

AGENDA

REGULAR CITY COUNCIL MEETING

April 12, 2010

5:30 p.m.

CITY HALL COUNCIL CHAMBER
313 COURT STREET
THE DALLES, OREGON

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. PRESENTATIONS/PROCLAMATIONS
6. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Five minutes per person will be allowed. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.

7. CITY MANAGER REPORT
8. CITY ATTORNEY REPORT
9. CITY COUNCIL REPORTS
10. CONSENT AGENDA

Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the City Council to spend its time and energy on the important items and issues. Any Councilor may request an item be "pulled" from the Consent Agenda and be considered separately. Items pulled from the Consent Agenda will be placed on the Agenda at the end of the "Action Items" section.

OFFICE OF THE CITY MANAGER

COUNCIL AGENDA

- A. Approval of March 29, 2010 Regular City Council Meeting Minutes
- B. Approval to Declare Police Vehicles as Surplus Property
- C. Approval to Declare Public Works Department Vehicle as Surplus Property
- D. Authorization for City Clerk to Endorse OLCC New Outlet Application for Anana's Boutique

11. CONTRACT REVIEW BOARD ACTIONS

- A. Approval of Amendment #4 to Contract No. 07-08-004 With KPFF Consulting Engineers to Incorporate Additional Elements of Work, Delete Specific Elements of Work and Increase the Amount of the Contract for the Downtown Riverfront Connection Project [Agenda Staff Report #10-024]

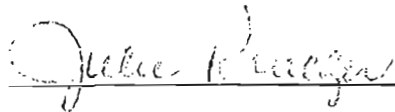
12. DISCUSSION ITEMS

- A. Discussion Regarding Plan for Regulating Yard Sale Signs [Agenda Staff Report #10-021]

13. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Julie Krueger, MMC
City Clerk





CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481

AGENDA STAFF REPORT
CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
April 12, 2010	Consent Agenda 10, A- D	N/A

TO: Honorable Mayor and City Council

FROM: Julie Krueger, MMC, City Clerk

THRU: Nolan K. Young, City Manager

DATE: March 31, 2010

ISSUE: Approving items on the Consent Agenda and authorizing City staff to sign contract documents.

A. ITEM: Approval of March 29, 2010 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the March 29, 2010 regular City Council meeting have been prepared and are submitted for review and approval.

RECOMMENDATION: That City Council review and approve the minutes of the March 29, 2010 regular City Council meeting.

B. ITEM: Approval to Declare Police Department Vehicles as Surplus Property.

BUDGET IMPLICATIONS: Any proceeds from sale of the vehicles will be credited to the General Fund.

SYNOPSIS: The Police Department is requesting to declare two vehicles as surplus property because they have outlived their useful life. The vehicles are extremely expensive to maintain and have been replaced. The vehicles are: 2005 Chevrolet Impala, VIN 2G1WF55K659296874 (103,693 miles); and a 2006 Chevrolet Impala, VIN 2G1WS551969362404 (99,810 miles).

RECOMMENDATION: That City Council declare the vehicles as surplus property and authorize staff to dispose of the vehicles through sale, auction, or trade.

C. **ITEM:** Approval to Declare Public Works Department Vehicle as Surplus Property.

BUDGET IMPLICATIONS: Proceeds from the sale of the vehicle will be credited to the appropriate Public Works funds.

SYNOPSIS: The Public Works Department is requesting to declare a 1984 Ford Ambulance, used as a sewer video detection unit, as surplus property. This unit is no longer used by the Department.

RECOMMENDATION: That the City Council declare the vehicle as surplus property and authorize staff to sell the vehicle at auction.

D. **ITEM:** Authorization for City Clerk to Endorse OLCC New Outlet Application for Anana's Boutique.

BUDGET IMPLICATIONS: a \$100.00 fee will be collected and credited to the General Fund.

SYNOPSIS: Anana's Boutique has applied for an OLCC license to serve alcohol at their new location in The Dalles. The Police Department has investigated the application and recommends approval.

RECOMMENDATION: That City Council authorize the City Clerk to endorse the OLCC New Outlet application for Anana's Boutique.

MINUTES

REGULAR COUNCIL MEETING
OF
MARCH 29, 2010
5:30 P.M.
CITY HALL COUNCIL CHAMBER
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Nikki Lesich

COUNCIL PRESENT: Bill Dick, Carolyn Wood, Jim Wilcox, Dan Spatz, Brian Ahier

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Finance Director Kate Mast, Community Development Director Dan Durow, Senior Planner Dick Gassman, Police Chief Jay Waterbury, Transportation Manager Bill Barrier, Engineer Dale McCabe

CALL TO ORDER

Mayor Lesich called the meeting to order at 5:33 p.m.

ROLL CALL

Roll call was conducted by City Clerk Krueger, all Councilors present.

PLEDGE OF ALLEGIANCE

Mayor Lesich invited the audience to join in the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Spatz and seconded by Wood to approve the agenda as presented. The motion carried unanimously.

PRESENTATIONS/PROCLAMATIONS

Mayor Lesich introduce a special guest, Cody Lingel who had been nominated by his teacher to attend the Junior National Leaders Conference in Washington, D.C.

Todd Lingel, 714 West 11th Street, The Dalles, said he was a very proud parent. He said an account had been opened at Columbia State Bank and they were in the process of raising funds for Cody to attend the conference. He said they needed to raise \$2,500 for the trip. Mr. Lingel said his son would learn goal setting, problem solving, and many other leadership skills and would be touring some of the memorials and attending a session at the White House.

Mayor Lesich congratulated Cody for the nomination and presented him with a City of The Dalles pin to wear on his trip.

Councilor Wilcox offered the use of his real estate parking lot if Cody wanted to have a car wash to help with fund raising.

AUDIENCE PARTICIPATION

Councilor Wilcox excused himself from the dais to speak to the City Council as a citizen. He said the issue he wanted to discuss would be a conflict of interest for him as a Councilor because of potential financial gain by the sale of a property.

Wilcox said a determination had been made by the Community Development Director, as an administrative decision, that an auto body shop could not be located in an industrial zone. He said the application had been denied because the use had not been specifically listed as an outright use, but the zone also included a clause which allowed uses deemed similar by the Director. Wilcox said due to the timing of the sale, the applicant did not have an opportunity to make a formal appeal to the Planning Commission. He said three former City Councilors were in attendance to speak to the Council regarding their intent that the Land Use Development Ordinance (LUDO) was to be interpreted liberally.

Wilcox said the City worked hard to keep businesses vital and to promote economic development and that staff needed to find a way to say yes to this application. He said the City Attorney had written an opinion that agreed with the staff position, but that the case law cited had been very outdated.

Wilcox asked the City Council to listen to testimony and then direct staff to review and reverse their decision by noon on Wednesday.

City Manager Young said since a particular action was being requested, it would be appropriate for the City Council to consider this issue as an agenda item and discuss later in the meeting.

The City Council agreed to place the issue as an agenda item and changed the order of the agenda to hear Discussion Item 12, B, regarding Street Fund financing first, followed by the issue of the industrial zone question.

DISCUSSION ITEMS

Discussion Regarding Street Fund Financing

City Manager Young reviewed the staff report, highlighting the revenue options proposed by staff.

Councilor Ahier asked if the Chenoweth PUD paid any franchise fee. City Manager Young said they were not currently paying a franchise fee to the City.

Councilor Spatz asked if there had been a local fuel tax placed by the State, as had been proposed with last year's legislation. City Manager Young said that was correct, that no local fuel taxes could be imposed or increased for five years.

Dwight Langer, Northern Wasco County PUD Manager addressed the City Council regarding a proposal to increase the PUD's franchise fee by ½ percent. He introduced his financial officer Jim Johnson and the PUD Board members in attendance. Mr. Langer provided a handout, which was read by various members of PUD staff and Board (attached as Exhibit "A"). Finance Officer Jim Johnson reviewed the financial statistics, while Board members Barbara Nagle, Milton Skov, Clay Smith, Bill Ward, and Howard Gonser presented the narrative sections of the handout.

Mr. Langer summarized the presentation by saying the PUD was a non-profit and any franchise fee increase would have to be passed on to the rate payers.

Randy Cole, 816 East 20th Street, The Dalles, said he had been a member of a committee who worked on providing clean air and health for the community. He said the committee had worked on methods to reduce burning, but if power rates increased, this could cause people to use more wood burning, which would not help keep the air clean.

Bob McNary, 1525 East Ninth Street, The Dalles, said many people in the community are already in need of assistance to pay water and sewer bills and if electric rates increased it would only add to the problem.

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Councilor Wilcox asked Chenoweth PUD Manager Roger Prowell to discuss recent rate increases for their customers. Mr. Prowell said Chenoweth water customers had a 25% increase in rates last November. He said additional increases were planned for March, 2010 of 15% and another 15% increase scheduled for October, 2010. Prowell said the Chenoweth PUD was also a non-profit and any franchise fees imposed on them would have to be passed on to their rate payers.

Doug Hattenhauer, 3205 Doane Road, The Dalles, said he believed the City was overspending the Street Fund budget and that if there were problems, the City needed to find ways to save money in its other funds. He said there should be wage freezes and less money spent for insurance. Hattenhauer said a hiring freeze should also be implemented, pointing out a recent job opening for a Codes Enforcement officer should not be filled, but let the Planning Department handle that with their current staff.

City Manager Young said the reason for a 10% contingency fund was to accomplish a City Council goal. He said the Council could re-visit that if they wished to. Young said the reason for the amount in unappropriated balance was to have operating funds between July 1 and November, when property tax revenues begin to come in to the City.

Councilor Ahier said he was opposed to increasing any fees or taxes in the current economy. He said he would support revisiting the contingency policy in the future.

Councilor Wilcox agreed the timing was not right to increase the franchise fees, but that they should be looked at in the future and he said he would be interested in more information regarding the telecom tax.

Councilor Spatz said staff had offered several options for consideration. He said he would like more information regarding the telecom tax. Spatz said after the five year fuel tax freeze, the City should also consider an increase in the local fuel tax.

Councilor Dick said the country was taxing itself too much, but that there was an expectation that the City maintain its street system. He said it was a difficult problem and he appreciated the input from the PUD regarding an increase to their franchise fee.

Councilor Wood said all options should be considered and that it was the job of the City to maintain its infrastructure.

Mayor Lesich said staff had provided good information.

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City Manager Young said staff would put together a balanced budget with no increase in revenue to the Street Fund for this year. He said staff would be evaluating the impact of upcoming annexations and provide additional information regarding the telecom tax. Young said staff would also provide information to the City Council regarding the 10% contingency policy.

Continued Discussion Regarding Zoning Decision (previously discussed under Audience Participation)

Bob McFadden, 2472 Mountain View Drive, The Dalles, said economic development was important to keeping the community vital. He highlighted sections of the City's Comprehensive Plan, which spoke to the importance of economic development, a diversified economy, family wage jobs, job credit, enterprise zones and the use of industrial zoning for creation and retention of jobs, an increased tax base, growth of existing employers, and the use of the Port for that increased tax base and employment opportunities.

McFadden said as the Land Use Development Ordinance (LUDO) had been developed, the City Council had worked with staff to resolve many issues and had been told by staff that it was not a perfect document, but changes could be made as needed. He said there were many empty store fronts in the community at this time and that the City should be finding every way possible to say yes and help citizens create jobs instead of putting up blocks.

City Manager Young asked the City Attorney if there would be any conflict for Mr. Zukin to speak on this matter since he was a member of the Planning Commission, who would hear an appeal of the decision if there was one. City Attorney Parker said Mr. Zukin could have a conflict of interest and not be able to hear the appeal if it went to the Planning Commission.

Chris Zukin, 915 West 14th Street, The Dalles, said he had been a member of the City Council from 2000 to 2006 and had a lot of exposure to the Planning Department through that and his work on the Planning Commission. He said Dan Durow was a great asset to the City.

Zukin said his intent as a City Councilor had been to promote the job environment in the community. He said he believed the City had created a pro job and business environment and hoped the City's position would continue to be how to help businesses and say yes to applications.

Jim Broehl, 318 West 12th Street, The Dalles, said he had also served as a City Councilor and that their intention was not to deliberately exclude a business that was not especially named as an outright use in a zone. He said the inclusion of a body shop in one industrial zone and exclusion in another industrial zone should not preclude it from being allowed.

Skyfar Schacht, 4877 Highway 30 West, The Dalles, said he had operated the automotive body shop for 12 years and had gone from being the only employee, to employing 12 people. He said his company had invested in a lot of training and equipment and was a good business that needed to move and have room to grow.

Brad Timmons, Attorney for Mr. Schacht, PO Box 2250, The Dalles, said the applicant was trying to expand its operation and needed to move to a new location. He said the land sale process did not allow enough time for the applicant to go through a Planning Commission appeal process. Mr. Timmons said he disagreed with the staff interpretation that the body shop could not be located in the industrial zone because there was a clause which said the Director could deem other similar uses to the listed items.

Timmons said the City Attorney had cited a 1974 case law which supported the decision, but that case did not include the clause which allowed for similar uses. Mr. Timmons said he had found case law from 2009 in Umatilla County which did have the similar use clause and that the case had prevailed through a Land Use Board of Appeals and Supreme Court ruling. He asked that this case law be reviewed because it more closely matched this application.

City Manager Young asked the City Attorney if the City Council had the authority to take any action. City Attorney Parker said the process outlined in the LLDO said the course of action was to appeal a decision to the Planning Commission. He said the Council could not tell staff how to interpret an ordinance, but they could ask for amendments to an ordinance. Parker said it was not proper for the City Council to direct staff to approve the application.

Councilor Ahier disagreed, saying he believed the City Council did have the authority to provide direction to staff and that they could challenge the City Attorney's interpretation of the Council's authority.

City Attorney Parker said this was a ministerial action and the City Council didn't have authority to change it.

Councilor Dick said he believed Dan Durow was also a great asset to the City, but he said it was also important for staff to look at the big picture and said the City Council could express its intentions and be on record as to their expectations without providing specific direction to staff. Dick said he hoped the Community Development Director would review the information and change his decision. He said it was surprising that an activity allowed in a light industrial zone would not also be allowed in an industrial zone if it was compatible.

Mayor Lesich asked what the time frame was for a final decision and what options were open to the City Council.

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City Attorney Parker said staff could review the case law presented by Mr. Timmons but that the City Council could not provide additional direction to staff regarding their ministerial decision.

Councilor Spatz said he would like to ask for clarification of the zones for the future and said he would like to see staff review the new case law presented by Mr. Timmons.

Councilor Ahier agreed with comments that Dan Durow was a great asset to the City and said no one intended anything bad. He said ordinances could be amended for future, but asked if staff could re-visit the application and determine that the applicant did have an acceptable similar use to those listed.

City Attorney Parker said it was possible, though the letter from the City stated it was not similar use. Mayor Lesich said the new information, case law presented, should be reviewed and then the application could be looked at in light of that information to determine if it could be approved as a similar use.

City Manager Young said Durow was not alone in this decision making, that he had a legal opinion from the City Attorney and the approval of the City Manager. Young said the Council could state their intention that the staff should look for opportunities to identify similarities and that staff would review the new information presented.

Councilor Dick said the ordinance did have elements of subjectivity. He said the new information presented by Mr. Timmons should be reviewed and if found to match our ordinance as a similar use, staff should reconsider the decision. Dick said he believed the City Council was within their authority to share their views with staff.

City Manager Young said it was possible that staff could review the new information and still reach the same conclusion and it may be best for the applicant to file an appeal with the Planning Commission to keep their options open. He said the Planning Commission could hold a special meeting on April 9th to hear the appeal, but not sooner because of the requirement for ten days notice of an appeal hearing.

City Attorney Parker said he would review the newly presented case law on Wednesday.

Councilor Ahier said it would be tragic if the applicant missed the opportunity to move and expand their business due to time constraints.

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Jim Wilcox said the intention of the previous City Council was obvious and the current City Council had the authority to correct the problem. He asked the Council not to abdicate their power, saying the Council ran the City, not staff. He asked the Council to find a way to make sure this decision was reversed.

Councilor Wood said the City Council took an oath of office to uphold all laws and the LUDO was one of those laws.

Randy Cole, 816 East 20th Street, The Dalles, said the LUDO was a guideline and items listed as approved uses should be used as examples.

City Manager Young said the LUDO was not a guideline, but was a City law.

Councilor Ahier mentioned other uses in the Port area which did not seem to meet the definition of an industrial use.

City Manager Young said there were several zoning districts on the Port, including commercial zoning in some areas.

Councilor Wood asked if the staff review could be completed by the end of the week. City Attorney Parker said he could complete his review by the end of the week. Councilor Spatz said he hoped it could be done prior to the end of the week.

Councilor Dick said he believed the Council was within their rights to state their intention that an automotive body shop should be allowed in an industrial zone.

It was moved by Dick and seconded by Ahier to resolve the City Council's intention to allow an automotive body shop as a similar use to those defined in the industrial zoning. The motion carried unanimously, Wilcox abstaining.

City Manager Young said the City Attorney would review the case law but he didn't know if the previous motion was legally defensible and that staff would make a decision based on what was legal, and not what was politically popular.

Councilor Dick said his motion was not a political decision to over ride the law and that it was not breaking a law to state the intention of the City Council. He said staff should consider that the Council did act lawfully and did not provide specific direction to staff

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Recess

Mayor Lesich recessed the meeting at 8:10 p.m.

Reconvene

The meeting reconvened at 8:17 p.m.

Councilor Wilcox returned to the dais.

PUBLIC HEARINGS

Public Hearing to Receive Testimony Regarding Community Development Block Grant (CDBG) for Mid Columbia Housing Resource Center 2011-12 Cycle

Mayor Lesich reviewed the procedures to be followed for the public hearing.

The staff report was reviewed by David Peters.

Councilor Wilcox asked if the Agency was continuing with homeowner seminars. Mr. Peters said there were eight seminars scheduled for the current year, plus one that would be presented in Spanish.

Testimony

No testimony was presented. Hearing no testimony, the public hearing was closed.

Council Deliberation

It was moved by Wood and seconded by Wilcox to direct staff to proceed with the 2011-12 Community Development Block Grant application for the Mid Columbia Housing Resource Center. The motion carried unanimously.

CITY MANAGER REPORT

City Manager Young reported that staff was working with Oregon Department of Transportation (ODOT) to submit a grant to provide funding for engineering of a section of the Riverfront Trail from the ODOT yard to US Highway 197, approximately .6 mile.

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Regular Council Meeting
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Young said there were traffic problems on East Ninth Street due to the closure of Brewery Grade. He recommended a reduced speed limit of 15 miles per hour on East Ninth Street between Dry Hollow Road and "H" Street until Brewery Grade re-opened.

It was moved by Spatz and seconded by Ahier to direct staff to post a reduced speed limit of 15 miles per hour on East Ninth Street between Dry Hollow Road and "H" Street until Brewery Grade re-opened. The motion carried unanimously.

CITY ATTORNEY REPORT

City Attorney Parker noted some errors in the previously approved lease with Juniper Investments at the Airport. He asked for consensus to correct the square footage figure to 10,297 and the rent to \$197.36. It was the consensus of the Council to approve the corrections.

CITY COUNCIL REPORTS

Councilor Ahier reported revenues were higher than expected for QLife Agency and they would be able to repay the Oregon Investment Board debt this year.

Councilor Wilcox said Airport staff was working on a water agreement and there would be no Airport Board meeting this month. He reminded the Council of the May 19th workshop on the Master Plan at 5:00 p.m. at the Airport.

Extend Time of Meeting

It was moved by Ahier and seconded by Wilcox to extend the time of the meeting by 30 minutes. The motion carried unanimously.

City Council Reports, Continued

Councilor Spatz acknowledged efforts to restore the Civic Auditorium Theater. He said meetings had been held throughout the day to launch a new strategy to complete the project.

Councilor Wood said the visit to our Sister City had been very successful and said Bob McFadden would provide a full report to the City Council at a future meeting.

Mayor Lesich reminded the Council of the Haven fundraiser next week.

MINUTES (Continued)
Regular Council Meeting
March 29, 2010
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CONSENT AGENDA

It was moved by Wood and seconded by Spatz to approve the agenda as presented. The motion carried unanimously.

Items approved by Consent Agenda were: 1) approval of March 15, 2010 regular City Council meeting minutes; and 2) Resolution No. 10-006 concurring with the Mayor's appointment of John Nelson to the Planning Commission.

DISCUSSION ITEMS (Continued)

Discussion Regarding Adoption of Residential Street Standards

Senior Planner Gassman reviewed the staff report. He said the walkability study prepared by the Health District and County Planning Department was in line with the residential street standards proposal.

Allyson Smith, North Central Public Health District and Jeanette Montour, Wasco County Planning and Development Department presented comments, including background of the walkability study, findings, comments regarding public improvement requirements, and closing remarks (attached as Exhibit "B"). Ms. Smith asked the City Council to delay a decision to adopt the standards until they had an opportunity to make further studies, which could be up to one year.

Senior Planner Gassman reminded the City Council that development standards had been removed from the LUDO, so it was important to adopt the standards as a guideline. He said the standards would be adopted by Resolution, so updates to the document would be much easier to make as needed.

Clay Smith, 3463 West 13th Street, The Dalles, said he had helped with the study and was a member of the bicycle association. He urged the City to maintain a high quality street infrastructure, providing more funding for street maintenance and police services, making it safe for walkers and bikers in the community.

Extend Time of Meeting

It was moved by Ahier and seconded by Spatz to extend the meeting an additional five minutes. The motion carried unanimously.

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Discussion Regarding Adoption of Residential Street Standards (continued)

Randy Cole, 816 East 20th Street, The Dalles, said he was the Chair of the Traffic Safety Committee and said he hoped this was not the final draft of the document because many streets had been omitted from the Plan, using Oakwood Street as an example.

The City Council said they understood it was not an all inclusive list, but was a good starting place.

It was moved by Ahier and seconded by Spatz to adopt the guidelines and direct staff to bring a resolution for adoption at a future meeting. The motion carried unanimously.

ADJOURNMENT

Mayor Lesich asked that the discussion regarding a plan for yard sale signs, be placed on the April 12th agenda, due to the late hour.

Being no further business, the meeting adjourned at 9:07 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:

Nikki L. Lesich, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk

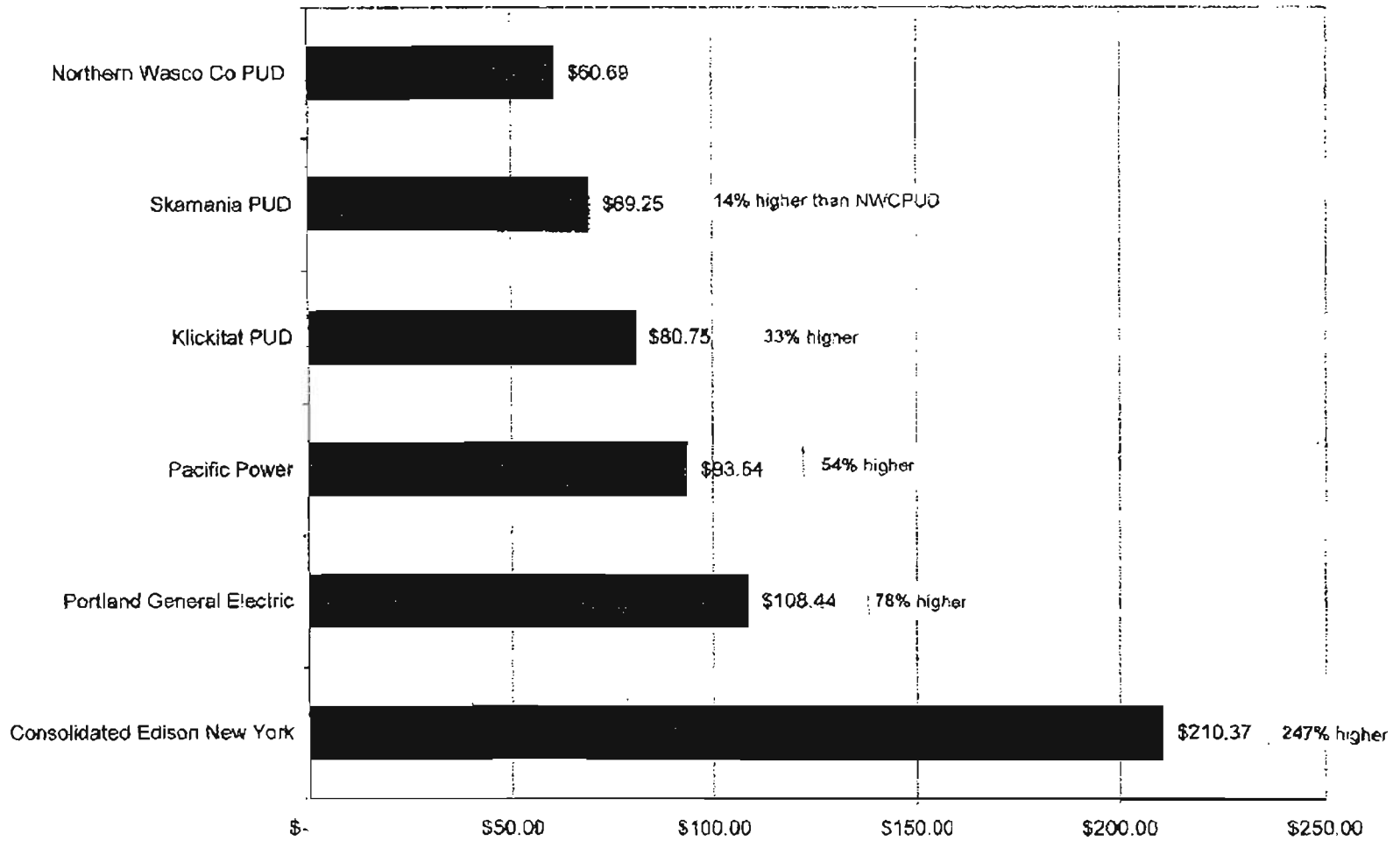
Northern Wasco County PUD **February 2010**

	<u>Northern Wasco*</u>	<u>U.S. Average**</u>	<u>Difference in N. Wasco PUD Rates are:</u>
Residential	\$.0349/Kwh	\$.1161/Kwh	111% lower
Commercial	\$.0531	\$.1027	93% lower
Industrial	\$.0395	\$.0696	76% lower

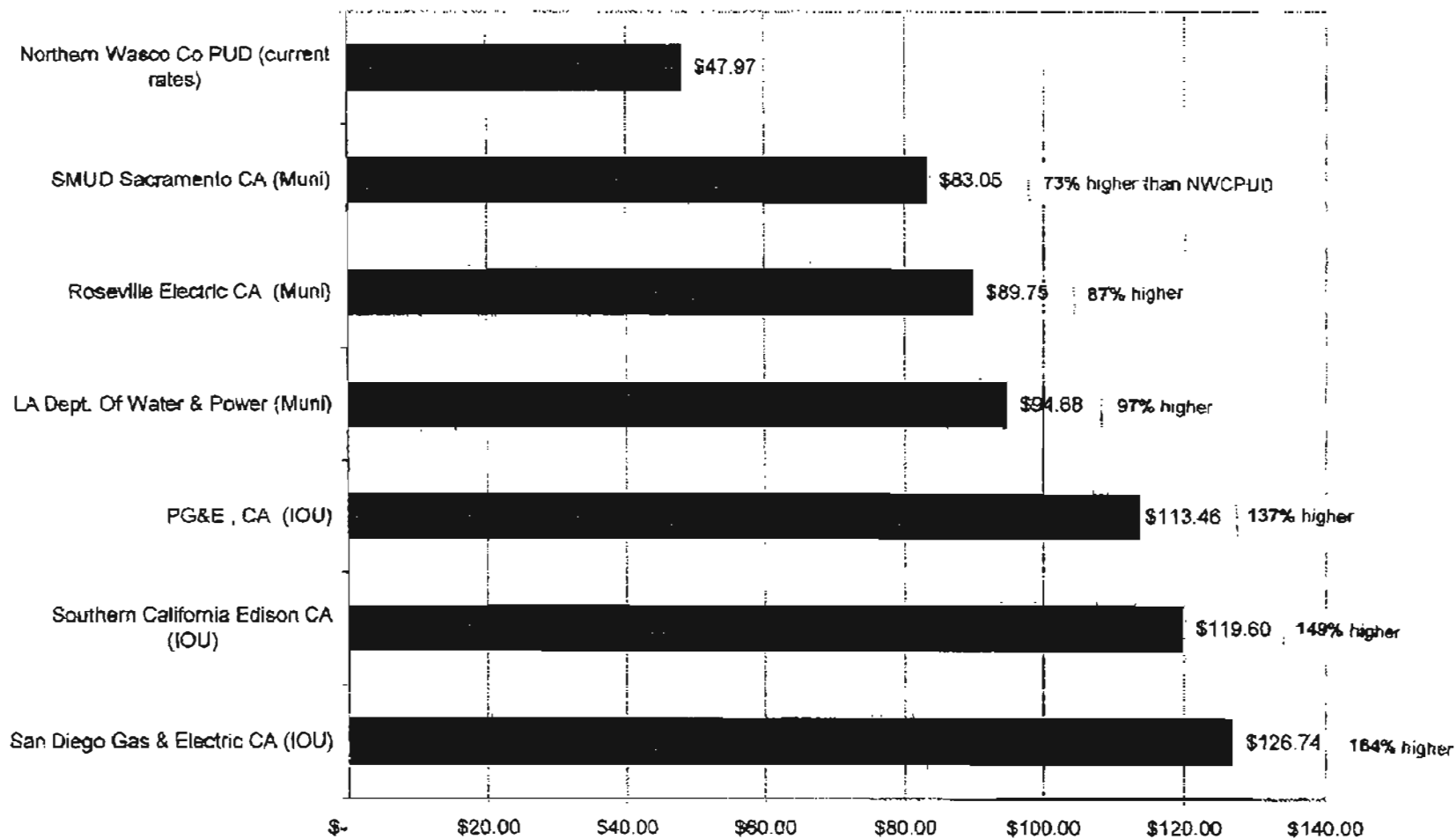
* Average rates from 2009

** U.S. Average from DOE EIA for 2009

Current Residential Rate Comparison for 1000 KWH, March. 24, 2010



Current Residential Rate Comparison for 750 KWH, (OCT. 1, 2009)



Franchise Fees and Property Taxes Paid to The City of The Dalles

	2005	2006	2007	2008	2009
Franchise Fees - The Dalles	\$ 229,950.00	\$ 408,861.00	\$ 616,000.00	\$ 673,011.00	\$ 683,099.00
Property Taxes Paid	\$ 252,253.00	\$ 274,048.00	\$ 275,690.00	\$ 276,608.00	\$ 289,099.00
Totals	\$ 482,203.00				\$ 972,198.00

In the last 5 years: franchise fees have increased by over \$453,000
... nearly a 3-fold increase.

In the last 5 years: property taxes have increased 14-1/2%.

(Each year we are investing over \$1 M in our system/infrastructure that goes straight to the bottom line for the State to calculate our property taxes. In 2009 we invested over \$3 M with our office/garage/warehouse/boardroom expansion..

A proposed 1/2% increase each year for the next 4 years would bring the franchise fees paid by the customers of the PUD to over \$1.1 M per year at today's rates which we know is being conservative.

Notes to City Council for March 29, 2010 Meeting

The electric industry in the U.S. faces an uncertain, but likely a very expensive future – which means all of us are facing higher-than-need-be energy rates. Why? You might ask, let us explain:

1. Low snowpack years:

Snowpack in for 2010 so far is 65% of normal and for a hydro system that depends on water (snowpack) as its fuel – that is a big deal! In terms of impact that means the financial reserves of BPA have diminished from \$1B to around \$250M. To replenish needed/required reserves, BPA will have to raise rates resulting in higher rates our customers in turn must pay.

2. Fish costs

Right now 25-30 percent of our power costs to BPA are for fish related programs. For the last two years, a new - the most science-based biological opinion ever crafted has been pending before Federal Judge Redden. New costs may be added before it is finally approved.

3. RPS (Renewable Portfolio Standard) compliance

By state law, utilities are required to acquire renewable resources that are among the most expensive resources available. Result: more costs for the electric customers to pay. In our view, adding insult to injury, before the costs impacts of these RPS requirements are fully implemented, new for-profit developers with other technologies want their product to also be mandated by law forcing electric utilities to buy their generation which adds more expense to an unsuspecting but trusting public.

4. Tier 2 Resources – starting in October 2011 BPA customers, including Northern Wasco County PUD will have added/continuing responsibility to acquire resources to meet load growth. This is a responsibility we are prepared to accept, but again new resources will cost more which will have to be reflected in customer rates.
5. And lastly, but certainly not least, we have carbon cap and trade. In the history of this Country there has not been an energy-related issue with such dramatic cost implications as carbon ‘cap and trade’. Estimates of cost impacts which will affect every household, every business and every industry (that decides to stay, for many have left) range from 30 to 70 percent; let’s say that again -- “30 to 70 percent.”

We could go on, but we think the picture is clear as to future pressures on energy costs in The Dalles and the portion of Wasco County served by the PUD. As costs increase, so will the franchise fees at the current rate. We ask, in the best interests of our community, that you not add additional costs onto the backs of our customers and increasing the challenges for maintaining our power and energy competitive advantages.

As you have heard us say time and time again, electric energy is an essential service and adequate supplies of energy at affordable prices drives our economy and quality of life. The more our citizens are forced to pay for energy the fewer dollars they have for their children’s schooling and college, homes, appliances, vacations and peace of mind.

(Here the General Manager has some additional comments to share with the Council.)

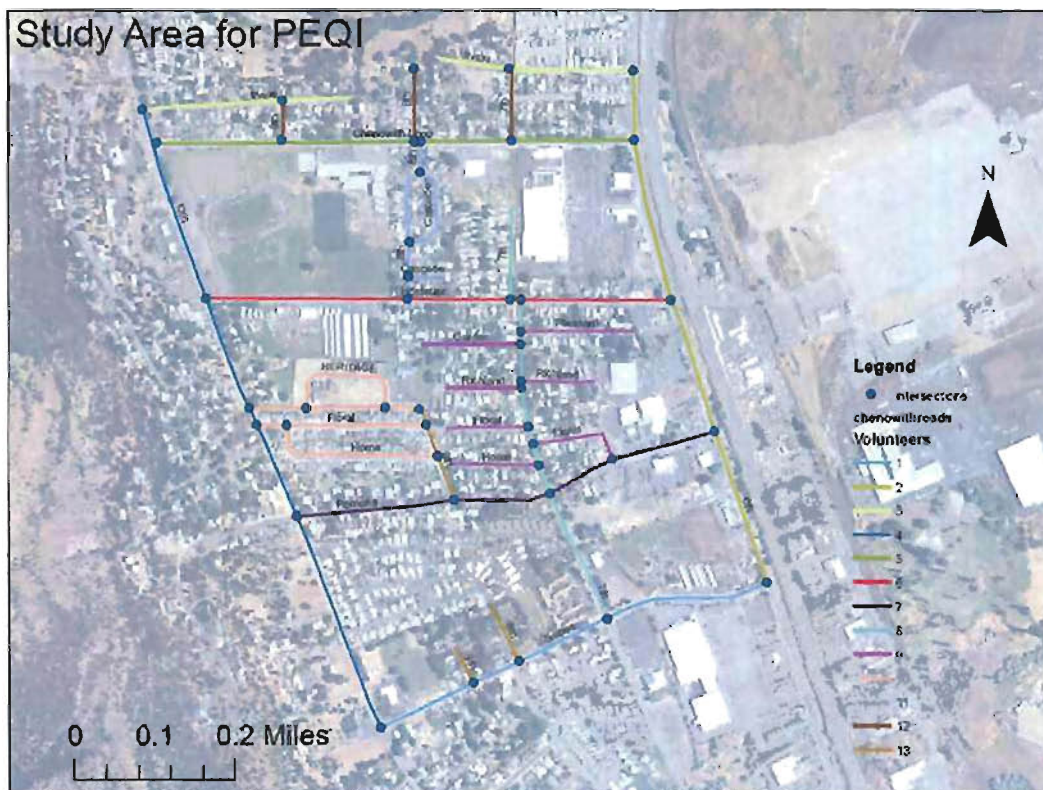
The Dalles City Council Meeting
3/29/10
Presenters: Allyson Smith, Jeanette Montour

**Comments on Memorandum dated October 12, 2009
RE: Public Improvement Requirements**

I. Background:

The North Central Public Health District and Wasco County Planning and Development have been working together to complete a walkability assessment in the Chenoweth Area of the City of The Dalles. The assessment is nearing completion and our findings will be presented to you at a later date in the near future. However, at this time we'd like to comment on the proposed upcoming policy changes regarding the City's public improvement requirements, section 10.0060 of the LUDO.

Although the Chenoweth walkability assessment did not cover all of the streets being reviewed with this proposed policy change, we'd like to take this opportunity to comment on the street segments that were reviewed as part of our assessment.



Survey Findings



II. Comments on Public Improvements Requirements:

Street Segment Categories:

A-1- Full Improvement:

- 7th from Hosteller to Chenoweth Loop

Comment: agree with category A-1; wide enough for improvements, but currently dead-end.

- Pomona from 10th to commercially zoned property

Comment: Agree with full improvement priority.

A-2. Deferred Full Improvement:

- None in our study area

B. Status Quo:

The Dalles City Council Meeting

Location: City Hall, The Dalles

Date: 3/29/2010

Comments on Proposed Street Improvement Requirements

City Council Meeting Minutes

March 29, 2010

Exhibit "B"

Page 2 of 3

- Cascade Court. 8th between Hostetler and Chenowith Loop, Cascade Street, Cascade Loop.

Comment: In need of stop signs as there is no clear right away. Recommend sidewalks as width of street could be inadequate for pedestrian safety due to poor visibility caused by curved roads.

- 9th from Irvine to Chenowith

Comment: Very short, wide street. Comments were made by residents regarding safety in this segment due to vehicular speeding and frequent disregard of stop sign. Residents also reported that many children also walk this route to school and they feel that sidewalks would increase their safety. Sidewalks are recommended.

C. Partial Improvement:

- 7th from Chenowith to Irvine.

Comment: Agree with Category C, connects with the north end of Irvine, a street segment severely lacking in street improvements.

D. Minimal Improvement:

- 8th from west of Chenowith Loop to Chenowith Loop.

Comment: Need stop sign.

- Floral Ct
- Garden Ct.
- Home Ct.
- Pleasant Ct.
- Richland Ct.

Comment: agree with Category D, these streets are all dead ends with limited room for road expansion. However, it should be taken into consideration that 7th Street is a primary access street to nearby connector streets (Hostetler and Chenowith Loop) for described dead end streets. Recommendation is to categorize 7th Street for a higher level of improvement.

III. Closing Remarks:

Today, there is a rising awareness in both public health and planning disciplines that environments that support walking, both as an alternative to driving and as a leisure activity can be beneficial for human health. Limiting our dependency on driving can reduce motor vehicle collisions, environmental noise, and air pollution, and increase physical activity and social cohesion. In the face of an obesity epidemic- with an estimated one out of three children developing diabetes in their lifetime, increasing physical activity levels has become a key public health concern (Dearry and Fullun, 2003)..In addition, for those who are dependent on active forms of transportation or public transportation for their daily needs, the quality and safety of the pedestrian environment is of major importance.

Practical planning and forecasting should be done to evaluate barriers to walking and prioritize policies and investments to increase pedestrian activity.

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
April 12, 2010	Contract Review Board 11, A	#10-024

TO: Honorable Mayor and City Council

FROM: Dan Durow, Community Development Director

THRU: Nolan Young, City Manager

DATE: 4-1-10

ISSUE: Consideration of amendment #4 to Contract # 2007-08-004 with KPFF Consulting Engineers to incorporate additional elements of work, to delete specific elements of work, and to increase the amount of the contract.

BACKGROUND: This amendment is due to the determination of the Union Pacific Railroad that the preliminary design for the undercrossing at Washington Street was not acceptable. A second design was submitted and finally accepted. As a result, some of the original tasks need to be deleted and others added. The net effect will be to increase the contract amount by \$104,052. The Proposed contract amendment is attached.

Staff felt that this amount of increase should be approved by the City Council as the Contract Review Board.

This contract amendment is being reviewed and processed through ODOT as well because it is part of the Downtown Riverfront Connection project primarily funded by a federal grant through ODOT.

BUDGET IMPLICATIONS: This will increase the total contract amount from \$1,008,634 to \$1,112,686. Sufficient monies are budgeted for this project to pay for the additional engineering costs.

STAFF RECOMMENDATION: [suggested motion] ...move to approve Amendment #4 to Contract #2007-08-004 with KPFF Consulting Engineers in an amount not to exceed \$1,112,686.

Alternative 2: Not approve the amendment and provide staff with additional direction.

CONTRACT # 2007-08-004 AMENDMENT # 4

PROJECT NAME AND LOCATION

Downtown Riverfront Connection Project, The Dalles, OR

This is Contract Amendment No. 4 to Contract No. 2007-08-004 effective date July 31, 2008, between the City of the Dalles, a Municipal Corporation, hereafter called the "CITY", and KPFF Consulting Engineers, which the parties agree is synonymous with the defined term "CONSULTANT" as referenced in the agreement between the parties titled "Agreement".

AMENDMENT BACKGROUND/JUSTIFICATION

Following a change in staffing at Union Pacific Railroad (UPRR) after the development of the 30% documents, it was determined by UPRR that the proposed accelerated bridge construction technique identified in Contract Amendment #2 would not be acceptable to the railroad. As a result, the design evaluated several additional alternatives including jack and bore techniques and proposed an alternative method for construction of the undercrossing. The proposal is to construct the undercrossing using jack and bore techniques to provide two 12-foot diameter steel pipes. At this time UPRR has approved this method with exceptions.

This modification will require additional efforts to better identify the existing geotechnical conditions as they relate to the elevation of a basalt layer that exists within the area. Several borings previously completed north and south of the proposed crossing indicate a layer of basalt near the bottom of the proposed undercrossing at varying depths. Additional field work and analysis is necessary to provide a detailed profile of the existing basalt layer which will inform the design and provide additional information to contractors proposing on the project.

This amendment deletes the proposed design services for developing the accelerated bridge construction method for undercrossing UPRR. The revised scope includes design development for twin 70' long by 12' diameter tunnels below UPRR right-of-way. This amendment also reduces the design services associated with the 1st St. Bridge. As a result of UPRR directions, the lengths of the tunnels were extended south from that envisioned in the previous amendment and reduced the size for the 1st St. Bridge structure.

Also, as a result of the change in construction technique, the bottom elevation of the proposed undercrossing will need to be lowered by approximately 2.5 feet from what has been shown to date. This, as well as a significant modification to the configurations of the south and north portals will require additional design efforts to incorporate this revised undercrossing into the plans.

AMENDMENT PURPOSE

The purpose of this Contract Amendment is to incorporate additional elements of work and to delete specific elements of work.

A. *Contract # 2007-08-004 is amended as follows:*

Add the following to Task 2.2 – Predesign Survey:

Contractor shall field locate additional geotechnical bore locations and incorporate into the project survey mapping.

Delete Task 2.4A – Additional Geotechnical Investigations (Contract Amendment No. 2) and replace with the following:

Task 2.4A - Additional Geotechnical Investigations

Consultant shall provide the following additional work items as part of the development and completion of the Geotechnical Report Deliverable.

- **Field Explorations.** Prepare drilling subcontracts, and coordinate drilling schedule and issues with drilling subcontractors. Borings will be located prior to drilling, and a sketch map prepared using hand-measurements to existing facilities and location coordinates from a hand-held GPS. Borehole collar elevations will be estimated based on existing topographic maps provided by KPFF. We recommend follow up survey locations and elevations for all borings be completed.

For the tunnel undercrossing, we propose to complete four (4) additional borings.

- Three borings will be core drilled at an angle below the railroad tracks to depths of 40 to 50 feet to obtain soil samples and characterize the rock surface beneath the UPRR ROW.
- One core boring will be drilled in the jacking pit area to a depth of 30 feet to characterize rock elevation and quality in this area for thrust reaction.

For the plaza retaining walls, we propose two (2) additional borings.

- Two (2) core borings will be drilled to approximately 30 feet depth for the proposed plaza retaining walls on the southern side of the plaza.

The angled and vertical borings will be advanced using a truck-mounted drill rig capable of drilling at an angle. Vertical borings will be drilled with mud-rotary techniques in soils and completed to termination depth with HQ-rock coring. Soil samples will be obtained at 5-foot intervals and continuous rock core in bedrock.

A Shannon & Wilson representative will observe the borings, maintain field logs of the conditions and materials encountered, and obtain samples for laboratory testing. Draft boring logs containing subsurface characterization will be prepared and finalized after laboratory testing. The draft logs will be made available to the team as preliminary information.

Assumptions incorporated in the field explorations scope and budget are listed below:

- Shannon & Wilson will obtain a street/shoulder closure permit from the City of The Dalles.
- KPFF will obtain right of access for drilling beneath the UPRR ROW. Drilling operations will approach no closer than 25 feet from the track centerlines.
- The City of The Dalles will provide a permit at no cost for drilling water from a fire hydrant source near Washington St. and 1st Street.
- Flaggers will not be required for drilling on the street. Consistent with past work, we assume that signage and traffic cones will be sufficient to complete the borings on First and Washington Streets.
- The Utility Notification Center (One-Call) will be used to clear the boring locations.
- Field explorations on all borings shall be conducted during day time hours with a truck-mounted drill rig.

- 10 hour work days are permitted during daylight hours.
 - Borings for retaining walls and the tunnel undercrossing will be performed at the same time with one mobilization. If the borings for retaining walls and the tunnel undercrossing are to be performed at different times and require separate mobilizations, an additional fee of \$2,500 will be required for mobilization, traffic control signage, and coordination effort.
 - Borings will be abandoned and backfilled according to Oregon Water Resource Department regulations.
 - Clear drilling water not visibly contaminated will be disposed in City storm drains or on the ground surface.
 - Investigation derived waste, including drill cuttings and drilling mud will be spread in the proposed parking area of Schedule C. If contamination is suspected, the cuttings will be placed in drums and temporarily stored behind the abandoned Waldron building. Off-site disposal will follow. Special testing and disposal due to observations of contamination will be compensated as a contingency cost item.
 - Access will be provided to the lot adjacent to the abandoned building along roads and through gates capable of passing trucks and trailers.
 - Groundwater levels will be recorded if encountered.
- **Laboratory Testing and Final Boring Logs.** Limited laboratory testing will be conducted to provide data on soil index properties and rock quality. The testing will include grain size analyses and visual-manual classification of soils samples, and point load strength testing of rock core samples. The laboratory classification tests will be used to confirm descriptions for preparation of the final boring logs. Rock core photos will be prepared and included in an appendix of the report.
 - **Contamination Management (contingency).** Some of the proposed exploration locations may be located near the drilled boring (B-3) that contamination was encountered. A contingency budget of \$6,500 has been established for management of the contaminated investigation derived waste, if encountered in the proposed borings. This is reflected in Contingency Task 2.4B – Amendment No. 2 and shall remain in effect.
 - **Final Design Engineering Analyses**
 - **Tunnel Engineering.** Provide engineering support services during tunnel design for the adopted pipe jacking tunnel alternative and incorporate results in a final geotechnical design report. Design recommendations shall include:
 - Anticipated pipe jacking thrust and thrust resistance in jacking pit. Final design of the jacking pit and its temporary shoring not included, and would be the Contractor's responsibility.
 - Anticipated settlement of the railroad embankment, mitigation measures, and monitoring systems.
 - Potential ground improvement alternatives and benefits to tunneling. Ground improvement is anticipated to include grouting, with the alternative grout types and methods to be evaluated.
 - Tunnel shield design recommendations including cutting head structural design and configuration, overcut, detail of sand decks (breasting plate), grout port, lubrication to reduce settlements and provide for invert rock excavation. Structural design of the shield, shield shape, and shield segment length are not included in this scope.
 - **Plaza Engineering.** Perform engineering analysis for the proposed recessed Plaza design. Included is final design level evaluation of selected alternative wall types, and design

calculations and recommendations for the selected wall types. Design recommendations for three wall types are anticipated to be used in the plaza area as follows:

- Cast-in-place cantilevered wall along the west shoulder with building support on Washington Street
- Soil nail wall along the east Shoulder on Washington Street
- Soldier pile wall at the south tunnel portal and staircase from 1st Street
- Cast-in-place cantilevered wall at the north shoulder tunnel approaches
- Pavements

For cast-in-place retaining wall, external stability evaluations will include bearing capacity, estimated settlement, and global slope stability. Lateral earth pressure diagram will be provided for cast-in-place wall. For soil-nail wall recommendations, the wall will be divided into segments. Design recommendations for each soil-nail wall segment will be provided to include location (stationing), length, height, bonded and unbounded lengths, nail spacing, nail inclination, shotcrete facing thickness, and facing components. External and internal stability of the soil-nail wall will be evaluated using GoldNail design program. For the soldier pile wall, design recommendations will be provided including depth and length of drilled piles, pile diameter, pile spacing and drainage recommendations. Global stability of the wall will be evaluated.

- **Final Design Geotechnical Report.** Update our Pre-Design Geotechnical Report with final design explorations, laboratory testing, and design analyses. A report will be prepared presenting our recommendations including those related to foundation and retaining wall analysis (including soil nail design), design and construction recommendations, excavation recommendations.
- **Construction Document Support.** Support and assist KPFF in project plans and specifications at approximately 50%, 75% and 90% design levels. Included are:
 - Review, comment, and recommended modifications to geotechnical related specifications.
 - Review and red line edit geotechnical related plans.
 - Consultation during final design development.

Amendment to Task 3: Alternatives Development

Consultant shall revise the previously completed Accelerated Bridge Construction Concept Plan to a tunnel undercrossing system that is acceptable to UPRR. This effort includes:

- Development of alternative tunnel concepts, refinement and visualization for selection of a preferred alternative.

New Sub-Task 3C:

The Consultant shall:

- Revise the Concept Plan from the accelerated bridge construction method to a single-tunnel undercrossing of UPRR using the lattice girder and shotcrete tunneling technique.
- Prepare and submit the single-tunnel concept plan to UPRR
- Coordinate and facilitate UPRR review of the single-tunnel Concept Plan
- Respond to UPRR comments on the single-tunnel Concept Plan
- Develop revised tunnel concept alternatives which did not utilize the lattice girder and shotcrete technique, for review by City

- Prepare and submit a revised tunnel undercrossing concept plan to UPRR based on The City's preferred tunnel concept alternative (twin-tunnels with permanent steel casing).
- Coordinate and facilitate UPRR review of revised twin-tunnel concept

Assumptions:

- UPRR approval of revised twin-tunnel concept plan.

Deliverables:

- Initial, Tunnel Concept Plan to UPRR (single tunnel, lattice girder and shotcrete method)
- Alternative tunnel schemes for City review and selection
- Revised Twin Tunnel Concept Plan to UPRR

Amendment to Task 4: 30% Preliminary Design and Cost Estimates

Consultant shall develop designs for the UPRR undercrossing, 1st St. Bridge, and lowered plaza along Washington St. based on The City's preferred concept plan, as outlined below.

- Revise 30% street, and landscape plans to reflect modification to the undercrossing design as approved by UPRR.
- Refine details for architectural treatment of undercrossing and entrance plaza.
- The design effort for Sub-Task 4A has been reduced to reflect the smaller sized 1st St. bridge than envisioned in the previous amendment. The deck area of the bridge was reduced as a result of UPRR requiring the undercrossing tunnels be extended further south below 1st St. The work along lowered Washington St is not significantly changed.

Revised Sub-Task 4A:

The Consultant shall Advance the design for the 1st St. Bridge from a preliminary to a 30% completion level. Design hours presented in the attached fee breakdown spreadsheet reflect the net reduction in hours / fees for the smaller structure.

Delete Sub-Task 4B:

- This activity is deleted.

New Sub-Task 4C:

The Consultant shall:

- Advance the design for the twin tunnel undercrossing from preliminary to 30% level of completion.
- Develop 30% Cost Estimate.
- Respond to UPRR review comments on the preliminary design submittal.
- Prepare and submit 30% Undercrossing Plan to UPRR for approval.

Assumptions:

- The final type, size, and location for the 1st St. Bridge will remain per the Concept Plan.
- The preliminary design is accepted by UPRR.

Deliverables:

- 30% design plans for submittal to The City and UPRR

- 30% Cost Estimate to the City.

Modify Task 5 – Final Plans, Specifications and Estimate (Schedule “A”) as follows:

Consultant shall develop designs for the UPRR undercrossing, 1st St. Bridge, and lowered plaza along Washington St. based on The City’s preferred concept plan, as outlined below.

The design effort for Sub-Task 5A. has been reduced to reflect the smaller 1st St. Bridge as described above in Task 4.

Revised Sub-Task 5A-

The Consultant shall advance the design and cost estimate for the smaller 1st St. bridge from a 30% completion level to final construction documents. Design hours presented in the attached fee breakdown spreadsheet reflect the net reduction in hours / fees for the smaller structure.

Delete Sub-Task 5B -

- This activity is deleted.

New Sub-Task 5C -

The Consultant shall:

- Advance the design, cost estimate and specifications for the twin tunnel undercrossing from a 30% level to final construction documents.
- Respond to UPRR review comments on the 30% design submittal.
- Prepare and submit 60% and 100% plans to UPRR for approval.

Assumptions:

- The 30% and 60% design submittals are accepted by UPRR.

Deliverables:

- Same as per the previous amendment with the addition of 60% and 100% Undercrossing Design Submittals to UPRR.

B. Amendment #2 Contract # 2007-08-004, Exhibit B Breakdown of Costs is deleted in its entirety and replaced with the revised **Exhibit B – Breakdown of Costs**, which reflects:

1. The deduction of fees associated with work performed that was performed for less than the original estimated fees. This includes work performed under Task 7.2 – Environmental Compliance (Schedule “A”)
2. The addition of fees for surveying, geotechnical engineering and design associated with modifications to the proposed undercrossing construction.

BASIS FOR COST ADJUSTMENT

1. Additional survey services	\$ 1,943
2. Additional Geotechnical Investigations	\$59,537
3. Additional Civil Engineering and Project Management	\$50,936
4. Additional Landscape Architecture services	\$15,350
5. Additional Architectural services	\$19,950

6. Deduct for modification to Structural Engineering efforts	(\$25,220)
7. Deduct remaining fee for Task 7.2 – Environmental Compliance (Schedule “A”)	(\$18,140)
Net Amount of Contract # 2007-08-004, Amendment # 4:	<u>\$104,052</u>

COMPENSATION

The Breakdown of Costs (BOC) are not physically attached but incorporated into this Contract Amendment by this reference with the same force and effect as though fully set forth herein. A copy of the final BOC has been provided to Consultant prior to Contract Amendment execution. Consultant Billing Rates remain as agreed to under the original Contract.

IN WITNESS WHEREOF

The parties have caused this **AMENDMENT #4 to Contract # 2007-08-004** to be signed by their duly authorized representatives as of this ____ day of _____, 2010.

CITY OF THE DALLES

Nolan Young, City Manager

APPROVED AS TO FORM:

ATTEST:

Gene E. Parker, City Attorney

Julie Krueger, City Clerk

CONSULTANT

By: _____
Curtis C. Vanderzanden,
Principal

Date: _____

OREGON DEPARTMENT OF TRANSPORTATION for concurrence of process.

Approved by ODOT Procurement Office Manager or designee:

By: _____ Date: _____
Name, Title
ODOT PSK #26847 Amd. #3

The City of The Dalles, Oregon
DOWNTOWN/RIVERFRONT CONNECTION PROJECTS
AMENDMENT 4 - FEE SUMMARY

KPFF Consulting Engineers, Inc.
Project # 307286
2/28/10

Amendment 4 - Fee Summary								
CONSULTANT	Original Sched. "A" Fees	Amend. #1	Amend. #2	Amend. #2 - Contingency Tasks	Amend. #3	Current Sched. "A" Budget	Amend. #4	Revised Sched. "A" Total w/ Contingency Task
KPFF - Project Management, Civil Engineering	\$ 136,371	\$ 13,472	\$ 46,374	\$ -	\$ 679	\$ 196,896	\$ 50,936	\$ 247,833
KPFF - Structural Engineering	\$ 89,778	\$ 29,863	\$ 203,128	\$ -	\$ -	\$ 322,769	\$ (25,520)	\$ 297,249
KPFF - Special Projects Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
GreenWorks, PC	\$ 108,370	\$ 10,723	\$ 23,700	\$ -	\$ -	\$ 142,793	\$ 15,350	\$ 158,143
Shannon and Wilson, Inc.	\$ 67,289	\$ -	\$ 19,397	\$ 6,500	\$ -	\$ 93,186	\$ 59,537	\$ 152,723
Anchor Environmental, L.L.C.	\$ 20,307	\$ 2,600	\$ -	\$ -	\$ -	\$ 22,907	\$ (18,140)	\$ 4,767
Nathan Good Architects, PC	\$ 55,679	\$ 1,474	\$ 5,596	\$ -	\$ -	\$ 62,749	\$ 19,946	\$ 82,695
Archaeological Investigations Northwest, Inc.	\$ 36,509	\$ 4,501	\$ (16,000)	\$ -	\$ -	\$ 25,010	\$ -	\$ 25,010
Wiscor Rail Engineering	\$ 38,631	\$ -	\$ -	\$ -	\$ -	\$ 38,631	\$ -	\$ 38,631
Kintelson and Associates, Inc.	\$ 30,472	\$ 3,664	\$ -	\$ -	\$ -	\$ 34,136	\$ -	\$ 34,136
Michael Minor and Associates	\$ 28,800	\$ -	\$ (15,000)	\$ -	\$ -	\$ 13,800	\$ -	\$ 13,800
White Shield, Inc.	\$ 24,359	\$ 7,526	\$ -	\$ -	\$ 4,232	\$ 36,117	\$ 1,943	\$ 38,060
Peter Meijer Architect	\$ -	\$ -	\$ 19,640	\$ -	\$ -	\$ 19,640	\$ -	\$ 19,640
TOTALS =	\$ 636,565	\$ 73,823	\$ 286,835	\$ 6,500	\$ 4,911	\$ 1,008,634	\$ 104,052	\$ 1,112,686

**KPFF CONSULTING ENGINEERS
PROJECT MANAGEMENT AND CIVIL ENGINEERING**

City of The Dalles

Amendment No. 4 Estimated fees

KPFF - Project Management and Civil Engineering

Task	Description	Principal in Charge	Project Manager	Project Engineer	Design Engineer	Cadd Technician	Admin.	Total By Scope Element	Expenses	Total Cost
Task 6: Meetings										
g	Team Coordination Meetings	8	16	24	8	0	12	\$6,434		\$6,434
Schedule A: 1st St. Streetscape & UPRR Underpass										
Task 3: Identify Alternatives to Concept Plan & Develop Recommended Revisions										
g	Develop Alternatives for RR Undercrossing	1	4	8	16	12		\$6,846	\$50	\$6,896
e	Prepare Presentation Materials with Revised Concept Alternatives	1	4	8		12				
e	Submit Concept Plans to Railroad			4		8	2			
Task 4: Preliminary (30%) Design										
	Incorporate modified undercrossing design into plans	2	20	60	40	40	0	\$14,108		\$14,108
Task 5: Final Design										
	Additional Project Management time	4	80	24	40	24	20	\$17,699	\$6,000	\$23,699
	Additional effort for revised design	4	12	24	40	24				
Total Hours =		20	116	128	104	96	34			
Hourly Rate =		\$122.41	\$122.41	\$95.39	\$71.54	\$70.74	\$52.88			
Costs =		\$2,448	\$14,200	\$12,209	\$7,440	\$6,792	\$1,797			

Total KPFF Direct Costs = \$44,886

Total KPFF Expenses = \$8,050

\$50,936

Estimated reimbursable expenses for railroad permit and flagging for geotechnical investigation:	
UPRR Right of Entry permit:	\$1,000
Railroad Flagging (5 days @ \$1,000 per day):	\$5,000
	\$6,000

PROPOSED FEE BREAKDOWN FOR AMENDMENT 4 - REVISED UNDERCROSSING

PART I

Task	Description	Structural PIC \$130.31	Structural PM \$96.07	Structural Engineer \$77.87	Draftsman \$23.90	Admin. \$78.27		Sub-Total Sub-Task	Sub-Total Sub-Task B	TOTAL TASK	Expenses	Comments
Schedule A: 1st St. Streetscape & UPRR Underpass												
Task 3: Alternatives Development												
Sub-Task C: Revised Tunnel Concept Plan to UPRR												
	Develop and submit revised plan	8	75		48	4						
	UPRR Coordination	2	12									
Sub-Task C Subtotal Hours		10	87	0	48	4		149				
Sub-Task C Subtotal Costs		\$1,303	\$8,358	\$0	\$3,547	\$305		\$13,513				
Task 3 Total Hours		10	87	0	48	4		149				
Task 3 Total Costs		\$1,303	\$8,358	\$0	\$3,547	\$305		\$13,513				
Task 4: 30% Preliminary Design and cost Estimate												
Sub-Task A: 1st Street Bridge and lowered Washington St.												
	Analysis, Design and Plans: 1st St. bridge	14	120	130	170							
	Analysis, Design and Plans: Structural elements along lowered Washington St.	No Change										
	Cost Estimate: 1st St and Washington structural elements	14	11	12								
Sub-Task A Subtotal Hours		18	131	132	170	0		151				
Sub-Task A Subtotal Costs		(\$1,042)	(\$2,365)	(\$1,713)	(\$718)	\$0		(\$5,838)				
Sub-Task B: ABC Construction Method for UPRR Bridge												
Sub-Task B Subtotal Hours		122	1128	165	140	151			-244			
Sub-Task B Subtotal Costs		(\$2,867)	(\$10,376)	(\$5,283)	(\$1,716)	(\$433)			(\$21,675)			
Subtask 4B deleted.												

PROPOSED FEE BREAKDOWN FOR AMENDMENT 4 - REVISED UNDERCROSSING

PART I

Task	Description	Structural P.C.	Structural P.M.	Structural Engineer	Draftsman	Admin.		Sub-Total Sub-Task	Sub-Total Sub-Task B	TOTAL TASK	Expenses	Comments
		\$130.31	\$95.07	\$77.87	\$73.90	\$75.27						
Sub-Task C:												
	UPRR Tunnel analysis and design	8	35	48	30	4						
	Cost Estimate: UPRR Tunnel	2	15	2								
Sub-Task C Subtotal Hours		10	52	50	30	4		146				
Sub-Task C Subtotal Costs		\$1,303	\$4,395	\$3,884	\$2,187	\$303		\$12,710				
Task 4 Total Hours		(10)	(52)	(40)	(20)	(2)		(162)				
Task 4 Total Costs		(\$2,606)	(\$7,565)	(\$7,165)	(\$1,478)	(\$153)		(\$15,097)				
Task 5 Final Plans, Specifications and Estimates												
Task 5 Total Hours		(32)	(72)	(40)	(126)	6		(292)				
Task 5 Total Costs		(\$1,564)	(\$6,137)	(\$4,119)	(\$12,890)	\$458		(\$22,697)				
Amendment 4 Total Hours:		(22)	(55)	(80)	(164)	8		(305)				
Amendment 4 Total Costs:		(\$3,867)	(\$14,145)	(\$8,283)	(\$10,368)	\$861		(\$25,320)				

GREENWORKS PC
LANDSCAPE ARCHITECTURE

Greenworks

Additional Services Requested (1.14.2010)

Task	Description	Principal	Technical Director	Project Manager	Staff	Total By Scope Element	Expenses	Total Cost
Schedule A: 1st St. Streetscape & UPRR Underpass								
Task 1	Final Design/PS&E	12	16	0	150	\$15,350		\$15,350
a	Landscape Architecture							
b	Additional Washington Plaza/Streetscape	12	16	0	150			
Total Hours =		12	16	0	150			
Hourly Rate =		\$155	\$140	\$90	\$75			
Costs =		\$1,860	\$2,240	\$0	\$11,250			

Total GW Direct Costs = \$15,350

Total GW Expenses = \$0

Total Additional Fee for Schedule A: **\$16,350**

Contract Status

Original Contract Amount: **\$135,140**

Revised Contract Total: **\$150,490**

Shannon Wilson - Portland Branch

Dalles Waterfront Schedule A (Amendment #2)
KPFF / City of The Dalles

Client: **Attn: Curt Vanderzanden**

February 15, 2010
Shannon & Wilson, Inc.

prepared by _____

[illegible]

Fee Estimate to: KPFF Engineers

Nathan Good Architects PC

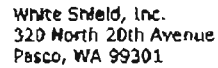
Proposed Additional Fee for the Completion of Schedule A: Plaza and Adjacent Streetscaping

2/23/2010

NGA Staff	Hourly Rate	Schematic Design	SD Fee	Design Development	DD Fee	Construction Documents	CD Fee	
Nathan Good	\$ 132.56	17	\$ 2,254	15	\$ 1,988	13	\$ 1,723	
Project Architect	\$ 97.09	18	\$ 1,748	34	\$ 3,301	62	\$ 6,020	
Architect	\$ 72.82	7	\$ 510	9	\$ 655	17	\$ 1,238	
Admin Assistant	\$ 36.41	0	\$ -	3	\$ 109	11	\$ 401	
Totals			\$ 4,510.88		\$ 6,064.07		\$ 9,381.31	\$ 19,946.26 Total, NGA Services

Plaza Fee Summary

\$ 4,500	add for the tunnel/underpass design refinements and visualizations
\$ 7,200	add for enhanced support to KPFF for the tunnel/underpass construction documents, material selections, lighting coordination, detailing, and specs
\$ 3,500	add for continued support to Greenworks, KPFF, and other team members for the redesign of the plaza area
\$ 4,750	add for continued support to KPFF, Greenworks, and other team members for the design of the area alongside on the west side of the plaza
\$ 19,950	Total



Land Survey Services to KPFF Portland, OR
Submitted February 18, 2010

[illegible]



CITY of THE DALLES

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AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
April 12, 2010	Discussion Items 12, A	10-021

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney
Daniel Durow, Community Development Director

THRU: Nolan K. Young, City Manager *NKY*

DATE: March 31, 2010

ISSUE: Discussion regarding plan for regulation of yard sale and garage sale signs.

RELATED CITY COUNCIL GOAL: None

PREVIOUS AGENDA REPORT NUMBERS: None.

BACKGROUND: For several years, the City has not had an effective plan to address the placement of yard sale and garage sale signs within the public right-of-way, or on City-owned property. On March 15, 2010, the Council adopted General Ordinance No. 10-1303, amending several provisions of the City's Land Use and Development Ordinance. Included in this ordinance is a new section which prohibits the placement of yard sale and garage sale signs within the public right-of-way and on City-owned real property. With enforcement of this new provision, the Council indicated to staff that alternative arrangements should be considered that would allow for information concerning the location of yard and garage sales to be made available to interested persons.

The approach recommended by City staff is essentially a two-pronged approach. Persons who desire to conduct a yard or garage sale upon their property have the right to erect a sign upon their property promoting the sale without having to obtain a permit. These types of signs are

limited to one per calendar month for each premise, with a maximum size of three square feet in area, and the signs must be removed within 72 hours of being placed.

Under the second part of the recommended plan, persons who are interested in holding a garage or yard sale will be encouraged to contact the City Code Enforcement Officer, who works in the Legal Department, to provide information as to the dates, time, and place of the sale. The Code Enforcement Officer will prepare a list of the sites of the proposed sales. This list of proposed sites will be kept in a display case which will be on display at the Mid-Columbia Senior Center, the Salvation Army, and St. Vincent de Paul. In some cases the display case will be placed outside the building so that after hours pick up will be available. Other display cases will be placed inside next to a check-out counter or other convenient location. The list will be delivered to these sites on a weekly basis prior to Friday, Saturday and Sunday which are the typical days when yard and garage sales are held. The Code Enforcement Officer will be responsible for collecting the lists at the beginning of each week to ensure that outdated information is not being displayed. City staff has identified other potential sites for the display of these display cases. There may also be the potential of placing the list of sale sites upon the City's website.

BUDGET IMPLICATIONS: The cost of the display cases is \$10 to \$20 each depending upon the style needed for the display.

ALTERNATIVES:

- A. Staff Recommendation. This is a discussion item, and staff is seeking input from the Council as to the recommended plan for regulating the yard and garage sale signs.