



CITY OF REDMOND

CITY HALL
411 SW 9th STREET
REDMOND, OR 97756
541.923.7710
FAX: 541.548.0706
info@redmondoregon.gov
redmondoregon.gov

CITY COUNCIL

May 24, 2022
Council Chambers • 411 SW 9th Street

COUNCIL MEMBERS

George Endicott
Mayor

Jay Patrick
Council President

Krisanna
Clark-Endicott
Councilor

Clifford Evelyn
Councilor

Ed Fitch
Councilor

Shannon Wedding
Councilor

Cat Zwicker
Councilor

MAY 24, 2022

REGULAR MEETING AGENDA

6:00 PM

I. CALL TO ORDER / ESTABLISH A QUORUM

II. BLESSING - Pastor Rick Russell, Mountain View Fellowship

III. PLEDGE OF ALLEGIANCE

IV. COMMENTS FROM CITIZENS AT THE MEETING

V. CONSENT AGENDA

- A. Minutes of December 7, 2021, Council Meeting
- B. Resolution #2022-11 - A resolution of the City of Redmond declaring certain City property to be surplus. (Three City vehicles and a supply of pipe)

VI. PROCLAMATIONS

- A. National Foster Care Month

VII. PRESENTATIONS

- A. Preview and Coordination Efforts for the 2022 Fire Season: Part II

VIII. PUBLIC HEARINGS

- A. Ordinance #2022-02 - An ordinance concerning the vacation of a portion of the alley through Block 34, Townsite of Redmond.

IX. ACTION ITEMS

- A. Amendment #1 and increase to the Anderson Perry & Associates Inc. contract for Redmond Wetlands Complex Final Design and Construction Management Services (WW2001): \$5,911,670

X. MAYOR'S COMMENTS

XI. COUNCIL COMMENTS

- A. Councilor Fitch's Written Comments

XII. CITY MANAGER COMMENTS

XIII. ADDITIONAL COMMENTS FROM CITIZENS AT THE MEETING

XIV. ADJOURN

Regular Council meetings are broadcast live on COTV11 – BendBroadband Channel 11 beginning at 6:00 p.m. on the 2nd and 4th Tuesdays of each month. Rebroadcasts are scheduled for the non-meeting Tuesdays at 6:00 p.m.

The City of Redmond encourages all citizens to participate in its programs and activities. This meeting location is accessible to people with disabilities. Requests for accommodation may include sign language interpreter service, assistive listening devices, materials in an alternate format or any other accommodation. If any accommodations are needed, please contact the ADA Coordinator at 541-504-3036 or access@redmondoregon.gov. Requests should be made as soon as possible, but at least 3 business days prior to the scheduled meeting.

The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities

SPECIAL CITY COUNCIL MEETING OF THE CITY OF REDMOND WAS HELD DECEMBER 7, 2021, VIA GOTOMEETING.

COUNCIL MEMBERS PRESENT: Krisanna Clark-Endicott – George Endicott – Clifford Evelyn – Ed Fitch – Jay Patrick – Shannon Wedding

STAFF PRESENT: City Attorney Keith Leitz – Airport Director Zachary Bass – Police Chief Dave Tarbet – Public Works Director Bill Duerden – City Recorder Kelly Morse – Deputy City Manager John Roberts – IT Manager Matt Hayes – Chief Financial Officer Jason Neff – Accounting and Financial Reporting Director Brooks Slyter – Director of Communications Heather Cassaro – Water Utility Manager Joshua Wedding

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

FUTURE AGENDA TOPICS**A. Dispensaries (Evelyn)**

Councilor Evelyn presented his request for a future Council work session to prepare for the implementation of dispensaries in Redmond, opining it is inevitable that the federal government will legalize marijuana. Mayor Endicott stated he spoke to Rob Bobette who said legalization at the federal level will not occur in the foreseeable future and the City will have months of notice beforehand. After explaining the City's options, City Attorney Keith Leitz recommended waiting on the dispensary discussion based on Mr. Bobette's statements. While Councilor Fitch opined there is no sense of urgency, he does agree the issue will need to be addressed next year. He recommended staff be prepared to look at options for the Council to consider in the event the federal government decriminalizes marijuana. Councilor Patrick stated he is not in favor of marijuana and expressed concern with Oregon being the number one state for addiction. He would like to wait and see what happens before setting rules for marijuana that may not apply.

The majority of the Council present was not supportive of bringing this item forward at this time.

B. Vacant Downtown Properties (Evelyn)

Councilor Evelyn presented his request for a future discussion on downtown vacancies and expressed his concern over the accumulation of garbage and debris from people that live above the vacant buildings. He said long-term vacant buildings create deterioration and danger, which is a liability to the City as well as to the landowner. He opined there should be a time limit on how long a building can sit vacant. Deputy City Manager John Roberts stated that while the City relies on incentives and programs through the Urban Renewal Program to work with property owners to improve their buildings, the City has never necessarily leveraged City and/or Development Codes to force the building owners to act. He said staff can return to Council with an update on recent successes and the programs that are being used the most by property owners downtown.

Councilor Patrick stated that as a Councilor he will not tell property owners and business owners what they can or cannot do, unless there is a safety issue for the community. Mayor Endicott suggested the Council hear about the incentive programs from the Downtown Urban Renewal Advisory Committee (DURAC) and add that to a future agenda. Councilor Fitch opined there are solutions other than the City getting too involved in private properties and is not in favor of the City using public money on private property. As the liaison to DURAC, Councilor Clark-Endicott stated Redmond's downtown is flourishing and at the highest capacity it has been in years. Councilor Wedding pointed out plans for the downtown have been delayed due to the pandemic and City Hall being closed.

After additional discussion by the Council, Mayor Endicott asked Mr. Roberts to arrange an update from DURAC on activities and use of funds, etc. Mr. Roberts confirmed with a target of late January/early February 2022.

C. Council Goal Setting (Fitch)

Councilor Fitch offered ideas on how to obtain broader input on goal setting from the community and recommended a resolution could be brought to Council at the next meeting. Mayor Endicott commented that a discussion with City Manager Keith Witcosky revealed that some departments are severely understaffed resulting in heavy workloads. He added that coordinating town hall meetings at this time would be extremely burdensome to those departments. He encouraged the Council to gather input from the public and bring it to Council on the public's behalf. Committees and commissions already have numerous goals and objectives and adding more would make those items difficult to address. Councilor Clark-Endicott noted Councilors serve as liaisons to City commissions and committees and can bring input from those bodies forward to the Council.

The majority of the Council was not supportive of bringing this item forward at this time.

PRESENTATIONS

A. Water Panel Discussion

Public Works Director Bill Duerden introduced Central Oregon Irrigation District's (COID) Director of Water Rights Leslie Clark, COID Managing Director Craig Horrell, GSI Water Solutions consultant Adam Sussman, and the City's Water Utility Manager Josh Wedding who will discuss the City's water rights, the ability to meet our water needs over the next 20 years and whether the City should pursue acquiring more rights for mitigation.

Mr. Sussman presented background information on the City's water rights and our current status. He highlighted the life cycle of water rights, water right certificates and permits, future applications, water rights utilization and possible extensions, and certificate modifications through water right transfers. He explained that the Deschutes Basin has a unique "cap and trade" mitigation program due to over-appropriated water rights in the 1970s and 1980s. Pumping additional groundwater must be offset with surface water rights. The City's largest groundwater permit was issued in 2013 for 25 cubic feet per second (CFS). Mr. Sussman stated the City's next permit will be required to go through the mitigation process, but opined the City is in a unique situation and mitigation is achievable.

Mr. Sussman shared that all of the City's water rights gives us the ability to pump approximately 29 million gallons per day (GPD). Mr. Wedding added that the maximum demand in summer 2021 was 15.8 million gallons per day. The City holds a surface water right from 1912 for the Deschutes River, and while it is not currently being used, it is protected and considered beneficial use of the water.

Mr. Sussman provided statistics on projected demand/supply which indicate Redmond has enough water rights to service a population slightly under 70,000, but noted it is time to start thinking about the next application. The City currently has 815.5 acre feet of mitigation credits and adding water rights from 1912 would add over 500 acre feet of additional mitigation credits. The current challenge is the cap on the mitigation program which limits the number of permits the Water Resources Department will issue. There is currently only 10 CFS remaining before reaching the cap. Mayor Endicott explained that the cap is for the entire Basin, not just Redmond and if the City wanted to increase its water rights or certificates in the Basin, it would be competing for access to the remaining 10 CFS. Mr. Sussman added the cap is not only for municipal use but also agricultural, irrigation, and industrial uses.

Mr. Wedding shared details of the City's Water Management and Conservation Plan and added that staff review the document every five years to ensure benchmarks are still being met. Benchmarks include a leak detection program, citywide metering, public and educational outreach. The City encourages water conservation through public outreach, rate increases, and development. Mr. Wedding demonstrated how development impacts water use by comparing older/larger lots in northwest Redmond versus newer/smaller lots in southwest Redmond. Northwest Redmond homes have more irrigatable space, mature water dependent landscape and average 1,109 GPD per account in the summer and 121 GPD in winter, whereas southwest Redmond homes have less irrigatable space, high desert landscaping with native plants and grasses and average 508 GPD per account in the summer and 84 GPD in the winter. Because summer

irrigation consumes the largest amount of water, the City strongly encourages xeriscaping. Mr. Wedding added it would be beneficial to have a program that teaches landscapers more efficient ways to install landscaping for water savings.

Ms. Clark discussed the background of COID's water rights certificates. The City has a right to use that water as a holder of municipal water right use. She talked about some of COID's efforts which include mitigation, meeting Deschutes River needs for endangered species through the Habitat Conversation Plan, delivering water to farmers, addressing the needs of municipal water users, removing water through annexation agreements and development within Redmond, and piping. Ms. Clark noted the five districts on the Deschutes River are committed to projects that will conserve water to help the North Unit Irrigation District (NUID) support its live flow. An agreement between COID and NUID delivers any conserved water to NUID during the irrigation season and in return, NUID agrees to release an equal volume of water from Wickiup Reservoir during the winter months.

Mr. Horrell stated a Basin Study Work Group consisting of municipalities, irrigation districts, and environmental groups believe there is a balanced plan for meeting the water needs of cities, agriculture, and rivers; however, environmental groups such as Water Watch does not want COID to "double dip" in terms of mitigation credits. He spoke to COID's System Improvement Plan and Modernization Plan noting that COID delivers water in a 100-year-old canal which can sometimes lose 30-40 percent of the water in this delivery, mostly occurring in the Pilot Butte Canal and the Central Oregon Canal. COID and the Deschutes Basin Board of Control's plan of piping leaky canals and modernization was subsequently approved and well-funded. Phase 1 of the project will pipe 4 miles of the Pilot Butte Canal, cost approximately \$32 million, and ultimately conserve 30 CFS. This will have a significant impact on NUID, the Oregon spotted frog, and municipalities. COID is in the process of completing an Environmental Impact Statement which will allow them to receive unlimited federal grant funding. Mr. Horrell believes COID will received about \$250 million in funding to pipe the remainder of the Pilot Butte Canal. Engineering plans should be completed in 2025. Mr. Horrell spoke to the historic nature of a 6,780 foot segment of the Pilot Butte Canal from NW Dogwood Avenue to NW Quince Avenue. This section is adjacent to the original site of the Frank and Josephine Redmond homestead and will need to be highlighted in a historical way by COID in partnership with the City.

Mr. Horrell, Ms. Clark, and Mr. Sussman addressed questions regarding COID's main piping, responsibility for laterals, water rights from Redmond annexations, and municipal demand in the Deschutes Basin.

B. Council Vacancy Process

Mayor Endicott discussed the process used for appointing a replacement for Councilor Bullock who resigned in November. His goal is to make the appointment by the end of the calendar year. The 17 applications received during the two weeks filing period will be included in the next meeting packet. Mayor Endicott stated that while applicants had great credentials, the three applicants selected for interviews were already committing their time, effort, and energy to Redmond by serving on a City commission or committee. A panel consisting of Mayor Endicott, Councilor Patrick, and Councilor Wedding conducted interviews on December 3, 2021, and were impressed by all three candidates. Councilor Wedding opined the process was well vetted and she looks forward to the selection next week. Councilor Patrick noted he was pleased by the number of applicants.

In response to a question from Councilor Fitch, Mayor Endicott stated the Council is welcome to provide input on the candidates before he makes the formal appointment.

OTHER BUSINESS

Council Patrick and Mayor Endicott commented on the anniversary of Pearl Harbor and thanked all veterans for their service.

DRAFT

There being no further business, the meeting was adjourned at 8:03 p.m.

Prepared by ABC Transcription Service and reviewed by Kelly Morse, City Recorder

APPROVED by the City Council and SIGNED by the Mayor this 24th day of May 2022.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder



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STAFF REPORT

DATE: May 24, 2022
TO: City Council
Keith Witcosky, City Manager
THROUGH: John Roberts, Deputy City Manager
Bill Duerden, Public Works Director
FROM: Scott Gibson, Fleet Services Manager
SUBJECT: Resolution #2022-11 - A resolution of the City of Redmond declaring certain City property to be surplus.
(Three City vehicles and a supply of pipe)

Addresses Council Goal:

Goal #1: Provide or enhance current levels of operations in all facets of municipal service delivery.

Report in Brief:

This item requests that City Council declare certain property as surplus and seeks authorization to dispose of it through public auction or other means that is in the best interest of the City. This includes a 1987 John Deere Backhoe; a 1984 Volvo Hydro-Vac; a 2005 Chevy Impala; and 1200 feet of pipe.

Background:

Redmond City Code allows for a process to surplus unneeded City equipment. Items valued at more than \$1,000 require official authorization from City Council.

City Code Section 2.420 – Surplus Property states:

The City Manager shall have the authority to dispose of surplus property by any means determined to be in the best interest of the City, including but not limited to, transfer to other departments, government agencies, non-profit organizations, sale, trade, auction, or destruction, provided however that disposal of personal property having a residual value of more than \$1,000 shall be subject to authorization by resolution by the City Council.

Discussion:

The 1987 John Deere backhoe was used primarily at the Cemetery and has outlived its service life. The backhoe was replaced with a newer model in 2021.

The 1994 Volvo Hydro-Vac is no longer cost-effective to maintain and repair parts are not readily available.

The 2005 Chevy Impala was originally used by the Redmond Police Department and more recently by Public Works Administration staff. The vehicle has outlived its service life and is scheduled for replacement in the FY 2022/23 budget.

The 1,202 feet of 18-inch DR-17 High-Density Polyethylene (HDPE) pipe was purchased for the South Redmond Water Facility (SRWF) project for temporary well discharge and is no longer needed.

<u>ITEM</u>	<u>CITY ASSET #</u>	<u>APPROXIMATE VALUE</u>
1987 John Deere Backhoe	1678	\$10,000
1994 Volvo Hydro-Vac	1736	\$10,000
2005 Chevy Impala	2745	\$3,000
1,202 feet of 18-inch DR-17 High-Density Polyethylene (HDPE) Pipe	N/A	\$61,000

Fiscal Impact:

There will be no additional cost associated with declaring this property as surplus. Proceeds from the sale of the property will be recorded as revenue within the Water, Transportation, and Parks and Facilities funds.

Alternative Courses of Action:

1. Adopt Resolution #2022-11
2. Do not adopt Resolution #2022-11
3. Request more information

Recommendation / Suggested Motion:

"I move to adopt Resolution #2022-11."

**CITY OF REDMOND
RESOLUTION NO. 2022-11**

**A RESOLUTION OF THE CITY OF REDMOND DECLARING CERTAIN CITY
PROPERTY TO BE SURPLUS.**

WHEREAS, certain property of the City of Redmond is beyond its service life; and

WHEREAS, certain City of Redmond property needs to be disposed of accordingly.

THEREFORE, be it resolved that such City of Redmond Property listed below shall be declared surplus and disposed of in the most judicious manner.

ITEM	ASSET #
1987 John Deere Backhoe	1678
1994 Volvo Hydro-Vac	1736
2005 Chevy Impala	2745
1,202 feet of 18 inch DR-17 High Density Polyethylene (HDPE) Pipe	N/A

SECTION ONE. The City Council finds that it is in the best interest of the City to enact this resolution immediately upon passage of this resolution; and therefore, this resolution shall be effective upon the date of passage.

ADOPTED by the City Council and **SIGNED** by the Mayor this 24th day of May, 2022.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

City of Redmond PROCLAMATION

A proclamation designating the month of May 2022, as

National Foster Care Month

WHEREAS, general, kin, and relative resource families (also known as foster families) who open their homes and hearts to offer help to children whose families are in crisis, play a vital role helping children and families heal, reconnect, and launch children into successful adulthood; and

WHEREAS, in Oregon, there are thousands of children and youth experiencing foster care being provided with a safe, secure, and stable home along with compassion and support and in Redmond, there are 50 youth experiencing foster care currently, with 14 general resource families and 28 relative or child-specific resource families; and

WHEREAS, dedicated resource families frequently adopt or become guardians for foster children, resulting in greater need for more resource families; and

WHEREAS, numerous individuals and public and private organizations work to increase public awareness of the need for resource families and the valuable contribution resource parents make to children in need.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Redmond, Oregon, hereby proclaims May 2022, as **National Foster Care Month**. The City Council hereby encourages all Redmond residents to join in this observation.

APPROVED by the City Council and **SIGNED** by the Mayor this 24th day of May 2022.

The City of Redmond, Oregon

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder



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STAFF REPORT

DATE: May 24, 2022
TO: Redmond City Council
THROUGH: Keith Witcosky, City Manager
Nate Garibay
FROM: Deschutes County Emergency Management
Chief Jeff Puller
Redmond Fire
SUBJECT: Preview and Coordination Efforts for the 2022 Fire Season: Part II

Addresses Council Goal:

7. COMPREHENSIVE PLANNING. C. Work with partners on Emergency Management and Preparedness.

Report in Brief:

Background:

This item continues a discussion from the May 17, 2022, City Council meeting about the upcoming fire season, community awareness of fire danger and ways to be fire safe this summer. It will be led by Sergeant Nathan Garibay from Deschutes County Emergency Services.

Discussion:

Sergeant Garibay will provide a preview of the 2022 fire season and ways cities and residents can do their part to reduce the likelihood of human initiated fire starts.

Fiscal Impact:

None

Alternative Courses of Action:

No action required.

Recommendation / Suggested Motion:

NA



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STAFF REPORT

DATE: May 24, 2022
TO: City Council
THROUGH: Keith Witcosky, City Manager
John Roberts, Deputy City Manager
FROM: Mike Caccavano, City Engineer
SUBJECT: Ordinance #2022-02 - An ordinance concerning the vacation of a portion of the alley through Block 34, Townsite of Redmond.

Addresses Council Goal:

9. Urban Renewal: Deploy resources to encourage investment and advance the goals of the City's urban renewal areas.

- Advance objectives of the Downtown Urban Renewal Plan to maintain the vitality of the downtown core; provide sufficient parking; make productive use of land; create opportunities for new development; relieve traffic problems and improve pedestrian safety; and provide new public amenities and open spaces.

Report in Brief:

This item is the second step in the Right-of-Way (ROW) vacation process for the alley in Block 34, Townsite of Redmond. The process was initiated on March 29, 2022. The public hearing was opened on April 26, 2022, and continued to May 24, 2022.

Background:

The subject alley is located between the Becky Johnson Community Center (BJCC) located at 412 SW 8th Street and the Patrick Building located at 708 SW Deschutes Avenue. It is to the south of Deschutes Avenue, kitty-corner from the Deschutes Public Library (see attached map). The alleyway also runs through the City-owned Centennial Park, but this section is not used as an alley.

A portion of the alley between the BJCC and Patrick Building is currently used by the BJCC and Deschutes Children's Foundation as a Head-Start child care play area. The Patrick Building has recently been successfully redeveloped into eight executive suites and a coffee shop.

The alleyway and development of the BJCC daycare play area currently prevents use of the alleyway as an alley.

Discussion:

This ROW vacation request works in conjunction with a proposed Settlement Agreement between the City, Deschutes County, and the owners of the Patrick Building. The agreement will be considered by the Council as a separate agenda item, once signed by the owners of the Patrick Building. If the agreement is approved, alley vacation is one of the first steps in meeting the conditions.

Vacation of ROW is a two-step process. Council initiated the vacation at their March 29, 2022, meeting. The public hearing was opened on April 26, 2022, and continued to May 24, 2022, to allow time for adjacent property owner consent. Unfortunately, consent has still not been obtained.

Consent is required of all property owners immediately adjacent to the ROW vacation. The adjacent owners and position regarding consent status includes:

- City of Redmond (Centennial Park); consent granted by Council.

- Patrick Building (708 SW Deschutes Ave.); consent not yet received.
- Deschutes County (BJCC); to be approved by the Board of County Commissioners once Patrick Building owners consent.

All utility companies in the area were contacted to determine if they have or plan to have utilities in the alley. Pacific Power and Cascade Natural Gas responded that they have existing lines in the alley. The attached vacation ordinance retains an easement for these utilities.

Fiscal Impact:

There is a cost associated with redesigning the play area that is discussed in more detail in the forthcoming Settlement Agreement. The cost will be paid for with urban renewal resources.

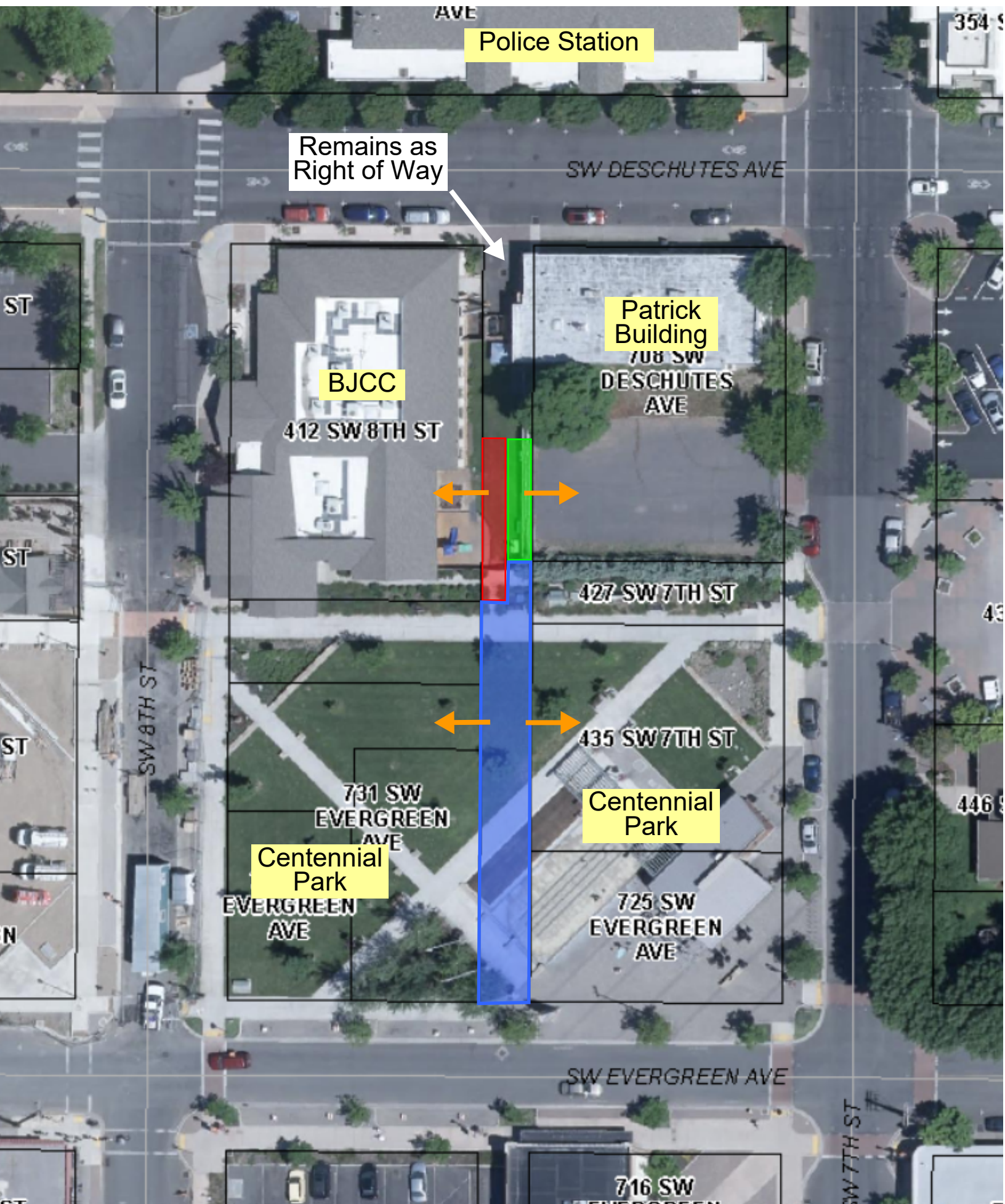
Alternative Courses of Action:

Consent still has not been received by the property owner. This item will remain open and be continued until June 14, 2022.

Recommendation / Suggested Motion:

Continue the public hearing to June 14.

Proposed Alley Vacation - Block 34 Townsite of Redmond



AFTER RECORDING RETURN TO:
City Recorder's Office
City of Redmond
411 SW 9th Street
Redmond, OR 97756

**CITY OF REDMOND
ORDINANCE NO. 2022-02**

**AN ORDINANCE CONCERNING THE VACATION OF A PORTION OF THE ALLEY THROUGH
BLOCK 34, TOWNSITE OF REDMOND**

WHEREAS, the City Council, pursuant to ORS 271.130, initiated vacation proceedings for the public right-of-way referred to above and shown in Exhibit A attached hereto; and

WHEREAS, a hearing was held April 26, 2022, at the regularly scheduled City Council meeting and notice for that meeting was duly published.

NOW, THEREFORE, THE CITY OF REDMOND ORDAINS AS FOLLOWS:

SECTION ONE - FINDINGS

The City Council finds that this vacation is in the best interest of the City of Redmond and will not prejudice any public interest and will not adversely affect the market value of the affected properties.

SECTION TWO – VACATION:

The public right-of-way and traveled way shown in Exhibit A attached hereto should be and hereby is vacated as public right-of-way.

SECTION THREE – TITLE TO VACATED RIGHT-OF-WAY

Pursuant to ORS 271.140, title to the vacated right-of-way shall attach to Lots 1 through 24 Block 34 Townsite of Redmond, Deschutes County, Oregon.

SECTION FOUR – RESERVATION OF PUBLIC UTILITY EASEMENT

The City of Redmond reserves the south 215 feet of the alley in Block 34, Townsite of Redmond as a public utility easement for the location of future underground and overhead public utilities, maintenance of existing underground and overhead public utilities, and for unrestricted ingress and egress to the property as shown in Exhibit A. The City reserves the right to permit any public utility it approves to use this easement. The purpose of this easement is for installing, repairing, testing, maintaining, and replacing utilities and related facilities, including but not limited to city sewer and water, electrical and cable services.

PASSED by the City Council and **APPROVED** by the Mayor this 26th day of April, 2022.

George Endicott, Mayor

ATTEST:

Kelly Morse, City Recorder

State of Oregon

County of Deschutes

On April 26, 2022, George Endicott, Mayor of the City of Redmond, Oregon personally appeared before me

 X who is personally known to me

 whose identity I proved on the basis of _____

 whose identity I proved on the oath/affirmation of _____,
a credible witness

to be the signer of the above document, and he/she acknowledged that he/she signed it.

Notary Public

LEGAL DESCRIPTION: The south
215 feet of the alley located in
Block 34, Townsite of Redmond,
Deschutes County, Oregon.

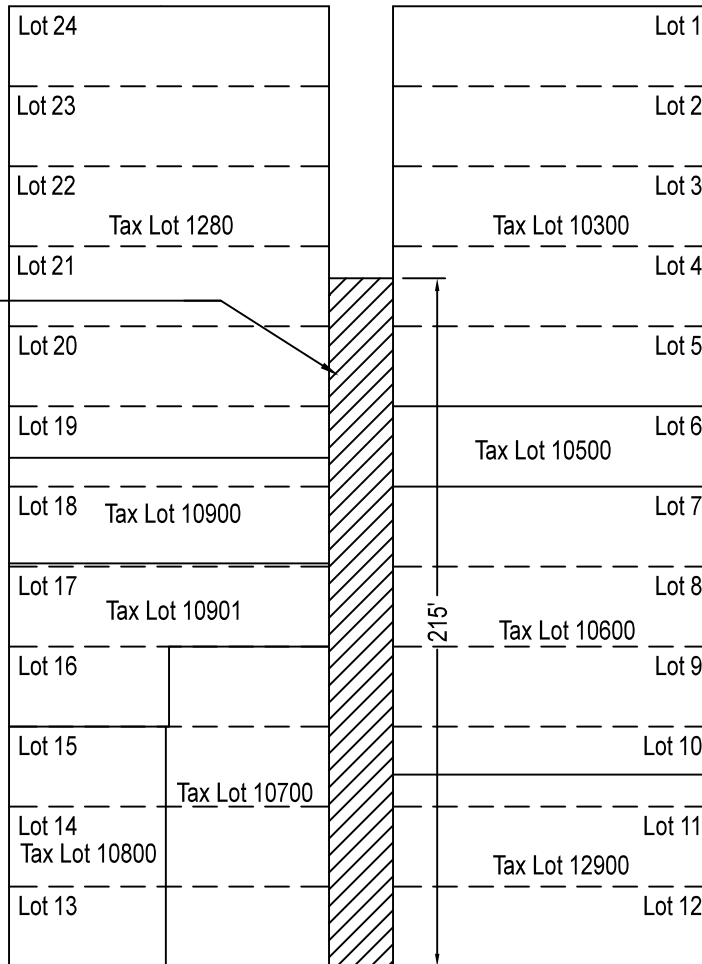
SW Deschutes Ave.

Alley Vacation and
Easement Reservation

SW 8th St.

SW 7th St.

SW Evergreen Ave.



DATE :
4-20-22

SCALE :
1"=60'

DRAWING NO.
ROWMAPS

DRAWN BY :
MPC

EXHIBIT A
ALLEY VACATION LEGAL DESCRIPTION
IN THE NW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF
SECTION 16 T15S R13E W.M.

CITY OF REDMOND
ENGINEERING DIVISION





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STAFF REPORT

DATE: May 24, 2022
TO: Redmond City Council
Keith Witcosky, City Manager
THROUGH: John Roberts, Deputy City Manager
Bill Duerden, Public Works Director
FROM: Ryan Kirchner, Wastewater Division Manager
SUBJECT: Amendment #1 and increase to the Anderson Perry & Associates Inc. contract for Redmond Wetlands Complex Final Design and Construction Management Services (WW2001): \$5,911,670

Addresses Council Goal:

Goal 3.D - Develop the City's infrastructure pursuant to the priorities identified in the City's infrastructure systems plans.

Report in Brief:

The item requests Council authorize an amendment (and increase) to an existing contract with Anderson Perry & Associates Inc. for final design and construction management services for the Redmond Wetlands Complex (RWC). The current contract, approved by Council on March 9, 2021, is for \$1,642,498. This amendment would increase the total contract value by \$5,911,670 to \$7,554,168.

Background:

On March 9, 2021, City Council awarded the first phase of a professional services contract to Anderson Perry & Associates in the amount of \$1,642,498 to provide engineering services for the design and construction management of the RWC. The scope for the first phase included a detailed evaluation of a lagoon and wetland treatment system as identified in the 2020 Wastewater Facilities Plan Amendment, the development of a Preliminary Design Report, and the preparation of a 30% Design analysis. Reaching 30% design brought the construction cost confidence level "moderate". The current estimate is \$69.8 million. This is the amount that was in the Fiscal Year (FY) 2022-2023 budget that was approved by the Budget Committee on May 4, 2022.

Additional design services are needed to reach a "high" confidence level. With each progression through the Construction Cost Estimate steps, the percentage of cost uncertainty is reduced. Once "high" is reached, the final steps that will help determine project cost will be to actually bid out the project (see chart below).



CONSTRUCTION CONFIDENCE CHART

PROJECT COST TIMELINE

SLIDE / 5

DESIGN CLASS OF COST ESTIMATE	LOW	MODERATE	HIGH	OPTIMAL
DESCRIPTION	Project is Conceptual Limited Technical Limited Analysis	Project Defined but Lacks Details Project Specifications Incomplete ≤30% Design Phase	Project Scope And Specifications Beyond 30% Complete Material Quantities have been Defined but Subject to Minor Changes	Project Scope, Drawings, Schedule, And Specifications Close to Complete Schedule and Site Conditions Understood Understanding of Materials and Quantities Close to Complete
PROJECT DEFINITION	0% to 2%	1% to 15%	30% to 60%	60% - 100%
VARIATION IN ESTIMATE TO COMPLETE PROJECT - \$	- 50% + 100%	- 15% + 20%	- 10% + 15%	-5% +10%
Treatment Plant Schedule (Year)	2020	2021/22	2023	2023

The amendment considered by City Council on May 24, 2022, has two components: Design and Construction Services. Approximately \$2,500,000 of the \$5,911,670 is for design with the balance associated with construction management services. It will be at the Council's discretion to determine whether the project proceeds to the construction management phase.

Discussion:

Under the next phase of the professional services contract, Anderson Perry & Associates will complete the design, prepare the construction bid documents, and provide construction management services should the project proceed to that phase (see attached scope of work). The estimated fee to complete this work is \$5,459,381 (see attached design fee).

The amendment also includes a \$452,289 increase to the pre-design phase of the contract for additional scope (pipeline upsize, mosquito surveys, new SCADA subconsultant) and to correct a billing omission from the contractor on the preliminary design fee.

Total cost for the amendment is estimated at \$5,911,670 resulting in a final contract amount of \$7,554,168. Below is a summary of the project costs:

Engineering & Construction Management	\$7.6 million
<i>Pre-design</i>	<i>\$2.1 million</i>
<i>Final Design and Construction Management Services</i>	<i>\$5.5 million</i>
Construction (includes 10% contingency)	<u>\$62.2 million</u>
Total	\$69.8 million

Approximately \$2.5 million of the amendment fee will be applied towards developing a final design and about \$3 million for construction management services and project close-out. Project cost estimates will be at a high confidence level upon completion of the final design in May 2023, and will provide a decision point prior to proceeding with construction. Proceeding with project construction is also dependent upon receiving land use approval. The land use approvals are scheduled to be submitted to Deschutes County by the end of the 2022 calendar year.

Fiscal Impact:

The final design and construction management phase cost for Engineering Services of the RWC project totals \$5,911,670 and is anticipated to be financed primarily (up to 100%) through an Oregon Department of Environmental Quality (DEQ) loan. Below is a summary of estimated funding sources for the entire RWC project:

Funding Sources

DEQ Loan:	\$61.3 million
System Development Charges (Reimbursement & Improvement):	\$ 7.0 million
Deschutes County Project Contribution:	\$ 1.0 million
DEQ Forgivable Loan:	<u>\$ 0.5 Million</u>
Total Funding:	\$69.8 million

The DEQ annual debt service (estimated at \$3.6 million beginning in FY 25/26) will be repaid through a combination of System Development Charges (SDCs) (debt service = \$1.6 million), and Wastewater Operating resources (Ratepayer) (debt service = \$2.0 million). Wastewater operating costs are forecasted to decline by about 12% (or about \$0.5 million less annually) because of the change in treatment process (mechanical/electrical to wetlands).

At this point, the project's annual debt service and overall Wastewater Division operating costs (collections and treatment) are anticipated to require a 2-3% annual increase (FY 22/23 – FY 25/26) to wastewater utility rates.

Alternative Courses of Action:

1. Authorize the City Manager to amend the contract with Anderson Perry and Associates, Inc.
2. Do not authorize the contract.
3. Request additional information.

Recommendation / Suggested Motion:

"I move to authorize the City Manager to amend the contract with Anderson Perry and Associates, Inc., in the amount of \$5,911,670 to provide Engineering Services for the final design and construction management for the Redmond Wetlands Complex Project."



SCOPE OF WORK April 6, 2022

BACKGROUND

The City of Redmond currently operates the water pollution control facility (WPCF) located at the north end of Dry Canyon. The WPCF, originally constructed in 1978, has been upgraded several times and currently has a stated capacity of 2.84 million gallons per day. In recent years, the City's population and the surrounding areas have experienced significant growth. Current forecasts show this growth trend will continue into the future, prompting the City to proactively prepare to meet future demands with the necessary infrastructure upgrades. In 2019, the City updated its Wastewater Facilities Plan (WWFP), followed with an amendment in 2020. The WWFP outlined alternatives to upgrade and expand the capacity of the City's WPCF.

PROJECT DESCRIPTION

As recommended in the 2020 WWFP Amendment, the City wishes to pursue design of a WPCF expansion that includes the use of a lagoon and wetland treatment and disposal system. A contract for preliminary design between the City and Anderson Perry & Associates Inc. (AP) was executed on March 22, 2021, and work is currently underway on the project, called the Redmond Wetlands Complex (RWC). This Scope of Work (SOW) amends the contract for preliminary design to include the final design, project management, and other tasks to meet the City's goals as the project progresses.

SCOPE OF WORK

Upon approval by the City for AP to proceed, AP shall provide services as described in the tasks below. Tasks 1 through 12 are described in the preliminary design contract. Existing tasks with added scope or new tasks consist of the following:

Task 1 - Data Collection

1.2 Geotechnical Investigation

The objective of this subtask is to evaluate subsurface conditions in the proposed development area to aid in design and construction of the RWC. The investigation will include identifying and classifying near-surface soil, determining the depth of fill materials (if present), evaluating the potential of near-surface lava tubes, and determining the depth to and type of bedrock. This geotechnical work will provide site-specific information regarding subsurface conditions and recommendations for use in project structural and civil engineering design, including site grading, suitability for use of fill materials, utility infrastructure installation, shallow foundations, settlement estimates, and excavation considerations.

Wallace Group will conduct a geotechnical investigation consisting of the following tasks:

- Data review and utility clearance through the Oregon One-Call Utility Notification Service



- Conduct five geotechnical borings at the proposed lagoon embankment site
- Excavate backhoe test pits at the proposed headworks, main division building, electrical building, disinfection building, and maintenance building areas to refusal depth or maximum equipment reach
- Log the subsurface explorations and perform sieve, moisture content, and rock core compressive strength tests as well as dynamic cone penetrometer tests on subsurface soil
- Retrieve, seal, and transport representative soil/rock samples to the Wallace Group laboratory for further evaluation and testing, including gradation and moisture content testing
- Conduct air-track borings at the proposed 90-acre treatment wetland area at a rate of one per acre to a depth of 20 feet below the proposed bottom of the wetland

After completing the geotechnical investigation, Wallace Group will perform geotechnical engineering analyses and summarize the findings and recommendations in a Geotechnical Investigation Report.

Deliverables

- Draft and final Geotechnical Investigation Report including:
 - Site plan and vicinity map showing the approximate exploration locations
 - Boring, test pit, and air-track logs
 - Discussion of general site surface and subsurface conditions encountered
 - Results of the laboratory testing program
 - Discussion of regional geology and seismicity
 - Seismic site class
 - Recommendations for shallow foundations and concrete slab-on-grade design including allowable bearing pressures and soil modulus
 - Anticipated total and differential foundation settlement
 - Guidelines for earthwork construction, including recommendations for mitigation of seismic hazards, site preparation, fill placement, compaction, and suitability for reuse of on-site fill materials
 - Recommendations for utility trench excavations and backfill



- Recommended sections for pavement and aggregate-surfaced access roads and parking areas

Assumptions

- Hazardous materials will not be encountered
- Test pit excavations will be loosely backfilled with spoils after complete

1.5 Data Requests to the City of Redmond

This task will now be used for continued vector surveying and coordination of the survey results.

Task 10 - Agency Coordination

10.1 Terrebonne

AP will continue to coordinate with the City on the needs of the community of Terrebonne to determine the feasibility of a regional wastewater system including:

- Coordination and meetings with the City, AP, Parametrix, and Deschutes County
- Assist with a draft and final City-County Intergovernmental Agreement (IGA) specifying terms and conditions that would allow a future sanitary district in Terrebonne to discharge their proposed sanitary sewer collection system to the City of Redmond's expanded treatment facility
- Coordinate meetings, prepare/distribute meeting agendas, and prepare/distribute meeting minutes

Deliverables

- Meeting agendas and minutes
- Draft IGA
- Final IGA

Assumptions

- Four coordination meetings with the City, AP, Parametrix, and Deschutes County are assumed
- Deschutes County to provide mapping/graphics, design for collection system tie-in, and cost estimates
- The City will be responsible for the financial evaluation and legal review of the proposed IGA



10.2 Deschutes County

AP and CIP Consulting will coordinate with the Deschutes County Planning Department to facilitate a mutual understanding of the land use application process, including the following tasks:

- Review Deschutes County code, Oregon Revised Statutes, and Oregon Administrative Rules to determine land use entitlement requirements
- Prepare for and attend coordination meetings
- Assist with selection of land use attorney
- Assist in development of findings and preparation of application package
- Prepare for and attend land use hearing

Deliverables

- Project design documentation to be included in the land use application

Assumptions

- Four County coordination meetings are assumed
- Four internal coordination meetings are assumed
- One land use hearing is assumed
- Land use application package/permit deliverables by others. Does not include appeal.
- City's legal counsel is responsible for the contents of the final application package, will lead at hearings, and will defend any appeals

10.3 Bureau of Land Management (Bureau)

AP will work with the Bureau and the City to pursue facility licensure on Bureau property. Work includes meeting with the Bureau to discuss the process and completing the necessary Environmental Assessment, surveying, purchase, and/or licensure documentation.

10.4 Oregon Department of Environmental Quality (DEQ)

AP will work with the DEQ and the City to ensure all necessary paperwork is completed for Clean Water State Revolving Fund funding and for the WPCF Water Quality Permit.



10.5 Oregon Department of State Lands (DSL)

AP will coordinate the wetland delineation and mitigation work with the DSL to ensure agency requirements are met.

10.6 Funding Assistance

AP will support the City in identifying additional funding sources to support the project. AP will engage in meetings with potential funding agencies and support the City in completing funding applications.

Task 11 - Public Relations

This task will continue the current outreach efforts to educate and engage the public about the RWC project. StingRay Communications will lead the public outreach effort, including coordination with all consultants and the City to ensure consistent and timely messages are communicated with key stakeholders and the public. Tasks include:

- Public involvement management
- Develop Public Involvement Plan
- Manage project phone line
- Maintain project website to continue public awareness and interest, engage with stakeholders, and receive feedback through final design and construction
- Create and maintain an up-to-date database of contacts that will be used to track, monitor, and analyze interactions
- Develop and maintain key messages and outreach materials (e.g., Frequently Asked Questions, talking points, project timeline, etc.)
- Attend project meetings
- Work with the media and community organizations to share information about the project
- At key milestones, host virtual and/or public meetings at sites and times convenient to potentially affected citizens
- Provide project updates, as needed, to the City Council, staff, and community members
- Host an open house at 90 percent design
- Host a pre-construction neighborhood informational meeting



- Coordinate ongoing stakeholder engagements
- Produce a video showcasing the project

Deliverables

- Public meeting at 90 percent design
- Pre-construction neighborhood informational meeting
- Project communications database
- Stakeholder meetings
- Bi-monthly project updates
- Messaging documents and graphics (to coincide with messaging schedule) and three- to five-minute project showcase video
- Project website
- Meeting agendas for any public outreach meetings
- Project updates

Assumptions

- The City will share project updates via City communication channels (e.g., newsletter, social media, etc.)

Task 12 - Project Management

AP's project manager will continue to collaborate with the City, delivering the project through final design and construction. AP's project manager will meet with the City on a regular, recurring basis. These meetings will be held outside other technically focused meetings and will be utilized to advance the design of the project. The project status meetings will be used to review and track project scope, schedule, and budget. These regular meetings will also be used to review the project risk register, issues log, and decision log. These documents will be used to quickly identify action items that will be critical to project success. This process will also provide the City and AP confidence that decisions are made in a timely manner to progress the project efficiently. Additionally, the stakeholder register and communication plan will be reviewed and updated as the project progresses to ensure proper communication is reaching the necessary stakeholders to ensure project support and success.

AP's project manager will manage all subcontractors and engage them on a regular basis to track project scope, schedule, and budget. Action items for each subcontractor will be identified and coordinated across



all technical disciplines to ensure a unified, effective, and efficient delivery of the work. Monthly invoices will be assembled in a timely manner and reviewed with subcontractors prior to submission to the City to ensure straightforward processing by the City.

Task 13 - Final Design

Utilizing the Preliminary Design Report, site mapping, established design criteria, and the 30 percent design, the team will prepare 60 percent, 90 percent, and final Plans, Specifications, and Estimate (PS&E). These documents will add detail to the selected alternatives, verify assumptions made through engagement at the preliminary design workshops, and address City review comments to the 30 percent design.

13.1 60 Percent Plans, Specifications, and Estimate

AP will submit 60 percent PS&E to the City for review and coordinate a review workshop to address questions and comments prior to advancing to the 90 percent design.

Deliverables

- 60 percent plan set including site plan, infrastructure plans and profile, piping and instrument diagrams, utility services to the site, control diagrams, landscaping and irrigation system, and architectural plans including structural, mechanical, electrical, and plumbing
- Draft specifications including construction sequence, milestones, and constraints
- Construction cost estimate

13.2 90 Percent Plans, Specifications, and Estimate

AP will submit 90 percent PS&E to the City for review and coordinate a review workshop to address questions and comments generated prior to advancing to the final design.

Deliverables

- 90 percent plan set including site plan, infrastructure plans and profile, piping and instrument diagrams, utility services to the site, control diagrams, landscaping and irrigation system, and architectural plans including structural, mechanical, electrical, and plumbing
- Final draft specifications including construction sequence, milestones, and constraints
- Construction cost estimate



13.3 Final Contract Documents

Deliverables

- Final bid-ready plans and specifications provided to the City in .pdf and AutoCAD formats
- Final construction cost estimate

Note

If Land Use approval and other necessary permitting requirements are successful, the City may elect to move forward with construction of the RWC. Services in Task 14 through 17 describe the SOW necessary to support the City through the construction process.

Task 14 - Bid Services

AP will assist the City with a pre-bid meeting, provide responses to bidders' questions, prepare addenda to clarify or modify the project bidding documents, assist with bid and contractor evaluation, and prepare conformed documents.

Task 15 - Services During Construction

After award of the construction contract by the City, AP will perform the following tasks through completion of construction:

- Prepare and facilitate use of construction management software system (Procore)
- Attend a pre-construction meeting
- Review and respond to submittals (50 assumed)
- Review and respond to Requests for Information (50 assumed)
- American Iron and Steel coordination/documentation
- Review and prepare Change Orders (20 assumed)
- Review monthly schedule updates
- Review monthly pay applications
- Attend weekly progress meetings
- Provide construction manager on site (five hours per week assumed)
- Provide field observation (40 hours per week assumed)



- Startup support
- Programmable logic controller/human-machine interface code development and system integration
- Supervisory control and data acquisition computer visualization code development
- Utility coordination
- Construction staking
- Cultural observation (20 hours per week for 24 months assumed)

Assumptions

- 36-month construction schedule
- The City will provide third-party special inspection

Task 16 - Project Closeout

AP will facilitate project closeout for all project elements including buildings, wastewater processes areas, and other site improvements, including:

- Substantial completion walkthrough and punch list
- Final completion walkthrough
- Electronic Operation and Maintenance Manuals
- Training support (two 8-hour classroom training sessions assumed)
- Record Drawings
- DEQ closeout
- Deschutes County permit closeout
- Warranty materials

Task 17 - Additional Design Services (Optional Task)

The City may elect to pursue additional services for the following scope items:

- Educational science center design
- Renewable energy design (solar, SHARC system)



- Fundraising
- Others, as requested.

If the City chooses to add any of these items, AP and the City will develop a detailed SOW and fee, and the City will authorize use of the task budget prior to beginning work.

FEE ESTIMATE

The estimated fee for the SOW outlined above is \$5,459,381. In addition to these final design and construction engineering services, services previously directed by the City will be added to the contract amendment including:

- \$250,388 Preliminary Design fee correction
- \$3,003 Additional Preliminary Design Scope #1 - Vector survey services
- \$20,893 Additional Preliminary Design Scope #2 - Adding S&B Inc., to the project team
- \$178,005 Additional Preliminary Design Scope #3 - Surveying and 30 percent design of interceptor pipe

Adding the four items above to the final design and construction engineering services SOW results in a total contact amendment of \$5,911,670. This work will be completed on a time and materials basis. This amount shall not be exceeded without notification to and approval from the City.



REDMOND WETLANDS COMPLEX

ENGINEERING SERVICES CONTRACT AMENDMENT

MAY 24, 2022



REDMOND WETLANDS COMPLEX

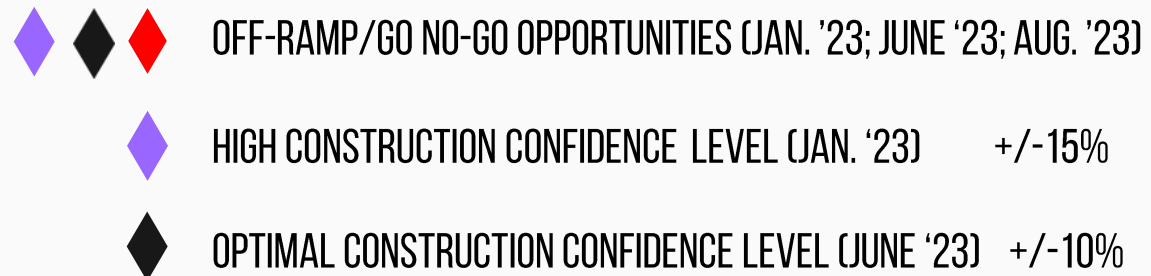
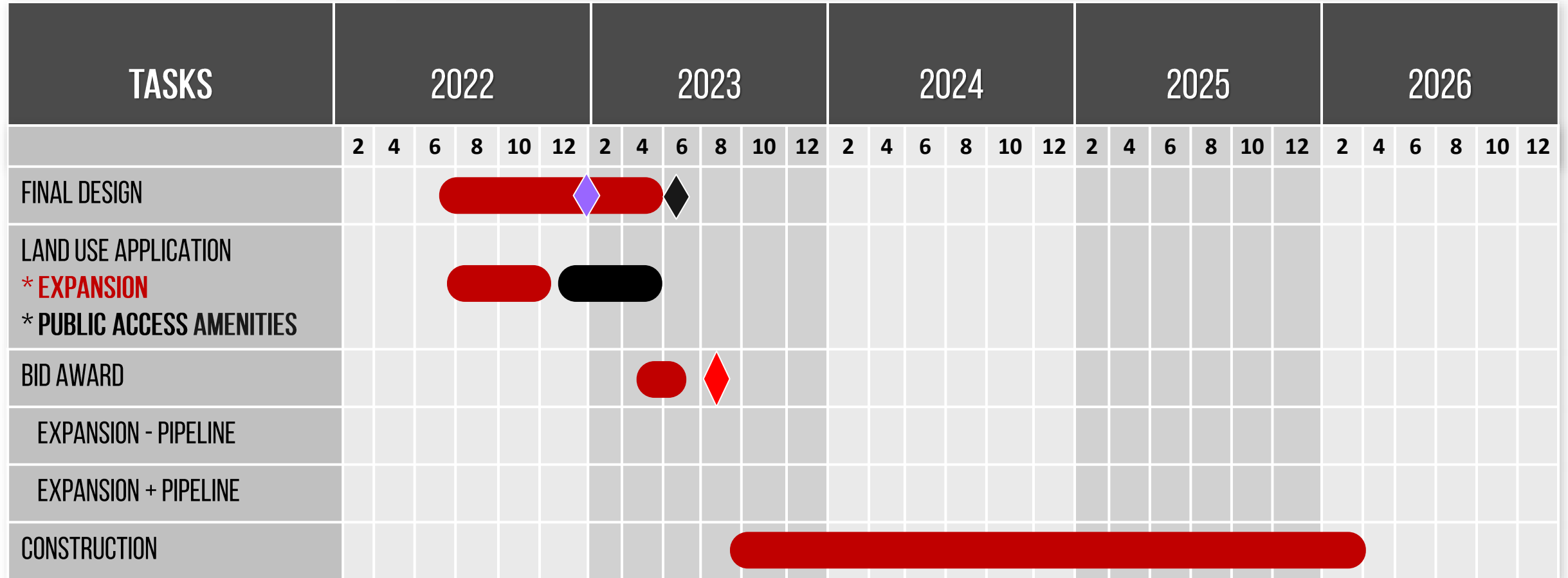
\$69.8
MILLION*

*FROM 22-23
APPROVED BUDGET





PLANT EXPANSION MILESTONES





QUESTIONS?





CONSTRUCTION CONFIDENCE CHART

PROJECT COST TIMELINE



SLIDE / 5

DESIGN CLASS OF COST ESTIMATE	LOW	MODERATE	HIGH	OPTIMAL
DESCRIPTION	Project is Conceptual Limited Technical Limited Analysis	Project Defined but Lacks Details Project Specifications Incomplete ≤30% Design Phase	Project Scope And Specifications Beyond 30% Complete Material Quantities have been Defined but Subject to Minor Changes	Project Scope, Drawings, Schedule, And Specifications Close to Complete Schedule and Site Conditions Understood Understanding of Materials and Quantities Close to Complete
PROJECT DEFINITION	0% to 2%	1% to 15%	30% to 60%	60% - 100%
VARIATION IN ESTIMATE TO COMPLETE PROJECT - \$	- 50% + 100%	- 15% + 20%	- 10% + 15%	-5% +10%
Treatment Plant Schedule (Year)	2020	2021/22	2023	2023

Council Comments

1. Fire season. While I understand the council's approach regarding July 4th I still believe that in the interest of community safety we should ban all fireworks in two or three areas: the dry canyon, airport property and possibly city parks. Those bans should be in place at least during the fire season. There is just too much risk in those particular areas.

2. Before I left for Europe and at the request of administration that I forward any budget recommendations, I did so. There were three :

A. Setting aside \$300,000 to work with the county and others on addressing homelessness. This does not require the money to be spent but puts in reserve.

B. Setting aside \$35,000 to modernize the interior of city hall so our message to the community is one of white only, male superiority or being stuck in the distant past

C. Setting aside monies to work with the historical society to commission an updated history of Redmond. I notice this year we did not even put the outdated one in the budget book.

I sent those to the Council thinking we were a "team" . I was not holding my breath on approval but I did think the Mayor and council would have the courtesy to at least put those forward.

3. I have been criticized for (1) forwarding these requests at Keith and Jason's suggestion (probably because it would not have been proper for them to do so) and (2) copying the council on an e mail to Beau Ellis. Neither of those invited any discussion or deliberation outside of a council meeting - in fact the e mail to Ellis was quite clear on that. While I appreciate and respect the opinion of Keith Leitz (I was in that position for 16 years) it is an opinion. I also appreciate Keith's broad approach on this issue but in these two instances I do not agree they are violative of the open meetings law.

About 14 months ago I spoke with Keith and Keith about a vehicle in which to pass information along. There is a need since we do not have a methodology during council meetings to just freely discuss items of interest or import that are not on the agenda. On Tuesday we again reviewed this after the meeting and perhaps the best solution is for each councilor to send these type of messages, information or communication through the city manager.