

AGENDA

**WILSONVILLE CITY COUNCIL MEETING
OCTOBER 1, 2012
7:00 P.M.**

**CITY HALL
29799 SW TOWN CENTER LOOP
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Celia Núñez

Councilor Richard Goddard

Councilor Scott Starr

CITY COUNCIL MISSION STATEMENT

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

Executive Session is held in the Willamette River Room, City Hall, 2nd Floor

- 5:00 P.M. EXECUTIVE SESSION [20 min.]**
A. Pursuant to ORS 192.660(2)(i) Performance Evaluation of City Attorney
- 5:20 P.M. COUNCILORS' CONCERNS [5 min.]**
- 5:25 P.M. PRE-COUNCIL WORK SESSION**
A. Joint Work Session with Wilsonville Planning Commission Members [1 ¾ hr.]
- 6:50 P.M. ADJOURN**
-

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held Monday, October 1, 2012 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on September 18, 2012. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered therewith except where a time limit for filing has been fixed.

- 7:00 P.M. CALL TO ORDER**
A. Roll Call
B. Pledge of Allegiance
C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

7:05 P.M. MAYOR'S BUSINESS

- A. Upcoming Meetings

7:10 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

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

7:20 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

- A. Council President Núñez – Chamber Leadership and Library Board liaison
B. Councilor Goddard – Library, Chamber Board, and Clackamas County Business Alliance liaison
C. Councilor Starr –Development Review Boards and Wilsonville Community Seniors Inc. liaison

7:25 P.M. CONSENT AGENDA

- A. Minutes of the September 6, 2012 Council Meeting (staff – King)

7:30 P.M. NEW BUSINESS

- A. **Resolution No. 2380**
A Resolution Of The City Of Wilsonville Acting In Its Capacity As Its Local Contract Review Board Authorizing The Execution Of A Professional Services Agreement With Murray, Smith And Associates To Provide Engineering And Consulting Services For The Wastewater Collection System Projects. (staff – Mende/Adams)

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

- A. Meeting Recap

8:55 P.M. LEGAL BUSINESS

9:00 P.M. ADJOURN

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:-Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or king@ci.wilsonville.or.us

Ossanna, Joanne

From: Ossanna, Joanne
Sent: Monday, October 01, 2012 9:53 AM
To: Cosgrove, Bryan; Troha, Jeanna; Kohlhoff, Mike; Kraushaar, Nancy; Kerber, Delora; King, Sandy
Subject: PERS Update

The PERS rates for 7/1/13 through 6/30/15 were announced on Friday. The City's rates increased substantially, but are a bit lower than we anticipated.

Tier 1 & 2: (61% of gross wages)
Current Rate: 12.03% + 6% = 18.03%
New Rate: 16.64% + 6% = 22.64%

OPSRP: (39% of wages)
Current Rate: 10.55% + 6% = 16.55%
New Rate: 14.96 + 6% = 20.96

The City's rate is made up of the required employer contribution for Tier 1 & 2 or OPSRP, and the additional 6% employee/employer paid rate.

We were anticipating the combined rate would go as high as 23%, so the new rate is bit lower than anticipated at 22.64% for Tier 1 & 2 and 20.96% for OPSRP. Our current wages are split 61% Tier 1 & 2, and 39% OPSRP, so our composite rate is approximately 22%.

Actual Increases as a percentage: The employer required rate increased 38.3% for Tier 1 & 2 and 41.2% for OPSRP, but the combined rate increased 25.6% for Tier 1&2 and 26.6% for OPSRP.

Let me know if you have any questions.

Joanne E. Ossanna, CPA
Finance Director
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville OR 97070
503-570-1511 office
503-708-3061 cell
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ossanna@ci.wilsonville.or.us

Disclosure: Messages to and from this email address may be subject to the Oregon Public Records Law.

CITY COUNCIL ROLLING SCHEDULE

Board and Commission Meetings 2012

SEPTEMBER

Date	Day	Time	Event	Place
9/17	Monday	7 p.m.	City Council Meeting	Council Chambers
9/24	Monday	6:30 p.m.	DRB Panel B	Council Chambers

OCTOBER

Date	Day	Time	Event	Place
10/1	Monday	7 p.m.	City Council Meeting	Council Chambers
10/8	Monday	6:30 p.m.	DRB Panel A	Council Chambers
10/10	Wednesday	6 p.m.	Planning Commission	Council Chambers
10/11	Thursday	6:30 p.m.	Parks & Recreation Board	Council Chambers
10/15	Monday	7 p.m.	City Council Meeting	Council Chambers
10/22	Monday	6:30 p.m.	DRB Panel B	Council Chambers
10/24	Wednesday	6:30 p.m.	Library Board	Library

COMMUNITY EVENTS

First Friday Film

October 5, 2012 – Library Oak Room – 6 p.m. (flyer on reverse)
Event is free.

Beauty & the Bridge Dedication Event

October 7, Noon – 1:30 p.m. Old Town Square public gathering area (intersection of Boones Ferry Road and Wilsonville Road NW corner).

Harvest Fest

October 13, 2012 – 1:00 p.m. -3:00 p.m.
Stein Boozier Barn at Murase Plaza



Library Calendar

First Friday Film

Library program

Date: 10/5/2012 6:00 PM - 8:00 PM

Cost: Free

Location: Wilsonville Public Library - Oak
Room
8200 SW Wilsonville Road
Wilsonville, Oregon 97070

Add to my Outlook Calendar

Watch the latest releases, from blockbusters to independent films, for free on our big screen the first Friday of the month. The films have been especially chosen to be new, interesting, and difficult to get via Netflix. Snacks available for donation, or bring your own!

All film screenings are FREE and start at 6:00 p.m. in the Oak Room.



Friday, October 5 - Rated PG-13, 120 minutes

British retirees travel to India to take up residence in what they believe is a newly restored hotel. Less luxurious than its advertisements, the Marigold Hotel nevertheless slowly begins to charm in unexpected ways. Starring Judi Dench, Bill Nighy, and Maggie Smith.

Friday, October 5

6:00-8:00 p.m.

Oak Room

Movie is free. Snacks available by donation.

For more information, call the Library at 503-682-2744 or e-mail reference@wilsonvillelibrary.org.

MEDIA RELEASE

For Immediate Release

September 24, 2012

CONTACT: Mark Ottenad, Public/Government Affairs Director, City of Wilsonville
503-570-1505; ottenad@ci.wilsonville.or.us

City Seeks Community, Business Leaders to Serve on Task Force

WILSONVILLE, OR — As a component of creating a Wilsonville economic-development strategy, the City is moving forward with “part two” of the process. The first phase, guided by a committee of community and business leaders, established key elements of the strategy and set a timeline for a number of further processes and tasks to be accomplished.

The second phase, also to be guided by a citizen task force, initially focuses on defining characteristics of businesses and economic sectors that would provide the greatest community benefit for potential retention/recruitment activities by the City; and then seeks to determine what kinds of financial incentives, if any, and under what circumstances the community would support, that encourage the retention or recruitment of these kinds of businesses.

The task force would meet over the next six months starting in October, with a goal of providing recommendations to the City Council in February 2013. For more information, contact Mark Ottenad, Public/Government Affairs Director, at 503-570-1505; ottenad@ci.wilsonville.or.us.

**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: October 1, 2012	Subject: Joint City Council (CC)/Planning Commission (PC) worksession on the work program and the role of the Committee for Citizen Involvement (CCI). Staff Member: Chris Neamtzu, Planning Director Division: Planning	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments:	
Staff Recommendation: N/A		
Recommended Language for Motion: N/A		
PROJECT / ISSUE RELATES TO:		
<input checked="" type="checkbox"/> Council Goals/Priorities: A through E	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

There are two primary topic areas that are the focus of the joint worksession with the City Council (CC) and the Planning Commission (PC). They are:

- 1) Planning Commission Work Program
- 2) CCI Role and Work Program

EXECUTIVE SUMMARY:

This joint worksession will allow for valuable discussion between the Planning Commission (PC) and City Council on two fundamental aspects of the PC work program.

1) Planning Commission Work Program

The Planning Commission and staff desire to collaborate with the City Council on the creation of the annual work program so that there is clarity and consensus among the groups about the priorities for the coming year. In the past, the PC work program has been driven by six primary areas: 1) statewide planning goal requirements, periodic review and/or changes in state or federal law; 2) Metro's Urban Growth Management Functional Plan compliance requirements; 3) regional coordination efforts, such as concept planning new urban areas; 4) specific tasks that originate from City Council goals; 5) responses to privately initiated applications; and 6) other projects that arise as a priority during the course of the year.

The Commission desires a clear set of goals, priorities, and projects to embark upon for the coming calendar year. They want to be sure that the projects they are spending time on are the most important to the City Council and the community.

See **Attachment A** for a proposed work program, which staff prepared to summarize both work underway and tasks and projects forecasted to occur in the next few years. Some of these projects relate to recently articulated Council Concerns. See **Attachment B** for a report on staff activity related to these specific concerns and questions.

2) CCI Role and Work Program

Over the past year, the Planning Commission, acting in its role as the Committee for Citizen Involvement (CCI), has felt a disconnect between their work and the evolving priorities of Council (see **Attachment C** - July 27, 2012 CCI letter to City Council). The CCI members look forward to discussing Council's vision for the CCI and receiving direction on how best to structure the CCI's role and work program (please refer to **Attachment E** for more information on the role of the CCI).

One fundamental question has been to what degree the CCI work program should be constructed through a "top down" or "bottom up" approach, and whether the Council would like the CCI to initiate or propose any projects.

EXPECTED RESULTS:

A clearly defined work program will assist the city staff and Planning Commission in focusing on the issues that are of most importance to the City Council.

TIMELINE:

Work is currently underway for 2012-2013 as summarized in Attachment 1, and staff is laying

the groundwork for the projects scheduled for 2013-14 and beyond. Feedback and direction from Council can shift allocation of staff time, Planning Division budget, and PC meeting time. Any significant shift in priorities should be articulated in a timely manner so the work program and associated resources can be adjusted accordingly.

CURRENT YEAR BUDGET IMPACTS:

The final Planning Commission/CCI work program drives the work load for the long-range planning and engineering staff in the City's Community Development Department. Some projects may require the assistance of consultants which would require budgeted funds to implement.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _JO_ Date: _9/21/12_

The Community Development Department has budget to pay for assistance from consultants, but there could potentially be a need for additional budget for larger specialized consulting services.

LEGAL REVIEW / COMMENT:

Reviewed by: _____ Date: _____

COMMUNITY INVOLVEMENT PROCESS:

The Planning Commission/Committee for Citizen Involvement work program become the primary form of communication with the community and provides an important venue for shaping the future of the community.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups):

N/A

ALTERNATIVES: N/A

CITY MANAGER COMMENT:

ATTACHMENTS

- A. Proposed Planning Commission Work Plan
- B. Council Concerns Update
- C. July 27, 2012, Letter to CC from PC
- D. Excerpts from the Parks and Recreation Master Plan (Boones Ferry Park, Memorial Park) and the Advance Road School/Community Park Site Analysis Report
- E. Draft Program for Citizen Participation

Attachment A: Planning Commission Work Plan Summary

		2012	2013	2014	2015
Reference #	Section 1: Statutory Requirements (driven by state and regional requirements)				
	Active Projects				
1	TSP				
2	Climate Smart Communities				
3	Committee for Citizen Involvement (CCI) activities				
	Inactive/ Upcoming Projects				
4	Goal 10 Housing Plan				
5	Frog Pond /Advance Road Concept Planning				
6	Frog Pond/Advance Road (UGB expansion proposal)				
	Section 2: Wilsonville Priority Policy Items (driven by local goals)				
	Active Projects				
7	Old Town Development Code Amendments				
8	Basalt Creek Transportation Planning				
9	Density calculation: Comp. Plan & Devel. Code amendments				
10	Economic Development Strategy Implementation				
11	5-year Infrastructure Plan (ongoing annually)				
12	Development Code ongoing maintenance				
13	Basalt Creek Concept Planning				
14	Sign Code follow-up (directional banners)				
	Inactive/ Upcoming Projects				
15	Memorial Park master plan				
16	Boones Ferry Park master plan				
17	Industrial development – Form Based Code				
18	French Prairie bridge				
19	Community sustainability initiatives				
20	Recreation Center planning				
21	Skate Park planning and design				
22	Advance Road fields/ park				
23	Off-street Parking Regulations Update				
	Privately initiated master plan amendments (TBD)				
23	Villebois Master Plan amendments for former LEC site				
	Key Regional Projects and Dates				
	Metro CET Grant application (possible Frog Pond planning funding source)		March		
	Metro Urban Growth Report (assessment of need for growth areas)			late 2014	
	UGB Expansion Decision				

Attachment A: Planning Commission Work Plan

Detailed Forecast

		2012	2013				2014				2015		
		Sept-Dec	Jan	April	July	Sept	Jan	April	July	Sept			
5	Frog Pond / Advance Rd Concept Planning Conceptual planning of the Frog Pond area, east of the Wilsonville city limits, to determine how this area is to be developed and served by land uses, roads, schools and other urban services. Project Began: N/A Outcome: Concept Plan ready for UGB expansion proposal Public Involvement: TBD												
6	Frog Pond/ Advance Road UGB Expansion Request Proposal to expand Urban Growth Boundary to include Advance Road area for future development. Project Began: N/A Outcome: UGB expansion proposal to Metro in 2015 Public Involvement: TBD												
Section 2: Wilsonville Priority Policy Items (driven by local goals)													
7	Old Town Development Code Amendments Adopt Development Code amendments to implement the Old Town Neighborhood Plan, as directed by Council in Sept. 2011. Project Began: Sept 2012 Outcome: Zoning Code and Public Works Standards amendments to implement key parts of the Old Town Neighborhood Plan. Public Involvement: Neighborhood mailing, hearing notices.												
8	Basalt Creek Transportation Planning In preparation for Basalt Creek concept planning, the cities of Wilsonville and Tualatin, Washington County and Metro agreed to plan the major transportation network for the area. Project has addressed regional freight traffic strategies, I-5 overcrossing options, local impacts, and potential roadway connections directly to I-5. Project Began: 2011 Outcome: Basalt Creek Transportation Refinement Plan, IGA documenting agreement. Public Involvement:												
9	Density Calculation Problem (Comp Plan/ Code fix) Resolve inconsistent and conflicting policies in the Development Code and Comp Plan related to minimum and maximum residential development densities. Project Began: September 2012 Outcome: Ordinance amending Comp Plan and Development Code. Public Involvement: Public hearing notices.												
10	Economic Development Strategy Implementation												

- Blue circle = PC work session
- Blue star = PC hearing
- Red circle = CC work session
- Red star = CC hearing

Attachment A: Planning Commission Work Plan

Detailed Forecast

		2012	2013				2014				2015
		Sept-Dec	Jan	April	July	Sept	Jan	April	July	Sept	
	The strategy to improve Wilsonville's well-being through job creation, business growth, and income growth, a with improvements to the wider social and natural environment that strengthen the economy. Broader goals also affect the traditional goal of job creation. Project Began: Feb 2012 Outcome: Policy and work plan recommendations. Public Involvement: Task Force meetings										
11	5-Yr Infrastructure Plan ADD explanation Project Began: Jan 2013 Outcome: Concept Plan Public Involvement: TBD										
12	Development Code Maintenance Ongoing project to resolve outstanding Development Code problems that have minor policy implications. May include process improvements and "housekeeping". Project Began: N/A Outcome: Development Code amendments Public Involvement: TBD										
13	Basalt Creek Concept Planning The cities of Wilsonville and Tualatin, Metro, Washington County, and the State of Oregon are collaborating to plan the area between Wilsonville and Tualatin. The project will also involve agreement on the future city limit boundary between Tualatin and Wilsonville within the planning area. Project Began: Jan 2013 Outcome: Concept Plan Public Involvement: TBD										
14	Sign Code Follow-up (Banners) Following up on the 2012 Sign Code update project, the City is refining policy related to banners, wayfinding, and directional signage. Project Began: August 2012 Outcome: Internal policy guidelines, possibly Devel. Code amendments Public Involvement: TBD										

- Blue circle = PC work session
- Blue star = PC hearing
- Red circle = CC work session
- Red star = CC hearing

Attachment A: Planning Commission Work Plan

Detailed Forecast

		2012	2013				2014				2015	
		Sept-Dec	Jan	April	July	Sept	Jan	April	July	Sept		
15	Memorial Park Master Plan											
	Issues related to trails, public works operations, natural resource stewardship and user needs have created the need for the City to update the Master Plan for the park. The Master Plan will document a consensus of the plan for future development and use of the park.											
	Project Began: N/A											
	Outcome: Updated Master Plan											
	Public Involvement: TBD											
16	Boones Ferry Park Master Plan											
	Master plan is needed that considers waterfront access, historic and environmental features, large group activities, trails, restrooms, and recreation areas.											
	Project Began: N/A											
	Outcome: Updated Master Plan											
	Public Involvement: TBD											
17	Industrial Development Form-Based Code											
	This project would develop an alternative set of development requirements to establish high standards for industrial and office park development, and a streamlined process for approval. Pending notification of grant award.											
	Project Began: N/A											
	Outcome: Development Code amendments											
	Public Involvement: TBD											
18	French Prairie Bridge											
	Scoping, preliminary engineering and design, and environmental permitting for a bike/ped/ emergency bridge over the Willamette River.											
	Project Began: N/A											
	Outcome: Plans and permits for construction											
	Public Involvement: TBD											
19	Community Sustainability Initiatives											
	Follow-up to the PSU Emerald Solutions' Town Center vision plan. City needs to define next steps, and what to do with the abundant public input into that process.											
	Project Began: N/A											
	Outcome: TBD											
	Public Involvement: TBD											

Blue circle = PC work session

Blue star = PC hearing

Red circle = CC work session

Red star = CC hearing

Attachment A: Planning Commission Work Plan

Detailed Forecast

		2012	2013				2014				2015	
		Sept-Dec	Jan	April	July	Sept	Jan	April	July	Sept		
20	Recreation Center Planning											
	Programming, siting, and conceptual design of a large-scale, multipurpose recreation and aquatic facility.											
	Project Began: N/A											
	Outcome: TBD											
	Public Involvement: TBD											
21	Skate Park Planning and Design											
	Develop program and study potential sites for "skate spots" and advanced skate park facilities.											
	Project Began: N/A											
	Outcome: TBD											
	Public Involvement: TBD											
22	Advance Road fields and park											
	Complete land use / UGA procedures necessary to develop the park. Establish a joint use agreement with the school district, contribute to design and construction.											
	Project Began: N/A											
	Outcome: UGA, annexation, and land use decisions. Park master plan.											
	Public Involvement: TBD											
23	Off-street Parking Regulations Update											
	The City regulates the amount and design of off-street parking provided by private development. Following adoption of the TSP, the City will review its parking regulations to implement TSP policies and improve the review process.											
	Project Began: N/A											
	Outcome: Development Code amendments											
	Public Involvement: TBD											
Section 3: Private development												
	Villebois Master Plan amendments for former LEC site											

Blue circle = PC work session

Blue star = PC hearing

Red circle = CC work session

Red star = CC hearing

Attachment B Planning Department Council Concerns Update

In response to recent City Council requests for information on the status of several projects, staff prepared the following update.

- **Disconnect between zoning code and CP on density.**
This project is underway. Katie Mangle, Long Range Planning Manager, began by gathering information from current planning staff, reviewing applications and meeting minutes for case files during which the problem arose, and analyzing the Development Code and Comprehensive Plan text. A project problem statement has been completed, and draft “solutions”, which will evolve into proposed amendments, are being drafted. Staff is preparing to brief the City Council on the problem definition and potential solutions during a work session November 18th.
- **Advance Road Fields timing/UGB expansion.**
Planning staff is working with Clackamas County staff to define a possible path for developing the public park prior to the rest of the area. County staff is currently researching the issue, and staff will report to Council when more information is available.

The 5 Year CIP allocates funding to this project beginning in FY 15-16. Timing is contingent upon the following steps:

- 1) Bringing the property into the UGB – this could potentially be initiated by the City or the School District.
- 2) Annexing the property into the City of Wilsonville, if necessary to provide utility services.
- 3) Partitioning the property from the larger property owned by the school district. (It may be possible for this to occur prior to UGB inclusion, if doing so simplifies the UGB process.)
- 4) The school district conveying the property to the City.

The schedule for the larger Advance Road / Frog Pond planning and expansion is related to several regional milestones:

- Spring 2013: Metro Construction Excise Tax (CET) grant application process. This is the most likely source for funding concept planning for Frog Pond/ Advance Rd. A concept plan is required before the area may be considered for UGB expansion.
- Late 2014: Release of Metro’s Urban Growth Report (UGR), which will assess the regional need for new growth areas.
- 2015: UGB Expansion Decision to determine which, if any, urban reserve lands will be added to the UGB.
- Programming and design of the sports fields and public park: \$160,000 (2007\$). City share of final design and construction: \$3.25m.
- **Review of parking standards**
Following adoption of the TSP, the City will review its parking regulations to implement TSP policies, ensure requirements are appropriate, and improve the review process.



29799 SW Town Center Lp. E
Wilsonville, OR 97070
503-682-4960

July 27, 2012

Mayor Tim Knapp and City Council
City of Wilsonville
29799 SW Town Center Loop East
Wilsonville OR 97070

To Wilsonville City Council:

The Wilsonville Planning Commission acting as the Committee for Citizen Involvement sent a letter dated August 8, 2011, requesting direction from City Council (see attached letter). At our June 2012 meeting, we had the opportunity to talk with City Manager Bryan Cosgrove and Mayor Tim Knapp to discuss the letter and the role and future direction of the CCI.

We continued our discussion about the role of the CCI at our July 11 meeting as outlined here.

There is concern amongst members of the CCI that some of its earlier work on community outreach, developing a resolution for sustainability for Wilsonville, and the PSU student team (Emerald Solutions) effort to develop a redevelopment plan for Town Center may be on hold due to changing priorities of Council. The CCI believes it would be more constructive to increase communication between Council and the CCI regarding projects and issues under consideration to insure that they align with Council goals before staff and committee time are invested in those projects.

Additionally, the CCI is struggling with its mandate in light of city and state requirements for the committee and the goals of Council. The committee believes that Council, staff and the committee would benefit from clear direction as to whether or not Council expects that the committee work only on projects related to citizen involvement as directed by Council and City staff, and whether or not we have the freedom to come up with independent projects to gather information for presentation to Council.

The CCI came up with several suggestions:

1. The CCI could remain only responsible for public outreach on land use issues as required by Oregon Goal 1 of the Statewide Planning Goals and Guidelines.
2. City Council could designate resources and staff time to gather citizen input to better define the nature of "quality of life," which was identified as a significant

issue in the recent Community Survey and the Economic Development Strategy discussions. This could be done through a speaker series that invites the community in to learn about and discuss a range of topics.

3. The City Council could establish a new committee focused on public engagement and developing new tools and techniques to reach our community members. The CCI could also engage community members on specific topics as identified by City Council.

The CCI members expressed concerns about workload and expectations. There is agreement that the first suggestion most succinctly addresses the legal role of the CCI and aligns with the functions of the Planning Commission. The CCI also agrees that the other suggestions might best be addressed by staff or a separate group that is able to devote the time and energy to gathering non-land use citizen input.

The CCI suggests that a dedicated meeting with City Council might provide the best forum to discuss Council's vision for the CCI. We look forward to that opportunity.

Thank you.

The Wilsonville Committee for Citizen Involvement

Al Levit, Chair
Ben Altman
Peter Hurley
Eric Postma

Marta McGuire, Vice Chair
Amy Dvorak
Ray Phelps

Attachment

City of Wilsonville

Planning Commission and Committee for Citizen Involvement

Date: August 8, 2011
To: Mayor Knapp and City Council
From: Ben Altman, Committee for Citizen Involvement Chair
Subject: Seeking direction on proposed action plan for smart growth and sustainability.

As you may recall, the City Council adopted Resolution 2261 on December 6, 2010, directing the City's Committee for Citizen Involvement (CCI) to proceed with work on an action plan for smart growth and sustainability. Resolution 2261 was developed in response to a previous City Council goal "*Engage the community in smart growth and sustainability concepts.*" The CCI spent considerable time implementing this goal through a yearlong community education and outreach process. In June 2010, the CCI presented their findings and recommendations to Council including the development of a resolution specifying an action plan. The City Council requested that the CCI prepare Resolution 2261 for Council action.

As the CCI developed the draft resolution, feedback from the community was requested. The Chamber of Commerce Board of Directors supported the resolution to develop an action plan. Former Chamber President and CCI member Ray Phelps reported: "*the Chamber's Board of Directors supports the draft Resolution and is prepared to work with the City on its implementation.*"

As envisioned, the action plan will include a vision statement, goals, actions, measurable outcomes and implementation timeline, and will focus on the core areas prioritized by the public through community outreach. Additional public outreach will continue to guide the process. The CCI began this process by identifying a specific area of the community where a smart growth and sustainability action plan template could be developed. The Town Center area was identified as a high priority through previous outreach efforts and by unanimous agreement of the CCI. The CCI secured the assistance of a PSU student team (*Emerald Solutions*), which led the effort to develop the Town Center plan. The student interns also worked with the staff in reviewing plans from other communities in order to identify best practices that could be employed in Town Center as well as more broadly in Wilsonville.

The CCI believes that continuing the planning process is the appropriate next step to meet the intent of Resolution 2261, and the best way to maintain the involvement of those citizens who have been involved over the last two years. However, the CCI is not certain the Council supports proceeding with this action. The CCI intended to receive further clarity in the joint City Council/CCI meeting held on June 8, 2011, but was not able to sufficiently advance the conversation without a quorum of the Council. For that reason, the CCI respectfully requests an opportunity to take part in an upcoming work session with the Council to address this matter further. The CCI believes, given the time, interest, and investment that have gone into this process, that it is critical to

provide feedback to the community regarding next steps. The CCI looks forward to additional discussions with you on this effort.

Thank you.

Ben Altman

Copies: Planning Commission/CCI members

EXECUTIVE SUMMARY

As a part of the joint planning and development cooperation between the City of Wilsonville ("City") and the West Linn-Wilsonville School District ("School District"), the parties agreed to jointly plan the use of approximately 40 acres owned by the School District and located near the intersection of Advance Road and Wilsonville Road near the Wilsonville city limits. The division of the 40 acre Advance Road Site would result in a school site for middle school and elementary school of approximately 30 acres and a city community park of approximately 10 acres.

The City and School District assigned the development of a concept plan for the Advance Road Site to a work group with city planners, engineers, and coordinators as well as school district facilities director, architect and land use planner. A facilitator was hired by the School District to assist with the project. The scope of work for the planning group was determining the appropriate parcel locations, sizes and configuration to divide the property between the City and the School District

This report represents the collective work of the planning group to identify the preferred location for a city community park and the school sites for the School District. This report presents a recommendation only, with final site development postponed until financing is available for construction by each party.



The planning group investigated site conditions, legal status, land use issues, infrastructure needs and anticipated uses by each party while developing a recommendation. The planning group also engaged sports group representatives and neighboring land owners in Wilsonville for their comments and suggestions. Periodic reports were given to the City Manager and School Superintendent about the progress of the work. A status report was given to a joint meeting of the City Council and School Board mid-way during the project.

Based on the anticipated uses by each party and technical evaluation of numerous alternatives, the planning group concluded that an approximately 11 acre site in the northeast corner of the Advance Road Site would be the best location for the city community park. This proposed division of the site is identified as Option 1A, Attachment 1, in the List of Attachments and is shown here for reference.

INTRODUCTION

In July, 2008 the City and District agreed to a Letter of Intent ("LOI") for the exchange of a 10 acre site owned by City in the Villebois Master Plan for a 10 acre site owned by District near the intersection of Wilsonville Road and Advance Road ("Advance Road Site"). The Villebois School Site originally identified in the LOI has been substituted, but the scope and intent of the exchange between City and District remains unchanged. An updated Exchange Agreement will be entered between the parties formalizing the property exchange.

For the purposes of the exchange the City and District appointed a planning group led by facilitator Greg McKenzie to jointly develop a concept plan for use of the 40 acre Advance Road site with the City owning approximately 10 acres for a Community Park and the District owning 30 acres for a middle school, primary school and associated play/field/parking areas. The primary purpose was identification of the location on the site for the City Park and District schools. As a part of the concept plan, the planning group was charged with optimizing the opportunities for shared use of facilities for the City and District. Design for actual facilities has been postponed until funds are available for construction. The site plans drawn are for illustrative purposes only and are intended to demonstrate the spatial relationship between generic land uses. Site planning processes will be conducted in the future to determine the exact layout of each site. Also, the concept plan anticipates that City and District may improve their respective portions of the site in phases and on different schedules.

Executive Summary

**Table 10:
5-Year Implementation Strategy**

Ref #	Site	Project Name	Project Description	Project Cost	Total Cost per Site
P7/P8 (Page 35)	Montebello Community Park	Montebello Improvements	Construction of improvements for Montebello Community Park. Acquisition of a 1-acre site in the Montebello neighborhood. (Purchased in August 2006)	\$330,000	
		Site Acquisition	Acquisition of a 1-acre site in the Montebello neighborhood. (Purchased in August 2006)	(\$415,000)	
		Design and Construction Documents	Design documents for new community park in the Montebello neighborhood Includes neighborhood meeting to determine best improvements for the available budget	\$100,000	\$845,000
P24 (Page 45)	Wilsonville Community Center	Community Center Improvements	Design and implementation of improvements to the Community Center to upgrade restrooms and enhance activity and storage space.	\$250,000	\$250,000
P9 (Page 36)	Villebois Park System	Master Plan Implementation	Implementation of the Villebois Park system will cost approximately \$13.1 Million dollars. Of this total, UR will contribute \$2M. Estimated that 80% of the SDC credits will be given in the first 5 years (\$3,040,000). The remaining \$7.3M will be paid by	\$5,040,000	\$5,040,000
P26 (Page 48)	Multiple Sites, Skate Facilities	Skate Spot Implementation at select locations throughout the City	Construction of skate spots to 2-4 areas in the City.	\$35,000	\$35,000
P27 (Page 48)	Community scale Skate Park/Plaza	Design Skate Park/Plaza	Design elements of a new, intermediate level skate park/plaza	\$10,000	
		Memorial Park Skate Park Improvements	Contribute to maintenance and upgrade elements of skate park in Memorial Park	\$25,000	\$35,000

Executive Summary

**Table 10:
5-Year Implementation Strategy**

Ref #	Site	Project Name	Project Description	Project Cost	Total Cost per Site
P18 (Page 41)	Advance Rd. - School Community Park	Sport Field Development	Community design process to identify site plan and building program for a shared use facility including the establishment of a joint use agreement identifying the responsibilities of each party for sport fields on 10 acres of school(s) site.	\$160,000	
		Implementation	City share of cost of construction documents and construction of School Community Park and facility	\$3,250,000	\$3,410,000
P25 (Page 46)	Memorial Park	Memorial Plan Master Plan Update	Update of the Memorial Park Master Plan, including a parking master plan and signage program. Project list for Memorial Park should be updated as part of the project	\$250,000	
		Amphitheater stage shelter in Murase Plaza	Install shelter over Murase Plaza stage for weather protection of entertainment	\$235,000	
		Memorial Park Trails Plan Implementation	Implementation of the Memorial Park Trails Plan, including a regional trail and three local access trails	\$500,000	
		Memorial Park Community Garden Expansion	Expansion of the community garden as addressed in the updated master plan	\$50,000	\$1,035,000
P11 (Page 37)	Villebois - School Community Park	Design and Concept Development	Community design process to identify site plan and building program for a shared use facility including the establishment of a joint use agreement identifying the responsibilities of each party.	\$160,000	
		Sport Fields construction (3acres)	Construction of primary age sport fields in advance of school building design and construction.	\$1,500,000	
		School property acquisition	Purchase of school property in north Villebois neighborhood.	(\$4,500,000)	\$6,160,000

Executive Summary

**Table 10:
5-Year Implementation Strategy**

Ref #	Site	Project Name	Project Description	Project Cost	Total Cost per Site
P1 (Page 31)	Boones Ferry Park	Boones Ferry Park Master Plan	Development of a master plan for the entire site, including the parcel west of Boones Ferry Road and the planned regional trail, proposed water trail and pedestrian bridge over the Willamette River. Includes a feasibility study on future uses for Tauchm	\$400,000	\$400,000
P4 (Page 33)	Graham Oaks Natural Area	Master Plan Implementation	City contribution to Phase I Masterplan implementation (\$330,000) and implementation of CREST gateway into Graham Oaks Natural Area. (\$290,000)	\$620,000	\$620,000
P12 (Page 38)	Industrial Area Waysides	Waysides Design and Construction	Allowance for design and implementation of 3 wayside areas along the planned regional and community trails in this area. Allowance based on average cost of \$200,000 per wayside, not including trail construction	\$600,000	\$600,000
P2 (Page 32)	Water Treatment Plant Park	Water Treatment Plant Park	Design and implement additional trailside and overlook amenities and connection to regional trail network.	\$25,000	\$25,000
P23 (Page 44)	Town Center Park	Town Center Park Operations Improvements	Allowance for additional amenities and implementation of recommendations from Maintenance Plan.	\$50,000	
		Amphitheater stage shelter	Install shelter over stage for weather protection of entertainment	\$145,000	\$195,000
P14 (Page 39)	Canyon Creek Park	Canyon Creek Park Trailhead Improvements	Allowance for design and installation of trail system signage and kiosk to support the planned regional and community trails	\$25,000	\$25,000
P21 (Page 43)	Courtside Park	Courtside Park Improvements	Design and implementation of minor improvements	\$100,000	\$100,000
Park Project Sub Total:					\$18,775,000

Executive Summary

**Table 10:
5-Year Implementation Strategy**

Ref #	Site	Project Name	Project Description	Project Cost	Total Cost per Site
Multiple Sites					
		Natural Resource Restoration & Management at Multiple Sites	\$10,000 per year to fund restoration and management at sites throughout Wilsonville to compliment volunteer efforts	\$50,000	\$50,000
Systemwide					
		Natural Area Management Plan	Develop a resource management plan for natural areas in Wilsonville's park system including a pest management plan	\$100,000	\$100,000
		Tonquin Trail Master Plan	The master plan is being developed in partnership with METRO, Sherwood, Tualatin and Washington County.	\$25,000	\$25,000
		ADA Transition Plan	Implement an ADA Transition Plan for Wilsonville's parks and recreation facilities	\$50,000	\$50,000
		Signage Program	Develop and implement a system-wide signage program (trail signs, park identification signs, etc)	\$100,000	\$100,000
		On-line Registration Software	Implement on-line registration option for recreation programs (Implemented in December, 2006)	(\$12,000)	(\$12,000)
Multiple Site and System-wide project sub total					\$337,000
	Multi-purpose Recreation and Aquatic Center	Recreation and Aquatic Center Feasibility Study	Revisit a feasibility study for a multi-purpose recreation and aquatic center that includes a gymnasium, dedicated performing arts facility and pool. Feasibility study will identify a program for the center that meets the City's operating budget goals.	\$80,000	\$80,000
Sub Total				\$19,192,000	\$19,192,000
Less investments to date				(\$4,927,000)	
New project Total					\$14,265,000

bodies will need to ensure that appropriate amenities and facilities are included to meet neighborhood needs.

3. Pursue opportunities for having the residential developers build the neighborhood parks and seek agreements with the new Homeowners Association for maintenance funding.

P18 Advance Road School Community Park

The vision for the proposed Advance Road community school park (P18) is to develop an innovative combination school and community park as a partnership between the City of Wilsonville and the West Linn/Wilsonville School District. The schools planned at Advance Road are a middle school and a primary school. The school park at this site will need to reflect the character of both school populations and potentially offer the opportunity for a larger multiuse recreational facility.

The vision for the site at the new schools is for a park that combines major active recreation elements, a naturalized area which serves as a community resource and an outdoor classroom, as well as community picnic facilities and exercise trails. As the design opportunity approaches, evaluate the needs for the age level and number of sports fields and work with the school district for their facility design. Interim development of sports fields ahead of the school development and located in a way that can be incorporated in the future school design will reduce interruption and create a better blend of facilities.

The following process is recommended in the design and development of a signature school community park:

1. Involve appropriate stakeholders to develop a detailed site concept and building program for a shared use facility. Because the site is large and planned for two school levels, the park will be well-suited for more mixed use recreation. The following elements should be incorporated:
 - a. Dedicated athletic fields, possibly including lighting;
 - b. Paved courts, including some that are covered for year-round use;



- c. A natural area, or naturalized area that provides an opportunity for environmental education;
 - d. At least one picnic shelter (for 30+ people) that serves as a community gathering place and can be used as an outdoor classroom;
 - e. Multi-use fields to support organized sports played by younger age groups (T-ball, U8 soccer, etc.);
 - f. At least one gymnasium designed to support community use, including an entrance directly to the grounds and restrooms accessible from the gymnasium. A staffing desk and office should be provided to facilitate after school and evening hours programming;
 - g. A creative play environment that may incorporate a second shelter;
 - h. A connection to Local Access Trail 10 (as designated in the Bicycle and Pedestrian Master Plan);
 - i. Restrooms available for public use;
 - j. Bouldering or other active play features suitable for older age groups; and
 - k. Skate feature.
2. Establish an updated joint use agreement with the School District that spells out daytime public use areas, public use hours of school facilities, and responsibilities for financing, operations, maintenance, and staffing.
 3. Contribute to the design, construction, and other costs to finance the project.

P19 Willow Creek/Landover Park

Willow Creek/ Landover Park was created when two residential neighborhoods joined their open space parcels to create the park. Like the Park at Merryfield, Willow Creek/Landover Park is linear in nature. This park contains a playground, gazebo, 1/2 court basketball, shelter, and a pathway through the site.

3. Evaluate office space needs.
4. Develop a maintenance plan for the facility that tracks short and long range maintenance issues to keep the facility functioning at its best. This plan will include the kitchen equipment repair and replacement schedule acquired in 2006 budget year.
5. Continue to track program and activity trends to determine best practices in use of the Center and when additional activity facilities are implemented in the City.



P25 Memorial Park

Memorial Park is Wilsonville's regional park. It is the City's oldest and largest park, acquired in 1969, one year after the City was incorporated. The park has been developed over the past 35 years, and it is overall in very good condition.

Memorial Park contains both active and passive use areas, and includes significant natural areas with an extensive trail system. The site contains all of the formal athletic fields owned by the City, which are heavily used by local leagues. Other active recreation facilities at the park include the City's only skate facility, basketball courts, tennis courts, and a sand volleyball court. Memorial Park is also home to two very popular features: the City's only off-leash dog area and its community garden. The site's two reservable group picnic areas are extremely well used and often are fully-booked throughout the spring and summer seasons for events such as corporate picnics and private parties. A centrally located, unreservable picnic shelter is also very popular for ball game gatherings, smaller birthday parties, family events, and other activities. A trails plan for the park was completed in 2004.



The park contains many significant natural resources, such as Boeckman Creek, which bisects the park. Memorial Park has ½ mile of Willamette River frontage, although the banks are quite steep in the vicinity of the park. The site includes a boat dock on the Willamette. The east half of the park has restoration sites that have been planted through volunteer efforts organized by the City. In addition, the City has aggressively planted trees in the park for the past 9 years as part of its Arbor Day celebration.

In summer 2006, construction was completed on upper Memorial Park dedicated as Murase Plaza. This upper park area provides a transition

between the densely developed urban areas near Wilsonville Road to the wooded character of lower Memorial Park. Located near Wilsonville's library, this section of the park includes a combination of features that will be a local focal point and possibly a regional draw, including an amphitheater, picnic shelter, play areas, historic barn and interactive water feature. In addition to these activity features, the park has the parking, pathway and restroom infrastructure to support major events, and a trail system connecting to the rest of Memorial Park.

Memorial Park is truly the centerpiece of Wilsonville's park system. The following recommendations will help maintain this park as a community jewel:

1. Update the Master Plan for Memorial Park, incorporating the Trails Plan and adjusting for the new amenities that have been inserted into the park with the development of the upper area of the park.
2. To address future site use of these multiple activity areas, the master plan for Memorial Park/Murase Plaza should:
 - a. Develop a strategy for parking, including formalizing where special event parking should occur and how much parking is needed to support build-out of the park special features. Use low impact development when considering parking lot construction.
 - b. Develop a signage and wayfinding program for Memorial Park that is consistent with the recommended citywide signage and wayfinding program.
 - c. Identify a specific timeline for improvements to allow phasing in over time.
 - d. Install a shelter over the stage to provide protection to entertainment for public events and to extend individual use during mild inclement weather.
 - e. Identify trends of passive and low impact activities such as Frisbee Golf, bocce ball, Ultimate Frisbee, etc. for improvements to park areas. Explore options for art and cultural experiences throughout the park.
3. Evaluate an expansion of the community garden and the development of a management strategy to meet community demand. Address whether improved parking and pathways with ADA compliant features should be provided.



4. Improve the skateboard park by providing more space between features and incorporating more “street skating” features such as rails for grinding.
5. Continue restoration and native plant revegetation efforts on the east side of Memorial Park.
6. Implement the Memorial Park Trails Plan.
7. In the long term, move toward dedicated softball/baseball fields and one dedicated soccer field as part of the City’s overall field strategy. See the Athletic Facilities discussion for additional recommendations.
8. Invest in the park infrastructure, including replacement of the Kolbe Lane culvert, improvements to the roadway system, and upgrades to the irrigation and other utility systems. These upgrades should be phased in conjunction with other park improvements specified in the new master plan.

P26 Skate Features

In addition to the improvements to the skate park in Memorial Park, the addition of ‘skate spots’ along routes that are frequently traveled by those who use skateboards as a means of transportation as well as recreation these spots will be similar to the ‘waysides’ defined along pathways for rest or fitness stations. Features included in a skate spot could include a bench, stair or rail, suitable for short periods of activity which can also be used by other pathway users for rest or fitness activity. Features should be attractive and set off of the actual pathway in a way that provides safe and easy access for skateboard activity while not impeding the progress of pedestrians.

P27 Skate Park/Plaza

The interest in skate and rollerblade activities continues to grow in the City. From middle school through adulthood, more individuals are using skateboards as a means of transportation and for recreational activity. The skate park in Memorial Park provides beginner level features in a setting consistent with the multifaceted use of the park, where a family with multiple interests can spend time enjoying the many features in the central area of the park with easy access to picnic tables, parking and restroom facilities. There is a growing need for an advanced level skate park that provides skaters more opportunity to

hone their skills on a wider variety of features. Studies show a shift from organized sports to alternative sports and activities by an increasing number of youth. A skate park located with easy access to public transportation and in view of surrounding development would support the need for this growing activity.

3.4 PLAN IMPLEMENTATION

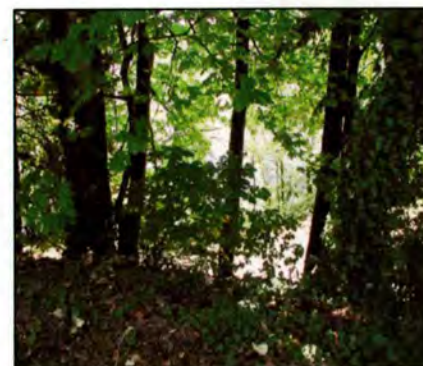
In order to implement the projects of the Recommended Park System, a method was developed to determine the priority in which projects would be considered. The consultant created a criteria for selecting projects based on input from the community review body (ACMP). The resulting criteria are found in Table 5 – Project Evaluation Criteria (Appendix D). The following tables provide the guidelines for project implementation and coordination with the Bicycle and Pedestrian Master Plan.

3.4.a Capital Projects

Table 6 includes all projects identified in the Plan, along with their estimated planning, design and construction costs and project priorities. Annual maintenance and operation costs should be determined once the specific elements of each project is defined and then should be included in the total project cost. This list was developed from the recommendations previously presented. Each of the projects was prioritized using specific evaluation criteria based on a set of objectives and a consideration of space, need, funding, etc. Table 5 represents the evaluation criteria, which were ranked by ACMP members. Since each project will likely meet several criteria, the ranking noted here is a recommendation only. Projects should be evaluated on a case-by-case basis and reviewed regularly to take advantage of changing circumstances.

Table 6 presents all capital projects divided into three categories:

- **New parks and facilities:** These projects, including new park development and new facilities at existing sites, are presented in order by reference number.
- **Existing parks and facilities:** These represent improvements to be made to existing City parks. Existing parks are listed in alphabetical order.



CITY OF WILSONVILLE
PROGRAM FOR CITIZEN INVOLVEMENT

January 2005
Draft

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INTRODUCTION

Citizen participation is a cornerstone of the land use process, and of government in Oregon. State law requires that all meetings of government boards and commissions be open to the public, except for very tightly constrained provisions for executive sessions. It is no accident that Goal 1 of the Statewide Planning Goals and Guidelines is titled Citizen Participation.

Municipalities address citizen participation in a broad variety of ways. All governments in Oregon generally adhere to the requirements of state law for open public meetings. Beyond those legal requirements, the range of citizen involvement runs the gamut from opportunities for comment at public hearings only to an organized neighborhood system often with staff and a budget.

Why should a municipality plan for and encourage citizen participation beyond that required by law? Does it make for better government or does it just take time, raise everyone's blood pressure and create false expectations?

Better government decisions depend on effective government. We live in a changing environment that often requires new ways of conducting business. Problems are increasingly complex, expensive to address and often require multifaceted solutions. Collaboration has the highest potential for building long-term and well-supported solutions. A collaborative government can serve as a leader and partner in developing effective solutions to problems that can actually be implemented.

Democracy relies on engagement by citizens as a means of forming better solutions to civic matters. Citizen participation is not a substitute for decision-making by a municipality, but has an important influence on those decisions. Shared decision-making does not necessarily eliminate all conflict because the final decision may not please all participants. But it does create an open process with free exchange of information, so that the basis for the final decision is better understood by all involved. Because of this need for open exchange of information, citizen participation processes must be inclusive of those who identify themselves as interested parties or who may be affected by decisions which will be made by government councils, boards and commissions.

In Oregon, the formal citizen participation program of a municipality is at least a program that "insures the opportunity for citizens to be involved in all phases of the planning process". (Statewide Land Use Goal 1) Governing bodies may choose to have a broader citizen participation process than that required by the Public Meetings Law and state land use laws, but most do not.

LEGISLATIVE FRAMEWORK

The framework for public involvement in municipal government in Oregon is found in several provisions within the Oregon Revised Statutes (ORS) and the Oregon Administrative Rules (OAR) and in regional and local documents.

State – Oregon Revised Statutes (ORS)

Oregon Public Meetings Law

The first of these is the Oregon Public Meetings Law, adopted in 1973 and located at ORS 192.610 – 192.690. A *Quick Reference Guide to Oregon's Public Meetings Law* is attached as Appendix A of this document. The Reference Guide states that, "Oregon's Public Meetings Law was enacted in 1973 to make sure that all meetings of governing bodies covered by the law are open to the public. This includes meetings called just to gather information for subsequent decisions or recommendations. The law also requires that the public be given notice of the time and place of meetings and that meetings be accessible to everyone, including persons with disabilities. The Public Meetings Law guarantees the public the right to view government meetings, but not necessarily to speak at them. Governing bodies set their own rules for citizen participation and public comment."

Permits and Zone Changes

ORS Chapter 197 governs Comprehensive Land Use Planning Coordination. Notice requirements and opportunities for public comment for both state and local governments are included. For example, ORS 197.763 "governs the conduct of quasi-judicial land use hearings conducted before a local governing body, planning commission, hearings body or hearings officer on application for a land use decision and shall be incorporated into the comprehensive plan and land use regulations". ORS 197.763 is attached as Appendix B. ORS 197.253 places a high value on the local hearings process. It states that, "a person may not submit written comments and objections to the acknowledgement request of any city or county that submits its (Comprehensive) plan or regulations to the Land Conservation and Development Commission" ... "unless the person participated either orally or in writing in the local government proceedings leading to the adoption of the plan and regulations".

ORS Chapter 227, titled City Planning and Zoning, contains procedures for review and issuance of development permits, including additional notice requirements. ORS 227.170 charges city councils with the responsibility to, "prescribe one or more procedures for the conduct of hearings on permits and zone changes". ORS 227.173(4) requires that written notice of the decision to be given to all parties to the proceeding. ORS 227.175(5) states that, "Hearings under this section may be held only after notice to the applicant and other interested parties, and shall otherwise be conducted in conformance with the provisions of ORS 197.763."

State - Oregon Administrative Rules (OAR)

OAR 660 001-000 – OAR 660-045-0180 provides direction to LCDC about the Statewide Planning Goals, requirements for planning under several of the goals, i.e. Goals 5, 10, 12, etc, and requirements for periodic review and for plan amendments.

OAR 660-015-0000 is the section that includes the statewide goals, of which Goal 1 is Citizen Involvement. Goal 1 is included in the Appendices of this document.

Goal 1 requires that governing bodies charged with preparing and adopting a comprehensive plan shall “develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process”. “The citizen involvement program shall incorporate the following components:

1. Citizen Involvement – Provide for widespread citizen involvement.
2. Communication - Assure effective two-way communication with citizens.
3. Citizen Influence - Provide the opportunity for citizens to be involved in all phases of the planning process
4. Technical Information - Assure that technical information is available in an understandable form.
5. Feedback mechanism - Assure that citizens will receive a response from policy makers.
6. Financial Support - Insure funding for the citizen involvement program.

Accompanying each of the Statewide Land Use Goals are “guidelines”. The guidelines provide recommendations for activities and strategies that meet each of the 19 Statewide Land Use Goals. The guidelines for Goal 1 are included in Appendix C. They will be reviewed more extensively in the context of the recommended Plan for Citizen Involvement. In addition to Goal 1, most of the other goals have requirements for citizen participation within their authorizing sections of OAR 660.

City of Wilsonville

The Wilsonville City Charter, Section 16 Proceedings to be Public, states that, “No action by the Council shall have legal effect unless the motion for the action and the vote by which it is disposed of take place at proceedings open to the public.” Section 32, Mode of Enactment (of ordinances) requires that ordinances be read and enacted in open Council meetings. It further states that, “An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meeting as finally amended prior to being approved by Council.”

City Code, Chapter 4 – the Planning and Land Development Ordinance, Sections 4.012 through 4.022 generally contain the procedures and requirements for public hearings on applications for development approvals. Sections 4.197 and 4.198 contain procedures

and requirements for comprehensive plan and zoning amendments. Procedures and requirements for review of subdivision applications are found in WC 4.210 – 4.232. All of these sections contain a public participation component.

In 1996 (Ordinance No. 453), the City Council transferred quasi-judicial land use functions within the City from the Planning Commission to the Development Review Boards, in order to allow the Planning Commission to focus on advising the City Council on legislative policy issues. In 2000, as part of the adoption of the amendments to the Comprehensive Plan, the City Council designated the Planning Commission the Committee for Citizen Involvement.

WHAT IS CITIZEN INVOLVEMENT

In Oregon, the legislative framework as discussed above sets a floor for citizen involvement. In other words, the opportunity for citizens to be heard is a requirement of most public decision-making. But is citizen participation limited to the opportunity to observe and be heard at a public hearing or at a council meeting?

What are other common forms of everyday citizen involvement?

One of the most basic is the right to vote in local, regional, state and national elections.

Another is the right to freely express our opinions on public issues through Letters to the Editor, guest columns, radio and TV broadcast opportunities, involvement in political and issue based organizations, petitions, appearances before public bodies, conversations in our homes, churches and places of employment, and of course, that modern wonder, the Internet.

Accurate and timely information is key to effective citizen involvement. The City, Metro, both Clackamas and Washington Counties and the State maintain extensive websites providing access to current information via the Internet. The monthly Boones Ferry Messenger is distributed to every mailing address in Wilsonville, and is available on the City's website and in community buildings. The Wilsonville Spokesman provides good coverage of City affairs. The Oregonian provides reasonable coverage of key issues, particularly those affecting other Metro area communities, as well as Wilsonville. Information can also be obtained at the Wilsonville Library, at City Hall and at the Community Development Annex during business hours. The City employs two public affairs staff, Danielle Cowan and Robb Reed, whose responsibilities include responding to general citizen requests and questions.

In America, and certainly in Oregon, a very common form of citizen involvement is through membership on boards, councils, commissions and committees. Some of these are elected bodies and some are appointed. Many are standing permanent bodies while others are ad hoc groups. In Wilsonville alone, the following councils, commissions, boards and committees provide opportunities for citizen involvement. For the City, there are:

City Council	elected	5 members
Planning Commission	appointed	7 members
DRB Panels A & B	appointed	5 members, each
Parks and Recreation Advisory Board	appointed	7 members
Library Board	appointed	5 members
Budget Committee	appointed	5 City Councilors 5 citizens

Wilsonville Community Seniors, Inc.	elected by Seniors	12 members
Youth Advisory Board	appointed	xx members
Advisory Committee on Master Planning (ad hoc)	appointed	15 members

In addition, the City works closely with the Chamber of Commerce Officers (5 members) and Directors (6 members) and the Chamber's Government Affairs Committee (12 members) as well as with the several homeowners associations within the city.

There are an equal or greater number of private, non-profit boards, commissions and committees in the community as well as boards and committees for school districts and other governmental agencies. Opportunities for citizen involvement are not limited. Rather, it is often difficult to find persons who wish to serve because of the time commitment required.

Given the reluctance for longer-term commitments on boards and commissions, are there opportunities to be involved for shorter periods? One such opportunity is to serve on an ad hoc committee such as the Adjunct Transportation Planning Committee or the Advisory Committee on Master Planning. Ad hoc committees are generally appointed to work on a specific task or tasks, i.e. preparation of a Transportation Systems Plan, a Park and Recreation Plan or a Bicycle and Pedestrian Plan. The committee is formed for the duration of the task or tasks, and then disbands when completed. Within the ad hoc format, or outside that format, cities and counties often use forums, charrettes, retreats, workshops or other shorter, issue specific mechanisms to inform citizens and gather feedback. Surveys can also be used to gather citizen comments and ideas. Many cities do annual citizen surveys as part of their annual goal setting and budget process.

WHAT IS THE ROLE OF THE COMMITTEE FOR CITIZEN INVOLVEMENT

Statewide Land Use Goal 1: Citizen Involvement requires that *a program for citizen involvement shall be prepared and adopted, and that such plan clearly define the procedures by which the general public will be involved in the on-going land use planning process. The program shall include the following:*

- *Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.*
- *Citizens shall have the opportunity to be involved in all phases of the planning process, including:*
 - *preparation of plans and implementation measures*
 - *plan content*
 - *plan adoption*
 - *minor changes to the plan*
 - *major changes to the plan*
 - *revisions to implementation measures.*
- *Information necessary to reach policy decisions shall be available in a simplified, understandable form.*
- *Assistance shall be provided to interpret and effectively use technical information.*
- *Recommendations resulting from the CPP (Citizen Participation Program) shall be retained and made available for public assessment.*
- *Citizens who have participated shall receive a response from policy makers.*
- *The rationale used to reach land use policy decisions shall be available in a written record.*
- *Adequate human, financial and informational resources shall be allocated for the CPP, as an integral component of the planning budget.*

The City's Comprehensive Plan includes the following requirements for public involvement. Not all apply to the Planning Commission. Below is a summary of the requirements and the responsible parties:

TASK	RESPONSIBLE PARTY	
Provide for early public involvement regarding Comprehensive Plan and Development Code changes	Staff	Provide information in "draft" form for public review
Schedule special public meetings on planning issues and projects of special concern to the city	Planning Commission acting as the CCI	PC may schedule special public meetings as necessary to carry out its responsibilities as the CCI.
Assist city officials with task forces for gathering information, sponsoring public meetings and/or evaluating proposals on special projects related to land use and civic issues	Planning Commission acting as the CCI	When requested by officials or indicated by community need.

<p>Assist elected and appointed officials in communicating information to the public regarding land use and other community issues.</p>	<p>Planning Commission acting as the CCI</p>	<p>May include conducting workshops or special meetings.</p>
<p>Encourage participation of individuals who are residents, employers, employees or landowners within the City, or within the UGB.</p>	<p>The City</p>	
<p>Establish and maintain procedures that allow any interested person to supply information.</p>	<p>The City</p>	
<p>Conduct three kinds of public meetings:</p> <ol style="list-style-type: none"> 1. public hearings, 2. worksessions and other meetings where citizen input is limited in order to allow the PC time to work on the issue(s), 3. informal work sessions and other meetings where the public is involved in interactive discussion with the Commission 	<p>Planning Commission</p>	<p>Such meetings will happen at least 2 or 3 times each year.</p>
<p>In public notices, clarify whether the noticed meeting is a public hearing or a work session.</p>	<p>Staff</p>	<p>Required by state law.</p>
<p>Provide user friendly information to assist the public in participating in City planning programs and processes.</p>	<p>The City</p>	
<p>Clarify the process of land use planning and policy formation so citizens understand when and how they can participate.</p>	<p>The City</p>	
<p>Using press releases or other means, publicize the ways in which interested parties can participate</p>	<p>The City</p>	
<p>Publicize the topics to be considered by public boards.</p>	<p>The City</p>	
<p>Establish procedures to allow interested parties reasonable access to information on which public bodies will base their land use planning decisions</p>	<p>The City</p>	

<p>Encourage members of the Chamber of Commerce and other interested organizations to serve on City boards and commissions</p>	<p>City Council</p>	
<p>Coordinate planning activities with affected public officials and private utilities.</p>	<p>Staff</p>	<p>Distribute draft documents to such agencies. Consider their comments and make them part of the project file.</p>

The CPP shall include measures for citizen involvement in the following types of planning activities, as well as legislative amendments to the Comprehensive Plan and Implementing Ordinances, such as the Development Code.

Community Plan: Any plan, planning document or coordinated set of planning policies which establishes policies and development guidelines for the development of land uses and development activities within the city. A community plan is more detailed than the Comprehensive Plan, and has Comprehensive Plan status and function relative to the specific geographic area to which it applies. It may contain a map, policy statements and recommendations relating to development densities, public facility and utility improvements, and the arrangement of land uses to guide future land use decisions and implementing measures of its geographic area. An example is the Villebois Village Master Plan.

Public Facility Plans: Public Facilities Plans include but are not limited to plans for municipal water or sewer systems, streets and roads, public transit, bicycle and pedestrian pathways, stormwater management or other municipal public facility or utilities systems. Public facility plans contain goals and policies, analyze existing facilities and needs over the planning period, consider alternatives, review jurisdictional responsibilities, and present project timing and financing options. Examples are the City’s Wastewater Treatment Management Plan and the Transportation Systems Plan.

Functional Plans: Functional plans further refine and implement Comprehensive Plan policies and recommendations regarding specific topic areas of interest or concern to the city. Such topic areas include, but are not limited to parks and recreation, housing, open spaces, natural resources, economic development and other topic specific areas of interest. Examples would be the Park and Recreation Master Plan and the Citizen Participation Program.

CITIZEN PARTICIPATION PROGRAM (CPP)

The following are suggested activities for the first year of a revised CCI Program. The next year's program would evolve from the first year's activities, with a revised CCI Plan and Program to be developed for each subsequent year. This is not a complete list of possible activities, but only a starting point for discussion.

Information:

1. The CCI should identify and evaluate all the methods used by the City to disseminate information to its citizens. Evaluation should include completeness, accuracy, readability, timing, availability of the information, and such other factors as the CCI shall include.
2. The CCI should identify and evaluate all methods used by the City to obtain information and comments from its citizens. Evaluation should include availability, accessibility, timing, mechanism for response and level of citizen participation resulting from each method.
3. The CCI should then prepare a summary report of their findings together with recommendations for improvements, if any.

Stakeholders:

1. The CCI should work with City staff to identify a complete listing of stakeholder groups together with their areas of interest, both within the City, as well as affected stakeholders outside the city. Care must be taken to include those interests often disenfranchised from the decision-making process.
2. The draft listing should be widely circulated to be sure that it is complete and accurate. Annually, a computer generated letter will be sent asking for updated information, and if the stakeholder wishes to remain on the list.
3. Information will then be disseminated to stakeholders as required by law, and to others depending on their listed areas of interest.

Public Process – Legislative

1. The CCI should review the citizen involvement processes currently used when preparing a community, public facilities or functional plan to determine whether they are effective and efficient, and result in implementable plans. The CCI might wish to choose two or more such plans, one or more that proceeded smoothly and are being implemented, and others which were contentious and for which implementation has been delayed. A set of criteria for evaluation should be developed in order to be able to compare results of the analysis. A summary strengths and weaknesses report should be prepared, with recommendations for changes, if any. It will be very important to separate the citizen participation

process from evaluation of the content of the plans. The CCI will be reviewing only the citizen participation portion of these efforts.

2. Another option would be to monitor the Master Planning effort now underway for development of the Parks and Recreation, Bicycle and Pedestrian Pathways, and Transit Master plans. Criteria for evaluation could be developed, and a summary report prepared with recommendations for change, if any. It will be very important to separate the citizen participation process from evaluation of the content of the plans. The CCI will be reviewing only the citizen participation portion of these efforts.

Public Process – Quasi-judicial

1. The CCI should select several quasi-judicial projects from the past 2 years, perhaps one each of several types of applications, review first the legal requirements for notice to determine if all stakeholders were included, and then any other methods that were used to inform the public about the pending actions. Evaluation should include availability of information, readability, citizen comments about the opportunity to participate, and such other factors as the CCI may choose to include. A summary strengths and weaknesses report should be prepared, with recommendations for changes, if any.

CCI Meetings:

The Comprehensive Plan requires three CCI meetings annually. The three are public hearings, worksessions and other meetings where citizen input is limited in order to allow the PC time to work on the issue(s), and informal work sessions and other meetings where the public is involved in interactive discussion with the Commission.

Both the Planning Commission and the DRB panels routinely hold public hearings far in excess of the required 3 meetings per year. In addition, the Planning Commission holds both kinds of informal worksessions, most recently on the outdoor storage in commercial areas issue, and before that, the amount of commercial use allowed in industrial zones. These informal sessions are issue driven and more productive than general open meetings.

The CCI has determined that holding general citizen participation meetings with no focus of interest is not productive. The Planning Commission is recommending that this requirement be deleted and that citizen participation be encouraged on a more focused basis such as that being done as part of the current Master Planning process. A member of the Planning Commission is ex-officio to the Master Planning Task Force and participated in the formation of the citizen participation program that is part of that effort. This form of liaison is likely more effective than holding general CCI meetings. Perhaps an important distinction should be made on future committees that the Planning

Commission member represents the Planning Commission, but another member might specifically represent the CCI.

In order to give the CCI more prominence as a “different” body with its own set of responsibilities, the Planning Commission/CCI might consider officially adjourning PC meetings and convening CCI meetings much the same way that the Council adjourns as City Council and reconvenes as the Urban Renewal District Board. There is even the possibility of having different officers, to more clearly separate the functions of the Commission and the CCI. In other words, some thinking about organization as related to more successful citizen participation efforts might be fruitful.

APPENDICES

APPENDIX A

A Quick Reference Guide to Oregon's Public Meetings Law

The Spirit of Oregon's Public Meetings Law

Understanding the letter of the Public Meetings Law is critical. Equally important is understanding and committing to the spirit of that law. Public bodies should approach the law with openness in mind. Open meetings help citizens understand decisions and build trust in government. It is better to comply with the spirit of the law and keep deliberations open.

Oregon's Public Meetings Law

"Open government" or "sunshine" laws originally were enacted nationwide in the early 1970's because of growing public unhappiness with government secrecy. As a result, every state and the District of Columbia enacted laws requiring government to conduct its business openly, rather than behind closed doors.

Open government laws benefit both government and the public. Citizens gain by having access to the process of deliberation -- enabling them to view their government at work and to influence its deliberations. Government officials gain credibility by permitting citizens to observe their information-gathering and decision-making processes. Such understanding leads to greater trust in government by its citizens. Conversely, officials who attempt to keep their deliberations hidden from public scrutiny create cynicism, erode public trust and discourage involvement.

Policy

Oregon's Public Meetings Law was enacted in 1973 to make sure that all meetings of governing bodies covered by the law are open to the public. This includes meetings called just to gather information for subsequent decisions or recommendations.

The law also requires that the public be given notice of the time and place of meetings and that meetings be accessible to everyone, including persons with disabilities.

The Public Meetings Law guarantees the public the right to view government meetings, but not necessarily to speak at them. Governing bodies set their own rules for citizen participation and public comment.

*'Government accountability depends on
an open and accessible process.'*

• **Hardy Myers**
Oregon Attorney General

Who is Covered?

Because questions often arise about what groups must comply with the open-meetings law, it is useful to look at the definitions in the law. The law says that any "governing body" of a "public body" is required to comply. It offers these definitions:

- A "**public body**" is any state, regional, or local governmental board, department, commission, council, bureau, committee, subcommittee, or advisory group created by the state constitution, statute, administrative rule, order, intergovernmental agreement, bylaw or other official act.
- A "**governing body**" is two or more members of a public body

Example

- A school board must meet in public
- So must most advisory committees that the school board creates, such as a budget committee.
- But if the school board chair asks several business leaders to meet with him to discuss future building needs, that meeting may be held in private.

Private bodies, such as non-profit corporations do not have to comply with the open-meetings law, even if they receive public funds, contract with governmental bodies or perform public services.

Example

- A school district contracts with Blue Cross / Blue Shield to provide health insurance for district employees. The Blue Cross / Blue Shield board of directors is not required to meet in public.

Public agencies contracting with private bodies may require a private body to comply with the law for pertinent meetings. Federal agencies are not subject to Oregon's Public Meetings Law.

What is a Public Meeting?

A public meeting is the convening of any governing body for which a quorum is required to make or deliberate toward a decision on any matter, or to gather information. Decisions must be made in public, and secret ballots are prohibited. Quorum requirements may vary among governing bodies.

Example

- A county commission's goal-setting retreat is a public meeting if a quorum is present and they discuss official business.
- A training session for the commissioners is not a public meeting, unless a quorum is present and the commissioners discuss official business
- A staff meeting absent a quorum of commissioners, whether called by a single commissioner or a non-elected official, is not a public meeting.

Meetings accomplished by telephone conference calls or other electronic means are public meetings.

The governing body must provide public notice, as well as a location where the public may listen to or observe the meeting.

Governing bodies must hold their meetings within the geographic boundaries of their jurisdiction. However, a governing body may meet elsewhere if there is an actual emergency requiring immediate action or to hold a training session, when no deliberation toward a decision is involved.

Example

- A library board is free to rotate meetings at different libraries in its district, but it may not meet outside its district.

Federal and state law requires that meetings be held in places accessible to individuals with mobility and other impairments

*'Information is power. Keeping meetings
and records open empowers citizens.'*

• **Phil Keisling**
Oregon Secretary of State
Honorary Co-Chair, Open Oregon

Notice of Meetings

Governing bodies must give notice of the time, place and agenda for any regular, special or emergency meeting.

Public notice must be reasonably calculated to give actual notice to interested persons and media who have asked in writing to be notified of meetings, and general notice to the public at large.

Governing bodies wishing to provide adequate notice should strive to provide as much notice as possible to ensure that those wishing to attend have ample opportunity -- a week to 10 days for example.

At least 24-hour notice to members of the governing body, the public and media is required for any special meeting, unless the meeting is considered an emergency meeting. Appropriate notice is required for emergency meetings and should include phone calls to media and other interested parties. Notice for emergency meetings must also cite the emergency.

A meeting notice must include a list of the principal subjects to be considered at the meeting. This list should be specific enough to permit citizens to recognize matters of interest. However, discussion of subjects not on the agenda is allowed at the meeting.

Example

- The State Board of Higher Education plans to discuss building a new college campus in Bend. An agenda item that says "Discussion of public works" would be too general. Instead, the agenda should say something like "Discussion of proposed Bend campus."

Executive Sessions

Governing bodies are allowed to exclude the public -- but generally not the media -- from the discussion of certain subjects. These meetings are called executive sessions.

Executive sessions may be called during any regular, special or emergency meeting. A governing body may set a meeting solely to hold an executive session as long as it gives appropriate public notice. Notice requirements for executive sessions are the same as for regular, special or emergency meetings. However, labor negotiations conducted in executive session are not subject to public-notice requirements.

Notice of an executive session must cite the specific law that authorizes the executive session. This authorization also must be announced before going into the executive session.

Governing bodies may formally specify that the media not disclose information that is the subject of the executive session. Governing bodies should not discuss topics apart from those legally justifying the executive session. Media representatives may report discussion that strays from legitimate executive session topics and are not required to inform the governing body when they intend to do so.

No final action may be taken in executive session. Decisions must be made in public session. If a governing body expects to meet publicly to make a final decision immediately after an executive session, it should try to announce the time of that open session to the public before the executive session begins.

Example

- City councilors meet in executive session to discuss the city manager's performance. A local reporter attends. During the meeting, the councilors discuss whether the city should put a bond measure on the next ballot. The reporter may write a story on the council's bond measure discussion, because that discussion was not allowed under the executive session rules. The reporter may not write about the city manager's performance.

Executive Sessions Criteria

Executive sessions are allowed only for very limited purposes.

Those include:

1. To consider the initial employment of a public officer, employee or staff member, but not to fill a vacancy in an elected office, or on public committees, commissions or advisory groups. These sessions are allowed only if the position has been advertised, standardized procedures for hiring have been publicly adopted, and the public has had an opportunity for input on the process. Executive sessions are not allowed to consider general employment policies.

2. To consider dismissal, discipline, complaints or charges against a public official, employee, official, staff or individual agent, unless that person requests a public hearing.
3. To review and evaluate the **job performance** of a chief executive officer, or other officer or staff member, unless that person requests an open hearing. Such evaluation must be pursuant to standards, criteria and policy directives publicly adopted by the governing body following an opportunity for public comment. The executive session may not be used for the general evaluation of agency goals, objectives, programs or operations, or to issue any directive to personnel on the same.
4. To deliberate with persons designated to conduct **labor negotiations**. The media may be excluded from these sessions.
5. To conduct **labor negotiations** if both sides request that negotiations be in executive session. Public notice is not required for such meetings.
6. To consider **records that are exempt** by law from public disclosure.
7. To consult with counsel concerning **litigation** filed or likely to be filed against the public body. **Members of the media** that are a party to that litigation, or represent a media entity that is a party, may be excluded.
8. To consult with persons designated to negotiate **real property** transactions
9. To discuss **matters of trade** when the governing body is in competition with other states or nations.
10. To negotiate with a private person or business regarding **public investments**.
11. To discuss matters of **medical competency** and other matters pertaining to licensed hospitals.
12. To consider information obtained by a **health professional regulatory board** as part of an investigation of licensee or applicant conduct.

'Oregon needs to protect its tradition of openness.'

• **Dave Frohnmayr**
President, University of Oregon
Honorary Co-Chair, Open Oregon

Media at Executive Sessions

Media representatives must be allowed to attend executive sessions, with three exceptions. Media may be excluded from:

- Strategy discussions with labor negotiators
- Meetings to consider expulsion of a student or to discuss students' confidential medical records.
- Meetings to consult with counsel concerning litigation to which the media or media representative is a party.

A governing body may require that specific information not be reported by the media. This should be done by declaration of the presiding officer or vote. In the absence of this directive, the executive session may be reported. Any discussion of topics apart from those legally justifying the executive session may be reported by the media.

The media also is free to report on information gathered independently from executive session, even though the information may be the subject of an executive session.

Example

- A reporter attends the executive session on the city councilor's discussion of the city manager's performance. Afterward, the reporter asks a councilor what she thinks of the city manager's performance. She shares her criticism. The reporter may use that interview to develop a story, even though the reporter first heard the information at the executive session.

Minutes

Written minutes are required for all meetings, except tape recordings are allowed for executive sessions.

The meetings law says minutes must be made available within a "reasonable time" after each meeting, but does not specify the time. Generally, this time frame should not exceed three weeks. Minutes must be preserved for a "reasonable time". This is generally interpreted to be at least one year. Minutes of many governing bodies are subject to records retention schedules established by the State Archivist.

Minutes must indicate:

- Members present.
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
The result of all votes by name of each member (except for public bodies consisting of more than 25 members). No secret ballots are allowed.
- The substance of discussion on any matter.
- A reference to any document discussed at the meeting.

Minutes are not required to be a verbatim transcript and the meeting does not have to be tape recorded unless so specified by law. Minutes are public record and may not be withheld from the public merely because they will not be approved until the next meeting. Minutes of executive sessions are exempt from disclosure under the Oregon Public Records Law.

Governing bodies are allowed to charge fees to recover their actual cost for duplicating minutes, tapes and records. A person with a disability may not be charged additional costs for providing records in larger print.

Enforcement

County district attorneys or the Oregon Attorney General's Office may be able to answer questions about possible public meetings law violations, although neither has any formal enforcement role and both are statutorily prohibited from providing legal advice to private citizens.

Any person affected by a governing body's decision may file a lawsuit in circuit court to require compliance with or prevent violations of the Public Meetings Law. The lawsuit must be filed within 60 days following the date the decision becomes public record.

The court may void a governing body's decision if the governing body intentionally or willfully violated the Public Meetings Law, even if the governing body has reinstated the decision in a public vote. The court also may award reasonable legal fees to a plaintiff who brings suit under the Public Meetings Law.

Complaints of executive session violations may be directed to the Oregon Government Standards and Practices Commission, 100 High Street SE, Suite 220, Salem, OR 97310, (503) 378-5105, for review, investigation and possible imposition of civil penalties.

Members of a governing body may be liable for attorney and court costs both as individuals or as members of a group if found in willful violation of the Public Meetings Law.

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APPENDIX B

OREGON REVISED STATUTE (ORS) 197.763 Conduct of local quasi-judicial land use hearings; notice requirements; hearing procedures.

The following procedures shall govern the conduct of quasi-judicial land use hearings conducted before a local governing body, planning commission, hearings body or hearings officer on application for a land use decision and shall be incorporated into the comprehensive plan and land use regulations:

(1) An issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before the local government. Such issues shall be raised and accompanied by statements or evidence sufficient to afford the governing body, planning commission, hearings body or hearings officer, and the parties an adequate opportunity to respond to each issue.

(2)(a) Notice of the hearings governed by this section shall be provided to the applicant and to owners of record of property on the most recent property tax assessment roll where such property is located:

(A) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;

(B) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(C) Within 500 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.

(b) Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.

(c) At the discretion of the applicant, the local government also shall provide notice to the Department of Land Conservation and Development.

(3) The notice provided by the jurisdiction shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized;

(b) List the applicable criteria from the ordinance and the plan that apply to the application at issue;

(c) Set forth the street address or other easily understood geographical reference to the subject property;

(d) State the date, time and location of the hearing;

(e) State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue;

(f) Be mailed at least:

(A) Twenty days before the evidentiary hearing; or

(B) If two or more evidentiary hearings are allowed, 10 days before the first evidentiary hearing;

(g) Include the name of a local government representative to contact and the telephone number where additional information may be obtained;

(h) State that a copy of the application, all documents and evidence submitted by or

on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;

(i) State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; and

(j) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

(4)(a) All documents or evidence relied upon by the applicant shall be submitted to the local government and be made available to the public.

(b) Any staff report used at the hearing shall be available at least seven days prior to the hearing. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the time limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179.

(5) At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:

(a) Lists the applicable substantive criteria;

(b) States that testimony, arguments and evidence must be directed toward the criteria described in paragraph (a) of this subsection or other criteria in the plan or land use regulation which the person believes to apply to the decision; and

(c) States that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the board based on that issue.

(6)(a) Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The local hearings authority shall grant such request by continuing the public hearing pursuant to paragraph (b) of this subsection or leaving the record open for additional written evidence, arguments or testimony pursuant to paragraph (c) of this subsection.

(b) If the hearings authority grants a continuance, the hearing shall be continued to a date, time and place certain at least seven days from the date of the initial evidentiary hearing. An opportunity shall be provided at the continued hearing for persons to present and rebut new evidence, arguments or testimony. If new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven days to submit additional written evidence, arguments or testimony for the purpose of responding to the new written evidence.

(c) If the hearings authority leaves the record open for additional written evidence, arguments or testimony, the record shall be left open for at least seven days. Any participant may file a written request with the local government for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the hearings authority shall reopen the record pursuant to subsection (7) of this section.

(d) A continuance or extension granted pursuant to this section shall be subject to the limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179, unless the continuance or extension is requested or agreed to by the applicant.

(e) Unless waived by the applicant, the local government shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record, but shall not include any new evidence. This seven-day period shall not be subject to the limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179.

(7) When a local governing body, planning commission, hearings body or hearings officer reopens a record to admit new evidence, arguments or testimony, any person may raise new issues which relate to the new evidence, arguments, testimony or criteria for decision-making which apply to the matter at issue.

(8) The failure of the property owner to receive notice as provided in this section shall not invalidate such proceedings if the local government can demonstrate by affidavit that such notice was given. The notice provisions of this section shall not restrict the giving of notice by other means, including posting, newspaper publication, radio and television.

(9) For purposes of this section:

(a) "Argument" means assertions and analysis regarding the satisfaction or violation of legal standards or policy believed relevant by the proponent to a decision. "Argument" does not include facts.

(b) "Evidence" means facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision. [1989 c.761 §10a (enacted in lieu of 197.762); 1991 c.817 §31; 1995 c.595 §2; 1997 c.763 §6; 1997 c.844 §2; 1999 c.533 §12]

APPENDIX C

Oregon's Statewide Planning Goals & Guidelines

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for

citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

2. Communication -- To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

4. Technical Information -- To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. Feedback Mechanisms -- To assure that citizens will receive a response from policy-makers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers. The rationale used to reach land-use policy

decisions shall be available in the form of a written record.

6. Financial Support -- To insure funding for the citizen involvement program.

Adequate human, financial, and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

A. CITIZEN INVOLVEMENT

1. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

2. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land-use planning should provide information on land-use education to citizens, as well as develop and offer courses in land-use education which provide for a diversity of educational backgrounds in land-use planning.

3. In the selection of members for the committee for citizen involvement, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on the CCI; committee appointees should receive official notification of their selection; and committee appointments should be well publicized.

B. COMMUNICATION

Newsletters, mailings, posters, mail-back questionnaires, and other

available media should be used in the citizen involvement program.

C. CITIZEN INFLUENCE

1. Data Collection - The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. Plan Preparation - The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. Adoption Process - The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. Implementation - The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. Evaluation - The general public, through the local citizen

involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. Revision - The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. TECHNICAL INFORMATION

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. FEEDBACK MECHANISM

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.

2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. FINANCIAL SUPPORT

1. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: October 1, 2012	Subject: Wastewater Collection System Projects Staff Member: Eric Mende Department: Engineering
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments:

Staff Recommendation: Staff recommends that the City Council, acting as the Contract Review Board, adopt Resolution No. 2380, authorizing the City Manager to execute a Professional Services Agreement with Murray, Smith and Associates, Inc. (MSA) for a Not To Exceed amount of \$326,383 to provide Phase 1 Professional Engineering Services for the Wastewater Collection System Projects 2045, 2065, 2068, 2079, 2084, 2085, and 2088.

Recommended Language for Motion: I hereby move that Council adopt Resolution No. 2380 authorizing the City Manager to sign the Professional Services Agreement with MSA.

PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>		
<input checked="" type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL: Whether or not to enter into a Professional Services Agreement with Murray, Smith and Associates for sewer system analysis, planning and design.

EXECUTIVE SUMMARY: The City of Wilsonville solicited a Request for Qualifications (RFQ) on June 18, 2012 for Professional Engineering Services to perform a mix of analysis and design tasks for the City's wastewater collection system. The RFQ identified three phases of engineering services extending over multiple years. Six firms responded of which three were short-listed to provide proposals for the Phase 1 services. Following the State mandated procedures for a Qualifications Based Selection process, interviews were conducted and the firm of MSA was determined to be the most qualified. Negotiations for the Phase 1 services began August 14th and a scope of work and fee were agreed to on September 19th.

Phase 1 services include system analyses and conceptual designs for a number of projects that lay the groundwork for a major update to the City's Wastewater Collection System Master Plan, resolve identified deficiencies with the current system of manholes, pipes, and lift stations serving the City's developed areas, and determine new system components needed to support future growth areas and Urban Reserve Areas (URAs).

Seven individual Capital Improvement Projects (CIPs) are being addressed by this PSA, as listed below. The adopted FY 2012/2013 combined budgets for these seven projects is \$872,500 which was allocated for the first two of the three phases of engineering services.

- Project 2045 - Sewer Repair and Access Along Boeckman Creek. This CIP will repair, replace or upsize the High School Interceptor to allow for the City's expansion into the Frog Pond URA, and provide for maintenance access to this critical sewer line that does not currently exist. The Phase 1 work will analyze the condition and capacity of the existing sewer line and evaluate construction alternatives for the pipeline and access.
- Project 2065 - Memorial Park Pump Station. This CIP will replace or retrofit the existing pump station, which is located in the 100 year floodplain. The Phase 1 work will evaluate pump station capacity, condition and possible flood-proofing measures. Based on the study findings, a siting study for full relocation of the pump station may be prepared.
- Project 2068 - River Village Lift Station Upgrade. This CIP will replace the River Village Lift Station. The Phase 1 work will evaluate the size/capacity of the lift station needed for an assumed redevelopment of an abandoned trailer park, plus other properties.
- Project 2079 - Kinsman Road Sewer Line. This CIP will upsize or replace the United Disposal Interceptor between Boeckman Road and Barber Street, or provide a parallel line, to provide additional capacity to serve the Coffee Creek Industrial Area. The Phase 1 work will evaluate current and future capacity and alternate alignments.
- Project 2084 - Town Center Pump Station Improvements. This CIP will repair or replace a marginally functional lift station serving commercial properties. The Phase 1 work will evaluate current conditions and future needs, and recommend appropriate improvements.
- Project 2085 - I-5 Sewer Line Crossing at Memorial Drive. This CIP will repair or replace one or both Interceptor pipes underneath I-5 that service all of Town Center area and most of the residential areas of Wilsonville east of I-5. The Phase 1 work will assess

the condition and capacity of the existing pipes under I-5 to determine what improvements are needed for the long term.

- **Project 2088 - Waste Water Collection System Master Plan Update.** This CIP will update the existing 2004 city-wide Waste Water Collection System Master Plan, which the City plans to complete as a Phase 3 task. The Phase 1 work under this PSA will develop the population densities, flow estimates, and other planning criteria to be used later for the master planning effort. This data will also be used to support the conceptual design of the other four projects (above) addressed in this PSA.

EXPECTED RESULTS: Adopting this resolution will authorize the work needed for the City to continue to maintain and operate a safe, efficient, and adequate wastewater collection system to serve existing businesses and homes as well as plan for future growth.

TIMELINE: This first phase of the project is expected to take five months. Two subsequent project phases, not part of this scope of work, are anticipated to take place over the next two years. Construction of improvements is scheduled for future years (2014 and beyond).

CURRENT YEAR BUDGET IMPACTS: The proposed Not To Exceed contract value of **\$326,383** is approximately 37 percent of the combined 2012/2013 budgeted amounts of \$872,500 for the 7 projects described previously. An approximate cost breakdown for the individual projects is as follows:

<u>Project #</u>	<u>2012/13 Budget</u>	<u>Est. Phase 1 Cost</u>
CIP 2045	\$335,000	\$140,000
CIP 2065	\$352,000	\$ 90,000
CIP 2068	\$25,000	\$ 10,000
CIP 2079	\$10,000	\$ 9,000
CIP 2084	\$50,000	\$ 17,000
CIP 2085	\$25,000	\$ 24,000
CIP 2088	\$75,000	\$ 36,000

Unspent portions of the 2012/2013 budget(s) will likely be allocated and spent on Phase 2 work in the spring of 2013. The adopted budget is adequate to fund the expected Phase 1 and Phase 2 work effort. Phase 3 work will be budgeted in 2013/2014.

FINANCIAL REVIEW / COMMENTS: *[Item must be sent to Finance for review.]*

Reviewed by: JO Date: 9/20/2012

I confirmed that the projects included in the proposed professional personal services agreement were planned and budgeted for in the 2012-13 fiscal year.

LEGAL REVIEW / COMMENT: *[Item must be sent to City Attorney for review.]*

Reviewed by: MEK Date: 9/21/12

Engineering followed the qualified based solicitation requirements in soliciting RFPs and in recommending MSA for award of contract.

COMMUNITY INVOLVEMENT PROCESS: There has been no community involvement for this project to date. Part of the approved scope of work is a public involvement program.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY: There will be no impacts to the community during this phase of the project. Future phases include construction activities which will have impacts due to noise and traffic delays.

ALTERNATIVES: There are no alternatives.

CITY MANAGER COMMENT:

ATTACHMENTS

A. Resolution 2380

B. Professional Services Agreement with attached Scope, Fee and Rate Schedule

**ATTACHMENT A to STAFF REPORT
RESOLUTION NO. 2380**

**A RESOLUTION OF THE CITY OF WILSONVILLE ACTING IN ITS
CAPACITY AS ITS LOCAL CONTRACT REVIEW BOARD AUTHORIZING THE
EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MURRAY,
SMITH AND ASSOCIATES TO PROVIDE ENGINEERING AND CONSULTING
SERVICES FOR THE WASTEWATER COLLECTION SYSTEM PROJECTS.**

WHEREAS, the adopted City FY 2012-13 Budget includes funding for the preparation of a Waste Water Collection System Master Plan and other Waste Water Projects; and

WHEREAS, the City solicited Requests for Qualifications for professional consulting services and received six responses; and

WHEREAS, following screening and evaluation, three of the six firms were interviewed; and

WHEREAS, from these interviews, in a competitive selection process based on qualifications gleaned from the interviews which included the firms proposed approach to the project, Murray, Smith and Associates was selected as the firm best qualified to provide the certain professional services for the referenced project; and

WHEREAS, Wilsonville Code Section 2.314(10) (b) states: "The City Council shall adopt by resolution and the contracting officer shall follow the Oregon Attorney General's Model Public Contracting Rules (Division 35, Consultant Selection: Architectural and Engineering Personal Services Contracting), for screening and selection of persons to perform architectural and engineering personal services contracts for public improvement projects. Provided, however, any provisions in WC 2.310-2.314 for exemptions will also apply and shall take precedent over the Division 35 Model Rules as the Board of Contracting Officer may determine."; and

WHEREAS, Section 2.310(3)(f) of the Wilsonville Code defines personal service contracts as "A contract for "personal services" calls for specialized skills, knowledge and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment. Qualifications and performance history, expertise, knowledge and creativity, and the ability to exercise sound professional

judgment are typically the primary considerations when selecting a personal services Contractor, with price being secondary.”; and

WHEREAS, Section 2.312 of the City Code states, “The Council is hereby designated as a Local Contract Review Board and, relative to contract concerns for the City, shall have all the powers granted to the State Public Contract Review Board.”; and

WHEREAS, Section 2.314(1) of the City Code states, “All public contracts shall be based upon competitive bids or proposals . . .”; and

WHEREAS, Section 2.310(3) (g) of the City Code defines public contracts as “Any agreement for the purchase, lease or sale by the City of personal property, public improvements or services other than agreements which are for personal services.”; and

WHEREAS, Section 2.314(14) of the City Code states “...all personal services contracts for which the fee is anticipated to exceed \$50,000 will be awarded based on a competitive selection process.”; and

WHEREAS, a competitive process was utilized as described above to select the proposed design professionals; and

WHEREAS, Murray, Smith Associates has extensive and valuable experience which can be utilized in completing the Waste Water Collection System Projects; and

WHEREAS, after reviewing the fees associated with providing the requested professional services, staff has determined that the fees for services as proposed by Murray, Smith Associates for the project are fair and reasonable; and

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

1. The City Council serving in the role of Local Contract Review Board adopts the above recitals as findings and incorporates them by reference as if fully set forth herein.
2. The City Council serving in its role as Local Contract Review Board does hereby approve and authorize the execution of a Professional Services Agreement for completion of the Waste Water Collection System Projects in the amount of \$326,383 between the City of Wilsonville and Murray, Smith and Associates, a copy of which is attached hereto and incorporated herein.

3. This resolution shall be effective upon adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 1st day of October, 2012 and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Councilor Starr

Councilor Núñez

Councilor Goddard

Attachment B: City of Wilsonville Professional Services Agreement w/ Scope & Cost attachments

Attachment B to Staff Report

CITY OF WILSONVILLE PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement") is made and entered into on this ____ day of October, 2012 ("Effective Date") by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as the "City"), and **Murray, Smith and Associates, Inc.** (hereinafter referred to as "Consultant").

RECITALS:

WHEREAS, the City requires services which Consultant is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, Consultant represents that Consultant is qualified to perform the services described herein on the basis of specialized experience and technical expertise; and

WHEREAS, Consultant is prepared to provide such services as the City does hereinafter require.

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT:

Section 1. Term

The term of this Agreement shall be from the Effective Date until all services required to be performed hereunder ("Services") are completed and accepted, unless earlier terminated in accordance herewith. Consultant shall diligently perform the Services according to the requirements and deliverable dates identified in the Scope of Services, attached hereto as **Exhibit A** and incorporated by reference herein. Except in the event of an extension of time, agreed to in writing by the City, all Services must be completed no later than **February 28th, 2013**.

Section 2. Consultant's Services

2.1. Consultant will perform professional engineering services for the analysis, planning, permitting, and design of the City's wastewater collection system, as more particularly described in the Scope of Services, attached hereto as **Exhibit A** and incorporated by reference herein, for the Wastewater Collection System Project ("Project").

2.2. All written documents, drawings, and plans submitted by Consultant in conjunction with the Services shall bear the signature, stamp, or initials of Consultant's authorized Project Manager. Any documents submitted by Consultant which do not bear the signature, stamp, or initials of Consultant's authorized Project Manager, will not be relied upon by the City. Interpretation of plans and answers to questions regarding the Services or Scope of Services given by Consultant's Project Manager may be verbal or in writing, and may be relied upon by the City, whether given verbally or in writing. If requested by the City to be in writing, Consultant's Project Manager will provide such written documentation.

2.3. Consultant will not be responsible for damages, be in default, or be deemed to be in default by reason of delays in performance due to reasons beyond Consultant's reasonable control, including but not limited to strikes, lockouts, severe acts of nature, or other unavoidable delays or acts of third parties not under Consultant's direction and control ("Force Majeure"). In the case of the happening of any Force Majeure event, the time for completion of the Services will be extended accordingly by the City, in writing. Lack of labor, supplies, materials, or the cost of any of the foregoing shall not be deemed a Force Majeure event.

2.4. The existence of this Agreement between the City and Consultant shall not be construed as the City's promise or assurance that Consultant will be retained for future services beyond the Scope of Services described herein.

2.5. Consultant shall maintain the confidentiality of any confidential information that is exempt from disclosure under state or federal law to which Consultant may have access by reason of this Agreement. Consultant warrants that Consultant's employees assigned to work on the Services provided in this Agreement shall be clearly instructed to maintain this confidentiality. All agreements with respect to confidentiality shall survive the termination or expiration of this Agreement.

Section 3. City's Responsibilities

3.1. The scope of the City's responsibilities, including those of the City's Project Manager, are also set forth in the Scope of Services. The City will designate a Project Manager to facilitate day-to-day communication between Consultant and the City, including timely receipt and processing of invoices, requests for information, and general coordination of City staff to support the Project.

3.2. The City hereby certifies that sufficient funds are available and authorized to finance the Compensation Amount set forth in **Section 4** of this Agreement.

Section 4. Compensation

4.1. Except as otherwise set forth in this **Section 4**, the City agrees to pay Consultant a not to exceed price of _Three Hundred Twenty Six Thousand Three Hundred and Eighty Three DOLLARS (\$326,383.00) for performance of the Services ("Compensation Amount") identified in **Exhibit A**. Any compensation in excess of the Compensation Amount will require express written agreement by the City and Consultant. Any Tasks identified within **Exhibit A or B** as a Contingency Task shall require written authorization (email is acceptable) from the City Project Manager before consultant shall perform services against that Task. Without such authorization(s) the Non Contingency Not To Exceed Compensation amount is reduced to Two Hundred Forty Seven Thousand Five Hundred and Fifty Seven DOLLARS (\$247,557).

4.2. During the course of Consultant's performance, if the City or its Project Manager specifically requests Consultant to provide additional services that are beyond the Scope of Services described on **Exhibit A**, Consultant shall provide such additional services and bill the City at the hourly rates outlined on Consultant's Rate Schedule, as set forth in **Exhibit C**. Compensation above the amount shown in **Subsection 4.1** above requires a written Change Order, executed in compliance with the provisions of **Section 19**.

4.3. Unless expressly set forth on Consultant's Rate Schedule as a reimbursable expense item that is not included in the fixed Compensation Amount of **Subsection 4.1**, or as an additional charge for which a written Change Order has been approved, in accordance with **Subsection 4.2** and the requirements of **Section 19**, Consultant shall only be entitled to the Compensation Amount specified in **Subsection 4.1**.

4.4. Except for amounts withheld by the City pursuant to this Agreement, Consultant will be paid for Services for which an itemized invoice is received by the City within thirty (30) days of receipt, unless the City disputes such invoice. In that instance, the undisputed portion of the invoice will be paid by the City within the above timeframe. The City will set forth its reasons for the disputed claim amount and make good faith efforts to resolve the invoice dispute with Consultant as promptly as is reasonably possible.

4.5. The City will be responsible for the direct payment of required fees payable to governmental agencies, including but not limited to plan checking, land use, zoning, and all other similar fees resulting from this Project, that are not specifically covered by **Exhibit A**.

4.6. Consultant's per hour compensation rates shown within **Exhibits B and C** are all inclusive and include, but are not limited to, salaries or wages plus fringe benefits and contributions, including payroll taxes, workers' compensation insurance, liability insurance, profit, pension benefits, and similar contributions and benefits, technology and/or software charges, office expenses, and all other indirect and overhead charges. Unless otherwise documented, all Direct Costs including subcontractor costs shall be charged at cost, without markup. Consultant's per hour compensation rates and direct cost rates shown within **Exhibits B and C** are fixed values for the duration of this Agreement, unless otherwise negotiated in writing between the City and Consultant subsequent to this Agreement.

Section 5. City's Project Manager

The City's Project Manager is Mike Ward. The City shall give Consultant prompt written notice of any redesignation of its Project Manager. The City's Project Manager can be reached by telephone at 503 570-1546 and via email at ward@ci.wilsonville.or.us.

Section 6. Consultant's Project Manager

Consultant's Project Manager is Matt Hickey. In the event that Consultant's designated Project Manager is changed, Consultant shall give the City prompt written notification of such redesignation. Consultant's Project Manager will not be changed without the written consent of the City, which consent shall not be unreasonably withheld. In the event the City receives any communication from Consultant that is not from Consultant's designated Project Manager, the City may request verification by Consultant's Project Manager, which verification must be promptly furnished. The Consultant's Project Manager can be reached by telephone at (503) 225-9010 and via email at MLH@msa-ep.com.

Section 7. Project Information

Except for confidential information designated by the City as information not to be shared, Consultant agrees to share Project information with, and to fully cooperate with, those corporations, firms, contractors, public utilities, governmental entities, and persons involved in or associated with the Project. No information, news, or press releases related to the Project, whether made to representatives of newspapers, magazines, or television and radio stations, shall be made without the written authorization of the City's Project Manager.

Section 7.1. Duty to Inform

If, at any time during the performance of this Agreement or any future phase of this Agreement for which Consultant has been retained, Consultant becomes aware of actual or potential problems, faults, or defects in the Project or Scope of Services, or any portion thereof; or of any nonconformance with federal, state, or local laws, rules, or regulations; or if Consultant has any objection to any decision or order made by the City with respect to such laws, rules, or regulations, Consultant shall give prompt written notice thereof to the City's Project Manager. Any delay or failure on the part of the City to provide a written response to Consultant shall neither constitute agreement with nor acquiescence to Consultant's statement or claim, nor constitute a waiver of any of the City's rights.

Section 8. Consultant Is Independent Contractor

8.1. Consultant is an independent contractor for all purposes and shall be entitled to no compensation other than the Compensation Amount provided for under **Section 4** of this Agreement. Consultant will be solely responsible for determining the manner and means of accomplishing the end result of Consultant's Services. The City does not have the right to control or interfere with the manner or method of accomplishing said Services. The City, however, will have the right to specify and control the results of Consultant's Services so such Services meet the requirements of the Project.

8.2. Consultant may request that some consulting Services be performed on the Project by persons or firms other than Consultant, through a subcontract with Consultant. Consultant acknowledges that if such Services are provided to the City pursuant to a subcontract(s) between Consultant and those who provide such services, Consultant may not utilize any subcontractor(s), or in any way assign its responsibility under this Agreement, without first obtaining the express written consent of the City, which consent may be given or denied in the City's sole discretion. For all Services performed under subcontract to Consultant, as approved by the City, Consultant shall only charge the compensation rates shown on an approved Rate Schedule. Rate Schedules for named or unnamed subcontractors, and Consultant markups of subcontractor billings, will only be recognized by the City as set forth in Consultant's Rate Schedule, unless documented and approved, in writing, by the City pursuant to a modification to Consultant's Rate Schedule, per **Section 19** of this Agreement. In all cases, processing and payment of billings from subcontractors is solely the responsibility of Consultant.

8.3. Consultant shall be responsible for, and defend, indemnify and hold the City harmless against, any liability, cost, or damage arising out of Consultant's use of such subcontractor(s) and subcontractor's negligent acts, errors, or omissions. Unless otherwise agreed to, in writing, by the City, Consultant shall require that all of Consultant's subcontractors also comply with and be subject to the provisions of this **Section 9** and meet the same insurance requirements of Consultant under this Agreement.

8.4. Consultant shall make prompt payment for any claims for labor, materials, or services furnished to Consultant by any person in connection with this Agreement, as such claims become due. Consultant shall not permit any liens or claims to be filed or prosecuted against the City on account of any labor or material furnished to or on behalf of Consultant. If Consultant fails, neglects, or refuses to make prompt payment of any such claim, the City may pay such claim to the subcontractor furnishing the labor, materials, or services and offset the amount of the payment against funds due or to become due to Consultant under this Agreement. The City may also recover any such amounts directly from Consultant.

8.5. Should Consultant elect to utilize employees on any aspect of this Agreement, Consultant must comply with all wage and hour laws. Consultant shall make all required workers' compensation and medical care payments on time. Consultant shall be fully responsible for payment of all employee withholdings required by law, including but not limited to taxes, including payroll, income, Social Security (FICA), and Medicaid. Consultant shall also be fully responsible for payment of salaries, benefits, taxes, Industrial Accident Fund contributions, and all other charges on account of any employees. Consultant shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167. All costs incident to the hiring of assistants or employees shall be Consultant's responsibility. Consultant shall defend, indemnify, and hold the City harmless from claims for payment of all such expenses. Unless otherwise expressly set forth on **Exhibit B** as a reimbursable expense item, specific costs associated with items set forth in this subsection shall be deemed as fully and conclusively included in the rate upon which Consultant's Compensation Amount is based.

8.6. No person shall be discriminated against by Consultant or any subcontractor in the performance of this Agreement on the grounds of sex, gender, race, color, creed, marital status, age, disability, or national origin. Any violation of this provision shall be grounds for cancellation, termination, or suspension of the Agreement, in whole or in part, by the City.

Section 9. Indemnity and Insurance

9.1. Consultant acknowledges responsibility for liability arising out of the performance of this Agreement, and shall defend, indemnify, and hold the City harmless from any and all liability, settlements, loss, costs, and expenses in connection with any action, suit, or claim resulting or allegedly resulting from Consultant's negligent acts, omissions, errors, or willful or reckless misconduct provided pursuant to this Agreement, or from Consultant's failure to perform its responsibilities as set forth in this Agreement. The review, approval, or acceptance by the City, its Project Manager, or any City employee of documents or other work performed, prepared, or submitted by Consultant shall not be considered a negligent act, error, omission, or willful misconduct on the part of the City, and none of the foregoing shall relieve Consultant of its responsibility to perform in full conformity with the City's requirements, as set forth in this Agreement, and to indemnify the City as provided above and to reimburse the City for any and all costs and damages suffered by the City as a result of Consultant's failure to adhere to the standards of performance and care described in **Subsection 10.2**. Consultant shall defend the City (using legal counsel reasonably acceptable to the City) against any claim that alleges negligent acts, omissions, errors, or willful or reckless misconduct by Consultant.

9.2. Consultant's Standard of Care and Insurance Requirements.

9.2.1. Standard of Care: In the performance of professional services, Consultant agrees to use at least that degree of care and skill exercised under similar circumstances by reputable members of Consultant's profession practicing in the Portland metropolitan area. Consultant will re-perform any services not meeting this standard without additional compensation. Consultant's re-performance of any services, even if done at the City's request, shall not be considered as a limitation or waiver by the City of any other remedies or claims it may have arising out of Consultant's failure to perform in accordance with the applicable standard of care of this Agreement and within the prescribed timeframe.

9.2.2. Insurance Requirements: Consultant shall maintain insurance acceptable to the City in full force and effect throughout the term of this Agreement. Such insurance shall cover all risks arising directly or indirectly out of Consultant's activities or work hereunder.

The policy or policies of insurance maintained by Consultant shall provide at least the following limits and coverages:

9.2.2.1. *Commercial General Liability Insurance*. Consultant shall obtain, at Consultant's expense, and keep in effect during the term of this Agreement, Comprehensive General Liability Insurance covering Bodily Injury and Property Damage on an "occurrence" form (1996 ISO or equivalent). This coverage shall include broad form Contractual Liability insurance for the indemnities provided under this Agreement. The following minimum insurance amounts must be carried and maintained at all times:

<i>Coverage</i>	<i>Limit</i>
General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	2,000,000
Each Occurrence	2,000,000
Fire Damage (any one fire)	50,000
Medical Expense (any one person)	10,000

9.2.2.2. *Professional Errors and Omissions Coverage*. Consultant agrees to carry Professional Errors and Omissions Liability insurance on a policy form appropriate to the professionals providing the Services hereunder with a limit of no less than \$2,000,000 per claim. Consultant shall maintain this insurance for damages alleged to be as a result of errors, omissions, or negligent acts of Consultant. Such policy shall have a retroactive date effective before the commencement of any work by Consultant on the Services covered by this Agreement.

9.2.2.3. *Business Automobile Liability Insurance*. If Consultant will be using a motor vehicle in the performance of the Services herein, Consultant shall provide the City a certificate indicating that Consultant has business automobile liability coverage for all owned, hired, and non-owned vehicles. The Combined Single Limit per occurrence shall not be less than \$1,000,000.

9.2.2.4. *Workers' Compensation Insurance*. Consultant and all employers providing work, labor, or materials under this Agreement that are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide workers' compensation coverage that satisfies Oregon law for all their subject workers or employees that are exempt under ORS 656.126. Out-of-state employers must provide Oregon workers' compensation coverage for their workers who work at a single location within Oregon for more than thirty (30) days in a calendar year. Consultants who perform work without the assistance or labor of any employee need not obtain such coverage. This shall include Employer's Liability Insurance with coverage limits of not less than \$500,000 each accident.

9.2.2.5. *Insurance Carrier Rating.* Coverages provided by Consultant must be underwritten by an insurance company deemed acceptable by the City. The City reserves the right to reject all or any insurance carrier(s) with a financial rating that is unacceptable to the City.

9.2.2.6. *Certificates of Insurance.* As evidence of the insurance coverage required by this Agreement, Consultant shall furnish a Certificate of Insurance to the City. This Agreement shall not be effective until the required certificates and the Additional Insured Endorsements have been received and approved by the City. Consultant agrees that it will not terminate or change its coverage during the term of this Agreement without giving the City at least thirty (30) days' prior advance notice.

9.2.2.7. *Additional Insured Endorsements.* The City will be named as an additional insured with respect to Consultant's liabilities hereunder in insurance coverages. The following is included as additional insured: The City of Wilsonville, its elected and appointed officials, officers, agents, employees, and volunteers. Except professional liability and workers' compensation coverage, all policies shall provide an Additional Insured Endorsement.

9.2.3. The coverage provided by these policies shall be primary, and any other insurance carried by the City is excess. Consultant shall be responsible for any deductible amounts payable under all policies of insurance. In the event a dispute arises between the City and Consultant for which Consultant has obtained insurance, the maximum amount that may be withheld by the City for all such claims shall be no more than the amount of the applicable insurance deductible. Insurance policies must be "Occurrence" policies. Consultant will be required to maintain such policies in full force and effect through any warranty period.

Section 10. Warranty (Intentionally Deleted)

Section 11. Early Termination; Default

11.1. This Agreement may be terminated prior to the expiration of the agreed upon terms:

11.1.1. By mutual written consent of the parties;

11.1.2. By the City, for any reason, and within its sole discretion, effective upon delivery of written notice to Consultant by mail or in person; and

11.1.3. By Consultant, effective upon seven (7) days' prior written notice in the event of substantial failure by the City to perform in accordance with the terms through no fault of Consultant, where such default is not cured within the seven (7) day period by the City. Withholding of disputed payment is not a default by the City.

11.2. If the City terminates this Agreement, in whole or in part, due to default or failure of Consultant to perform Services in accordance with the Agreement, the City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies the City may have, both at law and in equity, for breach of contract, Consultant shall be liable for all costs and damages incurred by the City as a result of the default by Consultant, including, but not limited to, all costs incurred by the City in procuring services

from others as needed to complete this Agreement. This Agreement shall be in full force to the extent not terminated by written notice from the City to Consultant. In the event of a default, the City will provide Consultant with written notice of the default and a period of ten (10) days to cure the default. If Consultant notifies the City that it wishes to cure the default but cannot, in good faith, do so within the ten (10) day cure period provided, then the City may elect, in its sole discretion, to extend the cure period to an agreed upon time period, or the City may elect to terminate this Agreement and seek remedies for the default, as provided above.

11.3. If the City terminates this Agreement for its own convenience not due to any default by Consultant, payment of Consultant shall be prorated to, and include the day of, termination and shall be in full satisfaction of all claims by Consultant against the City under this Agreement.

11.4. Termination under any provision of this section shall not affect any right, obligation, or liability of Consultant or the City that accrued prior to such termination. Consultant shall surrender to the City items of work or portions thereof, referred to in **Section 16**, for which Consultant has received payment or the City has made payment. The City retains the right to elect whether or not to proceed with actual construction of the Project.

Section 12. Suspension of Work

The City may suspend, delay, or interrupt all or any part of the work for such time as the City deems appropriate for its own convenience by giving written notice thereof to Consultant. An adjustment in the time of performance or method of compensation shall be allowed as a result of such delay or suspension unless the reason for the delay is within Consultant's control. The City shall not be responsible for work performed by any subcontractors after notice of suspension is given by the City to Consultant. Should the City suspend, delay, or interrupt the work and the suspension is not within Consultant's control, then the City shall extend the time of completion by the length of the delay.

Section 13. Subcontractors and Assignments

13.1. Unless expressly identified in **Exhibit A or B** of this Agreement, or subsequently approved by the City, and subject to **Section 9** of this Agreement, Consultant shall neither subcontract with others for any of the work prescribed herein, nor assign any of Consultant's rights acquired hereunder, without obtaining prior written approval from the City. Work may be performed by persons other than Consultant, provided Consultant advises the City of the names of such subcontractors and the work which they intend to perform, and the City specifically agrees in writing to such subcontracting. Consultant acknowledges such services will be provided to the City pursuant to a subcontract(s) between Consultant and subcontractor(s) and no privity of contract exists between the City and the subcontractor(s). Unless otherwise specifically provided by this Agreement, the City incurs no liability to third persons for payment of any compensation provided herein to Consultant. Any attempted assignment of this Agreement without the written consent of the City shall be void. Except as otherwise specifically agreed, all costs for services performed by others on behalf of Consultant shall not be subject to additional reimbursement by the City.

13.2. The City shall have the right to enter into other agreements for the Project, to be coordinated with this Agreement. Consultant shall cooperate with the City and other firms, engineers or subcontractors on the Project so that all portions of the Project may be completed in the least possible time and within normal working hours. Consultant shall furnish other engineers, subcontractors and affected public utilities, whose designs are fitted into Consultant's design, detail drawings giving full information so that conflicts can be avoided.

Section 14. Access to Records

The City shall have access, upon request, to such books, documents, receipts, papers, and records of Consultant as are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of four (4) years, unless within that time the City specifically requests an extension. This clause shall survive the expiration, completion, or termination of this Agreement.

Section 15. Property of the City

15.1. Originals or certified copies of the original work forms, including but not limited to documents, drawings, tracings, surveying records, mylars, papers, diaries, inspection reports, and photographs, performed or produced by Consultant under this Agreement shall be the exclusive property of the City and shall be delivered to the City prior to final payment. Any statutory or common law rights to such property held by Consultant as creator of such work shall be conveyed to the City upon request without additional compensation. Upon the City's approval, and provided the City is identified in connection therewith, Consultant may include Consultant's work in its promotional materials. Drawings may bear a disclaimer releasing Consultant from any liability for changes made on the original drawings and for reuse of the drawings subsequent to the date they are turned over to the City.

15.2. Consultant shall not be held liable for any damage, loss, increased expenses, or otherwise, caused by or attributed to the reuse by the City or its designees of all work performed by Consultant pursuant to this Agreement without the express written permission of Consultant.

Section 16. Laws of Oregon

This Agreement shall be governed by the laws of the State of Oregon. All contractual provisions required by ORS Chapter 279A and 279C to be included in public agreements are hereby incorporated by reference and shall become a part of this Agreement as if fully set forth herein.

Section 17. Adherence to Law

Consultant shall adhere to all applicable federal and state laws, including but not limited to laws, rules, regulations, and policies concerning employer and employee relationships, workers' compensation, and minimum and prevailing wage requirements. Any certificates, licenses, or permits that Consultant is required by law to obtain or maintain in order to perform work described on **Exhibit A**, shall be obtained and maintained throughout the term of this Agreement.

Section 18. Modification/Change Orders

Any modification of the provisions of this Agreement shall not be enforceable unless reduced to writing and signed by both the City and Consultant. A modification is a written document, contemporaneously executed by the City and Consultant, which increases or decreases the cost to the City over the agreed Compensation Amount in **Section 4** of this Agreement, or changes or modifies the Scope of Services or the time for performance. No modification shall be binding or effective until executed, in writing, by both Consultant and the City. In the event Consultant receives any communication of whatsoever nature from the City, which communication Consultant contends gives rise to any modification of this Agreement, Consultant shall, within five (5) days after receipt, make a written request for modification to the City's Project Manager in the form of a Change Order. Consultant's failure to submit such written

21.4. Severability. If any provision of this Agreement is found to be void or unenforceable, it is the intent of the parties that the rest of the Agreement shall remain in full force and effect, to the greatest extent allowed by law.

21.5. Entire Agreement. This Agreement, including all documents attached to this Agreement and all documents incorporated by reference herein, represents the entire agreement between the parties.

21.6. Authority. Each party signing on behalf of Consultant and the City hereby warrants actual authority to bind their respective party.

The CONSULTANT and the CITY hereby agree to all provisions of this Agreement.

CONSULTANT:

CITY:

MURRAY, SMITH AND ASSOCIATES, INC.

CITY OF WILSONVILLE

By: _____

By: _____

(Print Name) _____

(Print Name) _____

As Its: _____

As Its: _____

Employer I.D. No. _____

APPROVED AS TO FORM

ATTESTED TO:

Barbara A. Jacobson, Assistant City Attorney
City of Wilsonville, Oregon

Sandra C. King, MMC, City Recorder
City of Wilsonville, Oregon

EXHIBIT A – SCOPE OF SERVICES

WORK PLAN FOR CITY OF WILSONVILLE WASTEWATER COLLECTION SYSTEM PROJECTS

INTRODUCTION:

THE WORK PLAN OUTLINED BELOW IS FOR PHASE I OF THE WASTEWATER COLLECTION SYSTEM PROJECTS. THE OVERALL PROJECT IS DIVIDED INTO THREE PHASES. THE PHASE GENERALLY INCLUDES THE FOLLOWING:

- PHASE I INCLUDES BASIN PLANNING, HYDRAULIC MODELING, CAPACITY ANALYSIS AND CONCEPTUAL DESIGNS FOR THREE KEY SEWER COLLECTION SYSTEM PIPING ELEMENTS AND THE MEMORIAL PARK PUMP STATION AND EVALUATION OF 3 OTHER PUMP STATIONS;
- PHASE II INCLUDES FINAL DESIGN FOR THE COLLECTION SYSTEM ELEMENTS AND A MEMORIAL PARK SEWAGE PUMP STATION
- PHASE III INCLUDES COLLECTION SYSTEM MASTER PLANNING FOR THE ENTIRE CITY INCLUDING THE CHARBONNEAU AREA.

TO EVALUATE THE EXISTING FACILITIES AND DEVELOP CONCEPTUAL DESIGNS FOR THE VARIOUS COLLECTION SYSTEM ELEMENTS IN PHASE I, CERTAIN SYSTEM ANALYSES TRADITIONALLY INCLUDED WITH MASTER PLANNING WORK WILL BE REQUIRED FOR SPECIFIC COLLECTION SYSTEM SUBBASINS DURING THIS INITIAL PHASE. SINCE THE PHASE I WORK WILL BE COMPLETED PRIOR TO THE OVERALL WASTEWATER SYSTEM MASTER PLAN, A NUMBER OF TASKS INCLUDED IN PHASE I INCLUDE MASTER PLANNING RELATED TASKS. THIS PLANNING WORK CONDUCTED UNDER PHASE I WILL BE BASED ON CITY SPECIFIED CRITERIA AND FURTHER DEVELOPED TO BE READILY INCORPORATED INTO THE OVERALL MASTER PLANNING CONDUCTED IN PHASE III.

PHASE I INCLUDES THE FOLLOWING ELEMENTS:

- DATA COLLECTION AND ANALYSIS, MODEL DEVELOPMENT AND CONCEPTUAL DESIGNS FOR THE BOECKMAN CREEK SEWER UPGRADE AND ACCESS IMPROVEMENTS
- DATA COLLECTION AND ANALYSIS, MODEL DEVELOPMENT AND CONCEPTUAL DESIGNS FOR THE MEMORIAL DRIVE SEWER HIGHWAY CROSSING
- DATA COLLECTION AND ANALYSIS, MODEL DEVELOPMENT AND CONCEPTUAL DESIGNS FOR THE KINSMAN ROAD SEWER EXTENSION
- SITING EVALUATION AND CONCEPT DEVELOPMENT FOR A NEW MEMORIAL PARK PUMP STATION
- EVALUATION OF TWO SMALL EXISTING PUMP STATIONS

THE CITY DESIRES TO SEPARATE THE VARIOUS ELEMENTS IN PHASE I INTO SEPARATE WORK ITEMS. THE WORK PLAN IS CONFIGURED TO REFLECT THIS. THERE ARE A NUMBER OF TASKS THAT ARE COMMON TO ALL OF THE ELEMENTS IN PHASE I AND ARE OUTLINED IN ELEMENT I -- GENERAL.

EXHIBIT A – SCOPE OF SERVICES

RELATIVE TO THE ALLOCATION OF CITY BUDGETS, IT IS UNDERSTOOD THAT THE COSTS ASSOCIATED WITH THESE GENERAL TASKS WILL BE ALLOCATED TO EACH OF THE OTHER ELEMENTS AND PRORATED BASED ON VALUE OF EACH OF TASKS AS PRESENTED IN THE FEE ESTIMATE SPREADSHEET (TO FOLLOW).

ELEMENT I – GENERAL

TASK 1 - PROJECT MANAGEMENT

Under this task, project management will be provided to see that the City's project goals are met and with respect to budgets, schedule and final products. Work includes project work planning, monthly progress reports, updated schedules, agenda preparation and minutes for various project meetings. Subtasks include:

SUBTASK 1A – GENERAL PROJECT MANAGEMENT

- A. Project Kick-off Meeting and Project Schedule – Conduct a project kick-off meeting with City staff to collect all relevant information, and identify known problems, concerns and interests. Review work program, end products and key milestones. Included in the kick-off meeting is a review of the final project schedule, milestones and key delivery dates.
- B. Progress Reports and Billings – Prepare and submit for review and City approval, monthly progress reports and invoices for work completed.
- C. Subconsultant Coordination – Coordinate subconsultant work as required.

SUBTASK 1B – MEETINGS

Progress/Work Meetings – Schedule and attend progress meetings at appropriate intervals throughout the project to report on the work and receive City input. For budgeting purposes it is anticipated there will be one two hour meeting every two weeks for a period of approximately 4 months. It is anticipated the project manager will attend along with the Principal-in-Charge or one of the design leads.

SUBTASK 1C – QA/QC

Quality Assurance/Quality Control (QA/QC) – Provide in-house reviews and checking of various interim and final work products.

TASK 2 – DATA COLLECTION AND REVIEW

Under this task, relevant data will be collected and the specific wastewater sewer subbasins will be reviewed including urban growth expansion area basins. Also under this task, current and prior planning will be evaluated and general planning criteria reviewed. Detailed subtasks are as follows:

EXHIBIT A – SCOPE OF SERVICES

- A. Information Compilation and Review – Compile and review currently available data and information relative to the waste water sewer system. Anticipated information items include prior City studies, plans and reports as outlined in subtask B below, as well as available planning guidance documents and design standards, operation and maintenance reports, inspection records, pump station data, flow monitoring data, record drawings, mapping and GIS information, land use information, population forecast data and other pertinent information.
- B. Current Plan Evaluations and General Planning Criteria Review – Included in this subtask is a review and evaluation of existing previous and related waste water system master plans, reports, studies, codes, regulations, etc. It is anticipated that the following documents will be included in this evaluation work:
- Sewer collection system maintenance reports and pipe inspection videos
 - City of Wilsonville Sanitary Sewer Plan Update
 - City of Wilsonville, Comprehensive Plan
 - City of Wilsonville Water System Master Plan
 - OAR 660 Division 11, Public Facilities Planning
 - Urban Growth Boundary expansion study areas
 - Wilsonville zoning map
 - City of Wilsonville collection and trunk sewer system GIS and AutoCad map showing rim and invert elevations and pipe sizes

TASK 3 – PLANNING CRITERIA ANALYSIS

Under this task a summary of project-specific planning criteria regarding land use, population, and waste water collection performance requirements will be developed. Anticipated subtasks include:

SUBTASK 3A – PLANNING CRITERIA DEVELOPMENT

- A. *Population and Land Use* – Obtain and review prior evaluations and descriptions of the study area boundary relative to the proposed Phase I waste water facilities planning. Include City land use and population forecasts for build-out of the Urban Planning Areas (UPA). It is anticipated that population and land use data from recently completed water master plan will be used where possible.
- B. Planning Criteria, Population Projections and Regulatory Requirements – Under this subtask project-specific planning criteria regarding waste water collection and conveyance requirements will be determined. Sub-elements include:

EXHIBIT A – SCOPE OF SERVICES

1. **Planning Criteria** – Identify planning criteria that are specifically applicable to the waste water planning. Confirm planning service area and build-out assumptions with City staff. Work with City staff to establish waste water and I/I unit flow rates for existing and new development, and I/I increases due to system degradation. Establish existing and future development status for all tax lots within the Phase I planning service area and link the tax lots to pipes. It is anticipated that planning data from recently completed water master plan will be used where possible.
2. **Determine Design Storm Frequency** – Work with City staff to determine the design storm frequency that will be used as the level of service for the conveyance system. Determine latest directives from EPA and DEQ regarding possible higher level of service.
3. **Population Forecasts** – Population forecasts will be identified for “build-out” based on information and projections provided by the City’s Community Development Department. It is anticipated that population data from the recently completed water master plan will be used where possible.
4. **Equivalent Dwelling Units and Tax Lot Review** – Calculate the total number of existing equivalent dwelling units (EDUs) in each basin, identify from City-supplied records the total number of waste water sewer connections, including a breakdown of the residential, commercial, and industrial services, and present estimates of future EDU projections. Also, tax lots will be flagged for redevelopment or development based on existing build-out and planning guidance provided by the City. The model will incorporate GIS information so land use assumptions can be populated at the tax lot level and then incorporated in to the waste water system modeling. It is anticipated that data regarding EDU’s in the various basins generated during the recently completed water master plan will be used where possible.
5. **Regulatory Requirements and Planning Basis** – Review all applicable regulatory requirements that must be met for recommended improvements for waste water collection and conveyance. The anticipated regulations include those applicable to surface and storm water discharges, erosion control, groundwater protection, and wetland or waterway impacts. Work under this task will primarily involve the establishment of planning criteria for planning work in the subject basins. Evaluate City code regarding sewer surcharging and determine if the City will accept some surcharging in certain conditions when allowing some surcharging will result in significant cost savings.

SUBTASK 3B -- FLOW MONITORING ANALYSIS AND RECOMMENDATIONS

- A. Under this subtask, the existing flow monitoring data will be evaluated to determine if the data is reasonably accurate and if more flow monitoring data is needed. It is

EXHIBIT A – SCOPE OF SERVICES

understood the City has data from pump stations and flow monitors for a period of 5 years. Data from 7 monitoring stations with electronic data have been collected since May 2012. Pump station records have also been collected along with the flow monitoring data. Accuracy review will include evaluation of monitors in the same basin and determine if data is consistent within the basin. Also, the data for flow monitors will be plotted on a scatter graph to assess whether the data is consistent among the various meters relative to the storm events during the monitoring. The data will be correlated to the storm events that occurred during the flow monitoring to determine if the 5 year storm was captured with the monitoring and assess relative accuracy of the various meters. Data from storm events will be used in the calibration of the model. A time series will be developed for each flow monitor and rainfall gauge site to identify periods of both dry and wet weather flow suitable for model calibration. WWTP flows time series will be queried in Access to quickly identify yearly and monthly and daily maximum flows. This task will identify any significant gaps for recommending placing additional flow monitors. This task will also include evaluation of the suitability of the model network GIS data for use as the starting point for the hydraulic model.

- B. Based on the review of the existing data, recommendations will be made relative to placement of and numbers of additional flow meters. It is anticipated recommendations will be provided for approximately 5 meter locations. The monitoring plan will focus on un-monitored areas and areas with I/I rates greater than approximately 2,000 gallons per acre per day based on current flow data available.
- C. Deliverable: Technical memorandum summarizing analysis and recommendations.

SUBTASK 3C – MODEL CALIBRATION AND CHARACTERIZATION

This task will include calibrating the model to the dry weather flows by scaling the applied dry weather flow estimates to match the flow monitoring data. The model will also be calibrated to the wet weather flow by adjusting the model parameters until satisfactory agreement is seen between the measured and simulated wet weather flow at each flow monitor location.

Model characterization will include acquiring or generating a design storm suitable for use with the model, based on input from the City or using the 24 hour rainfall intensity value from DEQ. From this data a synthetic hyetograph will be generated. Characterization will include defining and running any relevant future conditions scenarios that incorporate combinations of population increase and expansion of the service area. The dry weather and wet weather calibrated flows will then be adjusted based on these scenarios.

EXHIBIT A – SCOPE OF SERVICES

SUBTASK 3D – ADDITIONAL FLOW MONITORING (CONTINGENCY TASK)

Under this subtask, based on recommended additional flow monitoring stations, the same analysis conducted under Subtask 3B would be conducted assuming 5 additional flow monitoring stations.

ELEMENT II – BOECKMAN CREEK (HIGH SCHOOL) INTERCEPTOR AND ACCESS ROAD

This element includes basin and flow analysis for the Boeckman Creek Interceptor, pipe capacity analysis and alternatives review relative to improvements to the interceptor. This element also includes development of preliminary concepts associated with access improvements to and along the sewer line route.

TASK 1 – BASIN ANALYSIS AND MODEL DEVELOPMENT

SUBTASK 1A -- BASIN SPECIFIC I&I ANALYSIS AND FLOW MONITORING ANALYSIS

- A. Develop Approach for Additional Flow Monitoring – To obtain I&I data during the wet weather months, early on in the master planning work, MSA’s team will develop a monitoring approach for additional flow monitoring in the basin. A brief technical memorandum will summarize the recommendations for additional flow monitoring.
- B. I&I Review – MSA will evaluate the existing waste water collection system to identify I&I flows and significant I&I problems in the High School Interceptor Basin. Based on evaluations completed earlier flow monitoring data, I&I rates will be applied to the various subbasins for the purpose of determining peak design flows.
- C. Flow Measurements – The data obtained from the additional flow monitoring recommendations described above will be evaluated to identify sub-basins that are contributing the relatively largest I&I rates. The flow data will also be used to provide the necessary information to better direct additional fieldwork, if needed, including flow monitoring to be performed by the City.
- D. I&I Summary – The results of the I&I review and flow measurements will be compiled into a database that summarizes the flow data and develops I&I flow factors by sub-basin and the system as a whole. These flow factors, which are expressed on a flow rate, pipe size, and pipeline reach length basis, will be used to characterize the nature of the I&I for modeling purposes. Develop flows and I&I estimates at specific points on the interceptor.

SUBTASK 1B -- BASIN SPECIFIC WASTE WATER CHARACTERIZATION AND FORECASTING

Under this subtask, existing and future wastewater flows and I&I will be characterized. Flows will be forecast for UGB build-out. Work under this task will be specific to the basin and will build on modeling work conducted under Element I above. Work under

EXHIBIT A – SCOPE OF SERVICES

this task will include the following:

- A. Waste Water Evaluations – At least five years of historical records of flow obtained from City WWTP will be evaluated. The records will be tabulated in spreadsheet and graphical form to show averages, minimum and maximum (peak) flows. The City will collect and compile data from City records in accordance with instructions and in formats as prepared by MSA.
- B. Flow Forecasts – Waste water flow forecasts for Frog Pond and Advanced Road development areas and for the High School Interceptor and Wilsonville Road Interceptor will be developed based on the established population projections and planning criteria. Flow projections will include peak hourly flow rates. The forecasts will also be quantified on a per capita flow and per acres basis based on City criteria. These forecasts will consider the data from recent water master plan, the land uses as identified in the City's current planning documents.

SUBTASK 1C -- BASIN MODEL DEVELOPMENT

- A. This task will include developing a skeleton hydraulic model for this (High School Interceptor) basin representing the main sewer lines in the basin using InfoSWMM software. MSA will develop the calibrated model of the existing collection system for the basin including evaluation of the basin under existing conditions. The model development will be based on using current flow monitoring data where possible to reduce the areas of the City requiring modeling and modeling will be based on reviews with City staff regarding current planning criteria, system configuration, operations and system characterization.

Modeling will provide a snap shot of the ability of the collection system to convey existing and future flows. The design storm will be applied to the calibrated basin model for existing and future conditions. The model results will be summarized in tables for pipes (peak flow, design full-pipe flow) and nodes (maximum HGL, minimum freeboard). The model results tables may be linked to GIS data to produce characterization maps.

- B. Model Calibration – This task will include calibrating the model for this basin relative to the available flow monitoring data and pump station run time data. The actual measured flows will be compared to theoretical flows generated based on existing and proposed development and established flow development criteria.

SUBTASK 1D -- GIS MAPPING UPDATES (CONTINGENCY TASK)

If modifications to the GIS mapping are required in the preparation of the hydraulic model, this optional task is included to budget for potential engineering time to complete such modifications. For budgeting purposes, it is anticipated that up to 20 hours will be spent on this task. If additional time is required, MSA will notify the City, and suggest additional budgeted time to complete this task.

EXHIBIT A – SCOPE OF SERVICES

TASK 2 – PIPE EVALUATIONS

SUBTASK 2A – PIPE CAPACITY ANALYSIS

Under this task, the capacity of the sewer main paralleling the creek will be evaluated based on design flows developed in the Task 1 above, analysis criteria, downstream conditions and slope and size of the piping.

The updated model will be run to determine relative capacities and the percentage of capacity taken up by I&I and identify potential restrictions and system improvement needs using the HGL approach described above.

This task will include running the model under 4 scenarios 1) current system configuration 2) with projected flows from new development, 3) run the model under scenario 1 with assumed I&I reductions included and 4) run model under scenario 2 with assumed reductions in I&I. The evaluation of existing piping will be completed considering both current and forecasted flows resulting from infill development and new service areas.

After these model runs are completed, a GO/NO GO determination will be made as to the need to upsize the various pipeline segments of the High School Interceptor and Wilsonville Road Sub-Interceptor to achieve needed future capacity

SUBTASK 2B -- PIPE CONDITION ASSESSMENT AND EVALUATION (CONTINGENCY TASK)

If the capacity analysis conducted in Task 2A above shows the pipes have adequate capacity, a pipe condition assessment including review of existing sewer inspection videos will be conducted to determine the condition and the potential for rehabilitation of the sewer main. Alternatives relative to rehabilitation of the sewer main will be conducted in Task 6.

TASK 3 – PERMITTING AND ENVIRONMENTAL REVIEW

Under this task, an appropriately scaled environmental impact review will be conducted to identify significant environmental issues and/or fatal flaws with the various project alternatives under consideration. The review will consider a number of relevant factors including but not limited to: land use, noise, air quality, wetland and vegetation, water quality, and cultural resources. The following subtasks will be performed:

- A. Environmental Screening – The purpose of this subtask is to identify and screen the various conveyance alternatives being considered for this element and to determine those alternatives that are feasible for meeting the regulatory requirements and design criteria previously established. This task will also include obtaining existing, readily available, published information and/or readily available information that can be secured from agencies within the project time frame regarding existing environmental conditions. This information will be used to identify environmental constraints and opportunities for development of alternatives.

EXHIBIT A – SCOPE OF SERVICES

- B. Environmental Evaluations – Since local, state and/or federal agency permitting may be required, the environmental review should be conducted in anticipation of permitting requirements. In cooperation with City staff and other agency staff, the project team will conduct environmental evaluations of the various project alternatives potentially including but not necessary limited to the following: ability to meet present and future regulatory requirements, environmental impacts to surface water and groundwater, land use and zoning, flood plain and wetlands, vegetation, cultural resources, location relative to other facilities and service areas, traffic and access, soils and seismic hazards, site availability for purchase or long-term lease, impacts on public services and utilities, biological resources, air quality and noise. The evaluations will be documented in the report. Preparation of a formal NEPA environmental assessment is not included in this scope.
- C. Permit Review – Under this subtask review of and identification of required permits will be conducted. Permits may include Corp/DSL wetland permits, Wilsonville permits relative to sensitive environmental areas and tree impacts, and City of Wilsonville permits associated with work in roadway rights-of-way.

TASK 4 – TOPOGRAPHIC SURVEY (CONTINGENCY TASK)

Topographic survey will be used as needed to confirm existing conditions required to develop concepts. A manhole invert and rim survey and limited topographic survey was recently completed for the Boeckman Creek Sewer. Additional survey may include additional limited topographic survey as needed to develop concepts for access to the sewer line and/or improvements to the road grade along the sewer line associated with a proposed access road. For budgeting purposes it is anticipated survey control has been established in the area of the project and can readily be used to conduct surveys as needed for this project.

TASK 5 – GEOTECHNICAL REVIEW

The purpose of the geotechnical services is to collect and review existing geotechnical and geologic information, conduct limited geotechnical field explorations, conduct preliminary geotechnical assessments, develop conceptual geotechnical recommendations and alternatives, and assess the needs for additional geotechnical explorations and evaluations in the subsequent phases for final design. It is anticipated site right of entry and/or permits will be coordinated and obtained by the City. It is anticipated that no archaeological or environmental clearances or permits will be necessary for field exploration.

For Phase I, limited geotechnical investigations may be conducted to evaluated conditions to a level needed to develop concepts and preliminary cost estimates. Geotechnical investigations will include the following:

- Investigation of existing available geotechnical data in the area of the project. This may include recent boring and available soil mapping.
- Conduct hand augering in the soil along the existing sewer line to determine condition relative to the proposed access road along the sewer route. Hand augers will be conducted to a depth of approximately 10 feet below ground surface. It is anticipated that up to 4 hand augers will be completed

EXHIBIT A – SCOPE OF SERVICES

- Geotechnical investigations will include a brief summary of the findings and recommendations relative to the propose sewer main and access road improvements.

TASK 6 – CONCEPT DEVELOPMENT

SUBTASK 6A -- ALTERNATIVES ANALYSIS

The purpose of this task is to identify potential waste water conveyance alternatives for the subject basin and select the most viable alternatives for further analysis. Anticipated subtasks include:

- A. Collection System Analysis and Improvements – Based upon the previously completed analysis of the collection system and the ultimate service area of the system, improvements to the sewer main to provide the required ultimate capacity will be recommended. These improvements will include pipe rehabilitation, gravity sewer upsizing or a parallel pipe. The alternatives will be evaluated using the system model.
- B. Waste Water System Improvements and Sewer Line Access Alternatives Workshop – Under this subtask, the MSA team will meet with City staff and key stakeholders to review the potential sewer system improvement and potential access alternatives.
- C. Alternatives Development – Under this subtask, a description of each alternative will be prepared. For each alternative, preliminary sizing of the major components will be accomplished and the advantages and disadvantages of each identified. Based upon discussions with the City and including the environmental review as described under Task 3, these potential alternatives will be screened to select an alternatives for each to receive further detailed analysis.
- D. Under this task, the alternative that is technically sound, protective of the environment, respective of the surrounding community, and cost-effective in conveying waste water and meet City goals and objectives, will be selected. This selection will be a collaborative process involving the City and interested residents. The selected alternative will be described in further detail and will include a capital cost estimate. A schematic of the selected preferred alternative will be prepared.

SUBTASK 6B – SEWER MAIN ACCESS CONCEPT DEVELOPMENT

Work under this subtask includes development of concepts for improving access to the Boeckman Creek Interceptor. Access concepts may be relative to the proposed pipe improvements. Access concepts will be coordinated with the City Parks Department as the Park Department is planning a new trail along this route and will be coordinated with a scour analysis to be completed by others at the bridge on Wilsonville Road. The proposed access road will be designed to carry a 30 ton vac truck. The concept development will include a plan view of the

EXHIBIT A – SCOPE OF SERVICES

proposed access illustrated on available aerial photos, a typical cross section of the access road based on geotechnical recommendations and preliminary cost estimates.

Up to 4 access location will be evaluated. This include the following:

- 1) A point near Boeckman Road that may include a crossing of small side drainage.
- 2) A point on the east side of the creek just south of Boeckman Road through a nearby neighborhood.
- 3) A point on the east side of the creek through the apartment complex.
- 4) A point near Wilsonville Road on the west side of the creek. Access to be coordinated with the bridge creek scour work.

Work under this subtask will also include evaluating the feasibility relative to each access point including a field visit, evaluating required easements, grades and constructability relative to access by a ¾ ton utility truck and a 30 ton vacuum truck.

This task may also include topographic survey to determine grades or other key feasibility evaluation information relative to access.

SUBTASK 6C -- DRAFT CONCEPTUAL DESIGN REPORT

Under this subtask, a report documenting the results of the work will be prepared, including illustrations of existing facilities and proposed concepts and preliminary cost estimates. A draft report will be prepared for review and comment by the City. Five copies of the report will be delivered to the City. Upon City authorization, a final report incorporating all comments will be prepared.

TASK 7 – PUBLIC INVOLVEMENT (CONTINGENCY TASK)

As an optional task, MSA proposes assisting the City with public meetings as may be needed. If the City elects to include this task in the work program, it is anticipated that two public meetings will be conducted, one to review the findings and conclusions related to conveyance alternatives and a second to review the recommendations of the study. A summary of the public participation will be included in the report as an appendix. MSA will also meet with City staff and other agencies as necessary during the course of the study to review progress and develop consensus on the study recommendations. Upon completion of the draft report, MSA will make a presentation to the City Council to review key findings and recommendations. A similar presentation will be made on the final report.

It addition to assistance with public meetings the MSA team will, upon request, provide web site enhancements. Possible web site enhancements may include map-based comment tracking or on-line surveys. A proposed budget has been include in the fee estimate spreadsheet for these potential web site enhancements (\$2,750).

TASK 8 – FINAL CONCEPTUAL DESIGN REPORT

Under this subtask, the final conceptual design report will be prepared and 5 copies provided to the City along with electronic files of the report and conceptual plans. Files will be provided to the City in Word, Excel, AutoCAD or other appropriate electronic format.

EXHIBIT A – SCOPE OF SERVICES

ELEMENT III – HIGHWAY CROSSING AT MEMORIAL DRIVE

TASK 1 – BASIN ANALYSIS AND MODEL DEVELOPMENT

SUBTASK 1A – BASIN SPECIFIC I&I ANALYSIS AND FLOW MONITORING ANALYSIS – See Subtask 1A in Element II above.

SUBTASK 1B – BASIN SPECIFIC WASTE WATER CHARACTERIZATION AND FORECASTING -- See Subtask 1B in Element II above.

SUBTASK 1C – BASIN MODEL DEVELOPMENT -- See Subtask 1C in Element II above.

SUBTASK 1D – GIS MAPPING UPDATES (CONTINGENCY TASK) -- See Subtask 1D in Element II above.

TASK 2 – PIPE EVALUATIONS

SUBTASK 2A – PIPE CAPACITY ANALYSIS

Under this task, the capacity of both pipe lines under the freeway will be evaluated using the hydraulic model based on design flows developed in the Task 1 above, analysis criteria, downstream conditions and slope and size of the pipes. Each pipe will be evaluated independently for full flow, and jointly for some level of split flow. Alternative to address pipe capacity will be evaluated in Task 6.

SUBTASK 2B – PIPE CONDITION ASSESSMENT AND EVALUATION (CONTINGENCY TASK)

If the capacity analysis conducted in Task 2A above shows the existing pipes have adequate capacity, a pipe condition assessment will be conducted to determine the condition and the potential for rehabilitation of the pipes. Alternatives relative to rehabilitation of the pipes will be conducted in Task 6.

TASK 3 – PERMITTING AND ENVIRONMENTAL REVIEW

Under this task, a review of potential permits that will be required will be conducted to identify significant permitting issues and/or fatal flaws with the various project alternatives under consideration. The review will consider a number of relevant factors including but not limited to: land use, noise, air quality, wetland and vegetation, water quality, and cultural resources. The following subtasks will be performed:

- A. Environmental Screening – As project area for this element does not include wetlands, trees or other environmental concerns, it is anticipated that environmental screening will not be applicable to this task.
- B. Environmental Evaluations – As project area for this element does not include wetlands, trees or other environmental concerns, it is anticipated that environmental evaluations will not be applicable to this task. Preparation of a formal NEPA environmental assessment is not included in this scope.
- C. Permit Review – Under this item review of and identification of required permits will be

EXHIBIT A – SCOPE OF SERVICES

conducted. Permits may include ODOT permits for working in the ODOT right-of-way, and City of Wilsonville permits associated with work in roadway rights-of-way.

TASK 4 – TOPOGRAPHIC SURVEY (CONTINGENCY TASK)

Topographic survey will be conducted as needed to confirm existing conditions required to develop concepts. Survey may include limited topographic survey as needed to develop concepts for survey of manhole rims and inverts to confirm pipe slopes and provide information relative to cost for upgrades. For budgeting purposes it is anticipated survey control has been established in the area of the project and can readily be used to conduct surveys as needed for this project.

Proposed budget for this task assumes the ODOT right-of-way needs to be tied to the survey that may be conducted for this element.

TASK 5 – GEOTECHNICAL REVIEW

Limited geotechnical investigations may be conducted to evaluate conditions to a level needed to develop concepts and preliminary cost estimates. Geotechnical investigations will include the following:

- Investigation of existing available geotechnical data in the area of the project. This may include review of recent borings and available soil mapping.
- Geotechnical investigations will include a brief summary of the findings and recommendations relative to a potential boring under the freeway or feasibility of pipe bursting as may be required.

TASK 6 – CONCEPT DEVELOPMENT

SUBTASK 6A -- ALTERNATIVES ANALYSIS

See Subtask 6A in Element II. It is anticipated that up to three alternatives for this element will be reviewed and this may include pipe replacement or pipe rehabilitation. Pipe replacement may include parallel boring under the freeway, replacement or sliplining of one or both pipes in their existing casings if the casings have additional space for a larger pipe.

SUBTASK 6B – DRAFT CONCEPTUAL DESIGN REPORT -- See Subtask 6C in Element II.

TASK 7 – PUBLIC INVOLVEMENT – N/A

TASK 8 – FINAL CONCEPTUAL DESIGN REPORT -- See Task 8 in Element II.

ELEMENT IV – KINSMAN ROAD SEWER MAIN

TASK 1 – BASIN ANALYSIS AND MODEL DEVELOPMENT

SUBTASK 1A – BASIN SPECIFIC I&I ANALYSIS AND FLOW MONITORING ANALYSIS -- See Subtask 1A in Element II. The United Disposal Interceptor north of Barber Street and the Burns West subinterceptor west of Boberg Road will be evaluated as these combined flows will determine the future pipe sizing north of Barber Street.

EXHIBIT A – SCOPE OF SERVICES

SUBTASK 1B – WASTE WATER CHARACTERIZATION AND FORECASTING FOR THE BASIN – See Subtask 1B in Element II.

SUBTASK 1C – BASIN MODEL DEVELOPMENT – See Subtask 1C in Element II.

SUBTASK 1D – GIS MAPPING UPDATES (CONTINGENCY TASK) -- See Subtask 1D in Element II

TASK 2 – PIPE EVALUATIONS

SUBTASK 2A – PIPE CAPACITY ANALYSIS – See Subtask 2A in Element II

SUBTASK 2B – PIPE CONDITION ASSESSMENT (CONTINGENCY TASK) – See subtask 2B in Element II

TASK 3 – PERMITTING AND ENVIRONMENTAL REVIEW

Under this task, an appropriately scaled environmental impact review will be conducted to identify significant environmental issues and/or fatal flaws with the various project alternatives under consideration. The review will consider a number of relevant factors including but not limited to: land use, noise, air quality, wetland and vegetation, water quality, and cultural resources. The following subtasks will be performed:

- A. Environmental Screening – The purpose of this subtask is to identify and screen the various conveyance alternatives being considered for this element and to determine those alternatives that are feasible for meeting the regulatory requirements and design criteria previously established. This task will also include obtaining existing, readily available, published information and/or readily available information that can be secured from agencies within the project time frame regarding existing environmental conditions. This information will be used to identify environmental constraints and opportunities for development of alternatives. As previous environmental permitting has been conducted in the project area, environmental screening will consist of review of previous submitting environmental permits to determine how a new sewer main will impact further permitting needs. This is based on the assumption that a proposed sewer main will parallel the proposed 48-inch waterline in the project area. If a proposed sewer main alignment is outside the area adjacent to the waterline, additional environmental screening may be required outside this scope of work.
- B. Environmental Evaluations – Since local, state and/or federal agency permitting may be required, the environmental review should be conducted in anticipation of permitting requirements. In cooperation with City staff and other agency staff, the project team will conduct environmental evaluations of the various project alternatives potentially including but not necessary limited to the following: ability to meet present and future regulatory requirements, environmental impacts to surface water and groundwater, land use and zoning, flood plain and wetlands (wetland delineation completed previously by others), vegetation, cultural resources, location relative to other facilities and service areas, traffic and access, soils and seismic hazards, site availability for purchase or long-term lease, impacts on public services and utilities, biological resources, air quality and noise. The evaluations will be documented in the report. Preparation of a formal NEPA environmental assessment is not included in this scope. Similar to item “A.” above, review of previously submitted environmental permits for the area will be conducted.

EXHIBIT A – SCOPE OF SERVICES

C. Permit Review – Under this subtask review of and identification of required permits will be conducted. Permits may include Corp/DSL wetland permits, BPA permits, Wilsonville permits relative to sensitive environmental areas and tree impacts and City of Wilsonville permits associated with work in roadway rights-of-way.

TASK 4 – TOPOGRAPHIC SURVEY (CONTINGENCY TASK)

Topographic survey will be conducted as needed to confirm existing conditions required to develop concepts. A topographic survey has been completed along the proposed Kinsman Road alignment and can be used to evaluate alternatives that include sewer piping along this route. Additional survey may include additional limited topographic survey as needed to develop concepts for access to the sewer line and manhole rim and invert survey to confirm conditions. For budgeting purposes it is anticipated survey control has been established in the area of the project and can readily be used to conduct surveys as needed for this project.

TASK 5 – GEOTECHNICAL REVIEW

Geotechnical investigations have been conducted along the proposed Kinsman Road utility and roadway alignment. As such, geotechnical engineering will include review of existing data.

- Conduct a site visit.
- Conduct review of existing available geotechnical data in the area of the project. This may include recent borings and available soil mapping.
- Geotechnical engineering will include a brief summary of the findings and recommendations relative to the propose sewer main.

TASK 6 – CONCEPT DEVELOPMENT

SUBTASK 6A -- ALTERNATIVES ANALYSIS

See Subtask 6A in Element II. Alternatives for this element may include pipe replacement or pipe rehabilitation. Pipe replacement may include a pipe in the proposed easement parallel to the proposed 48” waterline. If the pipe has capacity to convey future flows, the pipe may be rehabilitated. The alternatives will include evaluation of the 15” sewer from United Disposal and Burns West to determine if that can be effectively rerouted to avoid upsizing a portion of the 27” Kinsman trunk line.

SUBTASK 6B -- DRAFT CONCEPTUAL DESIGN REPORT – See Subtask 6C in Element II

TASK 7 – PUBLIC INVOLVEMENT – N/A

TASK 8 – FINAL CONCEPTUAL DESIGN REPORT – See task 8 in Element II

ELEMENT V – PUMP STATION EVALUATIONS

ELEMENT V-A – MEMORIAL PARK PUMP STATION CONCEPTUAL DESIGN

The general scope of the preliminary design study is to:

EXHIBIT A – SCOPE OF SERVICES

- Conduct field visits to document the current configuration of the pump station;
- Conduct an initial evaluation of the station to determine if it can be modified in-place to protect it from further flooding;
- Perform a topographic survey of the pump station and relevant site features;
- Analyze operational and maintenance data;
- Estimate existing and future influent flow rates to the pump station;
- Assess current pumping capacity of the pump station and force main;
- Assess the condition of the existing station components and document deficiencies;
- Recommend alternatives for improvements to meet capacity, reliability and redundancy requirements and correct identified deficiencies;
- Research permitting requirements for recommended upgrades;
- Prepare a project cost estimate and recommended implementation schedule for the recommended work.
- Prepare a preliminary design report with appropriate illustrations

TASK 1 – BASIN ANALYSIS

Under this task, the existing peak hourly influent flows to the pump station under current conditions will be estimated, and peak flows under future conditions will be forecast. The pump station does not have a flow meter, and other methods to estimate influent flows will be required. Analysis of the basin feeding into this pump station will be completed as part of the work in Element II. Review of previous analysis relative to the pump station will be conducted as part of this task in Element V. Some additional areas, contribute to this pump station and will be evaluated as part of this Task.

SUBTASK 1A – I&I ANALYSIS AND FLOW MONITORING REVIEW

Analysis of the basin feeding into this pump station will be completed as part of the work in Element II. Review of previous analysis relative to the pump station will be conducted as part of this task in Element V.

SUBTASK 1B – BASIN SPECIFIC WASTEWATER CHARACTERIZATION AND FORECASTING

Service Area Analysis – Develop map of current pump station service area, using City-provided mapping data. Review service area map with City staff to verify accuracy.

Analyze Pump Station Records – Analyze records of pump station run times over a 3 year period. Document averages and peak events. Review operations and maintenance logs.

Current Influent Flow Rates - Estimate current influent flow rates to the pump station using the pump runtime data, factory pump curves, and results of the pump station flow test.

EXHIBIT A – SCOPE OF SERVICES

Future Influent Flow Rates – Using City-provided information regarding developable land within the service area, estimate future influent flow rates to the pump station at buildout.

Prepare conceptual design report section summarizing influent flow analysis methodology and findings, with figures as necessary.

Analysis of the basin feeding into this pump station will be completed as part of the work in Element II. Review of previous analysis relative to the pump station will be conducted as part of this task in Element V.

SUBTASK 1C – BASIN MODEL DEVELOPMENT

Review the wastewater flow model and data used to develop wastewater flows based on findings of service area analysis.

Analysis of the basin feeding into this pump station will be completed as part of the work in Element II. Review of previous analysis relative to the pump station will be conducted as part of this task in Element V.

SUBTASK 1D – GIS MAPPING UPDATES (CONTINGENCY TASK) -- See Subtask 1D in Element II

TASK 2 – PUMP STATION FACILITY EVALUATION

The pump station evaluation will be conducted in a phased approach relative to potential alternatives to address flooding of the pump station. Based on preliminary analysis GO/NO GO decisions will be made prior to proceeding with review of additional alternatives. Prepare a detailed description and evaluation of the existing pump station facility, including pump station equipment, force main, influent sewers, site improvements, and adjacent topography. Work under this task will include:

- 2.1 Pump Station Capacity - Estimate the overall firm capacity of the entire pump station facility, using hydraulic calculations and other data collected. Compare the firm capacity of the facility to the current peak hourly influent flow and the forecasted future peak flow at buildout. Identify critical capacity limitations at the pump station. If the pump station wet well and other elements such as pumps and electrical equipment have capacity to convey future flows, the potential to flood proof the pump station will be evaluated. This item (2.1) will consist of a cursory review of the pump station and include approximately 4 hours of engineering time.
- 2.2 Existing Station Description and Evaluation - Review the station as-built drawings, specifications, shop drawings and other available information. Conduct a site visit with City staff. Document the existing facilities and design capacities including pumps, wet well, influent sewer, discharge piping, force main, pump control system, electrical service, backup power system, hydrogen sulfide control system, if any, station alarm and telemetry system, flow metering, and other relevant station features.

EXHIBIT A – SCOPE OF SERVICES

- 2.3 Evaluation of Potential for Flood Proofing -- Based on information gathered and observations taken during the site visit, the existing pump station will be evaluated as to whether it can cost effectively be “flood proofed”. This refers to upgrading the existing pump station at its current location in a manner that protects it from damage due to potential flooding. This will include preliminary evaluation relative to the size of the wet well to accommodate potentially larger pumps and the future design flows, evaluation of the existing building and the area around the building to determine if the structure can be upgraded or surrounded by a wall to protect it from flood waters, permitting issues and the feasibility of maintenance access during normal operations and during a flood event. If the facility can be flood proofed, then the alternatives analysis relative to siting a new pump station will be still be conducted to estimate the preliminary costs for the purpose of comparing to the flood proofing alternative.
- 2.4 Force Main System Curve -- Prepare a system head curve for future flows for the existing force main for predesign analysis purposes, using field-verified data where available. Assume 2 hours for this evaluation.
- 2.5 Pump Station Flow Test -- Perform a station pump station flow test to estimate current capacity of the existing pumps, with City staff present to operate the facility. City staff will furnish and install pressure gauges necessary for the test. Assume 2 hours for this evaluation.
- 2.6 Pump Station Hydraulic Profile – Create a hydraulic profile of the pump station and force main facility using field-verified data and City-provided mapping. Profile shall include upstream and downstream influent sewers, structures and facilities within the pump station’s influence. Assume 2 hours for this evaluation.
- 2.7 Prepare preliminary design report section which describes the pump station and force main facilities, including capacities and condition, with figures as necessary. This report will include documentation of the preliminary analysis relative to flood proofing the existing pump station and preliminary cost estimates for this alternative if it is feasible.

TASK 3 – PUMP STATION CONDITION ASSESSMENT (CONTINGENCY TASK)

Under this task, an assessment of the condition of the existing pump station will be performed based on the evaluations completed in the prior tasks. If it is feasible to flood proof the pump station as discussed in Task 2 above, this task will be conducted to determine the extent of the upgrades required to keep the pump station at its current location and improve it for continued use. Specifically, the following subtasks will be performed:

- 3.1 Pump Station Condition - Based upon the site inspection and discussions with City operations staff, document the apparent condition of the existing station and any operational problems or conditions of relevance to this study. Identify those pump station components that appear to have less than a 20-year service life.

EXHIBIT A – SCOPE OF SERVICES

3.2 Prepare preliminary design report section summarizing the current condition, with figures as necessary.

3.3 Meet with City staff to discuss review comments of the submitted preliminary draft report sections.

Deliverable: Draft report section will be submitted to the City for review and comments.

TASK 4 – PERMITTING AND ENVIRONMENTAL REVIEW

Work under this task will include identifying permitting requirements and issues relative to permitting. Determine and describe permitting constraints for the pump station alternatives. Meet with City of Wilsonville Planning Department to identify local development requirements regarding the pump station property and adjacent affected areas. Contact Oregon Department of Environmental Quality to identify regulatory requirements regarding constructing a overflow for the pump station.

TASK 5 – TOPOGRAPHIC SURVEY (CONTINGENCY TASK)

5.1 Topographic Survey - Work under this task will include conducting topographic surveys as needed in the development of pump station concepts for the selected pump station alternative. Perform topographic surveying to locate existing locations and grades of existing site improvements, including the pump station, vaults, equipment, and other underground and above-ground structures; upstream manholes and influent sewers within approximately 250 feet; adjacent stormwater facilities and watercourses; other design control points; and other existing features that affect the designs. Confirm the pertinent easement, property, and right-of-way line locations. For budgeting purposes it is anticipated survey control has been established in the area of the project and can readily be used to conduct surveys as needed for this project.

5.2 Site Mapping - Prepare a site map of the existing pump station and other surveyed facilities. Elevations will be coordinated with the City's datum.

Deliverable: A site map will be submitted to the City in both paper and AutoCAD format.

TASK 6 – ALTERNATIVE ANALYSIS

SUBTASK 6A – REVIEW ALTERNATIVES RELATIVE TO FLOOD PROOFING THE EXISTING PUMP STATION (CONTINGENCY TASK)

If it is found that it is practicable to flood proof the pump station based on work completed under the existing pump station, this subtask will be performed to compare this alternative to other potential sites for the pump station. The comparisons for this subtask will generally be based on cost and preliminary findings relative to cost and other key issues relative to siting the pump station at a new location. This subtask will include a cursory review of the other siting options to develop budget level cost estimates.

EXHIBIT A – SCOPE OF SERVICES

SUBTASK 6B – REVIEW ALTERNATIVES RELATIVE TO SITING A NEW PUMP STATION

If it is found it is not practicable to flood proof the pump station, this subtask will be conducted to evaluate up to three alternatives for the pump station location. The previous siting evaluation conducted by the City will be reviewed prior to beginning work on this task. This task will include developing alternative evaluation criteria with the City and develop an importance factor for each. The various selection criteria will be evaluated, multiplied by the importance factor and summed to determine a composite score for each alternative. Preliminary cost estimates will be prepared and be a primary evaluation criterion relative to alternative evaluation.

TASK 7 – DRAFT CONCEPTUAL DESIGN REPORT

Under this subtask, a report documenting the results of the work will be prepared, including illustrations of existing facilities and proposed concepts for improvements. The site plan showing, at a conceptual level, will include the following:

- Access
- Existing property limits
- Development code setbacks
- Environmental constraints (stream setbacks, etc.), if any
- Building expansion limits, if required
- Property expansion limits, if required
- Other significant site improvements

A draft report will be prepared for review and comment by the City. Five copies of the report will be delivered to the City. Upon City authorization, a final report incorporating all comments will be prepared.

TASK 8 – PUBLIC INVOLVEMENT (CONTINGENCY TASK)– See Task 7 in Element II.

TASK 9 – GEOTECHNICAL INVESTIGATIONS

For this Element, limited geotechnical investigations may be conducted to evaluate conditions to a level needed to develop concepts and preliminary cost estimates. Geotechnical investigations will include the following:

Explore the sites by drilling one boring to 30-feet deep at the proposed new Memorial Park pump station. A vibrating wire piezometer will be installed at the proposed Memorial Park pump station for groundwater level measurements. It is anticipated the field exploration will be completed in one day. Observation of borehole drilling, sample collection, and the preparation of descriptive geologic logs of the soil and rock materials encountered will be performed by a geologist/engineer from Shannon & Wilson. The boring logs will present an interpretation of soil and rock materials encountered in each bore hole and the depths of material changes. Sample collection depths and groundwater level (if encountered) will also be noted on the logs. Soil and rock classifications on the boring logs will be in general accordance with ASTM D2488. Disturbed samples (ASTM D1586) and/or undisturbed samples (ASTM D1587) obtained from the borings will be transported to our soil laboratory for additional classification and testing. We understand that traffic control will not be required for the field explorations. It is anticipated that the drilling cuttings can be left onsite at locations approved by the City. Soil and groundwater

EXHIBIT A – SCOPE OF SERVICES

contamination is not anticipated; however, if soil samples or cuttings appear to be contaminated, work will stop immediately and the City will be notified and asked for instructions on how to proceed. Abandonment of all borings will be performed in accordance with Chapter 690, Division 240, of the Oregon Administrative Rules (OAR), Construction and Maintenance of Monitoring Wells, Geotechnical Holes, and Other Holes in Oregon, (OWRD, revised January 2, 2009).

Laboratory Testing. Laboratory testing will be conducted on disturbed and undisturbed soil samples obtained from the explorations to characterize preliminary subsurface conditions. The laboratory testing may consist of determination of moisture content, Atterberg Limits, and grain size distribution. The laboratory testing will be performed in accordance with the ASTM standards.

Preliminary Geotechnical Engineering Evaluation. Due to the preliminary nature of Phase One, our evaluation will include feasibility study of the proposed facilities at the planned locations, assessment of viable design and construction alternatives, identification of potential geotechnical constraints with regard to foundation support, service road subgrade stabilization, slope stability, construction methods, and constructability.

Preliminary Geotechnical Engineering Report. We will prepare a preliminary geotechnical engineering report summarizing our exploration findings, laboratory testing results, our conceptual conclusion and geotechnical engineering recommendations for design and construction of the proposed facilities, and additional field exploration and engineering analyses necessary for the final design. The report will be submitted as electronic files accompanied by three hard copies.

TASK 10 – CONCEPTUAL DESIGN REPORT

Under this subtask, based on the City’s comments regarding the draft conceptual design report, a final report documenting the results of the work will be prepared, including illustrations of existing facilities, proposed concepts for improvements and conceptual level cost estimates.

ELEMENT V-B – PUMP STATION EVALUATIONS

This Element includes evaluations of Charbonneau, Town Center Loop and River Village pump stations relative to capacity and condition and evaluation of design flows as described below.

TASK 1 – NOT USED

TASK 2 – TOWN CENTER LOOP PUMP STATION (SMALL, DEFINED NUMBER OF LOTS TRIBUTARY TO THIS PS)

The Town Center Loop pump station is a small pump station that serves Bullwinkles and some other commercial properties. There are very low flows to this station. The City may desire to replace existing pumps with submersible pumps to improve operations and reduce maintenance. The analysis for this pump station is review of the condition of the pump station and operations

EXHIBIT A – SCOPE OF SERVICES

and maintenance evaluation to assess the capacity of the pump station relative to the design flows from the basin.

SUBTASK 2A – BASIN ANALYSIS –

Work under this subtask will include the following:

- I&I assessment for collection system based on pumping records and line condition assessments and video records
- Since the basin is built out, existing flow rates will be used to evaluate future flows from the basin.

SUBTASK 2B – WASTEWATER CHARACTERIZATION AND FORECASTING

Work under this subtask will include only limited review of the basin characteristics including population and service area.

SUBTASK 2C – BASIN MODEL DEVELOPMENT

Work under this task will include development of the hydraulic model for the basin using InfoSWMM software and available GIS data of the sewer system. For budgeting purposes it is anticipated the GIS data is reasonably accurate relative to development of the model and no revisions to the GIS data is required. As this basin is very small with limited services, minimal modeling is anticipated to be required.

SUBTASK 2D – PUMP STATION CAPACITY ANALYSIS AND CONDITION ASSESSMENT

Estimate the overall firm capacity of the entire pump station facility, using hydraulic calculations and other data collected. Compare the firm capacity of the facility to the current peak hourly influent flow and the forecasted future peak flow at buildout. Identify critical capacity limitations at the pump station.

Review the station as-built drawings, specifications, shop drawings and other available information. Conduct a site visit with City staff. Document the existing facilities and design capacities including pumps, wet well, influent sewer, discharge piping, force main, pump control system, electrical service, backup power system, hydrogen sulfide control system, if any, station alarm and telemetry system, flow metering, and other relevant station features.

Prepare a system head curve for future flows for the existing force main for predesign analysis purposes, using field-verified data where available. Assume 2 hours for this evaluation.

Pump Station Flow Test -- Perform a station pump station flow test to estimate current capacity of the existing pumps, with City staff present to operate the facility. City staff will furnish and install pressure gauges necessary for the test. Assume 2 hours for this evaluation.

Pump Station Hydraulic Profile – Create a hydraulic profile of the pump station and force main facility using field-verified data and City-provided mapping. Profile shall include upstream and downstream influent sewers, structures and facilities within the pump station's influence. Assume 2 hours for this evaluation.

EXHIBIT A – SCOPE OF SERVICES

Pump Station Condition - Based upon the site inspection and discussions with City operations staff, document the apparent condition of the existing station and any operational problems or conditions of relevance to this study. Identify those pump station components that appear to have less than a 20-year service life.

SUBTASK 2F – TECHNICAL MEMORANDUM

Prepare a brief technical memorandum that summarizes the findings and recommendations relative to the pump station assessment. The memo will include a figure showing the basin, as-builts of the pump station and conceptual level cost estimates to improve the station. Five copies of the technical memorandum will be provided to the City.

TASK 3 – RIVER VILLAGE PUMP STATION

The River Village pump station is a small station and the City will require it to be replaced once future development occurs. As such, a condition assessment will not be conducted. The focus of this task will be to evaluate the future flows to determine the capacity requirements for future replacement of the station.

SUBTASK 3A – BASIN ANALYSIS (WHAT CAN BE SERVED)

This subtask will include evaluation of the pump station service area to determine the design flows based on future development and determine pump station upsizing requirements.

SUBTASK 3B – WASTEWATER CHARACTERIZATION AND FORECASTING

This basin will be considered to be entirely residential therefore, work under this subtask will include only limited review of the basin characteristics including population density and service area.

SUBTASK 3C – BASIN MODEL DEVELOPMENT

As this basin is very small with limited services, minimal modeling will be required.

SUBTASK 3D – PUMP STATION CAPACITY ANALYSIS – No pump station capacity analysis will be conducted as this pump station will be removed as development occurs.

SUBTASK 3E – PUMP STATION CONDITION ASSESSMENT -- No pump station condition assessment will be conducted as this pump station will be removed as development occurs.

SUBTASK 3F – TECHNICAL MEMORANDUM

This subtask will include preparation of a brief technical memorandum that summarizes the findings of the basin analysis to determine the future flows to the pump station and the required sizing to accommodate the flows. The memorandum will include a vicinity map for the pump station and the service area, preliminary cost estimates and recommendations regarding sizing requirements. Five copies of the technical memorandum will be provided to the City.

CITY OF WILSONVILLE
WASTEWATER COLLECTION SYSTEM PROJECTS
PROPOSED FEE ESTIMATE 9/19/2012

	LABOR CLASSIFICATION (HOURS)											ESTIMATED FEES								
	Principal Eng. IV \$179	Principal Eng. IV \$179	Senior Engineering Associate \$160	Senior Engineering Associate \$160	Senior Engineering Associate \$160	Professional Engineer Y1 \$130	Professional Engineer Y2 \$122	Professional Engineer IV \$115	Engineering Designer I \$93	Tech. III \$115	Admin. I \$65	Total Hours	Labor					Expenses	Total	
	Hilton	Bowers	Hickey	Carr	McTeague	Bozaw	Maryann	Martinez	Loman	Kubman	Ranabolt		JDC	S&W	SWCA	JLA	JHM			
Element I - General																				
Task 1 - Project Management																				
Subtask 1A - General Project Management			52					8				6	66	\$ 9,686					\$ 97	\$ 9,783
Subtask 1B - Meetings		8	28	24	24			8				92	\$ 14,568						\$ 146	\$ 14,714
Subtask 1C - QA/QC	4	10										14	\$ 2,506						\$ 25	\$ 2,531
Task 2 - Data Collection and Review		2	6	2	2	8	12	16	8			4	60	\$ 7,306					\$ 73	\$ 7,379
Task 3 - Planning Criteria Analysis																				
Subtask 3A - Planning Criteria Development		2	8	2	2	8	12	12				46	\$ 6,162	\$ 594					\$ 62	\$ 6,818
Subtask 3B - Flow Monitoring Analysis and Recommendations		2	8			82	6	2				100	\$ 13,260	\$ 1,500					\$ 133	\$ 14,893
Subtask 3C - Model Calibration and Characterization			2			35	2					39	\$ 5,114	\$ 485					\$ 51	\$ 5,650
Subtask 3D - Additional Flow Monitoring (Contingency)			4			10	2					36	\$ 4,784						\$ 48	\$ 4,832
Element I Subtotal	4	24	108	28	28	163	50	30	8	0	10	453	\$ 63,286	\$ 2,579	\$ -	\$ -	\$ -	\$ -	\$ 634	\$ 66,599
Element II - Broeckman Creek Interceptor and Access Road																				
Task 1 - Basin Analysis and Model Development and Model Development																				
Subtask 1A - Basin Specific I&I Analysis and flow monitoring analysis		1	1		4	2	11	4	4			27	\$ 3,413	\$ 297					\$ 34	\$ 3,744
Subtask 1B - Basin Specific Waste Water Characterization and Forecasting		1	1		4	2	15	4				27	\$ 3,529						\$ 35	\$ 3,564
Subtask 1C - Basin Model Development		1	1		4	4	7	4				21	\$ 2,813	\$ 445					\$ 28	\$ 3,286
Subtask 1D - GIS Mapping Update (Contingency)					5	1						7	\$ 932						\$ 9	\$ 941
Task 2 - Pipe Evaluations																				
Subtask 2A - Pipe Capacity Analysis			1		4	4	4	12				25	\$ 3,188						\$ 32	\$ 3,220
Subtask 2B - Pipe Condition Assessment and EMI (Contingency Task)		1	1		2		7	12	16			39	\$ 4,381						\$ 44	\$ 4,425
Task 3 - Permitting and Environmental Review			2		4	4	15	4				25	\$ 2,905		\$ 2,933				\$ 29	\$ 5,867
Task 4 - Topographic Survey (Contingency Task)			1			1	6	2	2			12	\$ 1,388				\$ 1,500		\$ 46	\$ 4,934
Task 5 - Geotechnical Review			1			1	4					6	\$ 742		\$ 3,047				\$ 7	\$ 3,796
Task 6 - Concept Development																				
Subtask 6A - Alternative Analysis		2	6		7	6	22	15	8			66	\$ 8,371	\$ 297					\$ 84	\$ 8,752
Subtask 6B - Access Road Concept Development		1	4		2	2	9	16	8	10		51	\$ 6,150				\$ 2,500		\$ 222	\$ 8,872
Subtask 6C - Draft Conceptual Design Report		1	4		5	4	18	4	4			42	\$ 5,297	\$ 149					\$ 53	\$ 5,499
Task 7 - Public Involvement (Contingency Task)		2	12		4	8	2		16			42	\$ 5,644				\$ 6,050		\$ 312	\$ 12,006
Task 8 - Final Conceptual Design Report		1	2		6	4	13	6	4	12	2	50	\$ 6,137						\$ 253	\$ 6,390
Element II Subtotal	0	12	38	0	40	31	121	104	50	40	4	440	\$ 54,890	\$ 1,188	\$ 3,047	\$ 2,933	\$ 6,050	\$ 6,000	\$ 1,189	\$ 75,297
Element III - Highway Crossing At Memorial Drive																				
Task 1 - Basin Analysis and Model Development and Model Development																				
Subtask 1A - Basin Specific I&I Analysis and flow monitoring analysis		1	2		2	2	7	2	4			18	\$ 2,215	\$ 297					\$ 22	\$ 2,534
Subtask 1B - Basin Specific Waste Water Characterization and Forecasting		1	4		2	2	5	2				14	\$ 1,919						\$ 19	\$ 1,938
Subtask 1C - Basin Model Development		1	2		4	4	5	4				16	\$ 2,089	\$ 297					\$ 21	\$ 2,407
Subtask 1D - GIS Mapping Update (Contingency Task)					5	1						7	\$ 932						\$ 9	\$ 941
Task 2 - Pipe Evaluations																				
Subtask 2A - Pipe Capacity Analysis			2		4	4	10	6	4			26	\$ 3,123						\$ 31	\$ 3,153
Subtask 2B - Pipe Condition Assessment and EMI (Contingency)		1	1		2		7	12	8			32	\$ 3,727						\$ 38	\$ 3,835
Task 3 - Permitting and Environmental Review			1		1	9		4				14	\$ 1,630						\$ 16	\$ 1,646
Task 4 - Topographic Survey (Contingency Task)			1			1	6	2	2			12	\$ 1,388				\$ 7,000		\$ 46	\$ 8,434
Task 5 - Geotechnical Review			1			1	4					6	\$ 742		\$ 1,650				\$ 7	\$ 2,399
Task 6 - Concept Development																				
Subtask 6A - Alternative Analysis		2	6		2	4	16	6	4			40	\$ 5,172	\$ 297					\$ 52	\$ 5,521
Subtask 6B - Draft Conceptual Design Report		1	6		2	4	16	4	4	8	2	47	\$ 5,813	\$ 149					\$ 186	\$ 6,148
Task 7 - Public Involvement (N/A)												0	\$ -						\$ -	\$ -
Task 8 - Final Conceptual Design Report		1	6		2	4	9	4	4	4	2	36	\$ 4,499						\$ 109	\$ 4,608
Element III Subtotal	0	8	34	0	8	29	87	90	34	14	4	248	\$ 33,318	\$ 1,040	\$ 1,650	\$ -	\$ -	\$ 7,000	\$ 557	\$ 43,565
Element IV - Kinsman Road Sewer Main																				
Task 1 - Basin Analysis and Model Development and Model Development																				
Subtask 1A - Basin Specific I&I Analysis and flow monitoring analysis		2	4		3	3	10	4	4			27	\$ 3,440	\$ 297					\$ 34	\$ 3,771
Subtask 1B - Basin Specific Waste Water Characterization and Forecasting		1	4		2	2	8	2				21	\$ 2,805						\$ 28	\$ 2,833
Subtask 1C - Basin Model Development		1	4		6	6	6	4				21	\$ 2,791	\$ 297					\$ 28	\$ 3,116
Subtask 1D - GIS Mapping Update (Contingency)			1		5	1						7	\$ 932						\$ 9	\$ 941
Task 2 - Pipe Evaluations																				
Subtask 2A - Pipe Capacity Analysis			4		4	2	4	4	4			18	\$ 2,236						\$ 22	\$ 2,258
Subtask 2B - Pipe Condition Assessment and EMI (Contingency Task)		1	2		2	6	13	12	8			36	\$ 4,162						\$ 42	\$ 4,204
Task 3 - Permitting and Environmental Review			2		3	4	4	4	1,518			12	\$ 1,358		\$ 4,000				\$ 14	\$ 5,372
Task 4 - Topographic Survey (Contingency Task)			1			1	6	2	2			12	\$ 1,426					\$ 3,500	\$ 46	\$ 4,972
Task 5 - Geotechnical Review			2			4						6	\$ 780		\$ 1,650				\$ 8	\$ 2,438
Task 6 - Concept Development																				
Subtask 6A - Alternative Analysis		1	8		2	4	8	15				38	\$ 5,000	\$ 297					\$ 50	\$ 5,347
Subtask 6B - Draft Conceptual Design Report		1	6		2	4	18	3	2	8	2	46	\$ 5,756	\$ 149					\$ 186	\$ 6,091
Task 7 - Public Involvement (N/A)												0	\$ -						\$ -	\$ -
Task 8 - Final Conceptual Design Report		3	6		2	2	16	6	2	4	2	43	\$ 5,495						\$ 119	\$ 5,614
Element IV Subtotal	0	10	44	0	8	34	78	65	30	14	4	287	\$ 36,181	\$ 1,040	\$ 1,650	\$ 4,000	\$ -	\$ 3,500	\$ 586	\$ 46,957
Element V - Pump Station Evaluations																				
Element V-A - Memorial Park Pump Station Conceptual Design																				
Task 1 - Basin Analysis																				
Subtask 1A - I&I Analysis and Flow Monitoring Review		1	1	2		3	8					15	\$ 2,025	\$ 297					\$ 20	\$ 2,342
Subtask 1B - Basin Specific Wastewater Characterization and Forecasting		1	1	2		3	6	4	4			12	\$ 1,602						\$ 16	\$ 1,618
Subtask 1C - Basin Model Development		1	1	2		4	5	4				13	\$ 1,789	\$ 297					\$ 18	\$ 2,104
Subtask 1D - GIS Mapping Update (Contingency)					5	1						7	\$ 932						\$ 9	\$ 941
Task 2 - Pump Station Facility Evaluation	2	1	2	6	2	8	4	4				25	\$ 3,153						\$ 34	\$ 3,387
Task 3 - Pump Station Condition Assessment (Contingency Task)	2	1	2	6	1	8	2					22	\$ 3,043						\$ 30	\$ 3,073
Task 4 - Permitting and Environmental Review	1	1	2	2	8	6	8	8				26	\$ 3,069		\$ 4,000				\$ 31	\$ 7,100
Task 5 - Topographic Survey (Contingency Task)			2	2		2	6	2	4			16	\$ 1,976				\$ 6,600		\$ 84	\$ 8,660
Task 6 - Alternative Analysis																				
Subtask 6A - Alternative Analysis (Final Proofing) (Contingency Task)	2	1	4	6		6	18	4	6	0	47	\$ 6,001							\$ 156	\$ 6,157
Subtask 6B - Alternative Analysis (Siting)	2	2	4	8		4	10	8	8	2	54	\$ 6,758							\$ 196	\$ 6,954
Task 7 - Draft Conceptual Design Report	1	1	4	6	2	3	16	4	6	2	45	\$ 5,616							\$ 152	\$ 5,768
Task 8 - Public Involvement (Contingency Task)		2	4	8		2	8					24	\$ 3,442				\$ 6,050		\$ 74	\$ 9,526
Task 9 - Geotechnical Investigations		1	2	6	4	3	4	4	8	2	8	\$ 986		\$ 4,400					\$ 10	\$ 5,396
Task 10 - Final Conceptual Design Report	2	1	2	6	2	4	15	7	4	8	2	51	\$ 6,394						\$ 192	\$ 6,586
Element V-A Subtotal	11	12	30	56	0	21	64													



Personnel:

Labor will be invoiced by staff classification at the following hourly rates, which are valid from January 1, 2012 to December 31, 2012. After this period, the rates are subject to adjustment.

Senior Principal Engineer	\$187.00
Principal Engineer IV	179.00
Senior Consultant	176.00
Principal Engineer III	173.00
Senior Managing Engineer	170.00
Principal Engineer II	168.00
Managing Engineer	163.00
Principal Engineer I	160.00
Senior Engineering Associate	160.00
Senior Supervising Engineer	156.00
Supervising Engineer	152.00
Senior Engineer	144.00
Professional Engineer VII	137.00
Professional Engineer VI	130.00
Professional Engineer V	122.00
Professional Engineer IV	115.00
Engineering Designer IV	115.00
Professional Engineer III	108.00
Engineering Designer III	108.00
Engineering Designer II	101.00
Engineering Designer I	93.00
Technician III	115.00
Technician II	102.00
Technician I	89.00
Administrative III	82.00
Administrative II	73.00
Administrative I	65.00

Project Expenses:

Expenses incurred in-house that are directly attributable to the project will be invoiced at actual cost. These expenses include the following:

Mileage	Current IRS Rate
Postage and Delivery Services	At Cost
Printing and Reproduction	At Cost
Travel, Lodging and Subsistence	At Cost

Outside Services:

Outside technical, professional and other services will be invoiced at actual cost plus 10 percent to cover administration and overhead.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A special meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Thursday September 6, 2012. Mayor Knapp called the meeting to order at p.m. 7:10 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Núñez
Councilor Goddard
Councilor Starr

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, Assistant City Attorney
Eric Mende, Deputy City Engineer
Steve Adams, Interim City Engineer
Martin Brown, Building Official
Sandra King, City Recorder
Susie Farnsworth, Municipal Court Clerk
Susan Rosenberger, GIS and Mapping Technician
Chris Neamtzu, Planning Director
Andrea Villagrana, HR Manager
Joanne Ossanna, Finance Director
Steve Munsterman, Public Works Supervisor, Water

Motion: Council President Núñez moved to approve the order of the agenda.
Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

After announcing the upcoming regularly scheduled meetings, the Mayor reported on the activities of the Planning Commission, and announced the final neighborhood bar-b-que at Landover Park. The Mayor noted a study about Oregon passenger rail and ways to improve transportation between Portland to Eugene and on to California has begun. The study could be the beginning of a high speed rail line that runs through the current WES corridor and would have impacts on all of the communities that it travels through. Open houses are planned and more information can be found at www.oregonpassengerrail.org.

Mayor Knapp noted that campaign signs will be popping up during the election season, and the standards were not clear; he asked staff to work with candidates on the new standards and allowable placement of campaign signs.

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CITY COUNCIL MEETING MINUTES**

COMMUNICATIONS

A. Oregon Institute of Technology (OIT)

Martin Brown, Building Official, introduced Dr. Mateo Aboy, Associate Provost and Vice President for Research for Oregon Institute of Technology in Wilsonville.

Dr. Aboy told Council about the education opportunities offered at OIT which focus on engineering, engineering and technical management courses, technical education, and health sciences degrees. OIT ranks among the top universities in the United States, with students having an outstanding placement rate after graduation. The Wilsonville campus will open September 24, 2012.

Mayor Knapp welcomed OIT to Wilsonville and looked forward to the long term success between OIT, the City and the business community.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

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

Jim Fitch, 29395 SW Camelot, Wilsonville, thanked the City for working with the School District to put together the safe routes to school program. However, he was concerned about the children crossing the roundabouts after the first two weeks of school when teachers would no longer be helping kids cross the street. He requested Council to help when the School District does not place adults at the roundabouts that there be adults there to help the children.

Mr. Cosgrove suggested this was a manpower issue and there was nothing the City could do to provide manpower to monitor the crossings; however there may be an engineering solution. A meeting between the School District, parents, and the city will be held to discuss the issue.

Stanley Wallulis distributed an addendum to the letter he previously submitted to the Council via email. Mr. Wallulis thought his suggestions for the Water System Master Plan were preferable to Staffs proposal.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Núñez, Chamber Leadership and Library Board liaison, reported the Library Board reelected Hilly Alexander as chair, and noted "Banned Book Week" has been scheduled. Participation in the summer book programs was up; and the Library Board was looking for a youth member to join the Board. If students are interested they should contact Pat Duke at the Library. She announced the date for closure of the water features.

Councilor Goddard, Library, Chamber Board, and Clackamas County Business Alliance liaison, announced the Beauty and the Bridge dedication event set for October 7, 2012, as well as the Conservation Project Unplugged at Graham Oaks Nature Park.

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Councilor Starr, Development Review Boards and Wilsonville Community Seniors Inc. liaison, reported the next meeting dates for the DRB panels. He invited the public to attend the Lowrie Primary School Fundraiser whose proceeds would go towards art programs at the school.

CONSENT AGENDA

A. Minutes from the August 6, 2012 City Council meeting.

Motion: Council President Núñez moved to approve the Consent Agenda.
Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

NEW BUSINESS

Ms. Jacobson read the title of Resolution No. 2379 for the record.

A. **Resolution No. 2379**
A Resolution Adopting Collective Bargaining Agreements Between The City Of Wilsonville And SEIU Local 503 And Between The City Of Wilsonville And Wilsonville Municipal Employee Association (WILMEA).

Ms. Troha prepared and presented the staff report. Steven Schuback, Labor Relations Attorney from LGPI was on hand to respond to questions.

The Collective Bargaining Agreement with SEIU Local 503 expired June 31, 2012. The City began bargaining with the union in January. During the bargaining process, a petition was filed with the Employee Relations Board (ERB) for a change in representation and consequently bargaining was put on hold until ERB rendered a decision. Once the change in representation was approved, the City began bargaining two separate contracts. The City now has two collective bargaining agreements; one with SEIU, which now represents transit employees, and one with Wilsonville Municipal Employee Association (WilMEA), which now represents the general unit. The bargaining process was successful and resulted in two new collective bargaining agreements. The collective bargaining agreements are for a three year term; FY 2012-2015. Both contracts are within the City's 5 year financial forecast and market comparisons with other comparable cities.

Below is a summary of the compensation provisions for both contracts.

Summary of Economic Results: 3 Year Agreement – 2012-2015

Wage Adjustments	SEIU	WilMEA	2011 CPI-W Portland/Salem annual
Oct. 2012	0.5%	0.5%	3.0%
July 2013	1.5%	1.75%	
Jan. 2014	0%	0%	Insurance cost share WilMEA 90% / 10% (was 92% / 8%)

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July 2014	2.5%	2.5%	
Jan. 2015	0.5%	0%	Insurance cost share SEIU 90% / 10% (was 92% / 8%)

The City's two bargaining units have ratified new, three-year agreements. The process for coming to terms took several months longer than originally anticipated due to the bifurcation of non-transit employees into a new, local association hence forth known as WilMEA. The agreements before Council fall within the City's expected revenue forecast as set forth in the Wilsonville 5-Year Financial Forecast, and therefore are sustainable into the foreseeable future.

Councilor Starr stated Councilors had received an email from Jon Yochim, with questions regarding the collective bargaining process. The questions are:

1. "If tax payers get to weigh in on public expenses, shouldn't the budget committee obtain citizen input for employee wage packages, such as the collective bargaining?"
2. How can citizens have input on these negotiations?"

Mr. Cosgrove indicated he had responded to the gentleman's questions and provided a synopsis of his response to the Council. The Budget Committee generally is not the body that deals with collective bargaining that should be set by council in terms of their overall policy and strategies for employee compensation in general. Budget Committees typically set tax rates, approve budgets, and do not deal with the details of collective bargaining. Mr. Cosgrove offered Mr. Yochim suggestions for citizen input including attendance at council meetings to express their point of view, attendance at the budget committee meetings, asking staff questions and receiving information. In addition they can also be appointed to boards and committees and run for office.

Mayor Knapp asked for clarification in the evolution of insurance practices across Oregon.

Mr. Schuback responded about eight years ago the trend was 100 percent employer paid insurance. Since that time employees have been asked to contribute to their monthly premiums, in so doing most contracts have taken small steps towards employee contributions to insurance premiums. Coming off of 100 percent insurance, one would see a 98/2 percent where the employee would contribute 2 percent of the premium. The state wide trend now is a 90/10 percent cost share. Both contracts have a 90/10 cost share included at different points in the contract.

Mayor Knapp asked Councilors if they had additional questions, they did not. The Mayor noted that Council had received the resolution and agreements with a 'do pass' recommendation.

Motion: Councilor Goddard moved to approve Resolution No. 2379.
Council President Núñez seconded the motion.

Councilor Starr provided his perspective. The Councilors wanted to be good stewards of the citizens' money, to make sure Wilsonville is a great place to work, and that it continues to be a great place to live. State rules are involved in the negotiation process and the negotiation process is very different from the private sector. Both City employees and management came in good

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faith to negotiate and in these economic times the resulting agreement will help reach the goal of being good stewards of the city's money and maintaining a good place to work.

Councilor Goddard recognized the effort and dedication the represented employees provide in meeting the needs of the community. He appreciated the partnership between the management team and the represented employees and he looked forward to that partnership continuing. He agreed with Councilor Starr's comments about being accountable to the electorate and managing the City's budget. Councilor Goddard thought the agreements recognized both the budget constraints and the interests of the represented employees.

Mayor Knapp agreed with the Councilors comments. It was clear that running the City is a partnership between staff, management and the elected officials all trying to do their best in serving the interests of the community. The Mayor wanted to be sure the employees represented in these agreements understand how important they are to the operation of the City.

Vote: Motion carried 4-0.

CONTINUING BUSINESS

Ms. Jacobson read Ordinance No. 707 by title only on second reading.

A. **Ordinance No. 707** – Second reading

An Ordinance Of The City Of Wilsonville Adopting An Updated Water System Master Plan As A Sub-Element Of The City's Comprehensive Plan; Adopting A Capital Improvement Project List For Water Supply, Storage And Distribution; And Replacing All Prior Water System Master Plans.

The proposed Water System Master Plan replaces the existing 2002 Water System Master Plan, which was developed prior to completion of the Willamette River Water Treatment Plant. This revised Master Plan provides a 20 year planning document including estimated costs and timing for maintenance, upgrades, and growth related capital improvements to the City of Wilsonville water distribution system, which currently comprises approximately 107 miles of pipes, 4 storage reservoirs (tanks), 2 pump stations, 8 wells, over 1,000 fire hydrants, over 5,000 water meters, plus various other components.

As presented at the August 20, 2012 public hearing the City water system is in very good shape. The Master Plan identifies and prioritizes improvements to address current and future system deficiencies – most of which are “calculated” deficiencies (such as “emergency storage” requirements) based on conservative planning criteria. Estimated costs for various program elements including Operations and Maintenance, Major Repairs, and growth related Capital Improvements are included in the proposed Master Plan.

Two key recommendations are included in the Plan to address long term deficiencies. The first recommendation is to refurbish the City's existing groundwater wells and maintain them as a backup emergency supply source. The money spent on refurbishment of the wells is significantly less than the cost of the corresponding storage tanks, and is the most economical choice to

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protect against future emergencies.

Secondly, a new pipeline is proposed to the Charbonneau District, bored under the river from the main part of the City. The pipeline alternative has a better benefit / cost ratio than a new storage tank as well as a lower risk of damage during an earthquake, and is therefore the recommended alternative to achieve fire protection redundancy for the District.

The Water System Master Plan is designed to be a key reference document for City Staff, businesses, developers, citizens, and City Council. The Master Plan provides detailed information on the current status of the City's water system and provides planning guidance concerning the resources and infrastructure needed to ensure the City water system remains viable for the long term. The Master Plan will be the basis for prioritizing future Capital Improvements and will drive the future rate profile.

The City Council public hearing held on August 20, 2012 resulted in approval on first reading which included a change to Comprehensive Plan Goal 3.1 to add the words "adequate but not excessive capacity", and directed staff to provide a response to the comments by Mr. Stanley Wallulis made at the public hearing and distributed to Council, and to allow Mr. Wallulis opportunity to respond to staff's responses. Mr. Wallulis sent a response via email on September 4, 2012 that was distributed to Council.

Necessary follow-on work associated with this Master Plan include a rate study, and completion of an update of the Water Treatment Plant Master Plan, both of which are intended to be completed within the next 18 months. Funding options for projects within the Master Plan will be analyzed in conjunction with the rate study.

A Fiscal Year 2012/2013 budget of \$40,000 was identified for completion of this Master Plan and a follow on rate study. The budget is adequate and no changes are proposed.

The Water Master Plan meets the requirements of a Facilities Plan implementing the City's Comprehensive Plan under the state land use laws and it meets requirements under state water laws for developing a municipal water master plan. It also meets the requirements necessary to support the subsequent establishment of water system development charges and water rate utility fees as the Council may determine is necessary in the future.

A reliable, cost effective, and well planned water system protects the general health, welfare, and safety of the public and identifies the infrastructure needed to serve the needs of Wilsonville's existing water system as well as future growth.

Mr. Mende addressed the key policy issues reflected in Mr. Wallulis comments. The first is the Capital Improvement Plan is excessive and expensive where it concerns future emergency water storage needs. The second issue is the capital improvements that the City does need and Mr. Wallulis' belief the City has not done an adequate job of investigating less expensive alternatives such as new wells in the Charbonneau District as an alternative to providing a pipeline under the River, and the potential of aquifer storage rather than constructing tanks.

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On both points staff and the consultants disagree with Mr. Wallulis; however, not in terms of his technical analysis but in terms of the underlying level of service and reliability assumptions that are built into that analysis.

Regarding future storage Mr. Wallulis is correct, if the City changes its criteria for emergency storage from 2 days of average daily demand to one day of average daily demand, then there is no need for the proposed 3 million gallon west side reservoir. This is a policy decision on the part of Council. Mr. Mende reviewed both the 1986 and 2002 master plans and reducing the criteria from 2 days to one day represents a reduction in the level of service provided for the past twenty years to the residents and businesses in Wilsonville. Staff and the consultants do not recommend making that change; and feel two times average daily demand is prudent and appropriately conservative without being excessive and it is consistent with the level of service assumptions of the prior master plans, and the criteria used by neighboring communities.

Using the City's existing wells to offset storage requirements is one of the two primary recommendations of the Master Plan. Concerning the perceived lack of alternative analysis for Charbonneau, Mr. Wallulis offered three additional ideas: using surface ponds and swimming pools; drilling new wells; and use of aquifer storage rather than tank storage.

Tualatin Valley Fire & Rescue supplied a letter in opposition to the use of ponds and pools due to access issues. Drilling new wells in the Charbonneau District was considered however it was rejected and not included in the Plan given the 1500 gallon per minute fire flow requirement and fact that the current two wells, which provide just over 300 gallons per minute, made it apparent 4-6 additional wells would be needed for the required fire flow. The costs of drilling and the ongoing maintenance of new wells were excessive for "back up" wells and the idea was not carried forward. The key is that Charbonneau does not have redundancy for fire flow as the balance of the system does and something must be done to address that, in addition the under river pipeline was the most reliable and economical solution.

Aquifer storage and retrieval (ASR) was not considered in the fire flow or emergency storage calculations. Having extra water stored underground does not change the pumping capacity of the wells.

The issues raised by Mr. Wallulis are policy matters pertaining to the level of service and reliability and those are Council issues. Staff believes the Master Plan is technically sound, is cost conscious, not excessive, and consistent with the goals and policy of Council.

Mayor Knapp wanted to know if the future industrial areas, Coffee Creek and Basalt Creek, had been factored into the policy decision of what needs to be available.

Mr. Mende stated future demand for residential use is calculated differently from industrial and commercial uses. In addition to a general water demand on a per acre basis for undeveloped industrial property, one million gallons per day additional demand was included for unknown industrial users to accommodate future large users along the lines of a Coca-Cola.

Mayor Knapp raised the issue of water loss and asked for an explanation.

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Mr. Mende responded the Master Plan documents roughly 17 percent unaccounted for water. As part of this Master Plan additional investigation was done to look for sources of unaccounted for water. The evaluation of the system, age and integrity of the system leads staff to believe the unaccounted for water is not truly lost. Meaning the City is not losing a significant amount of revenue. Staff is focusing on the various meters throughout the system and along the distribution system. Staff does not believe there are major leaks or losses in the system.

Councilor Goddard agreed in providing capacity for today's needs and reasonable future capacity, while making sure the system is one that is affordable for the users. If the rates are too high to support all of the projects in the capital improvement plan would the Council be able to revisit specific projects in the CIP.

Mr. Mende noted that roughly 82 percent (\$21 million out of \$26.5 million) of the improvements in the CIP were growth related and would be paid for by development. If there is no development there was no reason for the improvements. Many of the projects from the 2002 Master Plan were carried forward to this Plan. One is the 48-inch pipeline (Segment 3-B) which is a cost share with the City of Sherwood. The other is the west side 3 million gallon reservoir which was identified in the 1986 Master Plan and the 2002 Master Plan as a need based on growth. Mr. Mende assured Council the Capital Plan is reviewed annually and staff does not build unnecessarily.

Councilor Starr commented the statement in the Master Plan regarding an "aggressive leak detection program" and the 17 percent of unaccounted for water was incongruent. He thought resolving this matter could lower the price of water in the City and was there anything to determine if the water was truly 'lost'.

Mr. Mende stated staff has been investigating the matter but so far nothing has revealed where the water is going. The main meters have been recalibrated during the past year; individual commercial meters have been looked at, as have the two main distribution turnouts connecting to the transmission system. Staff was focused in two areas, one large meter at Brockway and some operational considerations at the Water Treatment Plant. The leak detection program is done on an annual basis and over the course of five years all parts of the City are covered. The industry standard for unaccounted water should be below ten percent with the lowest number being at five percent.

Councilor Goddard stated the unaccounted water represented lost revenue that other customers are covering, and it seemed to him that making up for some of that lost revenue warranted some investment.

Council President Núñez agreed with the comments of the other Councilors and wanted the percentage of unaccounted water to be reduced.

Motion: Councilor Goddard moved to adopt Ordinance No. 707 on second reading.
Council President Núñez seconded the motion.

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Councilor Starr wanted to insure the Master Plan included the need to find the gap as a part of the Plan. Mr. Mende pointed out recommendations for addressing the unaccounted for water was included in the Master Plan in Chapter 2, on page 213 as well as the recommendation to put flow meters on different subsections of the water system to narrow down where potential unaccounted for water locations are.

Vote: Mayor Knapp - Yes
Council President Núñez - Yes
Councilor Goddard - Yes
Councilor Starr - Yes
Motion carried 4-0.

B. Resolution 2350 *(continued from August 20, 2012 Public Hearing)*

A Resolution Of The City Of Wilsonville Authorizing Establishment Of A Reimbursement District To Refund To The City Of Wilsonville The Pro Rata Costs For The Segment 1 Extension Of The Coffee Lake Drive Sewer Line Infrastructure Improvements That Will Serve Properties Within The Reimbursement District

Ms. Jacobson read the title of Resolution No. 2350 for the record.

At the August 20, 2012 Council meeting, staff requested that this item be continued to the September 6, 2012 Council meeting and requests the resolution be further continued to the date of October 1, 2012.

Motion: Councilor Goddard moved to continue Resolution No. 2350 to the October 1, 2012 Council meeting.
Council President Núñez seconded the motion.

Vote: Motion carried 4-0.

CITY MANAGER'S BUSINESS

The City Manager provided a brief meeting recap. Mr. Cosgrove asked the Council to let staff know what events they will be attending at the League of Oregon Cities conference.

LEGAL BUSINESS – There was no report.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

ADJOURN

Motion: Council President Núñez moved to adjourn.
Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

The Council meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

TIM KNAPP, MAYOR

Senior Programs Move to Clack Comm. College

The Senior Nutrition Program and several senior classes are in full swing at Clackamas Community College!

Approximately 30 older adults have been finding their way to CCC and enjoying a noontime meal as well as conversation with friends.

The numbers for the Stretch Strength and Stamina class have been strong since its move to the college with 27 individuals in attendance on September 17th.

Two Pilates classes and Partners Bridge started at the College this week, with the Watercolor class relocating on Oct. 1st.

Martin Brown, the project manager for the Community Center Kitchen Remodel, said construction will begin on Monday, October 1.



Jr Cat Soccer Moves to Memorial Park



Another result of the Community Center remodel project was the relocation of the Jr Cat Soccer class which typically takes place in the Center's multi-purpose room.

For the Fall session, Jr Cat Soccer is meeting outside in Memorial Park. 18 soccer players/ ranging in age from 3 1/2 to 6 years old meet once a week to run and play while learning team work and getting familiar with the game of soccer.

Community Services Department

Volunteer steps up to lead summer Tai Chi



If you think one volunteer can't make a difference, you haven't met Chuck Smith. Chuck is a retired teacher and football coach at Wilsonville High School. He studies Tai Chi twice a week in the Center's Adult 55+ Tai Chi Studio Class. For the second consecutive summer, Chuck volunteered to lead 'Tai Chi/Qigong in the Park' twice weekly at Murase Plaza in Memorial Park. This past summer, the group met 22 times, with an average attendance of 13 participants. Over the course of the summer, 281 individuals learned how Tai Chi and Qigong can reduce stress, improve balance, reduce blood pressure and produce an overall feeling of well-being.

Adult 55+ Classes Going Strong

The promise of dust, noise and other interruptions that go along with operating a building during construction have not deterred Community Center participants.

Fitness Specialist Brad Moore's two levels of Healthy Bones and Balance class are more popular than ever with 29 signed up for the Beginners Level, and 16 in the Returning Student class.

James Lusk's Tai Chi Studio for Intermediate students also continues to be a draw, often spilling over into additional classrooms with 29 students.



Upcoming Events

Fall Harvest Fest

On Saturday, October 13th from 1:00 pm - 3:00 pm at the Stein Boozier Barn, Wilsonville Parks and Recreation will host the 4th annual Fall Harvest Fest. There will be pumpkin decorating, horse and wagon rides, as well as, a costume contest and parade at 1:30 pm and story time presented by the Library at 2:30 pm. The event is free and open to all ages.

Annual Medicare Over and 1:1 Check Up

Jack Alwen, who has received extensive training through Clackamas County Senior Health Insurance Benefits Assistance Program (SHIBA) is back to help seniors sign up for the right Medicare supplement program. On October 10th at 1:30 pm Jack will present a Medicare Overview at the Center along with other SHIBA volunteers. Participants can also sign up for a 1:1 Medicare checkup appointment that will be held at the Center on November 1st with appointments beginning at 9:00 am.

WILSONVILLE
PUBLIC WORKS DEPARTMENT
City Council Report, September 18, 2012

WATER DISTRIBUTION

Community Events Participation

We recently finished up the summer public event season having participated six times in providing education and information about our services including Drug Take Back, Freeze the Grease, Dial 811 Utility Locates, Backflow Prevention, Wise Water Use Landscaping, and information about the water and wastewater treatment plants. The highlight of the summer was an event held at Xerox where all 1,300 Wilsonville Xerox employees were given the opportunity to participate in a safety, health and environmental fair.



Water Treatment Plant

The water treatment plant has reached some new heights this summer with the daily flow to Sherwood at 2.5 million gallons and a Wilsonville peak flow of 6.5 million gallons occurring on August 17, 2012. The plant produced slightly over nine million gallons that day which is now the all-time peak production day for the plant. Previously the all-time high production day was 6.6 million gallons which still stands as the Wilsonville system use record. Since July 1, 2012, the water treatment plant has operated on a new 24/7 basis operating strategy enabling the extra production for Sherwood to occur as well as meeting Wilsonville's needs.

ROADS & INFRASTRUCTURE

Cleaning up Charbonneau Trees

The large Oak trees along French Prairie Drive in Charbonneau, from time to time need manicuring and a little tender loving care. The trees depicted in the attached pictures are Pin Oak and are over 40 years old and as is, typical to the species, have a natural inclination to become twiggy and unsightly. The Public Works' Roads Section recently contracted the removal of dead wood and unsightly twigs from the mature trees. Also depicted in the attached pictures are the trees that are looking pretty majestic after this much needed maintenance. In recent years through budget tightening measures the trees have not received regular, yearly, ongoing maintenance including critical mulching and Mychorrhizae supplements as well as the removal of dead wood. Mulching and Mychorrhizae fungi aid in the general health of trees grown in adverse conditions such as small street planters and other less than desirable sites. There are approximately, 1,000 Oak trees on French Prairie Drive with the majority of trees being Red Oak and then Pin Oak with a few White Oak dispersed throughout the population.



Fence Maintenance

You may have noticed that the fence just northeast of City Hall along Town Center Loop East, just received new coat of paint. Because of the importance of putting our best face forward, this fence became the responsibility of the City to maintain some years back. It regularly gets tagged with graffiti and with the removal of graffiti the fence undergoes more trauma to the painted surface which shortens the total life span of the paint. Public Works has this fence on a regular six year maintenance schedule with more frequent maintenance as events dictate. This fence is the responsibility of the Public Works' Roads Section to maintain.



PARKS, BUILDING & LANDSCAPE MAINTENANCE

Wilsonville Project Receives Statewide Recognition

Recently, Wilsonville Public Works staff received recognition from the Oregon Recreation and Park Association. The recognition was presented to Matt Baker and Floyd Peoples on behalf of the City of Wilsonville at the Annual ORPA Conference held in Medford, Oregon.



The award was presented to the City for the 2012 MACS Outstanding Project of the year. MACS is an acronym for Maintenance and Construction Section, a working group of parks maintenance professionals of ORPA.

The important message here is the project was conceived, designed and constructed by Wilsonville Public Works' Park Maintenance staff showcasing their many and varied skills. You may have noticed the one-of-a-kind drinking fountain designed and constructed as part of the project.

Please see attached nomination letter for more details.



Maintenance & Construction Section
Oregon Recreation & Park Association

2012

MACS OUTSTANDING PROJECT OF THE YEAR

Nomination Sheet

This nomination is in recognition of an outstanding maintenance or construction project completed by an ORPA member agency during the past year.

Project Name: Tennis Court Viewing Plaza Improvement

Project Location: Memorial Park, Wilsonville, OR

Park Agency or ORPA member: City of Wilsonville

Project Description (describe the project and why it should be nominated. Provide information about its function, who it will serve, size, cost, unique features or use of materials):

Wilsonville's Tennis Court Viewing Plaza Improvement Project is nominated as a MACS Outstanding Project for 2012 due to its interesting design elements, use of native materials, and multi-functionality that was all done with a limited budget.

This staff-designed and constructed park project serves many functions. It offers an attractive buffer between the parking area and the east side of Memorial Park near the park entrance. It provides three beautiful and serene picnic areas. It affords a seating area for watching tennis matches and it provides two different routes of the larger park pathway network.

The project covers a 62 foot by 230 foot (14,260 sf) area and cost approximately \$44,500. Native, drought tolerant plants such as: White oak, Huckleberry, Spirea, Red Twig Dogwood, Snowberry, Oregon Grape, Manzanita, Bulrushes, and Sedges were incorporated throughout the project area. Over 40 native basalt, landscape boulders were placed in the plaza to provide a combined function as both a retaining wall and a seating area.

Reuse of materials was realized with this project. Bollards installed at each end of the sidewalk were recycled from the City's storage and the three picnic tables were constructed of Douglas Fir with surplus metal frames.

A unique element used in this project is a one-of-a-kind palisade, basalt rock drinking fountain that was created by drilling a six foot tall, 30 inch diameter boulder and installing water piping and fixtures.

Another exceptional component of this project is the pathway that was constructed using pervious pavement for the middle section of the pathway that meanders to mimic a stream. The subgrade under the path was over-excavated and backfilled with large

grade rock to provide runoff storage. A pervious pipe was also installed under the pathway to accommodate larger water runoff events. Stamped concrete was installed on either side of the pervious pavement to resemble a stream bank. This distinctive path provides access to the tennis courts and is part of the park path system.

Project Photo's (attach photos of finished project)

Nomination submitted by:

Name: Delora Kerber, Wilsonville Public Works Director

Address: 29799 SW Town Center Loop E, Wilsonville, OR 97070

Phone: 503-570-1542 **Email:** kerber@ci.wilsonville.or.us

Nominations must be received by July 20, 2012 in order to be considered for this year's award. Please email your nominations to jborboa@westlinnoregon.gov or send it to:

**Jennifer Borboa
City of West Linn Parks
4100 Norfolk St
West Linn OR 97068**

COMMUNITY DEVELOPMENT MONTHLY REPORT

SEPTEMBER 2012

LONG RANGE PLANNING ACTIVITY

- **Planning Commission:**
At their September 12th meeting, the Planning Commission held a work session on the draft Basalt Creek Transportation Refinement Plan as well as discussed the policy framework for the Transportation System Plan (TSP). The draft policies are largely based on the City's existing adopted policies on how to build, manage, and implement improvements to the transportation system. The next Planning Commission meeting will be October 10th, with tentative topics including the Large Lot Regional Industrial Site Readiness Project; draft banner district policy discussion; and the TSP virtual open house.
- **Transportation System Plan Update:**
The project team continues to work on the preferred solutions package and the financially constrained project list. For more information on the TSP update, please visit the City's web site at: www.ci.wilsonville.or.us/Index.aspx?page=949

CURRENT PLANNING

- **Fox Center Townhomes:** The DRB voted to continue the review of the Comprehensive Plan Map Amendment, Zone Map Amendment and plans for 16 townhomes on Willamette Way East to their October 8th meeting.
- **Wilsonville 76 North:** On September 24th the DRB will review plans to rebuild the existing fuel island and to build a new convenience store.
- **Wilsonville Road Business Park:** Staff is reviewing a request to modify a DRB condition to allow more retail commercial and office uses.
- **Villebois-Piazza:** Staff is reviewing plans for the Village Central "Piazza".
- **Villebois-PDP-4 East:** Staff is reviewing plans for 93 lot single-family subdivision adjacent to the west and north sides of Lowrie Primary School.
- **Villebois-PDP-3 East:** Staff is reviewing plans for 185 lot single-family subdivisions south of Boeckman Road and east of 110th Ave.

ECONOMIC DEVELOPMENT

- Council adopted the Economic Development Strategy at their August 20th meeting. Staff is returning to Council on September 17th, to discuss next steps and the creation of an Economic Development Task Force to discuss issues such as incentives.

SMART Admin/Fleet

- Window installation is underway, HVAC ductwork is being installed, and interior framing is complete. Concrete site work for bus parking will begin shortly.

West Side Water Reservoir

- Property acquisition was completed in August.

City Surplus Properties

- Advertising of the dwelling on Tooze Road will begin by the end of September with offers to be accepted in December. This time frame is to allow potential buyers time to conduct due diligence into moving the dwelling off the property. After purchase, sufficient time will be granted to buyer to obtain any necessary permits and land use approvals to relocate the dwelling.
- The appraisal for the City property on Canyon Creek Road came back at \$200,000. It is on staff's schedule to begin marketing this property in November.

BUILDING

Developments under construction are:

- The Bell Tower (Building G, Old Town Square) – Multi-Family/Commercial
- Villebois homes by Polygon, Legend and Lennar (remove Arbor)
- Cross Creek Subdivision by Stonebridge Homes
- Oregon Institute of Technology C of O issued
- New Fleet Building
- Boone Building (Boones Ferry Road) - Tenant Improvements
- Wilsonville Business Center at Wilsonville Road/Kinsman Road - Tenant Improvements
- Jory Trail at the Grove, Phase 1, apartments (formerly Branchley Estates)
- Lowrie Elementary School – C of O issued
- Mentor Graphics Data Center
- Branchley Estates Phase I North Multi-Family/Commercial
- Branchley Estates Phase II - Residential
- Polygon Phase 5 South
- Old Town Square (Lynne Angel Bldg.) Tenant Improvements – Temp C of O
- Shredding Systems Addition
- Community Center Kitchen Remodel/Addition

NATURAL RESOURCES

- Working through permit issues for Morey's Landing and Rivergreen HOAs.

ENGINEERING-CAPITAL PROJECTS

- WWTP DBO (2082): Aeration Basin #3 is complete; Primary Clarifier demolition is in progress. Underground piping continues. On schedule, on budget.
- SMART Admin/Fleet: Framing is nearly complete for the office portion of the building.

- 95th-Boones Ferry Road (4041): Contractor has installed most of the asphalt road on Boones Ferry and concrete road on 95th. This week work continues in removing and replacing old concrete panels that had cracked and were in poor condition.
- I-5/Wilsonville Rd (4002): Sidewalk installed on south side of underpass; handrail and custom panels to be installed late September. Tile work is mostly completed.
- Boeckman Road Reconstruction (4177): Roadway has been demolished; K&E Excavating will soon start placement of surcharge embankment rock.
- Boeckman Road Bike/Ped (4702): Sidewalks and asphalt work was completed Sept. 5. Temporary fence has been installed while waiting for permanent handrail to be galvanized. Permanent striping and hydroseeding to be completed by Sept. 21
- Safe Routes to School (4147): Temporary sidewalks, flashing school zone signage, ADA ramps and crosswalks at Camelot & Yosemite and additional street signs and crosswalks have been installed.
- Final Draft of Water System Master Plan (1082) Adopted by Council on 2nd Reading, September 06, 2012.
- Segment 3b 48" Water Line Final Design at 55%. Draft Specs and Contract Docs reviewed and edited. On schedule, on budget.
- Barber Street Bridge (4116) final design is underway. Geotechnical work is being delayed by lack of access permission from S. Young. BPA line raise was completed the week of August 27.
- Protective – Permissive Signal Heads (4118): Design is underway for a Protective – Permissive left-turn signal at Parkway and Boeckman.
- Update Traffic Signal Controllers (4153): Working with Clackamas County Transportation to upgrade all traffic signal controllers in the City to the new 2070 control cabinet. This will allow better syncing and communication between the City's signal lights. We will also be replacing the video cam detection system at Kinsman @ Wilsonville Road with an improved radar detection system that should improve signal performance and timing at this intersection.
- Kinsman Road (4004): Final design services being negotiated with OBEC / ODOT.

ENGINEERING-DEVELOPMENT

- SSI Shredding Systems: DRB approved plans for 12,749 sq. ft. building expansion, parking and site improvements on Freeman Court.
- Villebois South PDP-Polygon NW: 27-lot subdivision on the west side of Villebois. All underground pipework has been installed; curb and gutter and first lift of the asphalt street has been installed.
- Villebois North PDP 1 Phase 1 – Polygon NW: 82-lot subdivision on the west side of Villebois; all underground pipework has been installed; sidewalks in the 4-acre regional park have been installed.
- Grahams Ferry Road: Construction has been slowed waiting for undergrounding of overhead utility lines. PGE has completed their work; waiting on Comcast to underground their lines. Contractor then will proceed with completing street work.
- Copper Creek Subdivision: 21-lot subdivision on the east side of Canyon Creek Rd. North, across from the Xerox campus. All underground pipework has been installed
- Brenchley North: Apartment complex at north end of the old Thunderbird Mobile Home park; contractor is installing underground pipelines for water, storm and sanitary service.
- Brenchley Estates Phase 2: a 32-lot subdivision located between the apartments at Jory Trail at the Grove and Brenchley North; site is being cleared and graded.

Councilor Concerns / Follow Up Items

Last Updated September 17, 2012

Meeting Date	Concern / Request	Staff Member /Department	Date Completed
September 6	None.		
August 20	Advance Road Site sports fields when will they be built? Review of Parks & Rec Master Plan for timing of new sport fields, priorities and funding. Survey results for aquatic/rec center what is possible considering the funding that was acceptable, feasibility study	Chris N. BC	10/1/12 joint WS w/PC/CCI
August 6	Signs at city construction projects identifying the project and funding	Chris N. and Nancy K. will work with contractors to insure signs are installed.	
July 16	<ol style="list-style-type: none"> 1. Permanent location for Public Works Shops 2. Amend code to insure parking at new developments was adequate 3. Density conversion tables status (said we'd return in a month on 5/21/12) 4. Move forward on Community Center 	<ol style="list-style-type: none"> 1. Delora K 2. Chris N. 3. Chris N. 	 10/1/12 joint WS w/PC/CCI 10/1/12 joint WS w/PC/CCI
July 2	Light pole on the NE side of Wilsonville Road/I-5 intersection in front of monument sign	Chris N. to respond	
June 18	Schedule time to discuss Vision and big picture issues What actions are being taken to prepare for the Advance Road area concept planning to be included in the 2014 UGB expansion	BC Chris N.	Council Retreat 2013 10/1/12 joint WS w/PC/CCI
April 16	Joint meeting with West Linn-Wilsonville School Board Also with Tualatin Council to follow up on transportation	BC to Pin down in 2013	After new year & new Council
March 5	Tutorial about legal aspects of land use, what Council can and cannot do Review of the Comprehensive Plan	Chris N.	10/1/12 joint WS w/PC/CCI
February 6	Amnesty program for old municipal court traffic fines	Joanne O. will look into matter	

Attachment B

Planning Department Council Concerns Update

In response to recent City Council requests for information on the status of several projects, staff prepared the following update.

- **Disconnect between zoning code and CP on density.**

This project is underway. Katie Mangle, Long Range Planning Manager, began by gathering information from current planning staff, reviewing applications and meeting minutes for case files during which the problem arose, and analyzing the Development Code and Comprehensive Plan text. A project problem statement has been completed, and draft “solutions”, which will evolve into proposed amendments, are being drafted. Staff is preparing to brief the City Council on the problem definition and potential solutions during a work session November 18th.

- **Advance Road Fields timing/UGB expansion.**

Planning staff is working with Clackamas County staff to define a possible path for developing the public park prior to the rest of the area. County staff is currently researching the issue, and staff will report to Council when more information is available.

The 5 Year CIP allocates funding to this project beginning in FY 15-16. Timing is contingent upon the following steps:


- 1) Bringing the property into the UGB – this could potentially be initiated by the City or the School District.
- 2) Annexing the property into the City of Wilsonville, if necessary to provide utility services.
- 3) Partitioning the property from the larger property owned by the school district. (It may be possible for this to occur prior to UGB inclusion, if doing so simplifies the UGB process.)
- 4) The school district conveying the property to the City.

The schedule for the larger Advance Road / Frog Pond planning and expansion is related to several regional milestones:

- Spring 2013: Metro Construction Excise Tax (CET) grant application process. This is the most likely source for funding concept planning for Frog Pond/ Advance Rd. A concept plan is required before the area may be considered for UGB expansion.
 - Late 2014: Release of Metro’s Urban Growth Report (UGR), which will assess the regional need for new growth areas.
 - 2015: UGB Expansion Decision to determine which, if any, urban reserve lands will be added to the UGB.
 - Programming and design of the sports fields and public park: \$160,000 (2007\$). City share of final design and construction: \$3.25m.
- **Review of parking standards**
Following adoption of the TSP, the City will review its parking regulations to implement TSP policies, ensure requirements are appropriate, and improve the review process.

City of Wilsonville
City Council Meeting
October 1, 2012 Sign In Sheet

Name	Mailing Address
Vern Wise	
Doris Wheeler	
Julie Fitzgerald	



Dan & Justine Gjurgevich

Dear Mayor
Knapp & Council!

Thankyou!

Thankyou!

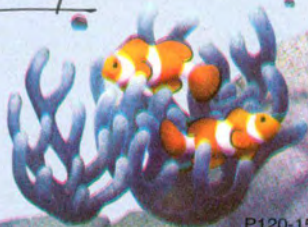
for Having the
walking trail on
Boeckman Road
PAVED!

It is very much
appreciated!


Thankyou for ALL
your hard

work that
you do

to



P120-1582



Dan & Justine Gjurgevich

Make our city
a wonderful
Place to call
Home!

Sincerely,

Justine Gjurgevich
(15 year resident)

Rec'd
9/24/12
ack



P120-1582

September 20, 2012

Mayor and City Councilors
City of Wilsonville

Chair & Board of County Commissioners
Clackamas County

*Rec'd
9/24/12
ASH*

Dear Elected Officials.

I recently read in the Wilsonville Spokesman that discussions were being held between the City of Wilsonville, Clackamas County and the Chamber of Commerce regarding a continuing financial and working relationship with the Chamber of Commerce regarding the Visitors Center in Wilsonville.

As a resident and taxpayer in Wilsonville and Clackamas County I wish to voice my concerns regarding such discussions. Recent newspaper articles and some letters to the editor have raised serious concerns about the use of public dollars by the Chamber of Commerce. I share many of those concerns.

Some have said that the Chamber is a service organization, and provides a benefit to the city and county by promoting local businesses. That may have been true in the past, and may be somewhat true today. However under its current leadership the past few years, it has been transformed into primarily a political organization with its own political philosophy, agenda, and lobbying efforts. There can be no justification for public dollars being used to fund the salary of the CEO of a private organization, particularly one that is so political.

Apparently, according to news reports, the Chamber's decision to endorse political candidates has been as controversial within its own membership as it has been within the wider community. But that's not the full extent of the Chamber's political activities. Many in the community are well aware that the Chamber has encouraged the candidacy of, and actively raised campaign funds for some current members of the current City Council. And all this, while having half its CEO's salary paid by our public dollars. That is just ethically wrong, I believe illegal, and frankly un-American. The CEO's suggestion, as mentioned in the Spokesman, that the city/county dollars are really spread among all the chamber employees and simply shows only on his own salary for accounting simplicity is just a convenient rationalization in the face of scrutiny. Even if that were true, the funneling of public dollars to a private organization that has no direct responsibility for or charter to provide services to the general public is unwarranted. In addition, subsidizing a private political organization by providing space in a public building at less than market value is a further violation of the use of public monies.

Our governmental institutions have a responsibility to ensure that public dollars are clearly used for non-partisan public purposes. It's a matter of trust. And that trust is jeopardized when there is even a hint of misuse or suggestions of impropriety.

There are simply too many unanswered questions in this murky relationship between the Chamber of Commerce and our local governments to have any confidence that our public dollars are being used appropriately. It's time for the city and county to make a clean break with the Chamber of Commerce and contract with another entity or individual for tourism services. The credibility of our governmental institutions, and you as elected officials, is unnecessarily being placed at risk on an issue that frankly can easily be resolved by finding another entity or individual to provide the desired Visitor Center services.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Todd", written in a cursive style.

Lynn Todd
29899 S W Camelot
Wilsonville, Oregon

cc:

Bryan Cosgrove, City Manager, City of Wilsonville
Steve Wheeler, County Administrator, Clackamas County



CH2MHILL®



29799 Town Center Loop East
Wilsonville, OR 97070 --
503-682-1011 Phone
503-682-1015 Fax Administration
503-682-7075 Fax Community Development
www.ci.wilsonville.or.us

September 20, 2012

CH2M HILL
9725 SW Tauchman St
Wilsonville, OR 97070

Attention: Residents of Old Town, Kalyca Terrace and Day Dream Ranch

Reference: City of Wilsonville Wastewater Treatment Plant (WWTP)
Odor Control Implementation During Construction

Dear Resident or Business Owner:

Subject: Temporary Odor Control Measures at the WWTP

We understand that offsite odor impacts have occurred periodically over the summer months, particularly in the neighborhoods closest to the plant, and we are sensitive to the impacts it is having on your homes and businesses.

The purpose of this letter is to inform you of the City's concern about offsite odor impacts during construction of the City of Wilsonville WWTP improvements and to summarize what the City's contractor, CH2M HILL, has done and will be doing to proactively control odors throughout the construction duration. We want you to know that CH2M HILL and the City are committing substantial resources to implement odor control measures and monitoring to limit these impacts.

To that end, we have developed the attached information to answer common questions you may have.

We hope this letter provides you with information about odor control efforts during construction at the treatment plant. We greatly appreciate your patience while we continue to proactively address the varying odor emissions at the plant. With the oncoming cooler weather we expect improved odor conditions overall and we look forward to completing the new long-term solution to the problem by the end of 2013. We will provide updates to you as the project progresses. Please do not hesitate to contact Robert Pieper, CH2M Hill's Design/Build Manager for the project, at (503) 682-1077 if you have any questions or concerns.

For Odor Complaints, please contact Robert Watts at (971) 219-5688

Sincerely,

CH2MHill

Robert Pieper
Design/Build Manager, Wilsonville WWTP

Sincerely,

City of Wilsonville

Nancy Kraushaar, PE
Community Development Director

cc: File

Q: Why do there continue to be odors generated? Isn't the upgraded facility supposed to include state-of-the-art odor control?

A: Construction of the new facility is expected to last through 2013. Unfortunately, elimination of existing, odor-generating facilities, and implementation of new odor control measures will not be fully in place until the end of the construction. Until that time, CH2M HILL is providing interim odor control systems in an effort to minimize the impact to the community. Once the long-term odor control systems are operating, off-site odor conditions will dramatically improve due to their robust and proven effectiveness.

Q: The odor seems different than in the past. Has the odor treatment system changed?

A: The Wastewater Treatment plant previously operated a multi-stage odor control system for controlling odors from the plant. This system consisted of dual stage bioscrubber system followed by compost biofilter. The dual stage bioscrubber consistently performed poorly. Construction phasing requirements necessitated the removal of the biofilter, and due to the poor performance of the dual stage bioscrubber, that system was also removed and replaced. An interim single stage granular activated carbon (GAC) system was installed in its place. This system is currently in operation and treats foul air from the operating digester and sludge holding tanks.

Q: What is the source of the odor?

A: There are a number of factors that result in offsite odors. Warm weather conditions, as we have recently seen, typically drive higher generation of odorous compounds such as hydrogen sulfide and other organic reduced sulfur (ORS) compounds. The plant must continuously treat wastewater throughout construction, even as new facilities are built to replace existing structures. This complex construction sequencing requires process changes to facilitate the work. These process changes sometime cause changes in odor characterization, making continuous monitoring a key success factor. Recent process changes have resulted in generation of an odor constituent known as mercaptan (an ORS) at much higher concentrations than expected or previously measured. Mercaptans are the odorant used in natural gas so that a leak can be detected.

Q: Why isn't the interim system working and what is the City doing about it?

GAC systems are generally well suited to treating odors. Various different dry medias are available and can be tailored to treat the specific target odor constituent. The initial media selected for the interim odor control system was a virgin activated coal based carbon. This media is excellent for removing hydrogen sulfide (H₂S), the primary odor generally found at wastewater treatment plants, but does not effectively remove other ORS compounds such as mercaptan. As a result, the GAC media was changed out to a specialized mix of carbon and potassium permanganate suited for treating both H₂S and mercaptans. In addition, the two interim odor control vessels were retrofit with tall stacks to improve dispersion.

Q: The odors were eliminated for a while but then returned. What happened?

A: The upgraded media and added stacks improved offsite conditions significantly. On-going monitoring proved that the media was effectively removing both H₂S and mercaptans. However, additional process modifications at the plant for accommodating construction activities along with warm temperatures caused more spiking of mercaptans which has resulted in premature saturation of the media. A sample of the media has been sent to the supplier to confirm any available capacity. If results indicate the media is spent, new media has been ordered and will be delivered and installed on Monday, Sept 24, 2012.

Q: What actions are being taken to address the problem?

CH2M HILL and the City are committed to reducing offsite odor levels during the construction phase at the Wilsonville WWTP. Future warm temperatures along with process modifications needed to accommodate changing construction activities may continue to bring odor challenges and the potential for offsite odor impacts. CH2M HILL will continue to monitor and implement required odor control measures as necessary. Options moving forward include:

- Continuous monitoring of odor containment and system performance.
- Replacement of dry media at interim odor control system as necessary when media is spent.
- Increasing process air flows at digesters and sludge holding tanks, which would oxidize odors and reduce emissions. This option is somewhat limited due to blower capacity limits.
- Chemical dosing with a precipitant or oxidant type chemical that would tie up odor-causing compounds in the liquid and reduce loading on the interim odor control system. Care would be necessary in chemical selection so as to avoid negative impact to the disinfection process.