1. **LOGIN INFORMATION TO ATTEND VIA ZOOM**
   
   **Join Zoom Meeting**
   
   https://us02web.zoom.us/j/89193576148?pwd=eGh1VViCb3lDTXhrV2lPRzNNUWhZZz09
   
   Meeting ID: 891 9357 6148
   
   Passcode: 326239

   **Call in (no Internet)**
   
   253-215-8782
   
   Meeting ID: 891 9357 6148
   
   Passcode: 326239

2. **CALL TO ORDER**

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **CONSENT AGENDA:**
   
   (The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)

   A. **Approval of May 3, 2021 City Council Regular Session Agenda**

   B. **Approval of April 19, 2021 City Council Minutes.**
      
      □ City Council - Regular Session - 19 Apr 2021 Minutes DRAFT

6. **PUBLIC COMMENT:**
   
   We encourage those wishing to comment to do so in advance of the meeting by emailing comments to info@northplains.org. Comments will be read into the record. Persons wishing to speak on matters not on the agenda may be recognized at this time.

7. **RESOLUTIONS:**
   
   A. **Res. No. 2144 - Donation to NP Senior Center**
      
      □ Res. No. 2144 - Senior Plaza Donation Staff Report 05.3.21
      
      □ Res. No. 2144 - Senior Plaza Donation
B. **Res. No. 2145 - Awarding Contract for West Union Ped Path to Legacy Contracting**
   - Res. No. 2145 West Union Ped Path Staff Report 05.3.21
   - Res. No. 2145 - Awarding Contract to Legacy Contracting for West Union Ped Path with Exhibits

8. **NEW BUSINESS:**

9. **UNFINISHED BUSINESS:**

10. **REPORTS**
   A. **City Manager Report**
      - City Manager Staff Report w attachments 5.3.2021
      - 3J City Council Update 5.3.2021

   B. **Council Reports**

   C. **Review May 2021 Council Calendar**
      - 2021 May All Meetings
      - 2021 Calendar of NP City Meetings
      - 2021 Council Committee Appointments

   D. **Advice / Information Items**
      - Recology Public Hearing Notice

11. **ADJOURNMENT:**

****

North Plains City Council meetings are accessible for disabled individuals. The City will also endeavor to provide services for persons with impaired hearing or vision and other services, if requested, at least 48 hours prior to the meeting. To obtain services, please call City Hall at **(503) 647-5555**

****

The following City Council Meetings are scheduled to be held:
Via Zoom and/or at Jessie Mays Community Center - 30975 NW Hillcrest Street  North Plains, OR

The meetings will be held on the following dates at 7:00 p.m.:
Monday, May 17, 2021     Monday, June 7, 2021     Monday, June 21, 2021
MINUTES
City Council - Regular Session Meeting
Monday, April 19, 2021 VIA ZOOM 7:00 PM

COUNCIL MEMBERS: Mayor Teri Lenahan; Council President Russ Sheldon; Councilors: James Fage, Robert Kindel, Jr., Cameron Martinez, Trista Papen, Rickey Smith,

STAFF PRESENT: City Manager Andy Varner, Finance Director Bill Reid, Library Director Robin Doughty, Public Works Director Blake Boyles, Police Chief James Haxton, City Recorder Lori Lesmeister

OTHER:

1 LOGIN INFORMATION TO ATTEND VIA ZOOM

   Join Zoom Meeting
   https://us02web.zoom.us/j/87284289668?pwd=edmaFhLd0dVUp0VFdSbGFPZDFUT09
   Meeting ID: 872 8428 9668
   Passcode: 456427

   Call in (no internet)
   253-215-8782
   Meeting ID: 872 8428 9668
   Passcode: 456427

2 CALL TO ORDER at 7:01 pm

3 PLEDGE OF ALLEGIANCE

4 ROLL CALL
   a) All Councilors in attendance
      Councilors Fage and Martinez via Zoom

5 CONSENT AGENDA:
   (The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)
   a) Approval of April 19, 2021 City Council Regular Session Agenda
   b) Approval of April 5, 2021 City Council Minutes.
   c) Resolution No. 2143 - Appointing members to the North Plains Budget Committee
d) **Resolution No. 2139 - Appointing Councilor Trista Papen to the Washington County Community Development PAC, and appointing Councilor Robert Kindel as backup.**

e) **Proclamation Declaring the Week of May 2-8, 2021 as Municipal Clerk's Week**

**Motion to approve the Consent Agenda.** Moved by Councilor Sheldon. Second by Councilor Martinez. Motion was approved unanimously.

6 **PUBLIC COMMENT:**
We encourage those wishing to comment to do so in advance of the meeting by emailing comments to info@northplains.org. Comments will be read into the record.

Persons wishing to speak on matters not on the agenda may be recognized at this time.

a) City Recorder read into the minutes an email from resident Jecelyn Santana. Ms. Santana would like an umbrella on one of the picnic tables at LaMorrden Park and is willing to purchase and put up her own if necessary. The Public Works Director will contact Ms. Santana to speak with her about this.

7 **STAFF REPORTS**

a) **Library Director's Monthly Department Report**

Library Director Robin Doughty said that she hired a new part-time employee now that the library is back open to the public following state guidelines.

b) **Chief of Police Monthly Department Report**

Chief Haxton noted that there will be more crosswalk missions planned for the future. Chief Haxton also noted that because we are partnered with the Washington County Sheriff Office, North Plains is part of the Drug Recognition Program. Deputy Schutz is a Drug Recognition Expert (DRE). Chief Haxton said that this program is a very difficult one and it takes a lot to become a certified DRE, and he is proud that Deputy Schutz is certified.

Councilor Fage asked if it might be possible to park an unused North Plains Police car at a location on Glencoe Rd. near the crosswalk to help slow down traffic and deter people from not paying attention to the crosswalk signal. Chief Haxton said, yes, this is possible, and that it is most effective when done sporadically throughout the year. Fage also asked about the possibility of getting a 'hot spot' map of where crimes are happening in North Plains. Chief Haxton said he will look into that possibility.

Councilor Papen asked about revenue from traffic stops that happen outside of the city limits but are done by a North Plains deputy and vice-versa. Chief Haxton is not sure how those funds are handled but will look into it.

Mayor Lenahan asked Chief Haxton has heard if National Night Out will be able to be held this August, or any other community events for the summer, for that matter. Chief Haxton has not heard anything yet, but he will ask about it and get Council know.

c) **Public Works Director's Monthly Department Report**
Councilor Sheldon said he would like the city to make sure that the street trees that are planted in the Brynhill Development will not be a kind that cause sidewalk issues in future years. Public Works Director Blake Boyles said they are working on new Public Works Standards and wants to include using root barriers for street trees which will cause the roots to grown down rather than up and out causing sidewalk damage.

Councilor Papen asked what the protocol is when the city sends out letters to residents regarding repairing/replacing their damaged/unsafe sidewalks. She wonders what happens if a resident receives one of those letters but does not have the means/funds to make repairs due to job loss from the pandemic, etc. Boyles said that the city's attorney is guiding him on the process and steps that are being taken and that there are options available in those situations should they come up. Boyles noted that sidewalks are the responsibility of the homeowners, regardless of when the sidewalks were put in.

Brief discussion ensued.

Councilor Fage then asked Boyles for an update on the net at the tennis court at Jessie Mays. Boyles said that he had purchased a ‘temporary’ net that he had hoped would last until the courts are replaced as part of the revamp of the courts and park area at Jessie Mays, but that net was vandalized almost immediately. He has ordered a new, stronger net that is vandal-proof and it should be installed within a week.

d) **Finance Director’s Monthly Department Report**

Finance Director Bill Reid said that he will be bringing a supplemental budget before Council in May. The City has received a couple of rounds of funding due to the Covid-19 Pandemic and it will need to be addressed through a supplemental budget.

e) **Land use applications for the previous month**

8 **RESOLUTIONS:**

a) **Resolution No. 21-41 - Agreement with Northwest Earthmovers for Watermain Extension on Commercial Ave and Related Right-of-Way Restoration**

Questions and discussion ensued.

Councilor Sheldon asked Public Works Director Boyles if there was an estimate from the city’s engineers for the work. Boyles said yes, they looked it over and felt it was a good price. It is saving the city some money by having NW Earthmovers do the project since they are already working in the Brynhill area.

Mayor Lenahan asked if because Gordon Road is a county road does that mean it will be the county's issue if problems come up. Boyles said that the county has issues permits and will be keeping an eye on the work being done and he is confident that the project will be successful.

Councilor Papen noted that the bid in the packet was from February 2021 and it says it is only good for 30 days, so should we be concerned that maybe prices have gone up since it is past the 30 day mark for the bid. City Manager Varner said the bid is a certainty, there are no concerns.
Move to adopt Resolution No. 2141 approving an agreement with NW Earthmovers for the watermain extension on Commercial Avenue and related right-of-way restoration in an amount not to exceed $120,000. Moved by Councilor Sheldon. Second by Councilor Papen. Motion was approved unanimously.

b) **Resolution No. 2142 - Authorizing Full Faith and Credit Financing (FFC)**

City Manager Varner said that this money is for projects scheduled with funds from the Fuel Tax. The loan will be in the amount of $6,000,000.

Mayor Lenahan had several questions. Mayor Lenahan asked who the underwriter is. Finance Varner said he does not know that information at this time. Mayor Lenahan also asked if it is an Institutional, Primary, or Secondary bond. Reid said it is not large enough for institutional consideration, it will be either primary or secondary. Lenahan asked if there will be a 'callable' feature on the bond. Reid said yes, as it would benefit the city to pay it down early to save money on interest over time.

Discussion ensued.

Mayor Lenahan asked if we will get a locked in rate. Reid said yes we will. Lenahan then asked about the Bond Rating. Reid said that they have not had that discussion yet.

Move to adopt Resolution No. 2142 authorizing Full Faith and Credit Financing Moved by Councilor Sheldon. Second by Councilor Kindel. Motion was approved unanimously.

9 **NEW BUSINESS:** None

10 **UNFINISHED BUSINESS:** None

11 **REPORTS**

a) **City Manager Report**

City Manager Varner said there will not be a Work Session on May 3, 2021. There will be a UGB Public Meeting on May 17, 2021 at 6:00 pm, before the regular City Council meeting.

b) **Council Reports**

Councilor Fage reported that he attended (virtually) the April 12, 2021 Parks & Rec Board meeting. Pacific Community Design (PCD) was showing first drafts of their plans for the parks in Phase 2 and Phase 3 of the Brynhill Subdivision. Fage said the plans included a large chessboard with large chess pieces in one of the parks and was told that most likely the Home Owners Association would be responsible for those pieces. Fage has concerns that those pieces would disappear and said he feels that are better options for the space. PDC will be coming back to the Parks & Rec Board at their May meeting with updated plans based on the feedback they received from the board members at the meeting.

Councilor Sheldon said he will not be able to attend the May 3, 2021 Council meeting as he will be out of town.
c) **Review May 2021 Council Calendar**

12 **ADJOURNMENT: 8:33 pm**

__________________________________________
Teri Lenahan, Mayor

____________________________________________
Lori Lesmeister, City Recorder                  Date Approved ____________________________

DRAFT
Date: May 3, 2021
To: Mayor and City Council
From: City Manager Andy Varner
Subject: Resolution 2144: Authorizing a Donation to the North Plains Senior Plaza

Request: Adopt Resolution 2144 to Authorize a Donation to the North Plains Senior Plaza

Background: The North Plains Senior Plaza is a certified tax-exempt organization in Washington County. In the years 2016-17 the Plaza ended up paying property taxes of approximately $4,000, in error. In an April 2017 City Council meeting, a Plaza representative approached the Council with a donation request in that amount to make up for that payment. The same representative recently came to the City again to revisit that request, and it would help pay for a recent elevator installation at the Plaza building. Staff tried to help make a case for that donation to be an eligible CARES Act expenditure, but there was no legal pathway to do that according to the Treasury’s guidance.

Goal Association: None applicable.

Fiscal Impact: The resolution authorizes the City Council to make a one-time $4,000 donation to the Senior Plaza coming from the General Fund Contingency line item, currently budgeted at $100,000 with no expenditures thus far in the fiscal year.

Recommendation: Adopt Resolution 2144: Authorizing a Donation to the North Plains Senior Plaza

Sample Motion: I move to adopt Resolution 2144 to Authorize a Donation to the North Plains Senior Plaza

Attachments: Resolution 2144
            April 3, 2017 City Council meeting minutes
RESOLUTION NUMBER 2144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON, ALLOCATING A DONATION IN THE AMOUNT OF $4,000 MADE TO THE NORTH PLAINS SENIOR PLAZA

WHEREAS, the North Plains Senior Plaza paid $4,060 in property taxes in the years 2016 and 2017 combined; and

WHEREAS, the North Plains Senior Plaza had been designated as tax exempt from property taxes, but paid those two years in error; and

WHEREAS, the North Plains City Council agreed to make a one-time donation to the North Plains Senior Plaza at their April 3, 2017 City Council meeting as a way to reimburse the Plaza for the property taxes they paid in error for 2016 and 2017; and

WHEREAS, the North Plains Senior Plaza recently requested that donation again to assist with the payment of a capital improvement to the building.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON, AS FOLLOWS:

Section 1. A one-time donation in the amount of $4,000 will be made to the North Plains Senior Plaza.

Section 2. This Resolution shall become effective immediately upon adoption by the City Council.

CITY OF NORTH PLAINS, OREGON

_____________________________________
Teri Lenahan, Mayor

ATTEST:

_____________________________________
Lori Lesmeister, City Recorder

Resolution No: 2144
Donation to Senior Plaza in the amount of $4,000
Adopted: May 3, 2021
Date: May 3, 2021
To: Mayor and City Council
From: City Manager Andy Varner
Subject: Resolution 2145: Authorizing a Service Agreement with Legacy Contracting to Construct the West Union Pedestrian Path

Request: Adopt Resolution 2145 to Authorize a Service Agreement with Legacy Contracting to Construct the West Union Pedestrian Path

Background: The top two transportation improvement projects adopted by Council as part of the Transportation Bond are the West Union Pedestrian Path and Glencoe/West Union Intersection. The City advertised the project in late March and bids were due on April 20, with three bids received. Legacy Contracting was the low bidder, and after consultation with the company on some of their bid items and timelines, the City Engineer issued the Letter of Intent to Award on April 23.

The work consists of three schedules:
1. Schedule A installs the boardwalk and bridge from Glencoe/West Union intersection west to the McKay Fields subdivision (see image);
2. Schedule D installs an 8’ wide asphalt path from McKay Fields to Sunset Ridge; and
3. Schedule E installs pedestrian improvements to the Glencoe/West Union intersection, including sidewalk, striping, and ADA improvements.

There will be lighting along the entire length of the path, provided by Washington County. The project is fully permitted by both the County and CWS. As per the bid specifications, the deadline for completion is August 27, 2021, just under two weeks before the start of the Fall 2021 school year.

Staff recommends approval of Resolution 2145.

Goal Association: This project relates to Improving + Expanding Community Facilities to accommodate the service level expectations of a growing community.

Fiscal Impact: The combined bid for the three schedules is $1,368,771.50. This will be the contract amount. Staff recommends adding in a 9.5% buffer contingency for materials or unanticipated issues throughout the project. The resolution therefore authorizes an additional $131,228.50 for a total Not to Exceed of $1,500,000. Funding for this project comes from the Transportation Bond Fund.
**Recommendation:**  Adopt Resolution 2145: Authorizing a Service Agreement with Legacy Contracting to Construct the West Union Pedestrian Path

**Sample Motion:**  I move to adopt Resolution 2145 to Authorize a Service Agreement with Legacy Contracting to Construct the West Union Pedestrian Path

**Attachments:**
- Resolution 2145
- Legacy Contracting Bid Proposal
- Agreement with Legacy Contracting
- Letter of Intent to Award

*View of the bridge, looking NE from Kemmer Meadows area*
RESOLUTION NO. 2145

A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO LEGACY CONTRACTING, INC. FOR PEDESTRIAN IMPROVEMENTS TO WEST UNION ROAD (SCHEDULE A), FROM MCKAY FIELDS TO SUNSET RIDGE (SCHEDULE D), AND TO THE INTERSECTION OF WEST UNION AND GLENCOE ROADS (SCHEDULE E) AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

WHEREAS, the City of North Plains (“City”) solicited bids for construction of needed pedestrian improvements to West Union Road (as provided in “Schedule A” of the Bid Documents), and from McKay Fields to Sunset Ridge (as provided in “Schedule D” of the Bid Documents), and the intersection of West Union and Glencoe Road (as provided in “Schedule E” of the Bid Documents);

WHEREAS, Legacy Contracting, Inc. (“Contractor”) prepared and submitted a responsive bid to the City; and

WHEREAS, the Bid Documents included a draft agreement available for review prior to submission of bids (the “Draft Contract”); and

WHEREAS, Contractor’s bid was the lowest responsive bid received by the City; and

WHEREAS, the City duly issued a Notice of Intent to Award the contract to Contractor, pursuant to all applicable laws and regulations and consistent with the Project bid documents; and

WHEREAS, no protests to the City’s Notice of Intent to Award were filed with the City;

NOW, THEREFORE, THE CITY OF NORTH PLAINS RESOLVES AS FOLLOWS:

Section 1. The City hereby awards the contract for the work included in Schedule A, Schedule D, and in Schedule E of the Bid Document to Contractor, and authorizes an additional $131,228.50 in construction contingency funds.

Section 2. The City Manager is hereby authorized to execute an agreement on behalf of the City substantially in the form of the Draft Contract for the improvements as provided in Schedule A, Schedule D, and in Schedule E of the Bid Documents.

Resolution No. 2145
Awarding Contract to Legacy Contracting for West Union Ped Path
Adopted May 3, 2021
Page 1 of 2
Section 3. This Resolution is and shall be effective from and after its enactment by the City Council.

INTRODUCED AND ADOPTED this 3rd day of May, 2021.

CITY OF NORTH PLAINS, OREGON

________________________________________
Teri Lenahan, Mayor

ATTEST:

________________________________________
Lori Lesmeister, City Recorder
ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:
City of North Plains
31360 NW Commercial Street
North Plains, OR 97133

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for forty-five (45) days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<table>
<thead>
<tr>
<th>Addendum No.</th>
<th>Addendum, Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>04/02/2021</td>
</tr>
<tr>
<td>02</td>
<td>04/07/2021</td>
</tr>
<tr>
<td>03</td>
<td>04/15/2021</td>
</tr>
</tbody>
</table>

B. Bidder is a resident Bidder in the State of Oregon as defined in ORS 279A.120.

(Check the Appropriate Box)

☑ YES
☐ NO
C. Bidder is registered with the Oregon Construction Contractors Board.
   (Check the Appropriate Box and provide license number)
   ☑ YES State Contractor License No. 185342
   ☐ NO

D. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site
   and adjacent areas, and become familiar with and satisfied itself as to the general,
   local, and Site conditions that may affect cost, progress, and performance of the Work.

E. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may
   affect cost, progress, and performance of the Work.

F. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface
   conditions at or adjacent to the Site and all drawings of physical conditions relating to
   existing surface or subsurface structures at the Site that have been identified in the
   Supplementary Conditions, especially with respect to Technical Data in such reports
   and drawings, and (2) reports and drawings relating to Hazardous Environmental
   Conditions, if any, at or adjacent to the Site that have been identified in the
   Supplementary Conditions, especially with respect to Technical Data in such reports
   and drawings.

G. Bidder has considered the information known to Bidder itself; information commonly
   known to contractors doing business in the locality of the Site; information and
   observations obtained from visits to the Site; the Bidding Documents; and any Site-
   related reports and drawings identified in the Bidding Documents, with respect to the
   effect of such information, observations, and documents on (1) the cost, progress, and
   performance of the Work; (2) the means, methods, techniques, sequences, and
   procedures of construction to be employed by Bidder; and (3) Bidder's safety
   precautions and programs.

H. Bidder agrees, based on the information and observations referred to in the preceding
   paragraph, that no further examinations, investigations, explorations, tests, studies,
   or data are necessary for the determination of this Bid for performance of the Work
   at the price bid and within the times required, and in accordance with the other terms
   and conditions of the Bidding Documents.

I. Bidder is aware of the general nature of work to be performed by Owner and others
   at the Site that relates to the Work as indicated in the Bidding Documents.

J. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or
   discrepancies that Bidder has discovered in the Bidding Documents and confirms that
   the written resolution thereof by Engineer is acceptable to Bidder.

K. The Bidding Documents are generally sufficient to indicate and convey understanding
   of all terms and conditions for the performance and furnishing of the Work.
L. Bidder agrees to be bound by and will comply with and further agrees that the provisions required by ORS 279C.800 through 279C.870 and 40 U.S.C. 276(a) pertaining to prevailing wage rates, as applicable, shall be included in this contract.

M. Bidder agrees that a completed First-Tier Subcontractor Disclosure Form is either included with this bid submission or will be provided within the time frame prescribed in these Bidding Documents. Bidder agrees that substitution of First-Tier Subcontractors will only be made in accordance with the provisions of ORS 279C.585.

N. Bidder agrees that if awarded the contract, Bidder will commence the Work within ten (10) calendar days after the date of receipt of written Notice to Proceed, and that Bidder will complete the Work within the time limits specified in the Agreement.

O. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER’S CERTIFICATION

4.01 Bidder certifies that:

A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

E. Bidder will not discriminate against minority, women or emerging small business enterprises in obtaining any subcontracts for this Work.
### ARTICLE 5 – BASIS OF BID

5.01  Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Unit</th>
<th>Estimated Quantity</th>
<th>Bid Unit Price</th>
<th>Bid Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Mobilization, Bonds, Insurance and Demobilization</td>
<td>LS</td>
<td>1</td>
<td>$41,485.00</td>
<td>$41,485.00</td>
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<td>A2</td>
<td>Erosion and Sediment Control</td>
<td>LS</td>
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<td>$23,333.00</td>
<td>$23,333.00</td>
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<td>A3</td>
<td>Traffic Control</td>
<td>LS</td>
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<td>A4</td>
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<tr>
<td>A6</td>
<td>Seeding</td>
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<td>$3,400.00</td>
<td>$3,400.00</td>
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<tr>
<td>A7</td>
<td>Saw Cutting Existing Surface</td>
<td>LF</td>
<td>6</td>
<td>$330.00</td>
<td>$330.00</td>
</tr>
<tr>
<td>A8</td>
<td>Concrete Sidewalk</td>
<td>SF</td>
<td>2983</td>
<td>$13.50</td>
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<tr>
<td>A9</td>
<td>Handrail</td>
<td>LF</td>
<td>556</td>
<td>$71.724.00</td>
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<td>A10</td>
<td>Modular Block Wall</td>
<td>SF</td>
<td>622</td>
<td>$32,960.00</td>
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<tr>
<td>A11</td>
<td>Elevated Boardwalk</td>
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<td>Pedestrian Bridge Placement</td>
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<tr>
<td>A13</td>
<td>Pedestrian Bridge Footings and Pilings</td>
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<td>$108,235.00</td>
<td>$108,235.00</td>
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<td>A14</td>
<td>Schedule A Vegetated Corridor Enhancement, Mitigation and Temporary Impact Landscaping</td>
<td>LS</td>
<td>1</td>
<td>$115,635.00</td>
<td>$115,635.00</td>
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**Total of SCHEDULE A Bid Prices $842,380.50**
### SCHEDULE D - McKay Fields to Sunset Ridge Pedestrian Improvements

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Unit</th>
<th>Estimated Quantity</th>
<th>Bid Unit Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1</td>
<td>Mobilization, Bonds, Insurance and Demobilization</td>
<td>LS</td>
<td>1</td>
<td>21,800.00</td>
</tr>
<tr>
<td>D2</td>
<td>Erosion and Sediment Control</td>
<td>LS</td>
<td>1</td>
<td>39,255.00</td>
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<td>D3</td>
<td>Traffic Control</td>
<td>LS</td>
<td>1</td>
<td>47,855.00</td>
</tr>
<tr>
<td>D4</td>
<td>Survey and Staking</td>
<td>LS</td>
<td>1</td>
<td>8,300.00</td>
</tr>
<tr>
<td>D5</td>
<td>Project Grading</td>
<td>LS</td>
<td>1</td>
<td>135,955.00</td>
</tr>
<tr>
<td>D6</td>
<td>Seeding</td>
<td>LS</td>
<td>1</td>
<td>6,800.00</td>
</tr>
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<td>D7</td>
<td>Saw Cutting Existing Surface</td>
<td>LF</td>
<td>47</td>
<td>12.50</td>
</tr>
<tr>
<td>D8</td>
<td>Asphaltec Concrete Sidewalk</td>
<td>SY</td>
<td>1716</td>
<td>687.50</td>
</tr>
<tr>
<td>D9</td>
<td>Asphaltec Concrete Driveways</td>
<td>SY</td>
<td>231</td>
<td>11,088.00</td>
</tr>
<tr>
<td>D10</td>
<td>Modular Block Wall</td>
<td>SF</td>
<td>837</td>
<td>54,905.00</td>
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<tr>
<td>D11</td>
<td>4&quot; Drain Pipe</td>
<td>LF</td>
<td>6</td>
<td>780.00</td>
</tr>
<tr>
<td>D12</td>
<td>12&quot; Drain Pipe</td>
<td>LF</td>
<td>394</td>
<td>611,070.00</td>
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Total of SCHEDULE D Bid Prices: $441,523.50

### SCHEDULE E - West Union and Glencoe Intersection

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Unit</th>
<th>Estimated Quantity</th>
<th>Bid Unit Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>E1</td>
<td>Mobilization, Bonds, Insurance and Demobilization</td>
<td>LS</td>
<td>1</td>
<td>4,000.00</td>
</tr>
<tr>
<td>E2</td>
<td>Erosion and Sediment Control</td>
<td>LS</td>
<td>1</td>
<td>3,510.00</td>
</tr>
<tr>
<td>E3</td>
<td>Inlet Protection, Type 5</td>
<td>EA</td>
<td>5</td>
<td>700.00</td>
</tr>
<tr>
<td>E4</td>
<td>Traffic Control</td>
<td>LS</td>
<td>1</td>
<td>28,235.00</td>
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<td>E5</td>
<td>Survey and Staking</td>
<td>LS</td>
<td>1</td>
<td>2,800.00</td>
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<tr>
<td>E6</td>
<td>Project Grading</td>
<td>LS</td>
<td>1</td>
<td>8,100.00</td>
</tr>
<tr>
<td>E8</td>
<td>Saw Cutting Existing Surface</td>
<td>LF</td>
<td>220</td>
<td>1,540.00</td>
</tr>
<tr>
<td>E9</td>
<td>Removal of Sidewalk</td>
<td>SY</td>
<td>30</td>
<td>9,300.00</td>
</tr>
</tbody>
</table>

Addendum No. 3

Bid Proposal
00 41 43 - 5
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>E10</td>
<td>Removal of Curbs</td>
<td>LF</td>
<td>100</td>
<td>$14.50</td>
<td>$1,450.00</td>
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<td>E11</td>
<td>Stripe Removal</td>
<td>LF</td>
<td>70</td>
<td>$4.25</td>
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<td>E12</td>
<td>Extra for New Curb Ramps</td>
<td>EA</td>
<td>6</td>
<td>$775.00</td>
<td>$4,650.00</td>
</tr>
<tr>
<td>E13</td>
<td>Concrete Sidewalk</td>
<td>SF</td>
<td>520</td>
<td>$23.50</td>
<td>$12,220.00</td>
</tr>
<tr>
<td>E14</td>
<td>Truncated Domes on New Surfaces</td>
<td>SF</td>
<td>70</td>
<td>$46.00</td>
<td>$3,220.00</td>
</tr>
<tr>
<td>E15</td>
<td>Level 3, 1/2&quot; ACP Mixture</td>
<td>TON</td>
<td>1</td>
<td>$390.00</td>
<td>$390.00</td>
</tr>
<tr>
<td>E16</td>
<td>Level 3, 3/4&quot; ACP Mixture</td>
<td>TON</td>
<td>3</td>
<td>$865.00</td>
<td>$2,605.00</td>
</tr>
<tr>
<td>E17</td>
<td>Aggregate Base</td>
<td>TON</td>
<td>10</td>
<td>$18.00</td>
<td>$180.00</td>
</tr>
<tr>
<td>E18</td>
<td>Pavement Bar, Type A</td>
<td>SF</td>
<td>230</td>
<td>$13.50</td>
<td>$3,105.00</td>
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<td>E19</td>
<td>Relocate Modular Block Wall</td>
<td>LS</td>
<td>1</td>
<td>$1,950.00</td>
<td>$1,950.00</td>
</tr>
<tr>
<td>E20</td>
<td>Remove and Reinstall Existing Signs</td>
<td>LS</td>
<td>1</td>
<td>$2,200.00</td>
<td>$2,200.00</td>
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<td>E21</td>
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</tr>
<tr>
<td></td>
<td><strong>Total of SCHEDULE E Bid Prices</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$81,897.50</strong></td>
</tr>
</tbody>
</table>

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents. Successful Bidder will be selected based on Total for Schedules A, D and E.

Total of Lump Sum and Unit Price Bids for Schedules A, D and E = Total Bid Price

\[ \$1,368,171.50 \]

**ARTICLE 6 – TIME OF COMPLETION**

6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

6.03 Attachments to this Bid

Addendum No. 3 Bid Proposal

00 41 43 - 6
6.04 The following documents are submitted with and made a condition of this Bid:
   A. Required Bid security;
   B. Required Bidder Qualification Statement with supporting data; and

ARTICLE 7 – DEFINED TERMS

7.01 The terms used in this Bid with initial capital letters have the meanings stated in the
   Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 8 – BID SUBMITTAL

BIDDER: [Indicate correct name of bidding entity]

Legacy Contracting Inc.

By: ________________________________
[Signature]

[Printed name] Jeff Howell - President

[If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.]

Attest: ________________________________
[Signature]

[Printed name] Todd Ross

Title: Vice President

Submittal Date: 04/20/2021

Address for giving notices:

41850 Kingston-Jordan Rd.
Stayton, OR 97383

Telephone Number: (503) 749-1818

Fax Number: (888) 249-2203

Contact Name and e-mail address: Jeff Howell

bids@legacycontractinginc.com

Bidder’s License No.: 185342

(where applicable)
SECTION 00 43 13 - BID BOND
FOR
WEST UNION PEDESTRIAN IMPROVEMENTS
FOR
CITY OF NORTH PLAINS

KNOW ALL PEOPLE BY THESE PRESENTS:

That we, Legacy Contracting, Inc., hereinafter called
(Name of Contractor)
the PRINCIPAL, as Principal, and Fidelity and Deposit Company of Maryland
(Name of Surety)
a corporation and existing under and by virtue of the laws of the State of Illinois
and authorized to transact a surety business in the State of Oregon, hereinafter called the
SURETY, as Surety, are held and firmly bound unto Owner, CITY OF NORTH PLAINS,
a Municipal Corporation of the State of Oregon, hereinafter called the OBLIGEE, in the
penal sum of Five Percent of Total Amount Bid Dollars
($5% ) for the payment of which sum well and truly to be made, the said PRINCIPAL
and the said SURETY bind ourselves, our heirs, executors, administrators, successors, and assigns,
jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT:

WHEREAS the PRINCIPAL has submitted a Bid Proposal for WEST UNION PEDESTRIAN
IMPROVEMENTS

NOW, THEREFORE, if the Bid Proposal submitted by the PRINCIPAL is accepted, and the Contract
awarded to the PRINCIPAL, and if the PRINCIPAL shall execute the proposed Agreement and shall
furnish such Performance and Payment Bonds as required by the Contract Documents within the
time fixed by the Documents, then this obligation shall be void; if the PRINCIPAL shall fail to
execute the proposed Agreement and furnish the bonds, the SURETY hereby agrees to pay to the
OBLIGEE the penal sum as liquidated damages, within ten (10) days of such failure.

Signed and sealed this 16th day of April, 2021

CONTRACTOR AS PRINCIPAL:

(Corp. Seal)

Company: Legacy Contracting, Inc.
Signature: Jeff Howell
Name: President

SURETY:

(Corp. Seal)

Company: Fidelity and Deposit Company of Maryland
Signature: Ty Moffett
Name: Attorney-in-Fact

(Attach Power of Attorney)
THIS AGREEMENT is by and between the City of North Plains, Oregon (“Owner”) and ________________________________ (“Contractor”).

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The work consists of approximately 2,041 linear feet of asphalt sidewalk, approximately 250 linear feet of concrete sidewalk, driveway approaches, bridge footings/pilings and abutments, an owner supplied 10 foot wide by 175 foot long steel pedestrian bridge including delivery and setting, site grading, site restoration, environmental planting, and a composite wood and fiberglass decked boardwalk approximately 940 linear feet long. The boardwalk will be supported by Diamond Pier style footings.

THE PROJECT

1.02 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: West Union Pedestrian Improvements.

ARTICLE 2 – ENGINEER

2.01 The part of the Project that pertains to the Work has been designed by Murraysmith.

2.02 The Owner has retained 3J Consulting, Inc. to act as Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 3 – CONTRACT TIMES

3.01 Time of the Essence

A. All time limits for Milestones, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.
3.02 **Contract Times: Dates (Milestones)**

   A. **Work within all areas subject** shall be fully completed and ready for final payment in accordance with Article 15, Paragraph 15.06 of the Standard General Conditions on or before **AUGUST 27, 2021**.

3.03 **Liquidated Damages**

   A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 3.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 3.02 above, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):

   1. **Substantial Completion**: Contractor shall pay Owner $1,000 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified in Paragraph 3.02 above for Substantial Completion until the Work is substantially complete.

   2. **Completion of Remaining Work**: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner $2,000 for each day that expires after such time until the Work is completed and ready for final payment.

   3. **Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.**

   4. **Milestones**: Contractor shall pay Owner $1,000 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified in 3.02 above for achievement of each Milestone until that Milestone is achieved.

**ARTICLE 4 – CONTRACT PRICE**

4.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:

   A. For all Work, at the prices stated in Contractor’s Bid, attached hereto as an exhibit.

**ARTICLE 5 – PAYMENT PROCEDURES**

5.01 **Submittal and Processing of Payments**

   A. Contractor shall submit Applications for Payment in accordance with Article 15 of the Standard General Conditions. Applications for Payment will be processed by Engineer as provided in the Standard General Conditions.
5.02 **Progress Payments; Retainage**

A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor’s Applications for Payment monthly during performance of the Work as provided in Paragraph 5.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the Standard General Conditions for Lump Sum Work and based on the number of units completed for Unit Price Work or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract:
   
a. 95% percent of Work completed (with the balance being retainage); and
   
b. 90% percent of cost of materials and equipment not incorporated in the Work but delivered, suitably stored and accompanied by documentation satisfactory to OWNER as provided in Article 15, Paragraph 15.01 of the Standard General Conditions (with the balance being retainage).

B. If the project is subject to state or federal prevailing rates of wages, the retained amount shall be increased to 25% of Work completed until Contractor has filed with Owner certified statements as required by ORS 279C.845. Owner will pay the excess amount retained under this requirement within fourteen (14) days after CONTRACTOR files with OWNER said certified statements.

C. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 100 percent of the Work completed, less such amounts set off by Owner pursuant to Article 15, Paragraph 15.01.E of the Standard General Conditions, and less 200 percent of Engineer’s estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

5.03 **Final Payment**

A. Upon final completion and acceptance of the Work in accordance with Article 15, Paragraph 15.06 of the Standard General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Article 15, Paragraph 15.06.

**ARTICLE 6 – INTEREST**

6.01 All amounts not paid when due shall bear interest pursuant to ORS 279C.570.
ARTICLE 7 – CONTRACTOR’S REPRESENTATIONS

7.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:

A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.

B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; the easements related to the Site and their respective provisions including but not limited to scope and durations; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (3) Contractor’s safety precautions and programs.

F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.

G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.

H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

J. Contractor’s entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 8 – CONTRACT DOCUMENTS

8.01 Contents
A. The Contract Documents consist of the following:
   1. This Agreement (pages 1 to x, inclusive).
   2. Performance bond (pages 1 to x, inclusive).
   3. Payment bond (pages 1 to x, inclusive).
   4. Standard General Conditions (pages 1 to xx, inclusive).
   5. Supplementary Conditions (pages 1 to xx, inclusive).
   7. Drawings listed on the attached sheet index.
   8. Addenda (numbers 1 to x, inclusive).
   9. Exhibits to this Agreement (enumerated as follows):
      a. Contractor’s Bid (pages 1 to x, inclusive).
      b. Notice to Proceed.
      c. Work Change Directives.
      d. Change Orders.
      e. Field Orders.
B. The documents listed in Paragraph 8.01.A are attached to this Agreement (except as expressly noted otherwise above).
C. There are no Contract Documents other than those listed above in this Article 8.
D. The Contract Documents may only be amended, modified, or supplemented as provided in the Standard General Conditions.
ARTICLE 9 – MISCELLANEOUS

9.01 **Terms**
A. Terms used in this Agreement will have the meanings stated in the Standard General Conditions and the Supplementary Conditions.

9.02 **Assignment of Contract**
A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

9.03 **Successors and Assigns**
A. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

9.04 **Severability**
A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

9.05 **Contractor’s Certifications**
A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 9.05:

1. “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;

2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and

4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

9.06 *Entire Agreement*

A. The Contract Documents represent the entire agreement of the parties with respect to the subject matter hereof and supersede and replaces all prior and contemporaneous oral and written agreements with respect to such subject matter. No amendment, modification or variation of the terms and conditions of the Contract Documents shall be valid unless it is in writing and signed by all parties hereto.

9.07 *Governing Law, Jurisdiction and Venue*

A. The parties acknowledge that the Contract Documents have been negotiated and entered into in the State of Oregon. The parties expressly agree that the Contract Documents shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Oregon. Venue and jurisdiction for any action at law or in equity relating to this Agreement shall lie exclusively in the Circuit Court of the State of Oregon for Washington County, and not in any other state or federal court that may have concurrent jurisdiction.

9.08 *Attorney Fees*

A. In the event action is instituted to enforce any term of the Contract Documents, the prevailing party shall recover from the losing party reasonable attorney’s fees incurred in such action as set by the Trial Court and, in the event of an appeal, as set by the Appellate Court.
IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on ________________ (which is the Effective Date of the Contract).

OWNER:  CONTRACTOR:

City of North Plains, Oregon

By:  By:  

Title:  Title:  

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:  Attest:  

Title:  Title:  

Address for giving notices:  Address for giving notices:  

License No.:  

(Where applicable)

NOTE TO USER: Use in those states or other jurisdictions where applicable or required.
April 23, 2021

NOTICE OF INTENT TO AWARD

West Union Pedestrian Path Improvements
Bid Number 2021.0420
Project Number: 20590

Dear Bidder(s),

This letter will serve as the official Notice of Intent to Award the contract for construction services to Legacy Contracting, Inc. after review of all materials required by the Project Documents.

Thank you all for your time in bidding this project and we look forward to future opportunities.

Sincerely,

John Howorth, PE
City of North Plains
Contract City Engineer

copy: File
Date: May 3, 2021
To: Honorable Mayor and City Council
From: Andy Varner, City Manager
Subject: City Manager Staff Report

Plans/Projects/Programs

- Washington County is currently in the “High Risk” COVID category, and as of this writing was perilously close to the Extreme Category. We are constantly monitoring the latest guidance and factoring that into opening/re-opening decisions affecting the library, city hall, and public meetings.

- We are still awaiting details on the American Rescue Plan Act (ARPA). As discussed at the Budget Committee meetings, staff would like to gather more information and meet with Council on a thoughtful spending plan for these dollars to make North Plains resilient and stronger coming out of the recession.

- Staff and the City Engineer are wrapping up our draft Capital Improvement Project (CIP) list, and should be ready for Council review and adoption in June. I also submitted four capital projects to our OR legislative delegation last week for funding consideration, and staff and the Mayor worked on submitted eligible ARPA water projects to US Senator Merkley’s office.

- The North Plains Parks Foundation submitted a large grant request to Kubota for funding assistance with the Jessie Mays Park rehabilitation. City staff assisted with this application, but I want to send a big Thank You to the Foundation for their hard work and diligence for this opportunity. I think there will be more to come from this group.

- The Annual Clean-Up Day is coming up this Saturday, May 8 at St Edwards Church.

- Public works staff is planning a Public Works Day on May 19 at Jessie Mays Park. The event is part of the national Public Works Week and will be aimed at kids and families to showcase PW equipment, projects, and some brief demonstrations.

- Work is starting to wrap up the Phase I UGB study, including recent meetings with the County and surrounding jurisdictions (Hillsboro specifically) on particular planning and transportation management issues. We are lining up a third and final PAC meeting for May 6, followed by a public meeting prior to the May 17 Council meeting. The flyer from that meeting is attached to this report. The Phase I report will be wrapped up later in May. We have a newsletter article queued up for June regarding the UGB progress to date.

- 3J’s monthly progress report follows for recent engineering and planning projects.

- I have attached the communications program tool-kit explainer and style guide at the end of this report.
Urban Renewal Agency

- We have the results of the Phase II environmental analysis for the Glencoe Opportunity Area (GOA), and there were no new red flags raised or areas of concern that we did not already know (or suspect) from Phase I. We will incorporate those findings into the developer RFP that we still plan to issue in May.
- I have attached the Downtown Improvement Plan scope of work for the project team at the end of this report.

Grants

- Here is a rundown of all the grants we have in the air or are preparing:
  - Considering a PGE Drive Change Fund (DCF) grant that looks to expand electric mobility in Oregon. The GOA could be a good candidate for the opportunity.
  - The Quick Response planning grant from DLCD is still on the table but we are going to attempt to direct some costs to other Glencoe Road off-site improvements.

 Boards/Commissions/Meetings

Economic Development Committee

- May 5: Peer community downtown revitalization plans, GOA update

Parks & Recreation Board

- May 10: Brynhill Phase II parks discussion continuation, Jessie Mays Park update

Planning Commission

- May 12: Code reviews and Brynhill rowhome application

Three Meeting Outlook for City Council

- The next few City Council meeting agendas should include: Supplemental Budget; FY22-23 Budget Adoption; Brynhill Phase II Development Agreement

 Council Work Sessions

The Council agreed to convene for City Council meeting work sessions on the first meeting of each month (and sometimes the second). I would welcome Council feedback, but future work session dates and potential topics I foresee include:

May 17: UGB Expansion Public Meeting at 6 PM
North Plains is growing! The City is expected to add more than 2,500 people by 2037. Recent annexations of the City’s Urban Growth Boundary (UGB) North and East expansion areas have provided hundreds of houses and a new school. North Plains will need to expand the UGB by about 400 acres to accommodate new homes and jobs needed to accommodate growth over the next 15 years.

In the fall of 2020, North Plains initiated the multi-year North Plains UGB Expansion Project. In Phase 1, the City is establishing a study area of approximately 1,700 acres to consider for UGB expansion. The preliminary UGB expansion study area is shown in green on the map provided. In 2021, the City will begin phase 2 to assess the ability of each subarea to meet the City’s needs and eventually determine which 400 acres will be added to the UGB.

What is the UGB Expansion Project?

North Plains expands by 400 acres for homes and jobs

Project Advisory Committee
The PAC met in November 2020 and February 2021. PAC Meeting #3 will be held virtually on Thursday, May 6th. The PAC will continue as the advisory body throughout Phase 2. For more information, visit the project website.

North Plains: 2037

estimated population of 6,091 people

Join us! Join us for a public meeting to discuss the North Plains UGB Expansion Project and UGB expansion study areas. Monday, May 17th from 6:00 - 7:00 PM Tentatively at Jessie Mays Community Center Join virtually! A Zoom meeting link will be posted to the City calendar.

Questions or comments? Contact Andy Varner, City Manager andy.varner@northplains.org or 503.647.5555

North Plains: 2037

estimated population of 6,091 people

North Plains expands by 400 acres for homes and jobs
Welcome to the City of North Plains Communications Toolkit. This is an internal document to assist staff in communicating city services, programs and initiatives. The information, tools and procedures provided here will help the city communicate more consistently and effectively, will reinforce the value and benefits we provide, and will help build trust with the community.

Included in the toolkit:

- **Brand Style Guide** - outlining City description, City and department logos, colors, fonts, photos and graphics, and various templates. Available here in the city’s Google drive.
- **Official city documents** - letterhead, memos, forms, etc. Available here in the city’s Google drive.
- **Community Inquiry & Public Information Procedures** - procedures and guidelines for responding to public and media inquiries to ensure consistent, accurate, and well-coordinated communication to build trust between the City and the community. Available here in the city’s Google drive.
- **Social Media Procedures & Best Practices** - standards for consistency and accountability across all City social media use. Available here in the city’s Google Drive.
CITY DESCRIPTION/OVERVIEW
North Plains, Oregon is a small, semi-rural city of just over 3,300 residents located 17 miles west of downtown Portland. Formerly known as Glencoe, the community has existed for over 100 years, with formal incorporation as North Plains in 1963. With a rich agricultural history, the City is home to the award-winning North Plains Elephant Garlic Festival and popular outdoor venues including Pumpkin Ridge Golf Course and Hornings Hideout. Gradual growth over the years has enabled North Plains to retain its small-town charm while offering well-managed infrastructure including improved streets, parks, and water system, as well as easy access to major employers, recreation, entertainment, and nature. Learn more at www.northplains.org.

CITY LOGO
The official City of North Plains logo reflects the natural surroundings and views and reinforces a welcoming, thriving small community.

The logo should only be used in one of the below color schemes, and it should always be in the same proportions as shown. The tagline may be omitted where needed, but the logo should never be recolored, stretched or skewed, or have special effects applied. Use of the vertical versions is preferred, but in some layouts the horizontal fits the space better and is acceptable. The logo font is Schnebel Sans Wide and tagline font is Hans Hand.

Two color: preferred version where color is possible (See page 2 for official logo color codes)

Black: for use on a light background where color is not an option

White: for use on a solid dark background where color is not an option

City logo files are located in the city Google drive Communications Toolkit folder.
DEPARTMENT LOGOS
The official city logo should be the primary logo used in city communications; however below are some department logos that reflect specific services and can be used in service-related communications.

Department logo files are available in color, black, and white versions and should follow the same color and integrity guidelines as the city logo (see pg 1). They are located in the city Google drive Communications Toolkit folder.

NOTE: The library and Police Department have existing approved logos. The library’s reflects the welcoming library building. Wherever possible the city logo and WCCLS logos should be included in library communications, and wherever possible the city logo should be included in police communications to reinforce the partnership in providing these valuable community services.

COLORS

Logo Blue
CMYK 89, 74, 6, 0
RGB 54, 87, 159 HTML #36579F

Logo Orange
CMYK 0, 48, 88, 0
RGB 255, 153, 51 HTML #FF9933

Additional Colors (used in department logos and for use in promotion/design):

Medium Blue
CMYK 84, 44, 0, 0
RGB 14, 125, 194 HTML #0E7DC2

Rust
CMYK 18, 85, 99, 7
RGB 192, 72, 40 HTML #C0482B

Green
CMYK 80, 28, 100, 15
RGB 54, 124, 43 HTML #367C2B

Yellow
CMYK 0, 25, 95, 0
RGB 255, 194, 34 HTML #FFC222
PHOTOS AND GRAPHICS
City photos and images should reflect the city brand and the traits as much as possible. The use of high-quality, professional photos that the city owns the rights to are encouraged, and non-professional photos with good quality, composition, and lighting are also acceptable. Do not use photos with poor lighting or that are blurry. Examples include:

Graphics and design elements used in communications should be simple and be consistent in color and style to the city brand. See below in “templates” for examples of graphics, icons, and design elements. The use of low-quality or cartoonish clip art is discouraged.

TEMPLATES
Following are examples of various document templates and communication pieces that should be used as templates. Anything newly created should reflect these for brand consistency. Letterhead, memo, and simple flyer template files are located in the city's Google drive Communications Toolkit folder.

Letterhead:

Business Card:

Email Signature:

Andy Varner, City Manager
City of North Plains
NorthPlains.org | Facebook.com/cityofnp
Mayor's Corner

What do you do for Earth Day? Use less trash, electricity or water? Is it possible to make a big impact on the environment by making small changes? I think so.

Earth Day was founded in 1970 as a day of education about environmental issues. It occurs on April 22nd every year. The holiday is now a global celebration that is sometimes extended into Earth Week, a full seven days of events focused on green living.

Last year, we heard from one of our local residents, Fely Magallanes, who was sewing reusable produce bags for all families in North Plains. Many of you were the recipient of those bags, I know I was and I use them each time I go to the grocery store. Well, during the pandemic, getting together and sewing these reusable bags became harder and harder and she and her fine group of volunteers slowed down a bit. I spoke with Fely the other day and she is branching out a bit by asking others in the region to assist with cutting and sewing. So if you are still interested in helping her, please send me an email and I will connect you and Fely. My email is teri.lenahan@northplains.org.

On several social media websites and discussion threads, I have noticed many of you talk about ways to reduce, reuse and recycle. I've also seen you share tips and tricks for recycling clothes, glass, fencing, household items, etc. Making small changes can impact our environment in a big way.

I feel that our city is a fairly clean city. You do your part by using the many garbage cans throughout town. Thank you for doing your part. On Thursday, April 22nd, in addition to my daily walk around town, I intend to pick up trash along the way and could use some help, we could call it "Trash Talkin' with the Mayor" - watch my Facebook page for more information or drop me an email with any questions and/or comments.

Over 1 billion individuals have mobilized for action every Earth Day and over 190 countries get engaged. North Plains, what are you going to do to get engaged? Please consider joining me on April 22nd so we can prove that the small things we do each day really can have a greater impact in our environment.

-Mayor Teri

City Wide Garage Sale

The North Plains Annual Garage Sale will be held on Saturday May 1st 2021. Everyone is encouraged to participate in this free event either as a buyer, a seller, or both. A list will be put together of all the garage sales in the City and surrounding area at no cost to you, please know that it will only be your physical address that will be listed. If you would like to participate in this year's event, please send an email with your name and address to lochlolly1@aol.com.
STATEMENT of WORK and DELIVERY SCHEDULE
for
TGM 1C-20
City of North Plains
Downtown Improvement Plan

A. PROJECT DESCRIPTION and OVERVIEW of SERVICES

Acronyms and Definitions
Agency/ODOT – Oregon Department of Transportation
APM - Agency Project Manager
City – City of North Plains
GIS - Geographic Information System
NPDIP - North Plains Downtown Improvement Plan
PAC – Project Advisory Committee
PMT – Project Management Team
TGM - Transportation and Growth Management
TSP – Transportation System Plan

Project Purpose/Transportation and Relationship
Downtown in North Plains has long struggled with isolation, underutilization, traffic conflicts and lack of connectivity with surrounding neighborhoods. This despite the City of North Plains (“City”) population surging in recent years as an exurban bedroom community, with rapid growth projected to continue long-term. City urgently needs to address downtown challenges so North Plains can become a complete community rather than continuing to be a grocery and pharmacy desert, and dependent upon commercial offerings miles away.

The North Plains Downtown Improvement Plan (“NPDIP”), a first-ever plan, will address conflicts among uses, reduce vehicle miles traveled and greenhouse gas emissions through active transportation solutions, produce site-specific development options for vacant parcels, create downtown ‘gateway’ elements, and establish a more cohesive look and feel for the corridor. Action items include land use/code amendments and refinements to City’s Transportation System Plan (“TSP”), adopted in April 2019, to encourage mixed-use development and diverse housing types, multi-modal transport options, and a Main Street framework for economic development.

Study Area
Study Area is the City’s downtown, generally bound on north by NW Wascoe Street, on the east by NW Glencoe Road, on the south by NW Cottage Street, and on the west by Northwest Road/ Project Study Area is shown in Figure 1 (dropped from this description- AV).

Background
North Plains, a city of just over 3,500 people, is the one of the fastest growing communities in Washington County. The previous expansion of the City’s Urban Growth Boundary will result in more than 700 new homes and a new 600-student elementary school. Despite this rapid rate of growth and development, North Plains lacks many of the fundamental physical, economic, and cultural elements needed to foster a thriving downtown. NPDIP is an essential first step to reversing this situation.
North Plains needs improved safe and easy access to downtown. It suffers from poor sidewalk coverage, limited bicycle infrastructure, and low levels of transit service. The mix of land uses and inadequate transportation infrastructure results in conflicts between people walking, biking, and driving and heavy vehicle traffic. NPDIP will identify and prioritize active transportation improvements.

North Plains lacks a grocery store and other essential services, requiring residents to travel over 12 miles round-trip to the nearest grocery store or retail center. Most of these trips take place on Highway 26. Without public transit options, residents have few alternatives to driving to meet daily needs. This leads to more vehicle miles traveled, higher vehicle emissions, a less physically active community, and increased cost of living. Those unable to afford a motor vehicle must walk or cycle in unsafe conditions or endure long travel times via limited transit. Improving convenience and safety for people biking and walking to access essential services and amenities aligns with Goal 2 of the 2019 TSP.

Goal 4 of the 2019 TSP aims to improve the economic vitality of North Plains businesses by supporting improvements that make them more accessible for pedestrians and bicycles. City recognizes the importance of developing a balanced and connected multi-modal system that will adequately support future growth, including future Urban Growth Boundary expansions, and provide transportation choices for residents of all ages and abilities. This underlying objective is consistent with state and federal plans and initiatives, including Transportation and Growth Management ("TGM") objectives, the Oregon Transportation Planning Rules, and the Oregon Highway Plan.

The North Plains 2035 Vision Statement sees downtown as “a vibrant, walkable, attractive place to shop, dine, and gather,” and describes NW Glencoe Road and NW Commercial Street as a “business-friendly, mixed-use areas for residential and commercial development.” Allowing more affordable, middle housing types in the development code will help attract and support local retail destinations that can be accessed by walking, wheelchair, and bicycle, enabling people to meet more of their daily needs locally, supporting healthy, active living. Higher densities also create the demand needed to support higher frequency transit service. Enhanced gateways will create a new sense of space and identity for the downtown.

The lack of a grocery center with other essential services – and related employment opportunity – has had a parallel negative impact on the North Plains economy and land use patterns: City has not seen higher-density, more affordable housing types developed. These housing types are critical as they serve those in the community and the region that cannot afford the entry pricing of the single-family detached home market, which dominates the local home building environment. The enhanced appearance and gateways, redevelopment options, and active transportation connections will help revitalize downtown North Plains.

Project Objectives
Develop the NPDIP to guide public investment and be supported by and direct needed changes to City plans related to land use, density, urban design and capital plans. This will foster confidence in private investment and improve the area, moving it toward the envisioned multi-use center.

B. – D. DELETED FOR LENGTH- AV

E. TASKS, DELIVERABLES and SCHEDULE

1. PROJECT MANAGEMENT

1.1 Project Kickoff Meeting
City shall arrange and Consultant shall conduct a Project Kickoff Meeting. Project Kickoff Meeting can be remote or in person as directed by APM in consultation with City and Consultant. City’s Project Manager shall present an overview of City’s goals for the Project and provide a tour of key sites in the Study Area. If meeting is remote, City shall use photographs and aerial mapping to provide virtual tour. Consultant shall review the draft Refined Project Schedule and identify additional background data and materials needed for Project at the Project Kickoff Meeting. Consultant shall prepare a meeting summary.

1.2 PMT Meetings
Consultant shall arrange and conduct up to 12 PMT Meetings at $841.67 per meeting, as needed, throughout Project. Consultant shall work with PMT to review project progress, identify and mitigate potential issues, and oversee Project development from beginning to end. PMT Meetings must be held via telephone or videoconferencing, and are anticipated to last one hour each.

1.3 Refined Project Schedule
Based on feedback received at the Project Kickoff Meeting, the Consultant shall prepare a draft Refined Project Schedule for discussion at Project Kickoff Meeting and the final version 14 days after Project Kickoff Meeting. The Refined Project Schedule must conform to the Project Schedule and the milestone dates provided in this Contract. Refined Project Schedule must be available on SharePoint or some other cloud based management tool so PMT can be informed of all changes and using real time information.

City Deliverables
1a  Project Kickoff Meeting
1b  PMT Meetings, up to 12

Consultant Deliverables
1A  Project Kickoff Meeting
1B  PMT Meetings (up to 12)
1C  Refined Project Schedule

2. COMMUNITY ENGAGEMENT

2.1 Community Engagement Plan
Consultant shall prepare a concise (up to five pages) Community Engagement Plan that identifies stakeholder groups including historically underrepresented groups and describe the array of tools and activities best suited to inform and engage each group.

Consultant shall submit a draft Community Engagement Plan to the PMT for review and comment; the draft Community Engagement Plan must be consistent with the Refined Project Schedule revised after the Project Kickoff Meeting. Consultant shall revise the draft Community Engagement Plan one time based on comments received from the PMT and submit to PMT within 10 business days of receiving comments from PMT.

2.2 PAC Roster and Interested Party List
City shall compile a list of stakeholders, including their contact information, and invite them to participate on the PAC, including representatives of:

- City Council
- City Planning Commission
- North Plains Economic Development Committee
At its discretion, City shall also invite business owners, residents, and other members of the public to join the PAC. City shall coordinate with Consultant about the makeup of the PAC and to ensure that representatives of potential Project stakeholders have been invited to participate.

PAC will meet to review Project deliverables and provide guidance on the development of Project deliverables.

City shall maintain an Interested Parties List that includes PAC members and other parties expressing interest in the Project for notification of Project progress, meetings, and presentations.

2.3 PAC Meeting #1
City shall arrange and Consultant shall conduct PAC Meeting #1 to review the Project’s deliverables and responsibilities, view imagery from the tour in Task 1.1, and document member’s expectations for the NPDIP.

APM shall determine format of PAC meeting, whether virtual or in-person based on input by PMT. Consultant shall document meeting results via a summary memo and provide to PMT.

2.4 Stakeholder Interviews and Summary
City shall arrange and Consultant shall conduct remote or in person one-on-one or small group Stakeholder Interviews with up to 10 project stakeholders. The interviewees should represent a cross-section of community members, business owners and subject matter experts as selected by City. Consultant shall prepare interview questions that will help identify the stakeholders’ desired outcomes for the Project and to help in the preparation of Task 3 deliverables. PMT shall review and provide comment on interview questions. Consultant shall prepare a written summary of the Stakeholder Interviews.

2.5 Webpage Content and Project Webpage
Consultant shall develop webpage content describing the NPDIP. Consultant shall provide initial project webpage content to City prior to PAC Meeting #1. ODOT will translate key webpage content into Spanish and provide to City.

City shall post materials to Project Webpage on City’s website.

City Deliverables
2a PAC Roster and Interested Parties List
2b PAC Meeting #1
2c Stakeholder Interviews
2d Project Webpage

ODOT Deliverables
Translation of webpage content

Consultant Deliverables
2A Community Engagement Plan
3. **EXISTING CONDITIONS**

3.1 **Background Information**
City shall provide to ODOT available Background Information, consisting of local, regional and state policy and regulatory documents and existing data, including the following:

- Development Code
- 2019 TSP
- City Comprehensive Plan
- Recent and proposed land developments, redevelopment, and subdivisions in and adjacent to Study Area
- Any relevant inventories or updates related to the transportation system, including data on area traffic counts, crashes, and car, truck, bicycle, and pedestrian circulation;
- Environmental constraints or hazards
- Ride Connection Plan
- School system changes or expansion
- Economic Opportunities Analysis
- Housing Needs Analysis

Baseline GIS mapping and data as exists related to the Study Area, including parcel-scale land ownership, comprehensive plan designations, zoning designations, existing land uses; planned land uses; buildable lands; location and dimensions of streets, alleyways, rail right-of-way, and city utilities; pedestrian, bicycle, and Americans with Disabilities Act-related system inventories. Expected source for data is ODOT, the City, Metro or Washington County. City shall provide photographs and aerial mapping to conduct a virtual tour by consultants, if needed.

3.2 **Site Visit/Walking Tour**
Members of the Consultant team shall conduct a 2-3 hour site visit and walking tour of the study area to familiarize themselves with conditions on the ground in the area. City staff shall either accompany the Consultant or provide guidance in advance about specific locations that should be visited and other relevant information to support the visit. The visit shall be conducted in a safe manner based on current COVID-related public health related protocols in place at the time of the visit. Information from the site visit shall inform Memo #1: Existing Conditions Analysis.

3.3 **Memo #1: Existing Conditions Analysis**
ODOT will prepare draft and final Memo #1 Existing Conditions Analysis, a summary and synthesis of Background Information and existing conditions within the study area. Memo #1 must include a policy framework summary that details relevant City, Washington County, and State policies. Information must be presented in narrative form with tables, maps, photographs, or other graphics to clearly describe current conditions.

Existing Conditions must include:
- Review and assessment of prior planning efforts
• Existing and planned transportation system for all modes, including transit, is limited to a summary of material already collected and reported in the 2019 TSP. This summary assumes no new data collection or analysis.
• Multi-modal transportation system analysis
• Existing commercial, industrial, and civic land uses and any associated issues regarding types, locations, and development pattern;
• Planned land uses;
• Development code analysis describing allowed uses and designs
• Existing public facilities and infrastructure location and condition provided by the City, and summary of improvements proposed by current City infrastructure master plans;
• Vacant and developed land inventory
• An overall qualitative framework inventory of existing urban form and design to include building type and use, streetscape, walking conditions, visual quality, scale, and signage.

ODOT will prepare final Memo #1 after PAC Meeting #2, incorporating input received. ODOT will provide final Memo #1 and GIS database to Consultant. ODOT and Consultant shall coordinate and agree on the format of information and files to be provided. Consultant shall provide ODOT with one or more examples of Existing Conditions Reports prepared from previous projects for you as a template or model by ODOT, as needed. The Consultant shall review and provide additional input on the urban design elements of the report.

3.4 Memo #2: Market Study Current Conditions
Consultant shall prepare draft and final Memo #2: Market Study Current Conditions to provide a demographic and economic profile and market overview for City that summarizes North Plains’ changing demographics and target customers/market trends which will inform economic development and redevelopment recommendations intended to meet the City’s long term economic needs, within the Study Area

Memo #2 must include but is not limited to the following:

• Observations and implications gleaned from review of Memo #1 Existing Conditions Analysis, including:
  o Identification of existing commercial buildings and sites where commercial growth can and should be accommodated
  o Description of existing business base
  o Economic Development perspective: Assets, Issues and Opportunities for strengthening the commercial core
• Provide overview of existing housing base and conditions and real estate market overview
• Provide snapshot: Retail trends, changing retail formats and the changing role of commercial in downtowns; small downtown case studies; connections to surrounding destinations, including Pumpkin Ridge Golf Course
• Retail spending potential; retail market opportunity for convenience/shoppers’ goods

Maps and other appropriate graphics must illustrate Memo #2.

Consultant shall prepare final Memo #2: Market Study Current Conditions after PAC Meeting #2, incorporating input received.

3.5 PAC Meeting #2
City shall arrange and Consultant shall conduct PAC Meeting #2 to review the Memo #1, Memo #2 and draft Survey #1. Consultant shall solicit input on desired elements to be included in Task 4 draft project vision statement. PMT shall determine format of PAC meeting, whether virtual or in-person. Consultant shall document meeting results via a summary memo and provide to PMT.

3.6 Survey #1
Consultant shall develop and conduct a survey to be administered online in advance of Community Meeting #1. PMT shall review and provide comment on survey. Consultant shall incorporate edits and administer Survey in coordination with City staff. City shall post link to Survey on Project Webpage. Consultant shall prepare a concise summary of Survey results.

3.7 Community Meeting #1
City shall arrange and Consultant shall conduct Community Meeting #1. Consultant shall review work to date and online input. APM shall determine format of Community Meeting #1, whether virtual or in-person based on input from PMT. Consultant shall make notes to capture input received during Community Meeting #1.

City Deliverables
3a Background Data  
3b PAC Meeting #2  
3c Survey #1  
3d Community Meeting #1

ODOT Deliverables
Memo #1: Existing Conditions Analysis

Consultant Deliverables
3A Site Visit and Walking Tour  
3B Memo #1: Existing Conditions Analysis – Support Urban Design Analysis  
3C Memo #2: Market Study Current Conditions  
3D PAC Meeting #2  
3E Survey #1  
3F Community Meeting #1

4. LAND USE AND TRANSPORTATION RECOMMENDATIONS

4.1 Memo #3: Project Vision Statement
Consultant shall prepare draft and final Memo #3, conveying a draft project vision statement based on results of Survey #1 and PAC input from Task 3. The vision statement will provide goals or objectives to guide development of land use and transportation alternatives and enhance economic vitality.

4.2 Land Use and Transportation Improvement Projects and Strategies
Consultant shall identify alternative potential catalytic improvements in the study area that will help the City achieve the Project Vision Statement identified in Memo #3: Project Vision Statement. Improvements shall include potential land use changes or development or redevelopment opportunity projects and supporting transportation and other infrastructure improvement projects. Transportation projects shall include different cross-section alternatives for up to two street classifications which apply to streets in the study area. Infrastructure projects shall include but not be limited to refinements to projects identified in the City’s Urban Renewal Plan for the area.
The alternative projects and strategies also shall include commercial development opportunities and recommendations regarding the most appropriate land use and business mix for the downtown’s three discrete development areas (western, central and eastern sub-areas). Development of projects and strategies will be informed by input received in Task 3 along with opportunities and constraints identified in Memo #1: Existing Conditions Analysis and Memo #2: Market Study Current Conditions. Alternative projects and strategies must consider the following elements:

- Development opportunities
- Housing mix and type
- Use mix
- Building scale
- Urban design and character
- Facility sizing and prioritization
- Anticipation of future connections to adjacent neighborhoods, nearby attractions and growing areas
- Range and quality of transportation modes
- Active transportation needs and facility types
- New mobility strategies and active transportation amenities to encourage short trips
- Climate adaptation or resiliency strategies
- Safe Routes to School
- Access to nature
- Economic vitality

Consultant shall use GIS-based maps and analysis to illustrate the potential improvements and allow for both quantitative and qualitative evaluation of the ability of the improvements to help achieve the Vision.

4.3 Memo #4: Alternative Projects and Strategies Evaluation
Consultant shall, in coordination with PMT, refine a series of quantitative and qualitative evaluation measures based on the values or objectives contained within the vision statement of Memo #3. Consultant shall apply measures and evaluate alternatives. Three key components of the evaluation are:

- Multi-modal transportation assessment and improvements
- Needed infrastructure improvements
- Urban design strategies

Consultant shall review previous planning documents to determine and note whether infrastructure master plans have considered increases to utility needs associated with previously identified projects. This evaluation will not include any utility or transportation modeling efforts. Consultant shall prepare Memo #4 Alternative Projects and Strategies Evaluation, documenting the results of the evaluation along with maps that can be printed or shown online. In addition to the three key components listed above, the Memo shall describe:

- The role of potential business anchors, desired development scale, and phased commercial expansion
- Potential larger employment opportunities

4.4 PAC Meeting #3
City shall arrange and Consultant shall conduct PAC Meeting #3 to review the review Land Use and Transportation Alternative Projects and Strategies. Consultant shall prepare and utilize digital presentation such as PowerPoint to summarize Memo #4 and gather input from the PAC. PMT shall determine format
of PAC meeting, whether virtual or in-person. Consultant shall document meeting results via a summary memo and provide to PMT.

4.5 Survey #2
Consultant shall develop and conduct a survey to be administered online in advance of Community Meeting #2. PMT shall review and provide comment on Survey. As part of survey and within 10 working days following PAC Meeting #3 Consultant shall revise digital presentation if necessary for elements to be included in Survey #2. Consultant shall incorporate edits and administer Survey. City shall post link to Survey on Project Webpage.

4.6 Community Meeting #2
City shall arrange and Consultant shall conduct Community Meeting #2. Consultant shall review land use and transportation projects and strategies and online input. Consultant shall utilize the digital presentation and briefing materials developed in Alternatives Evaluation and Survey #2. APM will determine format of Community Meeting #2, whether virtual or in-person, in coordination with the PMT. Consultant shall make notes to capture input received during Community Meeting #2

4.7 Prioritized Land Use and Transportation Projects and Strategies
Consultant shall prepare a summary of Proposed Land Use and Transportation Projects building upon Land Use and Transportation Projects and Strategies and incorporating Task 4 input as agreed upon by the PMT. Proposed Land Use and Transportation Projects and Strategies must include revised versions of all elements described in previous Task 4 activities and shall include relative priorities for the projects and strategies.

City Deliverables
4a PAC Meeting #3
4b Survey #2
4c Community Meeting #2

Consultant Deliverables
4A Memo #3: Project Vision Statement
4B Land Use and Transportation Improvement Projects and Strategies
4C Memo #4: Alternative Projects and Strategies Evaluation
4D PAC Meeting #3
4E Survey #2
4F Community Meeting #2
4G Preferred Land Use and Transportation Alternative

5. PROPOSED LAND USE AND TRANSPORTATION PROJECTS AND STRATEGIES

5.1 Memo #5: Recommended Land Use and Urban Design Changes and Strategies
Consultant shall prepare draft and final Memo #5 and accompanying map/s describing identifying changes to the development code and Comprehensive Plan policy needed to implement the proposed projects. Development Code changes must be based on the preferred improvements and analysis of the existing development code, and must include the following elements:

- Relationship between commercial and mixed use zones and surrounding residential zones
- Strategies for increasing the mix of uses and residential density
- Open space requirements for new development
- Site design standards for commercial and mixed use development
• Design standards for multimodal facilities
• Other urban design initiatives, guidelines and strategies

City shall and APM will review and provide comment within 10 business days of receipt of draft memo. Consultant shall make needed edits within 10 business days.

5.2 Memo #6: Recommended Transportation Changes
Consultant shall develop a draft and final Memo #6 and accompanying map/s describing proposed changes to the 2019 TSP for implementation of the Preferred Land Use and Transportation Alternative. Memo will address modal hierarchy and include any proposed future street and path connections called for in the preferred alternative.

Memo #6 must identify potential funding options and concept-level cost estimates for the preferred improvements. Consultant shall sort projects into categories (e.g. transportation, utility, recreation, etc.) and identify potential sources of funding for each project. The City’s Transportation System Plan and other Infrastructure Master Plans will serve as starting points and reference documents for the list of potential funding strategies. Consultant shall present implementation projects and funding sources in a phasing timeline and placed into categories, such as partnership-dependent projects, City-led projects, and programs.

City shall and APM will review and provide comment within 10 business days of receipt of draft memo. Consultant shall make needed edits within 10 business days.

5.3 Memo #7: Anti-Displacement and Equity Strategy
ODOT will develop a succinct (no more than 8 pages) Memo #7 identifying best practice strategies for promoting social equity and preventing displacement of existing Study Area small business and residents as has been observed in other urban vitalization efforts.

5.4 Memo #8: Downtown Business Development Recommendations
Consultant shall prepare a brief memo that summarizes recommendations to support economic vitality in the project area organized around the following elements:
• Business mix and targets for Downtown North Plains
• Desired real estate products
• Downtown Economic Development: Business Assistance and Expansion, Entrepreneur Development, Business Attraction
• Marketing existing assets
• Organizing to move forward

5.5 PAC Meeting #4
City shall arrange and Consultant shall conduct PAC Meeting #4 to review the Proposed Land Use and Transportation Projects and Strategies. Consultant shall develop and utilize digital presentation and briefing materials to describe the Proposed Land Use and Transportation Projects and Strategies and proposed changes in Memos #5 and #6 to city plans, development code and standards as a way to gather input from the PAC. PMT shall determine format of PAC meeting, whether virtual or in-person. Consultant shall document meeting results via a summary memo and provide to PMT.

5.6 Survey #3
Consultant shall develop and conduct a survey to be administered online during the 10 business days following PAC Meeting #4. PMT shall review and provide comment on Survey. As part of survey and
Consultant shall revise PAC Meeting #4 digital presentation if necessary for elements to be included in Survey #3. Consultant shall incorporate edits and administer Survey. City shall post link to Survey on Project Webpage. Survey will be open not later than 10 days in advance of PAC #5. Consultant shall summarize input for discussion at PAC #5

City Deliverables
5a PAC Meeting #4  
5b Survey #3

ODOT Deliverables
Memo #7: Anti-Displacement and Equity Strategy

Consultant Deliverables
5A Memo #5: Recommended Land Use and Urban Design Changes and Strategies  
5B Memo #6: Recommended Transportation Changes  
5C Memo #7: Downtown Business Development Recommendations  
5D PAC Meeting #4  
5E Survey #3

6. NORTH PLAINS DOWNTOWN IMPROVEMENT PLAN

6.1 Draft NPDIP
Consultant shall prepare initial and revised Draft NPDIP incorporating memoranda from earlier tasks, additional text, and input from PAC Meeting #4. Consultant shall create a coherent and complete Draft NPDIP that can be printed or shared via the Internet.

Consultant shall submit initial NPDIP to PMT for review and comment within 10 business days. Consultant shall make needed edits within 10 business days.

6.2 PAC Meeting #5
City shall arrange and Consultant shall conduct PAC Meeting #5. Consultant shall develop and utilize digital presentation and briefing materials to describe input received and Draft NPDIP as a way to gather input from the PAC. PMT shall determine format of PAC meeting, whether virtual or in-person. Consultant shall document meeting results via a summary memo and provide to PMT.

6.3 Discussion Draft NPDIP
Consultant shall prepare initial and revised Discussion Draft NPDIP incorporating input of PAC Meeting #5 input as agreed upon by the PMT Consultant shall submit Discussion Draft NPDIP to PMT for review and comment within 10 business days. Consultant shall make needed edits within 10 business days.

6.4 Planning Commission and City Council Work Sessions
City shall arrange and conduct two Planning Commission and City Council Work Sessions. Consultant shall develop and utilize the digital presentation to present the Discussion Draft NPDIP and Memos #5 and #6 at work sessions. City shall document input and direction for revisions by Consultant within 15 business days after last work session.

6.5 Adoption Draft NPDIP
Consultant shall make revisions to the Discussion Draft NPDIP based on guidance from the Planning Commission and City Council as conveyed via the PMT.
6.6 Adoption Draft Amendments
Consultant shall revise Memos #5 and #6 recommendations based on guidance from the Planning Commission and City Council as conveyed via the PMT and prepare adoption ready amendments to the comprehensive plan and development code.

City Deliverables
6a PAC Meeting #5
6b Planning Commission and City Council Work Sessions

Consultant Deliverables
6A Draft NPDIP
6B PAC Meeting #5
6C Discussion Draft NPDIP
6D Planning Commission and City Council Work Sessions
6E Adoption Draft NPDIP
6F Adoption Draft Amendments

7. ADOPTION

7.1 Department of Land Conservation and Development Notice
City shall submit a copy of the Adoption Draft NPDIP and Adoption Draft Amendments to the Department of Land Conservation and Development at least 35 days prior to the first evidentiary hearing as directed by Oregon Revised Statutes 197.610 and OAR 660-018-0020.

7.2 Planning Commission and City Council Public Hearings
City shall arrange and conduct Planning Commission and City Council Public Hearings for consideration of adoption of Adoption Draft NPDIP and Adoption Draft Amendments. Consultant shall prepare for and present in one Planning Commission Public Hearing and one City Council Public Hearing.

City shall prepare ordinances, notices, staff reports, and minutes for Planning Commission and City Council Public Hearings.

7.3 Final NPDIP and Final Amendments
Consultant shall revise the Adoption Draft NPDIP and Final Amendments to reflect City Council actions. Consultant shall submit three bound “hard” copies and one electronic copy of the Final NPDIP and Final Amendments to City and two bound “hard” copies and one electronic copy to APM.

If adopted, City shall submit electronic copies of the adopted Final NPDIP and Final Amendments to the Department of Land Conservation and Development.

7.4 Title VI Report
City shall prepare and submit to ODOT a report delineating Title VI activities, and documenting Project processes and outreach for all low income, race, gender, and age groups.

7.5 Project Information Sheet
City shall prepare and submit to ODOT a two-page summary of Project analysis, activities, and policy decisions.

City Deliverables
7a Department of Land Conservation and Development Notice
Consultant Deliverables
7A Planning Commission and City Council Public Hearings
7B Final NPDIP and Final Amendments

**SCHEDULE**

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
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<tr>
<td>Task 1</td>
<td>Project Management</td>
<td>July 2021</td>
</tr>
<tr>
<td>Task 2</td>
<td>Community Engagement</td>
<td>August 2021</td>
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<td>Task 3</td>
<td>Existing Conditions</td>
<td>July 2021</td>
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<td>Land Use and Transportation Alternatives</td>
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<td>Preferred Land use and Transportation Alternative</td>
<td>December 2021</td>
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<td>Task 6</td>
<td>North Plains Downtown Improvement Plan</td>
<td>March 2022</td>
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<tr>
<td>Task 7</td>
<td>Adoption</td>
<td>May 2022</td>
</tr>
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</table>
The following is a short summary of the current tasks undertaken by the 3J staff for both Community Planning and Engineering since the last update.

**COMMUNITY PLANNING**

1. **UGB Expansion**: Working on Phase 1 of the project.
   - Finalized soils analysis and UGB expansion study area boundary.
   - Phase 1 report drafted and provided to City.
   - Advisory Committee meeting May 6th.
   - Prepared flyer for May 17th public meeting.
   - Preparing updates to Housing Needs Analysis.
   - Coordinated multi-jurisdictional meeting regarding Jackson School Road Interchange.


3. **Development Review**:
   - **West Union Pedestrian Path and Bridge**: Approved by Planning Commission April 14th.
   - **Brynhill Rowhomes Design Review and Master Plan Refinement**: Complete application. Hearing before the Planning Commission on May 12th.
   - **Kindel Partition Extension Request**: In public notice period. Staff-level decision to be made May 11th.

**ENGINEERING**

1. **West Union Pedestrian Pathway**: Project was bid on April 20th with three bidders providing bids between $1,368,771.50 and $1,725,000.00. Low bid was Legacy Contracting. A Notice of Intent to Award was sent to the contractor and the contract is before Council tonight for approval. Plans have been approved by Washington County for the Facility permit rounding out the permits needed for the project. Once the contract is approved, the contractor will be issued a Notice to Proceed. Work at the site will take a bit to start due to material procurement.

2. **Commercial Street Water Line Extension**: Construction pending contractor's schedule.

3. **Arsenic Treatment Analysis**: Scope under final review by city staff.

4. **North Ave. Sidewalk Connection**: 3J has prepared a design solution for the sidewalk. Coordination with the City, PGE, and the school district on implementing the design is underway.
5. **Pavement Management Program**: Initial research and database is being created of all city streets. Ground Penetrating Radar (GPR) performed last week. Coring of the streets is currently scheduled for May 4th through May 12th.

6. **Development Review**:
   - **Brynhill Phase 1**:
     - Phase 1- Subdivision (approved, under construction)
     - Offsite Waterline (approved, under construction)
   - **Holmstead Subdivision**: 3rd Plan Review completed in January
   - **Glencoe Road/Pacific Street Commercial**: Anticipate 3rd permit submittal next week.
   - **HD Fowler Industrial**: 3rd permit submittal received 4/28, under review
   - **Brynhill North Ave Improvements**: 2nd permit submittal received and under review

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<table>
<thead>
<tr>
<th>MEETING</th>
<th>PRIMARY</th>
<th>ALTERNATE</th>
<th>NOTE</th>
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<tr>
<td>City Council</td>
<td></td>
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<td>1st Wednesday at 7:00 pm with 6:00 pm work session</td>
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<tr>
<td>Economic Development Committee</td>
<td>Lenahan</td>
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<td>3rd Wednesday at 6:00 pm VIA ZOOM</td>
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<tr>
<td>Washington County Office of Community Development Policy</td>
<td>Papen</td>
<td>Kindel</td>
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<tr>
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<td>2nd Monday at 6:00 pm</td>
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<tr>
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<tr>
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<td>Library Board</td>
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<td>Sheldon</td>
<td>Smith</td>
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### 2021 City Council Meeting Calendar Schedule

#### 2021 City Council Meeting Dates - 7:00 p.m.

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<tr>
<th>Date 1</th>
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<th>Date 4</th>
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<td>8/2 **</td>
<td>11/1 **</td>
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<td>5/17</td>
<td>8/16</td>
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<tr>
<td>3/1 **</td>
<td>6/7 **</td>
<td>9/7 **</td>
<td>12/6 **</td>
<td>11/1</td>
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</table>

Meetings in yellow are Tuesday meetings due to Monday holidays.
Meetings with ** behind them have a 6:00 pm Work Session.

### 2021 Schedule for Board and Commission Meetings

<table>
<thead>
<tr>
<th>1st Wednesday 6:00 pm</th>
<th>Economic Development</th>
<th>2nd Monday 6:00 pm</th>
<th>Parks &amp; Recreation Board</th>
<th>2nd Wednesday 7:00 pm</th>
<th>Planning Commission</th>
<th>3rd Wednesday 7:00 pm</th>
<th>Library Board</th>
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<td>Lenahan</td>
<td>1/11</td>
<td>Smith</td>
<td>1/13</td>
<td>Fage</td>
<td>1/20</td>
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<td>Papen</td>
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<td>2/17</td>
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<td>Smith</td>
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<td>Papen</td>
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Filename: City Council\2017 Calendar of Meetings
2021 Council Committee Appointments

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<th>Meeting</th>
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<th>Alternate</th>
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<tbody>
<tr>
<td>Metropolitan Area Communications Commission (MACC) Tual Valley Comm Access TV (TVCTV) Meets 1:30-4:00pm in Beaverton. Dates set approx. 3 weeks in advance</td>
<td>Sheldon</td>
<td>Smith</td>
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<tr>
<td>Metro Policy Advisory Committee (MPAC) Meet 2\textsuperscript{nd} &amp; 4\textsuperscript{th} Wednesday of each month 5:00-7:00pm at Metro Council Chambers in Portland</td>
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<td>Open</td>
</tr>
<tr>
<td>Washington County Coordinating Committee (WCCC) Meet 2\textsuperscript{nd} Monday of each month in Beaverton 12:00-1:30pm</td>
<td>Lenahan</td>
<td>Papen</td>
</tr>
<tr>
<td>Washington County Office of Community Development: Policy Advisory Board Meet 2\textsuperscript{nd} Thurs of each month 7:00-9:00pm Various locations throughout Washington County</td>
<td>Papen</td>
<td>Kindel</td>
</tr>
<tr>
<td>Col-Pac / NOEA Meets 2nd Thursday of every other month Various locations</td>
<td>OPEN</td>
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Public Hearing about proposed modification and renewal for Recology Organics - North Plains Composting Facility Permit

The Oregon Department of Environmental Quality invites the public to attend a virtual public hearing and to comment on the Recology Organics – North Plains proposed solid waste compost facility permit renewal and modification.

**Summary**
Recology Oregon Compost, Inc. has applied for renewal and modification of their compost permit for Recology Organics – North Plains located at 9570 NW 307th Ave in North Plains.

**How do I participate?**
Attend the virtual public hearing to learn about the draft permit, ask questions and provide oral or written comments on the proposed permit. You can also submit written comments by mail, fax or email to:

DEQ Solid Waste Permit Coordinator  
700 NE Multnomah St., Suite 600  
Portland, OR  
Fax: 503-229-6957  
Email: DEQNW enviromental Partenrships Program  
700 NE Multnomah St.  
Suite 600  
Portland, OR 97232  
Phone: 503-229-5529  
800-452-4011  
Fax: 503-229-6957  
Contact: Inez Lawson  
www.oregon.gov/DEQ

DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon’s air, land and water.

**Proposal**
The proposed permit modification to Recology Organics – North Plains includes improvements focused on maximizing operational efficiency within the current footprint. The active composting area will be reconfigured to maximize the compost area for the new mass bed composting system that Green Mountain Technologies and PBS Environment and Engineering will design. The system upgrades will include construction of an in-ground negative/positive pressure mass bed composting system. Air will be pushed or pulled through the compost piles to maximize aeration, minimize odors, protect blower equipment and efficiently turn compost piles.

**How does DEQ determine permit requirements?**
The facility composting permit requirements are determined based on Oregon Revised Statute 459 and Oregon Administrative Rules Chapter 340, Departments 93-96.

**How does DEQ monitor compliance with the permit requirements?**
DEQ evaluates the permittee’s annual report submitted each year. DEQ also inspects the facility on a regular basis, at least annually.

**What happens after the meeting?**
DEQ considers and responds to all comments received and may modify the proposed permit based on comments.

**About the facility**
Recology Oregon Compost, Inc. owns and operates Recology Organics – North Plains, an existing compost facility, which produces finished compost, landscape supplies and soil amendments. The facility reported annual incoming feedstocks to DEQ of slightly less than 50,000 tons for calendar years 2018 and 2019. The facility permit authorizes the facility to accept Type One, Type Two and Type Three feedstocks as defined in OAR 340-093-0030.

**Virtual Hearing details**

**When:** Thursday, May 6, 2021 at 6 p.m.

All comments due: 5 p.m., Wednesday, May 12, 2021.

**Where can I get more information?**
View information about this project by reviewing permit documents attached to this notice or contact Inez Lawson to arrange an appointment to view the application and related documents:

**Phone:** 503-229-5529  
**Email:** inez.lawson@deq.state.or.us

**Alternative formats**
DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

Notice issued: 04/01/21  
By: Inez Lawson

Page 57 of 76
SOLID WASTE DISPOSAL SITE PERMIT:
Composting Facility
Individual – Aerobic Composting

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Issued as authorized by ORS 459.245 and in accordance with the provisions of Oregon Revised Statutes Chapter 459, 459A, Oregon Administrative Rules 340 Divisions 90, 93, 95, 96 and 97 and subject to the Land Use Compatibility Statement referenced below.

Permittee:
Recology Oregon Compost, Inc.
4044 North Suttle Road
Portland, OR 97217
503-285-8777

Facility name and location:
Recology Organics – North Plains
9570 NW 307th Avenue
North Plains, Oregon 97133
Washington County

Property Owner:
Sunset Mill Investors, LLC.
525 N. Tomahawk Island Drive
Portland, OR 97217
503-224-9554

Operator:
Recology Oregon Compost
503-434-1671
nolheiser@recology.com

ISSUED IN RESPONSE TO:
• A solid waste disposal site, composting renewal application received Aug. 5, 2019; and
• A Land Use Compatibility Statement from Washington County and May 7, 2010 and updated Feb. 11, 2021; and
• Verification that the facility is compatible with the solid waste management plan from Washington County.

The determination to issue this permit is based on findings and technical information included in the solid waste disposal site permit renewal application and permit record.

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

Audrey O'Brien, Manager
Environmental Partnerships
Northwest Region

Permitted Activities

Until this permit expires or is modified or revoked, the permittee is authorized to operate and maintain a solid waste disposal site for composting activities in conformance with the requirements, limitations and conditions set forth in this document, including all attachments.
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<td>3</td>
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<td>Operations Plan</td>
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<td>Pathogen Reduction</td>
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<tr>
<td>11</td>
<td>Administration</td>
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</table>
ALLOWABLE ACTIVITIES

1 Authorizations

1.1 Authorization to receive specific feedstock types
This permit authorizes the permittee to accept the following feedstock types for composting activities, at the disposal site named Recology Organics – North Plains(facility):

- Type 1
- Type 2
- Type 3

Reference: OAR 340-093-0030

1.2 Authorization to accept other feedstock types for composting
The permittee must not accept any feedstock types excluded from the above authorization at the facility without a permit modification.

Reference: OAR 340-096-0060

1.3 Authorization of activities
The permittee must conduct all facility activities in accordance with the provisions of this permit until permit termination. Once approved by DEQ, any permit-required plans become part of the permit by reference.

Reference: OAR 340-093-0110 and OAR 340-093-0113

1.4 Water quality activities
The permittee is authorized to construct, install, operate and maintain a composting facility leachate and/or stormwater collection and/or treatment system provided these activities are done in accordance with plans and specifications approved in writing by DEQ.

Any discharge of leachate, wastewater, or stormwater to Waters of the State is prohibited unless authorized under a DEQ water quality permit.

Reference: OAR 340-096-0120 and OAR 340-096-0130

2 Prohibitions

2.1 Prohibited feedstocks or waste
The permittee is prohibited from accepting materials for composting that are not specifically authorized in Section 1.1 of this permit, unless the materials have been approved in accordance with the requirements of Section 1.2 of this permit. Prohibited material include but are not limited to:

- Painted, treated wood
- Unsorted, mixed solid waste
- Type X feedstocks
- Any materials that are listed in OAR 340-093-0040, as prohibited from disposal at solid waste disposal sites, including but not limited to hazardous waste as defined in ORS 466.005 and OAR 340, Division 101
- Biosolids, except for Class A Exceptional Quality

Reference: OAR 340-093-0040, OAR 340-093-0010

2.2 Recyclable material use
The permittee must not dispose of any properly prepared yard debris, meeting the definition of a source separated recyclable material, as defined under ORS 459.005(19).

2.3 Open burning
The permittee must not conduct any open burning at the facility.
Reference: OAR 340-264-0030 (defines open burning)

OPERATIONS AND DESIGN

3 Performance Standards

3.1 Design, construction and operation
The permittee must design, construct and operate the composting facility in a manner that does not cause a discharge of leachate or stormwater from the facility to surface water, except when such discharge is in compliance with a discharge permit issued by DEQ.
Reference: OAR 340-096-0070(1)

3.2 Engineered structures
The permittee must design and manage the engineered structures that collect and dispose of leachate or stormwater in compliance with the applicable requirements of OAR 340-096-0130 Special Rules Pertaining to Composting: Biogas, Liquid Digestate, Leachate Collection Design and Management Requirements.
Reference: OAR 340-096-0070(2)

3.3 Groundwater protection
The permittee must design, construct and operate the composting facility in a manner that does not cause a likely adverse impact to groundwater under OAR 340 Division 40. All composting facilities proposing to use infiltration in soil as a method for managing leachate or stormwater must comply with OAR 340-096-0120 Special Rules Pertaining to Composting: Groundwater Protection.
Reference: OAR 340-096-0070(3)

3.4 Odors
The permittee must design, construct and operate the composting facility in a manner that, to the greatest extent practicable, is consistent with proper facility design and operation, controls and minimizes odors that are likely to cause adverse impacts outside the boundaries of the facility.
Reference: OAR 340-096-0070(4)

3.5 Pathogen reduction
The permittee must design, construct and operate the composting facility in a manner that achieves human pathogen reduction as required by OAR 340-096-0140 Special Rules Pertaining to Composting: Pathogen Reduction.
Reference: OAR 340-096-0070(5)

3.6 Vectors
The permittee must design, construct and operate the composting facility in a manner that controls or prevents propagation, harborage or attraction of vectors, including but not limited to rats, birds and flies.
Reference: OAR 340-096-0070(6)

3.7 Other compliance
The permittee must comply with all other applicable laws and regulations.
Reference: OAR 340-096-0070(9)
4 Operations Plan

4.1 Plan compliance

The permittee must conduct all operations at the facility in accordance with a DEQ approved Operations Plan, including any DEQ-approved amendments. The DEQ-approved Operations Plan is incorporated into the permit by reference.

4.2 Plan content

The Operations Plan must describe the method of operation of the facility in accordance with all regulatory and permit requirements, including the required elements described under OAR 340-096-0090(5), required by DEQ to be addressed, and any additional elements identified in this permit.

Reference: OAR 340-096-0090

4.3 Plan maintenance

Prior to commencing any change in operations, the permittee must submit revisions of the Operations Plan to DEQ for review and approval. Additionally, the permittee must revise the Operations Plan as necessary so that it reflects current facility conditions and procedures.

Reference: OAR 340-096-0090(2)

5 Pathogen Reduction

5.1 Pathogen limits

The permittee must ensure that all composted material meets the following pathogen limits:

Composted material produced from Type 1 or Type 3 feedstock, or a mix of Type 1 and Type 3 feedstock with less than 50% by volume of Type 2 feedstock, must meet the limits for either salmonella or fecal coliform:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fecal Coliform</td>
<td>Less than 1,000 Most Probable Number (MPN) per gram of total solids (dry weight)</td>
</tr>
<tr>
<td>Salmonella</td>
<td>Less than 3 Most Probable Number (MPN) per 4 grams of total solids (dry weight)</td>
</tr>
</tbody>
</table>

Composted material produced from feedstock containing more than 50% by volume of Type 2 feedstock must meet the limit for fecal coliform:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fecal Coliform</td>
<td>Less than 1,000 Most Probable Number (MPN) per gram of total solids (dry weight)</td>
</tr>
</tbody>
</table>

Reference: OAR 340-096-0140(2)
5.2 Pathogen monitoring frequency

The permittee must collect and monitor composted material with the minimum frequency provided below. Samples must be representative and consist of a composite from finished compost. Sampling and monitoring protocols must be described in the DEQ-approved Operations Plan.

<table>
<thead>
<tr>
<th>Amount and Type of Compost Produced Annually</th>
<th>Minimum Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2,500 tons of composted material or solid digestate from Type 1 and/or 2 feedstocks</td>
<td>Once a year</td>
</tr>
<tr>
<td>Greater than 2,500 tons of composted material or solid digestate from Type 1 and/or 2 feedstock</td>
<td>Every 5,000 tons of feedstock used or a maximum of once every three months</td>
</tr>
<tr>
<td>Less than 2,500 tons of composted material or solid digestate from Type 3 feedstocks</td>
<td>Once every 4 months</td>
</tr>
<tr>
<td>Greater than 2,500 tons of composted material or solid digestate from Type 3 feedstocks</td>
<td>Every 5,000 tons of feedstock used or monthly</td>
</tr>
</tbody>
</table>

Reference: OAR 340-096-0140(4)

5.3 Pathogen reduction plan

The permittee must operate the facility to meet the pathogen reduction standards per the DEQ-approved pathogen reduction plan as described in the Operations Plan.

Composted material sent as feedstock to a permitted composting facility do not need to meet limits for pathogen reduction unless DEQ determines that the composted material must meet the limit to protect human health or the environment.

Reference: OAR 340-096-0140

6 Engineered Structures

6.1 Construction requirements

The permittee must perform construction in accordance with the approved plans and specifications, including all conditions of approval. Any significant amendments to those plans and specifications must be approved prior to construction in writing by DEQ.

Reference: OAR 340-096-0130(4)

6.2a Construction documents for Mass Bed Composting System

The permittee must notify DEQ in writing in advance of any planned construction associated with the mass bed composting system installation. Prior to initiating construction, the permittee must submit and receive written DEQ approval of complete construction documents for the project to be constructed. The construction documents submitted must include a Construction Quality Assurance plan describing measures that will be taken to monitor and ensure that the quality of materials and the work performed by the constructor complies with project specifications and contract requirements.

6.2b Construction documents

The permittee must notify DEQ in writing in advance of any planned construction. If required by DEQ, prior to initiating construction, the permittee must submit and receive written DEQ approval of complete construction documents for the project to be constructed. The construction documents submitted must include a Construction Quality Assurance plan describing measures that will be taken to monitor and ensure that the quality of materials and the work performed by the constructor complies with project specifications and contract requirements.

Reference: OAR 340-096-0130(5)
6.2 Construction certification report submittal

DEQ may require, upon completion of major or critical construction at the facility, the permittee submit to DEQ a final project report signed by the project engineer or manager as appropriate. The report must certify that construction was completed in accordance with the approved plans including any approved amendments thereto.

Reference: OAR 340-096-0130(6)

6.3 Approval to use

The permittee must not accept feedstocks for storage, processing or composting in newly constructed facilities or areas until DEQ has approved the Construction Certification Report. If DEQ does not respond in writing to the Construction Certification Report within 30 days of its receipt, the permittee may accept feedstock at the facility in the newly constructed facilities or areas.

Reference: OAR 340-096-0130(7)

7 Special Conditions

None.

This permit is issued based on: 1) site and facility information provided by the permittee in documents submitted for the permit application, 2) other information collected by DEQ. Should these conditions change during the term of this permit, DEQ may revoke or modify this permit, or may require the facility to apply for a permit modification.

Reference: OAR 340-096-0100 and OAR 340-096-0080

8 Site Operations

8.1 General site operations

The permittee must at all times maintain and properly operate all equipment and facilities to prevent discharges, health hazards and environmental impacts and in accordance with the provisions of this permit.

8.2 Waste removal

The permittee must remove all waste from the facility at least as often as necessary to prevent odors, unsightliness and attraction of vectors or other environmental concerns.

Reference: OAR 340-093-0210

8.3 Containers

The permittee must clean all containers, as needed, to maintain a sanitary operating environment and to prevent odors, unsightliness and attraction of vectors.

Reference: OAR 340-093-0210

8.4 Equipment

The permittee must have readily available equipment of adequate size, and design, to properly operate the facility at all times and to maintain compliance with all permit conditions.

8.5 Roads

The permittee must construct and maintain all weather roads from the public highways or roads, to and within the facility. The roads must be constructed and maintained to prevent traffic congestion, traffic hazards, dust, mud, and trackout.

Reference: OAR 340-096-0090 and OAR 340-093-0220

8.6 Vehicles and truck covers

The permittee must construct, load, and operate all vehicles and equipment to prevent leaking, shifting or spilling of feedstocks or finished compost or other materials while in transit on public roads. The permittee
must notify all incoming waste haulers that trucks containing loads must be covered or suitably cross-tied to prevent any load loss during shipment.

Reference: OAR 340-096-0090 and OAR 340-093-0220

8.7 Litter control
The permittee must control and prevent litter that results from the composting facility operation such that the entire composting facility and adjacent lands are maintained virtually free of litter at all times. The permittee must retrieve and properly dispose of any debris from the facility as soon as possible that same operational day.

Reference: OAR 340-096-0090

8.8 Dust
The permittee must minimize dust generation and prevent dust from leaving the facility.

Reference: OAR 340-096-0090 and OAR 340-096-0070

8.9 Drainage
The permittee must maintain surface water diversion ditches or structures in a serviceable condition and free of obstructions and debris at all times. Any significant damage must be reported to DEQ and repairs made as soon as possible.

8.10 Wastewater and stormwater management
The permittee must operate the facility in a manner that minimizes leachate and other wastewater production to the maximum extent practicable. The permittee must manage wastewater and stormwater as described in their DEQ-approved Operations Plan to prevent odors, public health hazards and off-site discharge. Any wastewater or stormwater discharges to Waters of the State must be authorized under a WPCF and/or NPDES permit.

Reference: OAR 340-093-0210 and OAR 340-096-0070

8.11 Feedstock unloading area
The permittee must clearly define the area(s) used by the public for unloading feedstocks by signs, fences, barriers or other devices.

8.12 Public access
The permittee must control public access to the facility, as necessary, to prevent unauthorized entry and dumping.

Reference: OAR 340-096-0090

8.13 Legal control of property
The permittee must maintain legal control of the composting site property, including maintaining a current permit, contract or agreement that allows the operation of the facility if the site is not owned by the permittee.

Reference: OAR 340-093-0050 and OAR 340-093-0070

8.14 Fire protection
The permittee must make arrangements with the local fire control agency to immediately acquire their services when needed. The permittee must provide adequate on-site fire control protection, as determined through the local fire control agency and as described in their Operations Plan. Unauthorized fires must be immediately extinguished and reported to DEQ within 24 hours. The permittee must comply with all fire codes.

Reference: OAR 340-096-0090
8.15 Signs
The permittee must post signs at the facility which are clearly visible and legible, providing the following information: name of composting facility, emergency telephone number, days and hours of operation, solid waste permit number and operator’s address.

8.16 Vector control
The permittee must provide rodent and insect control measures, as necessary, to prevent vector production and sustenance.

Reference: OAR 340-096-0070

8.17 Complaints
The permittee must investigate and attempt to resolve all complaints it receives regarding facility operations by doing the following:

• Contact the complainant within 24 hours to discuss the problem
• Keep a record of the complaint, name and phone number of the complainant (when possible), date complaint was received and date of, and response by, the facility operator
• Immediately initiate procedures at the facility, when possible, to resolve the problem identified by the complainant
• For odor, litter or dust complaints, the permittee must report to DEQ as soon as complaints are received at the facility from five different businesses and/or individuals about a given event or if an odor event lasts longer than 24 hours without resolution or mitigation.

Reference: OAR 340-096-0150(3) and (4)

8.18 Permit display
The permittee must display this permit, or a photocopy thereof, where operating personnel can readily refer to it.

GENERAL CONDITIONS

9 Recordkeeping, Reporting and Compliance Fee

9.1 Records
The permittee must keep copies of all records and reports for a minimum of five years from date initially placed in the facility operating record. In the case of a change in ownership of the composing facility, the new owner is responsible for ensuring that the records are transferred from the previous owner and maintained for the required five years.

Reference: OAR 340-096-0110

9.2 Access to records
The permittee must make all records and reports related to the permitted facility available to DEQ upon request.

Reference: OAR 340-096-0110

9.3 Feedstocks data collection
The permittee must collect information about the amount of each type of feedstock received for composting for each calendar year. The feedstocks must be separately identified and categorized as originating either in-state or out-of-state:

9.4 Operational records

The permittee must keep the applicable following information on file and make records available to DEQ staff upon request:

- Information on the annual amount of contamination and contaminated overs sent for disposal.
- Information demonstrating assessment of composting processing parameters; may include nutrient balance (C:N ratio), moisture content, aeration, pH, temperature and retention time
- Pathogen testing and pathogen reduction
- Complaints and actions taken to address complaints, including unacceptable odors
- Upsets or violations of the Operations Plan
- Other records included in the Operations Plan or requested by DEQ


9.5 Annual data reporting

The permittee must collect and report the following information to DEQ each year. The information must be reported on forms listed below, and submitted to the address and by the date listed on the form.

- The permittee must report information on the feedstocks accepted for composting at the facility on the DEQ form Composting Facility Report.
  Reference: OAR 340-096-0110(3)(c)
- The permittee must report information on the solid wastes recovered at the facility on the DEQ form: Material Recovery Survey.
  Reference: OAR 340-090-0100

9.6 Non-compliance reporting

In the event the permittee violates any condition of this permit or of DEQ’s rules or statute, the permittee must immediately take action to correct the violation and notify DEQ within 24 hours at: DEQ’s Northwest Region Materials Management Program Office at 503-229-5353.

Reference: OAR 340-096-0110

9.7 Oil and hazardous material spill response and reporting

The permittee must immediately clean up any spill of oil or hazardous material. If the spill is of a reportable quantity, the permittee must immediately report the spill to the Oregon Emergency Response System at 1-800-452-0311 and DEQ.

Reportable quantities include:

- Any amount of oil spilled to waters of the state;
- Oil spills on land in excess of 42 gallons;
- 200 pounds (25 gallons) of pesticide residue;
- Hazardous materials that are equal to, or greater than, the quantity listed in the 40 CFR Part 302 (List of Hazardous Substances and Reportable Quantities), and amendments adopted before July 1, 2002. For a complete list of hazardous materials required to be reported, please refer to OAR 340-142-0050.

9.8 Compliance fee payment

The permittee must pay the composting facility permit compliance fee each year this permit is in effect. DEQ will send an invoice to the permittee indicating the amount of the fee and the due date for fee payment. Fees are based on the tons of composting feedstocks received for composting.

Reference: OAR 340-097-0110 and OAR 340-097-0120
10 Permit Modification

10.1 Modification
At any time during the life of the permit, DEQ or the permittee may propose changes to the permit.
Reference: OAR 340-093-0070 and OAR 340-093-0113

10.2 Modification and revocation by DEQ
DEQ may, at any time before the expiration date, modify, suspend or revoke this permit in whole or in part in accordance with ORS 459.255 for reasons including, but not limited to, the following:
- Violation of any terms or conditions of this permit or any applicable statute, rule, standard or order of the Environmental Quality Commission
- Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts
- A significant change in the quantity or character of feedstocks received;
- Non-compliant operation of the composting site; or
- A significant change in the composting process.
Reference: OAR 340-093-0113 and OAR 340-093-0115

10.3 Modification by permittee
Permittee must contact DEQ when planning a change to determine if a permit modification application is necessary. The permittee may be required to apply for a modification to this permit if a change in facility operations is planned, or there is a deviation from activities described in this permit, including the DEQ-approved Operations Plan and Engineering Plans. The permittee must not implement any change in operations that requires a permit modification prior to receiving approval from DEQ.
Reference: OAR 340-096-0130(2), OAR 340-096-0130(3) and OAR 340-093-0070

10.4 Review fee
DEQ may require the permittee to submit an Operations Plan review and approval fee or Engineering review fee for permit modifications that require modifications to the Operations Plan or Engineering Plans. If required, the permittee must submit the fee to DEQ with the proposed plan.
Reference: OAR 340-096-0090, OAR 340-097-0120(4) and OAR 340-097-0120(5)

10.5 Change in Name or Address
The permittee must immediately report to DEQ in writing any name or address change of the owner or operator of the facility or property.
Reference: OAR 340-096-0110(3)

10.6 Transfer, sale or exchange of permit or facility
The permittee must submit a permit modification application for any transfer, sale, or exchange of the permit or facility prior to completing the transaction.
All permit conditions will remain in effect until such time as a new or modified permit is issued by DEQ. The permittee will remain responsible for the failure by the new owner to abide by the terms of any permit conditions resulting in a violation until a new permit is issued by DEQ.
Reference: OAR 340-093-0070

10.7 Public participation
DEQ may issue a public notice requesting public comment on significant changes proposed to the permit as set forth in DEQ rules for public notification.
Reference: OAR 340-093-0100
11 Administration

11.1 Definitions

Unless otherwise specified, all terms are as defined in OAR 340-093-0030.

11.2 Submittals

Unless otherwise specified on the forms provided by DEQ, the permittee must send all submittals required under this permit to:

Environmental Partnerships Manager
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353

Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

11.3 Permit term

The effective date of this permit is the date this document is signed by DEQ. The expiration date of the permit is indicated at the top right of this document. The authorization to accept solid waste at the facility will end when this permit expires, is terminated, or revoked; after that time the permittee cannot accept solid waste at the facility.

Reference: OAR 340-093-0070 and OAR 340-093-0115

11.4 Permit renewal

The permittee must submit an application for permit renewal if the permittee intends to continue operation beyond the expiration date of this permit. A complete solid waste disposal site permit renewal application must be submitted to DEQ at least 180 days before the existing permit expires. All permit conditions will remain in effect until such time as a renewed permit is issued by DEQ. Failure by a permittee to abide by the terms of any permit conditions will be a violation.

Reference: OAR 340-093-0070 and OAR 340-093-0115

11.5 Permittee initiated termination of permit

After ceasing permitted operations, the permittee must request, in writing, to DEQ that the permit be terminated. Permittee must demonstrate to DEQ that the facility no longer requires a permit under OAR 340-093-0050 before DEQ will terminate the permit.

Reference: OAR 340-093-0050 and OAR 340-093-0115

11.6 Property rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.

11.7 DEQ liability

DEQ, its officers, agents or employees do not sustain any liability on account of the issuance of this permit or on account of the construction, maintenance or operation of facilities pursuant to this permit.

11.8 Documents superseded

This document is the primary composting permit for the facility, superseding all other solid waste permits issued for this facility by DEQ.

Reference: OAR 340-093-0115
11.9 Binding nature

Conditions of this permit are binding upon the permittee. The permittee is liable for all acts and omissions of the permittee's contractors and agents.

Reference: OAR 340-093-0050

11.10 Access to disposal site

The permittee must allow representatives of DEQ access to the facility at all reasonable times, for the purpose of:

- Performing inspections;
- Surveys;
- Collecting samples;
- Obtaining data;
- Reviewing records;
- Carrying out other necessary functions related to this permit.

Reference: OAR 340-093-0050

11.11 Other compliance

The permittee must ensure the facility complies with all other applicable laws and regulations.

Reference: OAR 340-096-0070(9)

11.12 Penalties

Violation of any condition of this permit or any incorporated plan may subject the permittee to civil penalties for each day of each violation.

Reference: ORS 459.995 and ORS 468.090-140

END PERMIT CONDITIONS
To: Audrey O’Brien, Manager
Materials Management Program
DEQ NWR

From: Inez Lawson, Permit Manager
Materials Management Program
DEQ NWR

Subject: Permit Evaluation Report
Proposed Solid Waste Composting Permit #1445 - Modification
Recology Organics - North Plains

Introduction:

Recology Oregon Compost Inc. owns and operates an existing compost facility which produces finished compost, landscape supplies and soil amendments. Recology Organics – North Plains (RONP) composting facility is located in Washington County, at 9570 NW 307th Ave in North Plains, Oregon. The facility reported annual incoming feedstocks to DEQ of slightly less than 50,000 tons for calendar years of 2015 to 2019. In 2018 and 2019, the dominant feedstocks were Residential/curbside mixed yard debris/food waste (accounting for nearly 84 percent of incoming feedstocks in 2019 and 92 percent in 2018). Yard waste (16 percent in 2019 and 7 percent in 2018), and very small amounts of wood waste comprise the rest of the incoming feedstock.

Recology Oregon Compost, Inc. submitted a permit renewal application and permit modification request for a Solid Waste Disposal Site for the RONP composting facility on Aug. 5, 2019. The existing composting permit for the facility expired on March 1, 2020, but was administratively extended by DEQ because the renewal application was submitted prior to permit expiration.

This evaluation report describes the conditions and limitations for compost facility operation modifications proposed in the permit. The permit authorizes RONP to operate a solid waste disposal site for composting activities and to construct, install, modify or operate stormwater and
process water treatment and/or control facilities in conformance with the requirements, limitations, and conditions set forth in the permit for a period of no more than 10 years.

This permit is a state permit and subject to state regulations. The Oregon Revised Statutes, Oregon Administrative Rules, and policies and guidelines of DEQ determine the permitting requirements.

**Land Use Approval:**

The Washington County Planning Department signed an original LUCS on May 7, 2010. The Planning Department issued a Notice of Decision on Feb. 11, 2021, to approve proposed site construction and layout modifications.

**Site Modifications/Improvements:**

The proposed modifications to RONP composting facility will not increase the facility’s geographical footprint. Improvements are focused on maximizing operational efficiency. Several areas will be paved (drop-off areas, the northern perimeter), the existing road will be widened; stormwater swales, ditches and conveyances will be improved; and the active composting area reconfigured to maximize the compost area for the mass bed composting system.

RONP will be partnering with Green Mountain Technologies and PBS Environment and Engineering to construct an in-ground negative/positive pressure mass bed composting system. This will replace the above-ground air, windrow system. The improved aeration system consists of 12 new primary aeration zones and 12 new secondary aeration zones. Each aeration zone has 5 pipes spaced 5.9 feet apart. The aeration pipes will be installed below the surface of the aeration pads with individual sparger nozzles coming up to the surface every 27 inches to 30 inches on-center. This upgrade eliminates the need to place pipes after each movement, and eliminates the pipe damage that occurs during removal from the piles. The sparger nozzles are designed to be mostly self-clearing, and are easy to inspect between each turn of the compost pile to assure the holes are blowing air freely. Drainage cleanouts will be provided as well as water and sediment traps that work while the aeration system is under pressure or suction.

Holding Capacity – The 12 Primary aeration zones will hold a total of 9,120 cubic yards of prepared compost materials at any one time. Each Primary zone is designed to hold 760 cubic yards at a length of 89 feet, a width of 30 feet and a height of 8.2 feet plus 1 foot of biocover materials placed over the exposed surfaces (900 cubic yards total with biocover). The 12 Secondary aeration zones are each designed to hold 640 cubic yards at a length of 80 feet, a width of 30 feet and a height of 8.2 feet. No biocover is needed for the secondary piles.

Rate of Composting - The estimated timeframe for composting is 12 to 14 days in a Primary aeration zone and then the pile is turned and re-watered to compost for an additional 12 to 14 days in a Secondary aeration zone. Recology estimates that the compost pile volume will be decreased by 30 percent when the piles are moved from Primary to Secondary aeration zones. Total designed composting time is 24 to 28 days on aeration. From the aeration zones the compost is moved into a curing pile.
Blower Capacity - There are four blowers, one for every six aeration zones. Each blower is designed to move 16,000 cubic feet per minute (cfm) of air and deliver 18 inches to 24 inches of water column pressure total to move air into and from the piles. The aeration rate ranges from 3.5 cfm per cubic yard to 4.2 cfm per cubic yard. It is designed to provide a continuous level of oxygen above 16 percent within the piles and reasonable control of temperatures so they do not exceed 180 degrees F and are maintained above 131 degrees F for at least three days to meet the standards for reducing pathogens which is called the Process to Further Reduce Pathogens (PFRP).

Odor Control – The airflow for the aeration zones can be switched from blowing pressure to suction by the movement of two dampers per blower. This reversing of air flow directions can be done manually or automatically based on temperature or time of day. The reversing airflow helps distribute temperature in the piles more evenly. In positive aeration the 6 to 12 inches biocover layer of old compost or overs provides odor treatment and in suction or negative aeration, the biofilter provides odor treatment. The biofilter is sized 81 by 38 feet to manage 16,000 cubic feet per minute (cfm) of air loading at 5 cfm/square foot.

Compost Operation Description:

Based on the compost facility report submitted to DEQ annually, RONP received between 45,885 tons (2019) and 49,866 tons (2017) of feedstock. The Washington County Solid Waste Franchise Agreement has authorized this facility to accept up to 80,000 tons. Feedstock sources include municipalities, agriculture, industry and the general public. The permittee proposes to accept Type 1, 2 and 3 feedstocks.

The definition in OAR Chapter 340, Division 93 of feedstocks is as follows:

- Type 1 feedstocks include source-separated yard and garden wastes, wood wastes, agricultural crop residues, wax-coated cardboard, vegetative food wastes including department approved industrially produced vegetative food waste, and other materials the department determines pose a low level of risk from hazardous substances, physical contaminants and human pathogens.

- Type 2 feedstocks includes manure and bedding and other materials the department determines pose a low level of risk from hazardous substances and physical contaminants and a higher level of risk from human pathogens compared to type 1 feedstock.

- Type 3 feedstocks include meat and source-separated mixed food waste and industrially produced non-vegetative food waste. They also include other materials the department determines pose a low level of risk from hazardous substances and a higher level of risk from physical contaminants and human pathogens compared to type 1 and 2 feedstocks.

RONP anticipates that during the peak summer season, up to 460 tons of feedstock per day will be processed at the facility. This total includes the combined volume of type 1, 2 and 3 feedstocks. Only minimal amounts of type 2 feedstock, such as animal manure and bedding are received. A majority of the feedstocks are yard debris, pre-consumer vegetative food waste, meats, dairy and post-consumer food waste. The feedstock sources include municipalities, agricultural, commercial, and residential generators.
Incoming loads are checked to prevent the acceptance of prohibited waste, potentially hazardous materials or items that may harm equipment. Physical contaminants, such as plastic, are removed and properly disposed.

Feedstocks may be screened or ground prior to incorporating into a windrow or feedstocks may be placed into an actively managed windrow without prior processing. Type 3 feedstocks will be mixed with green feedstocks (such as yard debris) to achieve favorable composting parameters and minimize odors.

Compost is monitored regularly for moisture content, oxygen, pH, and temperature. After the active compost phase is complete and the requirements of 40 CFR Part 503, Process to Further Reduce Pathogens, have been met, the compost is cured, screened and then stockpiled on site until it is sold.

Pilot Project:

RONP conducted an aerated mass bed composting system pilot project with a subset of incoming feedstock and active composting area, utilizing on-site equipment to demonstrate that a mass bed configuration maintains or improves the level of odor control at the facility. The mass bed system allows for the facility to produce high quality compost within the current footprint of the active composting area at the facility. The pilot project began Sept. 17, 2020. Throughout the pilot project, key composting variables such as temperature, oxygen and pH were monitored and compared to the Aerated Static Pile (ASP) system. RONP submitted a report to DEQ “Mass Bed Composting Pilot Project Report” dated February 2021, that compares the ASP composting to the mass bed composting process for the dates Sept. 17, 2020, through Dec. 31, 2020. Temperature, pH, oxygen content, moisture levels from the mass bed pilot process were comparable to the current ASP system. DEQ has reviewed this report and agrees with RONP’s conclusions. DEQ considers the pilot project completed as designed.

Environmental and Public Health Concerns:

Odor – OAR 340-096-0070(4) is a performance standard pertaining to compost facilities that states: “All compost facilities must be designed, constructed and operated in a manner that, to the greatest extent practicable, consistent with proper facility design and operation, controls and minimizes odors that are likely to cause adverse impacts outside the boundaries of the facility.”

The facility submits weekly odor complaint reports, documenting any complaints received with conditions and resolution, when applicable. The facility recorded 11 complaints for the year 2020, nine in 2019 and 20 in 2018. In response to a recent influx of odor reports, the facility has employed additional strategies to reduce odors on and off-site. These methods are included in the odor minimization plan included in the DEQ-approved operation plan, and include increasing housekeeping operations onsite, capping the blowers in the active compost area, increasing the volume of the wood chip biofilter that cover the negative air, and amending active compost with lime, when needed.
Fire – Excessive temperatures in compost can cause spontaneous combustion. Adequate aeration and moisture levels are the best preventative measures to avoid compost pile fires. Non-aerated static compost piles higher than 25 feet are doubly at risk due to the combustible conditions at the middle of the pile and the large volume of fuel.

Several small fires were reported at this facility during the term of the permit. Specific dates were July 5, 2013; Sept. 2, 2017; Nov. 14, 2017; and Feb. 26, 2018. RONP notified DEQ of each of these fires within 24 hours, as required in Section 9.11 Fire Protection of the facility permit.

**Compliance History:**

Nature’s Needs (now named RONP) received one Warning Letter with Opportunity to Correct (WL-NWR-SW-2012-01) in Feb. 1, 2012: Operations plan inadequate (class II), incoming feedstocks not managed to prevent attraction of birds (class II) and facility not operated to minimize odors (class II). RONP completed immediate, short-term and long-term measures that addressed the violations.

Nature’s Needs (now named RONP) received one pre-enforcement (PEN-NWR-SW-2012-06) November 2012: The leachate storage design and construction plan was not approved by DEQ prior to installing. Permit and solid waste regulations require DEQ to approve leachate collection and treatment system plans. RONP submitted design and construction plans, they were approved by DEQ, and DEQ’s inspection on June 6, 2013 did not reveal any other violations of the permit or applicable rules.

DEQ staff have conducted annual site visits and compliance inspections since these violations were corrected. No further violations have been identified during compliance inspections during this 10-year permit term. The facility was last inspected Oct. 8, 2020, and found to be operating in compliance with the administratively extended permit conditions. No violations have been documented at this facility and no enforcement actions have been taken since 2013.

**Proposed Permit Modifications:**

DEQ has modified the Solid Waste Disposal Site Permit template since the last issuance of the permit. The sections for Operations and Designs and General Conditions, have been reorganized to be more concise. The section “Compliance Schedule” has been removed from the Permit and the contents from those sections are within each individual topic or within the recordkeeping section. Section 2.3 Discovery of prohibited wastes has been removed from the updated permit template. These actions are now included in the DEQ-approved operations plan.

Section 3: Operating Conditions containing performance standards and pathogen reduction has been renamed “Performance Standards” in the new permit. Pathogen reduction was moved to its own section (Section 5). Section 3.3 part 2, testing frequency for composted material to determine pathogen reduction stress, type of sampling has been moved from the permit to the DEQ-approved Operating Plan. Permit modification (Section 8) has moved to Section 10.
Conclusions:

RONP has submitted a complete permit renewal and modification application for the existing composting operation. Washington County Planning Department has approved facility site modifications. DEQ has reviewed the Mass Bed Pilot Project Report. DEQ has concluded, based on the information contained and referenced in this report, that the potential impacts to public health and the environment from their facility will be minimal as long as the facility continues to operate in accordance with their approved Operations Plan, all conditions and limitations contained in the proposed modified Solid Waste Composting Permit, conditions and limitations in the 1200Z Stormwater Permit and the Stormwater Pollution Control Plan.

Public Involvement:

DEQ attended a North Plains community meeting June 15, 2020 where RONP presented their Mass Bed Pilot Project operating plan to attendees and the council.

DEQ will issue a public notice and hold a virtual public hearing to request public comments on the draft renewal compost permit for RONP.