

AGENDA

REGULAR CITY COUNCIL MEETING

January 28, 2013

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
 - A. Go Red Day Proclamation
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.

CITY OF THE DALLES

"By working together, we will provide services that enhance the vitality of The Dalles"

- A. Approval of January 14,2013 Regular City Council Meeting Minutes
- B. Approval to Declare Police Department Equipment as Surplus Property
- C. Approval to Declare Public Works Department Vehicle as Surplus Property

11. CONTRACT REVIEW BOARD ACTIONS

- A. Award Contract for River Road Water Main Construction Project [**Agenda Staff Report #13-010**]
- B. Award Contract for West First Street/Bargeway Road Reconstruction Local Improvement District, Phase 2 [**Agenda Staff Report #13-012**]
- C. Authorization for Professional Services Engineering Contract to Design a Retaining Wall to Stabilize East Scenic Drive Roadway [**Agenda Staff Report #13-011**]

12. ACTION ITEMS

- A. Special Ordinance No. 13-553 Annexing Property at 3821 West Tenth Street and Three Port of The Dalles Properties [**Agenda Staff Report #13-014**]
- B. Resolution No. 13-003 Amending Resolution No. 06-028, Establishing Metered Water Rates and Sanitary Sewer Fees and System Development Charges for the City of The Dalles [**Agenda Staff Report #13-013**]

13. DISCUSSION ITEMS

- A. Discussion Regarding Main Street Program Economic Improvement District [**Agenda Staff Report #13-015**]

14. ADJOURNMENT

This meeting conducted in a handicap accessible room.

Prepared by/
Julie Krueger, MMC
City Clerk



PROCLAMATION

WHEREAS, the Heart Truth remains; too many American women and the men who love them suffer from heart disease. It is the number one killer in the United States and many citizens in our community are its victims; and

WHEREAS, the Heart Truth is that heart disease is largely preventable. Women can promote their own heart health and reduce their risk of heart disease by taking steps to live a heart healthy lifestyle; and

WHEREAS, it benefits our community when its citizens are healthy and take active measures to prevent heart disease in order to live long and productive lives; and

WHEREAS, information and education are the first steps in making the changes that promote a heart healthy lifestyle;

NOW, THEREFORE, I, Stephen E. Lawrence, Mayor of the City of The Dalles, proclaim February 1, 2013 as

“GO RED FOR WOMEN’S HEART HEALTH DAY”

and encourage all citizens to show their support by wearing red and increasing their knowledge by participating in both the Heart Expo at the Civic Auditorium from 11:00 a.m. to 2:00 p.m. and the Heart Walk through historic downtown The Dalles at Noon, beginning at The Dalles Civic Auditorium.

APPROVED AND DATED THIS 28th DAY OF JANUARY, 2013

SIGNED:

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk





CITY of THE DALLES

313 COURT STREET
THE DALLES, OR 97058

PH. (541) 296-5481
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AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
January 28, 2013	Consent Agenda 10, A - C	N/A

TO: Honorable Mayor and City Council

FROM: Julie Krueger, MMC, City Clerk

THRU: Nolan K. Young, City Manager

DATE: January 16, 2013

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

A. **ITEM:** Approval of January 14, 2013 Regular City Council Meeting Minutes.

BUDGET IMPLICATIONS: None.

SYNOPSIS: The minutes of the January 14, 2013 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 January 14, 2013 regular City Council meeting.

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

BUDGET IMPLICATIONS: Any revenue generated from the sale of the equipment will be credited to the General Fund.

SYNOPSIS: The Police Department would like to surplus equipment that is outdated and has been replaced. The items are no longer in service. The items are: car camera system, Ion model, serial numbers I 01820; I 01821; I03027; I03991; I03992; CP2458; and ID00480; and recording equipment previously used in the interview rooms, a Mitsubishi VHS Recorder/Player model HS-U775 and a Samsung 12 inch television, model TXJ1371.

RECOMMENDATION: That City Council declare the equipment as surplus property and direct staff to dispose of the equipment in an appropriate manner.

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

BUDGET IMPLICATIONS: It is proposed to use the vehicle as a trade in for a newer vehicle.

SYNOPSIS: The Public Works Department is requesting to declare a 1977 Thiokol model 1202C snow cat. The unit has a blown engine that has already been rebuilt once in the past five years. Maintenance costs on the 35 year old unit have been escalating significantly. It is estimated the cost to repair or replace the engine would be more than \$13,000.

RECOMMENDATION: That City Council declare the vehicle as surplus property and direct staff to dispose of the vehicle by sale or trade for a newer vehicle.

MINUTES

REGULAR COUNCIL MEETING
OF
JANUARY 14, 2013
5:30 P.M.
THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Steve Lawrence

COUNCIL PRESENT: Bill Dick, Carolyn Wood, Dan Spatz, Outgoing Councilor Brian Ahier, Tim McGlothlin, Linda Miller, Outgoing Mayor Jim Wilcox

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Administrative Fellow Garrett Chrostek, Planning Director Dick Gassman, Engineer Dale McCabe, Finance Director Kate Mast, Police Captain Ed Goodman, Airport Managers Rolf Anderson and Chuck Covert

CALL TO ORDER

Mayor Wilcox called the meeting to order at 5:32 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

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

OATH OF OFFICE

City Clerk Krueger administered the Oath of Office to Councilors Carolyn Wood, Dan Spatz, and Linda Miller and Mayor Steve Lawrence. The new Mayor and City Councilors were seated at the dais.

PRESENTATIONS/PROCLAMATIONS

Mayor Lawrence asked the Council to allow Presentations to be made prior to approval of the agenda. With their concurrence, Mayor Lawrence presented gifts of art work to Brian Ahier and Jim Wilcox, thanking them for their service to the City.

Mayor Lawrence introduced his wife Donna and daughter Beth and thanked them for their attendance at the meeting.

Lawrence said staff was working on improvements to the sound system in the Council Chamber and said the testimony desk would be relocated to a position that would allow the audience and the Council to better hear testimony. He said he would be using the second floor conference room to meet with the public.

Mayor Lawrence noted the Council Rules required the City Manager and City Attorney to be seated to his immediate right and left. He said if the Council was comfortable having them sit at the ends of the dais, the Council Rules should be changed to reflect the seating arrangement.

APPROVAL OF AGENDA

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

AUDIENCE PARTICIPATION

Mayor Lawrence said the language to describe audience participation should include comments about the Consent Agenda items and wanted to assure the citizens that speaking during audience participation did not preclude speaking to specific issues later in the meeting.

Jennifer Blevins, 1212 Blakely Way, The Dalles, said she believed there were discrepancies in the minutes of the December 10, 2012 Council meeting, saying they had been edited and did not include comments made by Police Chief Waterbury that he had been unaware of the history of parking violations on Blakely Way and had never been included in conversations about the

parking requirements for 1215 and 1217 Blakely Way. She noted an error on page 6, first paragraph, the year 1978 should have been reported as 1998.

Ms. Blevins said the former Mayor had stifled discussion and she had not been allowed to speak to comments made by staff during the hearing. She said the City staff displayed a culture of ineptness and they were unwilling to be objective in their decision making. Blevins said there were gaps in the ordinance language and said adoption of the Resolution would have an impact on all residential neighborhoods. Blevins said staff could not be trusted if they manipulated the LUDO and contradicted proper development. She said she hoped the new City Council would embrace objectivity and truth and asked that her appeal be reconsidered to allow for additional discussion.

CITY MANAGER REPORT

City Manager Young said the agendas and minutes for the various City committees and commissions were available for review on the City's website. He asked the Councilors to let him know their preference as to whether they would like to have them emailed, mailed, or to view them on the website.

Young reported the sign on the Recreation Building had been removed and the demolition plan was currently being developed.

Young said the Planning Commission would be reviewing the City's Sign Ordinance and an ad hoc committee would be formed to assist with the review. He said the City Clerk would work with the Mayor to get a list of interested parties to serve on the committee and a recommendation would be presented to the Council at a future meeting.

CITY ATTORNEY REPORT

City Attorney Parker reported staff continued to work on the Granada Block Redevelopment agreement and he expected it to be ready for consideration by the Urban Renewal Agency in February.

Parker said the Request for Proposals for demolition of a structure at 600 East 12th Street, would be out for bid on January 15. He said he was also working on a telecommunications ordinance to replace current franchise ordinances and hoped to bring a draft to the Council for review in the near future.

CITY COUNCIL REPORTS

Mayor Lawrence reported he had been meeting with various community leaders, including the Chamber of Commerce Economic Development Committee and School District. He said he would be introducing and serving as emcee for Senator Wyden's town hall meeting on Thursday. Lawrence said he would be attending the Governor's Cutting Edge Technology seminar in Bend in January.

Mayor Lawrence asked Veteran's Service Officer Russ Jones to provide a brief overview of the annual statistics for the Veteran's Office.

Mr. Jones provided a handout and reviewed the retroactive and new recurring payments coming into the local veterans. He said the total combined payments to the service area reached \$934,195.

Mayor Lawrence thanked Mr. Jones and said the figures represented a huge economic impact to the region.

Councilor Wood asked if staff would prepare some public information regarding the yard sale ordinance requirements and availability of the public sign boards to post their notices. She said the Spring yard sales would begin soon and it was important to let citizens know about the public notice boards.

Wood said this year was the 175th anniversary of the first people to settle in the community. She said the Methodist missionaries had been the first settlers to the area. She said it was important to increase the community's knowledge of its heritage.

Wood said she had attended a 75th anniversary event for the Bonneville Power Administration in December. She provided calendars to the Council which provided a history of the past 25 years and presented the gift of a book for the City's library. Wood said before the dams were built, the Pacific Northwest had been considered a very poor part of the country. She said the dams had been built under federal legislation and that power was required to be provided at cost to the users.

Councilor McGlothlin said the next Traffic Safety Commission meeting was scheduled for January 16.

Councilor Dick said the December meeting of Urban Renewal Advisory Committee had been cancelled.

Councilor Spatz the annual report of the Small Business Development Center had been released and provided information showing their success in helping start up businesses. He said the Mid Columbia Economic Development District had prepared a Request for Proposals to seek a Manufacturing Initiative Designation.

Selection of a Council President

It was moved by Dick and seconded by Spatz to select Carolyn Wood as the Council President. Hearing no further nominations, Wood was elected Council President unanimously.

Assignment of City Councilors to Various Committees and Boards

It was moved by Spatz and seconded by Dick to concur with the Mayor's appointments to various committees and boards as presented in the staff report. The motion carried unanimously.

CONSENT AGENDA

It was moved by Wood and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried unanimously.

Items approved by Consent Agenda were: 1) approval of December 10, 2012 regular City Council meeting minutes; and 2) Resolution No. 13-004 concurring with the Mayor's appointments to various committees.

PUBLIC HEARINGS

Public Hearing Regarding Proposed Wastewater Rate Increase

Mayor Lawrence reviewed the procedures to be followed for the hearing.

The staff report was reviewed by Public Works Director Anderson. In response to a question regarding the dollar amount of the increase, it was noted the 3.44% increase amounted to approximately \$1.45 per month. City Manager Young said the City's utility bill included water, sewer, and storm sewer service.

Testimony

Randy Cole, 816 East 20th Street, The Dalles, said the citizens could not afford more rate increases. He said 72% of the population was retired. Cole said he understood the need to maintain the utility systems but questioned the data saying how much growth would occur. He

said it was unrealistic to say the population growth would ever reach 50,000. He said a fancy hotel was not needed in the downtown and that no one would come to town to use it. Cole said if the City wanted tourists to come to The Dalles, they should focus on providing a better swimming pool. He said the only employers in the community were Mid Columbia Medical Center, School District, City, County, State, and Northwest Recyclers, along with a few small business owners. Mr. Cole asked the Council to consider not increasing the rates because it would be devastating to people on fixed incomes.

Mayor Lawrence noted the Portland State University Population Center statistics indicated that 18% of the population in The Dalles was retired.

Rich Williams, 1212 Blakely Way, the Dalles, said the rates should be compared to other cities, noting Central Point rates were approximately half of The Dalles rates. He said urban renewal funds should pay for infrastructure improvements, not rate payers. He said taxes and utility rates were too high in the community. Mr. Williams said taxpayer money had paid for the purchase of the Sunshine Mill property and it had not been repaid. He said industrial jobs were needed, not more retail, noting retail jobs would not help grow the community.

John Nelson, 524 West Third Place, The Dalles, said during the Wal-Mart development hearings, he had questioned whether there was enough capacity to handle the growth and he had been told there was. He questioned who should pay for project to allow for additional capacity, new business or current customers. Nelson noted the City's utility bills had doubled in the past 20 years.

Bob McNary, 1525 East Ninth Street, The Dalles, said the City had paid to get the old grain elevator property to be used for future expansion of the wastewater treatment plant. He said that property was now developed as a park and questioned if that money had been repaid to the wastewater fund since it was not being used for that purpose.

Hearing no further testimony, Mayor Lawrence closed the public hearing.

Council Deliberation

City Manager Young said the old grain elevator property had been purchased for expansion of the wastewater treatment plant. He said with new technology being developed, the City had been able to make upgrades to the current plant without the need to expand. Young said the park had been developed in a manner that the property could still be used for wastewater treatment plant expansion in the future if necessary.

Young said the actual population expectation in the year 2030 was approximately 23,000, not 50,000 as stated during testimony.

Public Works Director Anderson said the approved Capital Improvement Plan proposed to complete the upgrades in three separate phases. He said the first phase included replacement of an influent pump station, needed to comply with State requirements. He said the current system was 70 years old. Anderson noted other systems associated with Phase I included a new grit and debris removal system, increasing capacity for the digester system, and replacing the floating lid to provide for better odor control. He said the Council had approved a \$210,000 investment to help screen the property from the community and highway.

Anderson said Phase II included a second gravity belt thickener and secondary clarifier, both needed for redundancy to the system and to have the ability to increase capacity. He said the current clarifier had been constructed in the 1990's as an interim fix and was still being used.

Anderson said the third phase of the Capital Improvement Plan included biosolids or sludge storage which was currently very limited. He said the projects were needed to comply with State guidelines and on-site capacity was a big problem, noting that tanks sometimes had to be rented to place on site for storage. Anderson said there was no way to control odor when using the rented storage tanks.

Anderson said some projects included in the third phase did include growth, but noted the rate of growth information had been adjusted by the engineers who completed the plan. He said some systems would be undersized by the year 2020 and there was a possibility that the City would have to deny new business if there was not adequate capacity at the plant.

City Manager Young said there had been a question about using urban renewal funds to pay for upgrading infrastructure. He said there had been a decision in the 1990's to not use those funds to pay for utilities. Young said a plan amendment would be required to change that.

In response to a comment made during public testimony, City Manager Young noted the Sunshine Mill had received a grant for \$80,000, but the rest of the funding for that project was in the form of a loan and the building was to be purchased. He said he believed the loan amount was \$100,000.

Councilor Miller asked if the Urban Renewal Plan could be amended to allow for infrastructure upgrades. City Manager Young said it could be amended and was not sure if it would be considered a major or minor amendment.

Councilor Spatz said that approximately two-thirds of the planned improvements were not related to growth in the community, but compliance with regulations. Public Works Director Anderson said that was correct. He said it was expected that there would be growth based on build out projections of the urban growth boundary and that sometime in the future, the Murray's Addition area may be connected to the City's utility system.

Councilor Dick asked what would happen if the improvements were not made. Public Works Director Anderson said the result could be overflow into the river during storm events.

Councilor Miller asked if there had been overflow events in the past. Anderson said one overflow was caused by equipment failure and there had also been an event caused by a storm. It was noted this was greater than a five year storm and the City had not been fined for that event.

City Attorney Parker said he had reviewed the Urban Renewal Plan and believed it would be a minor amendment to include funding for infrastructure.

Mayor Lawrence questioned if the items included in the first phase of the plan could be paid for using reserve funds. Public Works Director Anderson said reserves had been set aside, though some of the funds had been used for projects. He said the Council had previously said the recommended rate increase would be the least impact to the rate payers because it did not include large rate spikes over the life of the Plan. Anderson said after the lift station projects were completed, approximately \$3.2 million remained in the two reserve funds. He noted the annual sewer slip lining projects were also paid from those funds.

Councilor Miller expressed concern that citizens on fixed incomes may not be able to afford to pay higher utility bills. Public Works Director Anderson said the City had a rate relief program in place to help. Finance Director Mast said the rate increases had not been applied to those participating in the rate relief program, so their rates were actually reduced by more than 35%.

City Manager Young asked the Finance Director to provide the documentation establishing the rate relief plan to the City Council.

Councilor Spatz said the City had gone too long without any rate increases and was now in a position that these increases were necessary.

Councilor Miller said if urban renewal funds could be used to pay for infrastructure improvements, the rate increases wouldn't be necessary.

Mayor Lawrence said he was not convinced the population projections were accurate. He said the Oregon Blue Book reflected only an increase of 2,962 in the past 39 years and that population growth for the entire County was only projected to be 26,563.

Public Works Director Anderson noted the intent was to pay for the improvements by issuing revenue bonds in three separate phases.

Mayor Lawrence said the Urban Renewal Plan had been changed in the late 1990's to move away from using those funds to pay for infrastructure projects, but it's original intent was to pay for infrastructure projects. He suggested using reserve funds to begin the improvements to allow the Council time to discuss the use of urban renewal funds to pay for the projects included in the Plan.

Councilor Wood said when the scope of the Plan changed, it was because the citizens wanted to change the boundary of the Urban Growth Boundary and to focus more on blight removal.

City Manager Young said the Council could schedule a work session if they wished to further discuss the issue of using urban renewal funds to pay for infrastructure projects.

It was moved by Wood and seconded by McGlothlin to direct staff to prepare a resolution for the January 28, 2013 meeting, approving the wastewater rate increase as proposed. The motion carried, Miller voting no.

Change Order of Agenda

It was the consensus of the City Council to move Action Item 14, A as the next order of business.

ACTION ITEMS

Lease Purchase Proposal With Local Girl Scouts for Property at 1325 Washington Street

City Manager Young reviewed the staff report.

Judy Richardson, 3515 Crest Court, The Dalles, spoke in support of approving the lease purchase agreement and thanked the Council for their consideration of the request. She introduced her daughter, Zora, who was a girl scout.

It was moved by McGlothlin and seconded by Wood to direct the City Attorney to prepare a two year lease agreement with the local girl scout troop for the property at 1325 Washington Street, with a provision that allows them to purchase the property for \$1 once the associated nonprofit

group is established; and authorize the City Manager to sign the agreement. The motion carried unanimously.

CONTRACT REVIEW BOARD ACTIONS

Award 2012-13 Sanitary Sewer Slipline Contract

Engineer Dale McCabe reviewed the staff report.

Councilor Spatz asked how much work remained to be done. Engineer McCabe said only approximately 10 miles out of a total of 88 miles had been completed. He said the worst condition lines were the top priority, which was determined on an annual basis.

It was moved by Dick and seconded by Spatz to authorize the City Manager to enter into contract with Insituform Technologies Inc. In an amount not to exceed \$317,190.00. The motion carried unanimously.

ACTION ITEMS, Continued

Special Ordinance No. 13-552 Assessing the Property at 1509 Thompson Street for the Cost of Abatement of Junk and Hazardous Vegetation

City Attorney Parker reviewed the staff report.

City Clerk Krueger read Special Ordinance No. 13-552 by title.

It was moved by Miller and seconded by McGlothlin to adopt Special Ordinance No. 13-552 assessing the property at 1509 Thompson Street for the cost of abatement of junk and hazardous vegetation, by title. The motion carried unanimously.

Approval of Airport Ground Lease With MASI Air 100 LLC

Airport Manager Rolf Anderson reviewed the staff report.

It was moved by McGlothlin and seconded by Wood to approve the ground lease agreement between the City and Klickitat County with MASI Air 100 LLC and authorize execution of the lease agreement subject to approval by Klickitat County. The motion carried unanimously.

Resolution No. 13-001 Affirming Planning Commission Resolution PC 526-12 Affirming the Planning Director's Interpretation Regarding Off-Street Parking Requirements for 1215 and 1217 Blakely Way

City Attorney Parker reviewed the staff report. He said the official appeal period would begin when the notice was sent by the Planning Department. Parker said he believed the minutes from the December 10, 2012 meeting were accurate and reflected the direction of the City Council.

City Manager Young said Ms. Blevins' comments during audience participation had gone beyond proposed corrections to the minutes and asked Ms. Blevins to provide a copy of her written comments to the City Clerk to be included into the record.

It was moved by Dick and seconded by Wood to adopt Resolution No. 13-001 affirming the Planning Commission Resolution PC 526-12 affirming the Planning Director's interpretation regarding off-street parking requirements for 1215 and 1217 Blakely Way. The motion carried unanimously.

Resolution No. 13-002 Electing to Have Municipal Court Defendants Perform Authorized Employment Under the Wasco County Work Crew Program Pursuant to ORS 656.041

City Attorney Parker reviewed the staff report.

Municipal Court Judge Peachey spoke in support of the proposed agreement, saying it would be a very useful tool for his Court and would also help NORCOR with financial issues if fewer people were imprisoned. He said the program would only be for non-violent criminals and they would be screened to ensure they would be successful candidates to participate in the program. Peachey said it was a great partnership opportunity with Wasco County.

Mayor Lawrence noted the County would pay for the worker's compensation fees. Judge Peachey said there would also be a \$30 fee to participate in the program. Lawrence said the work crews had been used to help install seating at the Civic Auditorium and it had been very helpful.

Bob McNary, 1525 East Ninth Street, The Dalles, said the work crews were also used to assist with projects at Ft. Dalles Museum and Pioneer Cemetery and did a great job.

It was moved by Wood and seconded by Spatz to adopt Resolution No. 13-002 electing to have Municipal Court defendants perform authorized employment under the Wasco County Work Crew Program pursuant to ORS 656.041. The motion carried unanimously.

DISCUSSION ITEMS

Discussion Regarding Kelly Avenue Traffic Study and Recommended Improvements

Public Works Director Dave Anderson reviewed the staff report. He noted the proposed improvements would help with vehicle vision clearance and be safer for pedestrians. Anderson said the recommendation was supported by the Traffic Safety Commission. In response to a question, Anderson said he did not know the exact number of accidents in the area, but there had been accidents reported.

Lonna Telfer, 619 East 11th Street, The Dalles, said she owned the hair salon at the corner of 11th Street and Kelly Avenue. She said if the City created no parking areas 20 feet from intersections, it would greatly reduce parking, which was already a problem in the area. She said the parking that was available was mostly used up by delivery trucks. She said the proposed crosswalk at 11th Street would end on the east side of Kelly Avenue at a driveway for the fuel station.

Public Works Director Anderson said the owner of that property was in agreement to close that access point and that some improvements would be made to their access to the adjacent alley. He said that would also be helpful for the delivery trucks in the neighborhood.

Ms. Telfer said delivery trucks blocking the alley could be a problem for access to the fuel station. She said part of the parking problem was the buses used by Council of Governments that are moved out of their parking lot and onto 11th Street in the mornings to make room for employee parking. Telfer said it was not possible for some of her elderly clients to park on 12th Street and walk to her location.

John Nelson, Traffic Safety Commission Chair complimented the City for the process, saying issues were mostly brought to the Commission by citizens, and reviewed by the Commission with a recommendation to the City Council. He said it worked very well.

It was the consensus of the City Council to direct staff to include funds in the fiscal year 2013-14 budget to make the improvements as presented.

ACTION ITEMS, Continued

Resolution No. 13-005 Authorizing an Interfund Loan from the Airport Fund to the Airport Debt Service Fund

Finance Director Mast reviewed the staff report.

MINUTES (Continued)
Regular Council Meeting
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It was moved by Spatz and seconded by Wood to adopt Resolution No. 13-005 authorizing an interfund loan from the Airport Fund to the Airport Debt Service Fund. The motion carried unanimously.

Other Comments

Randy Cole said the City had provided \$166,000 to have the Sunshine Mill cleaned, but it had never been done. He said it was unsightly and asked when it would be completed.

City Manager Young said special equipment had been purchased to do the job, but the focus had changed to restoring the warehouse because it was needed to expand the business. He said staff expected the cleaning project to begin in the Spring. He said the money had not been given to the owner and believed it was \$100,000, not \$166,000 as stated by Mr. Cole.

ADJOURNMENT

Being no further business, the meeting adjourned at 8:10 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED: _____

Stephen E. Lawrence, Mayor

ATTEST: _____

Julie Krueger, MMC, City Clerk



CITY OF THE DALLES
Department of Public Works
1215 West 1st Street
The Dalles, Oregon 97058

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
January 28, 2013	Contract Review Board 11, A	13-010

TO: Honorable Mayor and City Council

FROM: Dale S. McCabe, City Engineer

THRU: Nolan K. Young, City Manager

DATE: January 16, 2013

ISSUE: River Road Waterline Construction Contract No. 2013-003

RELATED CITY COUNCIL GOAL: None.

BACKGROUND: The River Road Waterline Project is a portion (or segment) of a larger project that was identified in the Water Master Plan Amendment that was presented to and adopted by City Council in 2007. The purpose of the River Road Waterline Project is to install a segment of a looped 18 inch transmission waterline located around the existing developed area of the Port of The Dalles and around the undeveloped property (the old Aluminum Plant Property) located between River Road and the Railroad tracks. The ultimate goal of the looped system is to be able to provide adequate water supply to the area and to meet the 4000 gallon per minute fire flow demand that is required in commercial and industrial zones.

Currently, the Port area is served its water supply through a single 12 inch transmission waterline. At the intersection of Crates way and River Road, a single 8 inch waterline ties on to the 12 inch transmission line and extends from that point of connection to a point in the River Road right of way immediately adjacent to the Animal Shelter property. This project will consist of installing a new 18 inch transmission waterline in the right of way of River Road on the

opposite side of the road (west side) from the existing 8 inch waterline. The new 18 inch transmission waterline will then be able to be connected to and extended when future development occurs in the area. This will allow for the continued installation/construction of and the eventual completion of the 18 inch looped transmission waterline for meeting the requirements of the City's adopted Water Master Plan.

The City of The Dalles Public Works Department advertised for bids for the River Road Waterline Project, Contract No. 2013-003 on December 5, 2012. The scope of work for the project was stated as follows: "The work to be performed shall consist of furnishing all materials, labor, and equipment necessary in the installation of approximately 1632 feet of 18 inch ductile iron waterline. All Work will be conducted in accordance with the contract documents."

The bid opening for the contract was held on January 8th at 2:00 p.m. for which we received eleven bids. The bids received were as follows:

1. Crestline Construction Co. LLC, in the amount of \$230,287.00.
2. Phoenix Excavating Inc., in the amount of \$259,715.48.
3. Nutter Corporation, in the amount of \$284,718.22.
4. NW Kodiak Construction, in the amount of \$327,662.39.
5. CG Contractors LLC, in the amount of \$328,428.00.
6. K & E Excavating, in the amount of \$341,414.00.
7. Columbia Pacific Construction, in the amount of \$369,146.35.
8. Vic Russel Construction, in the amount of \$369,959.84.
9. 3 Kings Environmental, in the amount of \$421,775.00.
10. James Ellett Construction, in the amount of \$428,950.00.
11. Moore Excavation Inc., in the amount of \$444,431.00.

The bids were reviewed by City staff to make sure that the proper material was submitted and the bids were deemed complete.

BUDGET IMPLICATIONS: Within the 2012-2013 Budget, funding for this project has been allocated to Fund 53, Line Code 7620, Water Lines, in an amount of \$412,625.00. The Engineer's estimate for this project was \$285,642.50. The Department recommends the City move forward with the project and award the contract to Crestline Construction Co., in an amount not to exceed \$230,287.00.

ALTERNATIVES:

- a. Staff Recommendation: *Authorize the City Manager to enter into contract with Crestline Construction Co., in an amount not to exceed \$230,287.00.*
- b. Provide additional research in response to questions raised by City Council.
- c. Not to proceed with the contract.



CITY OF THE DALLES
Department of Public Works
1215 West First Street
The Dalles, Oregon 97058

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
January 28, 2013	Contract Review Board 11, B	13-012

TO: Honorable Mayor and City Council

FROM: Dale S. McCabe, City Engineer

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

DATE: January 16, 2013

ISSUE: West First Street, Terminal Way, and Bargeway Road Reconstruction
Phase 2, Contract No. 2013-004.

CITY COUNCIL GOALS: None

PREVIOUS AGENDA REPORT NUMBERS : Agenda Staff Reports #02-091, #05-076, #05-082, #05-091, #08-103, #09-005, #09-016, #10-041, #12-066, #12-073, and #12-075

BACKGROUND: Phase I of the West First Street/Bargeway/Terminal Way Local Improvement District [LID] was completed in April of 2010. With completion of the Phase 1 portion, City Council's direction at that time was to revisit the formation of the Phase 2 LID district and complete construction of the Phase 2 LID project in the next two to five year period. At the November 26, 2012 meeting the City Council adopted Resolution #12-023 which accepted the Engineer's Report and formed the LID for Phase 2.

On December 7, 2012 The City of The Dalles Public Works Department advertised for bids for the West First Street, Terminal Way, and Bargeway Road Reconstruction - Phase 2, Contract No. 2013-004. The scope of work for the project was stated as follows in the Advertisement for Bids: "The work to be performed shall consist of furnishing all materials, labor, and equipment necessary in the construction of storm drain main, manholes, catch basins, a water line, an asphalt trail, concrete curb and gutter and pavement reconstruction on West First Street and Bargeway Road, including aggregate base and asphalt pavement. All work will be conducted in accordance with the contract documents."

The bid opening for the contract was held on January 10, 2013 at 2:00 p.m. for which six bids were received. The bids received were as follows:

1. NW Kodiak Construction LLC, in the amount of \$958,139.15
2. Vic Russell Construction Inc., in the amount of \$985,642.61
3. K&E Excavating Inc., in the amount of \$997,687.25
4. Crestline Construction Co. LLC, in the amount of \$1,030,739.00
5. 3 Kings Environmental Inc., in the amount of \$1,046,577.75
6. Nutter Corporation, in the amount of \$1,224,995.22

The bids were reviewed by City staff to make sure that the proper materials were submitted and all bids were deemed complete. The apparent low bid of \$958,139.15 from NW Kodiak Construction LLC was reviewed in further detail and accepted as the low bid.

BUDGET IMPLICATIONS: The proposed contract amount is less than the estimated cost of \$1,058,811.50 for construction as provided in the Preliminary Engineer's Report for the LID. An analysis of the detailed bid results shows that the street and stormwater system costs, most of which are to be assessed to property owners, are generally lower than the engineer's estimate. The bid costs for the Riverfront Trail and water system improvements were slightly higher than estimated. The City is paying for these last two improvements and funds are available for each. When the project is completed, City funds will pay for the cost of certain improvements as outlined in the Preliminary Engineer's Report and property owners will be assessed for their share of the street and stormwater system improvements.

RECOMMENDATIONS:

1. Staff Recommendation: Authorize the City Manager to enter into contract with NW Kodiak Construction LLC, for an amount not to exceed \$958,139.15.
2. Provide additional research in response to questions raised by City Council.
3. Not to proceed with the contract.



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AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
January 28, 2013	Contract Review Board 11, C	13-011

TO: Honorable Mayor and City Council

FROM: Dave Anderson, Public Works Director

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

DATE: January 14, 2013

ISSUE: Award of Professional Services Contract to Design the Scenic Drive Stabilization Retaining Wall.

CITY COUNCIL GOALS: Goal 1: Provide Public Works infrastructure that will ensure safe and well maintained streets and reliable utility systems for the citizens of The Dalles.

BACKGROUND: An issue of concern that has been developing over the last several years is the settling that is occurring in the pavement and north curb line in the 600 to 900 blocks of East Scenic Drive. Continued movement of the embankment slope in this area has the potential to destroy underground utilities and the roadway in the area. In addition, a catastrophic failure of the embankment could severely damage or destroy homes on the north side of the street and poses a threat to the safety of residents there. The area of concern is located within the Kelly Avenue Landslide that was largely stabilized in the 1980s through the construction and operation of dewatering wells; those wells remain in operation today.

In an effort to develop an understanding of the settling being observed, the geotechnical consulting firm of Shannon and Wilson was hired in 2011 to conduct a geotechnical evaluation of the area and develop conceptual alternatives to stabilize the movement. Shannon and Wilson has worked with the City consistently since the 1980s to design, install and monitor the stabilization of the Kelly Avenue Landslide.

The results of the analysis indicated that the current embankment movement is occurring at depths of about 10 feet below ground level. The old Kelly Avenue Landslide movements had occurred at depths of about 180 feet. This analysis confirmed that the currently observed movement is not associated with the original Kelly Avenue Landslide.

As part of the study, Shannon and Wilson conducted a slope stability analysis for the area. Their findings indicated that, without some mitigation, the embankment in the area does not meet the stability requirements of current roadway design standards. The report concluded that the stability of the embankment has been compromised, in part, due to damage done to the pavement surface in the original Kelly Avenue Landslide which has allowed water to saturate the soils under the roadway at certain times. The stability of the embankment is further compromised by the steep cut slopes associated with private driveways accessing homes on the north side of East Scenic Drive.

The report identified four conceptual stabilization alternatives for the area, including a “do-nothing” alternative, and recommended a combination of improving street drainage in the area and constructing a cantilever pile retaining wall along about 1100 feet of the moderately and severely distressed pavement areas. The contract being considered at this time would provide for the preliminary and final design of the recommended retaining wall. Design of the street drainage systems can be completed in-house for implementation after the retaining wall is constructed. With a final design of the retaining wall, a cost estimate can be developed and funds for the project can be budgeted.

Proposals have been submitted by Shannon and Wilson and Quincy Engineering (Quincy would be a subcontractor to Shannon and Wilson) to complete a final design and engineer’s estimated cost of construction for the recommended retaining wall; copies of the proposals are attached. The total proposal price is \$58,776.87. Staff is recommending that Shannon and Wilson be contracted by direct appointment to complete the final design of the recommended retaining wall due to their prior experience working with the City and their familiarity with the geotechnical issues in this specific landslide area.

BUDGET IMPLICATIONS: Within Fund 13, the Transportation Systems Reserve Fund, line 013-1400-431.75-10, funds are available for this project due to the postponement of the Thompson Street LID and East 19th Street Extension projects. The cost of the project is not expected to exceed \$58,776.87.

RECOMMENDATIONS:

1. **Staff Recommendation:** *Authorize the City Manager to enter into contract with Shannon and Wilson Inc. in an amount not-to-exceed \$58,776.87 for the final design of the East Scenic Drive Stabilization Retaining Wall.*
2. Deny authorization for a direct appointment contract with Shannon and Wilson Inc. and direct staff to issue a Request for Proposals for the final design of the East Scenic Drive Stabilization Retaining Wall.
3. Provide additional direction to staff about how to proceed.

**PRELIMINARY AND FINAL DESIGN FOR EMBANKMENT STABILIZATION
EAST SCENIC DRIVE
CITY OF THE DALLES, OREGON**

The project involves preliminary and final design of soldier pile retaining walls for stabilization of roadway embankment failures on East Scenic Drive in the City of The Dalles, Oregon. We have prepared this scope of services at the request of the City of The Dalles (City). The purpose of preliminary design is to determine type, size, and location of soldier pile retaining walls and provide an engineer's cost estimate. The walls may be cantilevered or anchored with tiebacks. During final design, construction plans and specifications will be developed for inclusion in the bid package.

The project is located on East Scenic Drive, a two-lane road oriented in an east/west direction on the ridge overlooking The Dalles. A distressed area of the roadway approximately ¼-mile long includes embankment failures. The embankment failures and roadway distress occurred on the north and downhill side of the roadway embankment. The most visible signs of distress of the road are longitudinal and alligator pavement cracking and differential settlement from the travel lane to the curb at varying severity levels. The toe of the embankment is bound to the north by dense residential properties. The current embankment is generally intact and is not hindering traffic or posing an immediate threat to the residents on the downhill side; however, the embankment has settled and undergone lateral displacements, and the roadway surface and drainage systems are heavily damaged. We continue to record shallow creeping downhill movements within instrumentation in the roadway.

An initial site reconnaissance was conducted by Shannon & Wilson, Inc., (S&W) and the City on January 18, 2011. Initial geotechnical explorations, slope stability analysis, and an evaluation of conceptual stabilization alternatives were performed by S&W in summer 2011, and findings were presented to the City in the Scenic Drive Embankment Failure Report, dated August 29, 2011. Based on our findings and discussions with the City, a soldier pile retaining wall system was selected as the preferred stabilization alternative for areas of moderate and severe distress, as shown in Figure 2 of our August 29 report.

The project site is within the historic Kelly Avenue landslide, which was investigated and remediated in the 1980s. The initial investigation, remedial design, and the ongoing monitoring were performed by S&W. The distressed segment of East Scenic Drive is just north of and below the head scarp of the Kelly Avenue landslide. The area has undergone substantial settlement and lateral displacement in the past. The base (shear plane) of the landslide is up to 190 feet deep in the project area. Nearby inclinometers, installed in East Scenic Drive in 2006 and 2011, are designed to monitor Kelly Avenue landslide movement and have not identified measurable movement within the Kelly Avenue landslide shear plane. The proposed soldier pile retaining wall will not be used to attempt to further stabilize the Kelly Avenue landslide. The intent of the proposed soldier pile retaining wall is to stabilize the Scenic Drive roadway embankment and mitigate ongoing shallow movement related to the roadway embankment failure.

ASSUMPTIONS

Assumptions used to prepare this scope and budget are included below.

- Field work will be within the City Right-of-Way (ROW), and the City will provide site access and a work permit if necessary for the field explorations.
- The City will provide traffic control (flagging) during the field explorations.
- Drilling will be conducted by a driller subcontracted to Shannon & Wilson during daytime hours with a truck-mounted drill rig.
- The drill cuttings and drilling mud will be contained in drums, then dumped in the City's soil landfill.
- The City will be able to provide a hydrant or a nearby area to access water for drilling.
- Borings will be abandoned and backfilled according to State of Oregon regulations.

SCOPE OF SERVICES

PHASE 1 – PRELIMINARY WALL DESIGN

Task 1: Kickoff Meeting and Site Visit.

- S&W will attend a kickoff meeting with the City and Quincy Engineering, Inc. (Quincy).
- S&W will attend a site visit with the City and Quincy to review current conditions and identify features.
- S&W will mark boring locations for utility locates.

Task 2: Topographic Mapping.

- S&W will review available topographic mapping by the City and LiDAR and will identify additional mapping if needed.

Task 3: Field Exploration and Laboratory Testing.

- S&W will perform up to five (5) geotechnical borings along both sides of East Scenic Drive within the ¼-mile segment. Geotechnical borings will be located to complement existing borings and gather subsurface information in critical areas that were not previously explored. Borings will consist of shallow hollow-stem auger borings to determine fill depth and deep mud-rotary borings into native deposits for pile and tieback design. Borings will be drilled to a depth of up to 40 feet below the road surface. All borings will be made using a truck-mounted drill rig.
 - Soil samples will be obtained at a 2.5-foot interval in the upper 15 feet and 5-foot intervals thereafter,
 - Existing asphalt concrete (AC) pavement and base aggregate thicknesses will be observed and recorded for future pavement design.
 - Up to three (3) dynamic cone penetration (DCP) tests will be performed in the boreholes immediately below the base aggregate for pavement design.
 - A Shannon & Wilson representative will observe, record subsurface explorations, and obtain samples for laboratory testing.
 - The boreholes will be abandoned in accordance with Oregon Water Resources Department regulations. The surface of the roadway will be restored using ODOT-approved road restoration materials.
- Laboratory testing will be performed in accordance with ASTM, AASHTO, or other approved procedures and may include:
 - Water content
 - Particle size distribution
 - Atterberg limits
 - In-place density

Task 4: Geotechnical Evaluation and Preliminary Retaining Wall Design.

- Geotechnical Evaluation will include:
 - Embankment failure interpretation
 - Development of a profile and cross sections
 - Slope stability analysis
 - Determine lateral earth pressure and vertical loads
 - Develop pressure diagrams for each wall height
 - Hot mix asphalt concrete pavement design for East Scenic Drive
 - Construction considerations of soldier pile retaining walls
- Preliminary Retaining Wall Design will include:
 - Retaining wall concept plans and cross section details
 - Type, size, and location of each wall including cantilever, tieback, and lagging details
 - Construction considerations
 - Assisting Quincy with construction costs
 - Draft and Final Geotechnical and Preliminary Design Report. A digital copy of the draft report will be provided to the City for review and discussion with the design team. Comments will be incorporated into the final.

Deliverables:

- Geotechnical and Preliminary Design Report – Electronic copy of the draft and final report and three (3) bound copies of the final report.

PHASE 2 – FINAL WALL DESIGN

Task 5: Design Plans and Specifications and Cost Estimate.

- S&W will assist Quincy with pile and tieback specification.
- S&W will review plans and specification.
- S&W will assist Quincy with construction cost estimates.

PHASE 3 – CONSTRUCTION

- Construction services are not included in this scope of services. Services may include review of contractor submittals, review of change orders, and verification of subsurface conditions and geotechnical design assumptions, at the request of the City.

PROPOSED FEES

We propose to perform the above tasks on a time-and-materials basis with a total not-to-exceed fee of \$34,000. A fee breakdown is as follows.

Phase 1	
Kickoff and exploration labor cost	\$6,000
Laboratory Testing	\$800
Analysis and report preparation	\$13,200
Exploration and travel direct expense	\$9,000
Phase 2	
Final design support	\$5,000

Scope of Work

Engineering Services for Scenic Drive Retaining Wall – The Dalles

The Dalles plans to arrest an existing roadway embankment failure along Scenic Drive through the construction of a ~1,100-foot long retaining wall type of structure. The City has retained Shannon & Wilson, Inc. (S&W) to complete geotechnical investigations and provide recommendations for the foundation and design loads to the retaining wall structure. Quincy Engineering, Inc. (Quincy) will provide the preliminary and final design of the retaining wall. Topographic surveying and mapping, site access, right of way acquisition (if any), permitting (if required), utility coordination, and traffic control plans (during construction) will be performed by others.

Quincy Engineering's approach for this project is as follows:

PHASE 1 - PRELIMINARY ENGINEERING & STUDIES

TASK 1 – Initiate Project - Kickoff Meeting & Site Visit

Quincy will attend a kickoff meeting with the City and S&W to discuss the project background, scope, concepts, and schedule, and gather all existing information about this project that has not been previously obtained. Immediately following the Kick-off Meeting, Quincy will attend a site visit with the City and S&W to review existing conditions, identify potential conflicts, and record significant project features.

Task 1 Products

- *Kickoff Meeting*
- *Existing Information Review*
- *Field Review*

TASK 2 – Topographic Mapping (by City)

Quincy and S&W will review available existing topographic mapping sufficient for the project and will identify any additional mapping needs. Additional mapping will be provided by others.

Task 2 Products

(by City)

- *Topographic Surveys & Mapping*

TASK 3 – Geotechnical Investigations and Recommendations

S&W will conduct subsurface explorations, and provide design loadings, soil properties, foundation capacities, and other information required to evaluate various retaining wall alternatives.

Task 3 Products

(by S&W)

- *Geotechnical Report*
- *Foundation Data Sheets*

TASK 4 – Preliminary Retaining Wall (30%) Design

During the preliminary geotechnical assessment, soldier pile walls were identified as the preferred alternative. Quincy will evaluate up to four (4) wall heights, which will consist of either cantilever soldier piles or tie back soldier piles. An approximate cost of the combined retaining wall will also be developed, and will include 25% contingency and 10% mobilization.

Task 4 Products

- *Retaining Wall Concept Plans*
- *TS&L Report*

Retaining wall concept plans will be prepared showing various wall heights/types and approximate limits of each.

A Type, Size & Location (TS&L) Report will be prepared that will contain the following:

- Plan and Elevation drawings, including plan, elevation, and section views
- Retaining Wall quantities
- Approximate construction cost
- Potential construction impacts

Scope of Work

- Utility impacts
- Geotechnical Report

This report will be presented to and discussed with the City in draft form. All comments will be addressed and incorporated as appropriate in the final TS&L Report.

PHASE 2 - FINAL DESIGN

TASK 5 - Final Retaining Wall Design

Task 5.1 – Design

Retaining Wall Design: Retaining wall design will be prepared in accordance with AASHTO's *Load and Resistance Factor Design Specifications*.

Roadway Design: Final Road Plans are expected to consist of traffic control plans and will be completed by the City. Quincy staff will review road plans to ensure compatibility with expected retaining wall construction activities.

Task 5.2 – Plans

Retaining wall plans will be completed in English units using Microstation CAD software. All plans will be signed by a civil engineer (registered in the state of Oregon) in responsible charge of the design. We anticipate the following plan sheets.

- Plan and Elevation/Retaining Wall Layout Sheets (2)
- Retaining Wall Sections (2)
- Retaining Wall Details (1)

Task 5.3 – Submittal of 65% Plans

At the completion of the design and plan sheets, 65% plans will be submitted to the City for their review. At this time, it is expected that City construction staff will provide feedback to identify adjustments to the design and construction details.

Task 5.4 – Independent Design Check

An engineer not involved in the design of the project will complete an independent assessment of the retaining wall design using the 65% retaining wall plans and Geotechnical Report. The independent check will consist of a review of the designer's calculations and plan sheets. Every plan sheet detail, note, title, etc. will be checked. Items of agreement will be highlighted in yellow, and items of disagreement will be marked in red. The designer and checker will meet to resolve all items of disagreement. Plans will then be updated to reflect resolution of all issues.

Task 5.5 – Technical Specifications

Project Technical Specifications for the retaining wall, including Special Provisions based on ODOT's *Boiler Plate Special Provisions* (SSP), will be developed. It is assumed the City will prepare all boilerplate contract specifications and will compile them with technical specifications to develop final bid documents.

Task 5.6 – Construction Quantities and Cost Estimate

Final construction quantities will be determined based on the updated plans. A construction cost estimate with unit costs for each item will be developed using standard ODOT pay items and units of measure wherever

Task 5.1 thru 5.3 Products

- Retaining Wall Design
- Retaining Wall Plans
- Construction Quantities
- 65% Submittal

Task 5.4 through 5.9 Products

- Independent Check
- Technical Specifications
- Final Quantities
- Construction Cost Estimate
- QA/QC Checklist
- 90% PS&E
- Final Project PS&E Package
- Bidding Assistance

Scope of Work

possible. Contingency costs will be reduced to 10% (or whatever amount preferred by the City) at this time.

Task 5.7 – Quality Control and Constructability Review

As an integral part of the Quincy QA/QC Program, a senior level engineer will review the entire draft PS&E (90% PS&E) package for uniformity, compatibility, and constructability as well as conformance with various supporting documents and reports. The review will include comparing retaining wall plans with the City developed traffic control plans for conflicts or inconsistencies, and to ensure that the final design is in accordance with all environmental documents, permit requirements, and foundation recommendations. The specifications and estimate will be reviewed for consistency with the plans, and to ensure that each construction item has been covered.

Task 5.8 – Submittal of 90% PS&E

The plans, specifications, and estimate, along with design, check, quantity calculations, and a construction schedule for the retaining wall will be submitted to the City at the 90% completion stage.

Task 5.9 – Submittal of Final (100%) PS&E

Upon receiving review comments from the City, each comment will be reviewed, discussed, and addressed in writing. All conflicts will be resolved in person or via telephone/fax as necessary. Appropriate modifications will be made to the plans, specifications, and estimate. The final PS&E package will include full-sized and half-sized plans, a hard copy and electronic copy (MS Word format) of special provisions for bidding purposes, construction schedule, and the final cost estimate. It is assumed that the City will compile and duplicate the actual bid documents for advertising.

TASK 6 – Bidding Assistance

The individuals involved with the design of the project will be available during the bidding period to answer bidder's questions about the retaining wall plans and specifications, prepare addenda if needed, and provide general consultation to the City. When the construction bids are opened, the Team will be available to provide analysis and recommendations concerning award of the contract. For this effort we have assumed 4 hours of effort.

PHASE 3 - CONSTRUCTION

Tasks in this phase are not included, but can be added via contract amendment.

TASK 7 – Construction Support and Inspection

After award of the construction contract, the Team will be available to continue providing services such as reviewing contractor submittals, reviewing shop plans, preparing and/or reviewing change orders, and making other field observations, at the City's request. All activities will include appropriate recommendations and documentation of the Team's activities.

Task 7 and 8 Products/Services

- Site Inspections
- Construction Reviews
- As Constructed Retaining Wall Drawings

TASK 8 – As-Constructed Drawings

When construction is complete, the Quincy Team will prepare as-constructed retaining wall drawings. Plan changes will be based on information clearly marked on a set of contract plans prepared by the City's construction engineer.

Cost Proposal

Project Number: JP5109		Project Name: Scenic Drive Retaining Wall - The Dalles							
	TASKS	Project Manager/ JO	Associate Bridge Engineer NC	Associate Roadway Engineer RN	Assistant Engineer JG	Associate Engineer BK	Drafter PK	Quincy Total Hours	QEI Total Labor Dollars
Task		JO	NC	RN	JG	BK	PK		
No.	Initial Hourly Rate	\$65.00	\$40.00	\$45.00	\$32.00	\$36.00	\$23.00		
Preliminary Design and Final PS&E									
1	Intiate Project	6						6	\$390
2	Topographic Mapping		2					2	\$80
3	Geotechnical Investigations	1	2					3	\$145
4	Preliminary Retaining Wall Design	4	32		16	16	24	92	\$3,180
5.1	Retaining Wall Design	4	32					36	\$1,540
5.2	Plans						28	28	\$644
5.3	Submittal of 65% Plans	1	4					5	\$225
5.4	Independent Design Check							0	\$0
5.5	Technical Specifications	2	8					10	\$450
5.6	Construction Quantities & Cost Estimate	1	2		2			5	\$209
5.7	Quality Control & Constructibility Review			4				4	\$180
5.8	Submittal of 90% PS&E	2	8				8	18	\$634
5.9	Submittal of Final (100%) PS&E	1	4				4	9	\$317
6	Bid Assistance	1	2					3	\$145
5.7	Subtotal- Hours	23	96	4	18	16	64	221	
	Other Direct Costs								
	Total Cost	\$1,495	\$3,840	\$180	\$576	\$576	\$1,472	\$8,139	

Cost Proposal

Project Name: Scenic Drive Retaining Wall - The Dalles

Preliminary Design and Final PS&E

Date: 12/27/2012

Quincy Engineering, Inc.

Direct Labor:	\$8,139.00
Escalation for Multi-Year Project (0.0%):	\$0.00
Overhead (1.73):	\$14,088.61
A. Labor Subtotal	\$22,227.61

Subconsultant Costs:

	\$0.00
	\$0.00
	\$0.00
	\$0.00
	\$0.00
B. Subconsultant Subtotal	\$0.00

Other Direct Costs:

Travel	300 miles @	\$0.555	\$166.50
Pier Diem/ Hotel	days @	\$150.00	\$0.00
Delivery	3 @	\$20.00	\$60.00
Printing: Mylar			\$100.00
C. Direct Cost Subtotal:			\$326.50

Labor Subtotal A. =	\$22,227.61
Fixed Fee (10.0%):	\$2,222.76
Subconsultant Subtotal B. =	\$0.00
Fixed Fee (0.0%):	\$0.00
Direct Cost Subtotal: C. =	\$326.50
Fixed Fee (0.0%):	\$0.00

TOTAL NOT TO EXCEED = \$24,776.87

Note: Invoices will be based upon actual QEI hourly rates plus overhead at 173.1% plus prorated portion of fixed fee. Subconsultant and Direct Costs will be billed at actual cost.



CITY OF THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122
FAX (541) 296-6906

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
January 28, 2013	Action Items 12, A	13-014

TO: Honorable Mayor and City Council

FROM: Gene E. Parker, City Attorney

THRU: Nolan K. Young, City Manager

DATE: January 17, 2013

ISSUE: Special Ordinance No. 13-553, annexing a parcel of property identified as 3821 West 10th Street, and three parcels of property owned by the Port of The Dalles located in the Urban Growth Boundary of the City pursuant to ORS 222.125.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: #12-076.

BACKGROUND: On November 26, 2012, the City Council conducted a public hearing pursuant to ORS 222.120 to consider annexation of a parcel of property located at 3821 West 10th Street, and three parcels of property owned by the Port of The Dalles, pursuant to the consent annexation provisions of ORS 222.125. Following the close of the hearing, the Council voted to approve the proposed annexations, and directed staff to prepare an ordinance completing the annexation process.

Notice of the adoption of Special Ordinance No. 13-553 assessing the property has been posted in accordance with the provisions of the City's charter, and the ordinance can be adopted by title only.

BUDGET IMPLICATIONS: Completion of the annexations will result in additional property taxes being paid to the City on private property. If the annexations are completed by March 31, 2013, the City will begin receiving its share of property taxes from the designated parcels in November, 2013. The City will begin receiving additional revenue from the utilities that have franchises that will apply to the newly annexed properties and who will begin collecting franchise fees from these properties upon annexation.

There will be an increased workload for City staff from additional utility accounts and additional areas to provide law enforcement services.

ALTERNATIVES:

Staff Recommendation. *Move to adopt Special Ordinance No. 13-553 by title only.*

SPECIAL ORDINANCE NO. 13-553

AN ORDINANCE ANNEXING A PARCEL OF PROPERTY IDENTIFIED AS 3821 WEST 10TH STREET, AND THREE PARCELS OF PROPERTY OWNED BY THE PORT OF THE DALLES LOCATED IN THE URBAN GROWTH BOUNDARY OF THE CITY OF THE DALLES PURSUANT TO ORS 222.125 (HAZEN & PORT CONSENT ANNEXATION)

WHEREAS, the City Council has adopted a policy to proceed with the annexation of properties located within the Urban Growth Boundary, where the City has the authority to annex the properties under the provisions of ORS 222.125, where the City has obtained a consent to annexation from all the owners of the property and a majority of electors residing in the territory proposed to be annexed; and

WHEREAS, on November 26, 2012, the City Council conducted a public hearing pursuant to ORS 222.120 to consider annexation of a parcel of property located at 3821 West 10th Street, and three parcels of property owned by the Port of The Dalles, where the City has received consent of the property owners and consent from a majority of electors residing in the territory proposing to be annexed, which properties are listed on the schedule attached as Exhibit "A"; and

WHEREAS, the City Council has reviewed the written consents to annexation submitted by the property owners, and any electors residing in the territories proposing to be annexed, and the Council finds that the consents to annexation are valid under the provisions of ORS 222.125; and

WHEREAS, the City Council has reviewed the proposed findings submitted in support of the proposed consent annexations set forth in Exhibit "B", and the Council has approved and adopted the proposed findings, which findings are incorporated into this ordinance by reference;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:

Section 1. Properties to be annexed. Based upon the findings set forth in Exhibit "B", the City Council finds that the properties listed in Exhibit "A" are contiguous to the City limits, and that where applicable, the electors and landowners residing on the contiguous properties to be annexed consented in writing prior to the public hearing conducted on November 26, 2012, in accordance with ORS 222.120 and 222.125. The subject properties listed in Exhibit "A" are hereby proclaimed to be annexed to the City of The Dalles in accordance with ORS 222.120 and 222.125. The legal descriptions for the subject properties are set forth in Exhibit "C", which is attached hereto and incorporated herein by this reference.

Section 2. Submittals. The City Clerk shall submit, within the proper time frames, all necessary copies of this Ordinance and any supporting documents required by the various state statutes to the appropriate state and county officials and departments.

Section 3. Effective Date of Annexation. The effective date of this annexation shall be complete from the date of filing the annexation records with the Secretary of State, as set forth in ORS 222.180.

Section 4. Effective Date of Ordinance. The effective date of this ordinance shall be 30 days from adoption of this ordinance, subject to any referendum being filed.

PASSED AND ADOPTED THIS 28TH DAY OF JANUARY, 2013

Voting Yes, Councilors: _____
Voting No, Councilors: _____
Absent, Councilors: _____
Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 28TH DAY OF JANUARY, 2013

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC City Clerk

EXHIBIT "A"

<u>TAX LOT</u>	<u>CURRENT OWNER</u>
1. 2N 13E 29CA 1600	Sharon L. Hazen Map No. 1
2. 2N 13E 21 700	Port of The Dalles Map No. 2
3. 2N 13E 21 800	Port of The Dalles Map No. 2
4. 2N 13E 28 102	Port of The Dalles Map No. 3

Right-of-way

River Trail Way - entire length.

EXHIBIT “B”

PROPOSED FINDINGS FOR SPECIAL ORDINANCE NO. 13-553

Section 14.010.040 of the City’s Land Use and Development Ordinance provides that annexations shall be subject to the following criteria:

- A. The territory is contiguous to the City limits and qualifies as a consent annexation pursuant to ORS 222.125 or as an island annexation pursuant to ORS 222.750.
- B. The territory is within the Urban Growth Area.
- C. The development of the property is compatible and consistent with the rational and logical extension of utilities and roads to the surrounding area.
- D. The City is capable of providing and maintaining its full range of urban services to the territory without negatively impacting the City's ability to adequately serve all areas within the existing City limits.
- E. The annexation conforms to the Comprehensive Plan.

For the properties listed in Exhibit “A” attached to Special Ordinance No. 13-553, the Council finds and concludes that the property is contiguous to the City limits, and the territories proposed to be annexed qualify as consent annexations, pursuant to ORS 222.125. The City Council concludes that the criteria in Section 14.010.040(A) have been satisfied.

Testimony was also presented during the hearing that the properties listed in Exhibit “A” were located within the City’s Urban Growth Area. The City Council finds the criteria set forth in Section 14.010.040(B) have been satisfied.

The properties proposed to be annexed are served by existing utilities. The City has previously annexed portions of property, which make the affected properties contiguous to the City limits. The City has been planning for the additional resources to extend utilities and maintain the roads that will be required to provide urban services for the properties that will be annexed to the City. The City Council finds and concludes that annexation of the properties listed in Exhibit “A” is consistent with the rational and logical extension of utilities and roads to the surrounding area, and that the City is capable of providing and maintaining its full range of urban services to the properties listed in Exhibit “A”, without negatively impacting the City’s ability to adequately serve all areas within the existing City limits. The City Council finds and concludes the criteria set forth in Section 14.010.040(C) and (D) have been satisfied.

Goal #14, Urbanization, of the City’s Comprehensive Plan is “To provide for an orderly and efficient transition from rural to urban use”. Goal #14 includes certain sub-goals. Sub-goal #2 of Goal #14 is “To coordinate with Wasco County in order to manage the urban growth

boundary and the conversion of land within the boundary for urban uses.” The City has complied with Sub-goal #2 of Goal #14 by entering into an intergovernmental agreement with Wasco County for the joint management of the Urban Growth Area, which includes the land area within the Urban Growth Boundary and outside the city limits of the City of The Dalles. Section 8 of the intergovernmental agreement provides as follows:

8. Annexation

- A. Annexation of areas within the Urban Growth Boundary shall be in accordance with relevant annexation procedures contained in Oregon Revised Statutes, City Ordinances, or approved annexation plan.
- B. Annexation by the City will occur only after development is completed.

Policies 6, 7, and 8 for Goal #14 of the City’s Comprehensive Plan provides as follows:

- 6. Encourage the orderly annexation of land within the Urban Growth Boundary to the City of The Dalles.
- 7. Adequate public facilities shall be planned or provided for, per local and State statutes, to service an area when annexation is considered. This includes, but is not limited to, storm sewers, sanitary sewer and water service.
- 8. Public facilities such as roads, water, sewer, and storm sewer will be required for development of the area in question and shall be subject to review prior to annexation and shall comply with The Dalles Transportation Systems Plan (TSP), Water Master Plan, Sewer Master Plan, and Storm Water Master Plan.

The proposed annexation complies with the urbanization goal set forth in Goal #14, in that it encourages the orderly annexation of land within the Urban Growth Boundary of the City of The Dalles, and also provides for the orderly and efficient provision of public facilities and services. The properties to be included in the annexation have been developed, or have been planned for the extension of public facilities and utilities, to ensure the properties will have sufficient services, including but not limited to water and sanitary sewer service, storm sewers, streets, parks, and fire hydrants. Extension of the city limit boundaries to include the properties will allow the City to maintain the facilities and utilities in proper working order to provide services to the residents of these properties, and also provide a basis for the City to continue an orderly process of continuing to annex other properties within the Urban Growth Boundary, as the City continues to experience economic growth and development. Inclusion of the properties within the City limits will provide an opportunity for the City to plan and design its public utilities and facilities, including streets, storm system, and water and sanitary sewer system, to ensure the City can provide necessary public services to its citizens in an orderly and efficient manner, consistent with the City’s Transportation Systems Plan, Water Master Plan, Sewer Master Plan, and Storm Water Master Plan.

The proposed annexation is consistent with the provisions of Section 8 of the intergovernmental agreement with Wasco County for annexation of properties within the Urban Growth Area. The proposed annexation has been conducted in accordance with the relevant provisions for annexation set forth in the Oregon Revised Statutes, including ORS 222.120 and 222.750, and the annexation is occurring for properties where development has been completed.

The annexation of the subject properties is reasonable, because it is consistent with the provisions of the City's Comprehensive Plan and the intergovernmental agreement with Wasco County for the joint management of property with the Urban Growth Area, for the reasons set forth above. Annexation of these properties will allow the City to maintain the public utilities and facilities serving these properties, and to make any necessary improvements to allow the City to continue providing necessary services for the residents of the properties. Inclusion of these properties within the City limits will transfer responsibility for law enforcement activities related to these properties to the City. This will create a more uniform and efficient system of law enforcement, eliminating confusion over which law enforcement agency is responsible for providing services to the properties. For all of these reasons, the City Council concludes the proposed annexation complies with the "reasonableness" requirement for annexations under state law.

The City Council finds and concludes that the criteria set forth in Section 14.010.040(E) have been satisfied.

EXHIBIT "C"

1. 3821 West 10th Street

2N 13E 29CA Tax Lot 1600

Beginning at the Northwest corner of Irvine Donation Land Claim #39; thence East along the North line of said Donation Land Claim 12 feet more or less; thence Southeasterly 264 feet more or less; thence South 79°37' West 150 feet more or less to the West boundary line of Chenowith Road; thence North along the West boundary line of Chenowith Road 286 feet; thence East 140 feet to the point of beginning.

2. 4250 River Trail Way

2N 13E 21 700

Lots 1 and 2 of Section 21, Township 2 North, Range 13 East of the Willamette Meridian.

Also, that part of the Southwest quarter of the Southwest quarter of said Section 21, described as follows: Beginning on the line between Sections 21 and 28, Township 2 North, Range 13 East of the Willamette Meridian, at a point East a distance of 976.6 feet, from the corner common to Sections 20, 21, 28, and 29. Running thence North 5°30' West, a distance of 114.1 feet; thence North 59°16' East 180 feet; thence North 21°21' East 124.3 feet; thence North 7°23' East 637.6 feet; thence North 1°20' East 84.1 feet; thence North 11°35' West 61.6 feet; thence North 29°49' West 260 feet to the North line of said Southwest 1/4 of the Southwest 1/4; thence East along said line 209 feet to the Northeast corner of said subdivision; thence South 1,323.4 feet to the Southeast corner thereof; thence West along the section line 340.3 feet to the point of beginning.

Also, that part of Section 28, Township 2 North, Range 13 East of the Willamette Meridian, described as follows: Beginning on the line between Sections 21 and 28, Township 2 North Range 13 East of the Willamette Meridian, at a point East a distance of 976.6 feet from the corner common to Sections 20, 21, 28, and 29. Running thence South 5°30' East a distance of 339.9 feet; thence South 19°40' West 400 feet more or less, to the channel of Chenowith Creek; thence along said channel Easterly and downstream 2,163 feet, to its confluence with the Columbia River; thence Northerly and downstream along the low water line of the Columbia River 460 feet, to the line between Sections 21 and 28; thence West along said line 2,110 feet to the point of beginning.

Also, Beginning on the line between Sections 21 and 28, Township 2 North, Range 13 East of the Willamette Meridian, at a point East a distance of 976.6 feet from the corner common to Sections 20, 21, 28, and 29; thence East along the section line 340.3 feet; thence North 1,323.4 feet to the point of beginning of this description; thence North 562 feet; thence West a distance of 1,120 feet more or less to the Southeast corner of Edward Crate Donation Land Claim No. 38; thence Southerly tracing the west bank of the Columbia River to its intersection with a line parallel with and 625 feet South of the

South line of the Edward Crate Donation Land Claim #38; thence West along said parallel line approximately 1,560 feet to the point of beginning.

3. 4350 River Trail Way

2N 13E 21 800

Two tracts of land in government Lots 1 and 2, Section 21 and in Section 28, Township 2 North, Range 13 East of the Willamette Meridian, County of Wasco, State of Oregon, more particularly described as follows:

Parcel 1

Beginning at the 1/4 corner common to Section 21 and 28, Township 2 North Range 13 East of the Willamette Meridian; thence North 89°28'50" West 648.6 feet; thence North 72°47'30" East 361.4 feet to the point of beginning of this description, which point is also the Southeast corner of the Bonneville Substation Tract as described on page 215, Book 135, Wasco County Deed Records dated June 24, 1957; thence South 17°12'30" East 850 feet to the present centerline of Chenowith Creek; thence Easterly along the centerline of Chenowith Creek to the west bank of the Columbia River; thence Northerly tracing the west bank of the Columbia River to its intersection with a line parallel with and 625 feet South of the South line of Edward Crate's Donation Land Claim #38; thence West along said parallel line approximately 1,560 feet to a line parallel with and 80 feet Easterly of the Westerly line of the Port of The Dalles tract as described in Microfilm Book #147 pages 184-205 of the Wasco County Deed Records dated August 20, 1962; thence South approximately 750 feet to the Westerly extension of the Northerly line of said Bonneville Substation tract; thence North 72°47'30" East along said extension and Northerly line of the Substation tract to the Northeasterly corner thereof; thence South 17°12'30" East along the Easterly line of the Bonneville Substation tract 650 feet to the point of beginning.

Parcel 2

Beginning at the Easterly Southeast corner of said substation site, the location of which is described in an instrument dated June 24, 1957, and recorded June 28, 1957 in Book 135 of deeds, page 215; thence North 17°12'30" West along the Easterly boundary of said substation site 650 feet to the Northerly corner of the substation site; thence South 72°47'30" West 80 feet; thence South 17°12'30" East parallel with the Easterly boundary of the substation site 650 feet to the Southerly boundary of said substation site; thence South 72°47'30" West along the Southerly boundary of said substation site 120 feet to a point; thence South 17°12'30" East 310 feet more or less to the present centerline of Chenowith Creek; thence Easterly along the centerline of Chenowith Creek to a point which bears South 17°12'30" West 450 feet more or less to the point of beginning.

Save and except the portion thereof previously granted to Wasco County for County road purposes.

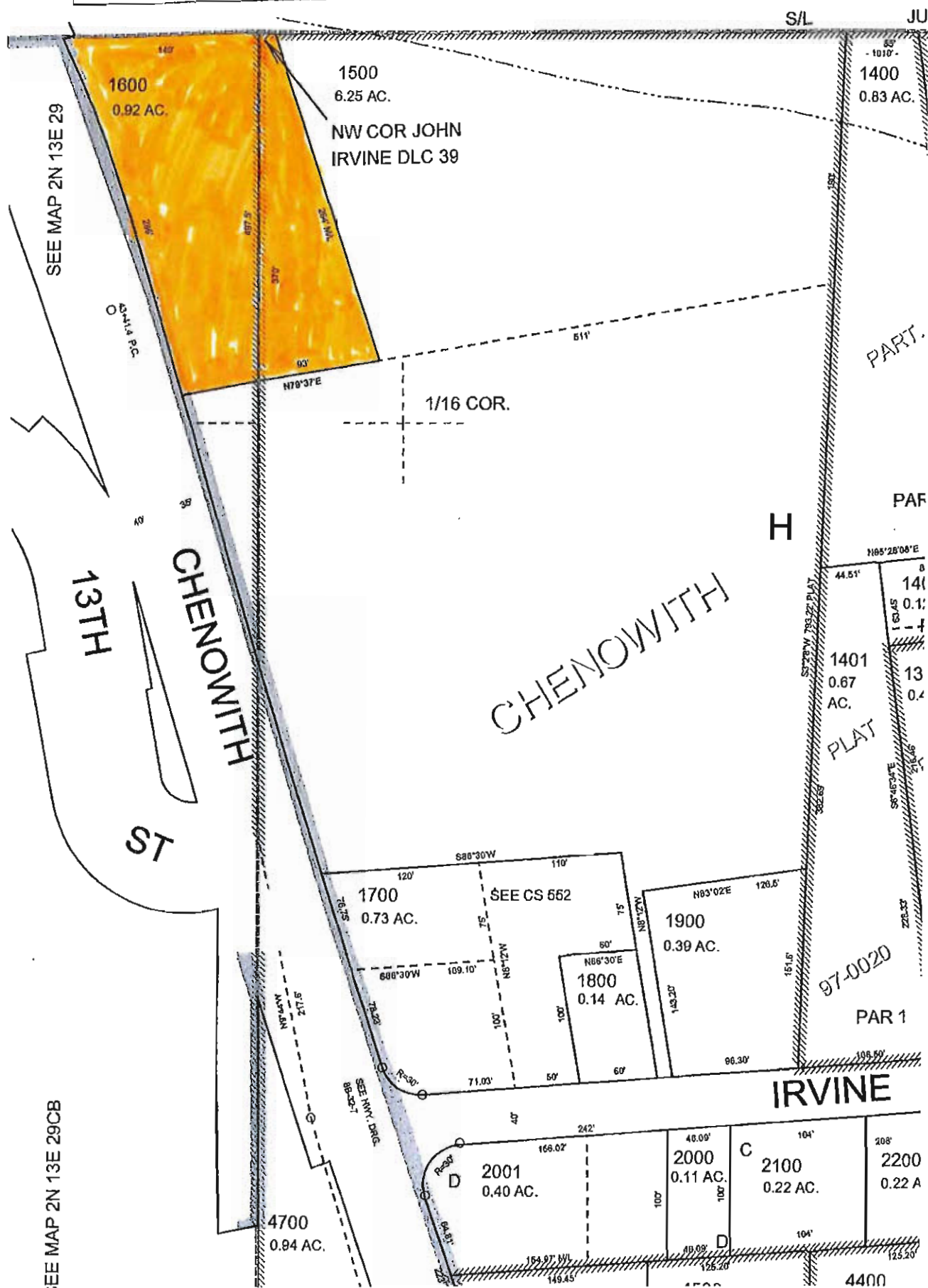
4. No site address

2N 13E 28 102

That portion of the following description lying Northerly on the centerline of Chenowith Creek, Easterly of a line which is described as: Beginning at a point 450 feet Westerly of the North 1/4 corner of said Section 28 and running South parallel to the North-South centerline of said Section 28 and Southwesterly of a line which is described as follows:

Beginning at a point which point is North 89°28'50" West 648.6 feet and North 72°47'30" East 361.4 feet from the North 1/4 corner of said Section 28; thence South 72°47'30" West 200 feet to the point of beginning of the line herein described; thence South 17°12'30" East to the center of said Chenowith Creek.

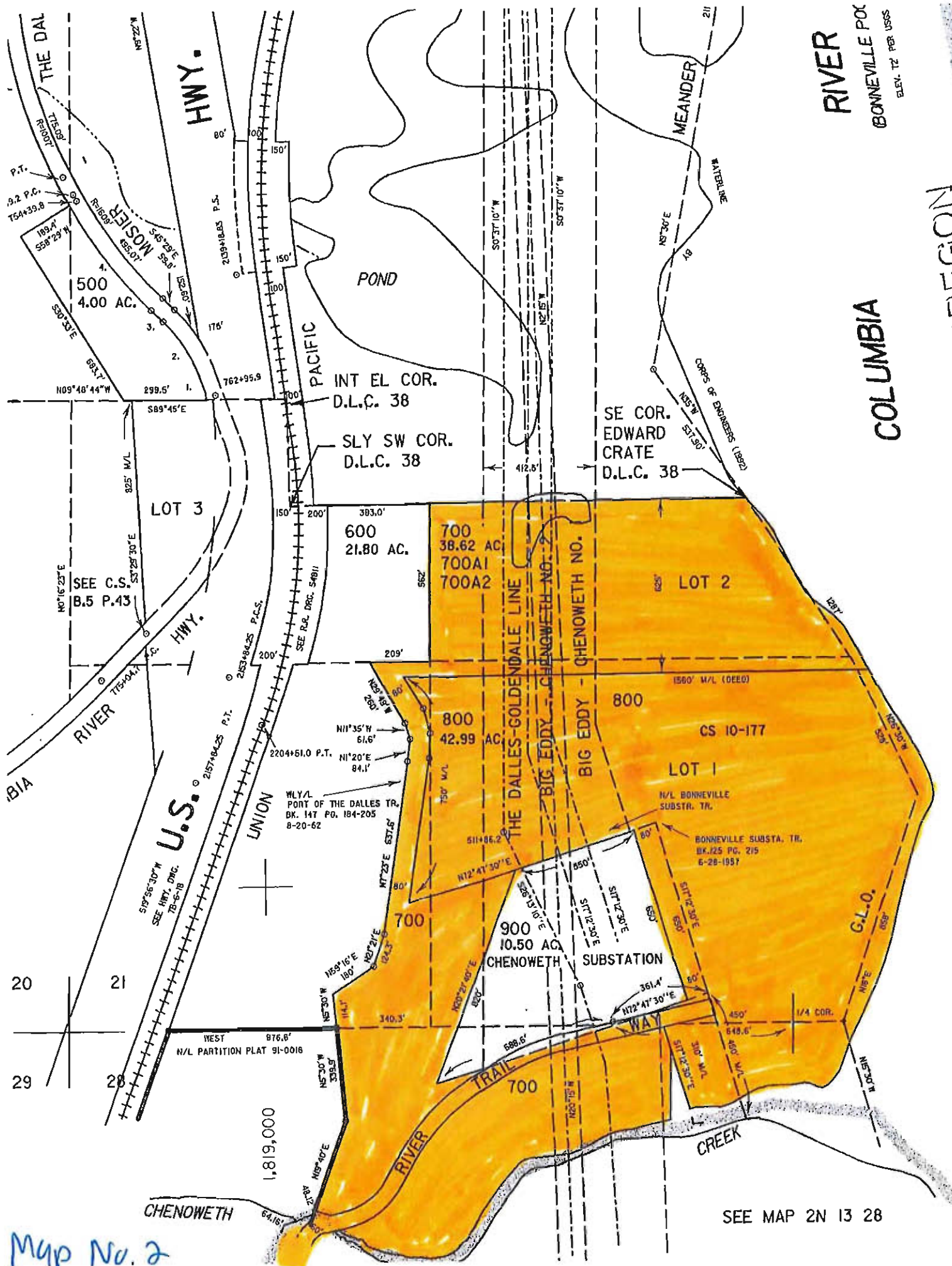
Month	Number of People
January	100
February	120
March	150
April	180
May	160
June	140
July	120
August	100
September	80
October	60
November	40
December	20



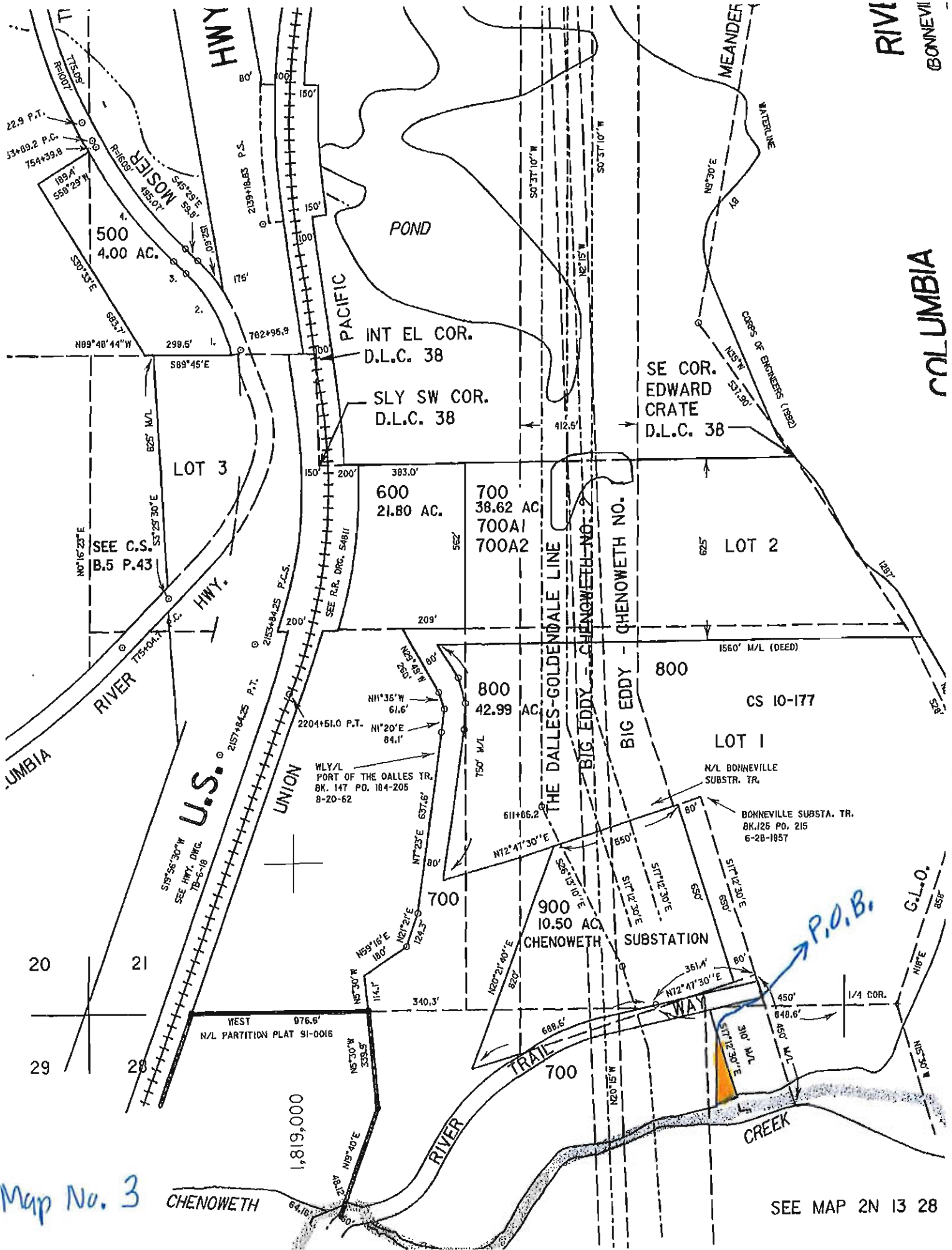
Map No. 1

COLUMBIA

SEE MAP 2N 13 28



Мур No. 2



Map No. 3

SEE MAP 2N 13 28

RIVER
BONNEVILLE

COLUMBIA



CITY OF THE DALLES
Department of Public Works
1215 West First Street
The Dalles, Oregon 97058

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
January 28, 2013	Action Item 12, B	13-013

TO: Honorable Mayor and City Council

FROM: Dave Anderson, Public Works Director

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

DATE: January 16, 2013

ISSUE: Adoption of Wastewater Utility Rate Resolution No. 13-003.

CITY COUNCIL GOALS: N.A.

PREVIOUS AGENDA REPORT NUMBERS: Agenda Staff Reports #12-080, #12-086, #13-008

BACKGROUND: The City has been in the process of updating its Wastewater Facilities Master Plan over the course of the last year. On November 26, 2012, City Council reviewed information related to the updated Wastewater Facilities Capital Improvement Plan (CIP) and associated financial plan alternatives. On December 10, 2012 City Council adopted the updated CIP and called for a public hearing to receive testimony related to wastewater utility rates necessary to support operations, maintenance and implementation of the CIP. A public hearing was held on January 14, 2013 to receive public testimony related to the proposed wastewater rate schedule; four citizens testified in that hearing.

Following the public hearing, Council directed staff to prepare a resolution approving the wastewater rate increases that were proposed in Agenda Staff Report #13-008. The proposed rate schedule would increase wastewater utility rates 3.44% per year, annually on March 1, in each year from 2013 through 2022. The initial rate increase would raise rates from \$41.85 to \$43.29 per unit per month, an increase of \$1.44 per month for residential customers. The rate increase is anticipated to increase revenues to the Wastewater Utility Fund by about \$155,000 in the first year of implementation. Attached to this report is a resolution for Council's consideration.

The issue of Wastewater SDCs is not included in this resolution and is scheduled for consideration at a future City Council meeting since the potential revision of SDCs requires a 90-day notice period.

BUDGET IMPLICATIONS: With adoption of Resolution No. 13-003, customers of the wastewater utility will have annual 3.44% rate increases beginning March 1, 2013 through March 1, 2022, and collection of revenue in accordance with the proposed rate schedule is anticipated to allow the City to complete capital improvements as set forth in the City's Wastewater Facilities Capital Improvement Plan adopted December 10, 2012.

RECOMMENDATIONS:

1. **Staff Recommendation:** Move to adopt Resolution No. 13-003.
2. Provide additional direction to staff on how to proceed.

RESOLUTION NO. 13-003

A RESOLUTION AMENDING RESOLUTION NO. 06-028, ESTABLISHING METERED WATER RATES AND SANITARY SEWER FEES AND SYSTEM DEVELOPMENT CHARGES FOR THE CITY OF THE DALLES

WHEREAS, on November 26, 2012, the City Council received a presentation prepared by City staff and Carollo Engineers and FCS Group, concerning an updated Wastewater Facilities Capital Improvement Plan; and

WHEREAS, one of the tasks for development of an Updated Master Plan consisted of creation of a hydraulic model to determine the adequacy of existing sanitary sewer collection and treatment systems, and to update the associated Capital Improvement Plan for projects needed to meet current and future demands; and

WHEREAS, based upon the need for improvements required for regulatory compliance, the need to address existing capacity limitations, the need to maintain assets, the need to meet projected growth in the service area for the City's wastewater collection and treatment systems, and the identification of potential permitting scenarios through evaluation of unit process alternatives and integration of overall plant facilities, City staff and the consultants recommended a program of three capital improvement phases; and

WHEREAS, the first phase of the capital improvement projects addresses deficiencies in the influent pump station and digestion facilities, mitigation of odors, and provides screening and grit removal to accommodate growth; and

WHEREAS, the second phase of the capital improvement projects addresses deficiencies in liquid biosolids storage and provides secondary treatment facilities needed to accommodate growth and maintain assets, including projects for a new liquid biosolids storage tank, secondary treatment expansion, and replacement of an aged dissolved air flotation unit with a gravity belt thickener for waste activated sludge thickening; and

WHEREAS, the third phase of the capital improvement projects includes upgrades and expansion of the aeration basis processes to accommodate growth and a new administration building to replace the existing aged administration, laboratory, and control facility; and

WHEREAS, a proposed financial plan prepared by FCS Group was presented to the City Council on November 26, 2012, which presentation included three potential scenarios for establishment of wastewater rates; and

WHEREAS, following the presentation of the proposed three phase capital improvement plan and the potential rate scenarios, the City Council expressed a preference for the funding scenario which would utilize the issuance of revenue bonds in 2014, 2017, and 2020 to fund the three phases of capital improvements, as that scenario lessened the financial impact to ratepayers by evenly spreading out the costs of the capital improvements over a period of time, thereby lessening the potential for significant rate increases at a future date; and

WHEREAS, on December 10, 2012, the City Council adopted an updated Wastewater Facilities Capital Improvement Plan (CIP) which incorporated the recommended three phases of capital improvements; and

WHEREAS, on January 14, 2013, the City Council held a wastewater rate hearing with the public during which citizens had an opportunity to submit testimony concerning the proposed rate adjustments, in conjunction with the provisions of ORS 294.160; and

WHEREAS, the Council wishes to adopt a wastewater utility rate adjustment effective March 1, 2013 to fund operations, maintenance and implementation of the updated Wastewater Facilities CIP; and

WHEREAS, after considering the information presented by City staff and the consultants at the Council meetings on November 26th and December 10th, 2012, and the public testimony presented during the meeting on January 14th, 2013, the Council proposes to adopt a wastewater utility rate schedule consistent with its policies and with the recommendations of City staff and the consultants during their presentation of the proposed updated Wastewater Facilities Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. Resolution Amended. Resolution No. 06-028 passed and adopted by City Council on July 24, 2006 is hereby amended. Resolution No. 06-028 shall remain in force to authorize the rates which are in effect until Resolution No. 13-003 becomes effective, and continue to authorize rates and charges not amended by Resolution No. 12-015 or Resolution No. 13-003.

Section 2. Sewer Fees. Effective March 1, 2013, the monthly fees charged to users of domestic sanitary treatment facilities of the City of The Dalles wastewater system shall be as follows:

- A. Within the corporate limits of the City of The Dalles, the sewer use charge shall be \$43.29 per unit per month.
- B. Outside the corporate limits of the City of The Dalles, the sewer use charge shall be \$73.59 per unit per month.

Section 3. Future Sewer Fee Adjustments. Sanitary sewer rates shall be adjusted under the following schedule. Rates will become effective on the dates listed.

Effective date	Rate Increase	Inside City	Outside City
FY 2013-2014: March 1, 2014	3.44%	\$44.78	\$76.13
FY 2014-2015: March 1, 2015	3.44%	\$46.32	\$78.74
FY 2015-2016: March 1, 2016	3.44%	\$47.91	\$81.45
FY 2016-2017: March 1, 2017	3.44%	\$49.56	\$84.25
FY 2017-2018: March 1, 2018	3.44%	\$51.26	\$87.14
FY 2018-2019: March 1, 2019	3.44%	\$53.02	\$90.13
FY 2019-2020: March 1, 2020	3.44%	\$54.84	\$93.23
FY 2020-2021: March 1, 2021	3.44%	\$56.73	\$96.44
FY 2021-2022: March 1, 2022	3.44%	\$58.68	\$99.76

Section 4. Classification of Fees. Pursuant to ORS 310.145, the City Council declares the fees and charges imposed by this Resolution as being not subject to the provisions of Article XI, Section 11b of the Oregon Constitution.

Section 5. Effective Date of Resolution. The effective date of this Resolution is March 1, 2013.

PASSED AND ADOPTED THIS 28TH DAY OF JANUARY, 2013

Voting Yes, Councilors: _____
Voting No, Councilors: _____
Absent, Councilors: _____
Abstaining, Councilors: _____

AND APPROVED BY THE MAYOR THIS 28TH DAY OF JANUARY, 2013

Stephen E. Lawrence, Mayor

ATTEST:

Julie Krueger, MMC, City Clerk



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481
FAX (541) 296-6906

AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
January 28, 2013	Discussion Items 13, A	13-015

TO: Honorable Mayor and City Council
FROM: Garrett Chrostek, Administrative Fellow
THRU: Nolan K. Young, City Manager *nyj*
DATE: January 15th, 2013

ISSUE: Discussion Regarding Main Street Economic Improvement District.

RELATED CITY COUNCIL GOAL: Goal #3: Promote economic development opportunities that will provide job creation and retention and enhance livability. Tier 1 (E): Develop organizational structure and stable funding for Main Street Program.

PREVIOUS AGENDA REPORT NUMBERS: #12-06, 12-070.

BACKGROUND: Following an initial public hearing at the October 22nd, 2012 City Council meeting, Council elected not to move the Economic Improvement District ("EID") proposed by The Dalles Main Street Program ("Main Street") forward to a second public hearing. Rather, Council recommended that Main Street resubmit their EID after conducting further outreach and research. To that end, Main Street held an informational meeting at The Dalles Area Chamber of Commerce's ("Chamber") Power Breakfast on December 7th, 2012 and met informally with downtown property owners as opportunities arose. Additionally, Main Street mailed surveys pertaining to the EID to every property owner of record within the proposed EID boundaries and sent out electronic copies to every e-mail address on the Chamber's listserve.

This survey produced 159 responses, of which 48 identified themselves as downtown property owners (full results attached). Because some respondents provided no response to the identity classification question and because some property owners hold multiple tax lots, the response rate for the survey is unknown—although the mailings were sent to 197 presumptive commercial tax lots within the EID boundaries. From the responses, a flat rate assessment structure received the most support. Regardless of the structure, respondents' willingness to pay for an EID ranged from \$0 to \$2,000 with an average of \$146.

Based on the survey and a reexamination of their budget, Main Street amended their original EID Plan (attached). Although the EID district boundaries will remain the same, the new EID Plan calls for the district to run for three years instead of five. In place of an assessment on square footage, the revised Plan seeks annual flat rate assessments of \$250 per commercial tax lot. This assessment structure is estimated to yield \$49,000 per year if fully collected.

Main Street brings their revised EID Plan to Council as a discussion item to address any questions or concerns Council might have regarding the Plan or Main Street. Additionally, Main Street requests that Council schedule a public hearing for March 11th, 2013 (see attached EID timeline).

BUDGET IMPLICATIONS: If the proposed EID passes, the City has budgeted \$30,000 for *FY 2012/2013*, \$20,000 for *FY 2013/2014*, and \$10,000 for *FY 2014/2015* respectively. This money is intended to supplement EID funds for the purpose of hiring a Main Street Executive Director. The City's contribution tapers off under the assumption that the Main Street Executive Director will be able to replace those funds through grants and fundraising.

ALTERNATIVES:

- a. Direct staff to schedule a public hearing for March 11th, 2013.

The Dalles Main Street Economic Improvement Plan

1. **Justification for District:** Two years ago our downtown had 20 empty storefronts, one year later the count was up to 39. Some of the buildings have been empty for years, or vastly under-utilized. There are buildings that could be divided into smaller, more economical spaces, and upper floors that could house office space or apartments. There are also areas where pocket parks could be installed and visual improvements made. While these specific problems are unique to the individual properties, the underlying issues are a collective concern affecting all downtown properties and businesses owners. Property owners, business owners, and concerned citizens overwhelmingly agree that downtown could benefit from coordination among property and business owners for such purposes and programs as marketing, events, building appearance, and business development and recruitment. The proposed Economic Improvement District ("EID") described in this Economic Improvement Plan will provide the personnel, resources, and organization necessary to attack the problems ailing our downtown, execute the desired programs, and stem the tide of failing businesses.
2. **Planned Economic Improvements:** The Dalles Main Street Inc. ("TDMS" or "Main Street") proposes to raise funds through an EID for two primary purposes:
 - a. To hire an Executive Director for TDMS
 - b. To provide resources for TDMS's committees to carry out their objectives of supporting downtown properties and business through economic development programming.
- a. **Executive Director:** Main Street will hire an executive director from funds raised through EID assessments and from funds committed by the City. The primary duties of the executive director will be:
 1. Serve as the principal on-site staff person responsible for coordinating all programs and initiatives as well as representing TDMS at all local, regional, and state levels.
 2. Responsible for the development, conduct, execution, and documentation of the downtown program under the direction of the Board of Directors.
 3. Coordinate and assist TDMS's Steering, Organization, Promotion, Design, and Business Committees in performing their respective duties, responsibilities, and projects. Attend all committee, board, and special meetings regarding TDMS.
 4. Research funding opportunities, assist in preparing grant proposals, and help develop fund raising projects along with the board of directors.
 5. Develop and conduct on-going public awareness and educational programs designed to enhance appreciation of The Dalles downtown's assets and foster an understanding of the Main Street Program's goals and objectives. Work closely with local businesses, property owners, Chamber of Commerce, city management and other partners in supporting the downtown business community, promoting investment, and facilitating development through TDMS program.

6. Maintain accurate data to track the progress and effectiveness of TDMS and report this information to the board of directors at their regular scheduled meetings.
7. Manage and perform other projects, functions, and tasks as determined by the board of directors. Maintain regular communication with the Oregon Main Street Program Director.

b. Main Street Committee Objectives: Below is a listing of the overall goals and objectives of each Main Street committee. These objectives may change from year to year as the committees pursue economic improvements to the downtown area including:

1. Pursuing activities that support business recruitment and development
2. Completing downtown beautification projects
3. Planning and organizing public events and celebrations in the downtown
4. Promoting commercial activity and marketing of downtown properties, businesses, and attractions
5. Improving parking systems and parking enforcement
6. Engaging in any other economic improvement activity that will specifically benefit properties in the downtown EID.

Business Committee:

Overall Goal: Build economic stability by supporting and attracting a viable mix of businesses to the downtown.

Objectives:

- Expand the mix of businesses downtown.
- Identify underserved markets and help property owners and businesses better define their target market
- Assist businesses in optimizing their business hours.
- Develop a plan to utilize upper floors.

Number One Priority: Fill the Old Elks Building on Third Street with a successful and vibrant business or businesses.

Number Two Priority: Encourage the redevelopment of the upper floors of the downtown area for residential use.

Promotion Committee:

Overall Goal: Promote downtown as the center of The Dalles—a great place to live, work, play, and do business.

Objectives:

- Identify reasons to bring people downtown.
- Create a main Street signature event(s) for downtown.
- Provide more activities that draw families downtown.
- Enhance business and property owners' abilities to market themselves.

<u>Number One Priority:</u>	Raise funds to support the Jamin' in July event to bring more people downtown. Further priorities will be to continue to put on signature events for the downtown community.
<u>Number Two Priority:</u>	Develop a brand and marketing strategy for downtown The Dalles that attracts both residents and tourists alike to the offerings of our downtown.
Design Committee:	
<u>Overall Goal:</u>	Craft a vibrant and welcoming downtown by continuing to improve building and storefront appearance and enhancing the overall downtown environment.
<u>Objectives:</u>	<ul style="list-style-type: none"> • Facilitate improved maintenance of buildings, facades, and streetscapes. • Create a more pedestrian-friendly environment. • Improve visual impact from the highway. • Promote design collaboration within the downtown community.
<u>Number One Priority:</u>	Encourage façade improvements, focusing on, but not limited to bringing transom windows back and encouraging general maintenance of buildings, storefronts, and streetscapes.
<u>Number Two Priority:</u>	Establish a more pedestrian-friendly environment—create small park-like vignettes in under-utilized areas to provide green space as well as additional outdoor seating areas.
Steering Committee:	
<u>Overall Goal:</u>	Unify stakeholders, build partnerships, and focus on building a sustainable, volunteer-based downtown revitalization organization.
<u>Objectives:</u>	<ul style="list-style-type: none"> • Broaden the volunteer base. • Ensure collaboration with/among various stakeholder groups • Develop a funding plan for Main Street • Ensure communication/collaboration within The Dalles Main Street Program.
<u>Number One Priority:</u>	Pursue an Economic Improvement District and use funds to hire a full-time Main Street Coordinator.
<u>Number Two Priority:</u>	Form the Organization Committee under the new non-profit entity

Organization Committee:

Overall Goal: Successfully transition from a Steering Committee to an Organization Committee. Provide sufficient support, direction, and assistance to the executive director to make TDMS an effective and valuable program for downtown businesses and property owners.

Objectives:

- Broaden the volunteer base.
- Ensure collaboration with/among various stakeholder groups
- Develop a funding plan for Main Street
- Ensure communication/collaboration within The Dalles Main Street Program.

Number One Priority: Form the organization committee, implement policies and procedures, and hire the new Full-time Main Street Coordinator.

Number Two Priority: Secure additional volunteers for all other committees.

3. **Length of Economic Improvement District:** The EID will expire after 3 years. There is no provision for automatic renewal.
4. **District Boundary:** The proposed EID essentially runs from the west end of 2nd Street and Pentland, to the east end of the round-about, to the North end on 1st Street, to the South end from 4th Street to Court, then around the courthouse on 5th, back to 4th Street, then 3rd Street at Jefferson, then around the alley on 3rd, back to the round-about. (see map)
5. **Assessment Formula:** Based on the results of a preliminary survey, the proposed EID will be a flat rate assessment of \$250 per tax lot for commercial properties within the EID. Government owned buildings, non-profits, and residences/dwelling units will be excluded from this EID. Buildings owned by the Columbia Gateway Urban Renewal Agency will also be excluded until such time as they come into private ownership.
6. **Estimated Cost:** Under the assessment formula stated above, the proposed EID is estimated to raise \$49,000 per year from assessments, which will total \$147,000 over 3 years.
7. **City Contribution:** If the EID passes, the City has agreed to commit \$30,000 in FY 13-14, \$20,000 in FY 14-15, and \$10,000 in FY 15-16 as seed money to hire the executive director as described above.
8. **Organizational Background of The Dalles Main Street Program:** The Dalles Main Street Program (TDMS) is currently a registered non-profit organization in the State of Oregon. The organization's 501(c)(3) application is currently pending with the U.S. Department of Revenue. The organization consists of 37 volunteers, most of whom are downtown business and property owners.

TDMS Mission Statement is: *"The Dalles Main Street Program provides leadership to preserve and enhance our community identity and heritage, build economic stability and make The Dalles an excellent place to live, work, play, and do business."*

TDMS is a volunteer driven organization, through four committees: Promotion, Design, Business and Organization (currently Steering Committee).

TDMS is affiliated with the Oregon Main Street Program. The Main Street Approach is a proven comprehensive method to commercial historic district revitalization. This approach has been implemented in more than 2,200 cities and towns in 40 states across the nation. Individual community programs benefit from the help of the National Main Street Center, Oregon Main Street, and other statewide downtown revitalization programs.

The Main Street Approach is based on a comprehensive, four point strategy:

- Organization
- Promotion
- Design
- Economic Restructuring (Business)

TDMS is currently in the "Transforming Downtown" phase, the second highest category. Oregon Main Street provides assistance to all communities no matter where they are in the process.

9. **Anticipated Agreements:** It is anticipated that Main Street will enter into an agreement with the City of The Dalles for office space, mailing address, filing cabinet, desk and chair, telephone and copy machine for use by TDMS. Another location may be selected if it will provide greater benefit to the program.
10. **Administration Fee:** None. The City has agreed to not charge any fee for administration of the EID.

2013 Economic Improvement District (EID) TimeLine

Date By	Action	By Whom	Completed
Dec 5, 2012	Conduct EID survey	Steering Committee	X
Dec 7, 2012	Present at Chamber Power Breakfast	Steering Committee	X
Dec 19, 2012	Elect officers	Steering Committee	
	Recruit new committee members	Steering Committee	
	Approve Revised EID Plan:	Steering Committee	X
	1. Reevaluate Staffing Needs		
	2. Reevaluate Funding Goals		
	3. Develop prioritized project list		
	4. Develop revised budget		
Jan 10, 2013	Draft EID plan sent to City Attorney to formalize	Steering Committee	X
Jan 14, 2013	Final EID plan commented and submitted to City Council with request	City Attorney	
Jan 28, 2013	Present to City Council/Council reviews plan and determines if 1 st public meeting should be held	City Council	
Feb 5, 2013	Notice sent out for 1 st public hearing	City Clerk	
Feb 10, 2013	Ordinance proposing to establish EID prepared	City Attorney	
Feb 20, 2013	All Committee meeting to discuss EID and outreach	Steering Committee	
Mar 11, 2013	1 st public hearing and adoption of Ordinance Establishing EID	City Council	
Mar 15, 2013	Public Notice and Potential Assessment mailed to property owners	City Clerk	
Mar 22, 2013	Ordinance levying final assessments prepared	City Attorney	
April 22, 2013	2 nd Public Hearing if remonstrance less than 33%	City Council	
May 13, 2013	Adopt Ordinance levying final assessments	City Council	
May 17, 2013	Assessments mailed to property owners	City Clerk	
June 17, 2013	Assessments Due	Finance Director	

The Dalles Main Street Focus Area

