



AGENDA

CITY COUNCIL

91136 N Willamette Street

541-682-7852 | coburgoregon.org

Tuesday, December 12, 2023 at 6:00 PM

This meeting will be held in person and through Zoom. To participate by Zoom you will need to pre-register by 3 PM the day of the meeting. For Questions contact City Recorder, Sammy Egbert, sammy.egbert@ci.coburg.or.us, at 541-682-7852.

CALL THE CITY COUNCIL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR COMMENTS

AGENDA REVIEW

CITIZEN TESTIMONY *(Sign up prior to meeting. Limit 3 minutes.)*

RESPONSE(S) BY CITY COUNCIL

CONSENT AGENDA *(Councilors may remove an item from the "Consent" agenda for discussion by requesting such action prior to consideration.)*

1. Finance Audit Committee Member Appointment
2. Minutes November 14, 2023 City Council

SPECIAL GUEST

ORDINANCES AND RESOLUTIONS

COUNCIL ACTION ITEMS

3. Transportation Safety Ad Hoc Appointment
4. Water Fund Capital Project Expenditure for Coburg Water (Hydraulic) Modeling
5. Wastewater Facilities Master Plan Sole Source Procurement
6. Wetland Credits for Waterline Extension and Service Connection

ADMINISTRATIVE INFORMATION REPORTS

7. City Logo Discussion
8. Pioneer Valley Estates Open House Update
9. Council Vacancy Recruitment and Appointment Process
10. Administration Monthly Report

COUNCIL COMMENTS

UPCOMING AGENDA ITEMS

State of the City

FUTURE MEETINGS

- December 13 Heritage Committee
- December 20 Planning Commission
- December 25 City Hall Closed - Christmas
- January 1 City Hall Closed - New Year's
- January 9 State of the City & City Council

ADJOURNMENT

The City of Coburg will make reasonable accommodations for people with disabilities. Please notify City Recorder 72 hours in advance at 541-682-7852 or sammy.egbert@ci.coburg.or.us

All Council meetings are recorded and retained as required by ORS 166-200-0235.



COBURG CITY COUNCIL ACTION ITEM

Finance Audit Committee Appointment

Meeting Date	Staff Contact	Phone	Email
November 14, 2023	Sammy Egbert, City Recorder	541-682-7852	Sammy.egbert@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Consider appointment of Jeffrey Miliam to the Finance Audit Committee

Suggested Motion

I move to recommend Mayor Bell appoint Jeffrey Miliam to the Finance Audit Committee to fill vacant position term expiring June 30, 2025.

BACKGROUND

Finance Audit Committee has had a vacancy since July 2021. Recruitments has been posted on the website, Facebook, and in Our Town. One application was received from Jeffery Miliam on October 23, 2023.

Finance Audit Committee Bylaw:

Section 1. The Audit and Finance Committee shall consist of five (5) persons, one of whom will be an incumbent City Councilor. Five members shall be City residents. Members shall be nominated by the Mayor, and confirmed by the City Council. Interested parties may submit an application for the Committee. The Mayor shall consider such applications.

Section 8. The Finance Committee shall review applications for membership to the committee and make recommendations concerning the filling of vacancies on the committee to the Mayor. Any vacancy shall be appointed by the City Council for the unexpired term of the predecessor.

As required by Finance Audit Committee Bylaws the application was forwarded to Finance Audit Committee for review at their November 2023 meeting. The Committee agreed to recommend that Mayor Bell, with support of the Council, appoint Jeffrey Miliam to the existing vacancy.

RECOMMENDATION AND ALTERNATIVES

1. Appoint Jeffrey Miliam to Finance Audit Committee to fill vacancy.
2. Continue the recruitment in hopes to receive additional applications.

PUBLIC INVOLVEMENT

Public Notices to fill these positions were posted multiple times during the recruitment period.

NEXT STEPS

Upon appointment, a notification email will be sent out to applicant that includes committee bylaws and other committee specific items. A meeting will be setup with the committee staff liaison to provide an overview of responsibilities, current projects, and answer any questions may have about the role. This meeting should take place prior to the next Finance Audit Committee meeting.

ATTACHMENTS

1. Jeffery Miliam Application



Received by
City of Coburg
OCT 23 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park|Tree Committee
- Finance|Audit Committee
- Other please indicate _____

Name: Jeffrey Milam Phone: 542-357-2112

Email: jeffrey.milam1@gmail.com

Physical Address: 32673 East Van Duyn St Mailing Address: PO Box 8193

Occupation: Systems Analyst

How long have you lived in Coburg? 15 years How long have you lived in Oregon? 15 years

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

City of Coburg Budget Committee

List and briefly describe community or service oriented organizations of which you are or have been a member:

City of Coburg Budget Committee
Coburg Community Charter School

Describe any goals, ideas or objectives you have for the City of Coburg:

Would love to see the City of Coburg with a strong self sufficient business model and healthy budget

List any skills, training, or experience that you have that might be useful to this position:

Highly analytical, a critical thinker and problem solver
Have worked as an Analyst for the State of Orewgon Dept of Revenue for 10 years in a variety of roles including operational and policy analysis along with several years as a budget/fiscal analyst.

Why would you like to be appointed to this position?

I feel like I'd be a good fit and enjoy being able to help and give back when I can

Signature: Jeffrey Milam Date: 10/20/2023



MINUTES

City Council

Regular Meeting

November 14, 2023 at 6:00 P.M.

Coburg City Hall

91136 N Willamette Street

Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, John Lehmann, Claire Smith, Alan Wells, and Cathy Engebretson.

MEMBERS ABSENT: John Fox and Kyle Blain

STAFF PRESENT: Sammy Egbert, City Recorder; Burke Hansen, Public Works Supervisor and EMC; Adam Hanks, City Administrator and Brian Harmon, Public Works Director; Greg Peck, Finance Director and Larry Larson, Chief of Police.

RECORDED BY: Trenay Ryan, Lane Council of Governments (LCOG)

CALL THE CITY COUNCIL MEETING TO ORDER

Mayor Nancy Bell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge of Allegiance.

ROLL CALL

Ms. Egbert called roll and a quorum was present.

MAYOR COMMENTS

Mayor Bell shared:

- Councilor Blain has indicated that he would like to resign his council position. Mayor Bell will work with the City Recorder to complete the resignation process and bring forward to Council the process for filling the position at a future Council meeting. Recruitment for the Transportation Ad-Hoc Committee is ongoing. This will be a six month commitment,

beginning in January of 2024. The Mayor and one other Council member will be part of this Committee. Council members were asked if they were interested in serving on this committee.

- There is an opening on the Finance Audit Committee for a community member.
- Encouraged all to walk down the trail in the Norma Pfeiffer Park to see what is taking place with the Veterans Memorial. The bulk of the work taking place is being completed by Coburg Public Works, in addition to their normal duties.

1. Appoint a Councilor as a Voting Member of the Coburg Transportation Safety Ad-Hoc Committee.

MOTION: Councilor Wells moved, seconded by Councilor Smith to appoint Councilor Lehmann as Council Representative to the Transportation Safety Ad-Hoc Committee.

The motion passed unanimously — 4:0.

AGENDA REVIEW

There were no changes made to the Agenda.

CITIZEN TESTIMONY

There were no request(s) made to publicly speak under citizen testimony.

There were no written statement(s) received.

CONSENT AGENDA

2. Minutes September 26, 2023 City Council| Planning Commission Work Session.
3. Minutes October 10, 2023 City Council.
4. OLCC Liquor License Application for Coburg Distilling Co. LLC.

Mayor Bell asked if any Council Members wished to remove an item from the Consent Agenda.

—There were none.

MOTION: Councilor Engebretson moved, seconded by Councilor Lehmann to approve the Consent Agenda as presented.

The motion passed unanimously — 4:0.

SPECIAL GUEST

Megan Dompe, Director of Coburg Main Street.

Since the resignation of Tracy Pugh as Director, M. Dompe noted that there had been many changes and felt that an update was necessary.

- Main Street is now independent. Both city administrators and the Coburg Main Street Board concluded there is more Main Street can accomplish as a private 501(c)(3) organization working alongside the City than it could ever do being a part of city government. The relationship between Coburg Main Street and the City of Coburg has not changed.
- They are in the process of ironing out the responsibilities of Coburg Main Street and sorting out the needs of the City, as well as their own. The contract, will soon be brought before the City Council.
- Successful fundraising has added to the funding streams, in addition to sponsorships in exchange for volunteer hours, vendor fees and grants.

ORDINANCES AND RESOLUTIONS

5. **RESOLUTION 2023-17**, A Resolution Declaring Surplus Property and Authorizing its Disposal Consistent with Ordinance A-91C.

STAFF REPORT by Adam Hanks

These are a variety of obsolete and underutilized pieces of vehicle and equipment from the Police and Public Works Departments. Realistic assessments of values relative to maintenance and/or repair costs, operational value and frequency of utilization, were taken. The method of disposal is via an online government auction site that ensures compliance with required public posting and open bidding to maximize potential revenue of the surplus equipment. Between \$20-30,000 is expected in revenue, with revenues going back to the fund where they were purchased. If department purchase history is not known, those revenues will be recorded in the general fund.

MOTION: Councilor Wells moved, seconded by Councilor Engebretson to adopt Resolutions 2023-17, a resolution declaring the described vehicles and equipment as surplus property consistent with ordinance A-91-C.

The motion passed unanimously — 4:0.

Mayor Bell commented that despite budgetary constraints, as a council they need to weigh out the right time to purchase a new piece of equipment as opposed to buying a used piece of equipment, as used equipment is not always the most efficient use of funds

6. **RESOLUTION 2023-18**, A Resolution Adopting by Reference the 2023-28 Lane County Multi-Jurisdictional Hazard Mitigation Plan.

STAFF REPORT: Adam Hanks and Burke Hansen Public Works Supervisor and Emergency Management Coordinator (EMC) have been working on Coburg’s matrix in coordination with Lane County staff and their consultant team. Lane County is the designated Emergency Management entity and supports and coordinates with local jurisdictions to include specific hazard mitigation analysis and mitigation projects. will provide the heavy lifting while Having a formal “annex” (section) within the Lane County Mitigation Plan allows Coburg eligibility for some grants it would otherwise not be eligible to apply or receive funds from.

MOTION: Councilor Lehmann moved, seconded by Councilor Smith to adopt Resolutions 2023-18, A resolution adopting by Reference the 2023-28 Lane County Multi-Jurisdictional Hazard Mitigation Plan.

The motion passed unanimously — 4:0.

Councilor Smith voiced concern over the danger of forest fires.

B. Hanson replied that from the matrix perspective of fire, flood and earthquake, they are looking at applying resources where the most people are going to be vulnerable. Hanks added that wildfire is a higher ranked hazard on the overall County matrix, compared to the City of Coburg matrix because the County has a higher number of residents potentially impacted by wildfire than exists within the City of Coburg city limits.

COUNCIL ACTION ITEMS

7. Coburg Loop Path Funding

STAFF REPORT: Adam Hanks and Brian Harmon

This transportation project has been funded with MPO funds with a required local match of 10.27%. Over time project costs rose, which exceeded the initial funding awarded. A lower cost alternate plan was developed that placed more of the path into the existing roadway on Industrial, which would have stayed within the original budget, but lessens the safety and enjoyment that a pedestrian only facility provides. Additional funding was recently awarded which covered the new estimated construction and installation costs, but incrementally increases the overall local match from the City requiring the City of Coburg to allocate an additional \$25,880.40 of Street Fund appropriations.

Councilor Engbretson asked if this was the one that mentioned a land donation as part of the deal.—A. Hanks answered Yes, that reduced the City’s out of pocket match by \$47,500.

Mayor Bell noted that this project, while called the Coburg Loop Path #4 project also includes roadway improvements on N Industrial, which was originally a separate project from the Loop Path but was ultimately combined into one blended project.

MOTION: Councilor Lehmann moved, seconded by Councilor Wells to authorize the City Administrator to commit an additional \$25,880.40 of street funds from the fiscal year 2023-2024 budgeted appropriations to the Coburg Loop Path project to meet the local match associated with the additional grant funds recently allocated to the project.

The motion passed unanimously — 4:0.

8. Pavillion Park Restroom Purchase

STAFF REPORT: Adam Hanks and Brian Harmon

The project ran into some timing and logistics issues and will require it to be broken down into two phases, as well as reversing the order of how the project was going to be installed. Staff was able to source a prefabricated, two room restroom structure that requires a 180-day order period. Staff has also worked with the Parks and Tree Committee on the color and material options for the structure and have it narrowed down to a stone veneer for the bottom portion and a forest green color for the body of the building. City Public Works staff will do much of the prep work in order to reduce costs.

Counselor Wells asked if it would be better to spend \$118,000 in renovating the existing bathrooms. —B. Harmon clarified that this is a new building and not replacing the restroom facilities located at Norma Pfeiffer Park and also added that the grant that is funding the majority of the project specifically called out accessibility and equity as core components of grant award projects It was designed around getting those with disabilities to the park and it being usable to them. Pavilion Park is closer to downtown, especially the restaurant corridor.

MOTION: Councilor Smith moved, seconded by Councilor Lehmann to accept the color and exterior color recommendations of staff and members of the Parks and Trade Committee and authorizes city administrators to purchase the CXT Denali Pre-fabrications Restroom.

The motion passed unanimously — 4:0.

ADMINISTRATIVE INFORMATION REPORTS

9. Police Department Quarterly Report

Police Chief Larry Larson presented the quarterly report to the Council. Property crimes/calls for service, Society crimes/calls for service and Person crimes/calls for service were the three categories to have increased from the previous quarterly report. Councilor Lehmann recounted a jury pool experience that he and Chief Larson had been part of.

10. Finance Presentation

Adam Hanks and Greg Peck discussed current financial projects and activities, next steps in the coming months, potential recommendations for changes to the chart of accounts and the creation of new funds, as well as provided an overview of each fund and their major revenue streams along with a summary of major expenses.. They also discussed the current work of the Finance and Audit Committee review of the Financial Policies and Accounting Procedures document. Hanks noted that this document will most likely be separated into two documents, a Financial Management Policy document, which includes ending fund balances targets for each fund and some other policy topics that are noted in the current document as desired but not yet created or approved, and an Operations/Procedures document. Through the Finance Committee they will present the policy document and the operations procedures document to Council in early to mid 2024.

Mayor Bell commented that the Finance Audit Committee and an external auditor are safeguards to ensure community members that nothing is being hidden.

Each of the enterprise funds contain capital project funding that are all contained within the Capital Improvements Plan (CIP) Staff will update the CIP, present it for adoption prior to the budget with a goal of a February or March timeline. Once approved it will be rolled into the proposed budget in March or April.

- Another financial goal is to leverage and utilize Springbrook to be more automated, allowing for monthly financial reports that display and reflect as close to “real-time” financial status as possible and compiled directly from the core data without a heavy reliance on manual spreadsheet data entry. Hanks and Peck also noted suggestions that will be discussed in the near future, including Separate out SDCs into their own funds
- Creation of a Storm Drain System Fund upon the completion of theorm drain master plan
- Revenue in the general fund are unrestricted and do not need to be allocation/associated with specific general fund departments
- When discussing major revenue expenses by the general fund; the property taxes are not keeping pace, so staff and Council will need to strategize to develop additional revenue streams to maintain the fund or significantly cut expenses, which can affect service levels in the community..

- There is a need to discuss cost allocations and the current methodology being used.

Coburg has a good set of revenues for streets and transportation, as well as for the water fund. Grants and loans play a large role in this. The debt service for the sewer is a high number, but is by design for the wastewater plant and the urban renewal agency (URA) contributes to that annual debt service in addition to wastewater ratepayer revenue. Regarding the capital in wastewater, aside from operational costs the large capital infrastructure will not be seen over the next few years. Hanks stated the fund is stable. The plant is a really well functioning, well designed, well operated plant. He noted that he had not included some particular data and said that he would send Council the missing information and make corrections to that particular slide

11. Administration Monthly Report

Hanks discussed trying to start a productive dialogue with members of Pioneer Valley Estates. The City of Coburg will have an Open House and invite the 35-45 number of households from Pioneer Valley to hear their concerns and discuss the challenging issue of the aging distribution infrastructure, outside of city limits. These residents pay more for water than those residing within city limits, but their payments do not allow enough revenue to be put away for future needs.

Councilor Smith suggested the possibility for those residents to pay into a community well system. Their pay-ins would support that community well system. This system is used by the community on Bottom Loop, which is of similar distance to the city as Pioneer Valley Estates is.

Hanks noted that there are a number of state statutes that regulate the creation and operation of a community well system, typically requiring the creation of a water district, but that Councilor Smith's suggestion is within the spectrum of options that will be reviewed.

Hanks additional noted the following:

- Over the last few months staff has been busy with many various trainings, some of which were Recreational Immunity, the CSI Summary Report and everyone's marching orders, especially local governments to look at public recreational spaces.
- A recent lawsuit has reduced the recreational immunity protections Cities have long relied on for public spacesThe League of Oregon Cities is putting together legislation that they will try to get into short- session in February. Recreational Immunity has been a long standing hot topic.
- The Water System Update will be November 28, 2023.
- The next Council Meeting will be December 12, 2023.

COUNCIL COMMENTS

The next Council Work Session will be November 28, 2023.
The Main Street agreement and Franchise B. The Ordinances need to be relooked at.

ADJOURNMENT

Mayor Bell adjourned the City Council meeting at 8:12 p.m.

APPROVED by the City Council of the City of Coburg on this 12th day of December 2023.

Nancy Bell, Mayor of Coburg

ATTEST: _____
Sammy L. Egbert, City Recorder

DRAFT



COBURG CITY COUNCIL

ACTION ITEM

Transportation Safety Ad Hoc Committee Appointments

Meeting Date	Staff Contact	Phone	Email
December 12, 2023	Adam Hanks	541-682-7871	Adam.Hanks@ci.coburg.or.us

REQUESTED COUNCIL ACTION

Mayor, with consent of Council, appoint four citizens and Council and Planning Commission members and alternates to the Transportation Safety Ad Hoc Committee

Suggested Motion

I move to recommend Mayor Bell appoint 1) _____, 2) _____, 3) _____, &4) _____, as well as Alan Wells as an alternate City Councilor and James Bell as an alternate Planning Commissioner to the Transportation Safety Ad Hoc Committee.

BACKGROUND

City Council adopted resolution 2023-15 creating this Ad-Hoc Committee to seek citizen participation and input regarding transportation system safety issues to assist Council and staff in solutions to improve pedestrian, bicycle and vehicle safety.

The Ad Hoc Committee is charged with analyzing a variety of pedestrian, bicycle and vehicle safety issues identified and presented by staff, reviewing potential mitigation actions and making recommendations to Council on preferred mitigation actions for staff to pursue.

Transportation safety issues may include:

- Pedestrian crossing/safety on both Willamette and Pearl Street
- Pedestrian/bicycle safety lighting
- Vehicle speed limit reviews for Pearl St and citywide residential
- N Willamette & Van Duyn intersection improvements
- Traffic calming options on N Coleman St

Recruitment to fill the four citizen positions opened October 11, 2023 and closed on November 17, 2023. Eight qualified applications were received.

City Council voted at the November 11, 2023 meeting to appoint Councilor Lehmann to serve as the City Council representative on the committee.

Planning Commission voted at November 15, 2023 meeting to appoint Commissioner John Marshall as the Planning Commission representative.
Mayor Bell with the support of the Council will select and appoint four citizen to the committee.

RECOMMENDATION AND ALTERNATIVES

1. Appoint Alan Wells as a alternative City Council representative and James Bell as a alternative Planning Commissioner representative. Consider remaining applications in the order they were received.

BUDGET / FINANCIAL IMPACT

N/A

PUBLIC INVOLVEMENT

Public Notices to fill these positions were posted multiple times during the recruitment period.

NEXT STEPS

Upon appointments, notification emails will be sent to all applicants. Committee will begin meeting in January of 2024

ATTACHMENTS

1. Resolution 2023-15 A resolution creating a transportation Safety Ad Hoc Committee
2. Applications for Transportation Safety Ad Hoc Committee in order recieved:
 - a. Bryan Hamburger
 - b. Brandon Rhodes
 - c. James Bell
 - d. Jean Schapper
 - e. McKenzie Bryant
 - f. Alan Wells
 - g. Michael McDonald
 - h. Vilma McDonald

RESOLUTION 2023-15

A RESOLUTION CREATING A TRANSPORTATION SAFETY AD-HOC COMMITTEE

WHEREAS, the City Council wishes to seek citizen participation and input regarding transportation system safety issues to assist Council and staff in solutions to improve pedestrian, bicycle and vehicle safety, and

WHEREAS, City Council FY2024 Goals include the formation of a Transportation Committee to address transportation challenges in Coburg and planning for update to the Transportation System Plan, and

WHEREAS, City Council recognizes an update to its Transportation System Plan will require a dedication of time and resources beyond the scope of the Transportation Safety Ad-Hoc Committee and wishes to focus initial efforts on immediate safety issues within the existing transportation system.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coburg

Section 1. The City Council hereby approves the creation of the City of Coburg Transportation Safety Ad Hoc Committee

Section 2. The Committee shall be staffed by the Administration and Public Works Departments.

Section 3. The Committee shall be comprised of a minimum of five and a maximum of seven voting members made up of the Mayor, one (1) City Councilor, one (1) planning commissioner, and up to four (4) citizens. Committee members shall receive no compensation for participation in Committee activities.

Section 4. Applications will be submitted to the City Recorder and provided to the Mayor for appointment with confirmation from Council.

Section 5. The Ad-Hoc Committee is charged with analyzing a variety of pedestrian, bicycle and vehicle safety issues identified and presented by staff, reviewing potential mitigation actions and making recommendations to Council on preferred mitigation actions for staff to pursue. Committee analysis and recommendation shall also include utilization of citizen input provided to the Committee.

Section 6. Expected transportation safety issues to be brought forward to the Ad-Hoc Committee include, but are not limited to:


- Pedestrian crossing/safety on both Willamette and Pearl Street
- Pedestrian/bicycle safety lighting
- Vehicle speed limit reviews for Pearl St and citywide residential
- N Willamette & Van Duyn intersection improvements
- Traffic calming options on N Coleman St

Section 7. The Advisory Committee will cease to function upon the successful completion, recommendation, and presentation of a draft report on recommendations for the specific areas of concern presented by Staff to the Committee. The report will be prepared for presentation to Council by June 30, 2024. If it is deemed necessary that there is additional work of the Committee needed in order to pursue additional changes, or activities or community meetings to receive additional citizen input, the Council by majority vote can extend the completion/termination date of this Ad-Hoc committee up to an additional six months.

Section 8. This resolution is effective immediately upon passage.

Public Meeting Law and Public Record Retention Law must be followed consistent with Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

Adopted by the **City Council** of the **City of Coburg**, Oregon, by a vote of 5 for and 0 against, this 10th day of October, 2023.



Nancy Bell, Mayor

ATTEST: 
Sammy L. Egbert, City Recorder



Received by
City of Coburg
NOV 03 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park/Tree Committee
- Finance/Audit Committee
- Other please indicate Ad-HOC Committee

Name: Bryan Hamburger Phone: 541-915-4956

Email: bryanhamburger@gmail.com

Physical Address: 91070 Abby Rd Mailing Address: PO Box 8154

Occupation: Technical Service Manager - Coatings

How long have you lived in Coburg? Dec 2015 How long have you lived in Oregon? 47 years

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

I have served on the board of directors and as the president of the Emerald Executive Association (business group - 2 years)

List and briefly describe community or service oriented organizations of which you are or have been a member:

- Volunteer work through religious organizations, building projects abroad, and domestically, camps for children in foster care.
- Volunteer work through Coburg Community Charter School - 2 children attend
- Vounteer support contact though an organization called OurPath
- Service projects - Painting, through St. Vincent de Paul

Describe any goals, ideas or objectives you have for the City of Coburg:

- More well lit crosswalks, flashing lights. Safer crossing for students at CCCS.
- Better lighting on streets/paths for safety.

List any skills, training, or experience that you have that might be useful to this position:

Other than living here for nearly 8 years, and seeing the increase in traffic and personally having issues as a pedestrian, I am not sure of any specific skill.

Why would you like to be appointed to this position?

As the city grows, and more restaurants and shops come to our town, this means more vehicle and pedestrian traffic . As someone who walks their kids to school, walk the dog, and walk many places through the town, i have witnessed quite a few reasons improvements are needed. We also need to have a place for these cars, we want people to come and love Coburg, but everyone needs to be safe

Signature:  Date: 11/3/2023



Received by
City of Coburg
NOV 09 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park/Tree Committee
- Finance/Audit Committee
- Other please indicate Ad-Hoc Transportation

Name: Brandon Rhodes Phone: 503.317.8105

Email: bdrhodes@icloud.com

Physical Address: 32659 E Macy, Coburg, OR 97408 Mailing Address: PO Box 8243, Coburg, OR, 97408

Occupation: Director, Coburg Commons

How long have you lived in Coburg? 1 year How long have you lived in Oregon? 39 years

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

- Equitable Compensation Committee, Oregon-Idaho Annual Conference of the United Methodist Church
- Treasurer, Lents Grown Business Association, Portland, OR
- Board of Directors, Erb Memorial Union, University of Oregon
- Various church & neighborhood organizing committees

List and briefly describe community or service oriented organizations of which you are or have been a member:

- I direct Coburg Commons, a non-profit enterprise focused on cultivating the common good.
- I have also launched several community development and neighborly ventures, including an intentional faith community in SE Portland, now 15 years old. I have been an active church member for most of the past 20 years.
- I've volunteered for many orgs. including Johnson Creek Watershed Council, Eugene Pride, and BeLonging Space.

Describe any goals, ideas or objectives you have for the City of Coburg:

- Maintain pressure, imagination, and enthusiasm for redirecting freight from downtown to the perimeter.
- Grants for businesses, churches, etc, to install bicycle parking to draw in those bicycling through town.
- Solicit land trust or similar model to buy & develop mixed-use and/or affordable housing on field at Wil. & Van Duyn.
- Reduce noise and air pollution by requiring commercial landscapers to use electric leaf blowers.

List any skills, training, or experience that you have that might be useful to this position:

- B.S. in Environmental Studies at U of O, emphasis in landscape & planning
- D.Min. - George Fox Seminary - Researched cars' effects on churches & communities, & what to do about it
- Cohosted bicycling podcast for 100 episodes, interviewing multimodal transportation advocates and lifestyle cyclists
- Launched/ran Rolling Oasis Grocers, a bicycle-based neighborhood produce delivery service for several years.

Why would you like to be appointed to this position?

Some of Coburg's biggest challenges to livability concern mobility: fast & loud freight on Willamette, a lack of bicycle parking at businesses, patchy pedestrian amenities, and more. As a Coburg homeowner, director of a nonprofit focused on Coburg's flourishing, and lifelong bicycle commuter, I want to add my voice in making Coburg safe & accessible.

Signature: Date: November 9, 2023



Received by
City of Coburg
NOV 16 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park|Tree Committee
- Finance|Audit Committee
- Other please indicate Transportation Safety AdHoc

Name: James Bell Phone: 541 231 6723

Email: coburgjimbell@outlook.com

Physical Address: 91056 Abby Rd Mailing Address: PO Box 8100

Occupation: retired

How long have you lived in Coburg? 8 1/2 yrs How long have you lived in Oregon? 49 yrs

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

Planning Commission

List and briefly describe community or service oriented organizations of which you are or have been a member:

volunteer 4 yr Coburg fire

Describe any goals, ideas or objectives you have for the City of Coburg:

rational growth

List any skills, training, or experience that you have that might be useful to this position:

past administrator/faculty LBCC/WUHS

Why would you like to be appointed to this position?

help city with roads/traffic

Signature: JBell Date: 11/15/23



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NOV 16 2023

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Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park/Tree Committee
- Finance/Audit Committee
- Other please indicate Trans Safety AD-HOC Committee

Name: Jean M. Schapper Phone: 541-543-8549

Email: jeanne.schapper@gmail.com

Physical Address: 32685 Vintage Way Mailing Address: Same

Occupation: Retired. Former position: Exec. Office Manager/Clerk of the Board, Lane Transit Dist.

How long have you lived in Coburg? 23 years How long have you lived in Oregon? 65 years

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

Founding Board Member, Coburg Community Foundation, 2018 - present

Board Member, Lane County Women's Insurance Association, 1990 - 1994

List and briefly describe community or service oriented organizations of which you are or have been a member:

I have not been a member, but I have volunteered in the most recent past with:
SMART Reading, 2014/15 - 2020 and 2023, Reading to Head Start and grades K-2 students
Womenspace, 2018-19, Receptionist

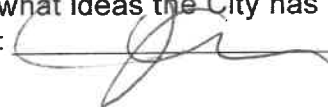
Describe any goals, ideas or objectives you have for the City of Coburg:

My immediate goals for the City are precisely the same as the goals of this committee: bicycle and pedestrian safety, including lighting, vehicle speed limit review and enforcement, traffic calming, intersection improvements, and other options to address the vital need for safety improvements in our community.

List any skills, training, or experience that you have that might be useful to this position:

As a former transit agency employee, I am acquainted with various transportation issues that face our region. Nonetheless, my primary concern is the safety of our community members. The projected work of this committee includes addressing these concerns. I would appreciate the opportunity to contribute to this important work.

Why would you like to be appointed to this position? My husband and I moved to Coburg because we were distinctly attracted to two of its greatest assets: its livability and its walkability. Twenty-three years later, things have changed dramatically. Crossing the street as a pedestrian or entering the roadway in a vehicle are no longer safe in many areas throughout town. I am quite interested in hearing what ideas the City has in mind to address this safety issue.

Signature:  Date: November 15, 2023

Received by
City of Coburg
NOV 16 2023



CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park/Tree Committee
- Finance/Audit Committee
- Other please indicate Transportation Safety Ad-Hoc

Name: McKenzie Bryant Phone: 541-972-9622

Email: bryantmckenzie@gmail.com

Physical Address: 91017 S Skinner St Mailing Address: PO Box 8237 Coburg, OR 97408

Occupation: teacher

How long have you lived in Coburg? 9+ years How long have you lived in Oregon? 30 years

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

N/A

List and briefly describe community or service oriented organizations of which you are or have been a member:

N/A

Describe any goals, ideas or objectives you have for the City of Coburg:

I would love to help create safer routes for pedestrians in Coburg.

List any skills, training, or experience that you have that might be useful to this position:

- avid outdoor enthusiast (we walk & bike to CCCS every day)
- teaching skills (team-player, flexible, listener, problem-solver)

Why would you like to be appointed to this position?

I walk/bike/roller blade/scooter/run in Coburg every single day.

I have two children who attend CCCS. I would like to know that they can get to and from school every day on bikes/scooters/skates without being overly concerned about vehicles. I want Coburg to be a safe place for all people.

Signature: McKenzie Bryant

Date: 11/14/23



Received by
City of Coburg
NOV 17 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park|Tree Committee
- Finance|Audit Committee
- Other please indicate Ad Hoc Task Force

Name: Alan Wells Phone: 541-990-9613

Email: Alanwells1960@gmail.com

Physical Address: 32009 E Locust Mailing Address: PO Box 9250

Occupation: Real estate

How long have you lived in Coburg? 16 yrs How long have you lived in Oregon? 32 yrs.

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

City Council

List and briefly describe community or service oriented organizations of which you are or have been a member:

Describe any goals, ideas or objectives you have for the City of Coburg:

List any skills, training, or experience that you have that might be useful to this position:

Why would you like to be appointed to this position?

Biggest issue facing Coburg's future

Signature: [Handwritten Signature]

Date: 11/17/2023



Received by
City of Coburg
NOV 17 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park|Tree Committee
- Finance|Audit Committee
- Other please indicate TRANSPORTATION SAFETY

Name: MICHAEL McDONALD Phone: 541-554-7115

Email: SYNTHARTS@COMCAST.NET

Physical Address: 32673 E. LOCUST ST. Mailing Address: SAME

Occupation: RECORDING ENGINEER

How long have you lived in Coburg? 1 YEAR How long have you lived in Oregon? 71 YEARS

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

NONE

List and briefly describe community or service oriented organizations of which you are or have been a member:

NONE

Describe any goals, ideas or objectives you have for the City of Coburg:

TO BE AN INVOLVED COBURG CITIZEN

List any skills, training, or experience that you have that might be useful to this position:

DRAFTSMAN/ENGINEER - FOR EUGENE BASED ENGINEERING COMPANY - 30 YEARS
AUDIO ENGINEER - LIVE SOUND - PRODUCTION - RECORDING STUDIO OWNER
43 YEARS

Why would you like to be appointed to this position?

COBURG IS OUR FOREVER HOME AND WANT TO BE INVOLVED IN IT'S FUTURE WHILE KEEPING IT'S HOME TOWN FEEL.

Signature: Michael C. McDonald Date: Nov. 17, 2023



Received by
City of Coburg

NOV 17 2023

CITY OF COBURG

91136 N Willamette | P.O. Box 8316
Coburg, Oregon 97408

APPLICATION FOR BOARDS, COMMISSIONS AND COMMITTEES

Please indicate the position you are applying for:

- Planning Commission
- Budget Committee
- Historic Preservation (Heritage Committee)
- Park/Tree Committee
- Finance/Audit Committee
- Other please indicate TRANSPORTATION SAFETY

Name: Vilma McDonaia Phone: 541-517-3070

Email: d.l.c.inspired@outlook.com

Physical Address: 32673 E. Locust St. Mailing Address: same

Occupation: Landscape Designer

How long have you lived in Coburg? 23 yrs How long have you lived in Oregon? 25

Are you a registered Voter? Yes No

List boards, councils, or commissions, if any, that you have served on:

none

List and briefly describe community or service oriented organizations of which you are or have been a member:

none

Describe any goals, ideas or objectives you have for the City of Coburg:

Goal - Keep Coburg's historic character & charm alive as growth happens. Safety for homeowners & businesses and especially kids!
objectives - reduce "unnecessary traffic" in neighborhoods around Dana Pfeiffer Park and down our main street.

List any skills, training, or experience that you have that might be useful to this position:

I've been a self-employed business owner 40+ years

Why would you like to be appointed to this position?

To make any difference I can to the outcomes related to safety and the well being of our wonderful community.

Signature: Vilma McDonaia Date: Nov 17, 2023



COBURG CITY COUNCIL

ACTION ITEM

Water System Modeling & Analysis Expenditure

Meeting Date	Staff Contact	Email
December 12, 2023	Adam Hanks, City Administrator Brian Harmon, Public Works Director	Adam.Hanks@ci.coburg.or.us Brian.Harmon@ci.coburg.or.us

REQUESTED COUNCIL ACTION

City staff, in consultation with Branch Engineering, the City's contract City Engineer, is recommending Council approval of budgeted Water Fund appropriations to conduct water system modeling to provide analysis and recommendations for priority setting for remaining water system infrastructure project funds. The project will be sourced and managed by Branch Engineering via sub-contract to Consor North America, a firm the City and Branch have utilized in prior water system analysis.

Suggested Motion

I move to approve utilization of up to \$25,000 of budgeted Water Fund appropriations to conduct water system hydraulic modeling consistent with the attached scope of work

BACKGROUND

The City of Coburg completed a Water Master Plan (WMP) in 2016 that identified three phases of necessary water system infrastructure improvement projects that needed to be completed within the 20 year planning horizon. The City secured an approximately \$4.5 million loan package supported by water rate revenue to initiate the initial phases of the projects.

With the completion of a number of waterline transmission and distribution projects, significant engineering and feasibility assessments for additional water storage solutions (reservoir #3) and the recent completion of the well drilling for the water supply project (well #3), both staff and Branch Engineer recommend investing in a current water model analysis that takes into consideration a number of data points, some of which were not available when the Water Master Plan was completed in 2016, including the following:

- Revised population and growth forecasts (less than the 2010-2015 data from the 2016 WMP)
- Flow data from the recently completed well #3 project
- Inclusion of Premier RV as a water customer
- Existing water storage (no new reservoir #3)

The proposed scope of work is provided as an attachment to this staff report and provides a breakdown of the tasks and associated deliverables, with the key tasks including:

- Review Phased System Improvements (pg 3-4)
- Hydraulic and System Capacity Analyses (pg 4-6)

The attached draft scope of work will be updated to reflect a current project schedule beginning with a notice to proceed date of late December 2023 with the final technical memorandum milestone of March 2024.

RECOMMENDATION AND ALTERNATIVES

1. Approve expenditure of Water Fund capital project appropriations to conduct the water system modeling as outlined in the attached scope of work
2. Approve expenditure of Water Fund capital project appropriations to conduct the water system modeling with Council modifications to the attached scope of work.
3. Delay approval of the expenditure and direct staff on desired next steps

BUDGET / FINANCIAL IMPACT

The proposed water system modeling is projected to have a total cost of between \$18,000 and \$20,000. The Water Fund has adequate appropriations to fund the proposed water system modeling project and, because of the nature of the procurement as a sub-contract through our primary contract with Branch Engineer, no requirement exists for formal Council approval.

However, this modeling project had not been specifically listed, discussed or approved in prior Council budget or project discussions and approvals or in prior Water Project Team (Resolution 2019-20) meetings or recommendations. To ensure Council understanding and direction and to maintain transparency of the utilization of water rate payer funds, staff is requesting formal approval from Council to move forward with this project.

PUBLIC INVOLVEMENT

As noted above, while significant public involvement has occurred with the development of the Water Master Plan and various financial deliberations and decisions that support the improvement projects, no prior public involvement has occurred for this particular technical modeling analysis project request.

NEXT STEPS

With Council approval, staff will coordinate with Branch Engineering to secure the services of Consor North America consistent with the attached scope of work and will tentatively plan to present the results of the modeling at the April 2024 Council meeting.

ATTACHMENTS

1. Consor North America – Coburg Water (Hydraulic) Modeling Project Scope of Work
2. Water Modeling Project Proposed Fee Estimate

EXHIBIT A

SCOPE OF WORK

CITY OF COBURG – NEW CUSTOMER HYDRAULIC MODELING SUPPORT BRANCH ENGINEERING

Introduction/General/Background

The City of Coburg (City) is planning to eventually construct a new 12-inch diameter pipeline loop on the east side of Interstate 5 to serve new customers and feed a potential future elevated reservoir. The new pipeline will allow future users to connect to the potable water distribution system with a reliably looped pipeline. The first portion of the pipeline crosses Interstate 5 at Selby Way in the southeast corner of the distribution system, which is where the pipeline is currently terminated. The City is in the process of conceptualizing the next phase of the loop that will extend the pipeline north, and working with potential developers to bring a large (100 acre) undeveloped lot into the City's system at some point in the future.

In the interim, the City would like to understand the impact of potentially bringing Premier RV Resort (PRVR) into the City's distribution system, which all parties would like to accomplish as soon as possible. It is our understanding that PRVR may be brought into the City's system as soon as early 2024. To support bringing PRVR onto the public system, the City is requesting hydraulic modeling support to analyze the system in conjunction with this proposed modification. The City is looking at extending a 4-inch diameter service through a 3-inch diameter meter from the current 12-inch diameter main terminus on the east side of I-5 north of Selby Way.

In addition, the City has recently drilled and tested a new supply well (Well 3, Stallings Well Site) northwest of the distribution system. Well 3 flow testing showed that it will produce approximately 100 gallons per minute (gpm), which is less than what was predicted. This well was constructed to meet projected demand increases but is producing less than what was originally anticipated for the new supply. A supply overview will be conducted to help inform the City as to current and projected demand shortcomings with this new information.

Project Understanding and Major Assumptions

Branch Engineering (Branch) is the City Engineer for the City and the lead design consultant for the new 12-inch pipeline and new supply sources for the City. Consor North America, Inc. (Consultant) will provide hydraulic modeling analysis for the east side pipe looping, phasing, and various customer addition determinations. In addition, a limited overall system capacity review of the current maximum day demand will be implemented to compare the existing supply sources to current water needs and determine if the sources of supply are sufficient or what types of supply issues could be faced in the near-term.

This Scope of Services has been separated into four (4) tasks for clarity and is described in detail below, with associated major subtasks and assumptions noted:

1. Project Management

2. Review Phased System Improvements
 - 2.1 Review Proposed System Conditions
 - 2.2 Prepare Hydraulic Model

3. Hydraulic and System Capacity Analyses
 - 3.1 System Capacity Analysis
 - Review current demands and source capacity
 - Inform City as to source deficit and recommendations for additional source quantity
 - 3.2 Add Premier RV Resort to Current System
 - This will be “Phase 1”
 - Only a 4-inch service extended (without East Side Loop)
 - No Well 3 flow included
 - No Fire Flow requirement
 - 3.3 Developer Extends Partial 12-inch East Side Loop to Van Duyn
 - This will be “Phase 2”
 - 25% of 100-Acre lot comes into system
 - Additional customers south of Van Duyn and East of I-5 come into system: 1) Gas Station with a Convenience Store; and 2) A Restaurant
 - Well 3 flow included
 - Fire Flow required
 - 3.4 City Completes East Side Loop
 - This will be “Phase 3”
 - Another 25% of 100-Acre lot comes into system (total of 50%)
 - Well 3 flow included
 - Fire Flow required

4. Technical Memorandum

Scope of Services

Consultant will perform the following services.

Task 1 - Project Management

Objective

Provide overall leadership and team strategic guidance aligned with Branch and the City’s staff objectives. Coordinate, monitor, and control the project resources to meet the technical, communication, and contractual obligations required for developing and implementing the project scope.

Activities

1.1 Invoices / Status Reports

Consultant will prepare monthly invoices, including expenditures by task, hours worked by project personnel, and other direct expenses with the associated backup documentation. Monthly status reports will accompany each invoice and include comparisons of monthly expenditures and cumulative charges to budget by Task, including cost-to-complete, earned value, cash flow, and certified firm participation.

1.2 Coordination with Branch / City

Consultant will maintain communication with Branch through virtual meetings as well as via voice and email communication. Consultant will manage and coordinate the technical and scope issues relating to the New Customer Hydraulic Modeling Support. Progress meetings will be conducted as appropriate.

Task Deliverables

- Consultant shall deliver to Branch a monthly invoice and status report covering:
 - Work on the project performed during the previous month.
 - Meetings attended.
 - Problems encountered and actions taken for their resolution.
 - Potential impacts to submittal dates, budget shortfalls or optional services.
 - Budget Analysis.
 - Issues requiring project team action.

Task Assumptions

- Consultant assumes a Notice to Proceed date in late October or early November of 2023.
- Consultant assumes up to three (3) one-hour remote/online meetings with the Consultant’s Project Manager and Hydraulic Modeler, Branch’s Project Manager, and City representatives. Preparation time for meetings of half an hour per meeting is also assumed.
- Project duration is anticipated to take up to three (3) months; therefore, it is assumed that there will be up to three (3) progress payments/status reports.

Task 2 – Review Phased System Improvements

Objective

Review the existing system, and potential connection points to the proposed pipelines. Update the model with new pipelines and demands per the Task Assumptions listed below.

Activities

Consultant will provide a phased markup of the proposed pipeline alignments and configurations to indicate potential connection points the various new users and proposed demands. In addition, the Consultant will prepare the hydraulic model as appropriate to complete the analysis. This includes adding necessary pipelines and demands to complete the analysis.

2.1 Review Proposed System Conditions

Consultant will review the proposed phased connections and developments to determine connection points to the proposed east-side pipeline loop. PRVR will be added as a service from the existing 12-inch pipe terminus. In addition, the proposed demands for maximum day, peak hour, and fire flow will be agreed

upon with input from Branch and the City. The phasing of the proposed 12-inch pipeline will be reviewed to verify the proposed scenarios to be analyzed.

2.2 Prepare Hydraulic Model

Consultant will update the hydraulic model with the proposed demands and connection points for the various Phases. Additional pipelines will be added and the scenarios to be tested will be created. It is expected that three configurations of the network will be tested: One as the system is currently with PRVR connected via a service and no Well 3 online; One with the pipeline partially constructed to Van Duyn and additional customers brought in on both east and west sides of pipeline; And one with the pipeline complete but without the reservoir constructed and more customers added from the 100-acre lot.

Task Deliverables

- Markup of the proposed pipeline alignments with model updates and assumptions.

Task Assumptions

- Pipelines to be added to the model will be limited to the proposed pipes required to construct the three Phases of the current and future 12-inch east-side pipeline loop. It is understood that PRVR has existing supply wells, pipelines, pumping systems, storage facilities, and potentially fire hydrants onsite, which are assumed will remain private and not added to the model.
- It is anticipated that there will be one connection point for Phase 1, three more connection points for Phase 2, and one more connection point for Phase 3.
- Three Peak Hour Demand Scenarios will be created.
- Two Fire Flow Analysis Scenarios will be created.
- Well Site 3 will produce 100 gpm during Phases 2 and 3.
- 100-acre lot will include four 25-acre residential/light industrial developments (for demand allocation).

Task 3 – Hydraulic and System Capacity Analyses

Objective

Using spreadsheet analyses and hydraulic modeling, help inform the City as to the impact of bringing PRVR into their water system under the current configuration, phased improvements for an east-side 12-inch pipeline loop, and overall system supply capacity in relation to current and projected (currently projected for initial customers) demands.

Activities

3.1 System Capacity Analysis

According to the City of Coburg Water Master Plan Update (completed in July, 2016), a new well is required to meet the projected demand increases. Well 3, which is installed but not fully developed or online yet, was drilled and cased as planned but is only capable of producing approximately 100 gpm, which is less

than the predicted capacity of this well site. Consultant will review the current maximum day demand and compare with the current system supply to determine if a deficiency exists or is expected to exist soon. A Water Supply Analysis Summary Table will be created to document the current and short-term projected supply status. The impacts from bringing on the initial east-side customers for Phases 1 through 3 will be reviewed and included, but no other projected demands will be included.

3.2 Add Premier RV Resort to Current System

As PRVR wants to be brought into the City's system but the new 12-inch east side pipe loop is not going to be constructed for some time, it may be possible to provide service prior to extending the pipeline. Peak hour demand and maximum day analysis model runs will be completed with PRVR getting service from the current end of the 12-inch pipeline through a 4-inch service. This will be considered "Phase 1" for reporting purposes, which will include only a 4-inch service extended (without the East Side Loop). No Well 3 flow will be included based on the anticipated timeframes, and no Fire Flow requirement will be reviewed for PRVR property per City direction.

3.3 Developer Extends Partial 12-inch East Side Loop to Van Duyn

At some point in the next few years it is anticipated that a land developer will want to build on the 100-acre lot, which will necessitate them extending the 12-inch pipeline north from its current terminus to Van Duyn Street. This will be considered "Phase 2" for reporting purposes. Peak hour, maximum day, and fire flow demand analysis model runs will be completed assuming the following new demands: 25% of the 100-Acre lot comes into the system; And additional customers south of Van Duyn and East of I-5 come into the system including a Gas Station with a Convenience Store, and a Restaurant. For this analysis it will be assumed that Well 3 will have been developed and the flow contribution included in the system.

3.4 City Completes East Side Loop

Eventually it is anticipated that the pipeline will be extended past the new development and a second I-5 crossing North of Van Duyn Road would also be built which would complete the pipeline loop. Once the entire pipeline is completed and looped, this will be considered "Phase 3" for reporting purposes. Peak hour, maximum day, and fireflow demand analysis model runs will be completed with the 12-inch pipeline complete but without the reservoir constructed. The model runs will be completed assuming an additional 25% of the 100-Acre lot comes into the system (total of 50%), and that the Well 3 contribution persists.

Task Deliverables

- Water Supply Analysis Summary Table – Existing System.

Task Assumptions

- The City will provide the water use summary over the past two years for reviewing and assigning current maximum day demand conditions.
- Only demand projections for the entities reviewed herein will be applied to the capacity analysis. These include PRVR, the 100-acre lot, and a gas station / convenience store and a restaurant near Van Duyn. No other future demand projections will be reviewed as part of the supply analysis.
- Hydraulic analysis will be completed for five scenarios:
 - Three Peak Hour Demand Scenarios

- Two Fireflow Analysis Scenarios

Task 4 – Technical Memorandum

Objective

Document each task of the analysis including assumptions, system setup, supply, pressures, velocities, and available fireflow.

Activities

Consultant will develop a technical memorandum that documents each element of the modeling process, including:

- Existing Site Review
- Scenario Setup
- Modeling Analysis
 - Phases 1 through 3 Pipeline Completion and new Customer Service Findings
- Current Water Supply Analysis

Task Deliverables

- Prepare a Draft Technical Memorandum documenting the hydraulic analysis results.
- Prepare a Final Technical Memorandum documenting the hydraulic analysis results.

Task Assumptions

- A draft electronic copy of the technical memorandum will be provided for Branch and the City's review, and one (1) revision of the memorandum will be done based on Branch and City comments to prepare and deliver the final technical memorandum (which will be delivered in electronic format).
- Technical Memorandum will include five figures:
 - Overview of site and recommendations.
 - Two results figures presenting pressures and flowrates during peak hour conditions.
 - Two results figures presenting available fire flow at the connection points.

Budget

Payment will be made at Consultant's Standard billing hourly rates for personnel working directly on the project, plus Direct Expenses incurred. Work will be performed on a time and expense basis with a total not to exceed amount of \$18,735 per the fee estimate provided as Attachment A. Billing rates for the 2023 calendar year are as shown in Attachment B and are subject to change on the first day of every new calendar year the project is on-going. Subconsultants, when required by the Consultant, will be charged at actual costs plus a 10 percent fee to cover administration and overhead. Direct expenses will be paid at the rates shown in the table below.

Direct Expenses

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

Computer Aided Design and Drafting	\$18.00/hour
GIS and Hydraulic Modeling	\$10.00/hour
Mileage	Current IRS Rate
Postage and Delivery Services	At Cost
Printing and Reproduction	At Cost
Travel, Lodging and Subsistence	At Cost

Project Schedule

The proposed project schedule is shown in the table below, including an approximate Notice to Proceed date and the required duration for major tasks needed to complete the project.

Table 1 | Project Schedule

Task	Milestone Date
Notice to Proceed	Late October 2023
Supply Capacity Analysis Findings	November 2023
Draft Technical Memorandum	December 2023
Final Technical Memorandum	January 2024

CITY OF COBURG - NEW CUSTOMER HYDRAULIC MODELING SUPPORT
 BRANCH ENGINEERING
 PROPOSED FEE ESTIMATE - DRAFT V2

Staff Name	LABOR CLASSIFICATION (HOURS)						
	PIC	PM	MODELER	Hours	Labor	GIS Units \$10/hr	Total
	Principal Engineer VI	Professional Engineer VII	Professional Engineer VII				
	\$307	\$216	\$216				
Ginter	Ford	Trott					
Task 1 - Project Management							
Task 1.1 - Invoices / Status Reports		3		3	\$ 651	\$ -	\$ 651
Task 1.2 - Coordination with Branch / City		6	4	10	\$ 2,171	\$ -	\$ 2,171
Task 1 Subtotal	0	9	4	13	\$ 2,822	\$ -	\$ 2,822
Task 2 - Review Phased System Improvements							
Task 2.1 - Review Proposed System Conditions	1	2	4	7	\$ 1,611	\$ -	\$ 1,611
Task 2.2 - Prepare Hydraulic Model		1	6	7	\$ 1,520	\$ 60	\$ 1,580
Task 2 Subtotal	1	3	10	14	\$ 3,131	\$ 60	\$ 3,191
Task 3 - Hydraulic and System Capacity Analyses							
Task 3.1 - System Capacity Analysis	1	2	8	11	\$ 2,479	\$ -	\$ 2,479
Task 3.2 - Add Premier RV Resort to Current System	1	2	4	7	\$ 1,611	\$ 40	\$ 1,651
Task 3.3 - Developer Extends Partial 12" East Side Loop to Van Duyn	1	2	4	7	\$ 1,611	\$ 40	\$ 1,651
Task 3.4 - City Completes East Side Loop	1	2	4	7	\$ 1,611	\$ 40	\$ 1,651
Task 3 Subtotal	4	8	20	32	\$ 7,312	\$ 120	\$ 7,432
Task 4 - Technical Memorandum							
Task 4.1 - Draft Technical Memorandum		4	8	12	\$ 2,605	\$ 40	\$ 2,645
Task 4.2 - Final Technical Memorandum		4	8	12	\$ 2,605	\$ 40	\$ 2,645
Task 4 Subtotal	0	8	16	24	\$ 5,210	\$ 80	\$ 5,290
TOTAL - ALL TASKS	5	28	50	83	\$ 18,475	\$ 260	\$ 18,735



COBURG CITY COUNCIL

ACTION ITEM

Wastewater Facilities Plan Sole Source Procurement

Meeting Date	Staff Contact	Email
December 12, 2023	Adam Hanks, City Administrator Brian Harmon, Public Works Director	Adam.Hanks@ci.coburg.or.us Brian.Harmon@ci.coburg.or.us

REQUESTED COUNCIL ACTION

The adopted FY23-24 budget includes \$65,000 appropriated for a Wastewater Facilities Plan. Prior to the development of a contract for securing engineering services for this plan, Staff is seeking Council approval, in its role of the Local Contract Review Board, for a special solicitation method as detailed in Ordinance A-91-c, (Section 7) Rules for Public Contracting.

The special solicitation method proposed and requested by staff is for an exemption from competition for the contract award based on the findings provided below that, in staff's opinion, contain the necessary justification for Council to concur and grant the process exemption.

Suggested Motion

I move to approve a sole source exemption from competitive bidding for the planned wastewater facilities plan contract and concur that the request complies with the exemption requirements set forth in Ordinance A-91-c, Section 7, the City of Coburg Rules for Public Contracting.

BACKGROUND

The City of Coburg previously secured the services of Kennedy Jenks Consultants to complete its Wastewater Master Plan. Staff has developed the following responses to the standards required for Council to make a special solicitation determination. (in bold and italics)

B. Basis for Approval. The approval of a special solicitation method or exemption from competition must be based upon a record before the City Council that contains the following:

(1) The nature of the contract or class of contracts for which the special solicitation or exemption is requested;

The exemption request is for a professional services contract for engineering services to conduct and complete a Wastewater Facilities Plan that will be utilized by staff and City Council to support future capital infrastructure planning and prioritization as well as potential updating or modifications to operations and maintenance of the system.

- (2) The estimated contract price or cost of the project, if relevant;
The estimated contract price for the project is \$65,000, which has been appropriated in the FY23-24 Adopted Budget.
- (3) Findings to support the substantial cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;
The City of Coburg has utilized the proposed sole source vendor, Kennedy Jenks Consultants, in the past for the most recent Wastewater Master Plan. The unique knowledge of both the design and operating characteristics of the City's wastewater system, as well as the technical data and analysis that formed the current Master Plan make Kennedy Jenks uniquely qualified to efficiently and effectively complete and deliver a high quality final product as a cost that is exceedingly competitive within the very select market of wastewater specific engineering firms that are qualified and available to bid on such a project.
- (4) Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;
There are a limited number of firms within the region that are qualified and specialize in wastewater systems, with an even few number that have the ability to take on new customers and projects. Firms outside the region are not as familiar with the City's system, often have higher rate schedules and would have higher travel related costs.
- (5) A description of the proposed alternative contracting methods to be employed; and
The City secure the services of its contract engineers, Branch Engineering, to develop a formal request for proposals bid package and manage that process on the City's behalf. There would be additional costs associated with this alternative for Branch's technical RFP document as well as response review, scoring and recommendation.
- (6) The estimated date by which it would be necessary to let the contract(s).
If Council confirms the use of a sole source procurement process, staff intends to develop a contract and present to Council for approval and authorization to execute at either the February or March 2024 Council meetings with the work commencing upon contract execution. Project completion is estimated to be early fall 2024.

In making a determination regarding a special selection method, the City Council may consider the type, cost, amount of the contract or class of contracts, number of persons available to make offers, and such other factors as it may deem appropriate.

C. Hearing.

- (1) The City shall approve the special solicitation or exemption after a public hearing before the City Council following notice by publication in at least one newspaper of general circulation in the city's area.
- (2) At the public hearing, the city shall offer an opportunity for any interested party to appear and present comment.

- (3) The City council will consider the findings and may approve the exemption as proposed or as modified by the City council after providing an opportunity for public comment.

RECOMMENDATION AND ALTERNATIVES

Staff recommends the approval of the use of a sole source procurement with Kennedy Jenks Consultants for the wastewater facilities plan project

BUDGET / FINANCIAL IMPACT

The Wastewater Facilities Plan is included in both the City’s adopted Capital Improvements Plan (CIP) and its FY23-24 Adopted budget, with an appropriation set at \$65,000.

PUBLIC INVOLVEMENT

The CIP and FY23-24 Budget were both presented and approved in prior Council and Budget Committee public hearings.

NEXT STEPS

Upon authorization, staff will coordinate with Kennedy Jenks on the development of a professional services contract that will be presented for Council review and authorization to execute at a future Council meeting, likely in either February or March of 2024.

ATTACHMENTS

1. Ordinance A-91-c – Rules for Public Contracting

ORDINANCE NO. A-91C

AN ORDINANCE ADOPTING RULES FOR PUBLIC CONTRACTING, PERSONAL SERVICE AND OTHER CONTRACTS; REPEALING CONFLICTING ORDINANCES RESOLUTIONS AND ORDERS; AND DECLARING AN EMERGENCY.

THE CITY OF COBURG ORDAINS AS FOLLOWS:

Section 1. Public Contracts – City of Coburg Policy.

- A. **Short Title.** The provisions of this Ordinance and all rules adopted under this Ordinance may be cited as the Coburg Public Contracting Regulations.
- B. **Purpose of Public Contracting Regulations.** It is the policy of the City of Coburg in adopting the Public Contracting Regulations to utilize public contracting practices and methods that maximize the efficient use of public resources and the purchasing power of public funds by:
- (1) Promoting impartial and open competition;
 - (2) Using solicitation materials that are complete and contain a clear statement of contract specifications and requirements; and
 - (3) Taking full advantage of evolving procurement methods that suit the contracting needs of the City as they emerge within various industries.
- C. **Interpretation of Public Contracting Rules.** In furtherance of the purpose of the objectives set forth in subsection B, it is the City’s intent that the City of Coburg Public Contracting Regulations be interpreted to authorize the full use of all contracting powers and authorities described in ORS Chapters 279A, 279B and 279C.

Section 2. Application of Public Contracting Regulations.

In accordance with ORS 279A.025, the City’s public contracting regulations and the Oregon Public Contracting Code do not apply to the following classes of contracts.

- A. **Between Governments.** Contracts between the City and a public body or agency of the State of Oregon or its political subdivisions, or between the City and an agency of the federal government.
- B. **Grants.** A grant contract is an agreement under which the City is either a grantee or a grantor of moneys, property or other assistance, including loans, loan guarantees, credit enhancements, gifts, bequests, commodities or other assets, for the purpose of supporting or stimulating a program or activity of the grantee and in which no substantial involvement by the grantor is anticipated in the program or activity other than involvement associated with monitoring compliance with the grant conditions. *The making or receiving of a grant is not a public contract subject to the Oregon Public Contracting Code; however, any grant made by the City for the purpose of constructing a public improvement or public works project shall impose conditions on the grantee that ensure that expenditures of the grant*

to design or construct the public improvement or public works project are made in accordance with the Oregon Public Contracting Code and these regulations.

- C. **Legal Witnesses and Consultants.** Contracts for professional or expert witnesses or consultants to provide services or testimony relating to existing or potential litigation or legal matters in which the City is or may become interested.
- D. **Real Property.** Acquisitions or disposals of real property or interests in real property.
- E. **Textbooks.** Contracts for the procurement or distribution of textbooks.
- F. **Oregon Corrections Enterprises.** Procurements from an Oregon corrections enterprises program.
- G. **Finance.** Contracts, agreements or other documents entered into, issued or established in connection with:
 - (1) The incurring of debt by the City, including any associated contracts, agreements or other documents, regardless of whether the obligations that the contracts, agreements or other documents establish are general, special or limited;
 - (2) The making of program loans and similar extensions or advances of funds, aid or assistance by the City to a public or private person for the purpose of carrying out, promoting or sustaining activities or programs authorized by law other than for the construction of public works or public improvements;
 - (3) The investment of funds by the City as authorized by law, or
 - (4) Banking, money management or other predominantly financial transactions of the City that, by their character, cannot practically be established under the competitive contractor selection procedures, based upon the findings of the Purchasing Manager.
- H. **Employee Benefits.** Contracts for employee benefit plans as provided in ORS 243.105(1), 243.125 (4), 243.221, 243.275, 243.291, 243.303 and 243.565.
- I. **Exempt Under State Laws.** Any other public contracting specifically exempted from the Oregon Public Contracting Code by another provision of law.
- J. **Federal Law.** Except as otherwise expressly provided in ORS 279C.800 to 279C.870, applicable federal statutes and regulations govern when federal funds are involved and the federal statutes or regulations conflict with any provision of the Oregon Public Contracting Code or these regulations, or require additional conditions in public contracts not authorized by the Oregon Public Contracting Code or these regulations.

Section 3. Public Contracts – Regulation by the City of Coburg.

Except as expressly delegated under these regulations, the City of Coburg reserves to itself the exercise of all of the duties and authority of a contract review board *and a contracting agency* under state law, including, but not limited to, the power and authority to:

- A. **Solicitation Methods Applicable to Contracts.** Approve the use of contracting methods and exemptions from contracting methods for a specific contract or certain classes of contracts;
- B. **Brand Name Specifications.** Exempt the use of brand name specifications for public improvement contracts;

- C. **Waiver of Performance and Payment Bonds.** Approve the partial or complete waiver of the requirement for the delivery of a performance or payment bond for construction of a public improvement, other than in cases of emergencies;
- D. **Electronic Advertisement of Public Improvement Contracts.** Authorize the use of electronic advertisements for public improvement contracts in lieu of publication in a newspaper of general circulation;
- E. **Appeals of Debarment and Prequalification Decisions.** Hear properly filed appeals of the purchasing manager's determination of debarment, or concerning prequalification;
- F. **Rulemaking.** Adopt contracting rules under ORS 279A.065 and ORS 279A.070 including, without limitation, rules for the procurement, management, disposal and control of goods, services, personal services and public improvements; and
- G. **Award.** Award all contracts that exceed the authority of the Purchasing Manager.
- H. **Delegation.** Delegate to any employee or agent of the City any of the duties or authority of a contracting agency; and
- I. **Mandatory Review of Rules.** Whenever the Oregon State Legislative Assembly enacts laws that cause the attorney general to modify its Model Rules, the City shall review these regulations to determine whether any modifications to the regulations need to be adopted by the City to ensure compliance with statutory changes.

Section 4. Public Contracts – Model Rules.

The Model Rules adopted by the Attorney General under ORS 279A.065 (Model Rules) are hereby adopted as the public contracting rules for the City to the extent that the Model Rules do not conflict with the provisions of this Ordinance, including any amendments to this Ordinance, and *further provided that*, despite the provisions of the Model Rules concerning the selection of architects, engineers, land surveyors and related consultants, the City's evaluation of architects, engineers, land surveyors and related consultants may include price as a dominant criterion for selection.

Section 5. Public Contracts - Authority of Purchasing Manager.

- A. **General Authority.** The mayor, or the city administrator by the mayor's delegation, shall be the purchasing manager for the City and is hereby authorized to issue all solicitations and to award all City contracts for which the contract price does not exceed \$10,000. Subject to the provisions of this Ordinance the purchasing manager may adopt and amend all solicitation materials, contracts and forms required or permitted to be adopted by contracting agencies under the Oregon Public Contracting Code or otherwise convenient for the City's contracting needs. The purchasing manager shall hear all solicitation and award protests.
- B. **Solicitation Preferences.** When possible, the purchasing manager shall use solicitation documents and evaluation criteria that:
 - (1) Give preference to goods and services that have been manufactured or produced in the State of Oregon if price, fitness, availability and quality are otherwise equal; and
 - (2) Give preference to goods that are certified to be made from recycled products when such goods are available, can be substituted for non-recycled products without a loss in quality,

and the cost of goods made from recycled products is not significantly more than the cost of goods made from non-recycled products.

C. **Delegation of Purchasing Manager’s Authority.** Any of the responsibilities or authorities of the purchasing manager under this Ordinance may be delegated and sub-delegated by written directive.

D. **Mandatory Review of Rules.** Whenever the Oregon State Legislative Assembly enacts laws that cause the attorney general to modify its Model Rules, the Purchasing Manager shall review the Public Contracting Regulations, other than the Model Rules, and recommend to the City any modifications required to ensure compliance with statutory changes.

Section 6. Public Contracts – Definitions. The following terms used in these regulations shall have the meanings set forth below.

Award means the selection of a person to provide goods, services or public improvements under a public contract. The award of a contract is not binding on the City until the contract is executed and delivered by the City of Coburg

Bid means a binding, sealed, written offer to provide goods, services or public improvements for a specified price or prices.

Concession agreement means a contract that authorizes and requires a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from real property owned or managed by the City, and under which the concessionaire makes payments to the City based, at least in part, on the concessionaire’s revenues or sales. The term “concession agreement” does not include a mere rental agreement, license or lease for the use of premises.

Contract price means the total amount paid or to be paid under a contract, including any approved alternates, and any fully executed change orders or amendments.

Contract review board or local contract review board means the City of Coburg Council.

Cooperative procurement means a procurement conducted by or on behalf of one or more contracting agencies.

Debarment means a declaration by the Purchasing Manager under ORS 279B.130 or ORS 279C.440 that prohibits a potential contractor from competing for the City’s public contracts for a prescribed period of time.

Disposal means any arrangement for the transfer of property by the City under which the City relinquishes ownership.

Emergency means circumstances that create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and require prompt execution of a contract to remedy the condition.

Energy savings performance contract means a contract with a qualified energy service company for the identification, evaluation, recommendation, design and construction of energy conservation measures that guarantee energy savings or performance.

Findings are the statements of fact that provide justification for a determination. Findings may include, but are not limited to, information regarding operation, budget and financial data; public benefits; cost savings; competition in public contracts; quality and aesthetic considerations, value engineering; specialized expertise needed; public safety; market conditions; technical complexity; availability, performance and funding sources.

Goods means any item or combination of supplies, equipment, materials or other personal property, including any tangible, intangible and intellectual property and rights and licenses in relation thereto.

Informal solicitation means a solicitation made in accordance with the City's Public Contracting Regulations to a limited number of potential contractors, in which the Solicitation Agent attempts to obtain at least three written quotes or proposals.

Invitation to bid means a publicly advertised request for competitive sealed bids.

Model Rules means the public contracting rules adopted by the Attorney General under ORS 279A.065.

Offeror means a person who submits a bid, quote or proposal to enter into a public contract with the City.

Oregon Public Contracting Code means ORS chapters 279A, 279B and 279C.

Person means a natural person or any other private or governmental entity, having the legal capacity to enter into a binding contract.

Proposal means a binding offer to provide goods, services or public improvements with the understanding that acceptance will depend on the evaluation of factors other than, or in addition to, price. A Proposal may be made in response to a request for proposals or under an informal solicitation.

Personal services contract means a contract with an independent contractor predominantly for services that require special training or certification, skill, technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of architects, engineers, land surveyors, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants and property managers. The Purchasing Manager shall have discretion to determine whether additional types of services not specifically mentioned in this paragraph fit within the definition of personal services.

Public contract means a sale or other disposal, or a purchase, lease, rental or other acquisition, by the City of personal property, services, including personal services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement.

Public improvement means a project for construction, reconstruction or major renovation on real property by or for the City. "Public improvement" does not include:

- (1) Projects for which no funds of the City are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or
- (2) Emergency work, minor alteration, ordinary repair or maintenance necessary to preserve a public improvement.

Purchasing Manager means the mayor, or by the mayor's delegation, the city administrator or designee who exercise the authority of the purchasing manager under these public contracting regulations..

Qualified pool means a pool of vendors who are pre-qualified to compete for the award of contracts for certain types of contracts or to provide certain types of services.

Quote means a price offer made in response to an informal or qualified pool solicitation to provide goods, services or public improvements.

Request for proposals means a publicly advertised request for sealed competitive proposals.

Services means and includes all types of services (including construction labor) other than personal services.

Solicitation means an invitation to one or more potential contractors to submit a bid, proposal, quote, statement of qualifications or letter of interest to the City with respect to a proposed project, procurement or other contracting opportunity. The word "solicitation" also refers to the process by which the City requests, receives and evaluates potential contractors and awards public contracts.

Solicitation Agent means, with respect to a particular solicitation, the mayor, or the city administrator when so designated by the mayor or other designee to conduct the solicitation and make an award.

Solicitation documents means all informational materials issued by the City for a solicitation, including, but not limited to advertisements, instructions, submission requirements and schedules, award criteria, contract terms and specifications, and all laws, regulations and documents incorporated by reference.

Standards of responsibility means the qualifications of eligibility for award of a public contract. An offeror meets the standards of responsibility if the offeror has:

- (1) Available the appropriate financial, material, equipment, facility and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to indicate the capability of the offeror to meet all contractual responsibilities;
- (2) A satisfactory record of performance. The Solicitation Agent shall document the record of performance of an offeror if the Solicitation Agent finds the offeror to be not responsible under this paragraph;
- (3) A satisfactory record of integrity. The Solicitation Agent shall document the record of integrity of an offeror if the Solicitation Agent finds the offeror to be not responsible under this paragraph;
- (4) Qualified legally to contract with the City;
- (5) Supplied all necessary information in connection with the inquiry concerning responsibility. If an offeror fails to promptly supply information requested by the Solicitation Agent concerning responsibility, the Solicitation Agent shall base the

determination of responsibility upon any available information or may find the offeror non-responsible; and

- (6) Not been debarred by the City, and, in the case of public improvement contracts, has not been listed by the Construction Contractors Board as a contractor who is not qualified to hold a public improvement contract.

Surplus property means personal property owned by the City which is no longer needed for use by the department to which such property has been assigned.

Section 7. Public Contracts - Process for Approval of Special Solicitation Methods and Exemptions.

A. **Authority of City Council.** In its capacity as contract review board for the city, the Council, upon its own initiative, or upon request of the purchasing manager, may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract or class of contracts as provided in this section 7.

B. **Basis for Approval.** The approval of a special solicitation method or exemption from competition must be based upon a record before the City Council that contains the following:

- (1) The nature of the contract or class of contracts for which the special solicitation or exemption is requested;
- (2) The estimated contract price or cost of the project, if relevant;
- (3) Findings to support the substantial cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;
- (4) Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;
- (5) A description of the proposed alternative contracting methods to be employed; and
- (6) The estimated date by which it would be necessary to let the contract(s).

In making a determination regarding a special selection method, the City Council may consider the type, cost, amount of the contract or class of contracts, number of persons available to make offers, and such other factors as it may deem appropriate.

C. Hearing.

- (1) The City shall approve the special solicitation or exemption after a public hearing before the City Council following notice by publication in at least one newspaper of general circulation in the city's area.
- (2) At the public hearing, the city shall offer an opportunity for any interested party to appear and present comment.
- (3) The City council will consider the findings and may approve the exemption as proposed or as modified by the City council after providing an opportunity for public comment.

D. **Special Requirements for Public Improvement Contracts.**

- (1) Notification of the public hearing for exemption of a public improvement contract, or class of public improvement contracts, shall be published in a trade newspaper of general statewide circulation at least 14 days prior to the hearing.
- (2) The notice shall state that the public hearing is for the purpose of taking comments on the City's draft findings for an exemption from the standard solicitation method. At the time of the notice, copies of the draft findings shall be made available to the public.

E. **Commencement of Solicitation Prior to Approval.** A solicitation may be issued prior to the approval of a special exemption under this section 7, provided that the closing of the solicitation may not be earlier than five days after the date of the hearing at which the City Council approves the exemption. If the City Council fails to approve a requested exemption, or requires the use of a solicitation procedure other than the procedures described in the issued solicitation documents, the issued solicitation may either be modified by addendum, or cancelled.

Section 8. **Public Contracts - Solicitation Methods for Classes of Contracts.** The following classes of public contracts and the method(s) that are approved for the award of each of the classes are hereby established by the City Council:

A. **Purchases from Nonprofit Agencies for Disabled Individuals.** The City shall give a preference to goods, services and public improvements available from qualified nonprofit agencies for disabled individuals in accordance with the provisions of ORS 279.835 through 279.850.

B. **Public Improvement Contracts.**

- (1) **Any Public Improvement.** Unless otherwise provided in these regulations or approved for a special exemption, public improvement contracts in any amount may be issued only under an invitation to bid.
- (2) **Non-Transportation Public Improvements Up to \$150,000.** Public improvement contracts other than contracts for a highway, bridge or other transportation project for which the estimated contract price does not exceed \$150,000 may be awarded using an informal solicitation for quotes.
- (3) **Transportation Public Improvements Up to \$100,000.** Contracts for which the estimated contract price does not exceed \$100,000 for highways, bridges or other transportation projects may be awarded using an informal solicitation for quotes.

C. **Personal Services Contracts.**

- (1) **Any Personal Services Contract.** Personal services contracts in any amount may be awarded under a publicly advertised request for competitive sealed proposals.
- (2) **Personal Service Contracts Not Exceeding \$150,000.** Contracts for personal services for which the estimated contract price does not exceed \$150,000 may be awarded using an informal solicitation for proposals.

- (3) **\$75,000 Award from Qualified Pool.** Contracts for personal services for which the estimated contract price does not exceed \$75,000 may be awarded by direct appointment without competition from a Qualified Pool.
- (4) **Personal Service Contracts Not Exceeding \$20,000 Per Year.** Contracts for which the Solicitation Agent estimates that payments will not exceed \$20,000 in any fiscal year or \$50,000 over the full term, including optional renewals, may be awarded under any method deemed in the City's best interest by the Solicitation Agent, including by direct appointment.
- (5) **Personal Service Contracts for Continuation of Work.** Contracts of not more than \$50,000 for the continuation of work by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract may be awarded without competition if the prior contract was awarded under a competitive process and the Solicitation Agent determines that use of the original contractor will significantly reduce the costs of, or risks associated with, the work.

D. **Hybrid Contracts.** The following classes of contracts include elements of construction of public improvements as well as personal services and may be awarded under a request for proposals, unless exempt from competitive solicitation.

- (1) **Design/Build and CM/GC Contracts.** Contracts for the construction of public improvements using a design/build or construction manager/general contractor construction method shall be awarded under a request for proposals. The determination to construct a project using a design/build or construction manager/general contractor construction method must be approved by the city Council or designee, upon application of the Solicitation Agent, in which the Solicitation Agent submits facts that support a finding that the construction of the improvement under the proposed method is likely to result in cost savings, higher quality, reduced errors, or other benefits to the City.
- (2) **Energy Savings Performance Contracts.** Unless the contract qualifies for award under another classification in this section 8, contractors for energy savings performance contracts shall be selected under a request for proposals in accordance with the City's Public Contracting Regulations.

E. **Contracts for Goods and Services.**

- (1) **Any Procurement.** The procurement of goods or services, or goods and services in any amount may be made under either an invitation to bid or a request for proposals.
- (2) **Procurements Up to \$150,000.** The procurement of goods or services, or goods and services, for which the estimated contract price does not exceed \$150,000 may be made under an informal solicitation for either quotes or proposals.

F. **Contracts Subject to Award at Solicitation Agent's Discretion.** The following classes of contracts may be awarded in any manner which the Solicitation Agent deems appropriate to the city's needs, including by direct appointment or purchase. Except where otherwise provided the Solicitation Agent shall make a record of the method of award.

- (1) **Advertising.** Contracts for the placing of notice or advertisements in any medium.
- (2) **Amendments.** Contract amendments shall not be considered to be separate contracts if made in accordance with the Public Contracting Regulations.
- (3) **Animals.** Contracts for the purchase of animals.
- (4) **Contracts Up to \$5,000.** Contracts of any type for which the contract price does not exceed \$5,000 without a record of the method of award.
- (5) **Copyrighted Materials; Library Materials.** Contracts for the acquisition of materials entitled to copyright, including, but not limited to works of art and design, literature and music, or materials even if not entitled to copyright, purchased for use as library lending materials.
- (6) **Equipment Repair.** Contracts for equipment repair or overhauling, provided the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.
- (7) **Government Regulated Items.** Contracts for the purchase of items for which prices or selection of suppliers are regulated by a governmental authority.
- (8) **Insurance.** Insurance and service contracts as provided for under ORS 414.115, 414.125, 414.135 and 414.145.
- (9) **Non-Owned Property.** Contracts or arrangements for the sale or other disposal of abandoned property or other personal property not owned by the City.
- (10) **Sole Source Contracts.** Contracts for goods or services which are available from a single source may be awarded without competition.
- (11) **Specialty Goods for Resale.** Contracts for the purchase of specialty goods by the City for resale to consumers.
- (12) **Sponsor Agreements.** Sponsorship agreements, under which the City receives a gift or donation in exchange for recognition of the donor.
- (13) **Structures.** Contracts for the disposal of structures located on City-owned property.
- (14) **Renewals.** Contracts that are being renewed in accordance with their terms are not considered to be newly issued Contracts and are not subject to competitive procurement procedures.
- (15) **Temporary Extensions or Renewals.** Contracts for a single period of one year or less, for the temporary extension or renewal of an expiring and non-renewable, or recently expired, contract, other than a contract for public improvements.
- (16) **Temporary Use of City-Owned Property.** The City may negotiate and enter into a license, permit or other contract for the temporary use of City-owned property without using a competitive selection process if:
 - (a) The contract results from an unsolicited proposal to the City based on the unique attributes of the property or the unique needs of the proposer;
 - (b) The proposed use of the property is consistent with the City's use of the property and the public interest; and
 - (c) The city reserves the right to terminate the contract without penalty, in the event that the City determines that the contract is no longer consistent with the City's present or planned use of the property or the public interest.

- (17) **Used Property.** A Solicitation Agent, for procurements up to \$20,000, and the Purchasing Manager, for procurements in excess of \$20,000 may contract for the purchase of used property by negotiation if such property is suitable for the City's needs and can be purchased for a lower cost than substantially similarly new property. For this purpose the cost of used property shall be based upon the life-cycle cost of the property over the period for which the property will be used by the City. The Purchasing Manager shall record the findings that support the purchase.
- (18) **Utilities.** Contracts for the purchase of steam, power, heat, water, telecommunications services, and other utilities.

G. **Contracts Required by Emergency Circumstances.**

- (1) **In General.** When an official with authority to enter into a contract on behalf of the City determines that immediate execution of a contract within the official's authority is necessary to prevent substantial damage or injury to persons or property, the official may execute the contract without competitive selection and award or City Council approval, but, where time permits, the official shall attempt to use competitive price and quality evaluation before selecting an emergency contractor.
- (2) **Reporting.** An official who enters into an emergency contract shall, as soon as possible, in light of the emergency circumstances, (1) document the nature of the emergency; the method used for selection of the particular contractor and the reason why the selection method was deemed in the best interest of the City and the public, and (2) notify the City Council of the facts and circumstances surrounding the emergency execution of the contract.
- (3) **Emergency Public Improvement Contracts.** A public improvement contract may only be awarded under emergency circumstances if the Purchasing Manager has made a written declaration of emergency. Any Public Improvement Contract award under emergency conditions must be awarded within 60 days following the declaration of an emergency unless the City Council grants an extension of the emergency period. Where the time delay needed to obtain a payment or performance bond for the contract could result in injury or substantial property damage, the Purchasing Manager may waive the requirement for all or a portion of required performance and payment bonds.

H. **Federal Purchasing Programs.** Goods and services may be purchased without competitive procedures under a local government purchasing program administered by the United States General Services Administration ("GSA") as provided in this subsection.

- (1) The procurement must be made in accordance with procedures established by GSA for procurements by local governments, and under purchase orders or contracts submitted to and approved by the Purchasing Manager. The Solicitation Agent shall provide the Purchasing Manager with a copy of the letter, memorandum or other documentation from GSA establishing permission to the City to purchase under the federal program.
- (2) The price of the goods or services must be established under price agreements between the federally approved vendor and GSA.

- (3) The price of the goods or services must be less than the price at which such goods or services are available under state or local cooperative purchasing programs that are available to the City.
- (4) If a single purchase of goods or services exceeds \$150,000, the Solicitation Agent must obtain informal written quotes or proposals from at least two additional vendors (if reasonably available) and find, in writing, that the goods or services offered by GSA represent the best value for the City. This paragraph does not apply to the purchase of equipment manufactured or sold solely for military or law enforcement purposes.

I. **Cooperative Procurement Contracts.** Cooperative procurements may be made without competitive solicitation as provided in the Oregon Public Contracting Code.

J. **Surplus Property.**

(1) **General Methods.** Surplus property may be disposed of by any of the following methods upon a determination by the Solicitation Agent that the method of disposal is in the best interest of the City. Factors that may be considered by the Solicitation Agent include costs of sale, administrative costs, and public benefits to the City. The Solicitation Agent shall maintain a record of the reason for the disposal method selected, and the manner of disposal, including the name of the person to whom the surplus property was transferred.

- (a) **Governments.** Without competition, by transfer or sale to another City department or public agency.
- (b) **Auction.** By publicly advertised auction to the highest bidder.
- (c) **Bids.** By public advertised invitation to bid.
- (d) **Liquidation Sale.** By liquidation sale using a commercially recognized third-party liquidator selected in accordance with rules for the award of personal services contracts.
- (e) **Fixed Price Sale.** The Solicitation Agent may establish a selling price based upon an independent appraisal or published schedule of values generally accepted by the insurance industry, schedule and advertise a sale date, and sell to the first buyer meeting the sales terms.
- (f) **Trade-In.** By trade-in, in conjunction with acquisition of other price-based items under a competitive solicitation. The solicitation shall require the offer to state the total value assigned to the surplus property to be traded.
- (g) **Donation.** By donation to any organization operating within or providing a service to residents of the City which is recognized by the Internal Revenue Service as an organization described in section 501©(3) of the Internal Revenue Code of 1986, as amended.

(2) **Disposal of Property with Minimal Value.** Surplus property which has a value of less than \$500, or for which the costs of sale are likely to exceed sale proceeds may be disposed of by any means determined to be cost-effective, including by disposal as waste. The official making the disposal shall make a record of the value of the item and the manner of disposal.

- (3) **Personal-Use Items.** An item (or indivisible set) of specialized and personal use, other than police officer's handguns, with a current value of less than \$100 may be sold to the employee or retired or terminated employee for whose use it was purchased. These items may be sold for fair market value without bid and by a process deemed most efficient by the Purchasing Manager.
- (4) **Police Officers' Handguns.** Upon honorable retirement from service with the City, a police officer may purchase the handgun that she or he was using at the time of retirement. The purchase price shall be the fair market value of the handgun as determined by an independent appraisal performed by a qualified weapons appraiser. An officer electing to exercise this option shall notify the City at least 30 days prior to his or her expected retirement date and request an appraisal of the handgun. Upon receipt of the appraisal fee from the officer the City shall arrange for the appraisal. A copy of the completed appraisal shall be provided to the officer, who shall have up to 30 days from the date of retirement to purchase the handgun for the appraised fair market value.
- (5) **Restriction on Sale to City Employees.** City employees shall not be restricted from competing, as members of the public, for the purchase of publicly sold surplus property, but shall not be permitted to offer to purchase property to be sold to the first qualifying bidder until at least three days after the first date on which notice of the sale is first publicly advertised.
- (6) **Conveyance to Purchaser.** Upon the consummation of a sale of surplus personal property, the City shall make, execute and deliver, a bill of sale signed on behalf of the City, conveying the property in question to the purchaser and delivering possession, or the right to take possession, of the property to the purchaser.

K. Concession Agreements.

- (1) **General.** No part of a Concession Agreement shall contain or constitute a waiver of any generally applicable rules, code provisions or requirements of the City concerning regulation, registration, licensing, inspection, or permit requirements for any construction, rental or business activity.
- (2) **Classes of Contracts Eligible for Award Without Competition.** The following concession agreements may be awarded by any method deemed appropriate by the Solicitation Agent, including without limitation, by direct appointment, private negotiation, from a qualified pool, or using a competitive process.
 - (a) **Contracts Under \$5,000.** Contracts under which the Solicitation Agent estimates that receipts by the City will not exceed \$5,000 in any fiscal year and \$50,000 in the aggregate.
 - (b) **Single Event Concessions.** Concessions to sell or promote food, beverages, merchandise or services at a single public event shall be awarded based on any method determined by the Purchasing Manager to provide a fair opportunity to all persons desiring to operate a concession, but in which the promotion of the public interest and success of the event shall be of predominant importance.

- (3) **Competitive Award.** Concession agreements solicited by the City for the use of designated public premises for a term greater than a single event shall be awarded as follows:
- (a) **Small Concessions.** For Concession Agreements for which the concessionaire's projected annual gross revenues are estimated to be \$500,000 or less, the Purchasing Manager has discretion to use either an informal solicitation or formal request for proposals process applicable to contracts for personal services. If the proposals received indicate a probability that the concessionaire's annual gross revenues will exceed \$500,000, the Solicitation Agent may, but shall not be required to, reissue the solicitation as a request for proposals.
 - (b) **Major Concessions.** Concession agreements for which the concessionaire's projected annual gross revenues under the contract are estimated to exceed \$500,000 annually shall be awarded using a request for proposals.

Section 9. Public Contracts - Informal Solicitation Procedures. The City may use the following procedure for informal solicitations in lieu of the procedures set forth in the Model Rules.

A. Informally Solicited Quotes and Proposals.

- (1) **Solicitation of Offers.** When authorized by these regulations, an informal solicitation may be made by general or limited advertisement to a certain group of vendors, by direct inquiry to persons selected by the Solicitation Agent, or in any other manner which the Solicitation Agent deems suitable for obtaining competitive quotes or proposals. The Solicitation Agent shall deliver or otherwise make available to potential offerors, a written scope of work, a description of how quotes or proposals are to be submitted and description of the criteria for award.
- (2) **Award.** The Solicitation Agent shall attempt to obtain a minimum of three written quotes or proposals before making an award. If the award is made solely on the basis of price, the Solicitation Agent shall award the contract to the responsible offeror that submits the lowest responsive quote. If the award is based on criteria other than, or in addition to, price, the Solicitation Agent shall award the contract to the responsible offeror that will best serve the interest of the City, based on the criteria for award.
- (3) **Records.** A written record of all persons solicited and offers received shall be maintained. If three offers cannot be obtained, a lesser number will suffice, provided that a written record is made of the effort to obtain the quotes.

B. Qualified Pools.

- (1) **General.** To create a qualified pool, the Purchasing Manager may invite prospective contractors to submit their qualifications to the City for inclusion as participants in a pool of contractors qualified to provide certain types of goods, services, or projects including personal services, and public improvements.
- (2) **Advertisement.** The invitation to participate in a qualified pool shall be advertised in the manner provided for advertisements of invitations to bid and requests for proposals

- by publication in at least one newspaper of general statewide circulation. If qualification will be for a term that exceeds one year or allows open entry on a continuous basis, the invitation to participate in the pool must be re-published at least once per year and shall be posted at the City's main office and on its website.
- (3) **Contents of Solicitation.** Requests for participation in a qualified pool shall describe the scope of goods or services or projects for which the pool will be maintained, and the minimum qualifications for participation in the pool, which may include, but shall not be limited to qualifications related to financial stability, contracts with manufacturers or distributors, certification as an emerging small business, insurance, licensure, education, training, experience and demonstrated skills of key personnel, access to equipment, and other relevant qualifications that are important to the contracting needs of the City.
 - (4) **Contract.** The operation of each qualified pool may be governed by the provisions of a pool contract to which the City and all pool participants are parties. The Contract shall contain all terms required by the City, including, without limitation, terms related to price, performance, business registration or licensure, continuing education, insurance, and requirements for the submission, on an annual or other periodic basis, of evidence of continuing qualification. The qualified pool contract shall describe the selection procedures that the City may use to issue contract job orders. The selection procedures shall be objective and open to all pool participants and afford all participants the opportunity to compete for or receive job awards. Unless expressly provided in the contract, participation in a qualified pool will not entitle a participant to the award of any City contract.
 - (5) **Use of Qualified Pools.** Subject to the provisions of these regulations concerning methods of solicitation for classes of contracts, the Solicitation Agent shall award all contracts for goods or services of the type for which a qualified pool is created from among the pool's participants, unless the Solicitation Agent determines that best interests of the City require solicitation by public advertisement, in which case, pool participants shall be notified of the solicitation and invited to submit competitive proposals.
 - (6) **Amendment and Termination.** The Purchasing Manager may discontinue a qualified pool at any time, or may change the requirements for eligibility as a participant in the pool at any time, by giving notice to all participants in the qualified pool.
 - (7) **Protest of Failure to Qualify.** The Purchasing Manager shall notify any applicant who fails to qualify for participation in a pool that it may appeal a qualified pool decision to the City Council in the manner described in section 13.

Section 10. Public Contracts - Use of Brand Name Specifications for Public Improvements.

- A. **In General.** Specifications for contracts shall not expressly or implicitly require any product by one brand name or mark, nor the product of one particular manufacturer or seller, except for the following reasons:

- (1) It is unlikely that such exemption will encourage favoritism in the awarding of Public improvement Contracts or substantially diminish competition for Public improvement Contracts; or

- (2) The specification of a product by brand name or mark, or the product of a particular manufacturer or seller, would result in substantial cost savings to the City; or
- (3) There is only one manufacturer or seller of the product of the quality required; or
- (4) Efficient utilization of existing equipment, systems or supplies requires the acquisition of compatible equipment or supplies.

- B. **Authority of Purchasing Manager.** The Purchasing Manager shall have authority to determine whether an exemption for the use of a specific brand name specification should be granted by recording findings that support the exemption based on the provisions of subsection A.
- C. **Brand Name or Equivalent.** Nothing in this section 10 prohibits the City from using a “brand name or equivalent” specification, from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the City, or from establishing a qualified product list.

Section 11. Public Contracts - Bid, Performance and Payment Bonds.

- A. **Solicitation Agent May Require Bonds.** The Solicitation Agent may require bid security and a good and sufficient performance and payment bond even though the contract is of a class that is exempt from the requirement.
- B. **Bid Security.** Except as otherwise exempted, the solicitations for all contracts that include the construction of a public improvement and for which the estimated contract price will exceed \$75,000 shall require bid security. Bid security for a request for proposal may be based on the City’s estimated contract price.
- C. **Performance Bonds.**
 - (1) **General.** Except as provided in these regulations, all public contracts are exempt from the requirement for the furnishing of a performance bond.
 - (2) **Contracts Involving Public Improvements.** Prior to executing a contract for more than \$50,000 that includes the construction of a public improvement, the contractor must deliver a performance bond in an amount equal to the full contract price conditioned on the faithful performance of the contract in accordance with the plans, specifications and conditions of the contract. The performance bond must be solely for the protection of the City and any public agency that is providing funding for the project for which the contract was awarded.
 - (3) **Cash-in-Lieu.** The Purchasing Manager or City may permit the successful offeror to submit a cashier’s check or certified check in lieu of all or a portion of the required performance bond.
- D. **Payment Bonds.**
 - (1) **General.** Except as provided in these regulations, all public contracts are exempt from the requirement for the furnishing of a payment bond.
 - (2) **Contracts Involving Public Improvements.** Prior to executing a contract for more than \$50,000 that includes the construction of a public improvement, the contractor

must deliver a payment bond equal to the full contract price, solely for the protection of claimants under ORS 279C.600.

- E. **Design/Build Contracts.** If the public improvement contract is with a single person to provide both design and construction of a public improvement, the obligation of the performance bond for the faithful performance of the contract must also be for the preparation and completion of the design and related services covered under the contract. Notwithstanding when a cause of action, claim or demand accrues or arises, the surety is not liable after final completion of the contract, or longer if provided for in the contract, for damages of any nature, economic or otherwise and including corrective work, attributable to the design aspect of a design-build project, or for the costs of design revisions needed to implement corrective work.
- F. **Construction Manager/General Contractor Contracts.** If the public improvement contract is with a single person to provide construction manager and general contractor services, in which a guaranteed maximum price may be established by an amendment authorizing construction period services following preconstruction period services, the contractor shall provide the bonds required by subsection A. of this section upon execution of an amendment establishing the guaranteed maximum price. The City shall also require the contractor to provide bonds equal to the value of construction services authorized by any early work amendment in advance of the guaranteed maximum price amendment. Such bonds must be provided before construction starts.
- G. **Surety; Obligation.** Each performance bond and each payment bond must be executed solely by a surety company or companies holding a certificate of authority to transact surety business in Oregon. The bonds may not constitute the surety obligation of an individual or individuals. The performance and payment bonds must be payable to the City or to the public agency or agencies for whose benefit the bond is issued, as specified in the solicitation documents, and shall be in a form approved by the Purchasing Manager.
- H. **Emergencies.** In cases of emergency, or when the interest or property of the City probably would suffer material injury by delay or other cause, the requirement of furnishing a good and sufficient performance bond and a good and sufficient payment bond for the faithful performance of any public improvement contract may be excused, if a declaration of such emergency is made in accordance with the provisions of section 8.G, unless the City Council requires otherwise.

Section 12. Public Contracts - Electronic Advertisement of Public Improvement Contracts. In lieu of publication in a newspaper of general circulation in the city's metropolitan area, the advertisement for an invitation to bid or request for proposals for a contract involving a public improvement may be published electronically by posting on the City's website, provided that the following conditions are met:

- A. The placement of the advertisement is on a location within the website that is maintained on a regular basis for the posting of information concerning solicitations for projects of the type for which the invitation to bid or request for proposals is issued; and
- B. The Solicitation Agent determines that the use of electronic publication will be at least as effective in encouraging meaningful competition as publication in a newspaper of general circulation in the city metropolitan area and will provide costs savings for the City, or that

the use of electronic publication will be more effective than publication in a newspaper of general circulation in the City's metropolitan area in encouraging meaningful competition.

Section 13. Appeal of Debarment or Prequalification Decision.

- A. **Right to Hearing.** Any person who has been debarred from competing for City contracts or for whom prequalification has been denied, revoked or revised may appeal the City's decision to the City Council as provided in this section 13.
- B. **Filing of Appeal.** The person must file a written notice of appeal with the City's Purchasing Manager within three business days after the prospective contractor's receipt of notice of the determination of debarment, or denial of prequalification.
- C. **Notification of City Council.** Immediately upon receipt of such notice of appeal, the Purchasing Manager shall notify the city Council of the appeal.
- D. **Hearing.** The procedure for appeal from a debarment or denial, revocation or revision of prequalification shall be as follows:
 - (1) Promptly upon receipt of notice of appeal, the City shall notify the appellant of the time and place of the hearing;
 - (2) The City shall conduct the hearing and decide the appeal within 30 days after receiving notice of the appeal from the Purchasing Manager; and
 - (3) At the hearing, the City shall consider de novo the notice of debarment, or the notice of denial, revocation or revision of prequalification, the standards of responsibility upon which the decision on prequalification was based, or the reasons listed for debarment, and any evidence provided by the parties.
- E. **Decision.** The City shall set forth in writing the reasons for the decision.
- F. **Costs.** The City Council may allocate the City's costs for the hearing between the appellant and the City. The allocation shall be based upon facts found by the City Council and stated in the City Council's decision that, in the Council's opinion, warrant such allocation of costs. If the City Council does not allocate costs, the costs shall be paid by the appellant, if the decision is upheld, or by the City, if the decision is overturned.
- G. **Judicial Review.** The decision of the City Council may be reviewed only upon a petition in the circuit court of Lane County filed within 15 days after the date of the City Council's decision.

Section 14. Severability. In the event any section or subsection of this Ordinance is finally adjudged to be legally unenforceable, then such judgment shall only invalidate that section or subsection, and all remaining sections and subsections shall remain in full legal force and effect.

Section 15. Repeal. City of Coburg Ordinances No. A-91, A-91(a) and A-91(b), together with all implementing resolutions and orders, and all other ordinances to the extent of conflict with this ordinance, are hereby repealed.

Section 16. Declaration of Emergency. The City Council, finding that it is necessary for the general welfare of the City that the City's Public Contracting and Personal Service Contracts Rules become effective on March 1, 2005, the effective date of the revised State of Oregon Public Contracting

Code, hereby declares an emergency to exist and that this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

The foregoing ordinance was by City Council consent, after public notice, public hearing and council deliberations, read twice by title only in accordance with the City Charter on the 1st day of March, 2005, whereupon it was put to a vote, the results of which were:

(a) YES: _____

(b) NO: _____

(c) ABSTENTION: _____

PASSED: _____

REJECTED: _____

SIGNED AND APPROVED this ____ day of _____, 2005.

Judy Volta, Mayor

ATTEST:

Marlene Colbath, Acting City Recorder



COBURG CITY COUNCIL

ACTION ITEM

Purchasing Authorization for Wetland Credits for Waterline Extension and Service Connection

Meeting Date	Staff Contact	Email
December 12, 2023	Adam Hanks, City Administrator Brian Harmon, Public Works Director	Adam.Hanks@ci.coburg.or.us Brian.Harmon@ci.coburg.or.us

REQUESTED COUNCIL ACTION

The City of Coburg has tasked Branch Engineering, the City's contract City Engineer, with submitting and obtaining the necessary state and federal permits to extend the eastside waterline to serve water to Premier RV and the newly annexed 107 acre light industrial site. The permit and resulting waterline extension continues progress towards the completion of the "east loop", an important system component contained within the 2016 Water Master Plan.

Because the existing connection point is located within a somewhat newly identified wetland area, disturbances to the area require a Joint Partner Agency (JPA) permit. Because of the disturbances that occurred with the initial boring of the waterline under I-5 from west to east are beyond the two-year limit that allows on-site mitigation treatments, the current permit requirement includes the purchase and utilization of wetland credits.

Suggested Motion

I move to authorize the City Administrator to execute a contract for the purchase of wetland credits for the purpose of fulfilling permit requirements of the eastside waterline extension, estimated at a current market rate cost of between \$32,000 and 35,000 for the .184 acre of required credits.

BACKGROUND

The eastside waterline extension and loop project has been in development for a number of years and is identified on the 2016 Water Master Plan. The project objective is to extend and provide water service to the existing and newly annexed properties within the Coburg City limits, as well as to create a loop in the transmission/distribution system extending north to Van Duyn then northwest to N Industrial Wy.

A prior project extended the waterline from the existing system located on Roberts Road to the east side of I-5 via horizontal boring. The existing temporary terminus of the line (bore pit) is located on private property south of the Premier RV property. An easement exists for both the bore pit, the main waterline extension to the 107 acre parcel and a service line to the Premier RV

property. A service access road was constructed at the time of the I-5 bore. The combination of the road and the bore pit triggered a requirement for a wetland delineation and ultimately determined that the project impacted .184 of an acre requiring the wetland credits to allow the disturbance to remain in place.

The JPA permit required to continue with the extension of the waterline project, is a multi-agency approval process that includes the Oregon Department of State Lands (DSL), the US Army Corp of Engineers and the Department of Environmental Quality (DEQ). Wetland credits are formally labeled Compensatory Mitigation with a purpose of replacing the functions and values lost by the permanent impacts to “waters of the state”.

Removal and restoration of the site as an option is limited to a two-year window from the time of disturbance which has since passed. Even if restoration were an option, it is likely that the costs involved with removal, restoration, monitoring and reporting over the required five-year period would be equal to or exceed the cost of the wetland credit purchase.

RECOMMENDATION AND ALTERNATIVES

Staff recommends the purchase of wetland credits as soon as possible given the upward trends on the market rate of wetland credits. Availability of credit supply is limited with a number of projects regionally requiring credits resulting in consistent upward changes in pricing from month to month.

BUDGET / FINANCIAL IMPACT

Staff and Branch Engineering have been in contact with several wetland credit holders and have tentatively identified a credit holder willing to sell this relatively small credit amount to the City. Market fluxuations and credit demand continue to create pricing adjustments. It is anticipated that the necessary credits can be purchased for between \$32,000 and \$35,000. This expenditure would be funded from budgeted water capital fund appropriations and are eligible expenses for the existing water loan (\$4.5m) that is being utilized to finance current water infrastructure projects.

PUBLIC INVOLVEMENT

No prior public involvement has occurred relating specifically to the need for or purchase of wetland credits. However, many Council meetings and work sessions relating to the overall water system have occurred, most recently a November 28, 2023 Council work session.

NEXT STEPS

Upon authorization, staff will coordinate with Branch Engineering to purchase and secure the necessary credits and include the sales agreement/proof of ownership in the JPA permit application as directed.

ATTACHMENTS

1. Oregon Wetlands LCC - Wetland credit sales agreement (template)
2. Eastside Waterline – JPA Permit Application

Oregon Wetlands, LLC

__ South Santiam Bank __ Marys River Bank
6001 NW Gilmour Lane, Albany, Oregon 97321

Sales Agreement and Earnest Money Receipt

Oregon Wetlands, LLC (Seller) agrees to sell to _____ (Purchaser), XXXX square feet (**XXXX credits**) of wetland mitigation credits to offset permitted impacts at the Purchaser's site. The bulk purchase price is \$XXXX per credit, for a total purchase price of \$XXXX. The Seller acknowledges receipt of 10% of total purchase price \$XXXX as a nonrefundable Earnest Money deposit in part payment for the time period of date of purchaser signing to three months. After three months without purchasing credits in full, interest of 9.0% of total balance due \$XXXX will be charged, and after six months of not purchasing credits in full the down payment and interest will be nonrefundable and this contract will be renegotiated. Accumulated interest will be due at time of closing or at the end of the contract period, whichever occurs first. The Purchaser agrees to purchase and the Sellers agree to sell the wetland mitigation credits within 5 days of Seller and Purchaser obtaining removal and fill permits or any other necessary approvals of DSL/COE.

Provided further that if this sale cannot be completed due to Seller being unable to sell the credits specified in the DSL/COE permit or Purchaser cannot proceed with project construction due to the necessary regulatory permits not being granted, Purchaser may then terminate this sale and obtain a refund of their earnest money deposit.

The permit approved by DSL/COE shall determine the exact number of credits to be sold by Seller to Purchaser. Any adjustments are to be made at the time of closing.

DSL Permit#: XXXX-RF Project Name: XXXXXXXXXXXX
Corps Permit #: NWP-XXXXXXX Project Location: XXXXXX Coburg, Oregon 97408

Time is of the essence hereof and this contract is binding upon the successors and assigns of Purchaser and Seller. However, Purchaser's rights herein are not assignable without prior written consent of Seller and approval of DSL/COE. The rights and remedies of Purchaser and Seller are the exclusive remedies of each. In any suit or action brought to interpret or enforce this agreement, the prevailing party, in addition to any other award, shall be entitled to an award of its costs and attorney fees incurred at the trial court level and upon any appeal therefrom.

By your signature and date below you agree to and are bound by the terms described above.

Purchaser Signature:

Date: _____

Seller Signature:

Date: _____

Purchaser - Name, Address & Phone

DRAFT

LAND MANAGEMENT DIVISION

Date Received:

RECEIVED NOV 02 2023

PAID



TYPE I APPLICATION Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PA23-05659 FEE: \$170.00 u

Applicant (print name): City of Coburg
Mailing address: 91136 N. Willamette St. PO Box 8316 Coburg, OR 97408
Phone: 541.682.7871 Email: adam.hanks@ci.coburg.or.us

Applicant Signature: *ML* Adam Hanks, City Administrator

PROPERTY LOCATION

AM 16.03.34.00 TL 00303

Assessor's Map and Tax Lot

33264 & 33268 Selby Way Eugene OR 97408

Site address

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Please review and sign off on the JPA (page 14)
for the City of Coburg to extend a
water transmission line to serve
properties within city limits on the
east side of Interstate 5.

Joint Permit Application

Item 6.

This is a joint application, and must be sent to all agencies (Corps, DSL, and DEQ). Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Date Stamp

 <p>U.S. Army Corps of Engineers Portland District</p>	 <p>Oregon Department of State Lands</p>	 <p>Oregon Department of Environmental Quality</p>
Action ID Number	Number	

(1) TYPE OF PERMIT(S) IF KNOWN (check all that apply)

Corps: Individual Nationwide No.: 58 Regional General Permit _____ Other (specify): _____
DSL: Individual GP Trans GP Min Wet GP Maint Dredge GP Ocean Energy No Permit Waiver

(2) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Contractor
Name (Required)	Brian Harmon	City of Coburg	Julie Leland
Business Name	City Of Coburg		Branch Engineering Inc.
Mailing Address 1	P.O. Box 8316	P.O. Box 8316	310 5 th Street
Mailing Address 2	91136 North Willamette St	91136 North Willamette St	
City, State, Zip	Coburg, Oregon 97408	Coburg, Oregon 97408	Springfield, Oregon 97477
Business Phone	541.228.8281	541.682.7850	541.746.0637
Cell Phone			
Fax			
Email	Brian.harmon@ci.coburg.or.us		juliel@branchengineering.com

(3) PROJECT INFORMATION

A. Provide the project location.

Project Name City of Coburg Water Transmission Line Extension		Latitude & Longitude* (in DD.DDDD format) 44.128436°, -123.048480°		
Project Address / Location Tax Map 16-03-34-00 Tax Lot 303		City (nearest) Coburg	County Lane	
Township	Range	Section	Quarter / Quarter	Tax Lot
T16S	R3W	34	33	303

Brief Directions to the Site: Cross Interstate 5 from west to east on Selby Way and follow Selby Way north for approximately 0.13-miles. The site is the gravel drive headed west where Selby Way turns east.

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

River / Stream Non-Tidal Wetland Lake / Reservoir / Pond
 Estuary or Tidal Wetland Other Pacific Ocean

Waterbody or Wetland Name** Wetland A	River Mile	6th Field HUC Name Lower Muddy Creek/Dry Muddy Creek	6th Field HUC (12 digits) 170900030206
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* In decimal format (e.g., 44.9399, -123.0283)

** If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").

C. Indicate the project category. (Check all that apply.)

<input type="checkbox"/> Commercial Development	<input type="checkbox"/> Industrial Development	<input type="checkbox"/> Residential Development
<input type="checkbox"/> Institutional Development	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Recreational
<input type="checkbox"/> Transportation	<input type="checkbox"/> Restoration	<input type="checkbox"/> Bridge
<input type="checkbox"/> Dredging	<input checked="" type="checkbox"/> Utility lines	<input type="checkbox"/> Survey or Sampling
<input type="checkbox"/> In- or Over-Water Structure	<input type="checkbox"/> Maintenance	<input type="checkbox"/> Other:

(4) PROJECT DESCRIPTION

A. Summarize the overall project including work in areas both in and outside of waters or wetlands.

The project includes two phases; one that was completed in 2021, and a second proposed phase that consists of the construction of two municipal waterlines to provide the two north-adjacent tax lots with city water.

During the winter of 2020-2021, the City of Coburg bored a 12-inch municipal water transmission line underneath I-5, which terminated approximately 26-feet into the northwestern corner of Tax Lot 303 (Tax Map 16033400). A gravel access road was constructed between Selby Way and the waterline terminus to facilitate construction and future servicing of this waterline. The construction of the transmission line terminus resulted in approximately 1,200-cubic-yards of removal and fill within the boundaries of "Wetland A" inside Tax Lot 303, and approximately 190-cubic-yards of fill within Wetland A for the construction of the gravel access road, for a cumulative total of approximately 2,590-cubic-yards of removal/fill occurring during this time. This removal/fill activity was unauthorized, and is addressed in this permit.

The proposed future phase includes the construction of an extension to the existing 12-inch waterline, constructed in 2021, and a proposed 4-inch water service line. The proposed 12-inch waterline will be aligned parallel to Channel 1 for approximately 300-feet, before turning north for 60-feet and entering the northeastern-adjacent lot (Tax Lot 202, Map 16033400), which is anticipated to be the location of a future development. The construction of this waterline will include the excavation of a 5-foot-deep by 8-foot-wide trench along the entire length of the alignment, and the placement of sand or aggregate base material below the pipe. The waterline trench will be backfilled with compacted ¾" -0 aggregate after placement of pipe. When construction operations cease, the topsoil layer will be replaced and resurfaced to preconstruction conditions. This would result in approximately 782-cubic-yards (cumulative) of removal/fill occurring in Wetland A.

The 4-inch municipal waterline which will be advanced underground using horizontal directional drilling (HDD). This will occur beneath Channel 1 and will proceed approximately 110-feet north before entering the north-adjacent tax lot (Tax Lot 200, Map 16033340). The 4-inch waterline will also be connected to the existing transmission line that was bored under Interstate-5 in 2020-2021. No trenching or temporary/permanent impacts are anticipated to occur to Channel 1 as a result of the HDD activity. A Frac-Out contingency plan report was prepared and is attached as part of this permit. Tax Lot 200 is the location of Premier RV Resorts, and the 4-inch waterline is anticipated to connect to existing infrastructure on-site in the upland area on that property.

B. Describe work within waters and wetlands.

Unauthorized removal/fill occurred within the boundaries of Wetland A during the construction of the municipal water transmission line terminus that was bored beneath I-5 during 2020-2021. This activity involved the removal and replacement of approximately 1,200-cubic-yards from the area of the waterline terminus. In addition, the gravel access road that was built in 2020-2021 resulted in approximately 190-cubic yards of fill being placed within the boundaries of Wetland A.

The proposed construction activities within Wetland A will consist of removing native soils to trench the 12-inch waterline east along Channel 1 before turning and traveling north for a cumulative linear distance within the boundaries of Wetland A of 460-feet. Approximately 196-linear-feet of this trench will be placed either within the fill area that was initially disturbed in 2020-2021, or in areas of proposed temporary impact.

The proposed 8-foot by 5-foot trench will be excavated for the entire length of the proposed 12-inch waterline through Tax Lot 303. A 12-inch waterline will be laid inside the excavated trench. Structural fill will be placed to backfill the trench to match the surrounding ground elevation, resulting in 391-cubic-yards of fill placed into Wetland A. After construction is complete, the top soil will be resurfaced to preconstruction conditions.

The proposed 110-foot-long 4-inch waterline to provide Premier RV with municipal drinking water will extend from the transmission waterline using HDD techniques beneath Channel 1, avoiding any impacts to this waterway or additional impacts to Wetland A. An approximately 25-foot by 25-foot pit will be excavated within the initial disturbance area of the transmission line, south of Channel 1, to allow for the connection of the 4-inch waterline to the transmission line before the line advances north using HDD. Containing the HDD connection pit excavation completely inside the area that was initially disturbed by the transmission line construction will avoid any impacts to Wetland A by the 4-inch HDD waterline.

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.

The HDD method of advancing the 4-inch waterline to the site of Premier RV will minimize impacts associated with the installation of the utility line. Standard erosion and sediment control BMPs will be used to prevent sediment and other construction materials from entering Wetland A and Channel 1. Furthermore, it is expected that the project will be constructed primarily during the summer months, and all grading, paving, utility installation, as well as the revegetation of stormwater facilities and disturbed areas will occur before the fall precipitation begins. Based on these construction and BMP methods, the impact to Wetland A or downstream waters will be minimal to non-existent.

(4) PROJECT DESCRIPTION (continued)

D. Describe source of fill material and disposal locations if known.

The fill material used for construction of the proposed water line will consist of clean, granular aggregate and/or sand from an approved local supplier. Disposal of excavated material will be at a site chosen by the City of Coburg where it will be available for future recycled use.

E. Construction timeline.

What is the estimated project start date? Spring/Summer 2024

What is the estimated project completion date? Summer/Fall 2024

Is any of the work underway or already complete? Yes No

If yes, please describe.

The city installed a 12-inch waterline under I-5, which terminates approximately 26-feet east of the western edge of Tax Lot 303. An aggregate road to access the waterline terminus was constructed during the winter of 2020-2021. Both the access road and the eastern extent of the waterline that was bored under I-5 were installed inside the boundaries of Wetland A, resulting in unauthorized removal-fill of approximately 2,590 cubic-yards. Both the unauthorized fill and new removal-fill for the two proposed waterline installations are included in this application.

F. Removal Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Removal Dimensions					Time Removal is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		
Wetland A – 2021 unauthorized bore pit	150	90	16	0.152	1,200	Completed 2021	Native
Wetland A – proposed pipe trench, temporary	264	8	5	0.048	391	Est. 2 weeks	Native
Wetland A – proposed bore pit (same location as 2021 bore pit)	25	25	7	0.014	130	Est. 2 weeks	Native
Wetland A – proposed swales, permanent	560	5	Varies	0.066	146	Permanent	Native

G. Total Removal Volumes and Dimensions

Total Removal to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Removal to Wetlands	999	0.438	1,867
Total Removal Below Ordinary High Water	N/A	N/A	N/A
Total Removal Below <u>Highest Measured Tide</u>	N/A	N/A	N/A
Total Removal Below <u>High Tide Line</u>	N/A	N/A	N/A
Total Removal Below <u>Mean High Water Tidal Elevation</u>	N/A	N/A	N/A

H. Fill Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Fill Dimensions					Time Fill is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		
Wetland A – 2021 unauthorized bore pit	150	90	16	0.152	1,200	Completed 2021	Native
Wetland A – 2021 unauthorized gravel road, permanent	273	20 avg.	1	0.118	190	Permanent	Aggregate

Wetland A – proposed pipe trench, temporary	264	8	5	0.048	391	Permanent	Aggregate and native backfill
Wetland A – proposed bore pit (same location as 2021 bore pit)	25	25	7	0.014	130	Est. 2 weeks	Native
Wetland A – proposed swales, permanent	560	5	1	0.066	104	Permanent	Amended native soil

(4) PROJECT DESCRIPTION (CONTINUED)

I. Total Fill Volumes and Dimensions

Total Fill to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Fill to Wetlands	1,272	0.556	2,015
Total Fill Below Ordinary High Water	N/A	N/A	N/A
Total Fill Below <u>Highest Measured Tide</u>	N/A	N/A	N/A
Total Fill Below <u>High Tide Line</u>	N/A	N/A	N/A
Total Fill Below <u>Mean High Water Tidal Elevation</u>	N/A	N/A	N/A

*If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").
 **Indicate whether the proposed area of removal or fill is permanent or, if you are proposing temporary impacts, specify the days, months or years the fill or removal is to remain.
 *** Example: soil, gravel, wood, concrete, pilings, rock etc.

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.
 The City of Coburg is required to provide municipal drinking water to all businesses and citizens within the UGB. In accordance with the 2010 Coburg Urbanization Study, recent UGB extensions have included properties on the east side of Interstate-5, including Tax Lot 303 and the north-adjacent Tax Lot 202 (both Tax Map 16-03-34-00). There are currently no municipal water connections extending to those properties. As part of the city's Water Master Plan Phase I and II, a 12-inch water transmission line was bored via horizontal directional drilling underneath I-5 in 2020 to provide an access point to municipal water for these recently acquired lots. The City of Coburg has an obligation to provide Tax Lot 202 as well as Tax Lot 200 (Tax Map 16-03-33-40), currently the location of Premier RV, with clean and safe drinking water. The city has been awarded funding from the Safe Drinking Water Revolving Loan Fund Program, a program jointly implemented by the state of Oregon and federal government, to provide water connections to lots within the UGB that currently are not serviced by municipal water, which include the two lots that will be made serviced by the proposed project.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical, chemical, and biological characteristics of each wetland or waterbody. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.

- Wetland A:
- The wetland is freshwater.
 - The Cowardin class is PEM.
 - The Hydrogeomorphic Class is Flats.
 - The source of the hydrology is direct precipitation and runoff that originates upgradient.
 - The direction of flow is north-northeast.
 - Dominant vegetation is *Alopecurus pratensis*, *Lolium perenne*, *Schedonorus phoenix*, *Agrostis capillaris*, and *Holcus lanatus*.
 - The site is an agriculture field and there are no dominant shrubs or trees.
 - A functional assessment of the wetland was completed using ORWAP version 3.2. Work sheets are attached.

- Vernal pools, bogs, fens, mature forested wetlands, seasonal mudflats, or native wet prairies are present on or near the project property.
- A delineation report (WD#2022-0630) was completed for the area of the proposed construction, which is located in the northwest corner of Tax Lot 303.
- No threatened or endangered species or their critical habitats are located within the Study Area. Existing wildlife use is limited to songbirds and occasional migratory waterfowl and birds during periods of extraordinary high water and flooding.

Normalized Scores & Ratings for this Assessment Area (AA):

Specific Functions or Values:	Function Score	Function Rating	Rating Break Proximity	Values Score	Values Rating	Rating Break Proximity	Function Score (raw)	Values Score (raw)
Water Storage & Delay (WS)	5.67	Moderate		0.00	Lower		5.67	0.00
Sediment Retention & Stabilization (SR)	4.83	Moderate		7.81	Higher		5.07	5.95
Phosphorus Retention (PR)	0.43	Lower		0.00	Lower		0.81	0.00
Nitrate Removal & Retention (NR)	4.26	Moderate	LM	10.00	Higher		5.37	10.00
Anadromous Fish Habitat (FA)	0.00	Lower		0.00	Lower		0.00	0.00
Resident Fish Habitat (FR)	0.00	Lower		0.00	Lower		0.00	0.00
Amphibian & Reptile Habitat (AM)	8.10	Higher		6.67	Moderate	MH	7.34	6.67
Waterbird Nesting Habitat (WBN)	8.46	Higher		2.83	Moderate		7.02	2.83
Waterbird Feeding Habitat (WBF)	7.40	Higher		3.75	Moderate		6.68	3.75
Aquatic Invertebrate Habitat (INV)	2.72	Lower		1.13	Lower		4.59	1.72
Songbird, Raptor, Mammal Habitat (SBM)	5.94	Moderate	MH	3.33	Lower		7.00	3.33
Water Cooling (WC)	2.54	Moderate	LM	0.77	Lower		2.22	0.73
Native Plant Diversity (PD)	7.05	Higher	MH	1.99	Lower		6.32	1.99
Pollinator Habitat (POL)	5.66	Moderate		1.65	Lower	LM	4.94	1.33
Organic Nutrient Export (OE)	5.44	Moderate					4.82	
Carbon Sequestration (CS)	1.76	Lower					2.39	
Public Use & Recognition (PU)				1.96	Lower			2.78

Other Attributes:	Score	Rating	Rating Break Proximity		
Wetland Sensitivity (SEN)	1.91	Lower	LM		4.23

Wetland Ecological Condition (EC)	3.69	Moderate	LM		5.00
Wetland Stressors (STR)	4.64	Moderate			4.27

GROUPS	Selected Function	Function Rating	Rating Break Proximity	Values Rating	Rating Break Proximity
Hydrologic Function (WS)	Water Storage & Delay (WS)	Moderate		Lower	
Water Quality Support (SR, PR, or NR)	Sediment Retention & Stabilization (SR)	Moderate		Higher	
Fish Habitat (FA or FR)	Anadromous Fish Habitat (FA)	Lower		Lower	
Aquatic Habitat (AM, WBF, or WBN)	Amphibian & Reptile Habitat (AM)	Higher		Moderate	MH
Ecosystem Support (WC, INV, PD, POL, SBM, or OE)	Native Plant Diversity (PD)	Higher	MH	Lower	

Channel 1:

- This stream is freshwater.
- This stream was determined to be intermittent by SDAM.
- The source of the hydrology is primarily runoff that originates upgradient and from surrounding impervious surfaces west of I-5. Minor amounts of hydrology are provided via direct precipitation and runoff from Wetland A and the upland agricultural grass field within Tax Lot 303.
- The channel within Tax Lot 303 is slightly incised, with banks either steeply sloped (between 45- to 90-degrees) or slightly undercut.
- The majority of riparian vegetation is comprised of non-wetland species, including ox-eye daisy (*Leucanthemum vulgare*), Himalayan blackberry (*Rubus armeniacus*), and FAC-rated grasses. Minor amounts of reed canary grass (*Phalaris arundinacea*), and lamp rush (*Juncus effusus*) grow below the OHWL.
- Channel 1 includes both the active channel and active channel banks within the OHWL.
- Channel substrate is primarily fine sediment.
- Fish usage was noted during multiple site visits to this channel, and is considered to be limited mainly to sculpin (*Cottus spp.*) and dace (*Rhinichthys*) species.

Neither temporary nor permanent impacts are anticipated to occur within the OHWL of Channel 1, as impacts are proposed to be avoided by usage of HDD of the 4-inch waterline beneath the stream.

B. Describe the existing navigation, fishing and recreational use of the waterbody or wetland.

There are no existing navigable or fishable waters and the wetland is private property; therefore, there is currently no recreational potential of the wetland.

(7) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterbody or wetland.*

Criteria 1: Construct a 12-inch waterline that will service the northeastern-adjacent Tax Lot 202 (Tax Map 16-03-34-00) and will tie into both future, and current municipal water systems. Additional construction will consist of a 4-inch waterline advanced using horizontal directional drilling (HDD) that will immediately service the north-adjacent Tax Lot 200 (Tax Map 16033340).

Criteria 2: Avoid and minimize natural resource impacts. The alternate must design a waterline alignment that avoids and/or minimizes impacts to wetlands and other waters to the greatest extent possible.

Criteria 3: Create an implementable project plan. The alternative must account for constructability and functionality logistics that meet the following sub-criteria:

- Minimize ground disturbance and disturbance to existing infrastructure.
- Minimize distance traveled from tie-in location of municipal water system (located just east of I-5 north-bound lane) to Tax Lots 200 and 202.

Alternative sites for the proposed waterline were considered. It was determined that the proposed waterline alignment is the least environmentally damaging while still meeting the project criteria.

Alternative 1 – No development.

The no development alternative would not achieve the goals of the City of Coburg or fulfill its legal obligations to provide municipal drinking water access to all properties within the UGB.

Alternative 2 – Realignment south of Wetland A.

Repositioning the waterline to run south of Wetland A and cross Selby Way to avoid impacts to delineated waters was considered. This alternative is not ideal, as realigning the project to this position would impact a public road (Selby Way) at two separate locations, and may impact other potentially existing waters of the state that were not delineated elsewhere in Tax Lot 303. While the only other aquatic resource within the tax lot mapped by the NWI is a pond located approximately 300-feet east of Selby Way, a swale is visible on aerial imagery that runs diagonally through the lot east-adjacent to Selby Way. It is likely that this swale and surrounding land could be existing PEM wetland, as the SWI maps the entire tax lot as being underlain by hydric soils. This swale and its surrounding land would need to be trenched through in order to provide Tax Lots 200 and 202 with municipal drinking water, likely also resulting in permanent impacts to waters of the state.

In addition to still incurring impacts to the western extent of Wetland A, this alignment would increase the linear trenching distance for the 12-inch waterline by approximately 350-feet and increase the distance traveled by the 4-inch HDD waterline by approximately 200-feet compared to the proposed alignment. Because realignment to the south of Wetland A would like continue to result in impacts to wetlands, would impact infrastructure, and increase the distance required to ditch for waterlines, this alternative is not ideal.

Alternative 3 – *Currently proposed alignment.*

The currently proposed waterline alignment was determined to be the most suitable to minimize the impact to waters of the state, and to minimize the linear distance required to be trenched. The current project proposal utilizes the shortest distance possible between the point of connection to the existing water transmission line and the access points to both Tax Lots 200 and 202. Impacts to existing Selby Way are also avoided by the proposed alignment.

(8) ADDITIONAL INFORMATION

Are there state or federally listed species on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within designated or proposed critical habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within a national Wild and Scenic River ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within a State Scenic Waterway ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within the 100-year floodplain ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes to any above, explain in Block 6 and describe measures to minimize adverse effects to those resources in Block 7.	
Is the project site within the Territorial Sea Plan (TSP) Area ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, attach TSP review as a separate document for DSL.	
Is the project site within a designated Marine Reserve ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, certain additional DSL restrictions will apply.	
Will the overall project involve ground disturbance of one acre or more?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).	
Is the fill or dredged material a carrier of contaminants from on-site or off-site spills?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Has the fill or dredged material been physically and/or chemically tested?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, explain in Block 6 and provide references to any physical/chemical testing report(s).	
Has a cultural resource (archaeological and/or built environment) survey been performed on the project area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Do you have any additional archaeological or built environment documentation, or correspondence from tribes or the State Historic Preservation Office?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, provide a copy of the survey and/or documentation of correspondence with this application to the <u>Corps only</u>. Do not describe any resources in this document. Do not provide the survey or documentation to DSL.	

¹ Not required by the Corps for a complete application but is necessary for individual permits before a permit decision can be rendered.

Is the project part of a DEQ Cleanup Site? No Yes Permit Number: _____

DEQ contact _____

Will the project result in new impervious surfaces or the redevelopment of existing surfaces? Yes No

If yes, the applicant must submit a post-construction stormwater management plan as part of this application to DEQ's 401 WQC program for review and approval, see <https://www.oregon.gov/deq/FilterDocs/401wqcertPostCon.pdf>

Identify any other federal agency that is funding, authorizing or implementing the project.

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact

List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application.

Agency	Certificate / approval / denial description	Date Applied

Other DSL and/or Corps Actions Associated with this Site (Check all that apply.)

Work proposed on or over lands owned by or leased from the Corps (may require authorization pursuant to 33 USC 408). These could include the federal navigation channel, structures, levees, real estate, dikes, dams, and other Corps projects.

- | | | |
|--|-----------------------|-------|
| <input type="checkbox"/> State owned waterway | DSL Waterway Lease #: | |
| <input type="checkbox"/> Other Corps or DSL Permits | Corps # | DSL # |
| <input type="checkbox"/> Violation for Unauthorized Activity | Corps # | DSL # |
| <input checked="" type="checkbox"/> Wetland and Waters Delineation | Corps # | DSL # |

Submit the entire delineation report to the Corps; submit only the concurrence letter (if complete) and approved maps to DSL. If not previously submitted to DSL, send under a separate cover letter

(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.

Unavoidable impacts include the permanent loss of approximately 0.184 acres of PEM wetland. 0.152 acres were impacted by the bore pit during the unauthorized work in 2021, and 0.014 acres will be impacted within the confines of the 2021 bore pit for the proposed bore pit. The permanent loss of PEM wetland occurred in 2020-2021 during the unauthorized removal-fill activity associated with construction of the gravel access road on-site. An additional 0.048 acres of temporary impacts are proposed to PEM wetlands for the construction of the trenched 12-inch waterline to Tax Lot 202.

The construction of the approximately 273-foot-long gravel access road in 2020-2021 intersects the hydrology gradient of the site perpendicularly, potentially impacting site hydrology. To address this, a culvert was placed below the gravel road at the lowest topographic point to allow sheet flow to continue along its natural path.

There are no changes to site hydrology anticipated from the proposed future construction of the 12-inch waterline to Tax Lot 202. Post-construction, the disturbed ground surface will be graded to match pre-disturbance conditions and elevations. Similarly, no changes in site hydrology were incurred from construction of the waterline terminus in 2020-2021, as in-situ soils were returned to the excavated pit and site grades were restored to original conditions. No impacts are proposed to the intermittent stream, and construction is planned to take place during the dry season, avoiding any temporary alteration of site flows due to pit excavation or equipment placement.

Wetland Name	HGM	Cowardin	Type of Impacts	Direct or In
Wetland A (unpermitted, waterline)	Mineral Soils Flat	PEM	Unauthorized	Direct
Wetland A (unpermitted, access road)	Mineral Soils Flat	PEM	Permanent	Direct
Wetland A (proposed)	Mineral Soils Flat	PEM	Temporary	Direct

B. For temporary removal or fill or disturbance of vegetation in waterbodies, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction to include the timeline for restoration.

For the areas of Wetland A that will be temporarily impacted by the construction of the 12-inch waterline, any ground surface disturbed during excavation of the trench will be graded to original grade and elevation following back-filling with sand, aggregate, and in-situ soils. The topsoil surface will then be planted with a native grass seed mix to replace the original grass community. No site stabilization measures will be necessary, as the ground surface in the proposed development area is relatively flat. A rehabilitation plan was prepared and is attached. We propose that the impacted 0.152 acres from the unauthorized 2021 site work, and the additional area that will be impacted by the proposed work, be mitigated through rehabilitation, in essence, treated the same as the temporary impacts. The attached rehabilitation plan outlines the procedures and timelines for addressing the proposed mitigation in these areas.

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

Permittee responsible
 Permittee responsible
 Mitigation Bank or
 Payment In-Lieu

Onsite Mitigation
 Offsite Mitigation
 In-Lieu Fee Program
 (Not approved for use with Corps permits)

D. Provide a brief description of proposed mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

Mitigation for the pre-concurrence site impacts and the unavoidable proposed impacts totaling 0.184 acres of jurisdictional wetlands will be to purchase credits from the Long Tom Mitigation Bank. This mitigation bank provides off-site wetland restoration to offset permitted wetland losses in the service areas in which they designate.

Because of the site history as cultivated land and the fragmented nature of the surrounding development, Wetland A can be considered in a degraded condition and not ecologically resilient. Local replacement is not feasible because of the degraded condition, surrounding site uses, and lack of important wetland functions. A wetland mitigation bank is the preferred method as impacts such as the 0.184-acres of permanent fill are consolidated into a contiguous restored wetland site that offers greater ecosystem benefits than small isolated wetlands. These banks also assume monitoring responsibilities and long-term management to ensure the mitigated wetlands are responsibly managed. Using a bank also greatly simplifies the regulatory compliance for the City of Coburg rather than implementing their own project. The City of Coburg and BEI will coordinate with the mitigation banks to identify the most suitable credit types and ensure out-of-kind replacement is in alignment with broader watershed goals.

Mitigation Bank / In-Lieu Fee Information:

Name of mitigation bank or in-lieu fee project:
 Long Tom Mitigation Bank

Type and amount of credits to be purchased:
 PEM wetlands, Mineral Soil Flats – 0.184 Acres

If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan

- Yes. Submit the plan with this application and complete the remainder of this section.
- No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete application).

Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)

Mitigation Site Name/Legal Description		Mitigation Site Address		Tax Lot #	
County		City		Latitude & Longitude* (in DD.DDDD format)	
Township	Range		Section		Quarter/Quarter

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE

<input type="checkbox"/> Pre-printed mailing labels of adjacent property owners attached separately (if more than 30).	Project Site Adjacent Property Owners	Mitigation Site Adjacent Property Owners
Contact Name Address 1 Address 2 City, ST ZIP Code	MBM Group LLC 25606 Wheaton Ln Veneta, Oregon 97487	
Contact Name Address 1 Address 2 City, ST ZIP Code	Ryan and Jennifer Pape 90797 Marquise Way Eugene, OR, 97408	
Contact Name Address 1 Address 2 City, ST ZIP Code	Eugene Premier RV Resort LLC 16926 SW Richen Park Cir. Sherwood, OR, 97140	
Contact Name Address 1 Address 2 City, ST ZIP Code	Hardly Hackit LLC 2295 Coburg Rd Ste 105 Eugene, Oregon 97401	
Contact Name Address 1 Address 2 City, ST ZIP Code	Rouleau Gerald R & Susan V 90795 Marquise Way Eugene, Oregon 97408	
Contact Name Address 1 Address 2 City, ST ZIP Code	Wildfang Kyle Gordon & Christina Inez PO Box 8285 Eugene, Oregon 97408	

(11) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)

I have reviewed the project described in this application and have determined that:

- This project is not regulated by the comprehensive plan and land use regulations
- This project is consistent with the comprehensive plan and land use regulations
- This project is consistent with the comprehensive plan and land use regulations with the following:
 - Conditional Use Approval
 - Development Permit
 - Other Permit (explain in comment section below)
- This project is not currently consistent with the comprehensive plan and land use regulations. To be consistent requires:
 - Plan
 - Amendment
 - Zone Change
 - Other Approval or Review (explain in comment section below)

An application or variance request has has not been filed for the above required above.

Local planning official name (print) <i>Taylor Carsley</i>	Title <i>Senior Planner</i>	City / County <i>Lane County</i>
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Signature 	Date <i>12/7/2023</i>
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Comments:
Use appears to be consistent with LC 16.211(2)-6.1.

(12) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the [Oregon Coastal Zone](#), the following certification is required before your application can be processed. The signed statement will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program and consistency reviews of federally permitted projects, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050 or click [here](#).

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Applicant Name	Title
Applicant Signature	Date


(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.

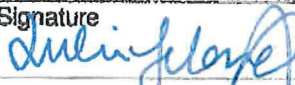
To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed \$

Applicant Signature (required) must match the name in Block 2


Print Name <i>Brian Hammond</i>	Title <i>Public Works Director</i>
Signature 	Date <i>10-26-23</i>

Authorized Agent Signature

Print Name <i>Julie Leland, P.E.</i>	Title <i>Principal</i>
Signature 	Date <i>10.26.2023</i>

Landowner Signature(s)*

Landowner of the Project Site (if different from applicant)

Print Name <i>PAUL BURRELL</i>	Title <i>Property Owner</i>
Signature 	Date <i>10/26/23</i>

Landowner of the Mitigation Site (if different from applicant)

Print Name	Title
Signature	Date

Department of State Lands, Property Manager (to be completed by DSL)

If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.

Print Name	Title
Signature	Date

* Not required by the Corps.
15

(14) ATTACHMENTS

- Drawings
 - Location map with roads identified
 - U.S.G.S topographic map
 - Tax lot map
 - Site plan(s)
 - Plan view and cross section drawing(s)
 - Recent aerial photo
 - Project photos
 - Erosion and Pollution Control Plan(s), if applicable
 - DSL / Corps Wetland Concurrence letter and map, if approved and applicable
- Pre-printed labels for adjacent property owners (Required if more than 30)
- Incumbency Certificate if applicant is a partnership or corporation
- Restoration plan or rehabilitation plan for temporary impacts
- Mitigation plan
- Wetland functional assessments, if applicable
 - Cover Page
 - Score Sheets
 - ORWAP OR, F, T, & S forms
 - ORWAP Reports
 - Assessment Maps
 - ORWAP Reports: Soils, Topo, Assessment area, Contributing area
- Stream Functional Assessments, if applicable
 - Cover Page
 - Score
 - Sheets
 - SFAM PA, PAA, & EAA forms
 - SFAM Report
 - Assessment Maps
 - Aerial Photo Site Map and Topo Site Map (Both maps should document the PA, PAA, & EAA)
- Compensatory Mitigation (CM) Eligibility & Accounting [Worksheet](#)
 - Matching Quickguide sheet(s)
 - CM Eligibility & Accounting sheet
- Alternatives analysis
- Biological assessment (if requested by the Corps project manager during pre-application coordination)
- Stormwater management plan (may be required by the Corps or DEQ)
- Other
 - Please describe:

For U.S. Army Corps of Engineers send application to:

USACE Portland District
ATTN: CENWP-ODG-P
PO Box 2946
Portland, OR 97208-2946
Phone: 503-808-4373
portlandpermits@usace.army.mil

Counties:
Baker, Benton, Clackamas, Clatsop, Columbia, Gilliam, Grant, Hood River, Jefferson, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

U.S. Army Corps of Engineers
ATTN: CENWP-ODG-E
211 E. 7th AVE, Suite 105
Eugene, OR 97401-2722
Phone: 541-465-6868
portlandpermits@usace.army.mil

Counties:
Coos, Crook, Curry, Deschutes, Douglas, Jackson, Josephine, Harney, Klamath, Lake, Lane

For Department of State Lands send application to:

West of the Cascades:
Department of State Lands
775 Summer Street NE, Ste 100
Salem, OR 97301-1279
Phone: 503-986-5200
https://www.oregon.gov/dsl/WWW/Documents/uploadinstructions_removalfill.pdf

East of the Cascades:
Department of State Lands
951 SW Simpson Ave, Ste 104
Bend, OR 97702
Phone: 541-388-6112
https://www.oregon.gov/dsl/WWW/Documents/uploadinstructions_removalfill.pdf

For Department of Environmental Quality:

Submit all application materials electronically through [Your DEQ Online](#).

For questions related to *Your DEQ Online*, please visit the [Your DEQ Online help page](#), email YourDEQOnline@deq.state.or.us, or call 503-229-6184

INSTRUCTIONS FOR PREPARING THE JOINT APPLICATION

This is a joint application and must be sent to all agencies (Corps, DSL, and DEQ), who administer separate permit or certification processes. For questions regarding these instructions or the form, contact the Corps, DSL and/or DEQ or refer to the following online resources:

- [DSL's Removal-Fill Guide](#); or,
- The Corps Regulatory website: <http://www.nwp.usace.army.mil/Missions/Regulatory.aspx>
- DEQ's 401 Water Quality Certification website: <https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Certification.aspx>

General Instructions and Tips

- Provide the information in the appropriate blocks of the application form. If you need more space, provide a summary in the space provided and attach additional detail as an appendix to the application. Each appendix or attachment must reference which application block number it pertains to.
- Not all items on the application form will apply to all projects.
- Electronic submittal of applications and supporting material is preferred by the Corps. Both electronic and hard copies must be in 8 ½ x 11-inch sized format and reproducible in black and white. Currently DSL does not accept electronic submittals. DSL will accept color figures and 11 X 17. Use either all double sided or all single sided paper. Do not use staples or dividers. NOTE: If the electronic submittal of application and associated documents is 10 megabytes or more, check with each agency for how best to submit the document to that agency.
- **FEES:** Fees for water quality certification apply. Nationwide projects approved by DEQ will incur a fee of \$985. Others will be evaluated on a case-by-case basis: <https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Fees.aspx>.

For complex projects or for those that may have more than minimal impacts, additional information may be necessary to complete the evaluation and make a permit decision. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Section 1. Type of Permit(s) if Known

If known, indicate the type of permit/authorization applying for.

Section 2. Applicant and Landowner Contact Information

Applicant: The applicant is the responsible party. If the applicant is an agency, business entity or other organization, indicate the name of the organization and a person that has the authority to sign the application. If applicant is a partnership or corporation, the applicant name must match the Incumbency Certificate, and the business name as listed on OR Secretary of State business registry. Applicant must not be "doing business as" or has an "assumed business name." In such cases the applicant must be an individual.

Applicant Contact Name: If the applicant is a business, provide the contact name for an individual representing the business.

Authorized Agent: An authorized agent is someone who has permission from the applicant to represent their interests and supply information to the agencies. An agent can be a consultant, an attorney, builder, contractor, or any other person or organization. An authorized agent is optional.

Landowner: Provide landowner information if different from the applicant. DSL requires the landowner's signature, unless the project qualifies as a linear project, e.g. road, pipeline, utility.

Section 3. Project Information

A. Provide location information. Latitude and longitude must be reported in decimal format and can be found by zooming in to your respective project location and reading off the coordinates displayed on the bottom many maps, such as Google Earth.

B. Provide information on wetlands and waterbodies within the project area. Indicate the category of activities that make up your project. For projects with multiple locations, provide latitude and longitude for each location. For linear projects, provide the latitude and longitude for the start and end points.

Section 4. Project Description

A. Overall Description: Provide a description of the overall project, including:

- All associated work with the project both outside and within waters or wetlands.
- Total ground disturbance for all associated work (i.e., area and volume of ground disturbance).
- Total area of impervious surfaces created or modified by the project, if applicable.

B. Work within Waters and Wetlands: Provide a description of the proposed work within waters and wetlands, including:

- Each removal or fill activity proposed in waters or wetlands, as well as any construction or maintenance of in-water or over-water structures.
- The number and dimensions of in-water or over-water structures (i.e., pilings, floating docks) proposed within waters or wetlands.

C. Construction Methods: Describe how the removal and/or fill activities will be accomplished, including the following:

- Construction methods, equipment to be used, access and staging areas, etc.
- Measures you will use during construction to minimize impacts to the waterbody or wetland. Examples may include isolating work areas, controlling construction access, site specific erosion and sediment control methods, site specific best management practices, and using specialized equipment or materials. Attach work area isolation and/or erosion and pollution control plans, if applicable.

D. Fill Material and Disposal: Provide a description of fill material and procedure for disposal of removed material, including:

- The source(s) of fill materials (if known).
- Locations for disposal area(s) for dredged material, if applicable. If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into jurisdictional waters. If using an upland disposal area that is not a Department of Environmental Quality (DEQ)-regulated landfill, a [Solid Waste Letter of Authorization](#) or a [Beneficial Use Determination](#) from DEQ may be required.

E. Construction Timing: Provide the proposed start and completion dates for the project. Describe project work that is already complete, if applicable.

F. – I. Summary of Removal and Fill Activities: Summarize the dimensions, volume and type/composition of material being placed or removed in each waterbody or wetland. Describe each impact on a separate row. For instance, if two culverts are being removed from Clear Creek, use two rows. Add extra rows if needed or include an attachment.

The DSL and the Corps use different elevations for determining whether an activity in tidal waters is regulated by the State's Removal-Fill law, the Clean Water Act, and/or the Rivers and Harbors Act. DSL regulates activities below the highest measured tide. The Clean Water Act applies below the high tide line. The Rivers and Harbors Act applies below the mean high water.

If jurisdictional limits are not the same for each agency, prepare a table for each agency stating impacts within that agency's jurisdiction.

Section 5. Project Purpose and Need

Explain the purpose and need for the project. Also include a brief description of any related activities needed to accomplish the project objectives.

The following items are required by DSL, as applicable:

- If the removal-fill would satisfy a public need and the applicant is a public body, include any pertinent findings regarding public need and benefit.
- If the project involves fill in the estuary for a non-water dependent use, explain how the project is for public use and/or satisfies a public need.
- If the project is located within a [marine reserve or marine protected area](#), explain how the project is needed to study, monitor, evaluate, enforce or protect the designated area.

Section 6. Description of Resources in Project Area

Territorial Sea: For activities in the [Territorial Sea](#) (mean lower low water seaward 3 nautical miles), provide a separate evaluation of the resources and effects determination.

For each wetland, include:

- Whether the wetland is freshwater or tidal, and the [Cowardin class](#) and [Hydrogeomorphic \(HGM\) class](#).
- Source of hydrology and direction of flow (if any).
- Dominant plant species by layer (herb, shrub, tree).
- Assessment of the hydrologic, water quality, fish habitat, aquatic habitat, and ecosystem support functions and values of the wetland(s) to be permanently impacted. The assessment should be attached as a separate Excel document.
 - DSL requires the use of [ORWAP](#) for wetland impacts over 0.2 acre and any wetland that is an Aquatic Resource of Special Concern (ARSC), unless the impacts are to Agate Desert Vernal Pools (VPs). See Appendix B of the [Removal Fill Guide](#) for a list of ARSCs. The Vernal Pool Assessment Method is required for all VPs. For impacts to wetlands less than 0.2 acre that are not ARSCs or VPs Best Professional Judgment (BPJ) may be used.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands. See Appendix B of the [Removal Fill Guide](#) for a list of ARSCs.
- Include relevant summary information from the wetland delineation report if available. Provide a copy of the wetland delineation report to **the Corps**, if not previously provided to the Corps. If a delineation report has not been previously submitted to DSL, then submit to DSL under a separate cover.
- Describe existing uses, including fish and wildlife use (type, abundance, period of use, and significance of site).
- Next major downstream waterbody name.

For rivers, streams, other waterbodies, lakes and ponds, include a description of, as applicable:

- Streamflow regime (e.g., perennial year-round flow, intermittent seasonal flow, ephemeral event-driven flow). If flow is ephemeral, provide [streamflow assessment](#) data sheet or other information that supports your determination.
- Field indicators used to identify the Ordinary High Water Mark (OHWM).
- Channel and bank conditions.

- Type and condition of riparian (streamside) vegetation.
- Channel morphology (structure and shape).
- Stream substrate.
- Assessment of the hydrologic, geomorphic, biologic and water quality functions and values of waters to be permanently impacted.
 - DSL requires use of the Stream Function Assessment Methodology (SFAM) for wadable non-tidal streams. SFAM should be attached as a separate Excel document. For impacts to non-wadable or tidal streams, BPJ can be used. Sections 2.2 through 2.3 of the SFAM User Manual give guidance for the functions and values to be addressed for all streams, even if SFAM does not apply.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands.
- Fish and wildlife use (type, abundance, period of use, and significance of site).
- Water quality impairments, including waterways adjacent to impacted wetlands and waterway to be impacted and next major downstream waterbody

Section 7. Project Specific Criteria and Alternatives Analysis

Provide an explanation describing how impacts to waters and wetlands are being avoided and minimized on the project site. For DSL, the alternatives analysis must include:

- Project-specific criteria that are needed to accomplish the stated project purpose.
- A range of alternative sites and designs that were considered with less impact.
- An evaluation of each alternative site and design against the project criteria and a reason for why the alternative was not chosen.
- If the project involves fill in an estuary for a non-water dependent use, a description of alternative non-estuarine sites must be included.

The level of rigor required in this analysis should be commensurate with the level of impact proposed. Please note that additional information regarding alternatives may be necessary for Corps Individual Permits to comply with the Clean Water Act Section 404(b)(1) Guidelines. Please check with your local Corps contact early in the planning process to determine what level of analysis is required. An alternative analysis is not required for a complete application by the Corps; however, it may be required before a permit decision can be rendered.

Section 8. Additional Information

Any additional information you provide helps the reviewer(s) understand your project and the other approvals or reviews that may be required.

Section 9. Impacts, Restoration/Rehabilitation, and Compensatory Mitigation

A. Description of Impacts: Clearly identify the permanent, temporary, direct and indirect impacts. Provide a written analysis of potential changes the project may make to the hydrologic characteristics of the affected wetlands or waterbodies, and an explanation of measures taken to avoid or minimize any adverse effects of those changes, such as: impeding, restricting or increasing flows; relocating or redirecting flow; and potential flooding or erosion downstream of the project. Provide a table summarizing permanent and temporary impacts by HGM and Cowardin Classifications.

B. Site Restoration/Rehabilitation: For temporary disturbance of soils and/or vegetation in waterbodies, wetlands or riparian (streamside) areas, discuss how you will restore the site after construction. This may include the following:

- Grading plans to restore pre-existing elevations.
- Planting plans and species list (native species only) to replace vegetation in riparian or wetland areas.
- Maintenance and monitoring plans to document restoration to wetland condition and/or vegetation establishment.
- Associated erosion control for site stabilization.

C.-D. Compensatory Mitigation. Describe your proposed compensatory mitigation approach or explain why you believe compensatory mitigation is not required. If proposing permittee-responsible mitigation for permanent impacts to jurisdictional waters, see OAR 141-085-0705 and 33 CFR 332.4(c) for plan requirements. The [Oregon Explorer Aquatic Mitigation](#) topic page and map viewers may be a helpful resource.

For activities involving discharges of dredged or fill material into waters of the United States, the Corps requires the application to include a statement describing how impacts to waters of the United States are to be avoided and minimized. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.

Section 10. Adjacent Property Owners for Project and Mitigation Site(s)

Names and addresses for properties that are adjacent to the project site and permittee responsible mitigation site (if applicable), are required. "Adjacent" means those properties that share or touch upon a common property line or are across the street or stream. If more than 30, attach pre-printed labels. A list of property owners may be obtained by contacting the county tax assessor's office.

Section 11. City/County Planning Department Land Use Affidavit

This section is required to demonstrate land use compatibility for removal fill permits and water quality certifications. Provide this form to your local planning official for them to complete and sign.

Section 12. Coastal Zone Certification

Your signature for this statement is **required** for projects within the coastal zone (generally, west of the summit of the Coast Range).

Section 13. Signatures

The application **must** be signed by the responsible party as identified in section 1. DSL also requires the landowner's signature. Linear Facilities (e.g. road, pipeline, utility) do not require landowner signature for the impact sites; signatures are required for mitigation sites.

Section 14: Attachments

Project Drawings. A complete application must include a location map, site plan, and plan view and cross-section drawings. DSL also requires a recent aerial photo. All drawings should be clear, legible, and to scale. For the Corps, drawings must be on 8.5 x 11-inch paper and must be in black and white or clearly reproducible in black and white. DSL will accept color and 11 x 17, but all figures must be clear when reproduced in black and white. While illustrations need not be professionally prepared, they should be clear, accurate, and contain all necessary information, as follows:

Location maps (with project boundaries, including staging and construction access, scale bar and north arrow on all):

- Location map with roads identified
- U.S.G.S. Topographic map
- Tax lot map

Site plan(s), including:

- Entire project site and activity areas, which includes staging and construction access areas
- Existing and proposed contours
- Stormwater outfalls and other related features
- Location of Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries. Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Scale bar, legend, and north arrow
- Location of staging areas and construction access
- Location of cross section(s), as applicable
- Location of mitigation area, if applicable

Cross section drawing(s), including:

- Existing and proposed elevations
- Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries
- Scale bar (horizontal and vertical scale)

Recent Aerial Photo

- 1:200 resolution, or, if not available for your site, highest resolution possible

DSL Wetland Concurrence (map and letter only for DSL; the Corps requires the full wetland/waters delineation report if not already submitted)

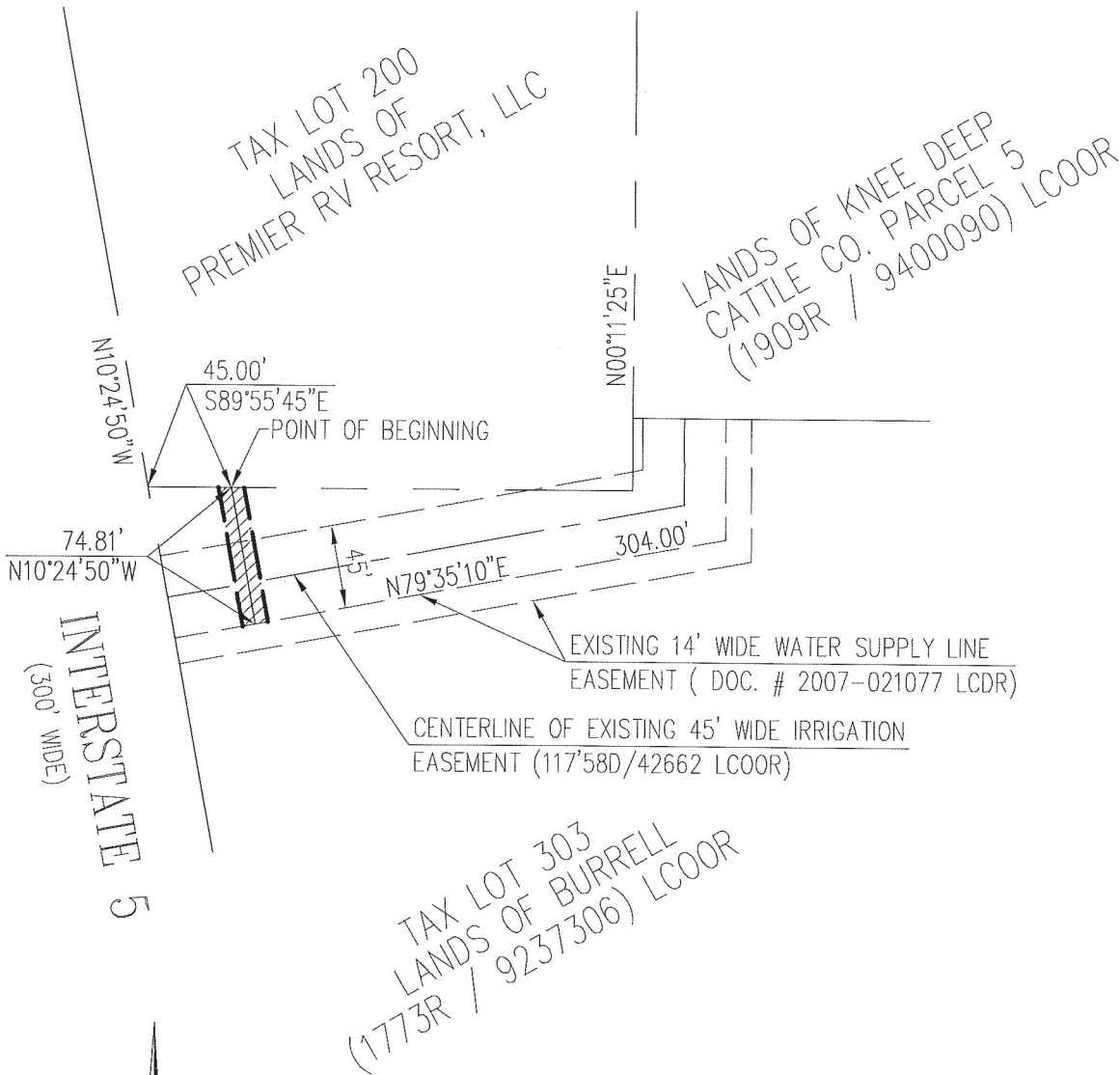
Mitigation documents including:

- Functional assessment results for each impacted resource and mitigation area
 - Results should include: Cover sheet, Score Sheet, assessment area maps
- Eligibility and Accounting [Worksheet](#)
 - Matching “Quickguide” sheet(s)
 - Compensatory Mitigation (CM) Eligibility & Accounting sheet

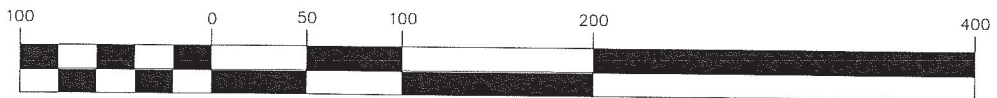
Do NOT submit the following items to DSL (unless specifically requested by DSL for your project):

- Wetland delineation report
- Biological assessment
- Cultural/archeological reports
- Stormwater calculations
- Geotechnical reports
- Marketing reports
- Contract agreements
- Applications for other agencies such as local land use applications
- Contractor/construction specifications
- Other extraneous drawings and information

EXHIBIT B
 WATER LATERAL EASEMENT
 ACROSS LANDS OF PAUL M. AND SARA L. BURRELL
 TAX MAP 16-03-34, TAX LOT 303
 S.E. 1/4, SEC. 33, T.16S., R.3W., W.M.
 LANE COUNTY. OREGON



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.



COBURG CITY COUNCIL

ACTION ITEM

City Logo Discussion

Meeting Date	Staff Contact	Email
December 12, 2023	Adam Hanks, City Administrator	Adam.Hanks@ci.coburg.or.us

REQUESTED COUNCIL ACTION

City staff is seeking input and direction regarding a re-design and implementation of a new logo, a project contained within the approved FY2023-24 Council Goals.

Suggested Motion

No specific motion necessary or requested

BACKGROUND

The FY 2023-24 City Council Goals and Priorities Work Plan includes two projects that relate to the City logo:

- Rebranding of City and Community utilizing new logo
- Implement new logo including a public input process, with a soft roll-out

Work has been done by Coburg Main Street relating to community and event branding that appears to have successfully progressed, including a primary logo for the organization and individual, stylized logo's and theme for each community event that Coburg Main Street operates.

The City staff leadership team has discussed the City's logo, its history and utilization, but before making significant time investments in bringing forward suggested design elements or the development of new draft logo designs, staff would like to ensure that there is general agreement with Council on the preferred next steps in accomplishing these two related workplan projects.

The following is a summary of initial brainstorming from City staff and from prior public sector logo design experience.

- Like the blue and the simplicity of the existing logo
- The existing logo is a bit too simplistic
- Important to differentiate between a community logo/brand and a City/organization logo
- Important to ensure that the logo is the City. i.e. City of Coburg, not the community of Coburg as a whole

- Should consider how strongly to rely on historic “DNA” for logo
- May be good to incorporate a secondary/accent color.
- Open to keeping the circle but also think a different shape (or no shape) could be good
- Some graphic element should be incorporated but not too detailed or too much to overpower the logo readability.
- Should decide whether the logo is standard for all City Departments or if it is altered to identify individual Departments
- Challenging to succeed as a group design. Professional graphic design should be utilized
- A logo update may seem trivial, but a current and identifiable logo communicates professionalism, trust and clarity of message

RECOMMENDATION AND ALTERNATIVES

Staff is interested in feedback and direction from Council and can then develop an effective project plan to accomplish the tasks necessary to meet Council’s desired end result.

BUDGET / FINANCIAL IMPACT

The utilization of graphic design services may be somewhat premature at this stage, but would be a component of the successful completion of this project and would likely range in cost between \$1,500 and \$3,000 depending on the number of refinements and options requested.

PUBLIC INVOLVEMENT

There is value in involving the community in the logo redesign process, typically early in the process to get initial ideas, concepts and preferences (similar to the City staff exercise summarized above) as well as near the end of the process when the design work has narrowed the process to between one and three final draft logo designs. Both staff and public comment would be compiled and provided to Council for their final review and selection. Utilization of the City committee’s may also be a productive and efficient way to elicit community input.

NEXT STEPS

Staff will utilize Council feedback and direction and bring back a project plan at a future Council meeting, with a target of the February Council meeting.

ATTACHMENTS

N/A



City Administration Report

December 12, 2023

This report is intended to provide Council with an overview of current activities, project status updates and previews of select upcoming issues and activities of Council and Staff.

Featured Items

1. **Lane Transit District Meeting** – Mayor Bell initiated a meeting with the Lane Transit District (LTD) elected Board Member for the Coburg/N Eugene area and the LTD Executive Director that was held prior to the Thanksgiving holiday. The objective of the meeting was to strengthen our working relationship and familiarity between our two organizations as well as to better understand the current and future plans for transit service in and around Coburg and how we could best coordinate and participate in their planning and strategy efforts.

Both objectives were accomplished and fostered follow up conversations between our staff and LTD staff for participation in upcoming strategy and survey work, as well as a more focused conversation regarding micro transit opportunities specifically for Coburg area residents. Staff and Mayor Bell will continue building our relationship with LTD and will be reporting back to Council in future months on opportunities for further involvement and participation with LTD.

2. **Buildable Lands Inventory Grant Results** – With Council approval, staff submitted a grant application to the Department of Land Conservation and Development (DLCD) to complete a Buildable Lands Inventory (BLI) Update, which was last completed for Coburg in 2010 ([Sept 12, 2023 Council Staff Report Link](#)). Staff received notice this week that the grant was not awarded to Coburg. Staff will continue to pursue technical assistance opportunities (partner staff project assistance, grant funds, etc) to enable the BLI update to occur as it remains an important component for the Council to make important future growth-related decisions. The DLCD noticed is attached to this report for reference.
3. **Flashing Crosswalk Beacons** – Improved pedestrian safety infrastructure is currently being installed at the pedestrian crossing of N Willamette St at McKenzie St. The new solar powered flashing beacons and signage replace the existing pedestrian crossing signs at this heavily utilized crossing providing increased visibility of pedestrians to vehicles on N Willamette. As is often the case, this project took more time and dedication than originally planned and Public Work Director Brian Harmon kept at it to ensure the County specifications and permits were met and was able to utilize our partnership with the County

to aid in its installation. Additional locations for similar beacon installations will be reviewed by Staff and presented to the new Transportation Safety Ad Hoc Committee in the coming months.

4. **Public Works Staffing Structure Changes** – As was hinted at in the recent Council Water System Update work session, Brian has developed and is implementing a change in the staffing model for the Public Works Department that I am excited to see put into action and evaluate over the next twelve months.

The Public Works staffing model has traditionally been a “one team, many hats” type structure with the four-person team working as a group under Brian and Burke’s (Hanson, Public Works Supervisor) leadership and guidance on all aspects of the Departments operations (water, sewer, parks, streets, storm drains, facilities, fleet).

The new twelve-month pilot staffing model assigns staff to specific operating functions with an objective of increasing our already strong levels of functional ownership, accountability, training/certification and efficiency while still maintaining the team first mentality when projects and situations require stepping out of their assigned areas to assist each other with added personnel resources.

In addition to offering professional growth for the Public Works staff, it provides the management team with the ability to evaluate areas where service levels are more challenging to maintain and consider solutions to address these areas with staff scheduling changes, contracting of specific areas of work, equipment/technology solutions that may be more cost effective to maintain the desired service level or potential provide a higher level of service for the same (or reduced) cost.

Regular communication check-in’s with Council will be a component of this pilot staffing model alongside more detailed and ongoing evaluation and management through Brian’s leadership of the Department.

Transportation Infrastructure Grant Award – City staff was recently notified that the City received the full, maximum grant award of \$250,000 from the Oregon Department of Transportation (ODOT) Small Cities Allotment program which comprises roughly one-third of the overall funding for the N Willamette, Macy, Harrison street improvement project. Financing utilizing the City’s Transportation Utility Fee will fund the remainder of the project, which is scheduled to go to bid in January/February, with contract award scheduled for the April Council meeting and construction commencing immediately following with a scheduled July completion target.

Department Activity & Statistics

Staff maintains various activity, work order and case log type records that are utilized for a variety of required reporting to other agencies and/or for day-to-day oversight and management of their operations. Some of the data comes from third party software systems and typically not always in a format that is easily summarized or customized.

Staff will continue to refine the statistics and work to provide Council and the community with useful, relevant activity indicators and will also work towards the development of service level indicators that can often better connect the City funds (taxes, rates, fees) with the type and quality of the services provided.

Public Works

Streets/Rights of Way

- **Maintenance**
 - Street Sweeper – 3 days (Thursdays)
 - Installation of Veteran Banners
 - Flags for Veterans Day
 - Traffic sign replacement – Lincoln St

Water

- **Leaks**
 - Leak Investigations = 2
- **Distribution System**
 - New Service Installs = 3

Sewer

- **Collections**
 - New Service Install = 1
 - Inspections = 7
 - Callouts = 7
 - Tank Pumping = 5
- **Plant Repairs & Major Maintenance**
 - Four callouts and three repairs

Parks Dept

- Crews worked on getting Leafs pickup in Parks
- Crews fixed lights at Johnny Diamond Park
- Crews are continuing the work on the Veterans Memorial
- Ordered new Restroom for the Plaza Project

Miscellaneous

- Locates = 15
- Work Orders = 66
- City Hall Maintenance
 - Door Repair – Council Chambers
- Mechanical assistance to Police Department with inoperable RV repairs on right-of-way

Priority Project and Task Lists

- 1. Drainage on Shane & Rustic **(Street Dept) DONE**
- 2. Booster pump #3**(Water Dept) DONE**
- 3. Well #2 leak/Electrical repairs **(Water Dept) DONE**
- 4. Sewer Dept

WWTP	<ul style="list-style-type: none"> 1. Influent meter 2. Perm Pump 3. Maintenance program has started and we look to finish by January
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- 5. Veterans Memorial **(Parks Dept) ONGOING**
- 6. Blank logos in panels/ panel upgrades (91020 S. Skinner) **(Sewer Dept)**
- 7. Infiltration In STEP Systems projects **(Sewer Dept)**
- 8. Bruce & Water catch basin **(Sewer Dept)**
- 9. Booster flow meter / Well #1 level Transducer **(Water Dept) DONE**
- 10. Street tree trimming **(Street Dept) DONE**

- 11. Street lighting **(Street Dept)**
- 12. Leaf pickup **(Street Dept) START DATE OF 12-11-23**
- 13. Annual reports (Tree city USA DEC) **(this will be completed by City Council in Dec.)**
- 14. Monthly TDML Meeting/ Annual report **(Work has started on this)**
- 15. Water meter swap outs **(Water Dept)**

Planning

- SUB 02-20 & SUB 01-22: Public improvements for the first addition are complete. Final approval letter has been issued. Three dwelling permits issued this month including the first for the first addition (aka second phase);
- Seven Structural/Plumbing/Mechanical/Electrical permits issued in November;
- Original Art Mural application for installation at Norma Pfeiffer Park received. The application is subject to the policy for donation to public spaces as well and will go to the Park Tree Committee in December for a recommendation to Council;
- Attended regional transportation meetings including Transportation Planning Committee, Safe Lane Transportation Coalition, Transportation Options Advisory Committee and Technical Advisory Sub-Committee (of MPC);
- DLCD denied Technical Assistance grant application to update the City's Buildable Lands Inventory (BLI);
- Submitted zoning determination application to Lane County for the waterline extension application;
- Attended kick-off meeting for CFEC implementation with DLCD and CLMPO partners;
- Planning Commission elected Jim Bell and Seth Clark as Chair and Vice chair, respectively;
- Heritage Committee elected Marissa Doyle and Michelle Shattuck as Chair and Vice chair, respectively.

Municipal Court

- **November 2023 Activity Measures:**
 - **Citations (Crimes and Violations)**
 - New Citations for November 7, 2023 Court Date: 8
 - **November 2023 Receipts Including Collections,**
 - **Total Fines:** \$12,213.14 (total monies taken in for the month, nothing deducted), *compared to \$11,798.74 in November of 2022*
 - **Net Fines:** \$5,890.00 (City share only, NOT including collections), *compared to \$9,407.00 in November of 2022*
 - **November 2023 Professional Credit Service Collections:**
 - **Total Collection Revenue:** \$6,323.14 *compared to \$2,391.74 in November of 2022*
 - **Turned over to collection:** \$12,525.00 *compared to \$0 in November of 2022*

Note: Comparisons should only be considered when viewing the year-to-date amounts as court dates are not consistently held on the same dates each month, nor is there consistent cases presented to the court.

Other Information:

- Next Regular Court Session: December 5, 2023

Police

- Officer registered a sex offender.
- Officers received over 10 DHS referrals for complaints of abuse, neglect, etc.
- Officer placed a non-criminal hold on a juvenile.
- Officer assisted the Eugene Police Department's with a domestic violence investigation.
- Officer investigated a burglary, but the victim did not want to have the suspect prosecuted.
- Officer took a report of fraudulent money.
- Officers responded to a suicidal male at the McDonald's.
- Officer responded to a domestic disturbance.
- Officer arrested a male for several misdemeanor warrants.
- Officer arrested a female for a misdemeanor warrant.
- Officer responded to a deceased subject.
- Officers emptied the Med Return Box.
- Officers investigated a failure to return a rented vehicle, which was returned.
- Officers investigated a stolen car and officers have identified the suspect.
- Officer took a report of a runaway juvenile.

- Officers responded to a disruptive juvenile.
- Officers conducted a civil standby.
- Officers attended Bias Crime Investigations training.
- Officers attended a domestic violence legal update training.
- Officer attended hostage negotiation training.
- Officers disposed of evidence/property/med box at Covanta.
- The Department donated several bicycles to the Eugene Mission.
- Officer completed ethics training

Upcoming Events:

- Shop with a Cop
- Coburg Light Parade
- Department Firearms training
- SFST training
- EVOC (Emergency Vehicle Operators Course) training



Oregon

Tina Kotek, Governor

Item 10.

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

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www.oregon.gov/LCD

December 1, 2023

Megan Winner, Planning Director
City of Coburg
91136 N. Willamette Street
PO Box 8316
Coburg, Oregon 97408



SENT VIA E-MAIL

RE: Notice of DLCD Technical Assistance grant decision

Dear Megan:

The Department of Land Conservation and Development has completed its review of Technical Assistance grant applications and made award decisions. I regret to inform you that your application has not been selected for funding.

Because the demand for assistance far outstrips the available resources, the department is unable to fund a significant number of needed local planning projects. Your application will be retained and reconsidered should additional grant funding become available during the biennium. We encourage you to continue to work with DLCD staff to meet your community's land use planning needs. If you have any questions, or we can assist with other planning efforts, please contact your DLCD regional representative, Patrick Wingard, at 541-393-7675 or Patrick.wingard@dlcd.oregon.gov, or me at 503-856-6935 or gordon.howard@dlcd.oregon.gov.

Yours truly,

Gordon Howard
Community Services Division Manager

cc: Courtney Flathers, Regional Solutions Team Coordinator
Patrick Wingard, DLCD Regional Representative
Angela Williamson, DLCD Grants Administrative Specialist