

RESOLUTION NO. 1443

A RESOLUTION DECLARING THE CITY OF WILSONVILLE'S INTEREST IN THE SITING OF AN INMATE INTAKE CENTER AND MEDIUM SECURITY WOMEN'S PRISON ON THE PROPERTY COMMONLY KNOWN AS THE WILSONVILLE INDUSTRIAL SITE AT DAY ROAD

WHEREAS, Oregon voters in 1994 approved Ballot Measure 11, which mandates or increases prison sentences for many types of crime in Oregon; and

WHEREAS, as a result of the passage of this measure, the state has determined a need for an additional 10,000 prison beds to accommodate the projected growth in prison population; and

WHEREAS, the 1995 session of the Oregon Legislature adopted House Bill 2214, which provides for an expedited siting process for new correctional facilities; and

WHEREAS, this legislation requires the Oregon Department of Corrections to seek resolutions of interest from communities that are willing to host a correctional facility; and

WHEREAS, pursuant to this legislation, the Oregon Department of Corrections has adopted and on October 1, 1996, issued mandatory and desirable siting criteria for these new facilities; and

WHEREAS, one of the desirable siting criteria is that the facility be perceived as beneficial by the local jurisdiction; and

WHEREAS, one of the desirable siting criteria is that a proposed site for a facility not be adjacent to a developed single family or multi-family residential area, unless the parcel is buffered; and

WHEREAS, one of the desirable siting criteria is that a proposed site for a facility not be adjacent to a school unless the parcel is buffered; and

WHEREAS, on October 3, 1996, the Oregon Department of Corrections notified the City of Wilsonville that it was reviewing the Dammasch State Hospital property as a potential site for a statewide inmate intake center and medium-security women's prison with 1,600 beds and 500 employees, even though no local official had expressed any interest in having the facility on that site nor had any local official expressed a perception that the facility might be beneficial to the community; and

WHEREAS, the City of Wilsonville has been working with a consortium of state agencies to create a master plan for the Dammasch property that will guide future development on that site and ultimately create a model urban village consistent with Metro's 2040 plan; and

WHEREAS, implementation of the Dammasch Area Master Plan, as adopted, is critical to the city's ability to meet growth projections expected of Wilsonville in Metro's Regional Framework Plan and to correct the current jobs-to-housing imbalance; and

WHEREAS, on May 15, 1997, Governor John Kitzhaber selected the Dammasch property as the site of a women's prison and co-gender intake facility over the strident and eminently valid objections of the city of Wilsonville; and

WHEREAS, on January 30, 1998, at the request of the president of the Oregon Senate, the city of Wilsonville presented to the Legislative Emergency Board an alternative to the Dammasch site, which site is commonly known as the Wilsonville Industrial Site at Day Road, located in unincorporated Washington County just outside of the northwest city limits of Wilsonville and bounded on the east by Graham's Ferry Road, on the north by Clay Street, on the west by Burlington Northern Railroad right-of-way, and on the south by Elligsen Way; and

WHEREAS, the State Legislative leadership wrote to Governor Kitzhaber on January 30, 1998, urging him to “give careful consideration to the suggestion brought forward by the citizens of the Wilsonville community for the alternative siting of the Women’s Prison and Intake Center, and, in the event that an alternative site is viable, take appropriate executive action to re-site the facility”; and

WHEREAS, the Wilsonville Industrial Site at Day Road is viable as it meets the DOC’s size and buffering requirements (130 acres), and the costs are comparable to the Dammasch site (see “Attachment A”); and

WHEREAS, the Wilsonville Industrial Site at Day Road is primarily zoned rural industrial, and the majority of the property is located within Metro’s designated urban reserve area for Wilsonville and the City supports its annexation to the City of Wilsonville; and

WHEREAS, there are few residences in close proximity to the Wilsonville Industrial Site at Day Road and the land use in that area is increasingly industrial in nature; and

WHEREAS, the closest school to the Wilsonville Industrial Site at Day Road (Tualatin High School) is 1.2 miles by air and 1.8 miles by road; and

WHEREAS, the Wilsonville Industrial Site at Day Road offers closer and easier access to I-5 than does the Dammasch property; and

WHEREAS, construction of a prison on the Wilsonville Industrial Site at Day Road would benefit surrounding properties by bringing needed infrastructure to the area, thus facilitating future industrial development (see “Attachment B”); and

WHEREAS, the majority property owners of the Wilsonville Industrial Site at Day Road either have their property for sale or have indicated that they are willing sellers; and

WHEREAS, the selection of the Wilsonville Industrial Site at Day Road for the prison will allow the State and the City's plans for an urban village on the Dammasch property to move forward while at the same time facilitating regionally important and much-needed industrial development (see "Attachment C"); and

WHEREAS, the City is willing to make the adjustments necessary so that the DOC's off-site infrastructure costs remain constant with those already agreed to for the Dammasch site; and

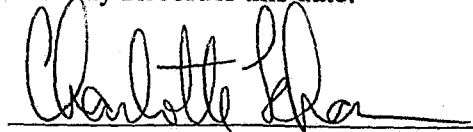
WHEREAS, construction of a prison on the Wilsonville Industrial Site at Day Road offers the Department of Corrections an opportunity to work with and be a part of the Wilsonville community rather than doing constant battle with it.

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

1. The City Council of the City of Wilsonville respectfully requests the Governor of the State of Oregon to reconsider his siting decision in light of this new information and to instruct the Department of Corrections to take whatever steps may be necessary to work cooperatively with the City of Wilsonville to re-site the prison on the Wilsonville Industrial Site at Day Road.
2. The City Council of the City of Wilsonville directs the City Manager to work with staff, citizens, and the Department of Corrections to expedite

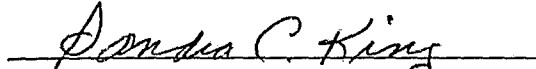
prison construction at the Wilsonville Industrial Site at Day Road in order to minimize delay and expense.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof of March 2, 1998, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:


Sandra C. King, CMC, City Recorder

SUMMARY of Votes:

Mayor Lehan	Yes
Councilor Barton	Yes
Councilor Helser	Yes
Councilor Kirk	Yes
Councilor Luper	Absent

**OREGON DEPARTMENT OF CORRECTIONS
WOMEN'S PRISON/INTAKE CENTER**

**DAMMASCH HOSPITAL SITE & ALTERNATE (DAY ROAD) PROPERTY
BUDGET/COST ESTIMATE SUMMARY**

Budget/Value Estimate	Dammasch Site Budget	DOC Alternate Property Estimate	City of Wilsonville Alternate Property Estimate	+ / - DOC/COW Alternate Site
1. Project Construction Costs				
Prototypical Basic	\$75,307,361	\$75,998,185	\$75,998,185	\$0
Additional Program Space	\$2,034,909	\$2,925,225	\$2,925,225	\$0
Furniture, Fixtures & Equipment	\$1,668,000	\$1,668,000	\$1,668,000	\$0
Future Program Space	\$6,753,988	\$11,831,600	\$0	(\$11,831,600)
Total Construction Costs	\$85,764,258	\$92,423,010	\$80,591,410	(\$11,831,600)
2. Project Administration Costs				
Contingency @ 7%	\$11,120,150	\$11,120,150	\$11,120,150	\$0
	\$6,781,909	\$7,248,021	\$6,419,809	(\$828,212)
Total Construction & Administration Costs	\$103,666,317	\$110,791,181	\$98,131,369	(\$12,659,812)
3. On-Site Development Cost	\$23,253,721	\$25,252,581	\$20,590,776	(\$4,661,805)
4. Off-Site Infrastructure Development Cost	\$23,504,300	\$28,010,000	\$23,504,300	(\$4,505,700)
5. Community Development Cost	\$757,000	\$757,000	\$757,000	\$0
Total On-Site/Off-Site/Comm. Dev. Costs	\$47,515,021	\$54,091,581	\$44,852,076	(\$9,167,505)
TOTAL BUDGET/VALUE ESTIMATE	\$151,181,338	\$164,810,762	\$142,983,445	(\$21,827,317)

Budget/Value Estimate	Dammasch Site Budget	DOC Alternate Property Estimate	City of Wilsonville Alternate Property Estimate	+ / - DOC/COW Alternate Site
IMPACTS ESTIMATE				
Construction Schedule/Delay Costs	\$0	\$10,219,531	\$6,454,441	(\$3,765,090)
Prison Occupancy Delay	\$0	\$2,300,000	\$1,452,636	(\$847,364)
Siting Evaluation & Issues	\$0	\$30,000	\$30,000	\$0
Property Appraisals	\$0	\$110,000	\$110,000	\$0
Condemnation	\$0	\$470,000	\$470,000	\$0
Acquisition	\$0	\$7,727,407	\$7,727,407	\$0
Relocation	\$0	\$311,000	\$311,000	\$0
PGE Utility Transfer	\$0	\$300,000	\$0	(\$300,000)
SUBTOTAL	\$0	\$21,467,938	\$16,555,484	(\$4,912,454)
Unknown / Unforeseen Conditions @ 10%	\$0	\$2,146,794	\$0	(\$2,146,794)
Dammasch Property Purchase	\$2,500,000	\$2,500,000	\$0	(\$2,500,000)
Dammasch Property Sale	\$0	(\$16,810,000)	\$0	\$16,810,000
SUBTOTAL	\$0	(\$14,310,000)	\$0	\$12,163,206
TOTAL IMPACTS ESTIMATE	\$0	\$9,304,732	\$16,555,484	\$7,250,752
GRAND TOTAL BUDGET/VALUE IMPACTS ESTIMATE	\$153,681,338	\$174,115,494	\$159,538,929	(\$14,576,565)

**NOTES FOR BUDGET/VALUE/IMPACTS ESTIMATE SUMMARY
COMPARISON SCHEDULE ALTERNATIVE (DAY ROAD PROPERTY)
WOMEN'S PRISON / INTAKE CENTER COMPLEX**

The differences below are explained only for those cost differences between the DOCs estimates and Wilsonville's estimates for the alternative (Day Road) site.

I. PROJECT CONSTRUCTION COSTS (\$11,831,600)

Future Program Space

- This is an opportunity cost unique to Dammasch for future expansion that may or may not be needed to provide additional minimum security beds. When the DOC sells the Dammasch property (DOC estimated value \$16,810,000) the proceeds could be used to offset the cost of future expansion if and when needed.

II. PROJECT ADMINISTRATION COST (\$828,238)

- Contingency revised to reflect the decrease in construction cost.

III. ON-SITE DEVELOPMENT COST (\$4,661,805)

For the alternative (Day Road) property:

- Delete asbestos/lead abatement costs related to Dammasch only (\$978,729)
- PCP mitigation pertains to Dammasch only (\$71,090)
- Environmental mitigation (tanks) pertains only to Dammasch (\$612,036)
- Costs unique to Dammasch totaling (\$1,661,855) should not be added to the Day Road site but rather deducted from the sale proceeds when the Dammasch property is sold by DOC.
- Site Clearing Grub and Cleaning reduced to \$3 million. DOC shows increased costs of \$6 million, \$3 million seems to be a conservative estimate given limited existing on-site development.

IV. OFF-SITE INFRASTRUCTURE DEVELOPMENT COST (\$4,505,700)

- See attached comparison of off-site improvement costs with possible adjustments. The off-site infrastructure costs for the two sites is virtually the same. The City is willing to make the adjustments necessary so that **DOCs off-site infrastructure cost remain constant with that already agreed to for the Dammasch property.**

IMPACTS ESTIMATE (\$7,250,752)

Construction Schedule/Delay Costs (\$3,765,090)

- The DOCs estimates of a delay impact of 19 months can conservatively be reduced to 12 months. With the mutual commitment of DOC and the City of Wilsonville the delay could be reduced even further.
- Assumes delay costs of \$537,870 per month for alternative site. DOC assumed no delays related to the Dammasch site; with further legal challenges ahead this may not be a fair assumption.

Prison Occupancy Delay (\$847,364)

- Includes costs of renting out of state beds for 12 months rather than 19 months included in DOCs schedule.

PGE Utility Transfer (\$0)

- DOC assumed \$300,000 cost in delay of construction to the year 2000, there is no reason construction cannot begin in 1999 prior to the PGE projected cost increase.

Unknown/Unforeseen Conditions @ 10% (\$0)

- Unforeseen conditions could equally apply to either this or the Dammasch site. To assume a 10% additional cost because DOC has not conducted any assessments inflates the potential difference in cost between the two sites without providing any justification.

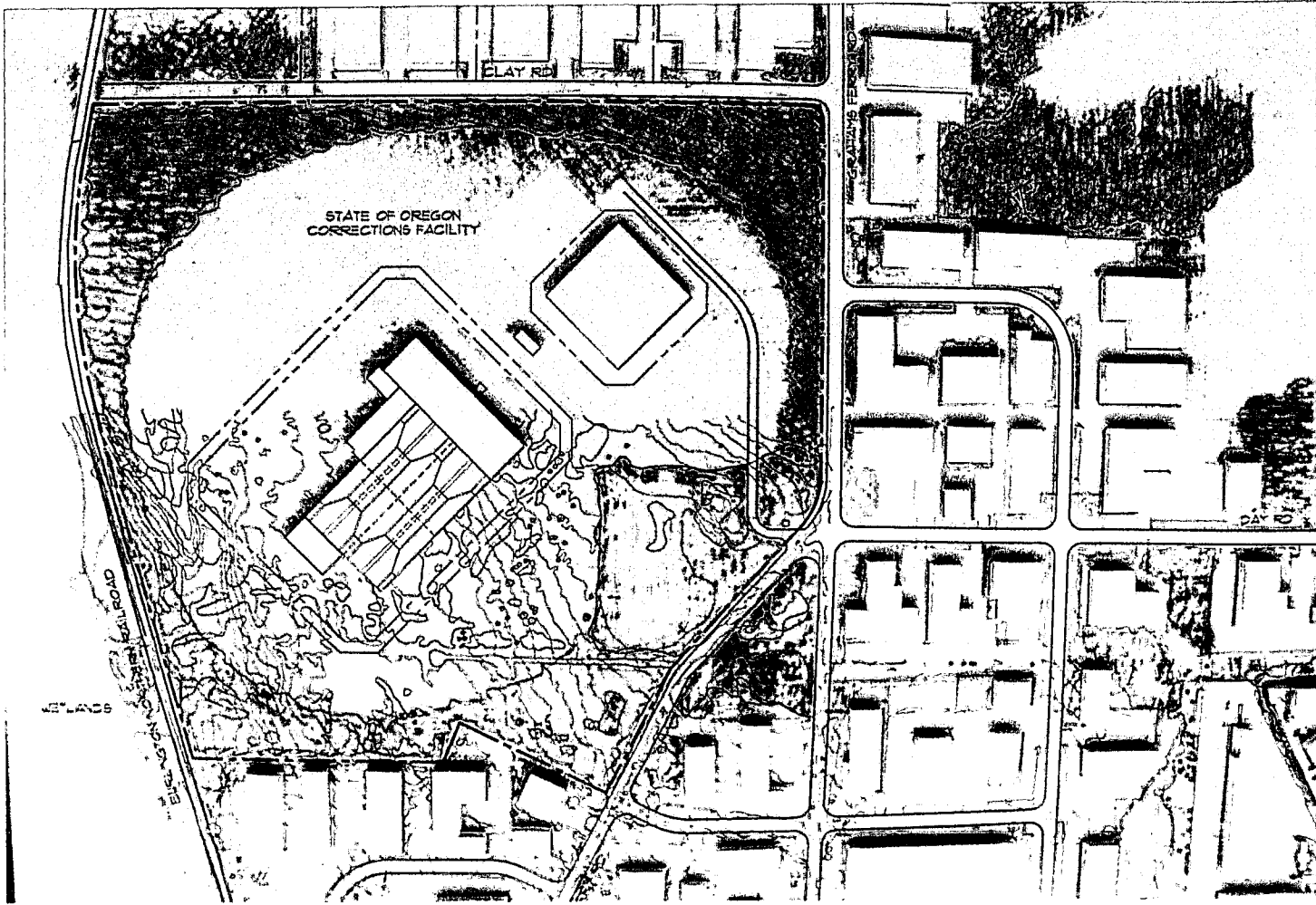
Dammasch Property Purchase (\$2,500,000)

- This is clearly a cost related to the Dammasch property that should be included in the Dammasch budget and not the alternative site budget. The alternative site budget, quite appropriately includes the cost for land acquisition for the Day Road property.

Dammasch Property Sale (\$0)

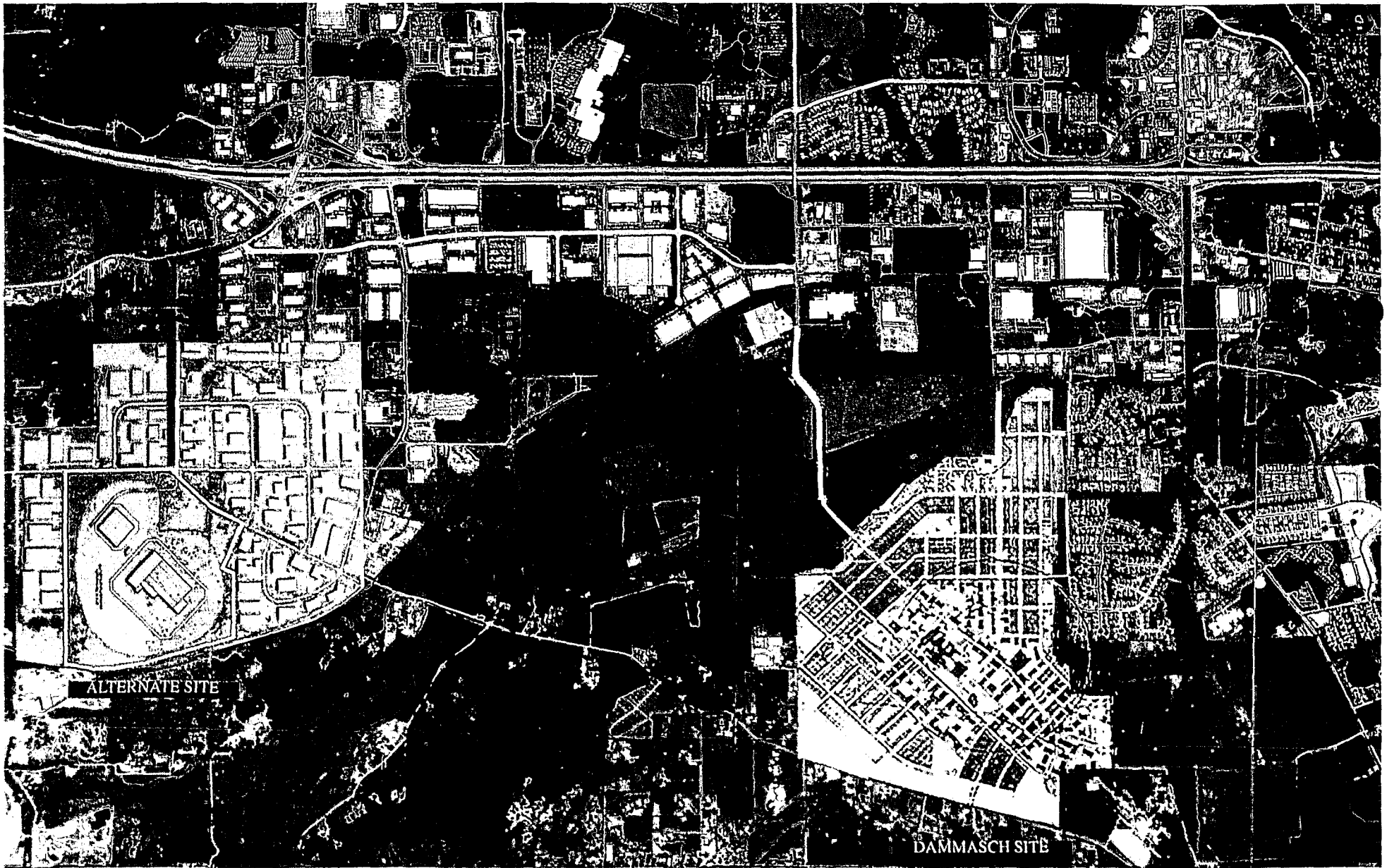
- Until the Dammasch property is actually sold this should not be a credit against the alternative site, but rather the sale proceeds (less the cost of the Dammasch site, and related costs) should then be available to the DOC for future expansion on the alternative site.

Comparison of Off-Sites with Possible Adjustments		
	2/24/98 Dammasch	Alternative Site
Streets	\$8,811,700	\$6,910,000
Construction credits balance Washington County TIF????		\$0
Net streets	\$8,811,700	\$6,910,000
Water	\$10,000,000	\$10,000,000
16 inch waterline to site		\$1,500,000
Reduction in city share of \$10,000,000		(\$1,500,000)
Net water	\$10,000,000	\$10,000,000
Sanitary Sewer	\$4,171,200	\$9,300,000
Use in-city SDC rate		(\$1,650,000)
Provide credits against sewer SDC for line oversizing		(\$670,000)
Refine right of way and easement requirements		(\$1,000,000)
Accept alternative of parallel sewer lines where feasible		(\$1,200,000)
Net sanitary sewer	\$4,171,200	\$4,780,000
Storm Sewer	\$521,400	\$1,800,000
Total	\$23,504,300	\$23,490,000



STATE OF OREGON CORRECTIONS FACILITY AT WILSONVILLE, OREGON

116 acre site with direct access to the north Wilsonville I-5 interchange, the site is located at the intersection of Day Road and Grahams Ferry Road, bounded on three sides with industrial distribution areas & buffered by the wetlands to the West



STATE OF OREGON CORRECTIONS AT ALTERNATE SITE & GARDEN VILLAGE AT DAMMASCH AREA

THE CORRECTIONS FACILITY OVERLAY SHOWS THE BUILD OUT AT THE ALTERNATE SITE ADJACENT TO LARGE SCALE BUILDING OF THE FOREST PARK INDUSTRIAL DISTRIBUTION PARK
THE GARDEN VILLAGE OVERLAY SHOWS THE BUILD OUT AT THE DAMMASCH AREA ADJACENT TO HOUSING, SCHOOLS, CHURCHES & THE METRO OPEN SPACE PARK