association or employee requests a copy of the disciplinary investigation or related materials, the City may apply reasonable costs for copies or administrative time beyond the de minimis standard.

ARTICLE 189 – GRIEVANCE PROCEDURE

189.1 Grievance Defined. A grievance is any dispute concerning the application, interpretation or enforcement of this Agreement.

189.2 Grievance Procedure. This shall be the exclusive procedure and remedy involving any alleged violation of this Agreement.

Step 1. The employee, with or without an Association representative, shall first take up the grievance with his/her immediate supervisor within fourteen (14) calendar days immediately following the date the employee had or should have had knowledge of the grievance. The Association representative will not present the Step 1 grievance. The supervisor will then issue a response within fourteen (14) calendar days immediately following the date the employee discussed the grievance with his/her immediate supervisor.

Grievances filed in response to decisions rendered by the City Manager or the City Manager's designee shall be initiated at Step 3. The Association shall present the grievance in writing to the City Manager within fourteen (14) calendar days following the decision.

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Step 2. If the grievance is not resolved at Step 1, the affected employee(s) shall present the grievance in writing to the Department Head with a copy to Human Resources within ten (10) calendar days immediately following the date his/her immediate supervisor's response was received or communicated to the affected employee. At this and each subsequent step of the grievance procedure, the written grievance submitted by the Association or employee(s) shall include:

- a) A statement of the grievance and the factual allegations upon which it is based;
- b) The Section(s) of this contract alleged to have been violated;
- c) The remedy sought; and
- d) The name and signature of the employee(s) involved in the grievance, except in the case of a group grievance. In such case, an officer of the local Association will sign.

Within ten (10) calendar days of receipt of the Step 2 grievance, the Department Head and Human Resources will meet with the grievant and, if the grievant requests, a representative of the Association. In the event a meeting

cannot be scheduled because of the unavailability of any party, the parties shall then mutually agree to another date. In any event, the employee/Association will be given at least twenty-four (24) hours' notice of such meeting. Grievances filed by the City shall be initiated at Step 2 and filed with the Association's President.

The Department Head shall render a written decision within ten (10) calendar days following the Step 2 meeting.

Step 3. If the grievance is not resolved at Step 2, the affected employees(s) shall present the grievance in writing to the City Manager within ten (10) calendar days following the Department Head's response.

Within ten (10) calendar days of receipt of the Step 3 grievance, the City Manager will schedule a meeting to discuss the grievance with the grievant, and if the grievant requests, with a Association representative. The City Manager shall render a written decision within ten (10) calendar days following the Step 3 meeting.

Step 4. If the grievance is not resolved at Step 3 and if the Association or City wishes to pursue the grievance further, the party shall submit the grievance to arbitration by written notice to the City Manager or Association President within ten (10) calendar days following the due date for the Step 3 response or the date the Step 3 response was received, whichever date is sooner.

Unless the parties mutually agree upon an arbitrator, the party requesting arbitration shall, within fourteen (14) calendar days of their notice to proceed to arbitration, submit a written request to the Oregon Employment Relations Board for a list of the names of seven (7) arbitrators with their principle place of residence in Oregon or Washington. Upon receipt of the list, the parties shall determine by the toss of a coin who will strike first, and the parties shall then continue to alternate strikes until only one (1) name remains and the remaining name shall be the arbitrator.

The arbitrator shall have no power to modify, add to or subtract from the terms of this Agreement and shall be confined to the interpretation and enforcement of this Agreement. The arbitrator's decision shall be in writing and shall be submitted to the parties within thirty (30) calendar days following the close of the hearing. The arbitrator's decision shall be final and binding on the affected employee(s), the Association and the City.

Either party may request the arbitrator to issue subpoenas but, if issued, the cost of serving a subpoena shall be borne by the party requesting the subpoena. Each party shall be responsible for compensating its own witnesses and representatives during the arbitration hearing, except that employees that are subpoenaed for the hearing shall not suffer any time loss during the time it is necessary for them to testify. The non-prevailing party shall pay the arbitrator's fees and expenses, and the arbitrator, as part of the award, shall designate the non-prevailing party for such purpose.

189.3 Time Limits. All parties subject to these procedures shall be bound by the time limits contained herein. If either party fails to follow such limits, the following shall result:

- a) If the grievant or the Association fails to advance the grievance to the next step in a timely fashion, the right to binding arbitration of the grievance shall be waived.
- b) If the City or the Association, at any step, fails to respond in a timely fashion, the grievance shall proceed to the next step.

Time limits may be extended by written agreement of the parties.

189.4 Discovery Materials. In the event the Association requests materials for review, such as for processing a grievance, the City may apply reasonable costs for copies or administrative time beyond the de minimis standard.

ARTICLE ~~1920~~ – PERSONNEL RECORDS

1920.1 Access. Each employee shall have the right to review and copy the contents of his/her own personnel file. The City may apply reasonable costs for copies or administrative time, unless the copies and administrative time are de minimus.

In addition to the Association's rights as the exclusive representative, at his/her option and upon presentation of a signed release, an employee may authorize an Association representative to review the contents of his/her file.

1920.2 Disciplinary Records. Each employee shall be given a copy of all disciplinary materials placed in his/her file. An employee may include an explanatory statement for the personnel file in answer to any reprimand or other form of discipline if the employee chooses not to grieve such action.

1920.3 File Purging. Written reprimands may be removed from an employee's file, at his/her request, after three (3) years following the date of the last written reprimand so long as no other disciplinary action has occurred within that three (3) year time period. Any material, other than performance evaluations, directly associated with the items being purged, will also be removed from the file. Documents removed from the personnel file shall be placed in a confidential file maintained by the Human Resources Department. Such purged documents will not be used against an employee for the purpose of progressive discipline. Purged documents may be used in any civil or arbitration proceeding for the purpose of establishing consistency of disciplinary action, showing the employee is on notice of a rule, impeachment, lack of discrimination, the existence of mitigating or extenuating circumstances and compliance with legal obligations. The Association will have equal access, upon request, to these files for the same purposes.

1920.4 Signature Requirement. Before any material reflecting negatively on the employee is placed in the employee's file, the employee shall sign a receipt containing the following disclaimer:

"Employee's signature only acknowledges receipt of material. The employee's signature does not necessarily indicate agreement or disagreement."

This shall not apply to a termination notice.

TTA: 05/28/21

ARTICLE ~~201~~ – STRIKES

201.1 Prohibition. The Association and its members, as individuals or as a group, will not initiate, cause, participate or join in any strike, work stoppage, or slowdown, or any other restrictions of work, at any location in the City during the term of this contract except for under ORS 243.698 or as under PECBA. Employees in the bargaining unit, while acting in the course of their employment, shall not honor any picket line established in the City by the Association or by any other labor organization when called upon to cross picket lines in the line of duty. Disciplinary action, including discharge, may be taken by the City against any employee or employees engaged in a violation of this Article.

201.2 Association Obligation. In the event of a strike, work stoppage, slowdown, picketing, observance of a picket line, or other restriction of work in any form, either on the basis of individual choice or collective employee conduct, the Association will immediately, upon notification, attempt to secure an immediate orderly return to work, or as under those rights as provided by PECBA.

201.3 Lockout. There shall be no lockout of employees during the term of this Agreement.

ARTICLE ~~212~~ – SAVINGS CLAUSE

Should any portion of this contract be determined to be contrary to law or ruled in violation of law, the determination shall be deemed to apply only to that specific portion, and all other provisions of this Agreement shall remain in full force and effect for the duration of this Agreement. Upon such determination, the parties agree to negotiate regarding the invalidated portion under the mid-term bargaining provisions of ORS 243.698. Negotiations shall commence within thirty (30) days.

[TTA: 05/28/21](#)

ARTICLE ~~223~~ – STATUS OF AGREEMENT

223.1 Complete Agreement. This Agreement incorporates the sole and complete agreement between the City and the Association resulting from these negotiations.

223.2 Amendments. This Agreement may be amended at any time by mutual Agreement of the Association and the City.

In the event the City wishes to implement or change any condition of employment that is a mandatory subject of bargaining which was not discussed in the negotiations that created the current Agreement, the City shall inform the Association of the condition it wishes to implement or change. The Association will have fourteen (14) days to make a demand to bargain. If the Association makes a timely demand to bargain under PECBA, the City shall enter into the mid - term bargaining provisions of ORS 243.698. If the Association does not demand to bargain, the City may implement or change the condition it has proposed. The Association waives any right to bargain matters it raised during negotiations but which were not embodied in the Agreement.

[TTA: 05/28/21](#)



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 9, 2021		Subject: Ordinance No. 849 – 2nd Reading Adoption of the Twist Bioscience Wilsonville Investment Now (WIN) Zone	
		Staff Member: Chris Neamtzu, Community Development Director	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: August 16, 2021 <input checked="" type="checkbox"/> Ordinance 1 st Reading: August 16, 2021 <input checked="" type="checkbox"/> Ordinance 2 nd Reading: September 9, 2021 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	
		Comments: The Planning Commission conducted a hearing on conformance of the proposed Plan with the applicable elements of the Comprehensive Plan on July 14, 2021 forwarding a unanimous recommendation of approval to the City Council.	
Staff Recommendation: Staff recommends Council adopt Ordinance No. 849 on second reading.			
Recommended Language for Motion: I move to approve Ordinance No. 849 on second reading.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities Strategic Economic Development and Community Prosperity		<input checked="" type="checkbox"/> Adopted Master Plan(s) 2012 City Council-adopted Economic Development Strategy	<input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Adoption of Ordinance No. 849, approving the Twist Bioscience Wilsonville Investment Now (WIN) Zone, the final step in a multi-step process for creation of a site-specific urban renewal district consistent with WIN Administrative Rules.

EXECUTIVE SUMMARY:

The Wilsonville City Council adopted the framework and administrative rules for the Wilsonville Investment Now (WIN) Program by Resolution No. 2856 on October 19, 2020. The WIN Program provides urban renewal property tax rebates to qualifying projects outside of the City's otherwise designated urban renewal areas, and aims to attract high-value, high-wage projects to Wilsonville through a more effective and attractive incentive program. This specific WIN Plan includes input from the community received at public meetings, including Urban Renewal Agency (URA) meetings and hearings before the City of Wilsonville Planning Commission and the City Council.

On June 7, 2021, the Wilsonville Urban Renewal Agency took the first step to create the City's first WIN Zone by approving URA Resolution No. 315, a Development Agreement stipulating the conditions that Twist Bioscience Corporation must achieve to receive WIN Program benefits in future years, and stipulating the City's obligations to provide property tax reimbursement payments to Twist Bioscience Corporation. On June 21, 2021, the Wilsonville Urban Renewal Agency authorized implementation of the site-specific urban renewal district via Resolution No. 318. Twist Bioscience expects to invest \$70M in capital investment, including tenant improvements and equipment, and to create 200 new jobs in Wilsonville within the first year of operation, qualifying the applicant for a 7-year rebate, estimated to be worth approximately \$604,753 in the initial rebate year less the City's 10% administrative fee to operate the program.

The proposed maximum indebtedness, the limit on the amount of funds that may be spent on administration, projects and programs in the Twist Bioscience WIN Zone is \$10,000,000. The plan contains 4.4 acres and is estimated to last seven (7) years, resulting in seven (7) years of tax increment collections. Please refer to **Exhibits A and B of Ordinance No. 849**, the Twist Bioscience WIN Zone Plan and Report, for more detailed information on the proposed urban renewal area and its financial impacts to overlapping taxing districts. The Plan would be administered by the Wilsonville Urban Renewal Agency.

Following the Urban Renewal Agency's direction on June 21, 2012 to implement the single property urban renewal plan called the Twist Bioscience WIN Zone, staff consulted and conferred with taxing districts about potential impacts and forwarded the Plan to the Planning Commission for recommendation that the Twist Bioscience WIN Zone conforms to the applicable provisions of the Wilsonville Comprehensive Plan. No written comment has been received from any of the taxing districts and Clackamas County declined a briefing on the Plan. City staff spoke with staff from two of the larger taxing districts (fire and school district), both of whom indicated support of the proposal because it's "akin to a strategic investment program" and the size of the single-property URA is insignificant. The Planning Commission considered the Plan and Report on July 14, 2021 and adopted a finding via Resolution LP21-0004 that the Plan conforms to the Wilsonville Comprehensive Plan.

Both City Council and residents have voiced some concern about the potential use of hazardous materials on-site. While this is outside of the scope of the WIN Administrative Rules and URA Plan and Report, staff have heard from the City's Industrial Pretreatment Coordinator that Twist will not be needing an industrial pretreatment permit, and Twist submitted the following statement addressing the topic as part of **Attachment 2**:

“We will make synthetic DNA products onsite in Wilsonville, bringing up to 400 jobs to the site. None of our products are alive, and we will not have any biological hazardous materials onsite in Wilsonville. We will have liquid nitrogen in a large, contained tank outside. All of our chemicals used in our operations have both primary and secondary containment in a completely closed system – that means that 100% of the waste is captured in the waste tank, which is picked up and recycled or disposed.”

Twist representatives attended the August 16, 2021 public hearing for the first reading of the Ordinance.

EXPECTED RESULTS:

Strengthened local economy from successful recruitment of large biotech firm to Wilsonville that intends to invest \$70M in capital improvements and create 200 new jobs within the first year of operation. Implementation of City’s first WIN Zone (i.e. single-site urban renewal area) within just one (1) year of adoption of Resolution No. 2856 WIN Administrative Rules.

TIMELINE:

The single-property URA area will be created following the adoption of Ordinance No. 849, and is estimated to last for seven (7)-years.

CURRENT YEAR BUDGET IMPACTS:

The scope of work for the consultant team to assist in implementation of the WIN Zone has an estimated budget of \$20,000 from the Community Development professional services FY 21-22 budget.

FINANCIAL REVIEW / COMMENT:

Reviewed by: KAK Date: 8/4/2021

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 8/6/2021

COMMUNITY INVOLVEMENT PROCESS:

This specific WIN Plan includes input from the community received at public meetings, including URA meetings and hearings before the City of Wilsonville Planning Commission and the City Council. The WIN program criteria incorporates feedback from the Urban Renewal Task Force that includes residents, taxing district representatives, state economic development groups, private sector, and public sector participants.

A citywide postcard notification was sent to all 97070 residents prior to the public hearing. Additionally, on July 28, 2021, in response to a request from the Canyon Creek neighborhood, a neighborhood meeting was held. Twist representatives answered questions from the community about the business and provided significant detail regarding the specifics of the operation. The meeting went well, and the citizens had their questions answered.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

Strengthened local economy, more high-wage jobs and high-value development to Wilsonville, and increased tax base for the City.

ALTERNATIVES:

No adoption of the Twist Bioscience WIN Zone.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Ordinance No. 849 – Adoption of the Twist Bioscience Wilsonville Investment Now (WIN) Zone
 - A. Twist Bioscience WIN Zone Plan
 - B. Twist Bioscience WIN Zone Report
 - C. Resolution LP21-0004 – Recommendation of the Planning Commission
2. Statement from Twist Bioscience regarding Wilsonville

ORDINANCE NO. 849

AN ORDINANCE OF THE CITY OF WILSONVILLE MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING A SINGLE-PROPERTY URBAN RENEWAL PLAN FOR ECONOMIC DEVELOPMENT PURPOSES KNOWN AS THE TWIST BIOSCIENCE WILSONVILLE INVESTMENT NOW (WIN) ZONE.

WHEREAS, the Wilsonville Urban Renewal Agency (“Agency”) was created by the Wilsonville City Council (“Council”) under ORS Chapter 457 and is granted certain powers attendant with eliminating blight and stimulating economic development in the community; and

WHEREAS, the Agency, as the duly authorized and acting Urban Renewal Agency of the Council, is proposing to undertake certain urban renewal activities in a designated area within the City pursuant to ORS Chapter 457; and

WHEREAS, on December 17, 2012, the Wilsonville City Council approved Resolution No. 2390, referring the Ballot Title “Business Incentive Program for Investment and Job Creation by Manufacturers” to the citizens of Wilsonville for an advisory vote in March of 2013; and

WHEREAS, on March 12, 2013, the citizens of Wilsonville voted to approve the economic development incentive; and

WHEREAS, on May 6, 2013, City Council approved Resolution No. 2417 authorizing staff to take necessary steps to create multiple single-property urban renewal districts to be called Tax Increment Finance (TIF) Zones; and

WHEREAS, all of the designated TIF Zones expired on November 4, 2019 without having ever been utilized, and City Council gave staff direction to pursue modifications to the program with involvement of the Urban Renewal Task Force; and

WHEREAS, the City’s Urban Renewal Task Force met on July 22, 2020 to discuss a revised approach to single-property urban renewal areas known as the Wilsonville Investment Now (WIN) Program, and provided unanimous feedback that the WIN Program is a good direction to take a tax increment finance program for economic development; and

WHEREAS, the modified tax increment finance zone program offers more flexible criteria to qualifying development projects located outside of the City of Wilsonville’s otherwise designated urban renewal areas. The WIN Program provides urban renewal property tax rebates to qualifying projects and aims to attract high-value investments to the Wilsonville community

that strengthen the local economy by retaining and expanding local businesses, attracting new businesses, retaining and expanding high-wage jobs, and contributing to long-term growth in the property tax base through capital investment; and

WHEREAS, Wilsonville is not eligible for traditional Enterprise Zones due to maximum thresholds for unemployment and median family income, and seeks tools to position Wilsonville as competitive with other jurisdictions that offer Enterprise Zones to incent business investment; and

WHEREAS, establishment of such a zone or zones will make the City more competitive with business recruitment, expansion and retention efforts; and

WHEREAS, on October 19, 2020, City Council approved Resolution No. 2856 establishing the Wilsonville Investment Now (WIN) Program Administrative Rules; and

WHEREAS, on February 16, 2021, staff received a qualifying WIN application from Twist Bioscience Corporation committing to \$70 million in capital investment, including tenant improvements and equipment, and the creation of 200 new jobs in Wilsonville within the first year of operation; and

WHEREAS, on June 7, 2021, the Agency approved URA Resolution No. 315, a Development Agreement stipulating the conditions that Twist Bioscience Corporation must achieve to receive WIN Program benefits in future years, and stipulating the City's obligations to provide property tax reimbursement payments to Twist Bioscience Corporation; and

WHEREAS, on June 21st, 2021, the Agency approved URA Resolution No. 318, directing staff to take necessary steps to prepare a single property urban renewal plan ("Plan") and report ("Report") for Twist Bioscience including but not limited to necessary public outreach, notification and review, including consulting and conferring with taxing districts about potential impacts of the Twist Bioscience Wilsonville Investment Now (WIN) Zone ("Twist WIN Zone"), Planning Commission review to ensure Comprehensive Plan conformance, and City Council public hearing and vote on a non-emergency ordinance. The Plan authorizes urban renewal activities within the urban renewal area known as the Twist WIN Zone; and

WHEREAS, on June 22, 2021, the Plan and Report were forwarded to each impacted taxing district affected by the Plan, and the Agency has thereafter consulted and conferred with said districts; and

WHEREAS, the Plan and Report were forwarded to the City of Wilsonville Planning Commission for recommendation that the Twist WIN Zone conforms to the Wilsonville Comprehensive Plan. The Planning Commission considered the Plan and Report on July 14, 2021, adopted a finding via Resolution LP21-0004 that the Plan conforms to the Wilsonville Comprehensive Plan, and recommends that the Plan be approved by the Wilsonville City Council. The recommendation is attached to this Ordinance as Exhibit C; and

WHEREAS, the City caused notice of the hearing to be held before the City Council on the Plan, including the required statements of ORS 457.120(3), through an advertisement in the Wilsonville Spokesman on August 4, 2021 and a postcard mailing to all City of Wilsonville mailing addresses in the 97070 zip code, which includes all postal patrons of the City of Wilsonville; and

WHEREAS, on August 16, 2021, the City Council held a public hearing to review and consider the Plan and Report, the recommendation of the Planning Commission, and the public testimony and exhibits received on that date, and does by this Ordinance desire to approve the Plan.

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

Section 1: Based on the information provided in the Report, the recommendation of the Planning Commission, and the public testimony and exhibits before the City Council, the City Council hereby determines and finds that the Plan complies with all requirements of ORS Chapter 457 and the specific criteria of ORS 457.095(1) through (7) in that:

1. The area designated in the Twist WIN Zone meets the definition of blighted, as defined by ORS 457.010(1)(g) and (h), and is eligible for inclusion within the Plan because of conditions described in Section III of the Report, including underdevelopment and underutilization of property within the Area.
2. The rehabilitation and redevelopment described in the Plan is necessary to protect the public health, safety and welfare of the City because absent the completion of the urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according to the goals of the City's Comprehensive Plan.

3. The Plan conforms to the Wilsonville Comprehensive Plan as a whole, and conforms to the Wilsonville Economic Development Strategy as more fully described in Chapter XI of the Plan.
4. No acquisition of real property is provided for in the Plan. Since no acquisition of land is provided in the Plan, therefore, no residential displacement will occur.
5. Adoption and carrying out the Plan is economically sound and feasible in that funds are available to complete the Plan projects using urban renewal tax increment revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and ORS 457.440, and other available funding as shown in Sections V, VI, VII, VIII, and IX of the Report.
6. The City shall assume and complete any activities prescribed in it by the Plan.
7. No written comments have been received from the taxing districts, including Clackamas County, Tualatin Valley Fire and Rescue, West Linn-Wilsonville School District, Clackamas Community College, Clackamas County Library District, Metro, ESD Clackamas County, Clackamas County Extension Services and 4-H, Clackamas County Vector Control District, Clackamas Soil & Water Conservation, the City of Wilsonville, and the Port of Portland.

Section 2: Based upon the foregoing determinations and findings, and the record in these proceedings, including, but not limited to the Plan, the Report, the recommendations of the Planning Commission, the confirmations by the impacted taxing districts, and the public testimony and exhibits in the record, the Plan attached hereto as Exhibit A is hereby approved and adopted.

Section 3: The City Recorder shall forward forthwith to the Agency a copy of this Ordinance.

Section 4: The Agency shall thereafter cause a copy of the Plan to be recorded in the Records of Clackamas County, Oregon.

Section 5: The City Recorder, in accordance with ORS 457.115, shall publish a notice of the adoption of the Ordinance approving the Plan, including the provision of ORS 457.135, in the Wilsonville Spokesman or The Oregonian no later than four days following adoption of this Ordinance.

Section 6: This Plan is being adopted in accordance with the applicable legal requirements and shall be conclusively presumed valid for all purposes 90 days after adoption of this Plan by this Ordinance. Pursuant to ORS 457.135, no direct or collateral attack on the action may thereafter be commenced.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 16th day of August 2021, and scheduled the second reading on the 9th day of September, 2021 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 9th day of September, 2021, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 9th day of September, 2021

JULIE FITZGERALD, MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

EXHIBITS:

- A. Twist Bioscience WIN Zone Plan
- B. Twist Bioscience WIN Zone Report
- C. Resolution LP21-0004 – Recommendation of the Planning Commission

The Twist Bioscience WIN Zone Plan

Adopted by the City of Wilsonville
August 16, 2021
Ordinance No. 849

If Amendments are made to the Plan, the Resolution or Ordinance Number and date will be listed here. The amendment will be incorporated into the Plan and noted through a footnote.

LIST OF PARTICIPANTS

Mayor

Julie Fitzgerald

City Council

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

Wilsonville Urban Renewal Agency

Julie Fitzgerald (Board Chair)

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

Planning Commission

Kamran Mesbah, Chair

Ronald Heberlein, Vice Chair

Jerry Greenfield

Olive Gallagher

Breanne Tusinski

Jennifer Willard

Aaron Woods

City Manager

Bryan Cosgrove

Community Development Director

Chris Neamtzu

Finance Director

Open

City Attorney

Barbara Jacobson

Economic Development Manager

Jordan Vance

Consulting Team

Elaine Howard Consulting, LLC

Elaine Howard

Scott Vanden Bos

Tiberius Solutions, LLC

Nick Popenuk

Ali Danko

Rob Wyman

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I. DEFINITIONS

“Agency” is the City of Wilsonville Urban Renewal Agency created under ORS 457.035 and 457.045.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting a WIN Area plan.

“City” means the City of Wilsonville, Oregon.

“City Council” or “Council” means the Wilsonville City Council.

“Comprehensive Plan” means the City of Wilsonville Comprehensive Plan and its implementing ordinances, policies, and standards adopted October 2018 and updated in June 2020.

“Economic Development Strategy” means the City of Wilsonville Economic Development Strategy adopted in August 2012.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a WIN Area at the time of adoption. The county assessor certifies the assessed value after the adoption of a WIN Area plan.

“Increment”, “Tax increment”, “tax increment financing” or TIF” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in a WIN Area, or portion thereof, over the assessed value specified in the certified statement.

“Maximum Indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal and tax increment financing.

“Plan” or “WIN Zone Plan” means the official plan for the WIN Area pursuant to ORS 457.

“Plan Area” or “WIN Zone” means a blighted area included in a WIN Area plan or an area included in a WIN Area plan under ORS 457.160.

“Planning Commission” means the Wilsonville Planning Commission.

“Project(s)” or “WIN Zone Project(s)” means any work or undertaking carried out under the Twist Bioscience WIN Zone Plan.

“Report Accompanying Twist Bioscience WIN Zone” or “Report” means the official report that accompanies the Twist Bioscience WIN Zone Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470 and refers to the funds that are associated with the division of taxes accomplished through the adoption of a WIN Zone plan.

“Wilsonville Investment Now Zone” or “WIN Zone” means a blighted area included in an urban renewal plan. “WIN Zone” is synonymous to “urban renewal area” for the purpose of this Plan.

“WIN Zone Plan” means a plan, as it exists or is changed or modified from time to time, as provided in ORS 457.

“Tax increment revenues” means the funds allocated by the assessor to a WIN Zone due to increases in assessed value over the frozen base within the area.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with WIN Zone.

II. INTRODUCTION

The Twist Bioscience WIN Zone Plan (“Plan”) was developed for the Wilsonville City Council (“City Council”). Pursuant to the Wilsonville City Charter and ORS 457, this Plan will go into effect when it has been adopted by the City Council.

A. Background and Input

In 2013, the Wilsonville City Council approved the designation of six separate properties as individual urban renewal districts. Each of these properties was referred to as a Tax Increment Financing (“TIF”) zone. The TIF zones used the same funding mechanism and State legislative framework as standard urban renewal districts. However, rather than fund large-scale, long-term projects, the TIF zones were intended to provide property tax rebates as a development incentive for qualifying companies who invest in any of the six properties.

Ultimately, none of the development that occurred within the TIF Zones met the eligibility thresholds for the program, and the existing TIF Zones incentive program expired in November 2019. While the original TIF Zones were unsuccessful, Wilsonville City staff in tandem with the Urban Renewal Task Force identified a potential new approach to modify the program going forward. The new approach devised by city staff and the advisory committee was created to resolve the limitations of the TIF Zones. The new program is named the Wilsonville Investment Now (“WIN”) Program.

WIN Area Formation Approach. The Wilsonville City Council adopted the framework and WIN Program by Resolution No. 2856 on October 19, 2020. The WIN Program is separate from any individual WIN Area. Individual WIN Areas will be adopted when a developer has submitted a qualifying application for a specific site and after going through the required process of adopting an urban renewal area as established in ORS 457.

The WIN Program is posed to provide the City with a more effective and attractive incentive program to attract new businesses that provide a wider range of high-value, high-wage projects to Wilsonville.

This specific WIN Plan includes input from the community received at public meetings at the Agency and hearings before the City of Wilsonville Planning Commission (“Planning Commission”), and the City Council.

Eligibility Criteria. The criteria for the WIN Program include the following, with points given for each category as defined in the Administrative Rules.

- Value of new construction on site
- Number of new employees on site

- Value of compensation of new employees on site
- Commitment to the advancement of diversity, equity, and inclusion goals
- Prioritizing the expansion of local businesses that have already invested in Wilsonville.

Tiers of Benefits. WIN calls for different levels of benefits being offered to businesses that meet different qualifying thresholds, either four years of benefits or seven years of benefits.

Citywide Eligibility. WIN will not designate specific properties up-front but allow any qualified development to utilize the program citywide. A WIN Area must not already be in an established urban renewal area.

Tax Rebate. Qualified developments will receive a tax rebate if all standards are met. This means participating businesses will pay property tax up front and on time. Participating businesses will receive a rebate for the permanent rate property taxes minus Wilsonville administrative expenses upon the time they have met the required thresholds as defined in the Administrative Rules and the Development Agreement.

Twist Bioscience. Twist Bioscience Corp (“Twist”), a California-based firm specializing in synthetic DNA, submitted a qualifying WIN application to City staff in February 2021 outlining their intention to invest \$70 million in capital investment in both tenant improvements and equipment, and to create 200 new jobs in Wilsonville within 1 year of construction. The firm will lease 190,519 square feet at ParkWorks Industry Center (formerly called Parkway Woods) at 26600 S.W. Parkway Ave. in Wilsonville, Oregon. The facility is expected to become operational in 2022. The Wilsonville expansion is expected to more than double Twist's manufacturing capacity, increase speed of production, and enable enhanced product offerings in the synthetic biology and biopharma market. Twist's WIN application received 220 points, qualifying them for a full 7-year WIN rebate. Twist and the City of Wilsonville executed a WIN Development Agreement in June 2021, stipulating the conditions that Twist must achieve to receive WIN Program benefits in future years and the City's obligations to provide property tax reimbursement payments to Twist.

The Twist Bioscience WIN Plan Area (“Plan Area”), shown in Figure 1, consists of approximately 4.4 total acres.

The Plan is estimated to last 7 years, resulting in 7 years of tax increment collections.

The Plan is to be administered by the Wilsonville Urban Renewal Agency. Substantial amendments to the Plan must be approved by City Council as outlined in Section VII of

this Plan. All amendments to the Plan are to be listed numerically on the inside cover of the front page of the Plan and then incorporated into the Plan, document and noted by footnote with an amendment number and adoption date.

The relationship between the sections of the Plan and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Plan that primarily addresses the statutory reference. There may be other sections of the Plan that also address ORS 457.

Table 1 - Statutory References

Statutory Requirement	Plan Section
ORS 457.085(2)(a)	V, VI
ORS 457.085(2)(b)	V, VI
ORS 457.085(2)(c)	XIII
ORS 457.085(2)(d)	XI
ORS 457.085(2)(e)	XI
ORS 457.085(2)(f)	IX
ORS 457.085(2)(g)	VIII
ORS 457.085(2)(h)	III
ORS 457.085(2)(i)	VII

B. WIN Areas Overview

The WIN Program is the name for this tool to be used in Wilsonville. This type of tool is authorized through ORS 457 and allows for the use of tax increment financing, a financing source that is unique to WIN Areas (also called urban renewal areas), to fund projects within a specific boundary. Tax increment revenues (the amount of property taxes generated by the increase in total assessed values in the WIN Area from the time the area is first established) are used to repay borrowed funds or contractual obligations. The borrowed funds and contractual obligations cannot exceed the maximum indebtedness amount set by the WIN Area plan. The Twist Bioscience WIN Zone will be funded using tax increment financing.

The WIN Zone meets the definition of blight due to the underdeveloped properties. These blighted conditions are specifically cited in the ordinance adopting the Plan and described in detail in the Report Accompanying the Twist Bioscience WIN Zone “Report”).

The Report contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area;
- Expected impact of the plan, including fiscal impact in light of increased services;
- Reasons for selection of the area;
- The relationship between each project to be undertaken and the existing conditions;
- The estimated total cost of each project and the source of funds to pay such costs;
- The estimated completion date of each project;
- The estimated amount of funds required in the area, and the anticipated year in which the debt will be retired;
- A financial analysis of the plan;
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the area; and,
- A relocation report.

III. MAXIMUM INDEBTEDNESS

Maximum Indebtedness ("MI") is the total amount of money that can be spent on projects, programs and administration throughout the life of the Plan. The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon good faith estimates of the scope and costs of projects in the Plan and the schedule for their completion is \$10,000,000 (Ten Million). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness or interest earned on debt proceeds.

IV. PLAN GOALS

The goal of the Plan represents its basic intent and purpose. Accompanying the goal is an objective, which describes how the Agency intends to meet the goal. The WIN Area projects identified in Sections V and VI of the Plan are the specific means of meeting the objective. The goal and objective will be pursued as economically as is feasible and at the discretion of the Agency.

A. *Developer Incentives*

1. To increase the number of high-wage jobs in the City of Wilsonville.

Objectives:

Provide financial incentives for the development of sites which provide high-wage jobs.

2. To increase the assessed value of vacant and underutilized sites which are not currently at their highest and best value thereby increasing taxable assessed value for all taxing districts.

Objectives:

Provide financial incentives in the City of Wilsonville which will provide incentives for high-value development.

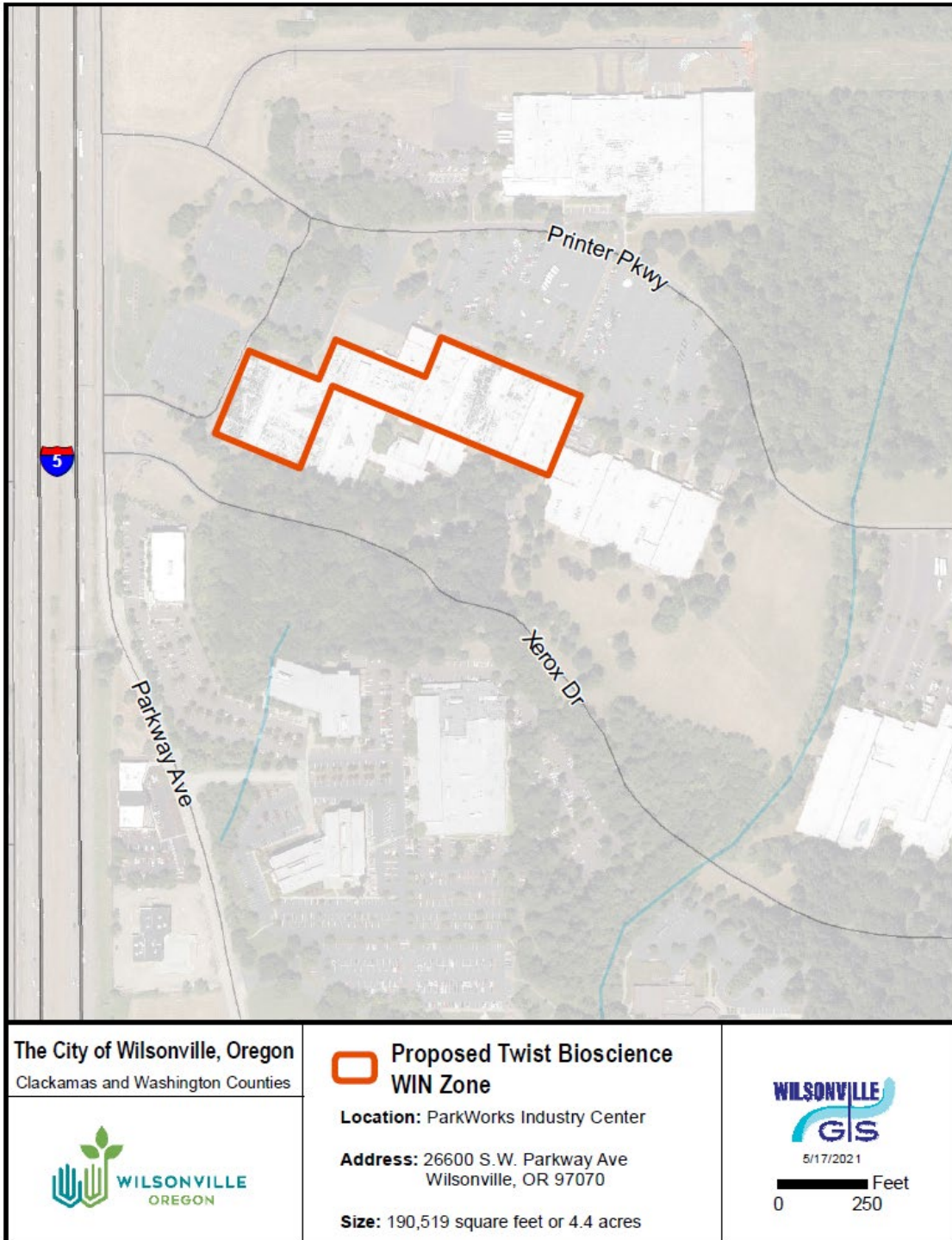
B. *Administration*

1. To provide administrative support for the creation of the WIN Area and implementation of the Plan.

Objectives:

Provide resources to prepare and implement the Plan.

Figure 1 – Twist Bioscience WIN Zone Boundary



Source: City of Wilsonville

V. WIN AREA PROJECT CATEGORIES

The projects within the Plan Area fall into the following categories:

A. Developer Incentives

B. Administration

VI. WIN AREA PROJECTS

WIN Area projects authorized by the Plan are described below.

A. Developer Incentives

The Agency may provide incentives to the qualifying applicants to improve the property in the manner described in the WIN Zone incentive applications and Administrative Rules. This will be completed through a development agreement with the developer that stipulates the amount and timing of the development and the amount and timing of the incentive. These incentives will be a 100% rebate of property tax revenue increment, less the costs to the City of preparing the Plan and administering the program, from the WIN Zone for a duration of seven years as established in the development agreement.

B. Administration

The Agency may provide administration of the Plan including but not limited to staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation and annual reports pursuant to ORS 457.460.

VII. AMENDMENTS TO PLAN

The Plan may be amended as described in this section.

A. Substantial Amendments

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan, under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Agency, the Planning Commission, and adoption by the City Council by non-emergency ordinance after a hearing. Notice of such hearing shall be provided to individuals or households within the City of Wilsonville, as required by ORS 457.120. Notice of adoption of a Substantial Amendment shall be provided in accordance with ORS 457.095 and 457.115.

Substantial Amendments are amendments that:

- (1) Add land to the WIN Zone except for an addition of land that totals not more than 1% of the existing area of the WIN Zone; or
- (2) Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.

B. Minor Amendments

Minor Amendments are amendments that are not Substantial Amendments as defined in this Plan and in ORS 457. Minor Amendments require approval by the Agency by resolution.

C. Amendments to the Wilsonville Comprehensive Plan and/or Wilsonville Development Code

Amendments to the Wilsonville Comprehensive Plan (“Comprehensive Plan”) and/or Wilsonville Development Code that affect the Plan and/or the Plan Area shall be incorporated automatically within the Plan without any separate action required by the Agency or City Council. When a substantial amendment is completed, the Relationship to Local Objectives section will be updated.

VIII. PROPERTY ACQUISITION AND DISPOSITION

The Plan does not anticipate property acquisition and disposition as an eligible activity.

IX. RELOCATION METHODS

As acquisition is not an eligible activity, relocation is not a part of this Plan.

X. TAX INCREMENT FINANCING OF PLAN

Tax increment financing consists of using annual tax increment revenues to make payments on debt. In this Plan, the debt is a contractual obligation to provide developer incentives and agreement to reimburse the Agency for preparation of and administration of the Plan.

Tax increment revenues equal the annual permanent rate property taxes imposed on the cumulative *increase* in assessed value within a WIN Zone over the total assessed value at the time a WIN Zone plan is adopted. (Under current law, the property taxes for general obligation (GO) bonds and local option levies are not part of the tax increment revenues.)

A. General Description of the Proposed Financing Methods

The Plan will be financed using tax increment revenues. Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements, and indebtedness incurred in (1) developer incentives (2) planning or undertaking project activities, or (3) otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the planning and implementation of this Plan, including preparation of the Plan.

B. Tax Increment Financing

The Plan may be financed, in whole or in part, by tax increment revenues allocated to the Agency, as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Plan Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to the Agency based upon the distribution schedule established under ORS 311.390.

XI. RELATIONSHIP TO LOCAL OBJECTIVES

ORS 457.085 requires that the Plan conform to local objectives. This section provides that analysis. Relevant local planning and development objectives are contained within the City of Wilsonville Comprehensive Plan, Wilsonville Strategic Plan and the City of Wilsonville Code, Chapter 4 Planning and Land Development Ordinance.

The following section describes the purpose and intent of these plans, the main applicable goals and policies within each plan, and an explanation of how the plans relate to the applicable goals and policies.

The numbering of the goals and policies within this section reflects the numbering that occurs in the original document. *Italicized text* is text that has been taken directly from an original document.

The zoning designation is Planned Development Industrial (PDI) Zone and the Comprehensive Plan designation for the area is Industrial. Density requirements and development standards for all land in the Plan Area are contained in the City of Wilsonville Code, Chapter 4 Planning and Land Development Ordinance shown in Section C below.

A. *City of Wilsonville Comprehensive Plan*

Citizen Involvement

GOAL 1.1 To encourage and provide means for interested parties to be involved in land use planning processes, on individual cases and City-wide programs and policies.

Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.

Policy 1.3 The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.

The Plan conforms to this section of the Comprehensive Plan as the development of high-wage jobs and high-value development will help facilitate access to any new industrial development within the Area, providing access to industrial lands and new employment opportunities in the Area.

The WIN concept was recommended to City Council and the Urban Renewal Task Force comprised of brokers and developers, business and property owners, taxing districts, residents, and community and business advocacy groups. It was also reviewed in two City Council meetings, one a briefing on the program and one to review the proposed

Administrative Rules. As well, the WIN Area will go through the standard public review process for any area being funded by tax increment finance dollars including Wilsonville Urban Renewal Agency meeting, Planning Commission meeting for review of the WIN Plan's conformance to the Wilsonville Comprehensive Plan and Wilsonville City Council hearing noticed to citizens of Wilsonville.

Industrial Development

Goal 4.1 To have an attractive functional, economically vibrant community with a balance of different types of land uses.

Policy 4.1.3 City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.

Implementation Measure 4.1.3.a Develop an attractive and economically sound community.
Implementation Measure 4.1.3.b Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base.

The formation of the WIN Zone conforms to the Wilsonville Comprehensive Plan's Industrial Development Goal 4.1 and Policies 4.1.3a and 4.1.3b as the WIN Area is an incentive tool used to attract industrial development with high-wage jobs and high-quality development, both supporting an attractive and economically sound community.

Implementation Measure 4.1.3.c Favor capital intensive, rather than labor intensive, industries within the City."

This WIN Zone conforms to Implementation Measure 4.1.3.c by promoting capital investment in the WIN Zone.

Economic Development

The Wilsonville 1971 General Plan's goals and objectives included:

To develop an attractive and economically sound community.

Encourage commercial and industrial development to provide a balanced tax base and take advantage of the City's strategic location along I-5 and the rail line.

Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth.

Encourage only industries interested in and willing to participate in development and preservation of a high-quality environment.

The formation of a WIN Zone conforms to the Wilsonville Comprehensive Plans Economic Development goals and objectives as the purposes of the WIN Zone are to increase the number of high-wage and high-quality jobs in the City of Wilsonville that

enhance the livability of the area and promote diversified economic growth. The WIN Zone accomplishes this by incentivizing industrial development that meets high-wage and high-quality development targets. In addition, Sites that develop with a WIN Zone incentive will substantially increase the taxable assessed value of the property.

B. City of Wilsonville Economic Development Strategy

The City of Wilsonville Economic Development Strategy was adopted in August of 2012. It specified ten key actions; the relevant ones are:

Action 2.1 Promote reuse of vacant buildings, infill development and redevelopment.

Action 6.2 Develop criteria to guide the use of incentives to attract or retain businesses.

Action 6.3 Develop a program to assist existing businesses.

The formation of a WIN Zone conforms to the Wilsonville Economic Development Strategy as it promotes the reuse of vacant buildings, infill development and redevelopment, has developed criteria to guide the use of incentives to attract or retain businesses and has developed a program to assist existing businesses. The Administrative Rules of the WIN program are well defined and give extra points to existing businesses.

C. City of Wilsonville Code, Chapter 4, Planning and Land Development Ordinance

The land uses in the WIN Zone will conform to the Planned Development Industrial Zone designation and development standards in the City of Wilsonville Code, Chapter 4, Planning and Land Development Ordinance, and are incorporated by reference herein.

As the Planning and Land Development Ordinance is updated, this document will be updated by reference. If a substantial amendment is completed in the future, this section will be updated to match the current zoning designations.

Zoning Districts:

Section 4.135. PDI- Planned Development Industrial Zone

- (.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.

XII. ANNUAL REPORT

The Agency shall file Annual Reports in compliance with ORS 457.460.

XIII. LEGAL DESCRIPTION

AKS ENGINEERING & FORESTRY	AKS ENGINEERING & FORESTRY, LLC 12965 SW Herman Road, Suite 100, Tualatin, OR 97062 P: (503) 563-6151 www.aks-eng.com	AKS Job #6850-04
	OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA	

EXHIBIT A

Urban Renewal Area Description

A portion of Parcel 3 of Partition Plat 2018-109, Clackamas County Plat Records, located in the Northeast One-Quarter of Section 11 and the Northwest One-Quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the most northerly corner of Parcel 1 of Partition Plat 2005-022, Clackamas County Plat Records, said point bears South 21°55'37" East 1155 feet, more or less, from the east One-Quarter corner of said Section 11; thence North 17°07'34" West 1148 feet, more or less, to a building corner which bears North 75°03'37" East 97 feet, more or less, from said east One-Quarter corner, and the Point of Beginning; thence along a building the following ten (10) courses: North 65°35'04" West 660 feet, more or less, South 24°24'56" West 240 feet, more or less, North 65°35'04" West 240 feet, more or less, North 24°24'56" East 240 feet, more or less, South 65°35'04" East 212.5 feet, more or less, North 24°24'56" East 120 feet, more or less, South 65°35'04" East 267.5 feet, more or less, North 24°24'56" East 120 feet, more or less, South 65°35'04" East 420 feet, more or less, South 24°24'56" West 240 feet, more or less, to the Point of Beginning.

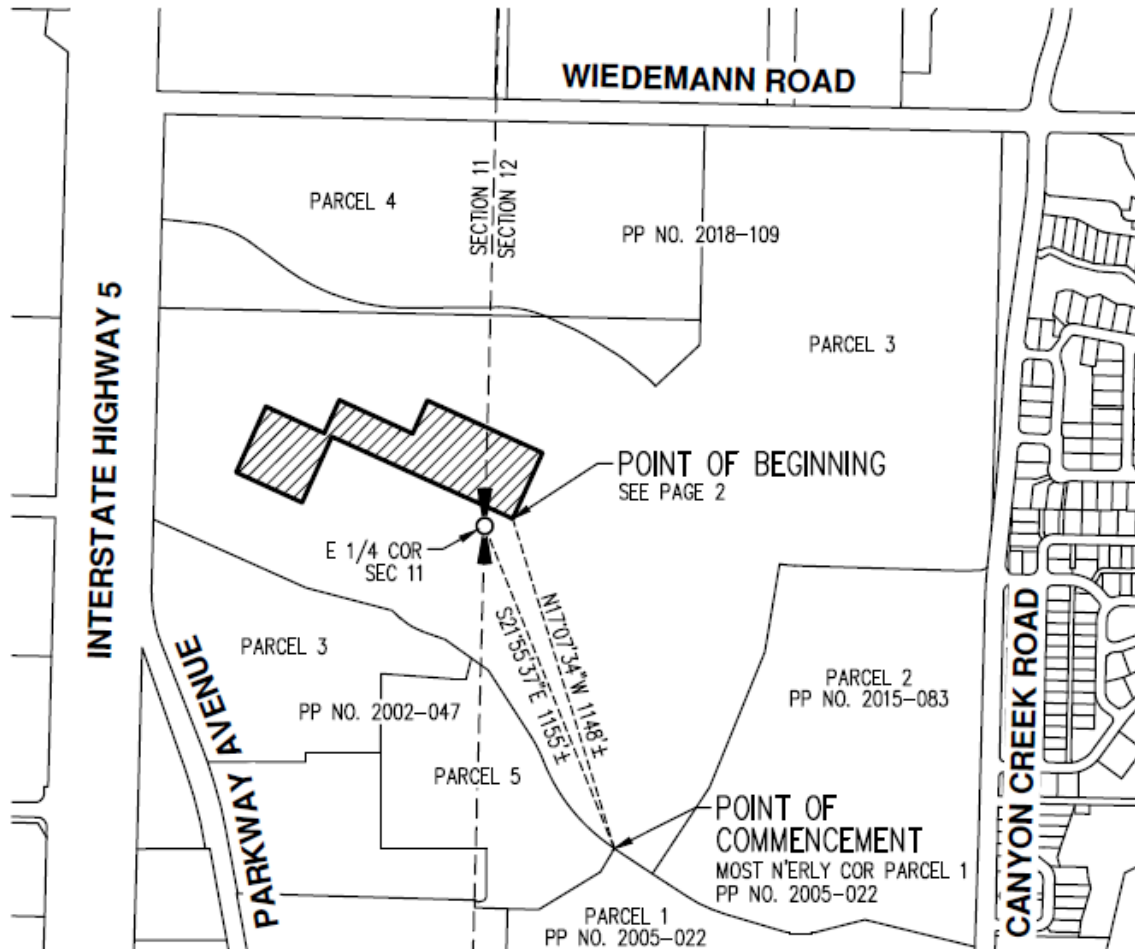
The above described tract of land contains 4.4 acres (190,500 square feet), more or less.

5/19/2021



EXHIBIT B

A PORTION OF PARCEL 3 OF PARTITION PLAT 2018-109,
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 11 AND,
 THE NORTHWEST 1/4 OF SECTION 12,
 TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



5/19/2021

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

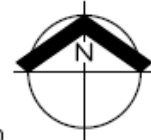
Nick White

OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS
 RENEWS: 6/30/22

PREPARED FOR

CITY OF WILSONVILLE
 29799 TOWN CENTER LOOP E
 WILSONVILLE, OR 97070

SCALE: 1" = 500 FEET

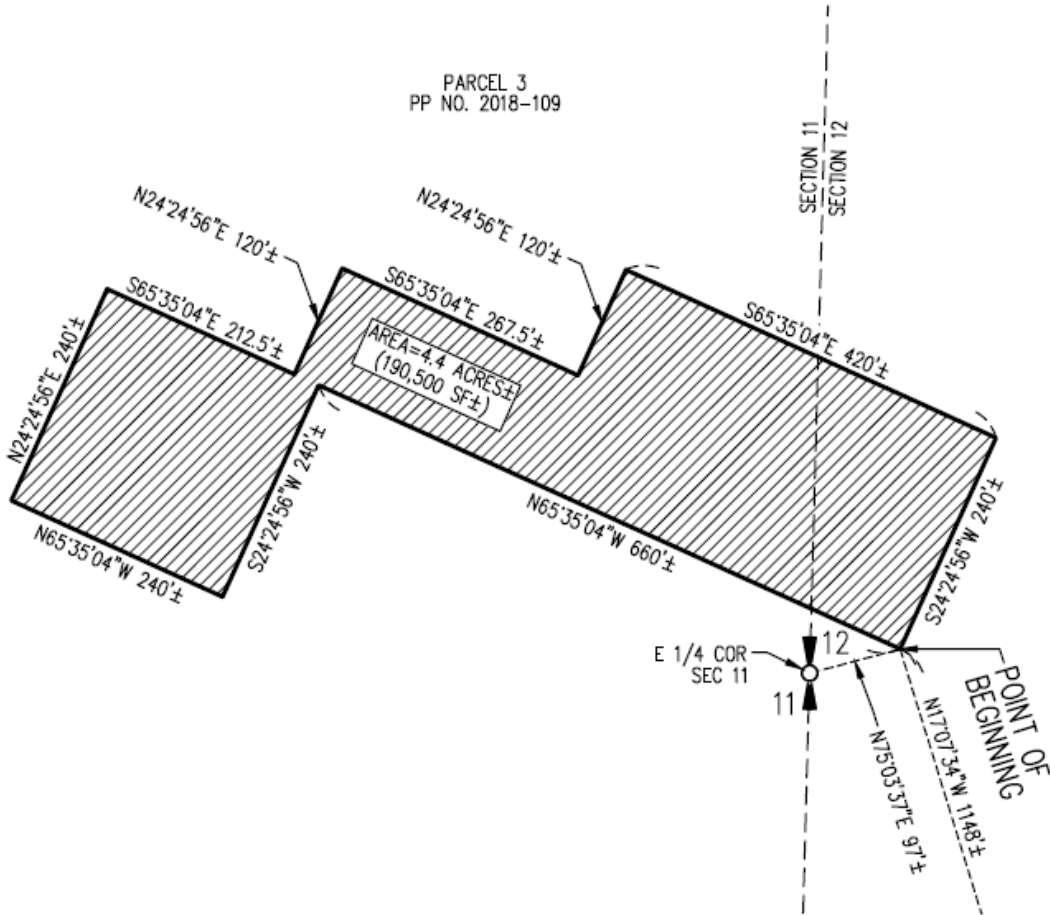


URBAN RENEWAL AREA MAP		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: NSW AKS JOB: 6850-04

DWC: 6850-04 20210519 EXB | EXB1

EXHIBIT B

A PORTION OF PARCEL 3 OF PARTITION PLAT 2018-109,
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 11 AND,
 THE NORTHWEST 1/4 OF SECTION 12,
 TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



5/19/2021

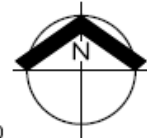
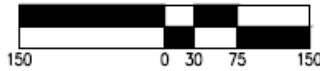
**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

Nick White
 OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS
 RENEWS: 6/30/22

PREPARED FOR

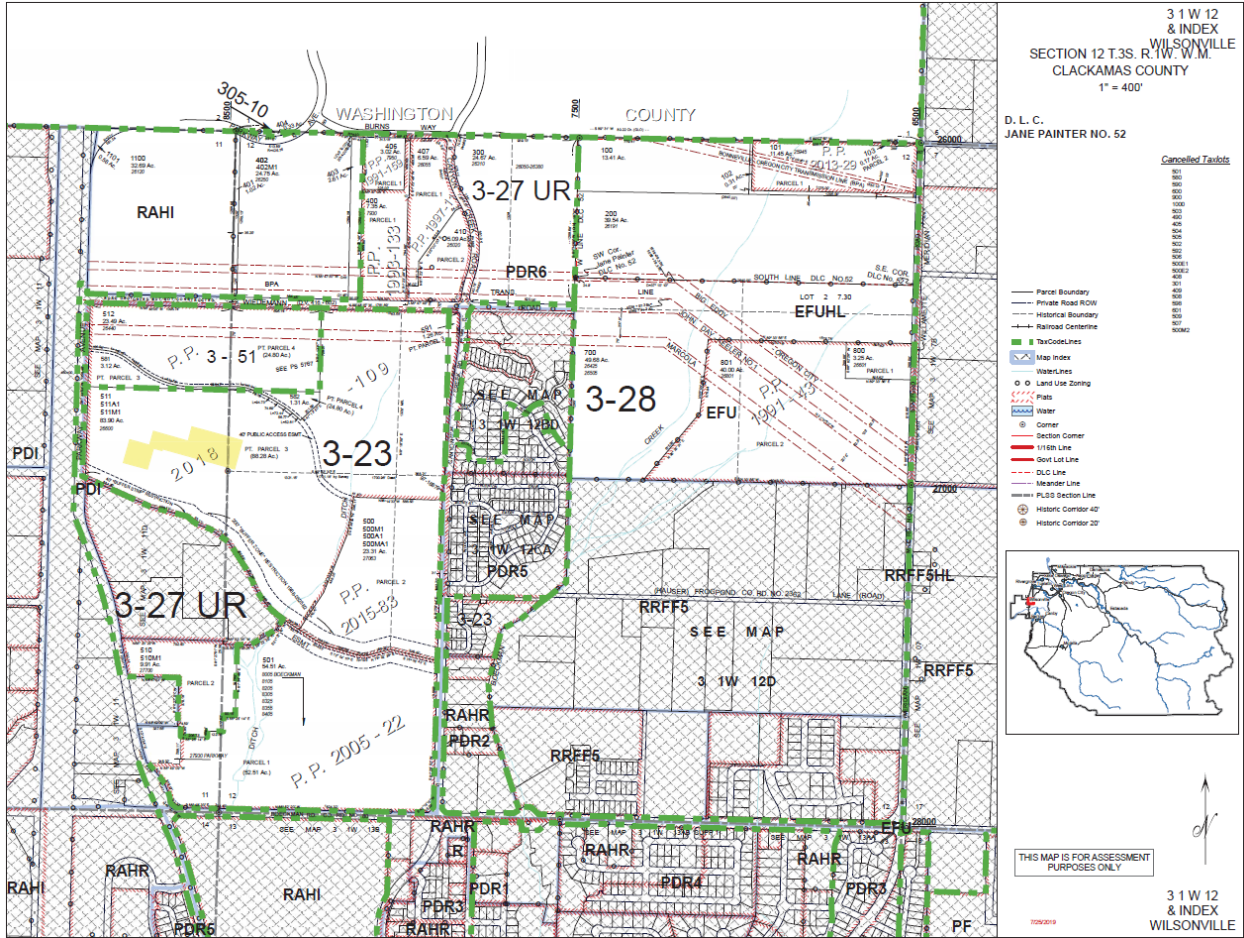
CITY OF WILSONVILLE
 29799 TOWN CENTER LOOP E
 WILSONVILLE, OR 97070

SCALE: 1" = 150 FEET



URBAN RENEWAL AREA MAP		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: NSW AKS JOB: 6850-04

DWG: 6850-04 20210519 ERI | ERI2



The Report on Twist Bioscience WIN Zone Plan

Report on Twist Bioscience WIN Zone Plan Adopted by the City of Wilsonville

August 16, 2021

Ordinance No. 849

LIST OF PARTICIPANTS

Mayor

Julie Fitzgerald

City Council

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

Wilsonville Urban Renewal Agency

Julie Fitzgerald (Board Chair)

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

Planning Commission

Kamran Mesbah, Chair

Ronald Heberlein, Vice Chair

Jerry Greenfield

Olive Gallagher

Breanne Tusinski

Jennifer Willard

Aaron Woods

City Manager

Bryan Cosgrove

Community Development Director

Chris Neamtzu

Finance Director

Open

City Attorney

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Economic Development Manager

Jordan Vance

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Elaine Howard Consulting, LLC

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Ali Danko

Rob Wyman

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I. DEFINITIONS`

“Agency” is the City of Wilsonville Urban Renewal Agency created under ORS 457.035 and 457.045.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting a WIN Zone plan.

“City” means the City of Wilsonville, Oregon.

“City Council” or “Council” means the Wilsonville City Council.

“Comprehensive Plan” means the City of Wilsonville Comprehensive Plan and its implementing ordinances, policies, and standards adopted October 2018 and updated in June 2020.

“Economic Development Strategy” means the City of Wilsonville Economic Development Strategy adopted in August 2012.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a WIN Area at the time of adoption. The county assessor certifies the assessed value after the adoption of a WIN Area plan.

“Increment” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in a WIN Area, or portion thereof, over the assessed value specified in the certified statement.

“Maximum Indebtedness” means the maximum principal amount of indebtedness that may be incurred by a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal and tax increment financing.

“Plan” or “WIN Zone plan” means the official plan for the WIN Zone pursuant to ORS 457.

“Plan Area” or “WIN Zone” means a blighted area included in a WIN Zone plan under ORS 457.160.

“Planning Commission” means the Wilsonville Planning Commission.

“Project(s)” or “WIN Zone Project(s)” means any work or undertaking carried out under the Report on Twist Bioscience WIN Zone Plan.

“Report Accompanying Report on Twist Bioscience WIN Zone” or “Report” means the official report that accompanies the Report on Twist Bioscience WIN Zone Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470 and refers to the funds that are associated with the division of taxes accomplished through the adoption of a WIN Area plan.

“Wilsonville Investment Now Zone” or “WIN Zone” means a blighted area included in an urban renewal plan. “WIN Zone” is synonymous to “urban renewal area” for the purpose of this Plan.

“WIN Zone Plan” means a plan, as it exists or is changed or modified from time to time, as provided in ORS 457.

“Tax increment revenues” means the funds allocated by the assessor to a WIN Area due to increases in assessed value over the frozen base within the area.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with WIN Zone.

II. INTRODUCTION

The Report on the Report on Twist Bioscience WIN Zone Plan (“Report”) contains background information and project details that pertain to the Report on Twist Bioscience WIN Area Plan (“Plan”). The Report is not a legal part of the Plan but is intended to provide public information and support the findings made by the Wilsonville City Council (“City Council”) as part of the approval of the Plan.

The Report provides the analysis required to meet the standards of ORS 457.087, including financial feasibility. The Report accompanying the Plan contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area;(ORS 457.087(1))
- Reasons for selection of the area; (ORS 457.087(2))
- The relationship between each project to be undertaken and the existing conditions; (ORS 457.087(3))
- The estimated total cost of each project and the source of funds to pay such costs; (ORS 457.087(4))
- The estimated completion date of each project; (ORS 457.087(5))
- The estimated amount of funds required in the area and the anticipated year in which the debt will be retired; (ORS 457.087(6))
- A financial analysis of the Plan; (ORS 457.087(7))
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the urban renewal area; (ORS 457.087(8))and
- A relocation report. (ORS 457.087(9))

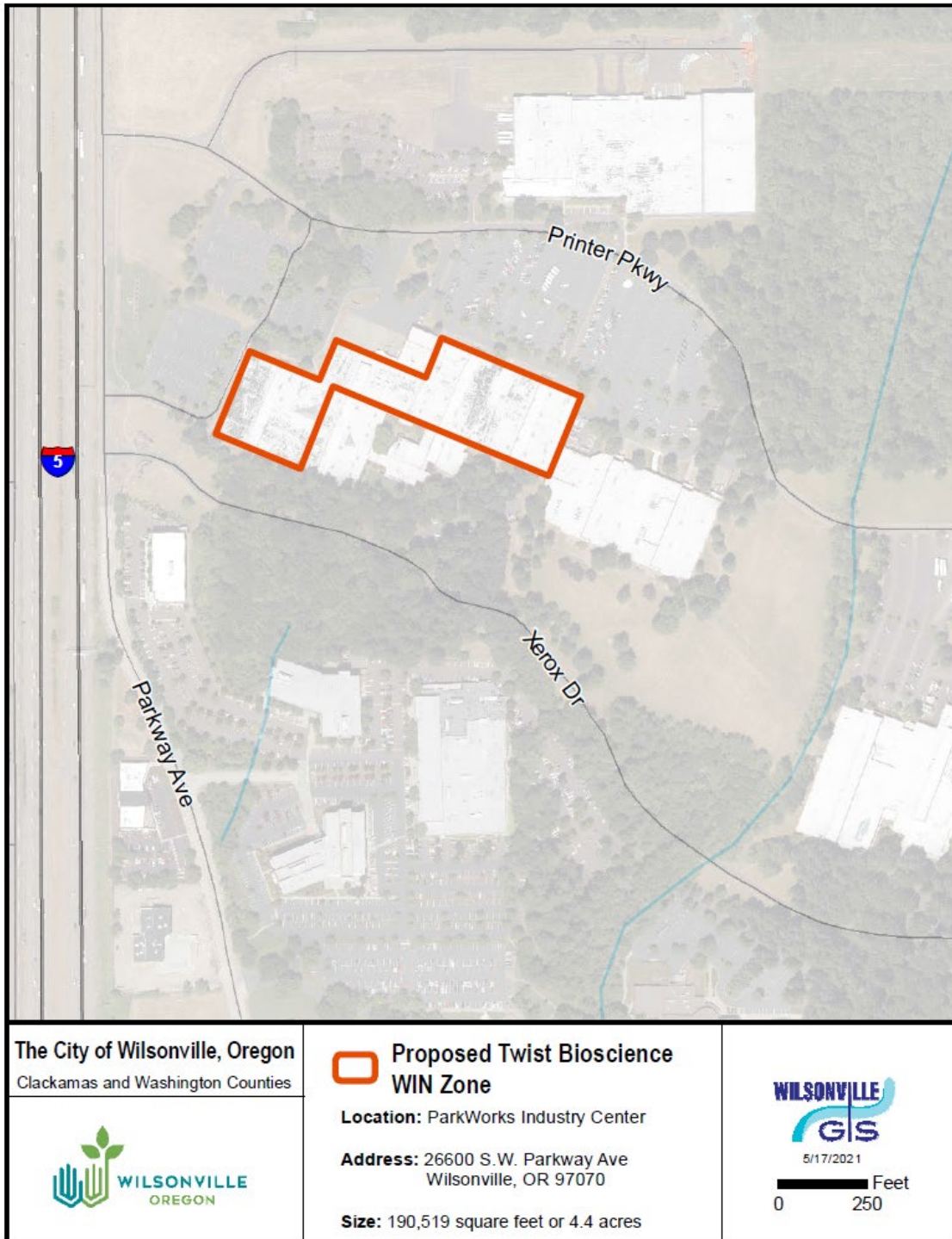
The relationship of the sections of the Report and the ORS 457.087 requirements is shown in Table 1. The specific reference in the table below is the section of this Report that most addresses the statutory reference. There may be other sections of the Report that also address the statute.

Table 1 - Statutory References

Statutory Requirement	Report Section
ORS 457.087(1)	X
ORS 457.087(2)	XI
ORS 457.087(3)	III
ORS 457.087(4)	IV
ORS 457.087(5)	VI
ORS 457.087(6)	IV, V, VI
ORS 457.087(7)	IV, V, VI
ORS 457.087(8)	VIII
ORS 457.087(9)	XII

The Report provides guidance on how the Plan might be implemented. As the Wilsonville Urban Renewal Agency (“Agency”) reviews revenues and potential projects each year, it has the authority to adjust the implementation assumptions in this Report. The Agency may allocate budgets differently, adjust the timing of the projects and make other adjustments to the financials as determined by the Agency. The Agency may also make changes as allowed in the Amendments section of the Plan. These adjustments must stay within the confines of the overall maximum indebtedness of the Plan.

Figure 1 – Report on Twist Bioscience WIN Zone Boundary



Source: City of Wilsonville

III. THE PROJECTS IN THE AREA AND THE RELATIONSHIP BETWEEN WIN AREA PROJECTS AND THE EXISTING CONDITIONS IN THE WIN AREA

The projects identified for the Report on Twist Bioscience WIN Zone (“Plan Area”) are described below, including how they relate to the existing conditions in the Plan Area.

A. Developer Incentives

WIN Zone projects authorized by the Plan are described below.

The Agency may provide incentives to qualifying applicants to improve the property in the manner described in an approved WIN Program application, in conformance with applicable City Administrative Rules. Additional details will be identified in a development agreement that stipulates the amount and timing of the development and the amount and timing of the incentive. These incentives will be a rebate of property tax revenue increment, less the costs to the City of administering the program, from the WIN Zone for a duration of seven years as established in the development agreement.

Existing Conditions: The area is the site of the former Xerox campus at 26600 S.W. Parkway Ave, Wilsonville, OR 97070, and is now an underutilized, industrial-zoned area of Wilsonville that has had a history of partial vacancy. The area is part of an 88-acre campus which includes old or deteriorated office buildings that are being converted by the property owner to a multi-tenant light industrial campus of modern industrial/flex space. The campus is ripe for rehabilitation and redevelopment, and if it was fully utilized and converted to a higher-value use such as manufacturing, the values would increase.

A. Administration

The Agency may provide administration of the Plan including but not limited to staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation and annual reports pursuant to ORS 457.460.

Existing Conditions: Since there is not a Plan, there are no existing dollars allocated to administration of the Plan.

A table showing the projects and total estimated costs is shown in Table 2. The total costs are estimated based on the projected future assessed value of the project.

IV. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The initial year cost estimates for the projects are shown in Table 2 below. These are all estimates acknowledging that these project activities must fit within the maximum indebtedness. These costs will change each year as the assessed value changes as seen in Table 3. These costs are shown in nominal, year of expenditure (YOE) dollars, and must not exceed the maximum indebtedness of \$10,000,000. The estimated project costs assume a 90% rebate to the developer and 10% to the Agency for administration of the Plan.

The Agency will be able to review and update fund expenditures and allocations on an annual basis when the annual budget is prepared.

Table 2 - Estimated Cost of Each Project in Initial Year

Project	Estimated Cost	Percentage of Total
Developer Incentives	\$ 544,277.70	90 %
Administration	\$ 60,475.30	10 %
TOTAL	\$ 604,753.00	100%

Source: City of Wilsonville and Tiberius Solutions

V. FINANCIAL ANALYSIS OF THE PLAN

The estimated tax increment revenues through fiscal year ending (“FYE”) 2030 are calculated based on projections of the growth in assessed value of new development within the Area and the consolidated tax rate that will apply in the WIN Area.

Table 3 shows the incremental assessed value, tax rates, and tax increment revenues each year, adjusted for discounts, delinquencies, truncation loss, and receipt of delinquent taxes from prior years. In Oregon, when the full amount of the property tax bill is paid by November 15, the tax payer gets a 3 percent discount. If the tax payer pays two thirds of the tax by November 15, they get a 2 percent discount. To get a discount on the current year’s tax bill, all delinquent taxes, penalty, and interest must first be paid in full.¹

The first year of tax increment collections (TIF)² is anticipated to be FYE 2024. Gross TIF revenue is calculated by multiplying the tax rate times the excess value used. Excess value is the increased assessed value over the frozen base. The tax rate is expressed per thousand dollars of assessed value, so the calculation is “tax rate times excess value used divided by one thousand.”

¹ www.oregon.gov/dor, Property Tax Payment Procedure

² TIF is also used to signify tax increment revenues

Table 3 - Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues

FYE	Assessed Value			Rate	Tax Increment Finance Revenue		
	Total	Frozen Base	Increment		Gross	Adjustments	Net (Current)
2023	\$6,483,644	\$6,111,456	\$372,188	\$12.9159	\$0	\$0	\$0
2024	\$55,398,153	\$6,111,456	\$49,286,697	\$12.9159	\$636,582	-\$31,829	\$604,753
2025	\$50,160,098	\$6,111,456	\$44,048,642	\$12.9159	\$568,928	-\$28,446	\$540,481
2026	\$44,944,901	\$6,111,456	\$38,833,445	\$12.9159	\$501,569	-\$25,078	\$476,490
2027	\$39,753,248	\$6,111,456	\$33,641,792	\$12.9159	\$434,514	-\$21,726	\$412,788
2028	\$34,585,845	\$6,111,456	\$28,474,389	\$12.9159	\$367,772	-\$18,389	\$349,384
2029	\$29,443,420	\$6,111,456	\$23,331,964	\$12.9159	\$301,353	-\$15,068	\$286,286
2030	\$30,326,723	\$6,111,456	\$24,215,267	\$12.9159	\$312,762	-\$15,638	\$297,124
Total					\$3,123,480	\$(156,174)	\$2,967,306

Source: Tiberius Solutions

VI. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

The maximum indebtedness is \$ 10,000,000 (Ten Million). This is also the estimated total amount of tax increment revenues required to service the maximum indebtedness as no formal borrowings or interest payments are anticipated in the Plan. Actual expenditures for the WIN Zone will be limited to the lesser of the maximum indebtedness, or the total tax increment finance revenues generated over the seven-year duration of the Plan. The projected cumulative tax increment finance revenues are anticipated to be \$2,967,306. The maximum indebtedness is set at a higher value to provide additional financial capacity in the event that the actual value of the investment in the WIN Zone exceeds current estimates.

VII. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The schedule for projects will be based on the availability of funding. The projects will be ongoing and will be completed as directed by the Agency. Annual expenditures for program administration are shown in Table 2.

The Agency is anticipated to complete the project and to terminate the Plan in FYE 2030, a 7-year tax rebate program.

VIII. REVENUE SHARING

Revenue sharing is not expected to be a component of the plan.

Revenue sharing is defined in ORS 457.470 and requires that the impacted taxing jurisdictions will receive a share of the incremental growth in the Plan Area at specifically defined thresholds. The first threshold is when annual tax increment finance revenues exceed 10% of the original maximum indebtedness of the Plan (10%=\$1,000,000). At the 10% threshold, the Agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. Note that the first threshold for revenue sharing does not apply until at least the eleventh year after adoption of the Plan, and therefore is not expected to apply for this WIN Area.

The second threshold is set at 12.5% of the maximum indebtedness. This threshold does not have the same 11-year restriction as the 10% threshold. If this threshold is met, revenue for the district would be capped at 12.5% of the original maximum indebtedness, with all additional tax revenue being shared with affected taxing

districts. This threshold is not expected to be met during the anticipated duration of the Plan.

IX. IMPACT OF THE TAX INCREMENT FINANCING

This section describes the impact of tax increment financing of the Plan, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the WIN Area.

The impact of tax increment financing on overlapping taxing districts consists of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the WIN Area. These projections are for impacts estimated through FYE 2030 and are shown in Table 4 and Table 5. These impacts reflect the anticipated cost of projects in the Plan, which is less than maximum indebtedness. If the Area were to incur the full amount of maximum indebtedness, impacts to taxing districts would be larger than what are shown in Table 4 and Table 5. The total impacts to taxing districts, should the Area incur the full amount of maximum indebtedness, are shown in Table 6.

The West Linn Wilsonville School District and the Clackamas Regional Education Service District (“ESD”) are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the Plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. If new school aged students move into these units and attend the local schools, the funding through the State School Fund would increase.

Table 4 and Table 5 show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. Table 4 shows the general government levies, and Table 5 shows the education levies.

Table 4 - Projected Impact on Taxing District Permanent Rate Levies - General Government

FYE	City of Wilsonville	Clackamas County - City	Clackamas County Extension & 4H	Clackamas County Library	Clackamas County Soil Conservation	FD64 Tualatin Valley F&R	Port of Portland	Road District 15 Wilsonville	Metro	Vector Control	Subtotal
2024	\$118,020	\$112,570	\$2,341	\$18,607	\$2,341	\$71,413	\$3,282	\$0	\$4,523	\$304	\$333,403
2025	\$105,478	\$100,607	\$2,092	\$16,630	\$2,092	\$63,824	\$2,933	\$0	\$4,042	\$272	\$297,970
2026	\$92,989	\$88,695	\$1,845	\$14,661	\$1,845	\$56,267	\$2,586	\$0	\$3,564	\$240	\$262,692
2027	\$80,558	\$76,838	\$1,598	\$12,701	\$1,598	\$48,745	\$2,240	\$0	\$3,087	\$208	\$227,572
2028	\$68,184	\$65,035	\$1,353	\$10,750	\$1,353	\$41,258	\$1,896	\$0	\$2,613	\$176	\$192,617
2029	\$55,870	\$53,290	\$1,108	\$8,809	\$1,108	\$33,807	\$1,554	\$0	\$2,141	\$144	\$157,831
2030	\$57,985	\$55,307	\$1,150	\$9,142	\$1,150	\$35,086	\$1,613	\$0	\$2,222	\$150	\$163,806
Total	\$579,084	\$552,342	\$11,487	\$91,299	\$11,487	\$350,400	\$16,105	\$0	\$22,193	\$1,493	\$1,635,891

Source: Tiberius Solutions

Table 5 - Projected Impact on Taxing District Permanent Rate Levies – Education

FYE	Clackamas Community College	Clackamas ESD	West Linn/Wilsonville School District	Subtotal	Total
2024	\$26,136	\$17,263	\$227,950	\$271,350	\$604,753
2025	\$23,359	\$15,429	\$203,724	\$242,511	\$540,481
2026	\$20,593	\$13,602	\$179,604	\$213,799	\$476,490
2027	\$17,840	\$11,784	\$155,593	\$185,216	\$412,788
2028	\$15,100	\$9,974	\$131,693	\$156,767	\$349,384
2029	\$12,373	\$8,172	\$107,910	\$128,455	\$286,286
2030	\$12,841	\$8,482	\$111,995	\$133,318	\$297,124
Total	\$128,241	\$84,705	\$1,118,469	\$1,331,416	\$2,967,306

Source: Tiberius Solutions

Please refer to the explanation of the schools funding in the preceding section

Table 6 – Projected Impact on Taxing Districts, Full Maximum Indebtedness Incurred

Taxing District	Total Impact
General Government	
City of Wilsonville	\$1,951,548
Clackamas County - City	\$1,861,427
Clackamas County Extension & 4H	\$38,712
Clackamas County Library	\$307,683
Clackamas County Soil Conservation	\$38,712
FD64 Tualatin Valley F&R	\$1,180,870
Port of Portland	\$54,274
Road District 15 Wilsonville	\$0
Metro	\$74,792
Vector Control	\$5,033
<i>Subtotal</i>	<i>\$5,513,050</i>
Education	
Clackamas Community College	\$432,180
Clackamas ESD	\$285,462
West Linn/Wilsonville School District	\$3,769,308
<i>Subtotal</i>	<i>\$4,486,950</i>
Total	\$10,000,000

Source: Tiberius Solutions

Please refer to the explanation of the schools funding in the preceding section

Table 7 shows the projected increased revenue to the taxing jurisdictions after tax increment proceeds are projected to be terminated. These projections are for the year after FYE 2031. The frozen base is the assessed value of the Plan Area established by the county assessor at the time the Plan is established. Excess value is the increased assessed value in the Plan Area above the frozen base.

Table 7 - Additional Revenues Obtained after Termination of Tax Increment Financing in FYE 2031

Taxing District	Tax Rate	Gross Tax Revenue in 2031		
		From Frozen Base	From Increment	Total
General Government				
City of Wilsonville	2.5206	\$15,405	\$63,330	\$78,735
Clackamas County - City	2.4042	\$14,693	\$60,406	\$75,099
Clackamas County Extension & 4H	0.0500	\$306	\$1,256	\$1,562
Clackamas County Library	0.3974	\$2,429	\$9,985	\$12,413
Clackamas County Soil Conservation	0.0500	\$306	\$1,256	\$1,562
FD64 Tualatin Valley F&R	1.5252	\$9,321	\$38,321	\$47,642
Port of Portland	0.0701	\$428	\$1,761	\$2,190
Road District 15 Wilsonville	0.0000	\$0	\$0	\$0
Metro	0.0966	\$590	\$2,427	\$3,017
Vector Control	0.0065	\$40	\$163	\$203
<i>Subtotal</i>	<i>7.1206</i>	<i>\$43,517</i>	<i>\$178,906</i>	<i>\$222,423</i>
Education				
Clackamas Community College	0.5582	\$3,411	\$14,025	\$17,436
Clackamas ESD	0.3687	\$2,253	\$9,264	\$11,517
West Linn/Wilsonville School District	4.8684	\$29,753	\$122,319	\$152,072
<i>Subtotal</i>	<i>5.7953</i>	<i>\$35,418</i>	<i>\$145,607</i>	<i>\$181,025</i>
Total	12.9159	\$78,935	\$324,513	\$403,448

Source: Tiberius Solutions

X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF WIN AREAS/URBAN RENEWAL AREA

State law limits the percentage of both a municipality’s total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base of the Report on Twist Bioscience WIN Zone (assumed to be FYE 2021 values) is projected to be \$6,111,456. The total assessed value of the City is \$3,805,484,854. The increment of the existing urban renewal areas is \$1,211,334,369. To get the total percentage of assessed value in urban renewal, you divide the total assessed value of the City minus the increment of the urban renewal areas by the frozen base values of the urban renewal areas. In Wilsonville, this results in 6.49% of the City’s assessed value being located in the urban renewal, which is below the 25% threshold. This is shown in Table 8.

The Report on Twist Bioscience WIN Zone contains 4.4 acres. There are 1,120.40 acres in urban renewal in other urban renewal areas in the City. The City contains 4,946 acres. This results in 22.69% of the City’s acreage being located in urban renewal, which is below the 25% threshold.

Table 8 - Assessed Value Statutory Limit Verification

Urban Renewal Area	Frozen Base/AV	Excess Value	Acres
West Side URA	\$ 18,017,272	\$ 697,884,073	411
Year 2000 URA	\$ 45,326,441	\$ 483,489,199	449
Coffee Creek	\$ 99,003,704	\$ 29,961,097	258
Twist Bioscience WIN Zone	\$ 6,111,456	\$ 0	4.4
Total in URAs	\$ 168,458,873	\$ 1,211,334,369	1,122.40
City of Wilsonville*	\$ 4,167,148,858		4,946
Percent of Total	5.70%		22.69%

Source: Compiled by Elaine Howard Consulting, LLC with data from the City of Wilsonville and Clackamas County Department of Assessment and Taxation (FYE 20-21)

AV – assessed value

Frozen base – assessed value the urban renewal area at the time it is established

Increment – increased assessed value over the frozen bas

URA – urban renewal area

XI. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

This section of the Report describes existing conditions within the Plan Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

A. Physical Conditions

1. Land Use

The Plan Area measures 4.4 total acres in size. The present land is on a privately owned 88-acre campus which includes old or deteriorated office buildings that are being converted by the property owner to a multi-tenant light industrial campus of modern industrial/flex space. The campus is ripe for rehabilitation and redevelopment, and if it was fully utilized and converted to a higher-value use such as manufacturing, the values would increase.

2. Zoning and Comprehensive Plan Designations

The zoning designation is Planned Development Industrial and the Comprehensive Plan designation for the area is Industrial.

B. Infrastructure

This WIN Zone is a sub portion of one tax lot only, not including right of way. Therefore, there are no infrastructure needs to be identified for the Area.

C. Social Conditions

The Plan Area is a sub portion of one parcel with no existing residents. To meet the requirement for examination of social conditions, information for the city as a whole is provided.

According to the United States Census 2019 updated data, the City of Wilsonville had a population of 24,918. Approximately forty-five percent of the residents live in owner-occupied housing, with the median value of housing units at \$408,800. Of those who are over twenty-five years of age, approximately 45% have a bachelor's degree. The median household income is \$69,043.

Table 9 - Race in the Area

White alone	19,654	83.9%
Black or African American alone	307	1.3%
American Indian and Alaska Native alone	357	1.5%
Asian alone	1,056	4.5%
Native Hawaiian and Other Pacific Islander alone	332	1.4%
Some other race alone	521	2.2%
Two or more races	1,191	5.1%
Total	23,418	100%

Source: American Community Survey 2013-2018 Five Year Estimates

The largest percentage of residents are between 25 to 34 years of age (19%).

Table 10 - Age in the Area

Under 5 years	1,658	8%
5 to 9 years	1,455	7%
10 to 14 years	1,050	5%
15 to 17 years	767	3%
18 to 24 years	2,374	11%
25 to 34 years	4,158	19%
35 to 44 years	3,173	14%
45 to 54 years	2,852	13%
55 to 64 years	1,510	7%
65 to 74 years	2,005	9%
75 to 84 years	918	4%
Total	21,920	100%

Source: American Community Survey 2013-2018 Five Year Estimates

Table 11 - Income in the Area

Less than \$10,000	425	5%
\$10,000 to \$19,999	578	7%
\$20,000 to \$29,999	658	8%
\$30,000 to \$39,999	876	10%
\$40,000 to \$49,999	487	6%
\$50,000 to \$59,999	926	11%
\$60,000 to \$74,999	1,218	14%
\$75,000 to \$99,999	1,064	12%
\$100,000 to \$124,999	939	11%
\$125,000 to \$149,999	702	8%
\$150,000 to \$199,999	664	8%
Total	8,537	100%

Source: American Community Survey 2013-2018 Five Year Estimates

D. Economic Conditions

Taxable Value of Property within the Plan Area

According to the Clackamas County Department of Assessment and Taxation, the assessed value of the property is \$6,111,456. The site is presently vacant and underutilized and is not contributing its fair share to the overall tax base of the City.

E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Plan Area (affected taxing districts) is described in Section IX of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The projects being considered for future use of WIN Zone funding are for developer incentives to assist in the development of jobs and increased assessed value on industrial properties in Wilsonville and administration of this project.

Development in the Plan Area will require City services. This development is inside the urban growth boundary and the City is expecting to provide services to the property. As the development will be new construction, it will be up to current building code and will aid in any fire protection needs.

The financial impacts from tax increment collections will be countered by increased jobs and, in the future, adding future increased increases in assessed value to the tax bases for all taxing jurisdictions, including the City.

XII. REASONS FOR SELECTION OF EACH PLAN AREA IN THE PLAN

The reason for selecting the Plan Area is to provide the ability to fund developer incentives necessary to cure blight within the Plan Area. The area is underdeveloped and has a prevalence of depreciated values to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered.

XIII. RELOCATION REPORT

There is no relocation report required for the Plan. No specific acquisitions that would result in relocation benefits have been identified. However, if property is acquired that requires relocation, the Agency shall comply with applicable relocation requirements.

**PLANNING COMMISSION
RESOLUTION NO. LP21-0001**

A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING TO THE WILSONVILLE CITY COUNCIL THAT THE PROPOSED TWIST BIOSCIENCE WILSONVILLE INVESTMENT NOW (WIN) ZONE PLAN IS SUPPORTIVE OF AND IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF THE COMPREHENSIVE PLAN.

WHEREAS, on December 17, 2012, the Wilsonville City Council approved Resolution No. 2390, referring the Ballot Title “Business Incentive Program for Investment and Job Creation by Manufacturers” to the citizens of Wilsonville for an advisory vote in March of 2013; and

WHEREAS, on March 12, 2013, the citizens of Wilsonville voted to approve the economic development incentive; and

WHEREAS, on May 6, 2013, City Council approved Resolution No. 2417 authorizing staff to take necessary steps to create multiple single-property urban renewal districts to be called Tax Increment Finance (TIF) Zones; and

WHEREAS, all of the designated TIF Zones expired on November 4, 2019 without having ever been utilized, and City Council gave staff direction to pursue modifications to the program with involvement of the Urban Renewal Task Force; and

WHEREAS, the City’s Urban Renewal Task Force met on July 22, 2020 to discuss a revised approach to single-property urban renewal areas known as the Wilsonville Investment Now (WIN) Program, and provided unanimous feedback that the WIN Program is a good direction to take a tax increment finance zone program; and

WHEREAS, the modified tax increment finance zone program offers more flexible criteria to qualifying development projects located outside of the City of Wilsonville’s otherwise designated urban renewal areas. The WIN Program provides urban renewal property tax rebates to qualifying projects and aims to attract high-value investments to the Wilsonville community that strengthen the local economy by retaining and expanding local businesses, attracting new businesses, retaining and expanding high-wage jobs, and contributing to long-term growth in the property tax base through capital investment; and

WHEREAS, Wilsonville is not eligible for traditional Enterprise Zones due to maximum thresholds for unemployment and median family income, and seeks tools to position Wilsonville as competitive with other jurisdictions that offer Enterprise Zones to incent business investment; and

WHEREAS, establishment of such a zone or zones will make the City more competitive with business recruitment, expansion and retention efforts; and

WHEREAS, on October 19, 2020, City Council approved Resolution No. 2856 establishing the Wilsonville Investment Now (WIN) Program Administrative Rules; and

WHEREAS, on June 7, 2021, the Wilsonville Urban Renewal Agency approved URA Resolution No. 315, a Development Agreement stipulating the conditions that Twist Bioscience Corporation must achieve to receive WIN Program benefits in future years, and stipulating the City's obligations to provide property tax reimbursement payments to Twist Bioscience Corporation; and

WHEREAS, on June 21, 2021, the Wilsonville Urban Renewal Agency approved URA Resolution No. 318 directing staff to take necessary steps to prepare a single property urban renewal plan and report for Twist Bioscience, including but not limited to, necessary public outreach, notification and review, consulting and conferring with taxing districts about potential impacts of the Twist Bioscience WIN Zone, review with Planning Commission to ensure Comprehensive Plan conformance, and a public hearing and vote on a non-emergency ordinance by the City Council; and

WHEREAS, on July 14, 2021 the Wilsonville Planning Commission reviewed the Twist Bioscience WIN Zone for conformance with the Wilsonville Comprehensive Plan; and

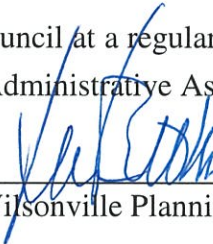
WHEREAS, the Wilsonville Planning Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

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, THE WILSONVILLE PLANNING COMMISSION RESOLVES AS FOLLOWS:

1. Does hereby adopt Resolution LP21-0001, as presented at the July 14, 2021, public hearing, including the findings and recommendations contained therein, and does hereby recommend to the Wilsonville City Council that the proposed Twist Bioscience WIN Zone is supportive of and in conformance with the applicable provisions of the City of Wilsonville Comprehensive Plan as approved on July 14, 2021, by the Planning Commission
2. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 14th day of July 2021, and filed with the Planning Administrative Assistant on July 14, 2021.



Wilsonville Planning Commission

ATTEST:



Tami Bergeron, Administrative Assistant III

SUMMARY OF VOTES:

Chair Kamran Mesbah	<u> y </u>
Vice-Chair Jennifer Willard	<u> y </u>
Commissioner Ron Heberlein	<u> y </u>
Commissioner Jerry Greenfield	<u> y </u>
Commissioner Aaron Woods	<u> y </u>
Commissioner Breanne Tusinski	<u> y </u>
Commissioner Olive Gallagher	<u> y </u>

Exhibits:

- A. Twist Bioscience WIN Zone Plan
- B. Twist Bioscience WIN Zone Report

August 2, 2021

Attachment 2: Statement from Twist Bioscience regarding Wilsonville

At Twist Bioscience, we work in service of customers who are changing the world for the better. In fields such as medicine, agriculture, industrial chemicals and data storage, by using our synthetic DNA tools, our customers are developing ways to better lives and improve the sustainability of the planet.

Twist was founded in 2013, has approximately 660 employees and is excited to be an active member of the community of Wilsonville. We will make synthetic DNA products onsite in Wilsonville, bringing up to 400 jobs to the site. None of our products are alive, and we will not have any biological hazardous materials onsite in Wilsonville. We will have liquid nitrogen in a large, contained tank outside. All of our chemicals used in our operations have both primary and secondary containment in a completely closed system – that means that 100% of the waste is captured in the waste tank, which is picked up and recycled or disposed.

The owner of the building, SKB, is separate from Twist Bioscience. The changes to the building were approved through a separate permit, which included a full assessment and arborist study. SKB will be removing diseased trees, and replacing those trees with healthy trees, and retaining the wetlands.

We look forward to becoming an active member of the Wilsonville community and will be happy to have additional conversations as useful.

Angela Bitting

SENIOR VICE PRESIDENT, CORPORATE AFFAIRS

P 925-202-6211

E abitting@twistbioscience.com



[TWITTER](#) | [LINKEDIN](#) | [FACEBOOK](#) | [YOUTUBE](#)

681 Gateway Blvd, South San Francisco, CA 94080



WRITING THE FUTURE

We are a leading provider of synthetic DNA and synthetic DNA-based products, which enable responsible research across many industries.

WHAT IS SYNTHETIC DNA

Synthetic DNA is identical to natural DNA but is manufactured in a laboratory and is not associated with a living organism. It can be used to discover new medicines, identify disease genes, create new biomaterials for clothing, building and more, develop beneficial traits for crops, and even store digital data.

Our proprietary method of manufacturing DNA miniaturizes the process to create 9,600 genes in the same space typically used to make one. This miniaturization reduces the amount of chemical use by 99.8%, drastically improving sustainability and decreasing the impact on the planet. We provide the synthetic DNA and tools that our customers use to create products.

APPLICATIONS OF SYNTHETIC DNA



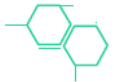
MEDICINE

Synthetic DNA is a critical component in the identification and diagnosis of disease in addition to the development and production of biologics and antibody drugs to improve healthcare and enable personalized medicine. During the COVID-19 pandemic the company developed several tools to support researchers in combating the virus, including controls necessary for accurate tests, assays to track viral evolution (variants) and tools to differentiate between respiratory diseases.



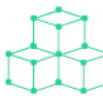
AGRICULTURAL-BIOTECHNOLOGY

The security of the world's food supply requires engineering crops resistant to evolving pests, adapted to more extreme drought and flood conditions as well as more affordable and sustainable by eliminating the need for fertilizers.



INDUSTRIAL CHEMICALS

The production of chemicals is shifting to biological processes that use atmospheric carbon dioxide (CO₂) as the source of carbon. By introducing synthetic DNA into the genes of yeast, bacteria and algae, the natural process of sugar fermentation can produce diverse chemicals like spider silk used for clothing, nylon used in carpet, rubber used in tires, and plastics used in everyday life.



STORING DIGITAL DATA ON DNA

While the demand for digital data continues to grow, the supply is becoming more and more limited. Since all of the world's digital data could be stored in the trunk of a car (very compact) Twist is leveraging its breakthrough DNA synthesis technology to store digital data on DNA.

OUR CUSTOMERS ARE CHANGING THE WORLD

VANDERBILT UNIVERSITY

Supplying genes for the DARPA Pandemic Prevention Plan (P3), designed to enable a therapeutic response to a pandemic out-break in 60 days. Pivoted to COVID-19 in 2020; several antibodies are now in clinical development.

CHILDREN'S HOSPITAL OF PHILADELPHIA

Using DNA-based products to identify epilepsy with very old blood spots obtained at birth

ARZEDA

Using synthetic DNA to create a next-generation plexiglass as well as a food and beverage sweetener

TAKEDA

Working with Twist to discover and optimize new therapies for cancer, neurology, gastroenterology and rare diseases.

**City of Wilsonville
City Council Meeting**

SPEAKER CARD

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.

NAME: Christopher Shotola-Hardt

Date: 09/09/21

ORGANIZATION OR BUSINESS AFFILIATION:

Wilsonville Arts & Culture Council (WACC)

ADDRESS: 28702 SW Glenwood Circle, Wilsonville OR 97070

TELEPHONE: 503.313.2559

E-MAIL: wilsonvilleartspresident@gmail.com

AGENDA ITEM YOU WANT TO ADDRESS: Announce highlights of programming for Wilsonville Arts & Culture Council (WACC)

[Two WACC board members are announcing this evening. Please have Christopher Shotola-Hardt go first, Troy Mathews go second. Thank you.]

Note: If written documentation is presented, please furnish at least one copy, along with this form, to the City Recorder for the official record. Thank you.

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NAME: Troy Mathews **Date:** 9-9-21
(Please print legibly)

ORGANIZATION OR BUSINESS AFFILIATION: Wood Middle School/ Wilsonville Art and Culture Council

ADDRESS: 11055 SW Wilsonville Rd, Wilsonville, OR 97070

TELEPHONE: 503-998-1141 **E-MAIL:** mathewst@wlwv.k12.or.us

AGENDA ITEM YOU WANT TO ADDRESS: Announce Wilsonville Community Portrait Project by Wilsonville Art and Culture Council and The WLWV school district.

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NAME: Susan Schenk
(Please print legibly)

Date: 9-9-21

ORGANIZATION OR BUSINESS AFFILIATION: Wilsonville Boones Ferry Historical Society

ADDRESS: 11010 SW Morey Ct 97070

TELEPHONE: 503 505-2115 **E-MAIL:** schenk.susan3@gmail.com

AGENDA ITEM YOU WANT TO ADDRESS: 2019-2021 Community Enhancement Grant

Note: If written documentation is presented please furnish at least one copy, along with this form, to the City Recorder for the official record. Thank you.

