

Development Review Board Panel B Meeting June 27, 2020 6:30 pm

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

- Board members are participating virtually, via Zoom videoconferencing
- Anyone experiencing fever or flu-like symptoms should not attend
- Council Chambers capacity is limited to 10 people

To Provide Public Comment

- 1) E-mail Daniel Pauly at <u>pauly@ci.wilsonville.or.us</u> for Zoom login information
- 2) E-mail testimony regarding Resolution No. 379 (Lowrie Primary Modular Temporary Use Permit) to Georgia McAlister at <u>gmcalister@ci.wilsonville.or.us</u> by 3 pm on June 27, 2020.
- In-person testimony is discouraged, but can be accommodated. Please contact Daniel Pauly at <u>pauly@ci.wilsonville.or.us</u> or by phone at 503-682-4960 for information on current safety protocols.



Wilsonville City Hall Development Review Board Panel B

Monday, July 27, 2020 - 6:30 P.M.

- I. Call to order:
- II. Chairman's Remarks:
- III. Roll Call: Richard Martens Shawn O'Neil Samy Nada

Ellie Schroeder Nicole Hendrix

- IV. Citizens' Input:
- V. Consent Agenda:A. Approval of minutes of the April 27, 2020 DRB Panel B meeting

VI. Public Hearings:

A. Resolution No. 379. Lowrie Primary School Modular Classroom Temporary Use Permit: West Linn–Wilsonville School District – Applicant/Owner. The applicant is requesting approval of a One-Year Temporary Use Permit for temporary placement of a modular classroom building at Lowrie Primary School. The site is located at 28995 SW Brown Road on Tax Lot 302 of Section 15, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Georgia McAlister

Case File: DB20-0032 One (1) Year Temporary Use Permit

- VII. Board Member Communications:
 - A. Results of the May 11, 2020 DRB Panel A meeting
 - B. Recent City Council Action Minutes
- VIII. Staff Communications:
- IX. Adjournment

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this 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 such services, please call the Planning Assistant at 503 682-4960

MONDAY, JULY 27, 2020 6:30 PM

- V. Consent Agenda:
 - **A.** Approval of minutes from the April 27, 2020 DRB Panel B meeting

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

Development Review Board – Panel B Minutes–April 27, 2020 6:30 PM

I. Call to Order

Chair Samy Nada called the meeting to order at 6:30 p.m. The meeting was conducted and recorded via Zoom.

II. Chair's Remarks

The Conduct of Hearing and Statement of Public Notice were read into the record.

III. Roll Call

Present for roll call were:	Samy Nada, Ellie Schroeder, Shawn O'Neil, Richard Martens, and Nicole Hendrix
Staff present:	Kimberly Rybold, Daniel Pauly, Barbara Jacobson, Cindy Luxhoj, Khoi Le, Shelley White, Andy Stone, Beth Wolf

IV. Citizens' Input This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

V. Consent Agenda:

A. Approval of minutes of February 24, 2020 DRB Panel B meeting Ellie Schroeder moved to approve the February 24, 2020 DRB Panel B meeting minutes as presented. Shawn O'Neil seconded the motion, which passed unanimously.

VI. Public Hearing:

A. Resolution No. 376. Nicoli Pacific Industrial Building and Storage Yard: CIDA Architects & Engineers – Representative for David Nicoli, Nicoli Pacific LLC – Owner. The applicant is requesting approval of a Stage I Master Plan Modification, Stage II Final Plan, Site Design Review, Class III Sign Review and Type C Tree Removal Plan for development of Phase 1 of a new three-Phase Industrial development. The subject site is located on Tax Lots 300 and 500 of Section 14A, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files:	DB20-0002	Stage I Master Plan Modification
	DB20-0003	Stage II Final Plan
	DB10-0004	Site Design Review
	DB20-0005	Class III Sign Review

DB20-0006 Type C Tree Removal Plan

Chair Nada called the public hearing to order at 6:36 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Cindy Luxhoj, Associate Planner, announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Ms. Luxhoj presented the Staff report via PowerPoint, noting the property's location and surrounding features, and briefly reviewing the site's background and the proposed applications with these comments:

- The Nicoli Pacific property was approximately 6.2 acres in two undeveloped parcels, adjacent to the Walnut Mobile Home Park. The site was located in Area of Special Concern E in the Comprehensive Plan and subject to requirements of the Screening and Buffering Overlay Zone along the southern property boundary shared with the Walnut Mobile Home Park.
- The focus of tonight's hearing regarded Phase 1 of a three-Phase 1ndustrial development totaling approximately 85,000 sq ft within two parcels, Tax Lots 300 and 500. Phase 1 development would occur on Tax Lot 500. After an approved lot line adjustment and partition plat, the parcel was approximately 2.35 acres. The subject site fronted on SW Boberg Road and was zoned Planned Development Industrial (PDI). (Slide 3)
 - The Hardscape Plan for Phase 1 was also displayed (Slide 3), which included a singlestory, 13,200 sq ft metal building with 2,024 sq ft of office, an 1,800 sq ft storage mezzanine, an accessory wash bay, and repair areas. The building would be 30 ft, 8 in tall, and the site would also have an approximately 52,700 sq ft paved outdoor storage yard north of the building.
 - The property owner, Nicoli Pacific, LLC, through DP Nicoli Shoring Solutions, provided shoring equipment such as steel plates, trench shields, and slide rails to the construction industry. Industrial operations onsite included loading and unloading of shoring equipment, equipment washing, and equipment repair.
 - The objective of the development, as described in the Applicant's materials, was to provide an efficient and functional facility that fit into the surrounding industrial context and respected the sensitivity of the adjacent residential area.
 - In addition to Phase 1 development, the request revised the Stage I Master Plan for the entire property.
- Proper noticing for the application was followed, including clarifying background information about the project and comparing it to the proposal in 2019 that was withdrawn. It also outlined adaptations for the hearing process and providing testimony that were adopted by the City in response to the Covid-19 pandemic.
- The Applicant sent the letter dated April 03, 2020 to the Walnut Mobile Park Residents to explain changes to the project since their application last year and to solicit comments from

residents. A copy of the letter had been emailed to Board members and had been entered into the record as Exhibit B4. No comments to either the public notice or the Applicant's letter had been received to date.

- A Stage I Master Plan for the entire property was approved by the DRB in May 2019, which included three speculative industrial flex buildings totaling approximately 96,000 sq ft developed in three phases. The Master Plan anticipated each building accommodating office technology, headquarters, manufacturing, and warehousing.
 - The Stage I Master Plan Modification sought to change the order of development, the anticipated building size for Phases 1 and II, and the overall size of the full development due to unanticipated site grading limitations and economic obstacles associated with the development as initially proposed last year. A comparison of the previously-approved Master Plan and requested modification was included in the Staff report. (Slide 6)
 - With the Stage I Master Plan modification, Phase 2 of the previously-approved plan would become Phase 1 of the current application, and include a smaller, 13,200 sq ft one-story building with a larger 52,700 sq ft outdoor storage yard on Tax Lot 500 and fronting SW Boberg Rd. This current phase did not have building frontage on SW Boones Ferry Rd. There was no change to Phase 3.
- The Stage II Final Plan reviewed the function and design of what was now Phase 1, and included assurance the proposal met all the performance standards of the PDI Zone. The proposed Stage II Final Plan met or would meet, with conditions of approval, the traffic and vehicle access, industrial performance, pedestrian access and circulation, parking, and landscaping standards of the PDI Zone.
 - No waivers to the development standards had been requested by the Applicant, and a condition of approval ensured that the outdoor storage area would not begin operation until the required site-obscuring fencing and plantings were installed and approved by the City.
 - A visual separation and site-obscuring screen of the outdoor storage yard from adjacent properties and the public right-of-way was required. As proposed, screening of the outdoor storage yard met the required High Screen Standard. The storage yard would be surrounded by a 6-ft tall chain link fence with privacy slats on all sides. Landscaping on the north and east side included Sky Pencil Japanese Holly, which would meet a mature height of 6 ft to 8 ft, along the inside of the perimeter fencing and upright European Hornbeam trees, spaced approximately 30 ft on center. On the west side, facing SW Boberg Rd, landscaping would be outside the fence and include the aforementioned Holly and Hornbeam as well as Otto Luyken laurel, Mexican feather grass, and ground cover plantings.
 - The City's industrial performance standards required limitations on noise that could be generated by truck circulation and loading/unloading activities within 100 ft of residential areas, particularly related to night operations.
 - The project's south driveway and drive aisle, the main entry point for trucks accessing the storage yard, was located within 100 feet of the Walnut Mobile Park's property line. To ensure compliance with the standard, a condition of approval was included to prohibit truck circulation and maneuvering in the area between 10 pm and 7 am so long as the property to the south was used for residential purposes.

Additionally, the area must be clearly marked with signs or other means that indicated the limitation. (Slide 9)

- The previously approved Zone Map Amendment for the property rezoned the site from RA-H to PDI. The approval was conditioned to give consideration to design objectives of Area of Special Concern E, and those conditions continued to apply to the proposed development.
 - Additionally, the previously-approved Stage I Master Plan included conditions specific to the Screening and Buffering Overlay Zone that required appropriate screening and buffering for areas where residential and non-residential land uses abut. For industrial properties, either a 10-ft buffer with landscaping to the high wall standard or a 20-ft buffer with landscaping to the high screen standard was required. There were also restrictions on outdoor motor vehicle access and exterior operations and signs. The DRB could impose additional landscape requirements to minimize the visual impacts of any approved vehicle access points. Those conditions continued to apply to development proposed in the current Phase 1 application.
 - In response, the Applicant had proposed a 30-ft-wide buffer with landscaping to the high screen standard between the proposed development and the north property boundary of the mobile home park which exceeded the Screening and Buffering Overlay Zone requirements for buffer width by 10 ft. A 6-ft-tall chain link fence with privacy slats was proposed for the northern boundary of the buffer area and dense plantings meeting the high screen standard would line the fence on the south side to provide additional screening of industrial operations. Trees, shrubs, and ground water in the stormwater swale through the center of the buffer area would further screen activities to the north.
 - Per the Applicant, the landscape plantings were low maintenance and would provide a visually appealing environment for residents of the mobile home park.
 - In addition to meeting the buffering requirements, the development also complied with the conditions by being carefully designed, promoting continuity with other development in the area, minimizing conflict between truck traffic and residential activities, and not allowing motor vehicle access, exterior operations, or signs in the Screening and Buffering Overlay Zone.
- Staff noted the Applicant had addressed concerns expressed by the mobile home park residents, which she offered to elaborate on should the DRB have questions.
- Site Design Review. The proposed project included a new engineered metal building on the south side of the Phase 1 site with a secured, screened outdoor storage area on the north side. The building's main entrance was on the north side, and substantial glazing at the northwest corner would provide eyes on the street to the interior, north to the storage yard, and west to Boberg Rd. (Slide 11)
 - As described in the Applicant's materials, the layout and design provided variation in materials complementary to the commercial industrial context of the location while offsetting the simplistic geometry of a standard metal building. The contrasting color selection and varying texture of vertical metal siding and ground and split-face CMU block wrapping the base added interest and color, giving the building a modern aesthetic appeal.

- Landscaping would enhance and improve connectivity to neighboring properties along SW Boberg Rd, while contributing to the development's visual environment and providing buffering and screening to the residential area to the south.
- Class III Sign Review. The building would have frontage on SW Boberg Rd, and buildingmounted signs were proposed on the north and west sign eligible elevations. No signs were proposed on the south and east sides of the building, and no freestanding signs were proposed along the Boberg frontage. Proposed signs were appropriately located on the building and within the allowed sign area for each elevation. The signs were typical of and compatible with development in the PDI Zone with design and colors reflecting corporate identity, placement in recognizable sign bands, and proportional to the building facades. The signs were compatible with the building's color scheme and architectural elements and met the dimensional requirements.
- Type C Tree Removal Plan. The Phase 1 site was open field with two Red Oaks roughly in the center and another eight trees located along the south boundary. Most of the trees, except for the Oaks, were tree stump sprouts and had been topped for utility line clearance. Species included hazelnut, hawthorn, and big leaf maple.
 - The Applicant proposed removing all ten trees and mitigating their removal by planting 32 trees in landscape areas and 22 trees in the stormwater facilities on the Phase 1 site, which substantially exceeded the mitigation requirements.
 - The adjacent property to the north had three deciduous trees with drip lines that extended into the subject site along its northern boundary. The Tree Maintenance and Protection Plan included tree protection fencing along the north property boundary at the drip line of the trees to protect them during construction.
- Staff noted the City had received a letter on April 1, 2020 from Dave Nicoli, owner of Nicoli Pacific, LLC., that requested accelerated review of the current application and waiver of some requirements governing the application approval process. Mr. Nicoli asked that his letter be shared with the DRB, City Manager, and City Council, which it was. The City responded to Mr. Nicoli's letter on April 6 with assurances that the City was working hard to facilitate the successful approval and completion of the project. Both letters were included in the record as Exhibits B3 & A3, respectively.
- Staff noted a correction to Condition of Approval PFA9, one of the Engineering Division conditions on page 17 of 60 in the Staff report. Condition PFA9 should state, "**Prior to issuance of Final Building Certificate of Occupancy**, construct record an 8-ft-wide public utility easement (PUE) along the site's frontage on SW Boberg Rd."
- Based on the findings of fact and information included in the Staff report and information received from a duly advertised public hearing, Staff recommended approval with conditions of the requested applications for Phase 1 of the Nicoli Pacific Industrial Building and Storage Yard Project.

Shawn O'Neil stated that the applicant's letter to the Walnut Mobile Park residents on April 3 referenced a May 21, 2019 meeting. He asked if anybody from the City had attended that meeting.

Ms. Luxhoj confirmed she had attended the meeting and that there were quite a few residents in attendance.

Mr. O'Neil asked Ms. Luxhoj to share any comments she had heard from the residents at that meeting about their concerns or proposed ideas, and if the City would help him understand how those ideas, if any, were incorporated into the proposal before the Board this evening.

Ms. Luxhoj stated that per the meeting's sign-in sheet, 15 people had signed in. As she recalled, several residents whose homes backed up to the subject property were in attendance to look at the proposal. Their concerns were summarized in the notes provided by the Applicant and included trucks entering and existing the property.

- One resident at the northwest corner of the mobile home park, whose residence was likely closest to property line, was concerned with trucks exiting the south driveway and possibly presenting safety conflicts due to her parking space location. In the newest proposal, the circulation of trucks had changed. Trucks would enter via the south driveway but exit from the north driveway, several hundred feet from the south property boundary.
- Noise, particularly at night, was another concern, which had been addressed by the noise abatement area that was within 100 ft of the property boundary. Also, the storage yard was on the north side of the building. Any night or emergency operations outside of the abatement hours would utilize only the north driveway, not the south driveway.
- In the previous proposal, the buffer area was 10-ft wide with a 6-ft wall on the north side of the buffer area. In the new proposal, an additional 20-ft was added to the buffer. The wall was replaced with a chain link fence, but more substantial landscaping had been added.
- One letter was received from Shirley Keith, the resident in the above-mentioned northwest corner of the mobile home park, and her concerns centered around providing as much buffer as possible between the property boundary and the site activity. Ms. Luxhoj believed that had been achieved with the new proposal. Ms. Keith was also concerned about truck traffic, the south driveway, and having that driveway as far from her as possible. In the new proposal, there was 30-ft separation.

Mr. O'Neil thanked Ms. Luxhoj for her clear response. He asked if the noise abatement at 10 pm was a Wilsonville standard or specific to this proposal.

Ms. Luxhoj replied it followed the standard Noise Ordinance requirement of 10 pm to 7 am.

Ellie Schroeder stated that the latest letter, dated April 3, (Exhibit B4), gave a phone number for residents to call, but the number was only available during business hours. She asked how residents could contact the Applicant if operations occurred outside of business hours. She added the police would not respond because it would be a civil manner.

Ms. Luxhoj clarified the number in the letter was to address the proposed development.-

Kimberly Rybold, Senior Planner, clarified if operations occurred outside normal business hours that would be a nuisance issue and Code compliance issue. During non-business hours,

residents could call the police, who would then likely coordinate with the City's Code Compliance Officer to work through that.

Ms. Schroeder said she believed it was not beyond the capability of the Applicant to provide an individual who could take those calls rather than residents calling police.

Barbara Jacobson, City Attorney, suggested the Applicant address that matter during their presentation.

Ms. Schroeder stated the temporary permit, B78, stated that the chain link fence would enclose the outdoor storage area, noting it stated, "A condition of approval will ensure that the outdoor storage area won't begin operation until the fence is erected and landscaping is in place unless a Temporary Occupancy Permit is issued if they post a bond." She asked how long the bond would be good for if the Applicant had not erected the fence and put in the landscaping.

Ms. Rybold explained the temporary occupancy permits were issued by the Building Division, which were typically only good for a certain period of time, and could only be renewed a limited number of times. In order to get final occupancy, the Applicant would have to complete those landscaping improvements, which inherently created a timeframe for them in terms of the difference between the temporary and final occupancy. She confirmed the Applicant's incentive was that they would lose the bond if they did not complete the work. The bond also allowed the City to install the landscaping itself if needed, and the City would also withhold approval of the final occupancy permit until it was completed.

Richard Martens stated there was a reference in the application to an equipment washing facility. He asked if that gave rise to any mitigation requirement for the runoff. He noticed there was a reference in the report to the stormwater analysis to be prepared by a professional engineer, but he was unsure if that related to the washing activity or normal stormwater management on the property.

Ms. Luxhoj stated the Applicant could provide more information regarding the wash bay, but she understood any wastewater post equipment cleaning would be recirculated because the Applicant used a self-contained system with no discharge from the wash bay to the sewer. She confirmed that the stormwater analysis that was to be prepared did not relate to the equipment washing facility, only to normal, ground water management.

Nicole Hendrix commented that while the noise abatement fell into hours of a traditional schedule per City ordinance, 10 pm was still pretty late.

Chair Nada stated that under the traffic and vehicle access portion of the report, the Applicant had asked for a waiver on the distance between the two driveways. The City had required 300 ft, but the waiver requested only 100 ft. He asked about the strategy for requiring the 300 ft, adding he wanted to ensure the 100 ft requested in the waiver would still provide adequate safety.

Khoi Le, Development Engineer, stated that in the City Code 300 ft of driveway space between driveways was preferred, but the minimum was 100 ft. If the Applicant met the minimum spacing of 100 ft, the deviation was approvable. Staff approved of the subject waiver because the second driveway to the north was only for trucks. Passenger vehicles would only use the south driveway, which would keep truck traffic to a minimum. The second driveway was secondary, not primary. Therefore, the south driveway met the 300-ft space requirement from the mobile home park and also 300 ft space requirement from the north driveway.

Chair Nada asked how many trips per day were considered "minimal trips."

Mr. Le explained that for a collector street in an urban area, the Code allowed less space between driveways due to slower traffic, more pedestrians, bikes, etc. on the street, and therefore, the City had leeway to allow for the minimum distance between driveways. Additionally, constraints due to the driveway locations and within the urban area prevented the driveway from being placed 300 ft away.

Chair Nada stated it appeared that the Traffic Study only studied two intersections, Boberg Rd and Boeckman, and Boones Ferry and Barber St. He asked if other intersections had been studied.

Mr. Le explained that this application did not require a traffic study and that what Chair Nada had looked at was from the previous application. The Applicant only provided a memo because the number of trips generated by this development was minimal, at only 11, during PM Peak Hours, so no actual Traffic Study was necessary.

Chair Nada called for the Applicant's presentation.

Gavin Russell, CIDA Architecture & Engineering, 15895 SW 72nd Ave, Suite 200, Portland, OR 97224, thanked everyone for attending the meeting. He presented the application via PowerPoint, which also addressed the letter sent to the Walnut Mobile Home Park residents (Exhibit B4) with these key comments:

- On April 3 the Applicant sent out a brief overview of the changes to the development on the site with additional images and information. The Applicant chose to use a letter since they could not meet in person with residents, but they had had the opportunity for an open conversation with the residents and the owner of the Walnut Mobile Home Park property over the past year.
- The current proposal implemented the design standards that had been previously discussed with some changes, such as the 30-ft buffer with chain link fence and privacy slats and a high screen standard for landscaping.
- The Applicant was preserving as many trees as possible on the site.
- No signage would be located in the buffer area, and no industrial work would be performed in the buffer area.

- The Applicant had tried to minimize traffic conflicts by placing the driveways more than 300 ft from the existing Walnut Mobile Home Park driveways. A new public sidewalk was also included, which would help with safety and increase pedestrian movement along Boberg Rd.
- The Applicant had implemented the 100-ft sound reduction boundary. An elevation was displayed showing the view of the proposed building from the Walnut Mobile Home Park and what the sound reduction boundary would look like once built.
- He believed the Board had copies of the letter sent to the residents, and noted the Applicant's intent was to work with the neighbors and promote a good relationship.

Mr. Martens asked if the washing facility was self-contained from a wastewater standpoint.

Mr. Russell confirmed that it would be self-contained, and deferred to either Dave Nicoli or Craig Harris to better answer the question.

Ms. Schroeder stated she was quite impressed, adding the Applicant had done a wonderful job. She was glad to see the Applicant had been in contact with the community, noting it must be difficult to have residential in the middle of a light industrial area. She asked who residents could contact if they had any issues during non-business hours with the operations at the proposed site, and specifically during construction. Was there a phone number residents could call 24/7 and avoid calling 911.

Mr. Russell replied the Applicant did not have a plan for that currently, and deferred to Dave Nicoli to respond further. He believed it would be an ongoing conversation that would occur and be cleared up once they moved forward.

Ms. Schroeder believed the more the Applicant could create a good relationship with their neighbors, the better everything would go for the Applicant, and the neighbors would feel more included in the project.

Dave Nicoli, Nicoli Pacific LLC, PO Box 2401, Lake Oswego, OR 97035, stated the number for the general contractor or designated manager for the project would be posted and would be given to all residents in the mobile home park. He explained that once the business opened, the work number would be 24/7 because the company sometimes did emergency work and residents could easily call that number.

• The wash bay system was designed by a company in California and completely selfcontained. No water would go into the City's storm or sanitary sewer, in fact, there would not even be a storm or sanitary sewer in that area. The wastewater would get filtered and cleaned. The heavy debris had a settling tank that would be periodically emptied. Water would be added as needed due to evaporation. Although not required, the system would be covered. A member of City Staff had looked at the same facility at the Applicant's Tualatin location. Currently, they had five in operation on the West Coast and they worked very well. **Ms. Schroeder** stated that she had been in the water treatment business, and could speak to that system. She added that it also reduced water usage, which was also good for the city.

Mr. O'Neil asked Tara Lund if she had received any emails or phone calls directly from any residents after the April 3, 2020 (Exhibit B4) letter had gone out.

Tara Lund, CIDA Architecture & Engineering, 15895 SW 72nd Ave, Suite 200, Portland, OR 97224 confirmed she did not receive any emails, phone calls, or any feedback at all after the letter went out. She further clarified that if she had received any phone calls outside of the hours posted in the letter, she would have received notification of those calls.

Mr. O'Neil asked if the business would be conducting any operations after 10 pm, including trucks coming and going. He understood the 10 pm noise abatement was in the City Code, but he wanted clarification on how the site would be utilized, if at all, in the evening.

Mr. Nicoli replied that D.P. Nicoli normally operated from 7 am until 5 pm, but it was an emergency-type business, so, if they received an after-hours call from an entity that required their product, they would have to access the property in the evening to get the equipment. That was rare, and he could not remember the last time that had happened in Oregon, but it was possible.

- He explained that the sound ordinance was not scientifically-based, but rather distancebased. The Applicant had hired an acoustics engineer from Stanford who went to the proposed location and measured the ambient noise from the freeway at night. He then went to the Applicant's Tualatin facility and measured the ambient noise while the business was operating during the day. The engineer concluded that no matter how much noise was made, the residents would not hear it because the freeway noise would mask it.
- He believed D.P. Nicoli would be a great neighbor and they intended to stay in great communication with the neighbors. One of his best friends owned the mobile home park property and the Applicant would do their best to be a great neighbor.

Mr. O'Neil appreciated Mr. Nicoli's input and explained that sometimes the DRB worried about the imagery of trucks and business late at night. In reality, it sounded like it would be a rare occasion in the event of emergency.

Mr. Nicoli agreed, adding that was why the property was laid out the way it was so that even in those emergency situations, everything would be 100 ft away and the trucks would use the secondary driveway. As such, he did not believe the neighbors would hear anything.

Mr. Schroeder stated the DRB was thrilled to have a new business in Wilsonville.

Ms. Hendrix thanked the Applicant for all the thought put into the neighbors, adding she appreciated the buffer zone.

Chair Nada asked if the April 3rd letter (Exhibit B4) sent to residents was sent to all residents of Walnut Mobile Home Park or only those residents who lived in proximity to the construction.

Mr. Russell replied it was sent to the residents.

Chair Nada asked how many fulltime employees would be working on the site, noting he wanted to ensure there was sufficient parking for them.

Mr. Nicoli responded they had done a study on that. With the dispatcher, an assistant, and the truck drivers, there would be seven to nine employees.

Chair Nada asked how the contact phone number and any accompanying information to contact the Applicant would be communicated to the residents.

Mr. Russell responded they could send it directly to the property manager, who could then disperse it to the residents.

Chair Nada thanked the Applicant for their effort in presenting the application and reaching out to the residents to ensure all issues were resolved.

Ms. Luxhoj clarified that regarding the wash bay and any potential discharge, a Public Works pre-treatment condition of approval on Page 72 specified that if the intent was not to connect the wash bay to the sanitary sewer, then the owner was required to submit an annual no discharge certification to the City's pre-treatment coordinator, Mia Pan.

• She also noted the following correction on page 11 of 60 under Public Improvements and Dedications, the third sentence should state, "A 3.5-foot landscape *right-of-way* dedication..."

Chair Nada called for public testimony in favor of, opposed, and neutral to the application, noting the various methods available for citizens to submit any comments. No comments or requests for comment were received.

Chair Nada closed the public hearing at 7:35 pm.

Mr. O'Neil stated that he wanted to emphasize that this was a very well put together presentation, the community and neighbors were properly addressed, and there was a meeting. He felt the Applicant had done a very good job. No one copied what the Staff had to say. The Applicant was prepared, really answered questions, and he strongly agreed that the DRB should approve the resolution before the Board.

Chair Nada thanked Mr. O'Neil and agreed with him. The Staff and Applicant had done a really good job at reaching out and communicating to residents.

Ellie Schroeder moved to approve Resolution No. 376 with the corrections to the Staff report noted by Staff. Shawn O'Neil seconded the motion.

- The following corrections were made to the Staff report: (*Note: additional language in bold, italic text; deleted language struck through*)
 - On Page 11 of 60 under Public Improvements and Dedications, the third sentence was corrected to state, "A 3.5-foot landscape *right-of-way* dedication..."
 - Correct Condition PFA9 on Page 17 of 60 to state, "Prior to issuance of Final Building Certificate of Occupancy, construct *record* an 8-foot wide public utility easement (PUE)..."

The motion passed unanimously.

Chair Nada read the rules of appeal into the record.

VII. Board Member Communications:

A. Recent City Council Action Minutes

There were no comments.

VIII. Staff Communications

Kimberly Rybold noted some of City Council's action minutes dated back to February and March. During that time, Planning had some long-range projects that went before the City Council for work session, including the Equitable Housing Strategic Plan and updates on Town Center projects, including the I-5 Pedestrian Bridge Project.

- The Residential Code Modernization Project also had a couple of work sessions and the ordinance was approved on first reading by City Council last month. The ordinance would affect some of the technical details and requirements for PDR Zones in the city, particularly as they related to lot size and open space requirements, so when future projects that were residential in nature came before the DRB, Board members would notice some standards had changed, hopefully in such a way as to make them more workable and usable for all involved.
- She noted Staff continued to work hard to ensure they were still serving customers, issuing permits, and reviewing applications. There were still active applications in, but she did not know when the next one would come before Panel B.

Chair Nada thanked Staff for enabling tonight's meeting to happen virtually.

IX. Adjournment

The meeting adjourned at 7:39 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for Shelley White, Planning Administrative Assistant

VI. Public Hearing:

A. Resolution No. 379. Lowrie Primary School Modular Classroom Temporary Use Permit: West Linn–Wilsonville School District – Applicant/Owner. The applicant is requesting approval of a One-Year Temporary Use Permit for temporary placement of a modular classroom building at Lowrie Primary School. The site is located at 28995 SW Brown Road on Tax Lot 302 of Section 15, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Georgia McAlister

Case File: DB20-0032 One (1) Year Temporary Use Permit

DEVELOPMENT REVIEW BOARD RESOLUTION NO. 379

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A ONE-YEAR TEMPORARY USE PERMIT FOR TEMPORARY PLACEMENT OF A MODULAR CLASSROOM BUILDING AT LOWRIE PRIMARY SCHOOL. THE SITE IS LOCATED AT 28995 SW BROWN ROAD ON TAX LOT 302 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. WEST LINN-WILSONVILLE SCHOOL DISTRICT, APPLICANT/OWNER.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 4, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on July, 27, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated July 20, 2020, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB20-0032 Class 3 Temporary Use Permit for a Modular Building

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 27th day of July, 2020 and filed with the Planning Administrative Assistant on ______. This resolution is final on the l5th calendar day after the postmarked date of the written notice of decision per *WC Sec* 4.022(.09) unless appealed per *WC Sec* 4.022(.02) or called up for review by the council in accordance with *WC Sec* 4.022(.03).

Samy Nada, Chair - Panel B Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



Exhibit A1 Staff Report

Temporary Use Permit for a Modular Classroom Building at Lowrie Primary School

Development Review Board Panel 'B' Quasi-Judicial Public Hearing

Hearing Date:	July 27, 2020
Date of Report:	July 20, 2020
Application Nos.:	DB20-0032 1-Year Temporary Use Permit

Request/Summary: The applicant requests the Development Review Board review a 1-Year Temporary Use Permit for a modular classroom building at Lowrie Primary School, which will contain two classrooms.

Location: 28995 SW Brown Road. The property is specifically known as Tax Lot 00302, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

Comprehensive Plan Designation: Residential-Village

Zone Map Classification:	V (Village)
Staff Reviewers:	Georgia McAlister, Assistant Planner Daniel Pauly, Planning Manager

Staff Recommendation: <u>Approve with conditions</u> the requested 1-Year Temporary Use Permit.

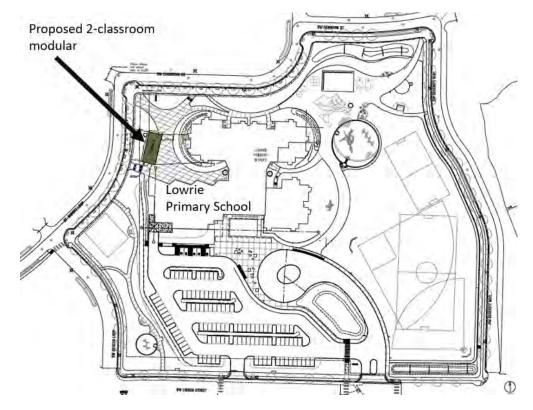
Applicable Review Criteria:

Development Code:	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.125	Village Zone
Section 4.154	On-site Pedestrian Access and Circulation

Development Review Board Panel 'B' Staff Report July 20, 2020 Temporary Modular Building at Lowrie Primary School DB20-0032 Exhibit A1

Section 4.155	Parking, Loading, and Bicycle Parking	
Section 4.167	Access, Ingress, and Egress	
Section 4.171	Protection of Natural Features and Other Resources	
Section 4.175	Public Safety and Crime Prevention	
Section 4.176	Landscaping, Screening, and Buffering	
Sections 4.400 through 4.440 as	Site Design Review	
applicable		

Vicinity Map



Background/Summary:

The West Linn-Wilsonville School District seeks a 1-year temporary use permit to place one portable classroom building at Lowrie Primary School. The modular will be in place as necessary to accommodate COVID related class size limitations. This permit will authorize its placement for up to 12 months but the length of placement is unknown. The modular will be placed in the plaza/lawn area on the northwest side of the school along St. Moritz Loop.

Public Comments and Responses:

None Received

Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The Staff Report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB20-0032) with the following conditions:

Planning Division Conditions:

Request: DB20-0032 One-Year Temporary Use Permit

PD 1.	General. All construction, site development, and landscaping shall be carried out
	in substantial accord with the Development Review Board approved plans,
	drawings, sketches, and other documents. The Planning Division may approve
	Minor alterations through the Class I Administrative Review process.
PD 2.	At End of Temporary Use. All landscaping disturbed by the temporary classroom
	buildings shall be returned to its pre-construction status when they are removed.
PD 3.	At End of Temporary Use. The applicant or their successors shall convert the modular
	classroom building to the pre-existing condition within 1 years of the date of decision.
PD 4.	Prior to Approval of Occupancy. All temporary exterior lighting shall meet the
	City's Outdoor Lighting Ordinance.
PD 5.	Prior to Approval of Occupancy. All utilities serving the modular shall be
	underground.

Master Exhibit List:

The Development Review Board hereby enters the following Exhibits into the public record as confirmation of its consideration of the application, as submitted. The exhibit list includes exhibits for Planning Case File DB20-0032. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

- **A1.** Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing

Materials from Applicant

- **B1.** Land Use Application Form
- **B2.** Applicant's Narrative
- **B3.** Drawings and Plans

Page 3 of 7

Procedural Statements and Background Information:

- **1.** The statutory 120-day time limit applies to this application. The applicant submitted a complete application on June 30, 2020. The City must render a final decision for the request, including any appeals, by October 28, 2020.
- 2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	V	Residential
East:	V	Residential
South:	V	Residential
West:	V	Residential

3. Previous City Planning Approvals:

DB10-0022 et. seq. – Villebois (Lowrie) Primary School AR10-0073 – Partition AR11-0011 – Minor Modifications for Bid Alternative AR12-0004 – Landscape Modifications

4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General Section 4.008

1. The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

2. The property owner, West Linn-Wilsonville School District, initiated the application. The application was signed by Remo Douglas on behalf of the school district.

Page 4 of 7

Lien Payment before Approval Subsection 4.011 (.02) B.

3. No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements Subsection 4.035 (.04) A.

4. The applicant has provided all of the applicable general submission requirements contained in this subsection.

Zoning-Generally Section 4.110

5. This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

Request: DB20-0032 One-Year Temporary Use Permit

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Village Zone

Conditional Uses Subsection 4.125 (.04)

6. The proposal is to install one modular building as a temporary use to support the operation of an existing public primary school previously approved as a conditional use.

On-site Pedestrian Access and Circulation

Continuous Pathway System, Safe, Direct, Convenient, etc. Section 4.154

7. The location of the modular on the existing plaza ensures full pathway access meeting application standards.

Parking

General Parking Provisions Section 4.155

8. The modular building does not support any additional students than the existing school but rather is needed to accommodate anticipated smaller class sizes related to COVID limitations. No additional parking demand is expected.

Temporary Structures and Uses

Temporary Use Permits-Temporary Use for Uses Not Otherwise Conforming Subsection 4.163 (.01)

9. The use which the modular classrooms extend, a public primary school, is an approved conditional use in the zone.

Temporary Use Permits-Temporary Use Does Not Involve Substantial Structures Subsection 4.163 (.01)

10. The modular building is not "substantial" because: (1) it is relatively small compared to the other permanent school facilities on the site; and (2) unlike a truly permanent structure, the modular construction allows for efficient removal and reuse.

Temporary Use Permits-Revocable, Renewable Permit up to Five Years Subsection 4.163 (.01)

11. The applicant understands the permit is revocable upon violations of the approval. The applicant does not currently anticipate a need beyond the 2020-2021 academic year. If needed more than 12 months the applicant will return to the DRB for an additional temporary use permit.

Application Requirements, Restoration to Pre-TUP Conditions Subsection 4.163 (.02)

12. The applicant has submitted the required information including a clear description of the planned use, a statement of the circumstances related to the limited timeframe, and a site plan (see Exhibit B3). Condition of Approval PD 3 will ensure restoration of the site to pre-TUP conditions.

Good Cause for Temporary Use, Factors and Considerations Subsections 4.163 (.01) and (.03)

13. Availability of Appropriate Zoned Land: The temporary portable classrooms are appropriately located adjacent to the existing approved school use, and the modular building must be close to the main school building for integration the broader school and access to amenities within the school including restrooms. They cannot realistically be located anywhere else besides the subject property to serve their intended purpose.

Availability of and need of property for allowed used: Upon conclusion of the temporary use, the applicant will return the site to its previous condition, which is a portion of the school's landscaping and plaza area.

Market Conditions, etc.: No market conditions are in play. The modular building is simply a temporary solution for a specific temporary school capacity need.

Due diligence to relocate use: Not applicable.

Circumstances of applicant: The district identified a need for additional classroom space at Lowrie Primary School related to their planned operations during the next academic year related to restrictions during the COVID-19 pandemic.

Other: The proposed temporary use is a typical limited duration accessory use for a school site.

Other Development Standards

Landscape Standards and Compliance Section 4.176

14. The school campus will continue to exceed landscape requirements and landscaping impacted by the placement of the modular building will be restored when the modular is removed.

Mixed Solid Waste and Recyclables Storage Section 4.179

15. The waste and recycling collection facilities will not be changed.

Outdoor Lighting Sections 4.199.20

16. A condition of approval requires any new lighting, including temporary, to meet the City's outdoor lighting ordinance.

Underground Utility Installation Sections 4.300-4.320

17. A condition of approval requires all utilities serving the modular to be underground.

Page 7 of 7

29799 SW Town Center Log	DREGON DP E, Wilsonville, OR 97070 0 Fax: 503.682.7025 ilsonville.or.us	Development Final action on development appli within 120 days in accordance wit A pre application conference is no application. Please visit the City's Pre-Application Meeting Date:	h provisions of ORS 227.175 rmally required prior to submittal of an website for submittal requirements be scheduled for public hearing until
Applicant:		Authorized Representativ	/e:
Name: Remo Douglas		Name:	
Company: West Linn - Wilsonville School District		Company: West Linn - Wilsonville School District	
Mailing Address: 2755 SW Borland Road		Mailing Address: 2755 SW Borland Road	
City, State, Zip: Tualatin, OR 97062		City, State, Zip: Tualatin, Ol	
Phone:		Phone: 503-799-6891	Fax:
E-mail: douglasr@wlwv.k12.or.us		E-mail: douglasr@wlwv.k12.or.us	
Property Owner: Name: Remo Doug		Property Owner's Signature:	
Company: West Linn - Wils	onville School District	10 Dt	1 00 00
Mailing Address: 2755 SW E	Borland Road	Printed Name: 2006	A5 Date: 6-3D-20
City, State, Zip:		Applicant's Signature: (if d	ifferent from Property Owner)
Phone: 503-799-6891		R-DA	5
E-mail: douglasr@wlwv.k	12.or.us	Printed Name: Peulo Dou	61AS Date: 6 30.20
Site Location and Descript Project Address if Available: 28 Project Location: Lowrie PS Tax Map #(s): 31W15	995 SW Brown Road, Wils	W15 00302	Suite/Unit nty: □ Washington Clackamas
model due to state guida	nce in response to COV		ort changes in instructional
110 · 20 · 20 · 20 · 20 · 20 · 20 · 20 ·	Class II 🛛 Class III 🗆	T 1	Institutional
Residential Application Type(c)	Commercial	Industrial	Other:
Application Type(s):	□ Appeal	Comp Plan Map Amend	Parks Plan Review
Final Plat	Major Partition	Minor Partition	Request to Modify
Plan Amendment	Planned Development	Preliminary Plat	Conditions
Request for Special Meeting	□ Request for Time Extension	□ Signs	Site Design Review
□ SROZ/SRIR Review	Staff Interpretation	Stage I Master Plan	Stage II Final Plan
Type C Tree Removal Plan	□ Tree Permit (B or C)	Temporary Use	Variance
Villebois SAP	Villebois PDP	Villebois FDP	Other (describe)
Zone Map Amendment	Waiver(s)	Conditional Use 8 of 13	City of Wilsonville



West Linn – Wilsonville Schools

June 30, 2020

Dan Pauly Planning Manager, City of Wilsonville 29799 SW Town Center, Loop E Wilsonville, OR 97070

Re: Lowrie Primary School - Portable Classroom Building

Dear Dan:

The West Linn – Wilsonville School District is requesting the temporary placement of a portable classroom building at Lowrie Primary School in response to the *Ready Schools, Safe Learners* guidance from the Oregon Department of Education and Oregon Health Authority. These requirements are described in the attached document and further on the Oregon Department of Education website at:

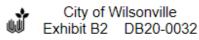
https://www.oregon.gov/ode/Pages/default.aspx

One of the restrictions in place under *Ready Schools, Safe Learners* is that classrooms shall limit occupants to one per 35 square feet. This reduction in classroom capacity will be addressed through several changes to the way schools currently operate.

- 1. Cancellation of the District preschool program.
- 2. Fifth-Twelfth grade students will attend school in-person every other day, halving the number of students present at those grade levels. Online learning will occur on the alternate days.
- 3. All families will be given the option to have their students attend full-time online learning.
- 4. Installation of one portable classroom building at Lowrie Primary School in Wilsonville, and one at Cedaroak Park Primary School in West Linn.

The existing Lowrie Primary School facility will experience a reduction in capacity due to smaller class sizes and splitting of fifth grade students into two cohorts. Therefore, there will be a corresponding reduction in need for restroom fixtures and parking stalls. These reductions will offset the additional temporary capacity provided by the portable classroom building.

The duration of these changes, including the portable classroom building at Lowrie Primary School, is contingent upon the Oregon Department of Education and the Oregon Health Authority removing the *Ready Schools, Safe Learners* restrictions, and the District having reasonable time to return to normal school operations. The District will at that time remove the portable classroom building and restore the site to its current condition in compliance with the current land use approval.



Department of Operations 503-673-7995 Fax 503-638-9143 • www.wlwv.k12.or.us Location: 2755 SW Borland Road - Tualatin, Oregon 97062 Page 9 of 13



West Linn – Wilsonville Schools

If there is any additional action required from the District, or conditions of approval required in pursuit of this application, please contact me at your convenience.

Remo Douglas Douglasr@wlwv.k12.or.us 503-799-6891

Signed,

6.30.20

Remo Douglas, Senior Project Manager, West Linn - Wilsonville School District

Attachments:

- 1. WLWV 2020 Portables Drawings by IBI Group Architects
- 2. Ready School Safe Learners 2020-21 Guidance
- CC: Pat McGough, COO, WLWSD Adam Neil, Assistant Project Manager, WLWSD

19078.03.09

DRAWING LIST

Site Plan A001 Plan, Elevations & Section A002

B

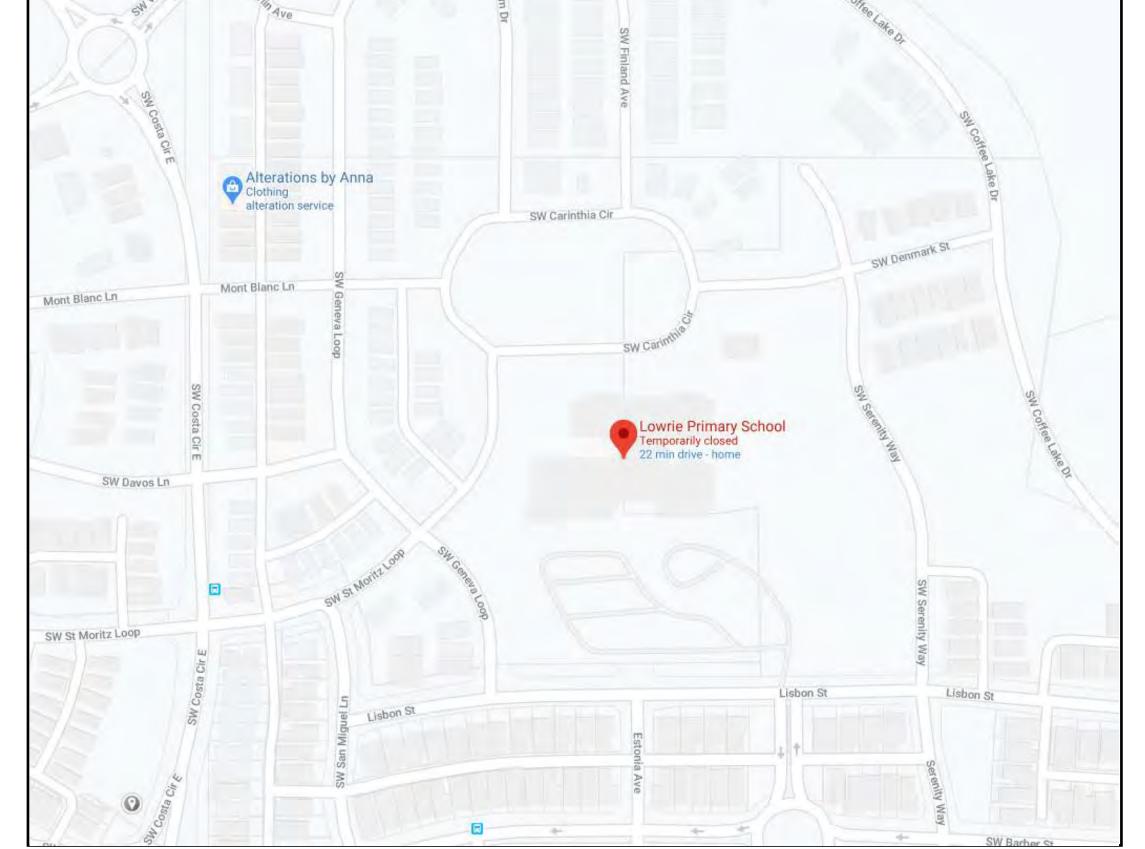
IBI GROUP 907 SW Harvey Milk Street Portland OR 97205 USA PHONE: 503-226-6950

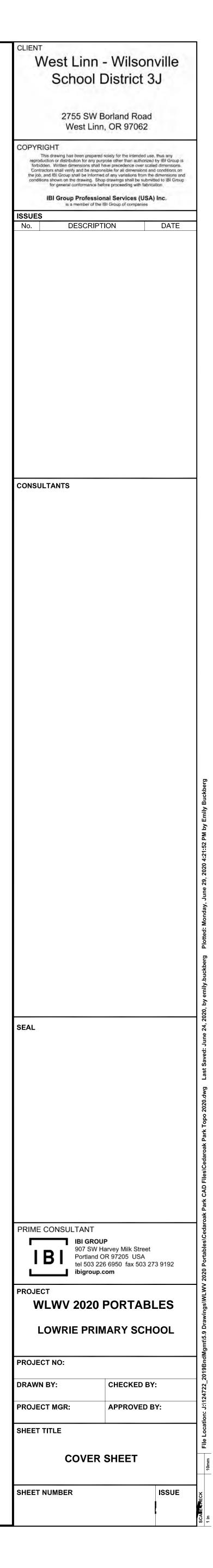
WEST LINN - WILSONVILLE SCHOOL DISTRICT **2020 PORTABLES** LOWRIE PRIMARY SCHOOL

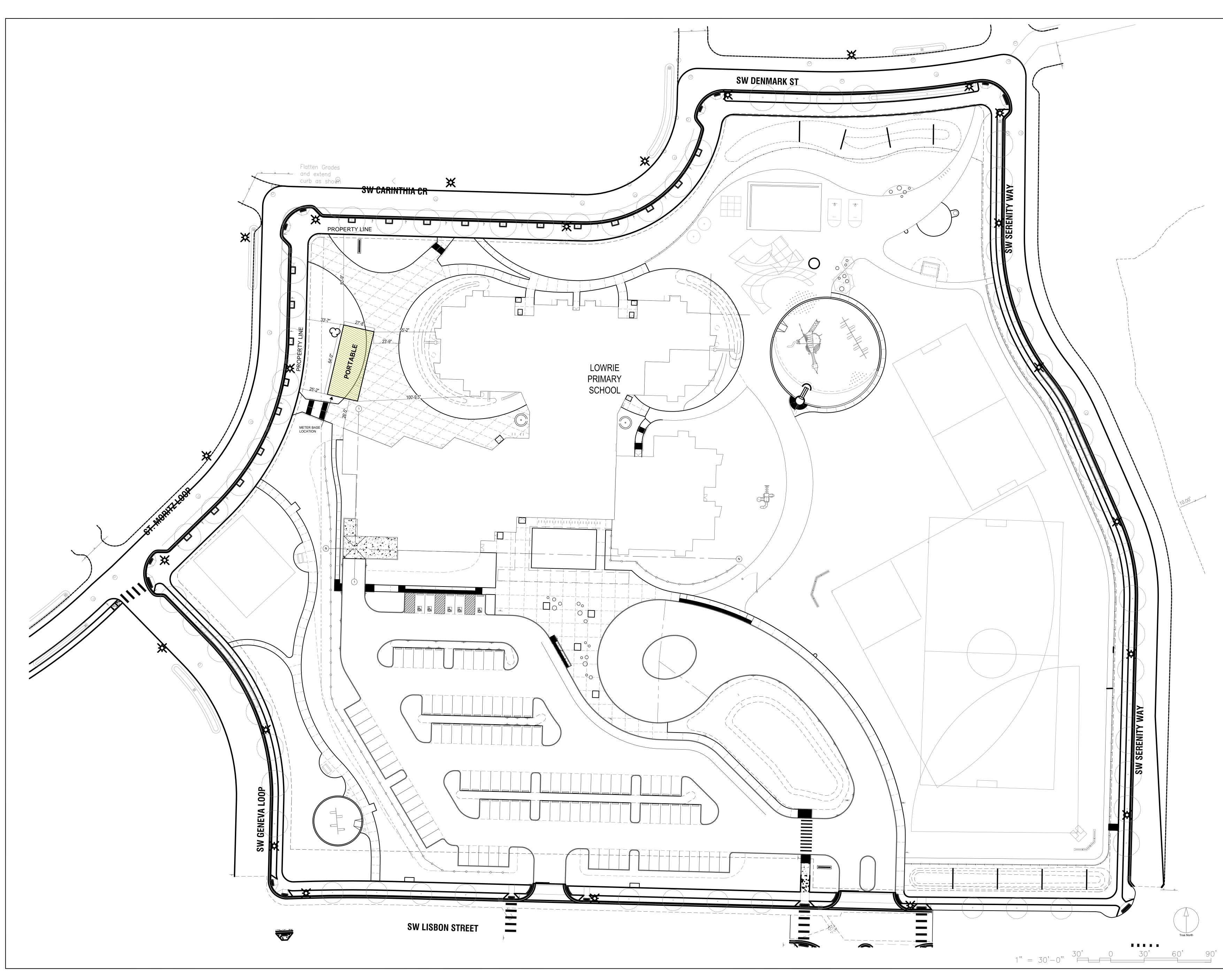
LAND USE SUBMITTAL JUNE 30, 2020

City of Wilsonville Exhibit B3 DB20-0032

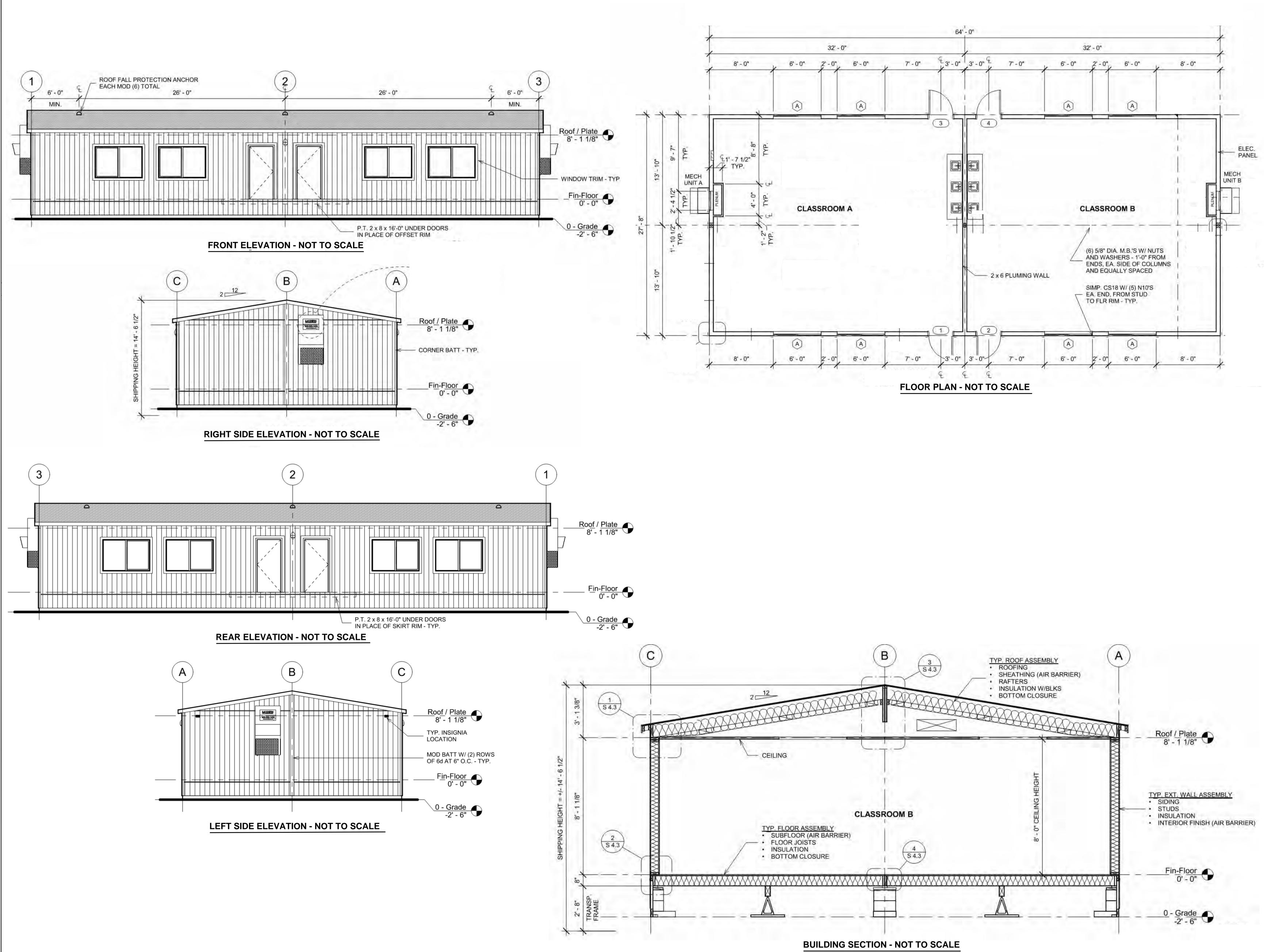
VICINITY MAP







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	W Borland Road Linn, OR 97062	
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MONDAY, JULY 27, 2020 6:30 PM

VII. Board Member Communications:

A. Results of the May 11, 2020 DRB Panel A meeting

City of Wilsonville

Development Review Board Panel A Meeting Meeting Results

DATE:MAY 11, 2020LOCATION:29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, ORTIME START:6:31 P.M.

TIME END: 7:24 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Daniel McKay	Daniel Pauly
Angela Niggli	Barbara Jacobson
Jean Svadlenka	Kimberly Rybold
Katie Hamm	Philip Bradford
	Georgia McAlister

AGENDA RESULTS

AGENDA	ACTIONS	
CITIZENS' INPUT	None.	
CONSENT AGENDA		
A. Approval of minutes of February 10, 2020 DRB Panel A meeting	 A. Unanimously approved as presented 	
PUBLIC HEARINGS		
 A. Resolution No. 377. Villebois Piazza Temporary Use Permit Renewal: RCS Villebois Development and Villebois Village Center Master Association – Owners. The applicant is requesting approval of a Class 3 Temporary Use Permit Request for a Two (2) Year Extension of the temporary use of temporary mailboxes and one coffee cart. The site is located at the Villebois Piazza on Tax Lot 101, 102, and 2800 of Section 15AC, T3S-R1W, Clackamas County; Wilsonville, Oregon. Staff: Georgia McAlister 	 Resolution No. 377 was unanimously approved as presented. 	
 Case Files: DB20-0025 Two-Year Temporary Use Permit Extension B. Resolution No. 378. Republic Services Stage I Master Plan Revision and Temporary Use Permit Extension: Ben Altman, Pioneer Design Group, LLC – Representative for Jason Jordan, Republic Services – Applicant. The applicant is requesting approval of a Stage I Master Plan Revision and Five (5) Year Temporary Use Permit Extension at the northeast corner of SW Garden Acres Road and SW Ridder Road. The site is located on Tax Lots 600, 601, and 1400, Section 2C, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon. Staff: Philip Bradford Case Files: DB20-0026 Stage I Master Plan Revision DB20-0027 Five-Year Temporary Use Permit Extension 	 B. Resolution No. 378 was unanimously approved as presented. 	

BOARD MEMBER COMUNICATIONS			
A. B. C.	Results of the February 24, 2020 DRB Panel B meeting Results of the April 27, 2020 DRB Panel B meeting Recent City Council Action Minutes	Staff highlighted the Results and Action Minutes. Staff agreed changes were needed to	
STAFF COMMUNICATIONS		 the instructions for public testimony. Staff noted DRB meetings could be scheduled given recent application submittals. 	

MONDAY, JULY 27, 2020 6:30 PM

VII. Board Member Communications:B. Recent City Council Action Minutes

City Council Meeting Action Minutes April 6, 2020

City Council members present included: Jeanna Troha, Assistant City Manager Mayor Knapp Mark Ottenad, Public/Government Affairs Director **Council President Akervall** Zach Weigel, Capital Projects Engineering Manager Councilor Lehan Kimberly Rybold, Senior Planner Nancy Kraushaar, Engineer Councilor West Councilor Linville Dominique Huffman, Civil Engineer Ben Toops, Police Officer **Staff present included:** Martin Montalvo, Public Works Ops. Manager Beth Wolf, Senior Systems Analyst Bryan Cosgrove, City Manager Barbara Jacobson, City Attorney Andy Stone, IT Director Kimberly Veliz, City Recorder Jordan Vance, Economic Development Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Alternative Project Delivery Methods Presentation	Tom Hickmann, of Tualatin Valley Water District, delivered a presentation on alternative project delivery methods.
B. Boeckman Dip Bridge Alternatives Analysis (CIP #4212) and Stormwater Master Plan Amendment	Staff presented updates on work taking place on the Boeckman Dip Bridge.
C. Equitable Housing Strategic Plan	Staff shared an updated draft of the Equitable Housing Strategic Plan.
REGULAR MEETING	
Communications	Updates were provided by representatives of
A. Update on the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act:	various agencies on the topic of COVID-19.
 Ree Armitage, Field Representative, Office of U.S. Senator Ron Wyden Dan Mahr, Field Representative, Office of 	
U.S. Senator Jeff Merkley B. Update on State of Oregon COVID-19 Emergency Response • Representative Courtney Neron, HD- 26/Wilsonville	
 C. Update on Clackamas County COVID-19 Emergency Response Commissioner Ken Humberston 	
 D. City of Wilsonville Economic Development Update Jordan Vance, Economic Development Manager 	
 E. Update from Wilsonville Area Chamber of Commerce Kevin Ferrasci O'Malley, CEO 	

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 <u>Mayor's Business</u> A. City Manager Memos: City Business Friendly Practices and Policies; Proposed City Business Grant Programs B. Volunteer Appreciation Month Proclamation C. 22nd Consecutive Tree City USA Designation and Arbor Day Proclamation 	Council heard of several proposed assistance programs to help businesses and community members. The Mayor stated that he would sign the Volunteer Appreciation Month and Arbor Day proclamations submitted by staff. There were no objections by Council.
Consent AgendaA.Resolution No. 2805A Resolution Of The City Of Wilsonville AuthorizingA First Amendment To Grant Agreement WithWilsonville Community Sharing.	The Consent Agenda was approved 5-0.
New BusinessA.Resolution No. 2807A Resolution And Order Amending Resolution No.2803 To Extend The Local State Of Emergency And Emergency Measures, As Authorized by Resolution No. 2803.	Resolution No. 2807 was adopted 5-0.
B. <u>Resolution No. 2808</u> A Resolution And Order Regarding Sign Code Enforcement During Emergency Declaration Period.	Resolution No. 2808 was adopted 4-1.
Public HearingA.Resolution No. 2804A Resolution Of The City Of Wilsonville To AmendThe Adopted 2012 Stormwater Master Plan ProjectList (Table 9-2 – Prioritized CIP Projects) To AddProjects SD- 2163-2167 & 2437-2446: PipelineUpsizing On Ridder Road And Peters Road And St-7:Boeckman Creek At Boeckman Road StormwaterStudy.	After a public hearing was conducted, Resolution No. 2804 was approved by a vote of 5-0.
City Manager's Business	The City Manager recapped the feedback received earlier in the meeting regarding the proposed business relief program.
Legal Business	No report.
ADJOURN	10:52 p.m.

City Council Meeting Action Minutes April 20, 2020

City Council members present included:

Mayor Knapp Council President Akervall Councilor Lehan Councilor West Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager Barbara Jacobson, City Attorney Kimberly Veliz, City Recorder Jeanna Troha, Assistant City Manager Cathy Rodocker, Finance Director Zoe Monahan, Assistant to the City Manager Andy Stone, IT Director Beth Wolf, Senior Systems Analyst Dan Pauly, Planning Manager Jordan Vance, Economic & Development Director Phillip Bradford, Associate Planner Zach Weigel, Capital Projects Engineering Manager Bill Evans, Communications & Marketing Manager Pat Duke, Library Director

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Library Furniture Contract	Council was briefed on Resolution No. 2800, which authorizes the City Manager to execute a goods and services contract with HMI Oregon Dealership, Inc. for the Library furniture project.
B. Wilsonville Small Business COVID Relief Grants Proposal	Staff presented on the proposed small business COVID relief grants program.
C. Residential Code Modernization	Staff informed Council of Ordinance No. 841. The ordinance adopts text amendments to the Wilsonville Comprehensive Plan and Development Code regarding the planned development residential and residential zones.
D. Commercial Recreation in Planned Development Zones	Council requested that staff delay the short- term consideration of a proposed expansion of commercial recreation uses within the PDI zone.
E. Parks Bond	Council agreed with staff's recommendation to withhold the proposed Parks Bond tentatively scheduled for the November 2020 ballot.
REGULAR MEETING	
Mayor's Business A. Upcoming Meetings	The Mayor announced that the next City Council meeting will be held May 4, 2020.

Communications A. Measure 26-210 for Supportive Housing Services	Metro Councilor Dirksen shared details of the May ballot Measure No. 26-210 to address the region's homeless crisis.
New BusinessA.Resolution No. 2810A Resolution Of The City Of WilsonvilleAuthorizing A Second Amendment To WilsonvilleCommunity Sharing Support Grant Agreement.	Resolution No. 2810 was adopted 5-0.
B. <u>Resolution No. 2811</u> (UR Program Income Funds) A Resolution Of The City Of Wilsonville Authorizing A City Of Wilsonville Small Business COVID-19 Grant Program.	Resolution No. 2811 was adopted 5-0.
 C. <u>Resolution No. 2812</u> (Transient Lodging Tax Funds) A Resolution Of The City Of Wilsonville Authorizing A City Of Wilsonville Small Business COVID-19 Grant Program. 	Resolution No. 2812 was adopted 5-0.
Consent AgendaA.Resolution No. 2787A Resolution Of The City Of WilsonvilleAuthorizing The City Manager To Execute AGoods And Services Contract With Pipeline VideoInspection, LLC (DBA Aims Companies) For TheClosed Circuit TV (CCTV) Inspection ServicesProject.	The Consent Agenda was approved 5-0.
 B. <u>Resolution No. 2800</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Goods And Services Contract With HMI Oregon Dealership, Inc. For The Library Furniture Project. 	
C. <u>Resolution No. 2806</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute The First Amendment To Construction Contract With Moore Excavation, Inc. For The Garden Acres Road & PLM_1.2 Water Transmission Line Project.	

Public Hearing	T1
 A. <u>Resolution No. 2809</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20. B. <u>Ordinance No. 841</u> Of The City Of Wilsonville Adopting Text Amendments To The Wilsonville Comprehensive Plan And Development Code Regarding The Planned Development Residential (PDR) And Residential (R) Zones. 	After a public hearing was conducted, Resolution No. 2809 was approved 5-0. After a public hearing was conducted, Ordinance No. 841 was approved on first reading by a vote of 5-0.
<u>City Manager's Business</u>	Council authorized the City Manager to cancel City-hosted public summer events. Council heard an update on the gift card program. It was reported that currently 35 small business restaurants are involved in the program with 330 gift cards distributed to Wilsonville Community Sharing and 60 to the Police Department.
Legal Business	The City Attorney reported that the City was granted a motion to abate on the Clackamas County Circuit Court case. Furthermore, the judge in the case declined to rule at this point on the motion to intervene.
URBAN RENEWAL AGENCY	
 <u>Consent Agenda</u> A. Minutes of the February 3, 2020 URA Meeting. B. <u>URA Resolution No. 305</u> 	The URA Consent Agenda was approved 5-0.
Public Hearing A. URA Resolution No. 306 A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20.	After a public hearing was conducted, URA Resolution No. 306 was approved 5-0.

City Council Meeting Action Minutes May 4, 2020

City Council members present included:

Mayor Knapp Council President Akervall Councilor Lehan Councilor West Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager

Barbara Jacobson, City Attorney Kimberly Veliz, City Recorder Jeanna Troha, Assistant City Manager Zoe Monahan, Assistant to the City Manager Andy Stone, IT Director Beth Wolf, Senior Systems Analyst Dan Pauly, Planning Manager Jordan Vance, Economic Development Manager Mike Nacrelli, Civil Engineer

AGENDA ITEM	ACTIONS
WORK SESSION	
A. None.	
REGULAR MEETING	
Mayor's Business A. Upcoming Meetings	It was announced that the May 18, 2020 Council meeting is cancelled.
<u>Communications</u> A. Wilsonville Small Business COVID-19 Grant Program Update	Council heard an update and discussed the Small Business Program. Followed by a lottery to complete the process of awarding eligible applicants funding.
 <u>Resolution No. 2798</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Carollo Engineers To Provide Engineering Consulting Services For The Wastewater Treatment Plant Master Plan Project (Capital Improvement Project #2104). 	The Consent Agenda was approved 5-0.
 <u>Ordinance No. 841</u> An Ordinance Of The City Of Wilsonville Adopting Text Amendments To The Wilsonville Comprehensive Plan And Development Code Regarding The Planned Development Residential (PDR) And Residential (R) Zones. 	Ordinance No. 841 was adopted on second reading by a vote of 5-0.
ADJOURN	9:12 p.m.

City Council Meeting Action Minutes June 1, 2020

City Council members present included:	Zoe Monahan, Assistant to the City Manager
Mayor Knapp	Zach Weigel, Capital Projects Engineering Manager
Council President Akervall	Martin Montalvo, Public Works Ops. Manager
Councilor Lehan	Jordan Vance, Economic Development Manager
Councilor West	Andy Stone, IT Director
Councilor Linville	Beth Wolf, Information Systems Analyst
Staff present included:	Dwight Brashear, Transit Director
Bryan Cosgrove, City Manager	Delora Kerber, Public Works Director
Barbara Jacobson, City Attorney	Mike McCarty, Parks & Recreation Director
Kimberly Veliz, City Recorder	Cathy Rodocker, Finance Director
Jeanna Troha, Assistant City Manager	Keith Katko, Assistant Finance Director
Chris Neamtzu, Community Develop. Director	Kerry Rappold, Natural Resource Manager
Rob Wurpes, Chief of Police	Eric Loomis, Transit Operations Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Public Transportation Agency Safety Plan Approval	Staff shared details about the ongoing preparation of the agency's Public Transportation Agency Safety Plan, a prerequisite required by the Federal Transit Administration.
 B. Integrated Pest Management Plan - 2019 Activity Report 	Staff provided an overview of the Integrated Pest Management Plan.
C. Biobot Analytics Wastewater Testing for COVID-19	Council heard about BioBot's analytics wastewater testing, which included Wilsonville for its nationwide testing of local wastewater as a first step in determining and mitigating the effects of COVID-19 on wastewater systems.
D. Community Enhancement Program - IGA Addendum	Council was briefed on Resolution No. 2813, which adopts an addendum to the IGA between Metro and the City to continue the Wilsonville Metro Community Enhancement Program.
E. Restaurant Outdoor Seating Program	Staff updated Council on the Eat Out Wilsonville Program, which was facilitated to encourage the safe re-entry of food and drink establishments to conduct business.

The Mayor read a proclamation declaring the week of June 1-5, 2020 as "Honoring the High School Senior Class of 2020 Week".
Library Board Reappointment of Miriam Violet Pinoli to the Library Board for a term beginning 7/1/2020 to 6/30/2024.
Wilsonville Metro Community Enhancement Committee Reappointment of David Davis to the Wilsonville Metro Community Enhancement Committee, Position 1 for a term beginning 7/1/2020 to 6/30/2023. Passed 5-0.
Wilsonville Metro Community Enhancement Committee Reappointment of Amanda Johnson to the Wilsonville Metro Community Enhancement Committee, Position 2 for a term beginning 7/1/2020 to 6/30/2023. Passed 5-0.
Tourism Promotion Committee Reappointment of Albert Levit to the Tourism Promotion Committee, Position 4 for a term beginning 7/1/2020 to 6/30/2023. Passed 5-0.
The Mayor announced upcoming meetings.
Council received the Police Department's annual report.
Staff explained in detail the City's Facility Re-Entry and Control Plan.
The Consent Agenda was approved 5-0.

New BusinessA.Resolution No. 2818A Resolution And Order Amending Resolution No.2807To Further Extend The Local State OfEmergency And Emergency Measures, As AuthorizedBy Resolution No. 2803.	Resolution No. 2818 was adopted 5-0.
Continuing Business A. None.	
 <u>Public Hearing</u> A. <u>Resolution No. 2816</u> A Resolution Declaring the City's Eligibility to Receive State Shared Revenues. B. <u>Resolution No. 2817</u> A Resolution Declaring the City's Election to Receive State Shared Revenues. C. <u>Resolution No. 2815</u> A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.030(2) For Fiscal Year 2020-21. 	After a public hearing was conducted, Resolutions No. 2816 was approved 5-0. After a public hearing was conducted, Resolutions No. 2817 was approved 5-0. After a public hearing was conducted, Resolutions No. 2815 was approved 5-0.
City Manager's Business	No report.
Legal Business A. Kinder Morgan Valve Installation	Two photos of the completed Kinder Morgan valve enclosure were displayed for Council.
URBAN RENEWAL AGENCY	
Consent Agenda A. Minutes of the April 20, 2020 URA Meeting.	The Consent Agenda was approved 5-0.
Public Hearing A. URA Resolution No. 307 A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville Adopting The Budget, Making Appropriations, And Declaring The Intent To Collect Tax Increment For Fiscal Year 2020-21	After a public hearing was conducted, URA Resolutions No. 307 was approved 5-0.
ADJOURN	9:59 p.m.

City Council Meeting Action Minutes June 15, 2020

City Council members present included:

Mayor Knapp Council President Akervall Councilor Lehan Councilor West Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager Barbara Jacobson, City Attorney Kimberly Veliz, City Recorder Cathy Rodocker, Finance Director Miranda Bateschell, Planning Director Zoe Monahan, Assistant to the City Manager Andrea Villagrana, Human Resources Manager Beth Wolf, System Analyst Andy Stone, IT Director Dwight Brashear, Transit Director Eric Loomis, Transit Operations Manager Dan Pauly, Planning Manager Kimberly Rybold, Senior Planner

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Wilsonville Community Sharing Support Grant Agreement	Staff briefed Council on Resolution No. 2819, which authorizes a support grant agreement with Wilsonville Community Sharing.
B. Five-Year Action Plan and Annual One-Year Implementation Plan for the Wilsonville Tourism Development Strategy	Council heard a presentation on Resolution No. 2825, which adopts the Tourism Development Strategy Five-Year Action Plan and Annual One-Year Implementation Plan.
C. Equitable Housing Strategic Plan	Updates to the final draft of the Equitable Housing Strategic Plan were shared with Council.
D. Update on Housing Related Grants	Staff provided an update on grant awards from the Oregon Department of Land Conservation and Development and Metro related to planned housing work.
REGULAR MEETING	
Mayor's Business	
A. Placeholder for Appointment	No appointment was announced.
B. Juneteenth Proclamation	The Mayor read a proclamation declaring the 19 th day of June as Juneteenth.
C. Upcoming Meetings	No upcoming meetings were announced.
Communications	
A. Wilsonville Community Sharing	This presentation will be rescheduled for a future Council meeting.

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 B. Metro "Get Moving" Transportation 2020 Bond Measure Presentation 	Metro staff presented a summary of the "Get Moving" Transportation Bond Measure.
Consent AgendaA.Resolution No. 2814Resolution Adopting The Canvass Of Votes Of The May 19, 2020 Primary Election And Amending The Wilsonville Charter.	The Consent Agenda was approved 5-0.
 B. <u>Resolution No. 2819</u> A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing. 	
C. <u>Resolution No. 2825</u> A Resolution Of The City Of Wilsonville Adopting The FY 2020/21 Five-Year Action Plan And Annual One-Year Implementation Plan For The Wilsonville Tourism Development Strategy.	
New BusinessA.Resolution No. 2822A Resolution Of The Wilsonville City CouncilAdopting The South Metro Area Regional Transit(SMART) Public Transportation Agency Safety Plan(PTASP).	Resolution No. 2822 was adopted 5-0.
 B. <u>Resolution No. 2824</u> A Resolution Adopting Collective Bargaining Agreement Between The City Of Wilsonville And Service Employees International Union Local 503 (SEIU). 	Resolution No. 2824 was adopted 5-0.
C. <u>Resolution No. 2826</u> A Resolution Adopting The Letter Of Agreement Between The City Of Wilsonville And Wilsonville Municipal Employee Association.	Resolution No. 2826 was adopted 5-0.
Continuing Business A. None.	
Public HearingA.Resolution No. 2820A Resolution Of The City Of Wilsonville Adopting The Equitable Housing Strategic Plan.	After a public hearing was conducted, Resolution No. 2820 was approved by a vote of 5-0.

 B. <u>Resolution No. 2821</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20. 	Furthermore, a motion was made to direct City staff to provide Council with 'best practice' recommendations for the future development of a City committee dedicated to the pursuit of goals and strategies that foster equity and inclusion. Passed 5-0. After a public hearing was conducted, Resolutions No. 2821 was approved by a vote of 5-0.
City Manager's Business	No report.
Legal Business	No report.
URBAN RENEWAL AGENCY	
Consent Agenda A. Minutes of June 1, 2020 URA Meeting.	The URA consent agenda was approved 5-0.
Public Hearing	
 A. <u>URA Resolution No. 308</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20. 	After a public hearing was conducted, URA Resolutions No. 308 was approved by a vote of 5-0.
ADJOURN	10:33 p.m.

City Council Meeting Action Minutes July 6, 2020

City Council members present included:	Jeanna Troha, Assistant City Manager
Mayor Knapp	Keith Katko, Assistant Finance Director
Council President Akervall	Zoe Monahan, Assistant to the City Manager
Councilor Lehan	Delora Kerber, Public Works Director
Councilor West - Excused	Rob Wurpes, Chief of Police
Councilor Linville	Dominique Huffman, Civil Engineer
	Mike Nacrelli, Civil Engineer
Staff present included:	Martin Montalvo, Public Works Ops. Manager
Bryan Cosgrove, City Manager	Andy Stone, IT Director
Barbara Jacobson, City Attorney	Beth Wolf, Information Systems Analyst
Kimberly Veliz, City Recorder	Bill Evans, Communications & Marketing Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Police Policy, Reform and Local Alternative Staff Report	Council heard a summary of recent State laws adopted to ensure safer policing. They also learned about Clackamas County police policies and procedures that hold up against the #8cantwait police reform campaign.
B. 2020 Street Maintenance Contract Award	Due to time constraints there was no presentation provided for Resolution No. 2827, which authorizes the City Manager to execute a construction contract with Knife River Corporation - Northwest for construction of the 2020 Street Maintenance Project.
C. Public Works Complex Contract	Also, due to time constraints there was no presentation provided for Resolution No. 2828, which authorizes the City Manager to execute a contract with Scott Edwards Architecture LLP for final design and construction documents services for the complex project.
REGULAR MEETING	
Mayor's Business A. Citizens Academy Graduation	The 2020 Citizens Academy graduates were honored.
B. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

Communications	
Communications A. None.	
A. None.	
Consent AgendaA.Resolution No. 2823A Resolution Of The City Of Wilsonville Authorizing	The Consent Agenda was approved 4-0.
The City Manager To Execute A Professional Services Agreement With Stantec Consulting Services To Provide Engineering Consulting Services For The Water Treatment Plant Expansion Project (Capital Improvement Project #1144).	
 B. <u>Resolution No. 2827</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Knife River Corporation - Northwest For Construction Of The 2020 Street Maintenance Project (Capital Improvement Project 4014 And 4118). 	
C. <u>Resolution No. 2828</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Personal Services Agreement Contract With Scott Edwards Architecture LLP For Final Design And Construction Documents Services For The Public Works Complex Project (Capital Improvement Project #8113).	
New BusinessA.Resolution No. 2833A Resolution Of The City Of Wilsonville Authorizing The City Of Wilsonville To Enter Into An Intergovernmental Agreement With Washington County For Reimbursement Of Small Business Emergency Assistance.	Resolution No. 2833 was adopted 4-0.
Continuing Business A. None.	
Public HearingA.Resolution No. 2830A Resolution Authorizing A Supplemental BudgetAdjustment For Fiscal Year 2020-21.	After a public hearing was conducted, Resolution No. 2830 was approved 4-0.
City Manager's Business	No report.
Legal Business	No report.
ADJOURN	9:28 p.m.