



# CITY OF SWEET HOME CITY COUNCIL AGENDA

November 08, 2022, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

## Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

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## Meeting Information

The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call 971-203-2871 Meeting ID: 473 954 605#

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

### I. Call to Order and Pledge of Allegiance

### II. Roll Call

### III. Consent Agenda:

- a) Approval of Minutes:
  - i) [2022-10-25 City Council](#)

### IV. Recognition of Visitors and Hearing of Petitions:

- a) Special Recognition - Life Saving Award
- b) Presentation - Grove, Mueller, and Swank - FY 21-22 Audit

### V. Old Business:

### VI. New Business:

- a) City Council Meeting Cancellation - November 22nd & December 27th
- b) [Request for Council Action – Resolution No. 32 for 2022 - Support of Oregon Mayor's Association Taskforce on Homelessness Plan](#)
- c) [Request for Council Action - Resolution No. 33 for 22 - Ameresco Audit Services Agreement for LED Streetlight Conversion and Sole Source Resolution](#)
- d) [Request for Council Action - Mahler WRF Equipment Pre-Purchase and Interim Improvement Project](#)
- e) [Request for Council Action - Mahler WRF Outfall Replacement](#)

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*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.*

- f) [Information Only - Task Order No. 13 Operational Process Control and Plan Development Services Project](#)
- g) [Request for Council Action - Resolution No. 34 for 2022 - Parade of Lights](#)

**VII. Ordinance Bills**

- a) Request for Council Action and First Reading of Ordinance Bills
- b) Second Reading of Ordinance Bills
- c) Third Reading of Ordinance Bills (Roll Call Vote Required)

**VIII. Reports of Committees:**

Ad Hoc Committee on Health  
Administrative and Finance/Property  
Area Commission on Transportation  
Chamber of Commerce  
Charter Review Committee  
Council of Governments  
Legislative Committee  
Library Advisory Board  
Park and Tree Committee  
Solid Waste Advisory Council  
Youth Advisory Council

**IX. Reports of City Officials:**

Mayor's Report  
City Manager's Report

**X. Department Director's Reports (1st meeting of the Month)**

Library Services Director

- i) [Sweet Home Public Library Monthly Report October 2022](#)

Community and Economic Development Director

- i) [Community and Economic Development Monthly Report October 2022](#)

Public Works Director

- i) [Public Works Monthly Report October 2022](#)
- ii) [Mahler WRF Improvement Project Monthly Report](#)

City Attorney

**XI. Council Business for Good of the Order**

**XII. Adjournment**



# CITY OF SWEET HOME CITY COUNCIL MINUTES

October 25, 2022, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

## Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

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This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM.

## Roll Call

### PRESENT

Mayor Greg Mahler  
President Pro Tem Diane Gerson  
Councilor Dave Trask  
Councilor Lisa Gourley  
Councilor Susan Coleman  
Councilor Angelita Sanchez  
Councilor Dylan Richards

### STAFF

Kelcey Young, City Manager  
Blair Larsen, Community and Economic Development Director  
Jason Ogden, Interim Chief of Police  
Robert Snyder, City Attorney  
Megan Dazey, Library Services Director  
Julie Fisher, Administrative Services Manager  
Greg Springman, Public Works Director

### PRESS

Benny Westcott, The New Era

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*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.*

### **Consent Agenda:**

Motion to approve the consent agenda made by Councilor Richards, Seconded by Councilor Coleman. Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

### **Approval of Minutes:**

- a) 2022-10-11 City Council Meeting

### **Recognition of Visitors and Hearing of Petitions:**

Lorie Turner, 1617 Main Street spoke to the Council about her concern of a large ferrel rabbit population in Sweet Home. Lorie Turner presented the Council with ideas on how to deal with the rabbits.

- a) Presentation - Government Portfolio Advisors  
Garrett Cudahey, Chief Investment Officer with Government Portfolio Advisors gave an update on the City's portfolio which is set up conservative. There were no questions of the Council.
- b) Presentation - Grove, Mueller, and Swank - FY 21-22 Audit  
The presentation from Grove, Mueller, and Swank was postponed until November 8, 2022.

### **New Business:**

- a) Request for Council Action - Conditional Use Application CU22-12  
Community and Economic Development Director Blair Larsen explained there are multiple parcels that make up Northside Park. Staff is requesting combining all parcels into one, which requires a Conditional Use Permit.  
Motion to authorize signature of the Conditional Use Permit Application made by Councilor Coleman, Seconded by Councilor Richards.  
Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards
- b) Request for Council Action – Authorization for Newly Created Position and Updated Salary Schedule.  
City Manager Kelcey Young presented Council with the request for a new position of Communications Manager. This position will replace the Communications Specialist position and will be split 50% Communications and 50% IT. City Manager Young explained the cost savings of the position by eliminating the need for an onsite IT contractor.  
Motion to approve the position of Communications Manager made by Councilor Gourley, Seconded by Councilor Richards.  
Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards
- c) Request for Council Action - Regional Disaster Preparedness Planning Services Contract  
Community and Economic Development Director Blair Larsen introduced the request for contract approval for Regional Disaster Preparedness. Several partners would share the cost equally with the exception of Brownsville Fire District which would pay a reduced cost

due to funding limitations. The City of Sweet Home will act as the contract manager. The cost to the City will be \$6,600 and has been budgeted.

Motion to approve the contract for Regional Disaster Preparedness made by Councilor Richards, Seconded by Councilor Coleman.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Trask, Councilor Gourley, Councilor Coleman, Councilor Sanchez, Councilor Richards

### **Reports of Committees:**

#### Chamber of Commerce

Councilor Gerson reported the Sweet Home Chamber and Visitors Center will be adding new board members.

#### Park and Tree Committee

Councilor Trask reported the Park and Tree Committee are working on a new stage at Sankey Park and additional details will be coming to Council soon.

### **Reports of City Officials:**

#### Mayor's Report

Mayor Mahler asked Community and Economic Development Director for an update on the (CEIP) Commercial Exterior Improvement Grant Program. CEDD Blair Larsen reported a draft will be presented to Council for approval with recommended updates from the board.

#### City Manager's Report

City Manager Kelcey Young reported a contractor doing work on the ODOT project cut into a gas line last week. Sweet Home Fire and Ambulance, Police Department and Public Works responded quickly and handled the issue extremely well. What could have been a very dangerous situation ended up to be just a nuisance, and CM Young commended staff.

CM Young reported the League of Oregon Cities - LOC, is offering free Elected Essential training in Albany on December 5th and 6th. She encouraged all councilors to attend the training.

### **Department Director's Reports (2nd meeting of the Month)**

#### Finance Director

CM Kelcey Young gave an update on recruiting efforts for a Finance Director.

Matt Brown, Interim Finance Director reported he has been working to clean up several years of accounting and brought in an extra consultant to aide in bank reconciliations. Interim Finance Director Brown and City Manager Young have been working on a complete fund restructure to present to the Council by December.

Councilor Coleman thanked Financial Operations Manager Cindi Robeck for all of her dedication and extra work during the transition.

Councilor Trask asked Interim Director Brown why the City is in this position. Interim Director Brown stated the previous Finance Director and City Manager did not have proper checks and balances. He added all finance directors around the state are experiencing the same, Auditors and not renewing contracts. The State of Oregon is aware of the issue.

## Police Department Monthly Report

Interim Police Chief Jason Ogden reported an emergency at the Police Department where an employee was found unresponsive and 911 was called. Sergeant Cummings and Officer Hamlin were quick to respond and most likely saved the life of the employee. Interim Chief Ogden has nominated the pair for the Life Saving Award.

Mayor Mahler requested to honor both employees, as well as, Interim Chief Jason Ogden, publicly at City Council

a) Monthly Department Report - September 2022

City Attorney

No Report.

### **Council Business for Good of the Order**

Mayor Mahler questioned development of 24th Avenue and there was discussion on the ODOT ramp project.

Community and Economic Development Director Blair Larsen gave a recap of the ODOT sidewalk project. There was discussion on the sidewalk near the railroad trestle which ends at each side of the bridge. Due to liability, ODOT is not able to complete a sidewalk under a trestle that may not be sound. However, the railroad doesn't want to give up the trestle in fear that they will not get authorization to replace it but they also don't have the funds for repairs. ODOT has built up to both sides of the bridge and the City can then continue with the connection. A proposal has been sent to the railroad for a temporary asphalt path that would meet ADA requirements. A more permanent link will be added once bridge repairs are completed.

Councilor Gourley reported painting will begin to decorate business windows downtown.

Councilor Sanchez requested an update on traffic speed in work zone. Update was provided by Interim Chief Ogden regarding additional patrols.

Councilor Coleman gave a reminder of the Community Meet and Greet event for all new City Leaders including the new Fire Chief, City Manager, Senior Center Director, and Chamber of Commerce Director.

Councilor Gerson announced the new City Hall art display by artist Deb Cooley.

### **Adjournment**

The meeting adjourned at 7:50 PM.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Council Action – Resolution No. 32 for 2022

**Preferred Agenda:** November 8, 2022

**Submitted By:** Julie Fisher, Administrative Services Manager

**Reviewed By:** Kelcey Young, City Manager

**Type of Action:** Resolution  Motion  Roll Call  Other

**Relevant Code/Policy:** Type Code/Policy Here

**Towards Council Goal:** I.WE ASPIRE to make Sweet Home a community people find desirable to live in.

II.WE ASPIRE to have an effective and efficient local government.

**Attachments:** Resolution No. 32 for 2022  
Taskforce Letter to Oregon Legislature  
OMA Press Release

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**Purpose of this RCA:**

Council consideration and decision on Resolution No. 32 for 2022.

**Background/Context:**

The OMA Board of Directors approved the creation of the OMA Homelessness Taskforce in May 2022. The taskforce brought together 25 mayors from across the state to develop a response to homelessness that would help all communities statewide, regardless of size or locations, to address the issue. Over the summer and early fall, the taskforce met regularly to develop its homelessness plan, which was finalized and approved October 14. The plan was subsequently emailed to all 90 members of the Oregon Legislature and the three gubernatorial candidates.

The OMA Homelessness Taskforce’s plan to humanely and timely address the homelessness crisis in Oregon is a partnership between the State of Oregon and its 241 cities. This partnership will allow for the establishment and expansion of local, community-based responses that provide immediate shelter, needed services, and secure safety for unhoused Oregonians. During the 2023 Legislative session, the OMA will *propose* two separate, yet parallel, budget proposals:

1. A budget package which provides direct allocation to cities for homelessness response and prevention services; and
2. A budget package that provides capital improvement funding for cities.

## **The Challenge/Problem:**

Addressing the challenges of homelessness.

## **Stakeholders:**

- Outreach Workers – Funding may include prevention, education and outreach, hygiene stations, and additional resources to help outreach workers make a greater impact.
- Unhoused Individuals and Families – Funding may include affordable housing, education and outreach, food bank assistance, Shelter and/or transitional housing which could greatly aid the unhoused population.
- Staff – Funding may include abatement/clean-up efforts, environmental mitigation, capital construction or improvement costs, and related operation costs.

## **Issues and Financial Impacts:**

### **Direct Allocation**

A direct allocation of funding from the state to each incorporated city in Oregon for cities to use in their homelessness response and prevention services is being proposed by the OMA.

- It is proposed that each city will be allocated funds in an amount equal to \$40 per resident, in accordance with the latest official population estimates from Portland State University.
- The proposal requires that in no instance will an incorporated city receive less than \$50,000 in direct funding.
- OMA's proposal provides cities the ability to elect to use the funds for their own homelessness response and prevention services, or to redirect their funds to community partners who are required to use the funds for homelessness response and prevention services.

OMA's proposal states that funds must be used for homelessness response and prevention services, which may include:

- Abatement/clean-up
- Environmental mitigation
- Affordable housing
- Capital construction or improvement costs related to homelessness or affordable housing measures
- Community resource officers
- Education and outreach
- Food bank assistance
- Shelter and/or transitional housing
- Hygiene stations
- Operation costs
- Outreach workers
- Prevention

With a \$50,000 guarantee for all cities, and a \$40.00 per resident multiplier in place, based on the April 19, 2022, PSU population estimates, the total amount requested would equal \$123,575,800.00 annually.

### **Capital Allocation**

In addition to the direct allocations, the Taskforce's proposal requires a meaningful allocation from the State for coordinated capital construction investments for specific shelter and transitional housing projects, statewide. It is expected that a final dollar amount for needed capital construction investments will equal between \$125 to \$175 million. The OMA is seeking information from Oregon cities about any needs they may have for capital construction investments from the state in their local responses to addressing the homelessness crisis.

**Elements of a Stable Solution:**

To obtain and funding that could be used for homelessness response and prevention services.

**Options:**

1. Option #1 – Do nothing, no action will be taken.
2. Option #2– Pass Resolution No. 32 for 2022 – Supporting OMA’s Taskforce’s Proposal.

**Recommendation:**

Option #2– Pass Resolution No. 32 for 2022 – Supporting OMA’s Taskforce’s Proposal.

**RESOLUTION NO. 32 FOR 2022**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWEET HOME,  
OREGON AUTHORIZING ITS SUPPORT OF THE OREGON MAYORS  
ASSOCIATION'S TASKFORCE ON HOMELESSNESS'S PROPOSAL TO PARTNER  
WITH THE STATE TO FUND LOCAL HOMELESSNESS RESPONSE AND  
PREVENTION PROGRAMS TO ADDRESS OREGON'S CRISIS OF THE UNHOUSED**

WHEREAS, the Oregon Mayors Association (OMA) created a Taskforce on Homelessness, consisting of 25 mayors from across the state, in May of 2022, to develop a response to homelessness that would help all communities statewide, regardless of size, or location, to address Oregon's crisis of the unhoused;

WHEREAS, over the summer and fall of 2022, the OMA Taskforce on Homelessness met regularly to develop its homelessness plan, finalizing the same on October 14, 2022;

WHEREAS, the plan proposed by the OMA Taskforce on Homelessness calls for a partnership between the state and Oregon's 241 cities to allow for the establishment and expansion of local, community-based responses that provide immediate shelter, needed services, and secure safety for unhoused Oregonians;

WHEREAS, the OMA Taskforce on Homelessness's plan requires the enactment of two separate, yet parallel, budget proposals during the 2023 Legislative Session: (1) a budget package which provides direction allocation to cities for homelessness response and prevention services; and (2) an allocation that provides capital improvement funding for cities;

WHEREAS, the budget package proposing a direction allocation to cities for homelessness response and prevention services recommends providing each city with funds in an amount equal to \$40 per resident, in accordance with the latest official population estimates from Portland State University, with no city receiving less than \$50,000 in direct funding, and requires the funds to be used by the city, or a community partner of the city's choice, for homelessness response and prevention services; and,

WHEREAS, the City Council of Sweet Home supports the plan proposed by the OMA Taskforce on Homelessness.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SWEET HOME,  
OREGON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council hereby authorizes the Mayor and City Manager to:

- Sign letters of support of the plan proposed by the OMA Taskforce on Homelessness;
- Speak with state legislators, the Governor, the Governor’s staff, or other state government officials in support of the plan proposed by the OMA Taskforce on Homelessness; and,
- Provide testimony, either written or verbal, to the Oregon Legislature in support of the plan proposed by the OMA Taskforce on Homelessness.

Section 3. The City Council recognizes and acknowledges that the plan proposed by the OMA Taskforce on Homelessness may be subject to amendment, and provided the spirit of the plan (direct allocation of funding to cities and/or capital funds directed to Oregon cities) is maintained, the authorization provided by Section 2 is applicable.

Section 4. This Resolution will take effect upon adoption.

APPROVED this 8th day of November, 2022.

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Mayor

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City Manager – Ex Officio City Recorder



To convene, network, train, and empower Mayors

October 14, 2022

Oregon Legislature  
900 Court Street, NE, H-269  
Salem, Oregon 97301

Re: Partnership Needed to Solve Statewide Homelessness Emergency

We write to you as leaders, partners and voters seeking collaboration and action. Cities are facing a crisis as we respond to the emergency of homelessness across Oregon.

Last week at the League of Oregon Cities conference, Mayors came together from across the state to discuss critical policies and programs that impact Oregonians. The number one issue throughout Oregon – in both rural and urban communities, large and small – is homelessness. We know this humanitarian crisis is impacting both the individuals directly experiencing homelessness as well as communities at large.

Many jurisdictions have developed new programs, expanded service efforts, built regional partnerships, and are making substantial investments of local general fund and American Rescue Plan Act (ARPA) funds to respond to the unhoused emergency. Yet, this humanitarian crisis exceeds our individual capacity. While active projects, programs, and partnerships are in place in many cities in Oregon, the state has an opportunity to partner with local governments to build upon these efforts to make an immediate and impactful difference.

Cities cannot be left to solve this statewide crisis by ourselves. No one single approach is effective without a collaborative and coordinated strategy to work together to create the quality of life we all want for everyone who lives in our cities and state. Cities are one part of what must be a statewide approach. We need state leadership to allocate direct funding that is scaled to respond to the gravity of this crisis facing cities statewide.

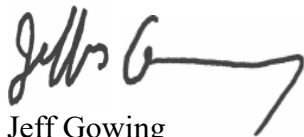
This past May, the Oregon Mayors Association formed a Taskforce on Homelessness. Twenty-five mayors, representing cities of all sizes from around the state, studied Oregon's homelessness crisis. And while the crisis may seem insurmountable, given that the symptoms and solutions look different between urban and rural communities and vary based on a city's size, geography and available service providers, local government leaders have developed a solution to Oregon's crisis of the unhoused.

The solution is that the State of Oregon and its 241 cities must come together in partnership to establish and expand local, community-based responses. Time and time again, local programs, which are community-centered, are the programs that provide immediate shelter, needed services, and secure safety for unhoused Oregonians.

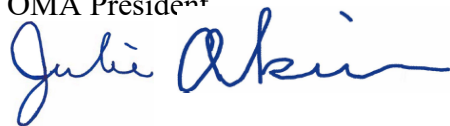
For this crisis to be humanely and timely addressed, the State must partner with cities to fully fund local homelessness response and prevention programs. Fully funding local programs requires direct allocations to each incorporated city in Oregon, totaling \$123,575,800 annually. In addition to direct, annual allocations, coordinated capital construction investments for specific shelter and transitional housing projects, statewide, is also required.

Oregon's mayors are leading the on-the-ground response on homelessness, but we cannot do so alone and need joint leadership from state government to support cities and our county partners. We call on Oregon's next governor and legislature to fund the services and housing needed to make an impact on Oregon's homelessness crisis.

Sincerely,



Jeff Gowing  
Mayor of Cottage Grove  
OMA President



Julie Akins  
Mayor of Ashland



Gena Goodman-Campbell  
Mayor of Bend



Beth Wytoski  
Mayor of Dayton



Lucy Vinis  
Mayor of Eugene



Teri Lenahan  
Mayor of North Plains  
OMA President Elect



Lacey Beaty  
Mayor of Beaverton



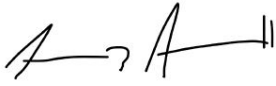
Meadow Martell  
Mayor of Cave Junction



Jim Trett  
Mayor of Detroit



Carol MacInnes  
Mayor of Fossil



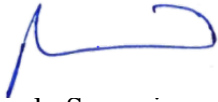
Travis Stovall  
Mayor of Gresham



Steve Callaway  
Mayor of Hillsboro



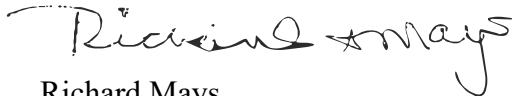
Carol Westfall  
Mayor of Klamath Falls



Randy Sparacino  
Mayor of Medford



Ted Wheeler  
Mayor of Portland



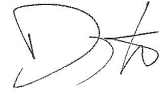
Richard Mays  
Mayor of the Dalles



Rod Cross  
Mayor of Toledo



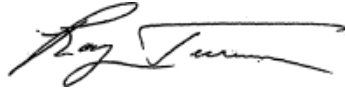
Henry Balensifer III  
Mayor of Warrenton



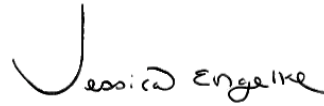
Dave Drotzmann  
Mayor of Hermiston



Kate McBride  
Mayor of Hood River



Ray Turner  
Mayor of Lakeview



Jessica Engelke  
Mayor of North Bend



Michael Preedin  
Mayor of Sisters



Jason Snider  
Mayor of Tigard



Tom Vialpando  
Mayor of Vale

cc: Christine Drazen, Gubernatorial Candidate  
Betsy Johnson, Gubernatorial Candidate  
Tina Kotek, Gubernatorial Candidate



STRENGTH IN UNITY

**FOR IMMEDIATE RELEASE:**  
**October 14, 2022**

**CONTACT:**  
**Kevin Toon**  
[ktoon@orcities.org](mailto:ktoon@orcities.org)  
**(971) 428-7269**

## **Oregon Mayors Association Announces Plan to Address Statewide Homelessness**

SALEM, Ore. – An Oregon Mayors Association (OMA) task force submitted a letter today to Oregon’s three gubernatorial candidates and the Legislature, outlining its plan to successfully address the current statewide homelessness crisis.

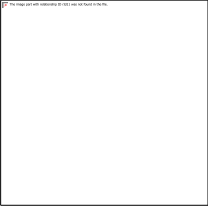
The plan calls for a partnership between the state and Oregon’s 241 incorporated cities to provide comprehensive funding for local homelessness response and prevention programs. This would require direct allocations to each incorporated city in Oregon, totaling \$123,575,800 annually. In addition to direct, annual allocations, coordinated capital construction investments for specific shelter and transitional housing projects statewide would also be required.

The task force, consisting of 25 mayors from across the state, was created in May to develop a response to homelessness that would help all communities statewide, regardless of size or location, to address the issue. The following mayors comprise the task force:

Jeff Gowing, Cottage Grove; OMA President	Teri Lenahan, North Plains; OMA President-Elect
Julie Akins, Ashland	Lacy Beaty, Beaverton
Gena Goodman-Campbell, Bend	Meadow Martell, Cave Junction
Beth Wytoski, Dayton	Jim Trett, Detroit
Lucy Vinis, Eugene	Carol MacInnes, Fossil
Travis Stovall, Gresham	Dave Drotzmann, Hermiston
Steve Callaway, Hillsboro	Kate McBride, Hood River
Carol Westfall, Klamath Falls	Ray Turner, Lakeview
Randy Sparacino, Medford	Jessica Engelke, North Bend
Ted Wheeler, Portland	Michael Preedin, Sisters
Richard Mays, The Dalles	Jason Snider, Tigard
Rod Cross, Toledo	Tom Vialpando, Vale
Henry Balensifer III, Warrenton	

### **About the Oregon Mayors Association**

The purpose of the OMA is to increase the knowledge and skills of Oregon mayors and make a strong, collective effort to influence state programs and legislation. OMA is an affiliate organization of the League of Oregon Cities.



# REQUEST FOR COUNCIL ACTION

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**Title:** Ameresco Audit Services Agreement for LED Streetlight Conversion and Sole Source Resolution

**Preferred Agenda:** November 8, 2022

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Kelcey Young, City Manager

**Type of Action:** Resolution   X   Motion      Roll Call      Other     

**Relevant Code/Policy:** SHMC Chapter 2.08 Local Contract Review Board

**Towards Council Goal:** Aspiration IV: Viable and Sustainable Essential Services, Goal 2.6: Effective and Efficient Government, Employ sound technology to maximize efficiency

**Attachments:** Ameresco Sweet Home Streetlight LED Conversion Feasibility Presentation  
 Ameresco Audit Services Agreement  
 Resolution No. 33 for 2022: Ameresco Sole Source Procurement Findings

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**Purpose of this RCA:**

The purpose of this RCA is to present a proposed streetlight audit services agreement with Ameresco, the first step in converting the City’s streetlights to more efficient LED technology, financed through an energy-as-a-service (EaaS) arrangement. Also included in this RCA is a proposed resolution adopting sole-source procurement findings for an EaaS arrangement with Ameresco.

**Background/Context:**

The City of Sweet Home currently pays the electricity costs for about 900 streetlights within the City. These streetlights are owned and maintained by Pacific Power. Pacific Power only upgrades lights to more efficient LED fixtures when those lights reach the end of their life. In the meantime, the City is left with the bill for the additional electricity required by these older, less efficient streetlights.

The City Council is the Local Contract Review Board and has the authority to engage in sole-source procurements if the goods or services are only available from one source (see ORS 279B.075). Ameresco is the only company authorized by Pacific Power for this type of work and financing. In addition, the streetlights in question are owned not by the City, but by Pacific Power.

In March, 2021, Ameresco gave a presentation to the City Council on their streetlight LED conversion services. If the City moves forward with an agreement, Ameresco would pay to

upgrade the streetlights to LED, which would change the rates to Pacific Power to a lower rate, thus saving the City significant money on an annual basis. Ameresco would be paid out of a portion of the resulting savings for a period of time, after which the City would enjoy the full savings. At the March, 2021 Council meeting, the consensus of the Council was to direct staff to bring a contract with Ameresco to the Council for approval at a future meeting.

The first step in this project is for Ameresco to conduct an energy savings audit of the streetlights. A contract for this work is included in this packet. At the same time, the City would need to adopt a resolution approving sole source procurement of LED streetlight conversion services.

**The Challenge/Problem:**

Should the City approve an agreement with Ameresco for streetlight energy audit services, and adopt a resolution approving sole source procurement of LED streetlight conversion services?

**Stakeholders:**

- Sweet Home Residents – Citizens deserve both well-lit streets and for their tax dollars to be used efficiently.
- Sweet Home City Council – The City Council is charged with authorizing contracts for services, and ensuring that City funds are used efficiently and effectively.
- Ameresco – Energy services companies earn money by helping their customers make efficiency improvements—they are paid out of the resulting savings.

**Issues and Financial Impacts:**

If an agreement is made with Ameresco, the City could reduce energy costs for streetlights by an estimated \$73,000 annually. The audit services agreement with Ameresco would cost \$26,866, however this fee would only be paid if the City chose not to continue with the project. If the project moves forward, that fee would be wrapped into the overall project, and would be paid for out of the energy savings.

**Elements of a Stable Solution:**

A stable solution is one that saves money by converting City streetlights to LED fixtures without requiring capital funding from the City.

**Options:**

1. Do nothing – Make no agreement with Ameresco or any effort to convert streetlights to LED fixtures.
2. Adopt Resolution No. 33 for 2022 and Authorize the City Manager to sign the audit services agreement with Ameresco as proposed.
3. Adopt Resolution No. 33 for 2022 and Authorize the City Manager to sign the audit services agreement with Ameresco with specified changes.
4. Direct Staff to research other options to accomplish the same goal.

**Recommendation:**

Staff recommends option 2: Adopt Resolution No. 33 for 2022 and Authorize the City Manager to sign the audit services agreement with Ameresco as proposed.

# Smart LED Street Lighting Solutions



## Save Energy Costs with LED Street Lights

When selecting a partner for your lighting project, experience counts. With more than 500,000 LED street lights installed or contracted, Ameresco is the largest non-utility purchaser of LED street lights in the United States<sup>1</sup>. We have helped customers across North America convert more than a half million street lights to LED technology and turn old lights into new savings.

Ameresco is not just another lighting vendor. We have an expansive network of best-in-class technology, integration, and data analytics partners. We expertly manage complex projects, in cities and campuses, to deliver measurable results for our clients. As a vendor-neutral provider, Ameresco delivers customized solutions for every project including technology objectively selected to fit each environment and set of client needs.



## LED Street Light Project Services

- **Inventory Audit:** Our audits capture both street light and pole characteristics as well as pole spacing and placement, roadway classification, lane configuration, and other lighting application data such as average daily traffic and historic accident data. Ameresco also offers street lighting condition assessments and reconciliation of inventory and billing data.
- **Design Process:** Ameresco's best-in-class GIS-based design process maximizes energy savings and minimizes glare and light trespass. Using audit data, we identify common and critical lighting applications and develop luminaire specifications to ensure your illumination levels are achieved with the lowest possible energy consumption.
- **Light Fixture Selection:** We will evaluate options from a variety of vendors using photometric and lifecycle cost analysis. If desired, we can also compare the relative energy consumption of different color temperature options, and ensure that Dark Sky compliance is achieved.
- **Local Incentives and Rebates:** Ameresco has extensive experience identifying and capturing utility incentives and rebates (over \$35M for the Chicago Smart Lighting Project alone, for example) as well as grants from local, state, and federal government, and other sources. We complete rebate applications, conduct pre- and post-construction site visits with inspectors, and respond to inquiries from utility company staff regarding savings calculations.
- **Community Outreach:** Before, during, and after the project, Ameresco can provide community outreach to showcase how your LED street light conversion addresses your commitment to safety and sustainability.

## Benefits of LEDs & Smart Lighting Controls

Smart, connected lighting systems monitor for outages and streamline lighting management. We have installed smart controls on more than 60% of the LED street lights we've installed to date. Smart lighting systems provide a foundation for additional Smart City applications, from parking to waste management.

LED technology and smart lighting controls revolutionize street lighting by delivering a safer streetscape while modernizing and reducing the costs of lighting, one of the largest areas of energy consumption for most cities. According to the DOE, widespread use of LEDs in the U.S. by 2027 could equate to more than \$30 billion in energy savings. Communities can embrace the efficiency, financial, and quality of life benefits of an LED upgrade.

### Financial

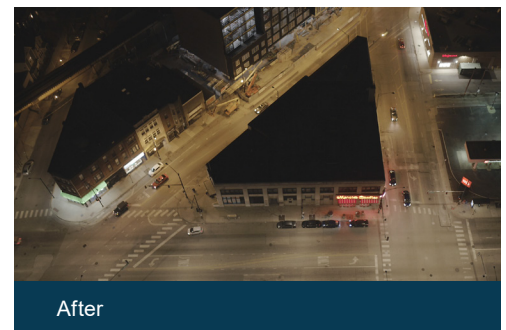
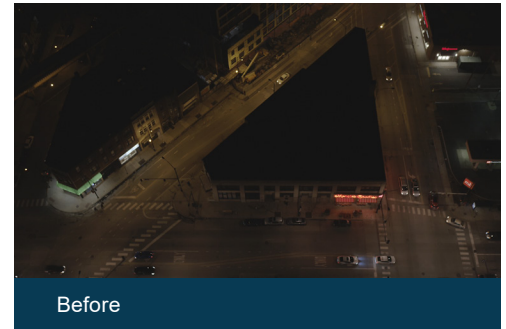
- Reduce energy costs and consumption up to 75%
- Save up to 80% on long term maintenance costs
- Reduce incoming 311 calls with smart lighting controls

### Efficiency

- Improve service delivery with lighting management system
- Proactive maintenance with real-time monitoring
- Reduce CO<sub>2</sub> emissions from energy use and maintenance truck rolls

### Quality of Life

- Improve community safety and security
- Enhance infrastructure reliability
- Improve streetscape and driver visibility
- Adjust light levels to meet visibility needs
- Reduce light pollution



<sup>1</sup> Northeast Group, LLC: *United States LED and Smart Street Lighting: Market Forecast (2018 – 2027) Public Outdoor Lighting Market, Volume II, September 2018*

AMERESCO 

Founded in 2000, Ameresco, Inc. (NYSE:AMRC) is a leading independent provider of comprehensive services, energy efficiency, infrastructure upgrades, asset sustainability, and renewable energy solutions for businesses and organizations throughout North America and Europe.

Ameresco's team of energy experts can assist you in identifying the solution that fits your needs. For more information about Ameresco and our full-range of energy efficiency and renewable energy solutions, please call **1-866-AMERESCO** or visit **ameresco.com**.

# Funding Improvements with Savings

October 2022



[ameresco.com](http://ameresco.com)

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# Northwest Public Experience

**Local Government Customers: 40+**

**Total implemented: 65 project phases**

## Example Projects:

City of Bend – \$3.7 M (HVAC, Streetlights, Solar PV) **saving \$205,000/yr**

City of Troutdale – \$2.1 M (WWTP, PWD HVAC, Lighting) **saving \$90,000/yr**

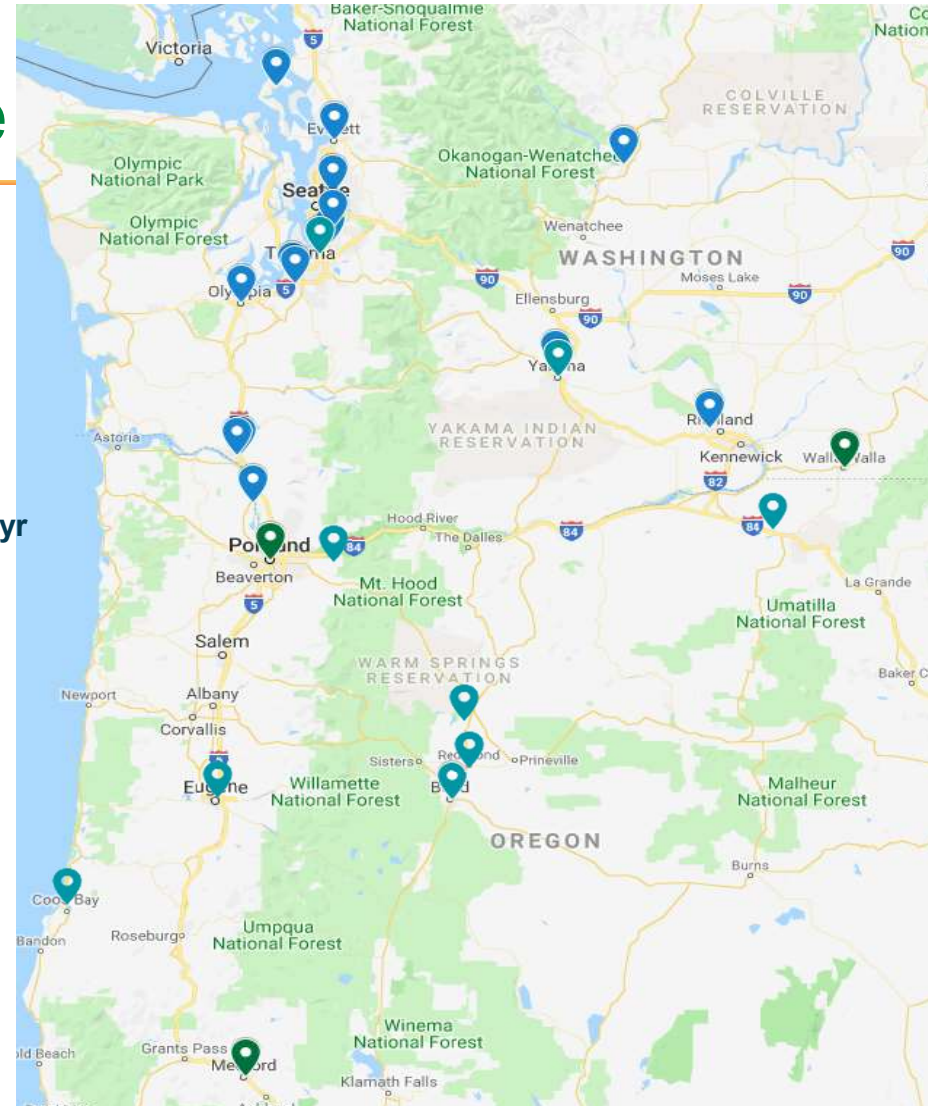
City of Redmond – \$2.3 M (Parks&Rec, Solar PV, Airport HVAC) **saving \$114,000/yr**

Oregon DOT – \$23 M (8,800+ lights, largest on West Coast) **saving \$700,000+/yr**

Note: While most projects are set up to be cashflow positive from day 1, savings are fully realized after the initial finance period ends.

## Other PNW State and Municipal Clients:

- Grays Harbor County
- Island County, WA
- Kittitas County, WA
- Lane County, OR
- Multnomah County, OR
- Okanagon County, WA
- Spokane County, WA
- City of Bend
- City of Coos Bay
- City of Everett
- City of Edmonds
- City of Federal Way
- City of Kelso
- City of Kent
- City of Kirkland
- City of Lakewood
- City of Longview
- City of Madras
- City of Medford
- City of Oak Harbor
- City of Olympia
- City of Pendleton
- City of Renton
- City of Selah
- City of St. Helens
- City of Troutdale
- City of West Richland
- City of Yakima
- Oregon Dept. of Transportation
- Washington State Dept. of Transportation (WSDOT)



# Energy-as-a-Service and PacifiCorp

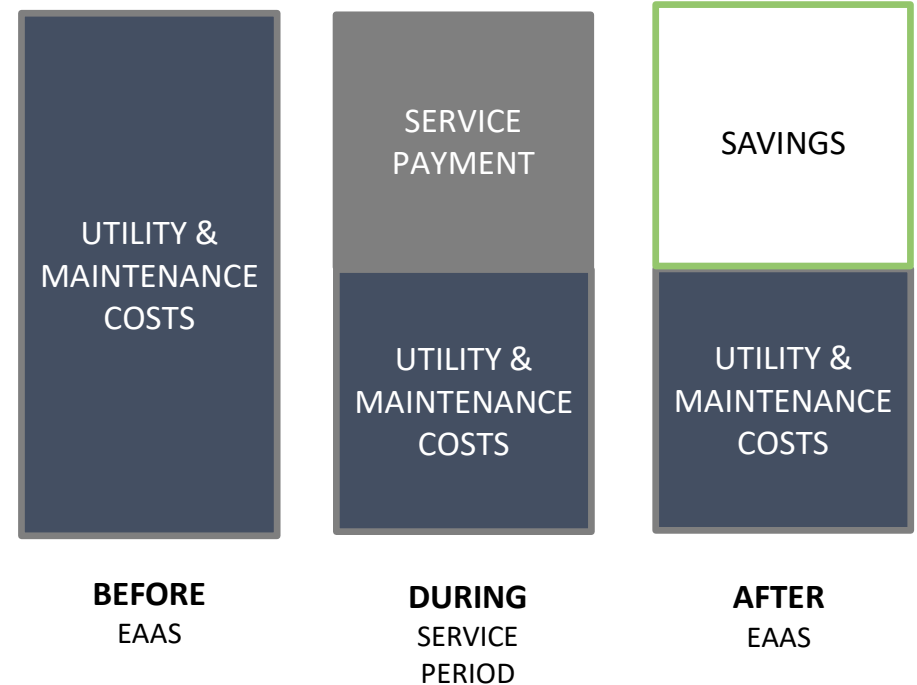


- Ameresco has a unique agreement with Pacific Power Lights (PacifiCorp)
- Energy-as-a-Service contracting allows a City to upgrade PPL-owned lights without the need for upfront capital
- Utilized as a service agreement between City and Ameresco – seen as off-credit/non-debt mechanism

# Savings Fund Improvements



<b>Number of PPL Streetlights</b>	<b>907</b>
<b>Projected 2022 annual utility costs for PPL streetlights</b>	<b>\$134,000*</b>
<b>Projected 2022 annual utility costs for City-owned streetlights</b>	<b>\$5,400</b>
<b>Estimated Annual Utility Savings (w/LED)</b>	<b>~\$35,000**</b>
<b>Estimated Incentives</b>	<b>~\$26,000</b>
<b>Estimated Service Period</b>	<b>10-12 years</b>



\* Adjusting for PPL rate change in 2021.

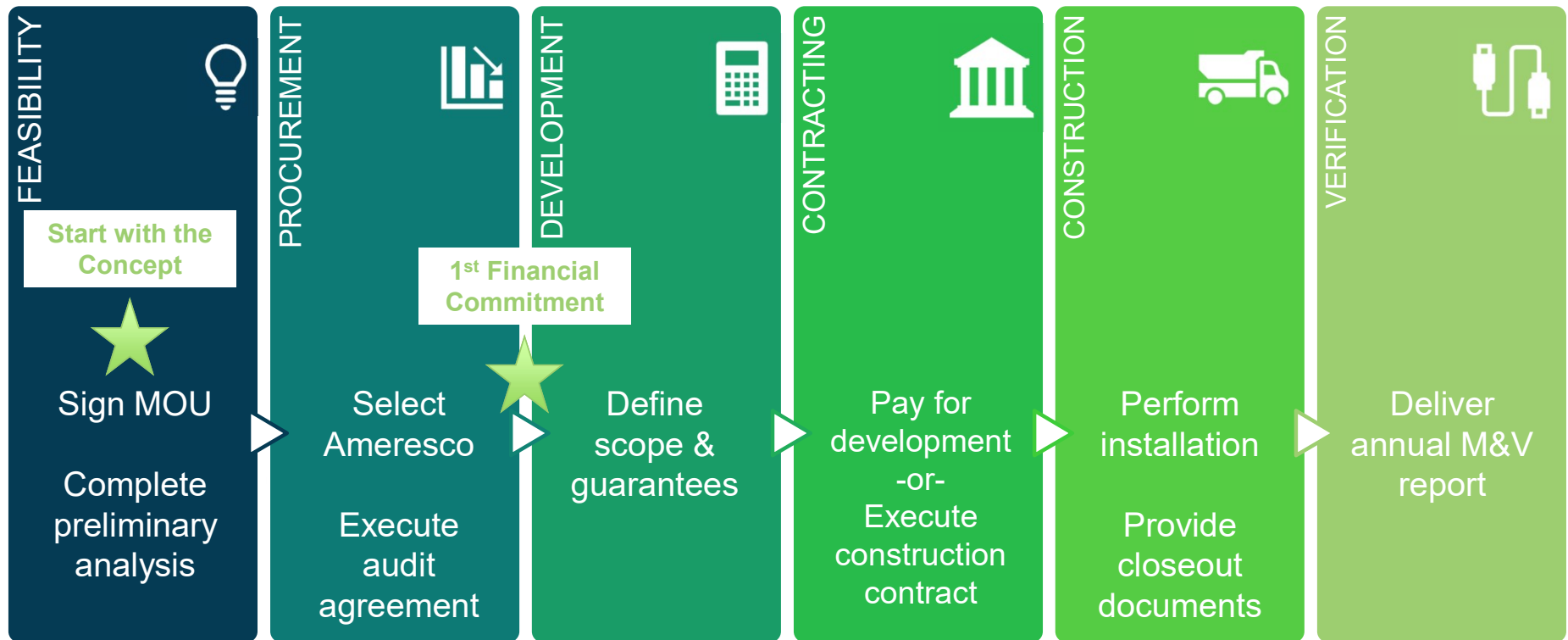
\*\* Assumed typical mix of Levels 1-4 lighting. Based on new Schedule 51 (customer funded replacement) rates.

# Single Source of Accountability



# Roadmap

COMMUNICATE EARLY AND OFTEN



# Procurement Options

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- Keeping it simple...
  - The State of Oregon keeps a list of qualified ESCOs – requalifying through RFQ every 2 years
- RFQ or Direct Select (2 options)
  - City’s discretionary policy for sole-sourcing – City of Pendleton, City of Redmond, City of Madras
    - Based on our unique qualifications and relationship with PacifiCorp
  - Direct selection via OAR 137-049-0600 to 0690
    - Public entities in Oregon, including the City of Cottage Grove and recently the City of Pendleton, have utilized these ORS, along with our pre-qualification by ODOE, as justification for a streamlined sole-source selection of an Ameresco.
- This selection is non-monetary
  - Based on qualifications, not low-bid
  - Puts us on your team to openly discuss potential for opportunities
  - We don’t get paid until we build something with you

# Next Steps

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- What is the path toward a project?
  - Selection/Procurement
  - Development Proposal
    - Are there other measures/goals/pain-points we can look at for you? (HVAC, Solar PV, WWTP efficiencies, etc.)
  - Implementation Contract
- Questions?

Thank you.



**Joe Mankiewicz**  
Account Executive

[jmankiewicz@ameresco.com](mailto:jmankiewicz@ameresco.com)  
503-290-1293 (office)  
443-223-6251 (mobile)

Ameresco – Pacific Northwest  
9700 SW Capitol Hwy, Suite 110  
Portland, OR 97219

# LED Streetlight Project Highlights



## CITY OF CHICAGO

LED Conversion of Nearly 300,000 Street Lights with Wireless Controls and IoT Integration



## CITY OF PHOENIX

LED Conversion of 92,325 Street Lights (First 2700K CCT Installation in US)



## CITY OF TUCSON

LED Conversion of 22,492 Street Lights with Wireless Controls (First 3000K Installation in US)



## CITY OF BEND

LED Conversion of 2,156 City and Utility Owned Street Lights



## CITY OF GLENDALE

LED Conversion of 18,500 Street Lights



## OREGON DOT

LED Conversion of 9,484 Cobra Head, High Mast & Tunnel Lights with Tunnel Lighting Controls



## RICHMOND HILL (CA)

LED Conversion of 13,000 Street Lights with Wireless Controls



## CITY OF LAWRENCE

Assisted City Purchase and LED Conversion of 3,876 Street Lights

## RESOLUTION NO. 33 FOR 2022

### **A RESOLUTION OF THE CITY OF SWEET HOME APPROVING THE SOLE-SOURCE PROCUREMENT OF CERTAIN LED STREET LIGHT CONVERSION SERVICES; DETERMINING THAT THE SERVICES ARE AVAILABLE FROM ONLY ONE SOURCE; AND ADOPTING CERTAIN FINDINGS IN SUPPORT OF THE USE OF THE SOLE SOURCE PROCUREMENT METHOD TO OBTAIN THE SERVICES.**

WHEREAS, pursuant to ORS 279A.060 and SHMC 2.08.010, the Sweet Home City Council (the “Council”) acts as the local contract review board (the “LCRB”) for the City of Sweet Home (“City”); and

WHEREAS, ORS 279B.075 authorizes the City LCRB to purchase a particular product or service available from only one source if City satisfies the requirements of ORS 279B.075 and OAR 137-047-0275; and

WHEREAS, prior to purchasing a product and/or acquiring services available from one source, ORS 279B.075 requires City to determine that the product and/or service is available from only one seller or source; and

WHEREAS, ORS 279B.075 and OAR 137-047-0275 also require City to adopt certain findings in support of the sole-source determination; and

WHEREAS, pursuant to agreements with PacifiCorp, City is responsible for the cost of electricity to streetlights within the City of Sweet Home that are owned by PacifiCorp; and

WHEREAS, City’s maintenance obligations would be significantly reduced if street lighting is converted to light-emitting diode (“LED”) fixtures; and

WHEREAS, as more particularly described in the findings and determinations contained in the attached Exhibit A, Ameresco, Inc. (“Contractor”) is the only contractor authorized by PacifiCorp to perform LED conversions on PacifiCorp owned streetlights (the “Services”); and

WHEREAS, by adoption of this Resolution No. 33 for 2022 (this “Resolution”), the Council desires to adopt findings in support of a sole-source determination and approve the use of a sole-source procurement method (i.e., award a contract without competition) for the Services.

NOW, THEREFORE, the City Council resolves as follows:

1. Findings; Determination; Approval. In addition to the above-stated findings, which are hereby adopted, the Council, acting as the LCRB, adopts those findings and determinations in support of a sole source procurement contained in the attached Exhibit A. Subject to and in accordance with ORS 279B.075 and the Public Contracting Ordinance, the Council hereby (a) determines that the Services are available from one source, (b) determines that the attached findings support the determination that the Services are available only from one source, and (c) approves the use of a sole-source procurement method (i.e., award a contract without competition) to procure the Services from Contractor.
2. Notice. In accordance with OAR 137-047-0275(2), the city manager or his or her designee will give notice of the Council’s approval of the sole-source procurement

described herein. Any affected person may protest City's determination that the Services are available from only one source in accordance with OAR 137-047-0710.

This Resolution will take effect upon adoption. PASSED by the Council and approved by the Mayor, this 8<sup>th</sup> day of November, 2022.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder

## Exhibit A

### Sole-Source Determinations and Findings

#### A. Background

1. Pursuant to agreements with PacifiCorp, City is responsible for the cost of electricity used by streetlights within the City that are owned by PacifiCorp. There are approximately 900 PacifiCorp-owned streetlights within the City.
2. City determined that conversion to LED streetlights will significantly reduce maintenance costs as LED lighting fixtures have a longer life span and less operating costs than other forms of lighting fixtures.
3. Contractor is the only contractor authorized by PacifiCorp to perform LED conversions on PacifiCorp owned streetlights.

#### B. Description of the Services

City desires to retain Contractor to perform the Services, which include the following: (i) cost-benefit analysis of converting particular streetlights to LED fixtures; (ii) determination of suitable LED fixtures; (iii) acquisition of selected LED fixtures; (iv) installation of chosen LED fixtures; (v) recycling of replaced fixtures; (vi) project management and quality control; and (vii) other tasks necessary or proper to complete the LED streetlight conversion project.

#### C. Description of Contract

1. City desires to enter into a contract with Contractor pursuant to which Contractor will perform the Services and be reimbursed for materials acquired by Contractor in the performance of the Services. Payment will be structured such that Contractor will be reimbursed over time from maintenance expenses City would ordinarily pay for maintaining PacifiCorp's streetlights pursuant to its agreement with PacifiCorp. City estimates that the value of the Services will be approximately \$500,000.00.
2. In accordance with ORS 279B.075(3), City will negotiate with Contractor to obtain contract terms that are advantageous to City. Notwithstanding anything contained in this Resolution to the contrary, the contract for the Services (a) will be in form and content satisfactory to City and contain such terms and conditions the city administrator and/or city attorney determine necessary and/or appropriate, and (b) will be subject to the review and approval of the city administrator and city attorney

#### D. Findings

Subject to and in accordance with ORS 279B.075(2), City's determination of a sole-source procurement for the Services is supported by findings, including, without limitation, the following:

1. The efficient maintenance and operation of PacifiCorp's streetlights requires a conversion to LED fixtures. LED fixtures have a longer life span and less operating costs than other forms of lighting fixtures. Conversion to LED fixtures will provide City better lighting while reducing City's long term maintenance obligations.
2. As noted above, Contractor is the only contractor authorized to perform the Services on PacifiCorp owned streetlights.
3. Contractor is the single most experienced firm in the Northwest when it comes to streetlight conversion. Twenty-five plus municipal and state clients in Oregon and Washington have selected Ameresco for streetlight conversion including Oregon Department of Transportation and Washington Department of Transportation. Projects include conversions in City of Bend, City of St. Helens, City of Milwaukie, City of Medford, City of Coos Bay, City of Madras, and City of Pendleton.
4. Contractor has been sole sourced with the City of Coos Bay, City of Madras, and the City of Pendleton to complete similar streetlight conversion projects.
5. Contractor provides a complete turnkey service under one contract including audit, design, labor and material, construction management and financing.

6. Because Contractor is the sole source of the Services, the use of the sole-source procurement method is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.

## SERVICES AGREEMENT

This Agreement (“Agreement”) is entered into as of November 08, 2022 between City of Sweet Home, Oregon, herein referred to as CLIENT, and Ameresco, Inc., having its principal place of business at 111 Speen Street, Framingham, MA 01701 hereinafter referred to as AMERESCO.

Whereas, AMERESCO and CLIENT desire to enter into an agreement for the performance of certain services related to audit of existing streetlights within the City of Sweet Home, OR as such services are described from time to time in the Scope of Work attached to this Agreement as Attachment A (“the Project”) for CLIENT.

Whereas, AMERESCO has the specific knowledge and experience necessary to assist and support CLIENT in its business activities.

Now, therefore, in consideration of the mutual promises made herein, the parties hereto agree as follows:

1. TERM - CLIENT does hereby offer and AMERESCO does hereby accept engagement of AMERESCO as an independent contractor for services, which may be provided to CLIENT for a term beginning the date hereof and terminating when the Scope of Work is completed and AMERESCO has been paid all amounts due hereunder, unless terminated earlier as provided for in Section 7.
2. TIME AND SERVICES - AMERESCO shall provide services pertaining to the execution of the Scope of Work.
3. AUTHORIZATION FOR SERVICES - CLIENT has authorized the following persons to act on its behalf, Kelcey Young, City Manager, City of Sweet Home, OR (hereinafter, “Authorized Person or Persons”). By its execution of this Agreement, CLIENT authorizes AMERESCO to proceed with the Scope of Work set forth in Attachment A. Any additional assignments beyond the Scope of Work set forth in Attachment A undertaken by AMERESCO (“Additional Services”) shall require preauthorization in writing by an Authorized Person, prior to the commencement of any activities on CLIENT’s behalf. A completed Scope of Work and compensation amount similar to the one contained in Attachment A, when issued and signed by an Authorized Person and an Officer of AMERESCO, shall be sufficient to meet this requirement.
4. COMPENSATION – CLIENT shall pay AMERESCO a fixed fee of Twenty-six Thousand Eight Hundred Sixty-Six (\$26,866.00) dollars for the Scope of Work described in Attachment A hereto, inclusive of local taxes, duties, and fees.
5. PAYMENT - Payments shall be made to AMERESCO as set forth on Attachment A hereto or, with respect to any Additional Services, as set forth in any Attachment A authorized after the date hereof, and, in any case, per the specific requirements of any such Attachment A. CLIENT shall make payment to AMERESCO within thirty (30) days after the submission of each invoice. All amounts not paid to Ameresco on or before the due date specified above shall accrue interest at twelve percent (12%) per annum, or such lower rate as is prescribed by

applicable law.

6. COMMUNICATIONS - All communication to AMERESCO regarding this Agreement shall be addressed as follows:

Ameresco, Inc.  
222 Williams Ave. South, Suite 100  
Renton, WA  
Attn: Ron Haxton, VP Northwest Region

With copy to:

Ameresco, Inc.  
111 Speen Street, Suite 410  
Framingham, MA 01701  
Attn: Contract Administrator

All communications to CLIENT regarding this Agreement shall be addressed as follows:

City of Sweet Home  
3225 Main Street  
Sweet Home, OR 97386  
Attn: Kelcey Young, City Manager

7. TERMINATION - This Agreement may be terminated by either party because of the breach of the other at any time by notice to the other party, in writing, which termination shall be effective upon receipt.
8. COMPLIANCE WITH LAWS - In performing the Scope of Work hereunder, AMERESCO shall comply with all laws, regulations, codes, ordinances, and other applicable governmental requirements in effect, including without limitation building codes, life safety and similar codes, and all environmental laws and regulations.
9. COMPLIANCE WITH REGISTRATIONS/LICENSING - AMERESCO shall comply with all licensing laws and regulations governing the provision of the Scope of Work hereunder.
10. INTEGRATION - This Agreement including its Attachments and any other documents, exhibits, specifications and drawings represents the entire and integrated agreement between AMERESCO and CLIENT, and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both AMERESCO and CLIENT, and is binding upon the parties, their successors and assigns.
11. RECORDS AND DATA - CLIENT will furnish to AMERESCO accurate and complete data concerning or relating to the Project.
12. ACCESS; COOPERATION - CLIENT will provide to AMERESCO safe and sufficient

access to the Project location at all reasonable times during normal business hours for AMERESCO to perform the Scope of Work, and will otherwise attempt to fully and completely cooperate with all reasonable requests of AMERESCO.

13. GOVERNING LAWS - For the purpose of this Agreement, the governing laws of the State in which the Project is located shall apply.
14. OWNERSHIP OF TANGIBLE DOCUMENTS; INTELLECTUAL PROPERTY – CLIENT shall receive ownership of all documents, drawings, specifications, electronic data, and information (hereinafter "Documents") prepared, provided or procured by AMERESCO and distributed to CLIENT for the Project, upon the making of final payment to AMERESCO. CLIENT acknowledges and agrees that: (1) such Documents are not intended or represented to be suitable for use on the Project unless completed by AMERESCO, or for use or reuse by CLIENT or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by AMERESCO; (2) any such use or reuse, or any modification of the Documents, without written verification, completion, or adaptation by AMERESCO, as appropriate for the specific purpose intended, will be at CLIENT's sole risk and without liability or legal exposure to AMERESCO or to its officers, directors, members, partners, agents, employees, and consultants; and (3) CLIENT shall indemnify and hold harmless AMERESCO and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the Documents without written verification, completion, or adaptation by AMERESCO. AMERESCO shall retain its rights in its standard drawing details, specifications, databases, computer software, and other proprietary property. Rights to intellectual property developed, utilized or modified in the performance of the Services shall remain the property of the originator, but in the event CLIENT pays AMERESCO for such property, it shall have a royalty free perpetual license to use said property.
15. CONSEQUENTIAL DAMAGES - Except with respect to a Party's gross negligence or willful misconduct, and otherwise to the fullest extent permitted by law, neither party shall be liable to the other for loss of profits or revenue; loss of use or opportunity; loss of good will; cost of substitute facilities, goods, or services; cost of capital; or for any special, consequential, indirect, punitive, or exemplary damages.
16. LIMITATION OF LIABILITY - Except with respect to a Party's gross negligence or willful misconduct, and otherwise to the fullest extent permitted by law, AMERESCO's maximum obligation and/or liability for its own negligent acts or those of its employees or subcontractors, for any and all claims, actions, damages or expenses arising out of, or in any way related to the provision of its services under this Agreement (including but not limited to, an alleged breach of this Agreement) shall not exceed \$26,866.00 or, if covered by the insurance required to be maintained by Ameresco under Section 18 hereof, the required limits of such insurance.
17. STANDARD OF CARE/WARRANTY - AMERESCO will perform its duties in such a manner that is reasonable and consistent with customary standards of practice and care within the industry. AMERESCO makes no other warranties or guarantees, express or

implied, relating to the Scope of Work and AMERESCO disclaims any implied warranties or warranties imposed by law, including warranties of merchantability and fitness for a particular purpose.

- 18. **INSURANCE** – Ameresco shall procure and maintain insurance as set forth in Attachment B.

Each party warrants that it is free to enter into and perform this Agreement, and will remain free to do so from the date hereof through the term of this Agreement.

**AMERESCO, INC.**

**City of Sweet Home, Oregon**

**By:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Name:** Ron Haxton

**Name:** \_\_\_\_\_

**Title:** Vice President, NW Region

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Attachment A**  
**Scope of Work and Budget**

AMERESCO shall perform the Services as detailed below.

Audit of existing streetlight fixtures for the purposes of developing a plan to replace non-LED streetlight heads within the City of Sweet Home, OR with LED technology.

At the conclusion of this audit, AMERESCO will deliver a spreadsheet to the CLIENT that includes a full inventory of all streetlights within the City of Sweet Home including quantity, type, wattage, and GIS-based location.

The intent of this audit is to set the basis for and lead into an Energy as a Service (EaaS) contract with the CLIENT and AMERESCO to execute the retrofit conversion of the streetlights.

The budget for such Services, including all costs and expenses will be a fixed fee sum of \$26,866. Any increases to this budget shall require additional authorizations.

Upon completion of the services described above, should the CLIENT decide to engage AMERESCO in a follow-on EaaS contract to execute the subsequent streetlight conversion project, the fixed fee for services can be transferred as a line-item cost into the follow-on EaaS contract.

DRAFT

**Attachment B  
Insurance**

By Ameresco: Ameresco shall provide and maintain at its expense the following insurance coverage:

- (i) Workers' Compensation and Employer's Liability Insurance as required by applicable State law.
- (ii) Commercial General Liability Insurance, including contractual liability, Bodily Injury per person, \$1 million; Bodily Injury per occurrence, \$1 million; Property Damage per occurrence, \$1 million; Personal Injury per occurrence, \$1 million.
- (ii) Comprehensive Automobile Liability Insurance, including owned, non-owned and hired automotive equipment of, Bodily Injury per person, \$1 million; Bodily Injury per occurrence, \$1 million; Property Damage per occurrence, \$1 million.
- (iii) Professional Liability Insurance covering any damages caused by an error, omission or any negligent acts related to the services to be provided under the Agreement. Ameresco shall provide proof of insurance of not less than the following amounts as determined by Owner:

Per occurrence limit for any single claimant: \$2,000,000

Ameresco shall deliver to Customer a Certificate of Insurance naming Customer as an additional insured party under paragraphs (ii) and (iii), above.



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Council Action - Mahler WRF Equipment Pre-Purchase and Interim Improvement Project

**Preferred Agenda:** November 8, 2022

**Submitted By:** Greg Springman, Public Works Director

**Reviewed By:** Kelcey Young, City Manager

**Type of Action:** Resolution \_\_\_\_ Motion X Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** N/A

**Towards Council Goal:** 1.1 Develop specific steps for implementation of the adopted infrastructure master plans.

**Attachments:** West Yost Engineer's Recommendation for Mahler WRF Equipment Pre-Purchase and Interim Improvement Project

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**Purpose of this RCA:**

Staff is requesting Council authorization to proceed with Mahler WRF Equipment Pre-Purchase and Interim Improvement Project as a path forward to spend the City's \$7 Million in Grant funding.

**Background/Context:**

The City has been in design for wastewater treatment plant capacity and process improvements to meet DEQ requirements since 2018. Council approved to Mahler MRF Improvement Project, Phase 1 to solicit bids in September 2022. Staff received formal bids for three pre-qualified contractors. All bids submitted by the contractors exceeded 25% of the Engineer's estimate, requiring the City to not award the contract to the lowest bidder. The Mahler WRF Equipment Pre-Purchase and Interim Improvement Project includes the pre-purchase of owner-supplied equipment, purchase long-lead electrical equipment, and complete the final design of the Mahler WRF Improvement Project.

Recent WWTP DEQ violations has Staff focusing on how to operate the current treatment facility, while constructing the new WWTP. Ongoing issues with MWRf operation and compliance with the City's National Pollutant Discharge (NPDES) Permit that regulates the quality of water discharged to the South Santiam River have led to the need for an Interim Improvements Project to improve solids storage and processing capacity. While plant staff are doing everything they can to operate the MWRf, there is simply not enough capacity to meet NPDES Permit requirements consistently. To address the issue of solids storage and processing capacity, Staff and West Yost proposes completion of the MWRf Interim Improvements Project. This interim project will utilize tanks, piping and equipment proposed for

the larger MWRP Improvements Project so there would be minimal “sunk” cost associated with these near-term upgrades.

The Engineer’s recommendation includes a site plan summarizing the proposed MWRP Interim Improvement Project upgrades, which would include the following elements that will be utilized as part of the larger MWRP Improvements Project to the maximum extent possible:

- Demolition of the existing lime silo and biofilter near the solids building that need to be removed;
- New waste solids storage tank that will ultimately be the Sludge Blend (SB) Tank;
- New solids dewatering equipment sized for future use and housed in a temporary location with cover for near-term operation that will ultimately be relocated to the Solids Dewatering Area on the upper plant site;
- Solids pipelines that will be installed and reused as part of the larger plant expansion; and
- Site work, electrical and controls upgrades that will be needed for temporary system operation by plant staff.

The West Yost preliminary cost estimate for the MWRP Interim Improvement Project is approximately \$2.50M to \$3.00M, which will be confirmed early in design. To meet the tight deadline for spending the City’s \$7M in grant funding from the Oregon Legislature, West Yost proposes the City proceed with pre-purchasing the solids dewatering equipment and solids storage tank while final design for the MWRP Interim Improvement Project is completed.

### **The Challenge/Problem:**

To make efficient use of limited funds to complete needed wastewater treatment improvements and satisfy DEQ requirements and state funding timelines.

### **Stakeholders:**

- City Residents. Residents are the customers who deserve good service with the highest return on their taxes and fees that we can provide, and who trust the City to maintain their infrastructure systems at a high level of service.
- Council Members. Council members are the voice of the citizens we serve. Each member of this group is interested in providing the best service possible at the lowest possible cost. They must balance leadership with representation.
- Public Works Department Staff. This project will greatly improve the operability of the WWTP which is currently undersized and beyond its serviceable lifespan. Staff spends significant time fixing broken down equipment and fighting with system inefficiencies.
- Management Team. Comprised of five department heads, each with a responsibility to the citizens and City Manager to run their day-to-day operations as efficiently as possible.
- Oregon DEQ. The WWTP upgrade project is required to comply with DEQ regulations.

### **Issues and Financial Impacts:**

The proposal will cost \$4,139,490. Due to quoted lead times, a change order to extend the construction contract will probably be needed.

### **Elements of a Stable Solution:**

A stable solution will provide efficient completion of needed facility improvements and make full use of the funding from the State of Oregon for this project.

### **Options:**

1. Option 1 – Do Nothing. This will result in project delays and regulatory action by DEQ.
2. Option 2 – Move to authorize staff to proceed with Engineer’s Recommendation for Mahler WRF Equipment Pre-Purchase and Interim Improvement Project. Staff will

execute the proposed Mahler WRF Equipment Pre-Purchase and Interim Improvement Project

3. Option 3 – Move to negotiate the proposal with West Yost. Staff will revisit the proposal with West Yost to address Council's concerns, then bring it back to Council to reconsider approval. This may result in cost increases due to fluctuating market prices.

**Recommendation:**

Staff recommends Option 2 – Move to authorize staff to proceed with Engineer's Recommendation for Mahler WRF Equipment Pre-Purchase and Interim Improvement Project.



5 Centerpointe Drive  
Suite 130  
Lake Oswego OR 97035

503.451.4500 phone  
530.756.5991 fax  
westyost.com

October 31, 2022

Project No.: 936-50-21-09  
SENT VIA: EMAIL

Mr. Greg Springman  
Public Works Director  
City of Sweet Home  
1400 24<sup>th</sup> Avenue  
Sweet Home, OR 97386

**SUBJECT: Engineer's Recommendation for Mahler WRF Equipment Pre-Purchase and Interim Improvements Project**

Dear Mr. Springman:

West Yost is working with the City of Sweet Home (City) Staff and our Mahler WRF (MWRF) design team to identify a path forward to spending the City's \$7 Million (M) in grant funding from the Oregon Legislature by June 30, 2023. Based on City's current tracking spreadsheet, approximately \$3M of these funds are allocated to current contracts leaving approximately \$4M to allocated to other portions of the MWRF Improvements Project.

Expenditure of these remaining grant funds is proposed through three separate elements:

1. Design and Construction of the Mahler WRF Interim Improvements Project (MRWF IIP) with Owner-Supplied Equipment; and
2. Pre-purchasing long-lead electrical equipment; and
3. Completing final design of the MWRF Improvements Project.

This memo summarizes these three elements and next steps for completion by the June 30, 2023 deadline.

**ELEMENT 1 - MWRF INTERIM IMPROVEMENTS PROJECT**

Ongoing issues with MWRF operation and compliance with the City's National Pollutant Discharge (NPDES) Permit that regulates the quality of water discharged to the South Santiam River have led to the need for an Interim Improvements Project to improve solids storage and processing capacity. While plant staff are doing everything they can to operate the MWRF, there is simply not enough capacity to meet NPDES Permit requirements consistently.

To address the issue of solids storage and processing capacity, West Yost proposes completion of the MWRF Interim Improvements Project. This interim project will utilize tanks, piping and equipment proposed for the larger MWRF Improvements Project so there would be minimal "sunk" cost associated with these near-term upgrades.

Exhibit A is a site plan summarizing the proposed MWRF IIP upgrades, which would include the following elements that will be utilized as part of the larger MWRF Improvements Project to the maximum extent possible:

- Demolition of the existing lime silo and biofilter near the solids building that need to be removed;
- New waste solids storage tank that will ultimately be the Sludge Blend (SB) Tank;
- New solids dewatering equipment sized for future use and housed in a temporary location with cover for near-term operation that will ultimately be relocated to the Solids Dewatering Area on the upper plant site;
- Solids pipelines that will be installed and reused as part of the larger plant expansion; and
- Site work, electrical and controls upgrades that will be needed for temporary system operation by plant staff.

The West Yost preliminary cost estimate for the MWRF IIP is approximately \$2.50M to \$3.00M, which will be confirmed early in design. To meet the tight deadline for spending the City’s \$7M in grant funding from the Oregon Legislature, West Yost proposes the City proceed with pre-purchasing the solids dewatering equipment and solids storage tank while final design for the MWRF IIP is completed. Table 1 summarizes the equipment cost and delivery time for proposed MWRF IIP equipment to be pre-purchased by the City.

<b>Table 1. MWRF IIP Equipment Cost and Schedule Summary</b>		
<b>Equipment Item</b>	<b>Estimated Cost<sup>(a)</sup> dollars</b>	<b>Potential Delivery Date<sup>(b)</sup></b>
Solids Dewatering Screw Press	520,000	April 2023
Solids Storage Tank <sup>(a)</sup>	360,000	TBD
<b>Totals</b>	<b>\$880,000</b>	
<small>(a) Estimated costs are based on preliminary sizing and vendor quotes that need to be confirmed through a competitive bid process.                      (b) Estimated delivery dates are based on preliminary discussions with suppliers.</small>		

West Yost requests authorization to utilize a portion of the Owner-Controlled Contingency for MWRF-IIP design and bidding. An Owner-Controlled Contingency is included in our current design contract in the amount of \$192,652. We estimate the engineering costs for design of the MWRF IIP will be approximately \$143,000. Construction services for the MWRF IIP would utilize the construction services contract previously approved by the City.

## **ELEMENT 2 - ELECTRICAL EQUIPMENT OWNER PRE-PURCHASE**

Major electrical equipment continues to experience abnormally long lead times due to ongoing supply chain issues. West Yost team recommends the City proceed with pre-purchasing the new MWRF Standby Generator and Main Switchgear because the current order lead time for these items is approximately 12-16 months. This equipment would be pre-purchased by The Automation Group (TAG), serving in their capacity as the City’s Integrator-of-Record.

### **MWRF Main Switchgear**

The main switchgear is the equipment that receives power from the utility transformer and distributes it to Motor Control Centers (MCCs) located throughout the treatment plant. TAG received two competitive

bids for the main switchgear from Siemens and Eaton. The lowest bid meeting the project requirements was submitted by Siemens for \$497,594. Therefore, West Yost recommends the City proceed with procurement of MWRF main switchgear from Siemens for this amount.

### MWRF Standby Generator

A new 900 KW standby generator is required for the MWRF improvements. TAG obtained bids from four companies for the generator, with the lowest responsive bid provided by Cummins for \$327,690. Therefore, West Yost recommends the City proceed with procurement of MWRF Standby Generator from Cummins for this amount.

Due to the long delivery lead time for the MWRF Main Switchgear and Standby Generator, only a portion of the total cost of these items will be required to be expended before June 30, 2023. These estimated costs are summarized in Table 2 below.

<b>Table 2. MWRF IIP TAG Equipment Cost and Schedule Summary</b>		
<b>Equipment Item</b>	<b>Total Cost, dollars</b>	<b>June 30, 2023, Expenditures<sup>(a)</sup></b>
Main Switchgear	479,594	47,960
Standby Generator	327,690	32,769
Contingency @ 4%	33,011	33,011
Bonds @ 3%	25,750	25,750
<b>Totals</b>	<b>\$866,045</b>	<b>\$139,490</b>
(a) June 30, 2023, expenditures assume 10% down payment for Main Switchgear and Standby Generator.		

### ELEMENT 3 - MWRF IMPROVEMENTS FINAL DESIGN AND BIDDING

West Yost is currently under contract with the City to complete final design and bidding for the MWRF Phase 1 Improvements Project as well as 60% Final Design for Phase 2 improvements. Phase 1 final design and bidding was completed as scoped, but bids came in greater than 25% over the Engineer’s Opinion of Probable Construction Cost (OPCC). Rather than rebid Phase 1 in hopes of getting lower bids, the City has decided to proceed with the consolidation of Phases 1 and 2 into a single project. West Yost is currently consolidating all Phase 1 and 2 design efforts and completing 60% design for this larger project using the Phase 2 60% design funds included in our contract.

West Yost anticipates submitting a scope and budget to complete final design for the MWRF Improvements Project in January 2023. We estimate the cost for completing final design, bidding and contracting for the larger MWRF Improvements Project will be approximately \$1.25M to \$1.5M. The majority of these funds would be expended by June 30, 2023, allowing the City to utilize a portion of the \$7M grant funds from the Oregon legislature for these additional engineering services.

## SUMMARY AND RECOMMENDED NEXT STEPS

Table 3 summarizes the project elements for this proposed plan to spend \$7M in grant funds from the Oregon Legislature by June 30, 2023.

<b>Table 3. Summary of Recommended Steps for Spending \$7M Grant Funding</b>		
<b>Equipment Item</b>	<b>Preliminary Cost Range<sup>(a)</sup>, dollars</b>	<b>June 30, 2023, Expenditures, dollars (Estimated)</b>
Element 1 – Complete MWRP IIP <sup>(b)</sup>	2,500,000 to 3,000,000	2,750,000
Element 2 – Electrical Equipment Pre-Purchase <sup>(b)</sup>	866,845	139,490
Element 3 – Engineering Services for Final Design, Bidding and Contracts	1,250,000 to 1,500,000	1,250,000
<b>Totals</b>	<b>\$4,616,845 to \$5,366,845</b>	<b>\$4,139,490</b>
<i>(a)</i> Preliminary costs and scope of project elements to be confirmed early in MWRP IIP design and adjusted as required to assure expenditure of \$7M in grant funds by June 30, 2023.		
<i>(b)</i> Solids Dewatering, Solids Storage Tank and Electrical Equipment to be bid and pre-purchased immediately.		

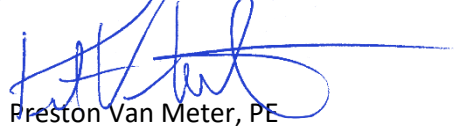
If the City concurs with the approach outlined herein and the use Owner-Controlled Contingency is authorized, West Yost has identified additional staff to assist with MWRP IIP design so that we are able to keep design of the larger MWRP Improvements Project on schedule.

Please contact me at your convenience if you would like to discuss the MWRP Interim Improvements Project, equipment pre-purchase or other project elements.

We appreciate the opportunity to continue serving the City of Sweet Home in this vitally important project for your community.

Sincerely,

WEST YOST



Preston Van Meter, PE

Project Manager

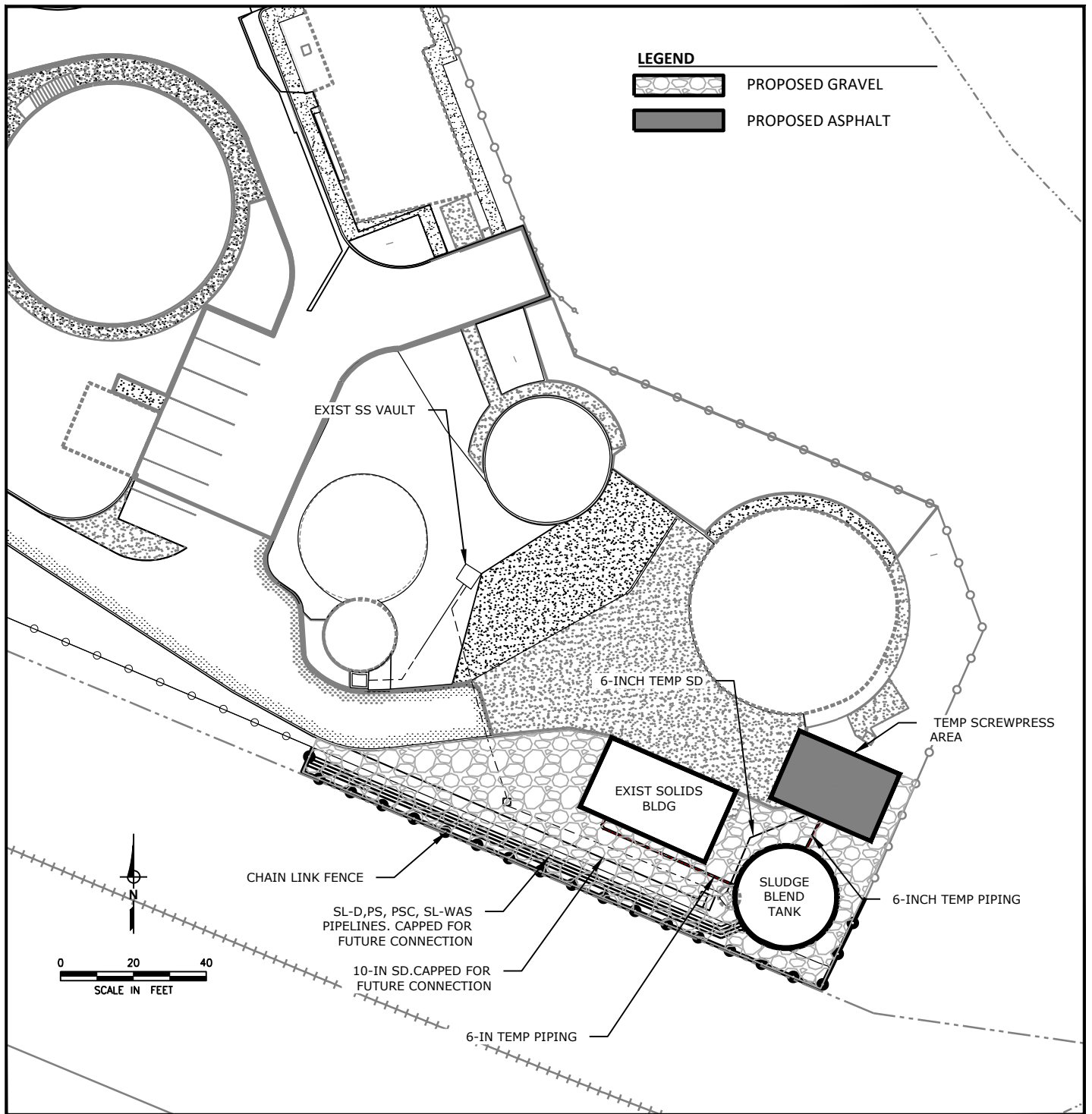
RCE #51615

cc: Steven Haney, City of Sweet Home Utilities Manager  
Trish Rice, City of Sweet Home PW Engineering Technician II  
Corie Moolenkamp, West Yost Principal-in-Charge  
Brooke Barry, West Yost Deputy Project Manager

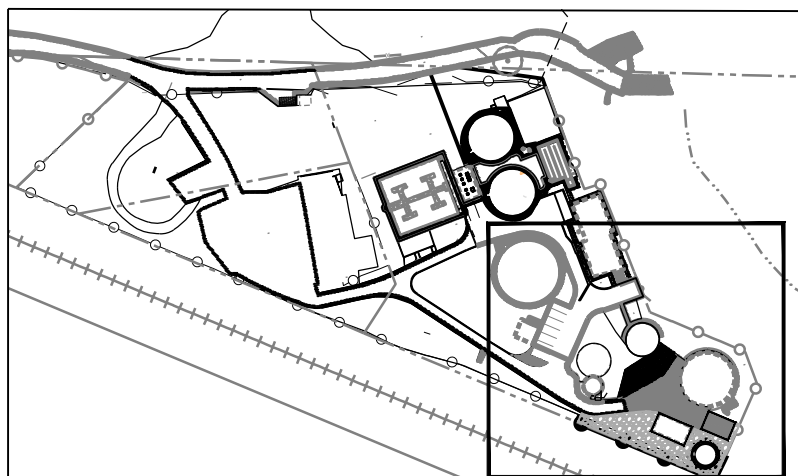
Attachment A. Exhibit A MWRP IIP Preliminary Site Plan

## Attachment A

### Exhibit A MWRF IIP Preliminary Site Plan



LOCATION MAP



**Exhibit A**  
**MWRF IIP**  
**Preliminary Site Plan**



City of Sweet Home  
Mahler WRF  
Interim Improvements Project



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Council Action - Mahler WRF Outfall Replacement

**Preferred Agenda:** November 8, 2022

**Submitted By:** Greg Springman, Public Works Director

**Reviewed By:** Kelcey Young, City Manager

**Type of Action:** Resolution \_\_\_ Motion X Roll Call \_\_\_ Other \_\_\_

**Relevant Code/Policy:** N/A

**Towards Council Goal:** 1.1 Develop specific steps for implementation of the adopted infrastructure master plans.

**Attachments:** West Yost Engineer's Recommendation for Mahler WRF Outfall Replacement

---

## **Purpose of this RCA:**

Staff is requesting Council authorization to proceed with Mahler WRF Outfall Replacement, increasing the WWTP overall outfall capacity into the South Santiam River.

## **Background/Context:**

City staff and West Yost staff recently met with representatives from Oregon Department of Environmental Quality (DEQ), United States Department of Agriculture Rural Utilities Service (USDA-RUS) and National Marine Fisheries Services (NMFS) to discuss environmental permitting requirements for the planned outfall upgrades included in the current Mahler Water Reclamation Facility (MWRf) Project. The current planned approach for increasing outfall capacity to match the MWRf design flows is to retain the existing outfall and add an "overflow" that would be located outside the mean high-water elevation on the South Santiam River.

Staff and Engineers discussed this approach was discussed in a meeting with NMFS where it was indicated that the environmental permitting requirements for this proposed approach could be more complicated than simply replacing and upsizing the existing South Santiam River

outfall diffuser. The existing 14-inch outfall is undersized and is in a poor location in the South Santiam River. The existing outfall is outside the main river channel and subject to soil accretion that has reduced the effectiveness of the outfall. Further, the existing outfall is a hydraulic bottleneck.

Initial outfall planning and permitting activities would be completed concurrent with the ongoing MWRP Improvements 60% final design, planned for completion in January 2023. These initial activities would include:

- New outfall preliminary hydraulic sizing and design; and
- Completion of an updated Environmental Assessment (EA) and Biological Assessment (BA).

The additional environmental permitting activities to replace the MWRP outfall would be more rigorous than the previous efforts and would include a more rigorous EA and BA. The EA and BA would be prepared by Pacific Habitat Services, who completed the previous Environmental Report for the project under contract.

While completing the final design of the MWRP Improvements Project, West Yost would collect detailed river bathymetry data (river bottom elevations), complete final design of the replacement outfall, and prepare a mixing zone study for the new outfall. West Yost will include this as a task in our upcoming proposal for completing final design of the MWRP Improvements Project, which we anticipate submitting to the City in January 2023. The timeline for obtaining permits for the new MWRP outfall is not currently known but could be anywhere from 6-12 months based on agency feedback and discussions with other Oregon Cities pursuing permits for new or replacement outfalls.

If approved by the City, West Yost recommends utilizing the remaining \$49,652 in Owner-Controlled Contingency funds included in West Yost's current design contract to be utilized for outfall replacement activities. For this reason, West Yost recommends the MWRP Outfall Replacement be developed as a stand-alone bid package, separate from the MWRP Improvements Project.

### **The Challenge/Problem:**

To make efficient use of limited funds to complete needed wastewater treatment improvements and satisfy DEQ requirements and state funding timelines.

### **Stakeholders:**

- City Residents. Residents are the customers who deserve good service with the highest return on their taxes and fees that we can provide, and who trust the City to maintain their infrastructure systems at a high level of service.
- Council Members. Council members are the voice of the citizens we serve. Each member of this group is interested in providing the best service possible at the lowest possible cost. They must balance leadership with representation.
- Public Works Department Staff. This project will greatly improve the operability of the WWTP which is currently undersized and beyond its serviceable lifespan. Staff spends significant time fixing broken down equipment and fighting with system inefficiencies.
- Management Team. Comprised of five department heads, each with a responsibility to the citizens and City Manager to run their day-to-day operations as efficiently as possible.
- Oregon DEQ. The WWTP improvement project upgrades and a new NPDES permit is required for compliance with DEQ regulations.

### **Issues and Financial Impacts:**

Proposed to utilize \$49,652 in Owner-Controlled Contingency funds remaining in West Yost's current WWTP design contract.

**Elements of a Stable Solution:**

A stable solution will provide efficient completion of needed facility improvements and make full use of the funding from the State of Oregon for this project.

**Options:**

1. Option 1 – Do Nothing. This will result in project delays and regulatory action by DEQ.
2. Option 2 – Move to authorize staff to proceed with Engineer’s Recommendation for Mahler WRF Outfall Replacement. Staff will execute the proposed Mahler WRF Outfall Replacement.
3. Option 3 – Move to negotiate the proposal with West Yost. Staff will revisit the proposal with West Yost to address Council’s concerns, then bring it back to Council to reconsider approval. This may result in cost increases due to fluctuating market prices.

**Recommendation:**

Staff recommends Option 2 – Move to authorize staff to proceed with Engineer’s Recommendation for Mahler WRF Outfall Replacement.



5 Centerpointe Drive  
Suite 130  
Lake Oswego OR 97035

503.451.4500 phone  
530.756.5991 fax  
westyost.com

October 31, 2022

Project No.: 936-50-21-09  
SENT VIA: EMAIL

Mr. Greg Springman  
Public Works Director  
City of Sweet Home  
1400 24<sup>th</sup> Avenue  
Sweet Home, OR 97386

**SUBJECT: Engineer's Recommendation for Mahler WRF Outfall Replacement**

Dear Mr. Springman:

The City of Sweet Home (City) and West Yost staff recently met with representatives from Oregon Department of Environmental Quality (DEQ), United States Department of Agriculture Rural Utilities Service (USDA-RUS) and National Marine Fisheries Services (NMFS) to discuss environmental permitting requirements for the planned outfall upgrades included in the current Mahler Water Reclamation Facility (MWRF) Project.

The current planned approach for increasing outfall capacity to match the MWRF design flows is to retain the existing outfall and add an "overflow" that would be located outside the mean high-water elevation on the South Santiam River. This approach was discussed in a meeting with NMFS where it was indicated that the environmental permitting requirements for this proposed approach could be more complicated than simply replacing and upsizing the existing South Santiam River outfall diffuser. The existing outfall is shown in Exhibit A.

In addition to being undersized, the existing 14-inch diameter outfall is in a poor location in the South Santiam River that is outside the main river channel and subject to soil accretion that has reduced the effectiveness of the outfall in maximizing the 25 percent of the river flow allowed for mixing. Further, the existing outfall is a hydraulic bottleneck that, if addressed now, may allow the outfall pipeline diameter to be decreased and help offset the additional costs associated with the outfall replacement.

A key element related to the timing of the outfall design is the City's upcoming National Pollutant Discharge Elimination System (NPDES) Permit renewal, which is currently slated for 2024 by DEQ. It would be beneficial for the City to have the replacement outfall and improved mixing zone characteristics in place for those Permit negotiations, which will be vitally important for assuring the City's significant investments in the Mahler WRF are maximized.

West Yost proposes to complete the outfall replacement design and construction using a three-step approach:

- **Step 1** - Initial Planning and Permitting Documentation
- **Step 2** - Final Design and Mixing Zone Study
- **Step 3** - Construction

These proposed steps related to the outfall replacement are summarized in the following sections.

## **STEP 1 – OUTFALL REPLACEMENT INITIAL PLANNING AND PERMITTING DOCUMENTATION**

Initial outfall planning and permitting activities would be completed concurrent with the ongoing MWRP Improvements 60% final design, planned for completion in January 2023. These initial activities would include:

- New outfall preliminary hydraulic sizing and design; and
- Completion of an updated Environmental Assessment (EA) and Biological Assessment (BA).

The additional environmental permitting activities to replace the MWRP outfall would be more rigorous than the previous efforts and would include a more rigorous EA and BA. These reports would be informed by the preliminary outfall hydraulic design.

If approved by the City, West Yost recommends utilizing the remaining \$49,652 in Owner-Controlled Contingency funds included in West Yost's current design contract for Step 1 outfall replacement activities. The EA and BA would be prepared by Pacific Habitat Services, who completed the previous Environmental Report for the project under contract with the City's previous consultant.

## **STEP 2 – OUTFALL REPLACEMENT FINAL DESIGN AND MIXING ZONE STUDY**

In parallel with final design of the MWRP Improvements Project, West Yost would collect detailed river bathymetry data (river bottom elevations), complete final design of the replacement outfall, and prepare a mixing zone study for the new outfall. West Yost will include this as a task in our upcoming proposal for completing final design of the MWRP Improvements Project, which we anticipate submitting to the City in January 2023.

## **STEP 3 – OUTFALL BIDDING AND CONSTRUCTION**

The timeline for obtaining permits for the new MWRP outfall is not currently known but could be anywhere from 6-12 months based on agency feedback and discussions with other Oregon utilities pursuing permits for new or replacement outfalls. For this reason, West Yost recommends the MWRP Outfall Replacement be developed as a stand-alone bid package, separate from the MWRP Improvements Project.

While concurrence with funding agencies USDA-RUS and DEQ is required, identifying the new outfall as a separate phase would hopefully allow the significant planned improvements "inside the fence line" of the MWRP to proceed if permits for the new outfall are delayed for any reason. This approach would also allow the construction schedule for the in-river work to be planned around any required construction windows in the South Santiam River.

Mr. Greg Springman

October 31, 2022

Page 3

If the City concurs with the approach outlined herein and the use of Owner-Controlled Contingency is authorized, West Yost does not believe adding the outfall replacement design to the project will impact the MWRF Improvements final design schedule, as we are already designing the replacement of the majority of the existing outfall to address hydraulic limitations.

Please contact me at your convenience if you would like to discuss the MWRF outfall replacement and our associated recommendations.

We appreciate the opportunity to continue serving the City of Sweet Home in this vitally important project for your community.

Sincerely,  
WEST YOST



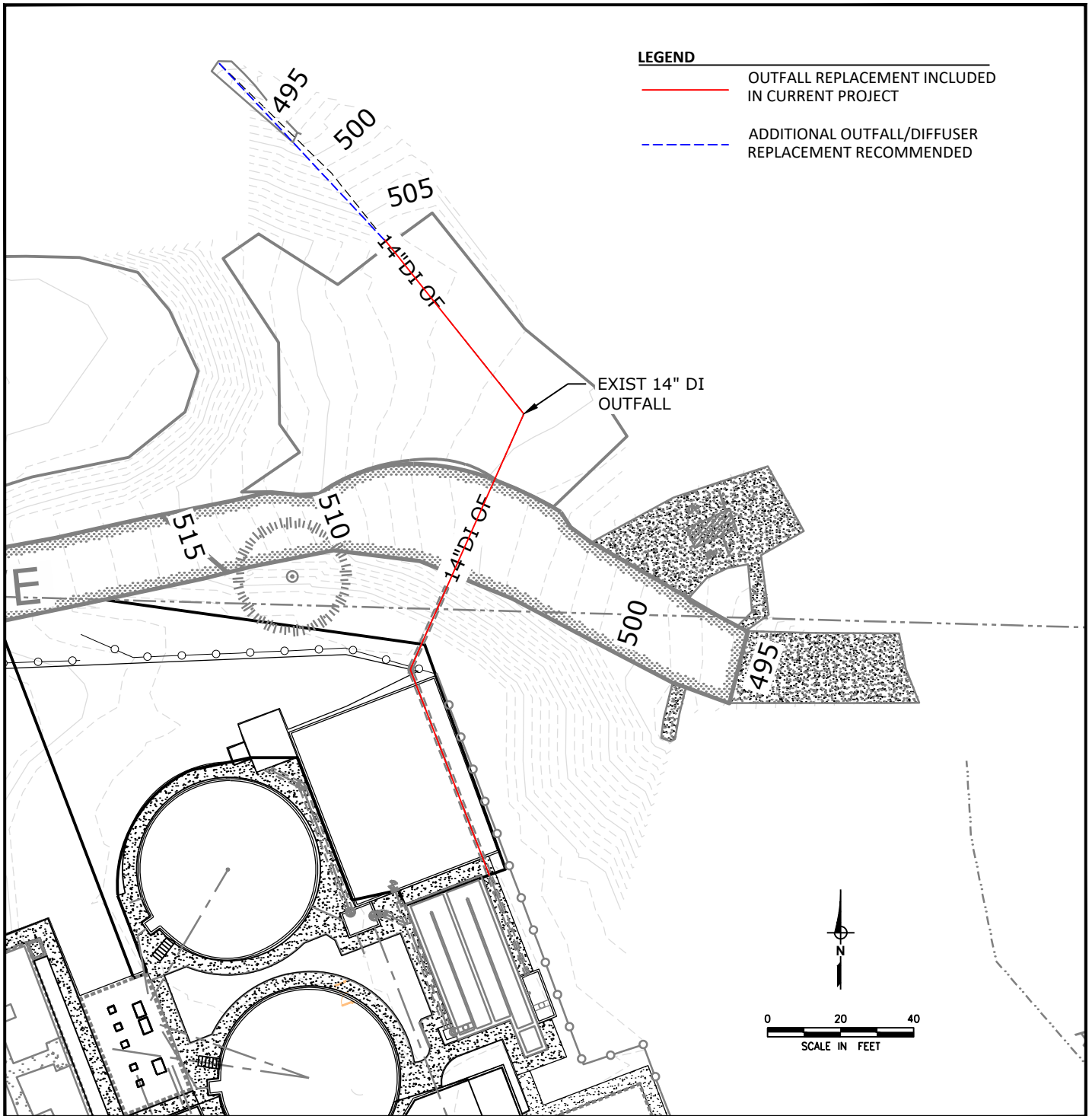
Preston Van Meter, PE  
Project Manager  
RCE #51615

cc: Steven Haney, City of Sweet Home Utilities Manager  
Trish Rice, City of Sweet Home PW Engineering Technician II  
Corie Moolenkamp, West Yost Principal-in-Charge  
Brooke Barry, West Yost Deputy Project Manager

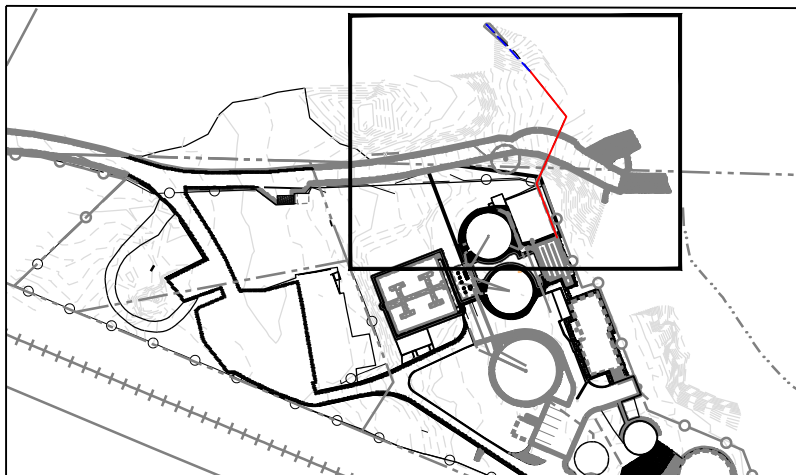
Attachment A. Exhibit A Existing MWRF Outfall

## Attachment A

### Exhibit A Existing MWRF Outfall



LOCATION MAP



**Exhibit A**  
**Existing MWRF Outfall**



City of Sweet Home  
Mahler WRF  
Improvements Project

**Task Order No. 13**

**City of Sweet Home Operational Process Control and Plan Development Services Project**

**West Yost Job Number 936-50-22-13**

In accordance with the Contract between the City of Sweet Home (Client) and West Yost Associates, Inc. (Consultant), dated September 2, 2020, Consultant is authorized to complete the work scope defined in this Task Order No. 13 according to the schedule and budget defined herein.

WORK SCOPE

The purpose of this Task Order is for Waterdude Solutions to provide technical support to aid with development process control strategies to stabilize the operation of the Wastewater Treatment Plant (WWTP) in the City of Sweet Home. The scope of services is detailed in Waterdude Solutions proposal dated October 4, 2022 (Attachment A).

COMPENSATION

Compensation shall be in accordance with the provisions of the Task Order Agreement between Client and Consultant.

The compensation limit for services performed under this task order shall not exceed \$9,168 as shown in the table below.

<b>Fees for Services</b>	
Description	Amount (\$)
Waterdude Solutions	\$8,160
West Yost (5 percent sub markup)	\$408
West Yost (Contracts/Invoicing, coordination, management)	\$600
<b>Total Compensation</b>	<b>\$9,168</b>

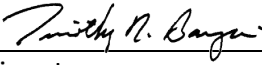
If additional funds are required to complete the services defined herein beyond this limit, Consultant shall notify Client in writing prior to reaching the authorized limit and will not proceed with work in excess of the limit without the prior written approval of Client.

SCHEDULE

Schedule shall be performed as detailed in Attachment A.

WEST YOST ASSOCIATES, INC.

CITY OF SWEET HOME

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Timothy Banyai  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Business Sector Leader  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
October 26, 2022  
Date

\_\_\_\_\_  
Date



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13290 Squire Drive, Oregon City, Oregon 97045

Telephone 971-413-4126

October 4, 2022

Preston Van Meter, Principal Engineer

West Yost

5 Centerpointe Dr #130

Lake Oswego, OR 97035

Subject: City of Sweet Home Operational Process Control and Plan Development Services

Dear Preston,

The following proposal is based on the meeting with Greg and Steven (you on the phone for a portion) September 19, 2022 to discuss challenges you are facing at the wastewater treatment plant (WWTP). Based on this meeting and subsequent discussions, Waterdude Solutions is pleased to provide the following proposal.

### **PROJECT UNDERSTANDING**

The City of Sweet Home has been working on a new WWTP design for the past couple of years. A new WWTP is expected to be on line in the next 3-4 years. The current WWTP is experiencing biological process challenges effecting effluent quality. Most of the equipment and systems at the WWTP are greater than 25 years old. WWTP operation is mostly manual due to lack of our outdated automation. Solids handling throughput has caused the secondary clarifier to be used as a thickener. Due to these conditions, staffing the WWTP is a challenge.

The City is seeking immediate technical support to aid with developing process control strategies to stabilize the operation of the WWTP.

### **APPROACH**

This project is intended to provide the City with information, tools, and training to optimize the operation of the WWTP. Waterdude Solutions will use an inclusive, interactive work effort to complete the project tasks. The work contained in this project will be led by Mark Walter of Waterdude Solutions. References available upon request.

## SCOPE OF WORK

The proposed scope of work is separated into the following tasks:

Task	Description
1	Regulatory consultation
2	WWTP process control support
3	Operations and maintenance plan

### Task 1 Regulatory consultation

Provide consultation on regulatory communications related to the NPDES discharge permit. Review data, correspondence and provide feedback to city staff.

### Task 2 WWTP Process Control Support

Provide on call consultation to Utility Manager related to the performance of the WWTP. Review process data and provide feedback on treatment performance. Review and provide feedback on existing process control tools. Develop process control memo and targets with Utility Manager. Provide Process Memo in Word format. Participate in six weekly process meetings.

### Task 3 Operations and Maintenance Plan

Conduct one remote meeting with city staff identify content of the sections. Each section is meant to communicate the current practice and where applicable, pending changes to existing practices. Review historical data, design documents and interview staff to develop unit process operating plans.

Develop draft outline of operations and maintenance (O&M) plan. Provide sample content for each section. Develop draft content for Section 7 WWTP operations.

1. Administration
2. NPDES Permit Compliance and Reporting
3. Communication Protocols
4. Recordkeeping and Documentation
5. System Criticality and Work Prioritization
6. Standard Operating Procedures
7. **WWTP Operations**
  - a. **Flows and Loadings**
  - b. **Unit Process Operating Plans**
8. WWTP Maintenance
9. Biosolids
10. Laboratory

Provide draft O&M plan in Word format.

**SCHEDULE**

The following table provides an overview of the schedule. A specific schedule will be developed with city staff following acceptance of this proposal.

	Schedule	Sep 19-23	Sept 26-30	Oct 3-7	Oct 10-14	Oct 17-21	Oct 24-28	Oct 31-Nov 4
Task 1	Regulatory Consultation							
Task 2	WWTP Process Control							
Task 3	Operations and Maintenance							

Table 1 Estimated Project Timeline

**ASSUMPTIONS**

- Verbal approval for immediate assistance on Task 1 and Task 2 was given on September 19, 2022
- Notice to proceed on additional proposed work to be provided by October 7, 2022.
- City staff will provide access to WWTP, related documentation and data.
- Hourly billing rate to complete the work described in this proposal is \$170/hour.
- Work described in this proposal will be performed remotely. No travel is included in this proposal.

**ESTIMATED LEVEL OF EFFORT AND ANTICIPATED COST**

Based on scope described above, I believe that the objectives can be met with a level of effort not to exceed 48hours. The anticipated cost is not to exceed \$8,160.00. Table 2 provides a breakdown of estimated hours and cost.

Operational Process Control and Plan Development Services		Hours	Cost
<b>Task 1</b>	<b>Regulatory Consultation</b>		
	Review documents	2	
	Consult with staff on followup and communcations	2	
	<b>Subtotal</b>	<b>4</b>	<b>\$680</b>
<b>Task 2</b>	<b>WWTP Process Control Support</b>		
	Document and data review; weekly review for 6 weeks	10	
	Assist with implementation and development of process tools	6	
	Develop process memo	3	
	Coordination and process meetings (1 hr) for 6 weeks	8	
	<b>Subtotal</b>	<b>27</b>	<b>\$4,590</b>
<b>Task 3</b>	<b>Operations and Maintenance Plan</b>		
	Review plan content review with staff	1	
	Develp sample content for sections	2	
	Develop unit process strategy section 7	12	
	Prepare draft plan	2	
	<b>Subtotal</b>	<b>17</b>	<b>\$2,890</b>
<b>Estimated not to exceed total</b>		<b>Hours</b>	<b>Cost</b>
		<b>48</b>	<b>\$8,160</b>

Table 2 Estimated Hours and Cost

## TERMS AND CONDITIONS

Terms and conditions will be in accordance with the West Yost contract for Professional Services. In addition, the following terms are requested:

- Invoices will be submitted monthly
- Payment will be made to the contractor within 30 days of receiving invoice.

Thank you for the opportunity to propose this work. If you have any questions regarding this proposal or would like to discuss details, please do not hesitate to contact me.

Best Regards,

**Mark Walter**

Waterdude Solutions, LLC

[markw@waterdudesolutions.com](mailto:markw@waterdudesolutions.com)

Telephone 971-413-4126



# REQUEST FOR COUNCIL ACTION

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**Title:** 2022 Parade of Lights  
Resolution No. 34 for 2022

**Preferred Agenda:** November 8, 2022

**Submitted By:** Angela Clegg, Associate Planner

**Reviewed By:** B. Larsen, CEDD Director  
K. Young, City Manager

**Type of Action:** Resolution  Motion  Roll Call  Other

**Relevant Code/Policy:** SHMC 2.04.030 Powers of the City Council

**Towards Council Goal:** Vision Statement, Aspiration I: Desirable Community, Mission Statement

**Attachments:** Resolution No. 34 for 2022  
Special Events Application and Attachments

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**Purpose of this RCA:**

The Sweet Home Chamber of Commerce requests the temporary closure of certain streets for the annual Parade of Lights. This requires adoption of Resolution No. 34 for 2022.

**Background/Context:**

The Chamber of Commerce Director stated that the last time there was a nighttime parade was the 2018 U.S. Capitol Christmas Tree parade. ODOT has granted a permit and approved the parade route and Main Street closure. To accommodate the parade, the applicant is proposing to close and block off vehicular traffic, from 4:00 PM to approximately 7:30 PM on December 10, 2022. Street closures will be as follows: Long Street from 22<sup>nd</sup> Avenue to 10<sup>th</sup> Avenue and the south side of Main Street from 22<sup>nd</sup> Avenue to 10<sup>th</sup> Avenue. The north side of Main Street will be used for two-way traffic during the parade. The following intersections will also be closed: 12<sup>th</sup> Avenue and Main Street, 12<sup>th</sup> Avenue and Long Street, 13<sup>th</sup> Avenue and Main Street, 13<sup>th</sup> Avenue and Long Street, 15<sup>th</sup> Avenue and Main Street, 15<sup>th</sup> Avenue and Long Street, 18<sup>th</sup> Avenue and Main Street, 18<sup>th</sup> Avenue and Long Street, 22<sup>nd</sup> Avenue and Main Street, and 22<sup>nd</sup> Avenue and Long Street (the parade route map is included in the attached application). It has been determined that a looped parade is safer for traffic and pedestrians. Staging of parade vehicles and residential access will be allowed.

**The Challenge/Problem:**

Should the streets be closed to allow for parade traffic along Long Street and Main Street?

**Stakeholders:**

- The Applicant will not be able to hold their event unless the roads are closed as proposed.

- Sweet Home residents and businesses will be inconvenienced by the temporary road closure.
- The City Council are responsible for ensuring that special events can be safely held, while still providing sufficient public roadways for the safe flow of traffic, and access to homes and businesses.

**Issues and Financial Impacts:**

The only cost to the City will be Public Works staff time to close and reopen the street, as well as staff time from the Police Department.

**Elements of a Stable Solution:**

A stable solution is one in which a decision on the application is made that conforms with City Code and State Law.

**Options:**

1. Deny Resolution No. 34 for 2022. Staff would prepare an Order of Denial for the Parade of Lights Application.
2. Approve Resolution No. 34 for 2022 as presented.
3. Approve Resolution No. 34 for 2022 with changes. Council could review these proposed changes and recommend different routes.
4. Direct Staff to Research Other Options.

**Recommendation:** Staff Recommends Option 2: Approve Resolution No. 34 for 2022 as presented.



## Community and Economic Development Department

### SPECIAL EVENT PERMIT APPLICATION

1. Name of Event: Parade of Lights Date(s) of Event 12/10/2022
2. Setup Start Time/Date: 4:00pm Event Start Time: 6:00pm
3. Event End Time: 7:00pm Clean Up End Time/Date: 7:30pm
4. Sponsoring Organization: Sweet Home Chamber of Commerce & Visitors Center
5. Event Coordinator/Primary Contact: Lagea Mull
6. Mailing Address: 1575 Main St, Sweet Home OR 97386
7. Day Time Phone: 541-367-6186 Cell Phone: 541-405-8005
8. Email: sweethomecoc@gmail.com Fax: \_\_\_\_\_
9. Secondary Contact: Karla Hogan Phone: 541-409-0547
10. Is Alcohol Being Served?  Yes  No If YES include a copy of the State Liquor Permit.
11. Do you wish to utilize any City property, such as a park?  Yes  No  
If YES, which one(s)? \_\_\_\_\_
12. Will this event include Food Vendors of any type?  Yes  No  
If YES, all vendors must apply for a Temporary Restaurant License with the Linn County Health Department 541.967.3821, (ORS 624.025). The Vendors must apply three weeks before the start of the event. A list of vendors is required to be submitted with this application.
13. Anticipated Number of Attendees? 500

THE PRIMARY CONTACT MUST LIST A DAY OF EVENT PHONE NUMBER IF NOT LISTED ABOVE.

<b>FOR OFFICE USE ONLY:</b>			
Planning		Police Chief	
CEDD Director		Public Works Director	
Fire Chief			
<b>STAFF – INITIAL AND DATE UPON APPROVAL OR ATTACH MEMORANDUM WITH CONDITIONS</b>			

PAYMENT AMOUNT: \_\_\_\_\_ CASH CC CHECK # \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

PERMIT APPROVED:  Yes  No  Entered on Events Calendar

Authorized City Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Community and Economic Development Department

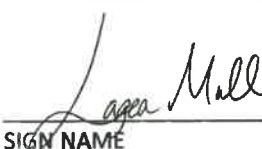
## HOLD HARMLESS AGREEMENT

**IN CONSIDERATION OF BEING PERMITTED TO PRODUCE THIS SPECIAL EVENT OR ACTIVITY OR USE OF ANY CITY PROPERTY OR FACILITIES IN CONNECTION WITH THIS ACTIVITY, THE UNDERSIGNED APPLICANT ("INDEMNITOR") AGREES TO THE FOLLOWING:**

1. THE INDEMNITOR HEREBY AGREES TO RELEASE, INDEMNIFY AND HOLD HARMLESS the City of Sweet Home from any and all liability, claims, demands, causes of action, charges, expenses, and attorney fees (including attorney fees to establish the City's right to indemnity or incurred on appeal) resulting from involvement in this event whether caused by any negligent act or omission of the City or otherwise. This agreement shall not apply to any liability resulting from the sole negligence of the City.
2. The INDEMNITOR agrees to reimburse the City for any loss, theft of, or damage to City property, equipment and/or facilities.
3. The INDEMNITOR agrees to comply with all applicable laws, statutes, ordinances, rules and requirements including, but not limited to, not admitting more attendees than designated by Fire Department as safe for the particular event or facility.
4. The INDEMNITOR expressly agrees that this release and hold harmless agreement is intended to be as broad and inclusive as permitted by Oregon law and that if any portion thereof is held invalid, notwithstanding, the balance shall continue in full legal force and effect.
5. Falsification and/or misrepresentation in completing this application may result in rate adjustment or event cancellation. I UNDERSTAND THAT CHANGES TO THE ABOVE DETAILED PROGRAM REQUIRE IMMEDIATE NOTIFICATION TO THE CITY.

I, the undersigned representative, have read the Special Events Application and the Policies and Procedures contained herein, and I am duly authorized by the event organization/business to submit this application on its behalf. The information herein is complete and accurate.

APPLICANT: Lagea Mull Sweet Home Chamber of Commerce  
 PRINT NAME AUTHORIZED AGENT FOR

SIGNATURE OF APPLICANT:  9/28/22  
 SIGN NAME DATE

APPROVAL, DENIAL OR INCLUSION OF RESTRICTIONS OR SPECIAL CONDITIONS OD USE PERMIT IS AT THE SOLE DISCRETION OF THE CITY PUSUANT TO Sweet Home Code of Ordinances 17.80 Conditional Uses. All applications must be reviewed and approved before a permit can be issued.



### FACT SHEET

Parade route is a loop as follows: 22nd Ave north to Main Street, Main Street west to 10th Ave, 10th Ave south to Long Street, Long Street east to 22nd Ave.

Public Works Dept. will place "No Parking" signs at 4:00PM and close indicated streets at 5:00PM. Street closures will be as follows:

- 12th Ave & Main St / 12th Ave & Long St
- 13th Ave & Main St / 13th Ave & Long St
- 15th Ave & Main St / 15th Ave & Long St
- 18th Ave & Main St / 18th Ave & Long St
- 22nd Ave & Main St / 22nd Ave & Long St

Sweet Home Police Department will direct traffic at lighted intersections.

Chamber volunteers will arrive at the Chamber building at 5:00PM.

Parade line up will begin at 5:00PM on Long Street between 18th Ave & 22nd Ave. Line up will encompass Long Street.

Parade will end at 18th Ave & Long St.

Floats will disband on Long Street between 18th Ave & 22nd Ave.

Public Works Dept. will follow the end of the procession and begin signage clean up.

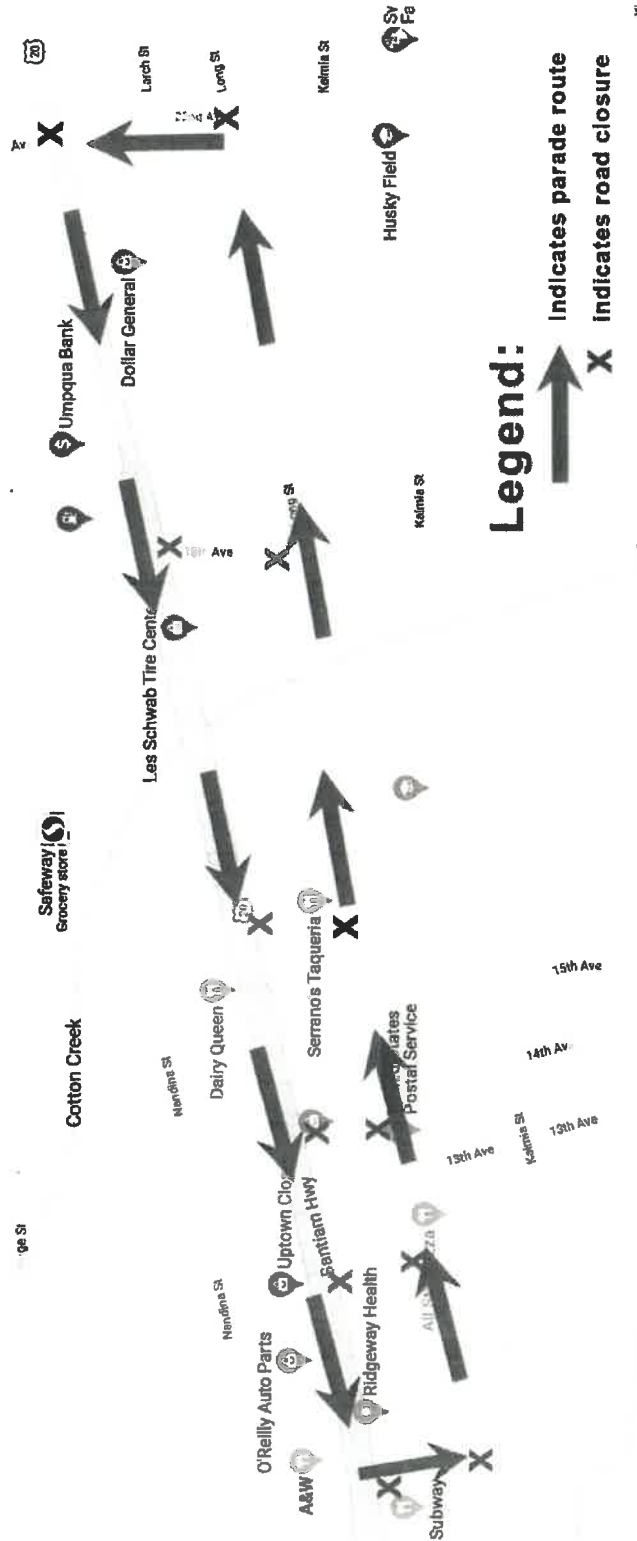
Certificate of Liability - included

Approved ODOT Permit to use HWY 20 - included





Insert Event Overview Map



**RESOLUTION NO. 34 FOR 2022**

A RESOLUTION CONCERNING STREET CLOSURES AND RESTRICTIONS.

WHEREAS, traffic patterns and parking issues need to be addressed to safely accommodate the Parade of Lights event; and

WHEREAS, Sweet Home Municipal Code 10.04.030 provides that the City Council may, by resolution, establish or alter traffic and parking control;

NOW, THEREFORE, the City of Sweet Home does resolve as follows:

Traffic regulations shall be as follows:

- A. Public Works Department will place “No Parking” signs at 4:00 PM and close indicated streets at 5:00 PM. Street closures will be as follows: Long Street from 22<sup>nd</sup> Avenue to 10<sup>th</sup> Avenue and the south side of Main Street from 22<sup>nd</sup> Avenue to 10<sup>th</sup> Avenue. The north side of Main Street will be used for two-way traffic during the parade. The following intersections will also be closed: 12<sup>th</sup> Avenue and Main Street, 12<sup>th</sup> Avenue and Long Street, 13<sup>th</sup> Avenue and Main Street, 13<sup>th</sup> Avenue and Long Street, 15<sup>th</sup> Avenue and Main Street, 15<sup>th</sup> Avenue and Long Street, 18<sup>th</sup> Avenue and Main Street, 18<sup>th</sup> Avenue and Long Street, 22<sup>nd</sup> Avenue and Main Street, and 22<sup>nd</sup> Avenue and Long Street
- B. Appropriate signs or other markings shall be installed by the Public Works Department to carry safely out the provisions of this resolution and shall become effective immediately upon the installation of such barricades, signs, or other markings.

PASSED by the Council and approved by the Mayor this 8<sup>th</sup> day of November, 2022.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder



**City of Sweet Home**  
 Sweet Home Public Library  
 1101 13<sup>th</sup> Avenue  
 Sweet Home, OR 97386  
 541-367-5007

## Sweet Home Public Library

### Statistics

	<b>This month October 2022</b>	<b>Last month September 2022</b>	<b>Year to date 2022</b>	<b>Previous year 2021(total)</b>
<b>Patron Activity</b>				
OPAC Logins	224	180	2007	3081
SIP2 Logins	550	481	5524	6775
Main Door Count	2500	2358	24822	n/a
<b>Circulation and Renewals</b>				
Checkouts	4377	4817	38349	28723
Renewed items	121	241	5114	9125
E-audio & E-book checkouts	560	501	4670	5491
Total items checked out	5058	5559	48133	43339
<b>Holds Requested</b>				
Holds by Staff	147	178	1315	1683
Holds by OPAC	117	161	1205	1495
<b>Item Counts</b>				
Total items in library	29006	29110	29006	32879
<b>Public Access Computers</b>				
Logins	208	233	2066	2104
<b>Resource Sharing Savings</b>				
Cost savings	4253.53	4907.83	37442.11	n/a
Items borrowed by consortium libraries	267	294	2491	n/a
Items borrowed from consortium libraries	229	337	2496	n/a
<b>Volunteer hours</b>				
Hours worked by volunteers	47	37	421.5	260

## ***Events***

Community Reads “Deep River” discussions had over 15 participants in the discussions and over 50 books handed out.

Story time has started up again in the building. Thursdays at 10:30! We are averaging around 15 participants each week, which is perfect for the space that we have for story time.

We are handing out Take and Make kits again, with over 50 going out in October for yarn pumpkins. Our craft table is also back with over 80 scary eyeball nightlights being made in October.

We are offering a Teen Afternoon Gaming and Snack option for teens after school on Wednesdays and Thursdays where teens can play games together and have a snack.

The Library Director participated in Career Day at the High School, with mock interviews for 6 Seniors and over 50 teens (Freshman-Senior) learning about careers in libraries, museums and archives.

Read Around the World reading challenge continues. This is for all ages and encourages readers to read something related to each continent.

## ***Projects ongoing***

Looking at cost for potentially adding the option for faxing for the public. Looking at options for adding Notary services at the library.

Items checked out from our collection will now automatically renew three times, unless there is a request from another patron,

## ***New Library update***

Many discussions between the City Manager and the Library Director have occurred in regards to options for the library. Planning is beginning for a workshop with the City Council. After the earthquake the needs has become a bit more urgent since the brickwork is not reinforced in the current building.

## ***Fine Free Library update***

### **Background:**

In 2021 the library averaged \$40 per month in overdue fines for all materials.

Staff were sending out an average of 90 overdue letters per month (*more than 30 days past due*). This was after phone calls were made or emails had been sent as reminders of overdue items.

Staff were spending 30 minutes per day exclusively handling these payments or contacts with patrons.

Staff also had to reconcile payments that came in everyday, even if just \$.15 Staff time can be averaged at \$20/hour.

The Library paid postage for each letter sent. Paid for an envelope, paper and printing for each letter.

It cost us more to contact patrons and to take payments than we took in each month.

At the end of 2021, with Library Board approval, the Library did a three month trial period of being Fine Free.

During the last month we sent 3 overdue letters. More items were returned on time and more long, long overdue items were returned (some over 2 years overdue).

### **Now:**

The Library Advisory Board voted to remain a Fine Free Library in February 2022.

Staff have fewer negative interactions with patrons.

Staff time can be spent on other projects and programming.

Circulation is up, especially for kid’s materials since kid’s are not blocked from checking out due to fines.

We inspired both Lebanon and Albany to become at least partially Fine Free.

Patrons are billed the full cost of an item when it is not returned 30 days after the due date, which happens significantly less now.

Library fines are known to disproportionately harm low-income households the most. They are most in need of services that a library offers. The most likely to be impacted by even a minimal fine. The least likely to be able to afford to pay a fine. Sweet Home has a 19.8% poverty rate. Being Fine Free is an asset to our community.

# MEMORANDUM



TO: City Council  
Kelcey Young, City Manager  
Interested Parties

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: November 8, 2022

SUBJECT: Community and Economic Development Department Report for October 2022

The Community and Economic Development Department (CEDD) consists of the City's Building, Planning, Engineering, Economic Development, Code Enforcement, and Parks and Recreation programs. The following is a summary of activities and notes on current projects from October 1<sup>st</sup> to October 31<sup>st</sup>, 2022.

## 1. BUILDING

- Summary of Building Program Permits Issued.

Permit Category	October, 2022	September, 2022	2022 YTD	2021 Total	2017-2021 Annual Average
Residential 1 and 2 Family Dwellings	1	2	36	23	28.0
Residential Demolition	0	0	7	9	8.2
Residential Manufactured Dwellings	0	0	2	16	13.8
Residential Mechanical Permits	6	6	88	120	110.2
Residential Plumbing	4	2	24	35	28.8
Residential Site Development	0	0	1	0	1.2
Residential Structural	3	4	42	56	48.8
Commercial Alarm or Suppression Systems	0	0	1	11	3.4
Commercial Demolition	0	0	2	4	3.4
Commercial Mechanical	1	2	16	19	14.6
Commercial Plumbing	0	0	3	9	11.0
Commercial Site Development	0	0	5	3	2.8
Commercial Structural	2	3	27	45	41.4
<b>Total Permits</b>	<b>17</b>	<b>19</b>	<b>254</b>	<b>350</b>	<b>315.6</b>
<b>Value Estimate of All Permits</b>	<b>\$370,193.21</b>	<b>\$7,973,010.07</b>	<b>\$30,248,016.57</b>	<b>\$16,811,721.35</b>	<b>\$17,061,471.73</b>
<b>Fees Collected</b>	<b>\$5,857.25</b>	<b>\$70,348.53</b>	<b>\$322,265.92</b>	<b>\$250,671.91</b>	<b>\$233,439.18</b>

- Developments of note: For your reference, below are some developments of note that were reported last month. There is no change in the status of these developments since these were last reported at the end of September.
  - Taco Bell: Corner of 15<sup>th</sup> Avenue and Main Street, next to Safeway. The project has received full planning approval, building plans have been approved, and construction is underway.
  - Mosaic Memory Care Facility: Located on Mountain Fir Street next to the existing Mosaic-owned Wiley Creek Assistance Living Facility. The project received full planning approval early this year. Much of the time since then has been spent waiting for completed plans from Mosaic. However, plans were finally completed and reviewed in August, and a building permit has been issued. Construction is underway.
  - Samaritan Urgent Care Facility: The project has received full planning approval, building plans have been approved, and construction is underway.
  - Mountain River Subdivision: 31-lot single-family home subdivision, with a future multi-family development planned. This subdivision was approved last year, and construction has begun on nearly all the lots. Construction has moved incredibly fast, and most of the neighborhood is expected to be completed by the end of the year.
  - Duck Hollow Phase III Subdivision: 51-lot single-family home subdivision located adjacent to the existing Duck Hollow Subdivision (41<sup>st</sup> Avenue and Long Street). This subdivision received planning approval in 2020, however there was a long delay due to wetlands regulations administered by the Oregon Department of State Lands. State approval has been granted, and construction is expected soon.
  - Live Oak Subdivision: 8-lot single-family home subdivision located between the two existing portions of Live Oak Street. The subdivision was approved in 2021, however the property changed hands, which delayed development. Construction is expected to start before the end of the year.
  - Foothills Ridge Subdivision: 21-lot single-family home subdivision located at the west end of Foothills Drive. This subdivision was approved in 2021, however the owner has run into delays with his engineering firm, and recently applied for an extension. Construction is expected next year.
  - Santiam River Development Phase 1 : 42-lot single-family home subdivision located at the north end of Clark Mill Road. Planning approval was granted at the beginning of this year, however some of the property is being sold to a different developer. It is unknown when construction will begin.
  - Clear Water Subdivision: 18-lot single-family home subdivision located on the west side of 45<sup>th</sup> Avenue, just north of Kalmia Street. Planning approval was granted in June. Initial construction has begun.

## 2. PLANNING

- Summary of Final Decisions of Planning Division Applications:

Application Type	October, 2022	September, 2022	2022 YTD	2021 Total	2017-2021 Annual Average
Annexations	0	1	1	0	0.4
Code Amendments	0	1	1	1	0.8
Conditional Use	1	0	10	11	8.0
Partition	0	0	12	20	9.0
Planned Development/ Subdivision	0	0	3	4	1.2
Property Line Adjustments	0	0	11	21	12.0
Vacation	0	0	0	0	0
Variance	0	0	3	1	4.4
Zoning Map Amendment	0	0	1	4	2.2

- 6 Land Use Applications were submitted in October.
- 14 Land Use Applications are pending final approval.
- 2 Fence Permits were issued in October.
- 0 Temporary RV Permits were issued in October.
- The overhaul of development code portions of the Sweet Home Municipal Code (SHMC) is now complete, and the new code is now in effect. Staff have implemented new application forms, processes, and fees in accordance with the new code.
- The City has received a grant from the State to update our Transportation System Plan and create an Area Plan for the undeveloped land on the north side of the City. The City Council recently approved an Intergovernmental Agreement for this project, and we expect that the project will begin in earnest in the next month.
- The City has also received a State grant for a Housing Needs Analysis (HNA). The consultant has been selected and will begin work soon. The purpose is to ensure that the City has both sufficient residential lands, and the proper mix of types and densities. This project is now underway, and Staff are meeting with the consultants every two weeks on the project.
- The Planning Commission last met on October 6<sup>th</sup>. The next scheduled meeting is November 16<sup>th</sup>, 2022.

## 3. ECONOMIC DEVELOPMENT

- Based on feedback from the Council at the June 28<sup>th</sup> work session, Staff are developing a Request for Proposals (RFP) for the quarry property that will outline all of the City's goals for the property and seek interest from developers for a public-private-partnership with the City. After Staff have finished a draft of the RFP, we will bring it to the Council for review, suggested changes, and, ultimately, approval.

- The Administration, Property, and Finance Committee met with some local property owners in June to discuss vacant buildings. One of the property owners, La Mota, is seeking to collaborate with the City on a project for their buildings that will bring traffic to the area and provide space for entrepreneurs to start businesses. Staff met with them and other property owners and interested parties in August to discuss the project. La Mota is working on some architectural designs. They previously indicated that they would bring some designs back to City Staff in late September but have not yet supplied any. Staff is continuing to work with them to move the project forward.

#### 4. CODE ENFORCEMENT

- Summary of Actions.

<b>Case Status</b>	<b>October, 2022</b>	<b>September, 2022</b>	<b>2022 YTD</b>	<b>2021 Total</b>	<b>2018-2021 Annual Average</b>
New Complaints	6	7	88	92	84.00
New Officer-Detected Violations	0	2	58	74	74.00
Violations Resolved	5	2	91	166	286.25
Complaints Noted with No Violation Found	0	1	17	16	22.75
Open Cases at End of Period	1	6	1	12	20
Citations	0	0	0	7	4.00
Abatements	0	0	3	1	0.33
<b>Enforcement Type</b>	<b>October, 2022</b>	<b>September, 2022</b>	<b>2022 YTD</b>	<b>2021 Total</b>	<b>2018-2021 Annual Average</b>
Animal	2	1	23	35	46.50
Blight	0	0	0	2	1.25
Illegal Burn	0	0	2	1	1.75
Illegal Dumping	0	0	1	0	0.50
Illegal Parking	0	0	6	11	9.75
Illegal Sign	0	0	0	1	2.75
Junk/Abandoned Vehicle	0	0	15	4	9.00
Minimum Housing	0	0	0	0	3.25
Occupying an RV	2	0	12	26	42.00
Open Storage	1	3	25	31	67.25
Other	0	2	5	11	20.75
Public Nuisance	0	2	5	17	48.5
Public Right-of-way	0	0	0	2	12.75
Tall Grass & Weeds	1	1	51	65	122.75
Vacant Lot	0	0	0	0	0.25

The City's Code Enforcement Officer responds to complaints submitted through the City's website, and actively patrols the City and works to resolve identified code violations.

## 5. PARKS

- The Park and Tree Committee will meet next on October 16<sup>th</sup>, 2022.
- Design work is now underway for Phase III of Sankey park improvements, which focuses on the upper portion of the park.
- Design work is underway for a new park adjacent to City Hall. The Park will include a donated playground structure and dog park.
- Design work is also underway for a dog park at Northside Park. The 6 lots that make up Northside Park have been consolidated into 1 lot, and fencing has been ordered.

## 6. OTHER PROJECTS

- Willow Street Neighborhood LID: Staff recently met with representatives of several state agencies at a “one stop” meeting and have a tentative plan for financing that will include a package of both forgivable loans and other loans with very attractive interest rates. Staff have submitted all the initial loan applications.
- The ODOT Foster Lake Sidewalk Project: Construction is nearly complete. Staff are working with the Railroad and ODOT on a plan to construct the portion that lies under the railroad trestle.
- Staff is working with ODOT on a pedestrian crossing at 22<sup>nd</sup> Avenue and Main Street. State Funding has been provided, and the project will be completed at little to no cost to the City. This improvement will be combined with an existing ODOT project to replace ADA ramps at intersections on Main Street. Construction on both the overall ramp replacement project and the pedestrian crossing is underway. The concrete has been completed for the crossing. The flashing beacons were installed in late September but were hit by a car and now need to be replaced. The costs of that replacement will not be borne by the City. ODOT has prepared an amendment to the IGA to cover the pedestrian crossing, which is currently being reviewed by staff, and will be brought before the Council in December for approval.
- CEDD Staff have been developing designs for the budgeted City Hall renovation and emergency generator installation. This project has been included in the budget for this fiscal year, and we will be preparing a request for proposals soon.
- CEDD Staff continue to provide key support for the efforts to create a managed homeless facility.

# MEMORANDUM



TO: Kelcey Young, City Manager  
 FROM: Greg Springman, Public Works Director  
 DATE: November 8, 2022  
 SUBJECT: Public Works Activities Report – October 2022

This memorandum provides a brief periodic update of specific projects, WTP/WWTP O&M and Compliance status, and activities performed by the Public Works Department.

This table section summarizes work done on key maintenance activities.

Work Type	October, 2022	September, 2022	2022 YTD	2021	3 Yr Avg
Bathrooms/Garbage	11	9	151	169	503
Catch Basin Inspection/cleaning	0	0	3	6	28
Leaf Collection	285	0	285	1637	666
Hydrant Flushing	0	129	198	324	302
Locates	11	74	486	491	486
Meter Re-Read	31	75	583	1060	777
Mowing	5	5	117	40	84
Playground EQ Inspection	7	8	65	49	56
Pothole Repair	14	0	353	514	597
Sewer CCTV Miles	0	0.00	0.40	0.16	2.48
Street Sweeping Miles	147	15	880	893	2374
Water Main Repair	1	0	11	9	10
Water Service Repair	1	1	37	20	41
Water Turn Ons/Offs	25	57	524	677	877
<b>Total Completed Work Orders</b>	<b>486</b>	<b>655</b>	<b>5703</b>	<b>6050</b>	<b>6973</b>

## WWTP and WTP Key Performance Indicators (KPIs)

	October, 2022	September, 2022	2022 YTD	2021	5 Yr Avg
<b>Potable</b>					
MG Treated	29.83	32.52	292.40	363.99	406.97
Backwash Water in MG	0.81	1.03	12.74	30.07	19.92
Ave daily demand in MG	0.96	1.08	0.96	1.00	1.12
<b>Sanitary</b>					
MG Treated	22.14	22.00	563.50	641.31	586.99
Max Daily Flow in MG	1.04	1.18	6.01	5.89	6.08
Average Flow in MG	0.71	0.73	1.85	1.76	1.61

\* MG is Million Gallons

Note: Sweet Home Wastewater treatment plant experienced 33 exceedances for the month of September 2022.

- For September daily TSS pounds we exceeded 4 times with highest being 419.6 on a permit of 240
- For September Weekly Avg TSS pounds we exceeded 3 times with the highest being 324.1 on a permit of 180
- For September Monthly Avg TTS pounds was 260.5 on a permit of 120 pounds
- For September Monthly TTS mg/l was 39.3 on a permit of 10 mg/L
- For September Weekly TTS mg/l we exceeded 4 times with the highest being 56.5 on a permit of 15mg/L
- For September daily cBOD pounds we exceeded 7 times with the highest being 595.4 on a permit of 240
- For September Weekly Avg cBOD pounds we exceeded 4 times with the highest being 529.2
- For September Monthly Avg cBOD pounds was 387.9 on a permit of 120
- For September Monthly cBOD mg/L was 64.1 on a permit of 10 mg/L
- For September Weekly cBOD mg/L we exceeded 4 times with the highest being 89.0 mg/L on a permit of 15mg/L
- For September we exceeded our e-coli daily limit of 406 1 times with the highest being >2419.6
- For September we failed to meet our TSS %removal with 81.5% with a threshold of 85%
- For September we failed to meet our cBOD %removal with 69.4% with a threshold of 85%
- 

Our data shows that something came into the facility on August 9<sup>th</sup> and 23<sup>rd</sup> killing our biology both times. We are working with outside consultants and the DEQ to bring the plant back to normal operating parameters.

As of 10/1/2022 all parameters appear to be within permit parameters.

### Current & Upcoming Projects

#### Small Diameter Water Main Replacement

**Scope:** Engineer of Record and Staff has identified aged water mains throughout the 54 miles of water distribution system. Staff and West Yost will take a phase approach to replace the 5 miles of small diameter water mains.

**Status:** Project RFP bids from Contractors have been submitted. Staff awarded Project in September 2022. Pre-Construction meeting scheduled for October 2022.

#### Pleasant Valley Bridge Water Main Repair

**Scope:** Pac Excavation to repair a broken 12" water main, replace 22 pipe hangers, and provide additional supports inside Pleasant Valley Bridge.

**Status:** Pac Excavation repaired the water main in August, 2022. Project completed

#### Water Master Plan – West Yost

**Scope:** Develop Water Master Plan to support development.

**Status:** Water Master Plan is scheduled for completion in November 2022. Staff will provide updates as necessary.

#### Stormwater Master Plan – West Yost

**Scope:** Develop Stormwater Master Plan to support development

**Status:** Stormwater Master Plan is scheduled for completion in June 2023. Staff will provide updates as necessary.

#### Backwash Pump Evaluation – West Yost

**Scope:** Install backwash pump, utilizing the clearwell for filter backwashes and the corresponding effects on the distribution system and treatment.

**Status:** Project awarded to Pacific Excavation. Backwash pump has been back ordered, projected arrival date was changed from November 2022, until December 2022 due to back ordering from vendor. Construction started May 2022. Project on schedule, other than the arrival of the backwash pump.

#### Finished Water Pump VFD Evaluation – West Yost

**Scope:** Evaluate feasibility to add a Variable Frequency Drive (VFD) to the current finish water pumps to maintain a constant level in clearwell to help facilitate backwash pumping.

**Status:** Project awarded to Pacific Excavation, with VFD installation coordinated with The Automation Group (TAG). Projected pump arrival date was changed from November 2022, until December 2022 due to back ordering from vendor.

#### Fluoride at WTP

**Scope:** Fluoride system at WTP has failed/End of life budgeted for replacement this FY23.

**Status:** PW Staff ordered replacement parts. Arrival for replacement parts TBD. Staff will provide updates to Council as necessary.

#### Water Meter Modernization

**Scope:** Replace water meters through the entire water distribution system.

**Status:** Public Works staff purchased 3000 Kamstrup Smart Ultrasonic water meters. Public Works staff has installed 2400 meters to date, project is 80% complete.

#### Wastewater Filter Belt Press

**Scope:** Filter Belt Press was installed in approx. 1974 and is an operational and financial challenge to keep operating, looking to prepurchase new dewatering equipment for the wastewater treatment plant as part of the upgrade project.

**Status:** PW staff currently working with Engineer of Record to confirm sizing of dewatering equipment.

# MEMORANDUM



TO: CITY COUNCIL  
FROM: Greg Springman, Steven Haney and Trish Rice  
Public Works  
DATE: November 8, 2022  
SUBJECT: Mahler WRF Project Update

Public Works staff and our engineering consultant West Yost would like to keep City Council updated on the Mahler WRF Upgrades Project. This update will be provided on a monthly basis and contains the following sections:

- Section 1. Project Overview and Current Status
- Section 2. Project Schedule Update & City Council Engagement
- Section 3. Project Budget Status Update
- Section 4. Updates on Key Issues

## 1. PROJECT OVERVIEW AND CURRENT STATUS

Bids for the MWRF Phase 1 Improvements Project were over 25% above the Engineer's Estimate and the contract was cancelled. Staff propose the following approach for project phasing and construction:

- **MWRF Interim Improvements Project (MWRF IIP)** would include pre-purchasing mechanical and electrical equipment, installing a new solids storage tank, installing new solids dewatering equipment sized for future use in a temporary location, and completing site work and piping in the solids area of the plant.
  - **Proposed Owner-Supplied Mechanical Equipment:** Dewatering Screwpress, 100,000-gallon solids storage tank and solids feed pumps.
  - **Proposed Owner-Supplied Electrical Equipment:** Standby Generator and Main Switchboard to be procured by The Automation Group as the City's Integrator-of-Record.
  - **Engineers Preliminary Opinion of Probable Construction Cost:** \$2.5 - \$3.0 Million
  - **Preliminary Project Schedule**
    - **Design:** Nov. 9, 2022 - Jan. 12, 2023
    - **City Council Authorization to Bid:** Jan. 24, 2023
    - **Bidding:** Jan. 25, 2023 – Feb. 15, 2023
    - **City Council Bid Award and Contracts Approval:** Feb. 28, 2023
    - **MWRF IIP Construction Start:** March 15, 2023
- With the cancellation of the recently bid MWRF Phase 1 Improvements project, the larger **MWRF Improvements Project** will now be a single project encompassing all planned treatment plant upgrades. In addition, staff are proposing to include the South Santiam River outfall replacement in the Project based on recent discussions with regulatory agencies. If added, we anticipate developing the outfall replacement as a separate bid package due potential lengthy permitting timelines.
  - **Design Status:** Completion of 60% Final Design is targeted for January 23, 2023.
  - **Design Schedule:** 90% Design Completion in June 2023; Final CDs in August 2023.
  - **Estimated Cost:** West Yost will be completing an update of the Engineer's Opinion of Probable Construction Cost (OPCC) in November 2022.
- Future or additional phases for the Mahler WRF upgrades may include:
  - **Offsite Class A Biosolids Composting Facility:** The City has considered partnering with Albany and Lebanon to construct an offsite biosolids processing facility that would provide better opportunities for reusing the biosolids produced by the Mahler WRF.

## 2. PROJECT SCHEDULE UPDATE & CITY COUNCIL ENGAGEMENT

Below is a project schedule summarizing the currently anticipated schedule for the MWRF IIP (if authorized) and the larger MWRF Improvements Project. The schedule below is reflective of combining all MWRF upgrades into a single, larger construction contract. Based on the size of the project and long lead times for much of the major systems and equipment, it is anticipated construction of the larger project will take approximately 3 years.

	2022			2023				2024	2025	2026
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1 – Q4	Q1 – Q4	Q1 – Q4
MWRF Interim Impr. Project (IIP)										
MWRF Impr. Project										
	Planning & Design			Bidding & Contracts				Construction		

Upcoming Project activities and City Council Requests for Council Action (RCA) include:

**3<sup>rd</sup> Party Special Inspections and Testing Services (RCA):** On 9/13, Public Works accepted proposals from two firms to provide 3<sup>rd</sup> Party Special Inspections and Testing Services on the Project. Proposal scoring is currently being finalized by City staff.

**Electronic Construction Document Control System (RCA):** On 9/15, Public Works accepted proposals from two firms to an Electronic Construction Document Control System (ECDCS) for the Project. Software demonstrations with each firm have been conducted by City and West Yost staff and proposal scoring is currently being finalized by staff.

**MWRF Interim Improvements Project:** If authorized by City Council, staff will begin working with West Yost’s team to prepare procurement documents for Owner-Supplied Equipment and design documents for bidding the project as soon as possible. This project will help address current MWRF NPDES Permit compliance issues and will contribute to spending the City’s \$7M in grant funding that expires on June 30, 2023.

If the MWRF IIP is authorized, staff anticipates the following schedule of City Council actions to meet a very tight project schedule to fully spend the City’s \$7M in grant funding from the Oregon Legislature by June 30, 2023:

- RCA – TAG Electrical Owner-Supplied Equipment Procurement Contracts (Dec. 13, 2022)
- RCA – Mechanical Owner-Supplied Equipment Procurement RFP Documents (Dec. 13, 2022)
- RCA – Mechanical Owner-Supplied Equipment Bid Award & Contracts (Jan. 24, 2023)
- RCA – MWRF Interim Improvements Project Bid Documents (Jan. 24, 2023)
- RCA – MWRF Interim Improvements Project Bid Award & Contracts (Feb. 28, 2023)

### 3. PROJECT BUDGET STATUS UPDATE

The following budget status updates provide a high-level review of contract amounts and expenditures for engineering services, Owner-supplied electrical equipment, Construction, 3<sup>rd</sup> Party Special Inspections and Testing and the Electronic Construction Document Control System.

#### a. Construction

Budget status updates will be provided for the MWRF IIP if the project is authorized to proceed by City council. The MWRF IIP would include a combination of Owner-supplied equipment and onsite construction that would be bid by the City's list of pre-qualified contactors. There is no update on budget or status at this time.

#### b. Owner-Supplied Electrical Equipment

Budget status updates related to owner-supplied electrical equipment to be provided by TAG serving as the City's Integrator-of-Record will be provided following approval of TAG contracts. If authorized, the MWRF IIP includes pre-purchase of the MWRF Standby Generator and Main Switchgear.

#### c. 3<sup>rd</sup> Party Special Inspections and Testing Services

Budget status updates for 3<sup>rd</sup> Party Special Inspections and testing will be provided once construction activities begin.

#### d. Electronic Construction Document Control System (ECDCS)

Budget status updates for ECDCS will be provided once construction activities begin.

#### e. Engineering Services

West Yost anticipates completing 60% final design for the MWRF Improvements Project in January 2023. A letter proposal will be submitted in January 2023 to complete final design and bidding for the project.

Firm	Dates	Purpose	Contract Amount	% Complete
Murraysmith <sup>(1)</sup>	2018 – 2021	Preliminary and Final Design	\$2,134,373	100%
West Yost	Jul 2021	Final Design Review	\$66,224	100%
West Yost <sup>(2)</sup>	Aug 2021 – present	Project Planning, Permitting, Preliminary and Final Design	\$3,428,335	76%
West Yost <sup>(3)</sup>	Oct. 2023 thru Oct. 2026	Engineering Services During Construction (ESDC)	\$879,670	0%

(1) Contract Amount listed is actual amount paid to Murraysmith by City. This amount is being confirmed.

(2) West Yost's current Mahler WRF design contract is for completion of Phase 1 final design and Phase 2 60% Design. It is anticipated a contract for completing MWRF Improvements Project final design will be executed in Q1 2023.

(3) West Yost's current Mahler WRF Engineering Services During Construction (ESDC) contract was for Phase 1 construction. If authorized, a portion of this current contract will be used for MWRF IIP ESDC. The balance would be used for initial ESDC on the larger MWRF Improvements Project.

#### 4. UPDATES ON KEY ISSUES

- **MWRF Phase 1 Construction.** The lowest Phase 1 bid submitted by Slayden Construction was 28% higher than the Engineer's Estimate, which exceeds the limit of 25% mandating in the City's local contracting rules. Therefore, the City is unable to award the project and City staff are evaluating options.
- **Current MWRF Permit Compliance Issues.** Recently the MWRF has been experiencing regular compliance issues due to unauthorized discharges to the City's sewer collection system that are impacting the biological treatment process. Staff are working to identify the source of these illegal discharges.
- **Expenditure of Oregon Legislature Funding.** Public Works is working on a plan to spend the \$7M in grant funding awarded to the City by the Oregon Legislature by June 30, 2023.
- **Preliminary Engineering Report (PER) Update.** Concurrent with Phase 2 design, West Yost's team is also working on updating the Preliminary Engineering Report (PER) required for obtaining USDA funding for the project. The PER will be submitted to USDA and Oregon DEQ for review and approval. The updated project cost estimate included in the PER will be used to secure funding for the project. City staff met with USDA to discuss overall project funding on Thursday, October 6<sup>th</sup>.
- **Outfall Permitting and "Crosscutters".** A key issue that has come up in consultation with regulatory agencies is the plan for increasing the capacity of the WRF outfall pipeline to the South Santiam River. The original plan to install an "overflow" to the river may present permitting challenges. The City is currently considering options, but the best long-term solution may be to replace the outfall pipeline in the river. This would allow the outfall to be relocated to a deeper section of the river where it will have improved mixing and additional capacity.

Cc: Dept. Heads