

Email: rharding@aumsville.us

PUBLIC MEETING NOTICE

AUMSVILLE CITY COUNCIL MEETING

In the Community Center and via Zoom Video Conference

MONDAY, July 25, 2022 A G E N D A

1) CALL TO ORDER: 7:00PM

a) Approve Agenda

2) PRESENTATIONS, PROCLAMATIONS, & VISITORS

- a) **Presentation:** Angie Allbee, Oregon Health Authority Oregon Psilocybin Service Act
- b) **Public Comment:** Council will meet in-person and via Zoom conference call. Public Comment will be accepted from online attendees at this time. Comments are limited to 5 minutes for comments on items other than Public Hearings listed below. There is a public comment period within each hearing. You may also submit comments by emailing City Administrator Ron Harding at rharding@aumsville.us by noon on July 25, 2022
- c) Visitors: For information about how to attend the meeting online, please call City Hall at 503.749.2030 or email crogers@aumsville.us to request log in instructions. Information will also be posted on our website https://www.aumsville.us/citycouncil/page/city-council-regular-meeting-110
- 3) CONSENT AGENDA: (Action) Council Meeting July 11, 2022 Minutes
- 4) OLD BUSINESS: None
- 5) NEW BUSINESS: (Action)
 - a) Westech Engineering Proposal– Wastewater Treatment Plant Improvements Preliminary Engineering and Environmental Reports JO 2969.3010.0
 - b) Mid-Willamette Valley Council of Governments Grant Services Contract
- **6) CITY ADMINISTRATOR REPORT:** (Information)
 - a) Letter to State Archaeologist State Historical Preservation Office
 - b) Review Check Register June 30, 2022 through July 15, 2022
- 7) MAYOR AND COUNCILORS REPORTS
- 8) GOOD OF THE ORDER: Other Business May Come Before the Council at This Time
- 9) CORRESPONDENCE: None
- 10) ADJOURNMENT REGULAR MEETING

The City of Aumsville does not and shall not; discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

Anyone wishing to speak on an agenda item should ask to be recognized by the Mayor or Chair at the beginning of that agenda item. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities must be made at least 48 hours prior to the meeting. Please call (503) 749-2030 and leave a message or Oregon Relay Service for TDD at (800) 735-2900.



595 Main St. Aumsville, Oregon 97325 (503) 749-2030•TTY 711•Fax (503) 749-1852 www.aumsville.us

AUMSVILLE CITY COUNCIL

July 11, 2022 Meeting Minutes

Mayor Derek Clevenger called the meeting to order at 7:00 PM. Present in-person were Councilors Nico Casarez, Doug Ecclestone, Della Seney, City Administrator (CA) Ron Harding, and City Clerk Colleen Rogers. Councilors Scott Lee, Walter Wick, and Mayor Derek Clevenger joined via Zoom Conference call. Council absent: Angelica Ceja. The meeting was video recorded to be released later.

AGENDA APPROVAL: Mayor Clevenger called for a motion to approve the agenda. Councilor Casarez moved to approve the agenda as presented by staff. Councilor Seney seconded the motion. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

VISITORS: There were no in-person visitors and no online attendees.

CONSENT AGENDA: Councilor Casarez moved to approve the consent agenda as presented. Councilor Seney seconded the motion. <u>Motion APPROVED 6-0: (Yes: Councilors Casarez, Eccleston, Lee, Seney, Wick, and Mayor Clevenger. No: None.)</u>

PUBLIC HEARING: Aumsville Park Master Plan Mayor Clevenger opened the public hearing at 7:03 PM.

Staff Report: Planning Consultant Kiel Jenkins briefed Council on the proposed updates to the Park Master Plan. He explained that these updates are necessary for the city to move forward with Urban Growth Boundary (UGB) expansion plans. This expansion will bring the recently acquired east side park property into the city limits. The city will then be able to apply for grant funds to develop the new park land.

Staff recommended that Council approve the amendments via Ordinance No. 706.

There were no rebuttal, questions, or Council deliberations.

Mayor Clevenger closed the public hearing at 7:16 PM.

Councilor Casarez moved to approve the first reading of Ordinance No. 706 AN ORDINANCE ADOPTING THE CITY OF AUMSVILLE PARKS MASTER PLAN, as presented by staff. Councilor Ecclestone seconded the motion. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

Councilor Casarez moved to approve the second reading of, and adopt Ordinance No. 706 AN ORDINANCE ADOPTING THE CITY OF AUMSVILLE PARKS MASTER PLAN, as presented by

staff. Councilor Ecclestone seconded the motion. <u>Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)</u>

OLD BUSINESS: None

NEW BUSINESS:

Council reviewed the Bielenberg Farm Lease Renewal. Councilor Casarez moved to approve the consent agenda as presented. Councilor Ecclestone seconded the motion. <u>Motion APPROVED</u> 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

Resolution No. 09-22 A RESOLUTION EXTENDING THE CITY OF AUMSVILLE'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF AUMSVILLE FOR POLICY YEAR 2022-23 Councilor Casarez moved to approve the consent agenda as presented. Councilor Ecclestone seconded the motion. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

CITY ADMINISTRATOR REPORT: CA Harding reported that Oregon Health Authority (OHA) is currently planning to start licensing for the manufacturing, delivery, and administration of psilocybin mushrooms at licensed facilities. The city has an option to prohibit the location of these facilities through a general election vote. Local governments may regulate the hour of operation, place, and manner restrictions; or require land use compatibility statements to be issued before OHA can license a facility. After a discussion, CA Harding recommended Council approve a public ballot measure in November. Council concurred that CA Harding would research the subject more in-depth and report back to the next council meeting.

MAYOR/COUNCIL REPORTS AND INITIATIVES:

Council discussed the letter to be sent out to state officials regarding the industrial poultry businesses that was presented at the last council meeting. Councilor Casarez moved to authorize Mayor Clevenger to sign the letter on behalf of the whole Council. Councilor Ecclestone seconded the motion. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

CA Harding stated that the letters are ready for Mayor Clevenger to sign and staff will get them mailed out.

GOOD OF THE ORDER: None	
CORRESPONDENCE: None	
The regular meeting adjourned at 7:48 PM.	
	Derek Clevenger, Mayor
Ron Harding, City Administrator	



CITY OF AUMSVILLE 595 Main Street | Aumsville, Oregon 97325 (503) 749-2030 | www.aumsville.us

STAFF REPORT

DATE: July 25,2022

TO: City of Aumsville City Council

FROM: Ron Harding, City Administrator

SUBJECT: Wastewater Treatment Facility Environmental Review Study

RECOMMENDATION: Approved the contract with Westech Engineering for preliminary engineering and environmental reports JO 2969.3010.0

BACKGROUND: The city has worked to meet the new requirements of our NPDES permit issued by DEQ. Recently DEQ approved the city wastewater facility plan for 2022. The next step will be for the city to acquire funding for those capital projects called out in the plan. The city must have completed a preliminary engineering report and an environmental study to obtain funding from the state and federal agencies. There is an October 31 deadline to apply for USDA funds. I want to provide the city the best opportunity to meet that deadline, so we immediately started on this next phase with the approval of our facility plan.

If we miss this deadline, we will have less opportunity for subsidies using older census data, but the environmental study and preliminary engineering work will be required.

CURRENT SITUATION: Staff has worked closely with Chris Brugato from Westech engineering to access grants and discounted loans to assist with the wastewater facility planned improvements. This work is essential to meeting those goals.

MOTION:

- I move to authorize the city to enter into a contract with Westech engineering for Wastewater Treatment Plant Improvements Preliminary Engineering and Environmental Reports JO 2969.3010.0 For \$81,763.00
- I move to authorize the city to enter into a contract with Westech engineering for Wastewater Treatment Plant Improvements Preliminary Engineering and Environmental Reports JO 2969.3010.0 For \$81,763.00 or as modified by:
- Remand back to staff to provide additional research or modification



July 13, 2022

Mr. Matt Etzel Aumsville Public Works 595 Main Street Aumsville, Oregon 97325

RE: Wastewater Treatment Plant Improvements Preliminary Engineering and Environmental Reports

JO 2969.3010.0

Dear Matt:

Westech Engineering is pleased to provide this engineering services proposal to assist the City with the preparation of a Preliminary Engineering Report and an Environmental Report for the Wastewater Treatment Plant Improvement Project. We understand the City would like to apply for funding assistance from the USDA Rural Development Program. The USDA application package requires two specialized documents. These are a Preliminary Engineering Report and an Environmental Report. These two documents will be the final deliverables of the work described below.

The remainder of this letter proposal is divided into the following sections. Short discussions on these items follow.

- Scope of Work
- Schedule
- Assumptions
- Fee Schedule

SCOPE OF WORK

Our proposed scope of work includes the following three tasks.

Task 1: Topographic Survey

In order to complete Tasks 2 and 3 described below, a topographic survey of the treatment plant area is necessary. This survey will also be needed for the final design work for the treatment plant improvement project. As such, we have included the preparation of detailed topographic survey in this proposal. Westech proposes to retain the services of Barker Surveying Inc. to prepare the survey. Westech will supervise and direct the surveyor's work on the behalf of the City. This survey work will then be used to assist with the completion of Task 2 and Task 3.

Task 2: Preliminary Engineering Report

The City has been engaged in ongoing discussions with the USDA Rural Utility Service (RUS) about funding for the project and has received favorable feedback. At this time, the City would like to submit an application to the RUS for funding assistance. As part of the application package, the RUS requires a document they refer to as a Preliminary Engineering Report or PER. The requirements for this document at described in USDA Bulletin 1780-2 published by the RUS. This document is available online and usually shows up in most web searches. We have reviewed this document and are happy to assist the City with the preparation of the PER. Our proposed scope includes the preparation of PER in accordance with Bulletin 1780-2 as published by the RUS. We will work with the City to obtain the required background information. Most of this information is available in the City's wastewater facilities plan, and the engineering work that we have performed to date. As such, this work effort should be relatively straight forward.

July 13, 2022 Matt Etzel City of Aumsville Page 2

The PER requires a detailed alternatives analysis to demonstrate the merit of the selected alternative. The City's facilities plan includes a similar analysis and the information from the facilities plan will be used for the PER. We will use this analysis to demonstrate the merit of the preferred wastewater treatment plant alternative. We will prepare a draft PER for the City's review. We will then revise the draft report as needed to address the City's comments and prepare a final PER that can be submitted along with the City's application to the RUS.

Task 3: Environmental Report

In addition to the PER, an application package to the USDA RUS funding program also requires a document they refer to as an "Environmental Report." Since USDA funding is a federal program, it requires a federal review and compliance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). The Environmental Report is the document that is used to show compliance with NEPA and NHPA. In order to prepare an Environmental Report for this project, Westech proposed to retain the services of SWCA Environmental Consultants as a subconsultant to prepare the Environmental Report. Westech will supervise and direct the work of SWCA on the City's behalf. The Environmental Report will assess the potential of the project to impact the following resources.

- 1) Historic Properties and Archaeological Sites
- 2) Threatened or Endangered Species and Habitat
- 3) Wetlands
- 4) Floodplains
- 5) Formally Classified Lands (inc. Wild and Scenic Rivers)
- 6) Water Resources (inc. Aguifers and Watershed Protection Areas)
- 7) Coastal Resources
- 8) Important Farmland

The attached proposal from SWCA provide additional detail on the proposed scope of work needed for the preparation of the Environmental Report.

For this proposal, we have assumed that the project will qualify for a categorical exclusion as designated under 7 CFR § 1970.54 for small-scale developments. This approach is based on the assumption that the environmental research and fieldwork will not discover any sensitive resources. We make this assumption, because the discovery of sensitive resources requires additional consulting work with a scope and cost that can be guite variable depending on the resources that are actually discovered. Therefore, it is not possible to quantify the additional consulting work until the resources are discovered. For example, state laws require any discovered archeologic artifacts to be collected, analyzed, and curated. If no artifacts are discovered, then there will be no curation costs. If artifacts are discovered, the curation costs will depend on the number, extent, and type of artifacts. Therefore, the costs for the curation cannot be known at this time. If artifact curation is required, we will need to submit a request for additional fees to cover those costs. A similar situation exists for the consultations with the tribes and other federal agencies. NEPA and NHPA require consultation with federally recognized tribes and other federal resource agencies to seek input on environmental and cultural resources that may be present at the site. At this time, it is not possible to know how these agencies will respond to the consultations. These agencies may request additional analysis, data, fieldwork, and meetings depending on site specific issues that cannot be anticipated at this time. Therefore, we may need to see additional fees if one or more of the agencies requests additional work that is not included in our current scope. Our current scope includes the preparation of the initial consultation letters and is based on the assumption that the various resource agencies and tribes will not request any additional fieldwork, meetings, or analysis.

Clearly, the City needs to be prepared for some uncertainty regarding the costs for the environmental work. Therefore, we recommend the City establish a contingency budget as described below.

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SCHEDULE

We understand that the City would like to complete the Preliminary Engineering Report, and the Environmental Report before October 1, 2022. We will be able to complete the Preliminary Engineering Report prior to this deadline. The Environmental Report will be more challenging. This is due to the fact that consultations with various state, federal, and tribal resource agencies may result in additional work depending on the nature of the resources that are discovered. If the agencies to not express great concern about the project and the concur with the categorical exclusion findings, then it may be possible to meet the October 1 deadline. However, if the agencies require additional analysis or data, thereby drawing out the consultation process, it may be not be possible to make this deadline. In short, we will make every effort to meet this deadline, but may not be successful.

ASSUMPTIONS

This proposal is based on the following assumptions and exclusions.

- No more than six Section 106 consultation letter templates (one for each entity involved in USDA consultation)
 will be created for the project.
- Up to one SHPO permit will be required for the pedestrian survey.
- No archaeological resources (site or isolate) will be identified.
- An historic-period architectural resources survey will not be required; no aboveground historic-period resources will be identified.
- The USDA will provide one round of combined comments on the environmental report and preliminary engineering report.
- One round of cultural resources report revisions will occur per reviewing party.
- This scope does not include preparation of state or federal agency permits such as a U.S. Army Corps of Engineers 404 permit or a US Fish and Wildlife incidental take permit.
- All deliverables will be electronic.
- The project will be classified as an Categorical Exclusion. If the USDA determines there are extraordinary circumstances, such as impacts to wetlands, additional fees may be required.

FEE SCHEDULE

We propose to perform the work described above on a time & materials basis at our current hourly rates with total fees not to exceed those listed in the following table for each task. As described above, the City should establish an additional contingency budget if changes to the work scope are needed are needed to address some of the issues that are described above. At this time, an additional continency of \$10,000 is recommended.

Each of the work tasks can stand alone. Therefore, the City can authorize each task separately if desired.

If the City decides to proceed with the work scope summarized herein, we assume that the City will authorize us to proceed with these services under our existing city engineering contract (we will provide separate invoices for this work to allow the City to accurately track costs). Upon your authorization to proceed, we are prepared to start immediately on the proposed work. This proposal is valid for 6 months from today's date

Task	Not to Exceed Fee
Task 1: Topographic Survey	
Barker Surveying Fee	\$15,000
Westech Subconsultant Markup @10%	\$1,500
Total Fee for Task 1	\$16,500
Task 2: USDA Preliminary Engineering Report (Westech Direct Cost Only)	\$30,000
Task 3: Environmental Report	
SWCA Fee	\$32,058
Westech Subconsultant Markup @10%	\$3,205
Total Fee for Task 3	\$35,263

We appreciate the opportunity to present this proposal to the City and look forward to continuing to work with the City on this very important project. If you have any questions or need additional information regarding this matter, please contact us at (503) 585-2474.

Sincerely,

WESTECH ENGINEERING, INC.

Christopher J. Brugato, P.E.

The parties hereto agree to the work effort and conditions described above with all terms and conditions in accordance with the City Engineer of Record Services Contract between the City of Aumsville and Westech Engineering, Inc. dated 3/9/2019.

The City of Aumsville	
Organization	Signature
	_
Date	Typed or Printed Name

cjb

SCOPE OF WORK

The City of Aumsville (City) is proposing to upgrade their current wastewater treatment plant to address current deficiencies. The project would be partially funded through the U.S. Department of Agriculture (USDA) Rural Development program and therefore requires a federal review and compliance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).

SWCA will assist the City in its USDA application by preparing an environmental report that assesses the potential of the project to impact the following topics:

- 1) Historic Properties and Archaeological Sites
- 2) Threatened or Endangered Species and Habitat
- 3) Wetlands
- 4) Floodplains
- 5) Formally Classified Lands (inc. Wild and Scenic Rivers)
- 6) Water Resources (inc. Aquifers and Watershed Protection Areas)
- 7) Coastal Resources
- 8) Important Farmland

Upon completion of the report, SWCA will complete the standard environmental checklist and determine if the project is eligible for categorical exclusion status as designated under 7 CFR § 1970.54 for small-scale developments.

PHASE 1. BIOLOGICAL RESOURCES

SWCA will conduct a desktop assessment for potential aquatic resources within the project site. Aquatic resources include wetlands, watercourses, canal, ditches, pond or another feature that may fall under Clean Water Act regulations. SWCA will review publicly available data sets, including the Federal Emergency Management Agency's National Flood Insurance Program flood hazard maps; USGS quadrangles; Natural Resources Conservation Service soil maps; National Wetlands Inventory and National Hydrography Dataset data; as well as aerial imagery, land use/land cover data, and other pertinent data to identify potential wetlands and water sources within the project site.

SWCA will complete a desktop assessment to determine if there are potential concerns with any threatened, endangered, sensitive, or other species of concern. SWCA will review and summarize the following publicly available resources:

- USFWS Information Planning and Consultation (IPaC) service
- StreamNet Fish Data for the Northwest, Maps and GIS Data
- Natural Resource Conservation Service (NRCS) Web Soil Survey
- Oregon Department of Fish and Wildlife Sensitive Species List

Following the desktop review, one SWCA biologist and one wetland scientist will visit the project area. The biologist will complete a habitat survey for any potential species in the area and the wetland scientist will complete a wetland delineation, including capturing the ordinary high-water mark for the stream.

PHASE 2. CULTURAL RESOURCES

Because the project is receiving federal permitting, the project will be subject to Section 106 of the National Historic Preservation Act (NHPA), as amended. SWCA will assist with Section 106 support through the like of the project and conduct a cultural resources survey to comply with Section 106 and that meets Oregon State Historic Preservation Office (SHPO) standards as outlined in the following tasks. The project will require formal government-to-government consultation between the lead agency, the SHPO, interested federally recognized Tribes, and other interested parties as applicable. SWCA will assist with Section 106 consultation by providing project-specific consultation letter templates to ensure the lead agency can complete meaningful consultation. This scope of work does not include meetings or additional consultation. Follow up consultation support beyond the tasks outlined here would need to be addressed under a separate scope of work.

SWCA will conduct background research on the SHPO's Oregon Archaeological Records Remote Access (OARRA) and within the SWCA library. SWCA staff will also review General Land Office (GLO) maps, soils and wetland data, and any other resources deemed appropriate during the course of the initial investigations.

Per ORS 390.235 and 358.920, subsurface archaeological explorations on non-federal public lands must be conducted under an Archaeological Excavation Permit issued by the SHPO. SWCA understands that the project area is on public land owned by the City of Aumsville. SWCA will prepare an application for an archaeological permit (including research design) for submittal to the SHPO. The research design attached to that permit will describe the details of the pedestrian survey and subsurface testing, if applicable, on the non-federal public land within the project.

Once submitted to SHPO, the permit application review process will take a minimum of 35 days with review by the SHPO, appropriate Tribes, and the other appropriate reviewing parties. The reviewing parties may attach conditions to be carried out as part of the permit. In the event of permit conditions or a request for coordination from SHPO, SWCA will coordinate with SHPO and the Tribes prior to any field investigations, as appropriate.

SWCA will conduct a pedestrian archaeological survey to identify any near-surface archaeological resources and to evaluate the project area's potential to contain buried archaeological resources. Pedestrian survey will involve archaeologists walking along transects spaced approximately 20 meters apart systematically examining the ground surface for archaeological materials throughout the entire project area. All pedestrian archaeological survey will conform to the current guidelines of the SHPO. Given the setting of the project area and nature of project disturbances, SWCA proposes excavation of up to 36 shovel probes to sample for buried archaeological deposits within high probability areas (for buried archaeological deposits) where ground disturbances will occur.

Should archaeological materials be identified in the shovel probes on non-federal public land (under a SHPO permit), SWCA will immediately contact the project manager for Westech to notify of the discovery and to discuss a scope modification based on the number of resources identified. Artifacts recovered from buried contexts on public land will need to be collected, analyzed, and curated with the state repository for archaeological collections, the University of Oregon Museum of Natural and Cultural History. The cost for the scope modification will depend on the nature of the find and the number of artifacts collected.

SWCA will evaluate the results of background research and fieldwork and draft a report to SHPO standards to aid in satisfying the cultural resources evaluation requirements of Section 106. The report will include documentation of background research, methods and results of the field investigations, preliminary evaluations of any resources identified, and recommendations for further work that may be necessary to further evaluate or mitigate resources, as appropriate. The report will include resource forms for up to one archaeological resource. SWCA will submit the draft report for review. Upon receipt of any comments from the draft report, SWCA will finalize all documentation into a final report. This report will also be used to support the Phase 3 deliverable below.

Deliverables:

- Section 106 agency letters
- Cultural Resources Report

PHASE 3. ENVIRONMENTAL REPORT/CHECKLIST

SWCA resource experts will prepare the environmental report to meet NEPA and NHPA requirements. The report will be supported by figures and maps clearly illustrating the review topic findings, where warranted. Any potential environmental or cultural resources conflicts will be defined and management recommendations provided to the City of Aumsville to mitigate them, where feasible. Upon completion of the environmental report, SWCA will complete a standard environmental checklist and document for the USDA whether the project is eligible for categorical exclusion status as designated under 7 CFR § 1970.54 for small-scale developments. This checklist will be provided to the City of Aumsville as a deliverable along with the environmental report.

Deliverables:

- Environmental Report
- Standard environmental checklist

COST ESTIMATE AND ASSUMPTIONS

SWCA proposes to complete the scope of work detailed above for the costs provided in the table below. We propose to conduct Phases 1, 2, and 3, on a time-and-materials, not-to-exceed (NTE) basis. Our total proposed cost for these Phases is \$32,058.00.

Table 1. Cost Estimate.

PHASE	LABOR \$	EXPENSES \$	NTE TOTAL \$
Phase 1. Biological Resources	\$9,558	\$173	\$9,761
Phase 2. Cultural Resources	\$15,706	\$449	\$16,154
Phase 3. Environmental Report/Checklist	\$6,143	\$0	\$6,143
			*** ***

PROJECT TOTAL \$32,058.00

ASSUMPTIONS

- SWCA staff will be provided full access to the survey areas, and no special training such as Hazardous Waste Operations and Emergency Response (HAZWOPER) will be needed.
- No more than six Section 106 consultation letter templates (one for each entity involved in USDA consultation) will be created for the project.
- Up to one SHPO permit will be required.
- No archaeological resources (site or isolate) will be identified.
- An historic-period architectural resources survey will not be required; no aboveground historic-period resources will be identified.
- The USDA will provide one round of combined comments on the environmental report.
- One round of cultural resources report revision will occur per reviewing party.

- Shape files of the site will be provided within 1 day of NTP.
- The study area for biological resources and wetlands/riparian is no larger than 10 acres.
- This scope does not include preparation of state or federal agency permits such as a U.S. Army Corps of Engineers 404 permit or a US Fish and Wildlife incidental take permit.
- All deliverables will be electronic.
- The project will be classified as an Categorical Exclusion. If the USDA determines there are extraordinary circumstances, such as impacts to wetlands, a change order to do an EA would be required.



CITY OF AUMSVILLE 595 Main Street | Aumsville, Oregon 97325 (503) 749-2030 | www.aumsville.us

STAFF REPORT

DATE: July 25, 2022

TO: City of Aumsville City Council

FROM: Ron Harding, City Administrator

SUBJECT: MWVCOG Assistance Contract

RECOMMENDATION: Approved the service contract between the City of Aumsville and the Mid-Willamette Valley Council of Government (MWVCOG).

BACKGROUND: The Ford Family Foundation, Oregon Community Foundation, and state legislature HB 2345 have provided funds to assist the city in leveraging and administering ARPA funds. These funds are at a 50% match for cities with populations under 35,000. The MWVCOG charges \$82.00 per hour plus material and expenses for grant assistance. With the grants available, the city can use this service for \$41.00 per hour plus travel expenses. The contract with the MWVCOG will allow the city to draw on these resources as needed.

CURRENT SITUATION:

We are currently administering four ARPA grants and continuing to look for additional funding grants for the \$23,000,000 wastewater facility. This contract will provide another working group for us to help access some of the available funds at a low cost.

MOTION:

- I move to authorize the City Administrator to sign the MWVCOG contract for grant services.
- I move to authorize the City Administrator to sign the MWVCOG contract for grant services modified by:
- Remand back to staff to provide additional research or modification

INTERGOVERNMENTAL AGREEMENT Between MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS and the City of Aumsville

1. PARTIES TO AGREEMENT

This Intergovernmental Agreement (Agreement) is made pursuant to the authority found in ORS 190.010, et seq., between the *Mid-Willamette Valley Council of Governments*, an Oregon Intergovernmental Agency created under ORS Chapter 190, hereafter called COG, and the City hereafter called CITY. The COG and City collectively are referred to as Parties.

2. PURPOSE

The purpose of this Agreement is to establish the terms and conditions under which the COG will assist the eligible jurisdiction with the staffing and financial and technical capacity necessary to carry out proactive strategies for workforce, infrastructure, economic and community development via grant writing, grant administration, and grant and capacity building to jurisdictions as authorized under House Bill 2345, 2021 regular session and matching funds provided by the Oregon Community Foundation, in partnership with The Ford Family Foundation.

3. STATEMENT OF WORK

The MWVCOG Community Development Program work is to increase the capacity of MWVCOG member jurisdictions, and other special districts in the Mid-Willamette Valley, to identify and secure state and federal resources to meet identified community needs. The COG will provide Grant and Grant Administration Services as part of its work program as follows:

- a) **Project Development** shaping/framing up projects so that they are investment-ready. This can include project scoping, convening stakeholders, determining if the project is a community priority, etc.
- b) **Resource Prospecting** identifying appropriate local, state, and federal resources to help fund the project. This generally includes researching appropriate grant programs for each project, but can also include building local partnerships to leverage funding, decrease costs, etc.
- c) Grant Writing Preparing and submitting grant applications on behalf of the client.
- d) **Grant Administration** Providing grant administration services on behalf of the client.

4. TERM AND TERMINATION

- 4.1 This Agreement shall be effective for the period of June 1, 2022 through June 1, 2023 unless sooner terminated or extended as provided herein.
- 4.2 This Agreement may be extended for an additional period of one year by agreement of the parties. Any modifications in the terms of such amendment shall be in writing.

- 4.3 This agreement may be terminated by mutual consent of both Parties at any time or by either party upon 30 days' notice in writing, and delivered by mail or in person. Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.
- 4.4 City may terminate this agreement effective upon delivery of written notice to COG or at such later date as may be established under any of the following conditions:
 - a. If funding from federal, state, or other sources is not obtained or continued at levels sufficient to allow for the purchase of the indicated quantity of services. This agreement may be modified to accommodate a reduction in funds.
 - b. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this agreement or are no longer eligible for the funding proposed for payments authorized by this agreement.
 - c. If any license, certificate, or insurance required by law or regulation to be held by COG to provide the services required by this agreement is for any reason denied, revoked, or not renewed.
 - d. If COG fails to provide services called for by this agreement within the time specified herein or any extension thereof.
 - e. If COG fails to perform any of the provisions of this agreement or so fails to pursue the work as to endanger the performance of this agreement in accordance with its terms and after written notice from City, fails to correct such failure(s) within ten (10) days or such longer period as the City may authorize.
- 4.5 Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

5. FUNDING AND BILLING

- 5.1 COG has determined that the maximum hours per Grant Project is up to fifty (50) hours. Staffing provided by COG under this contract shall be provided and tracked on an hourly basis. The Hourly Rate for Grant Writing is \$82 per hour. The work provided shall be tracked to the maximum funding available on a fee for service basis based on the hourly rate schedules adopted by the COG. City will reimburse COG for mileage at the federal rate of .625 per mile. COG shall submit timesheets and mileage logs as documentation with invoices submitted for payment.
- 5.2 For communities and special districts below 2,500 in population:
 - a. <u>Project Development and Resource Prospecting</u> = 100% subsidy (free service)
 - b. Grant Writing = 50% cost reduction.
 - c. <u>Grant Administration</u> = When needed by clients and where allowable within grant program rules, the cost of this service will be built into the grant application itself. Most grant programs do allow some expense for grant administration. For those that do not, COG will negotiate an appropriate rate for providing grant administration on behalf of the client.

- 5.3 For communities and special districts between 2,500 and 35,000 in population:
 - a. <u>Project Development and Resource Prospecting</u> = 100% subsidy (free service)
 - b. <u>Grant Writing</u> = 50% cost reduction.
 - c. <u>Grant Administration</u> = When needed by clients and where allowable within grant program rules, the cost of this service will be built into the grant application itself. Most grant programs do allow some expense for grant administration. For those that do not, COG will negotiate an appropriate rate for providing grant administration on behalf of the client.
- 5.4 Requests for payment shall be submitted to the City pursuant to the Tasks and Budget items identified on Exhibit A to City to submit to the Grantor.

6. OBLIGATIONS UNDER THE TERMS OF THIS AGREEMENT

- 6.1 Under the terms of this Agreement, COG shall provide the services and assistance listed under Exhibit A, Section 1. Consultant Role.
- 6.2 Under the terms of this Agreement, City shall provide the services and assistance listed under Exhibit A, Section 2. Local Government Role.

7. COMPLIANCE WITH APPLICABLE LAWS

The Parties agree that both shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this agreement. The Parties agree that this agreement shall be administered and construed under the laws of the state of Oregon.

8. NONDISCRIMINATION

The Parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations in the performance of this agreement.

9. HOLD HARMLESS

To the extent permitted by Article XI, Section 7 of the Oregon Constitution and by the Oregon Tort Claims Act, each party agrees to waive, forgive, and acquit any and all claims it may otherwise have against the other and the officers, employees, and agents of the other, for or resulting from damage or loss, provided that this discharge and waiver shall not apply to claims by one party against any officer, employee, or agent of the other arising from such person's malfeasance in office, willful or wanton neglect of duty, or actions outside the course and scope of his or her official duties.

10. INSURANCE

Each party shall insure or self-insure and be independently responsible for the risk of its own liability for claims within the scope of the Oregon tort claims act (ORS 30.260 TO 30.300).

11. MERGER CLAUSE

The Parties concur and agree that this agreement constitutes the entire agreement between the Parties. No waiver, consent, modification or change to the terms of this agreement shall bind either party unless in writing and signed by both Parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. The Parties, by the signatures below of their authorized representatives, hereby agree to be bound by its term and conditions.

12. NOTICES

Any notice required to be given the COG or City under this Agreement shall be sufficient if given, in writing, by first class mail or in person as follows:

For COG:	For City of Aumsville
McRae Carmichael,	
Community Development Director	
100 High Street SE, Suite 200	
Salem, OR 97301	

SIGNATURES

This agreement and any changes, alterations, modifications, or amendments will be effective when approved in writing by the authorized representative of the Parties hereto as of the effective date set forth herein.

In witness whereof, the Parties hereto have caused this agreement to be executed on the date set forth below.

City of Aumsvine		
Authorized Signature:		
Title: Ron Harding, City Administrator	Date:	
Mid-Willamette Valley Council of Governments]		
Authorized Signature:		
Title: Scott Dadson, MWVCOG Executive Director	Date:	

EXHIBIT A- SCOPE OF WORK

Section 1.

Funding and Subsidized Rates

MWVCOG has received funding from two outside services to support this program:

- 1. **State Funding** From HB 2345 (2021 session). This funding is limited to very small communities or special districts (less than 2,500 population), and is focused on securing resources for "workforce, infrastructure, economic and community development".
- 2. **The Ford Family Foundation Funding** This funding is administered to MWVCOG through Oregon Economic Development Districts, and is available for communities and special districts up to 35,000 in population, and otherwise has the same purposes and intent of the state funding.
- 3. For communities or special districts above 35,000 in population, MWVCOG will provide initial scoping meetings for free, and will bill the actual cost of any additional technical assistance to the client.

Due to these funding sources, MWVCOG is able to offer a subsidized rate for communities and projects that are consistent with one or both of the above funding sources. The subsidized rate structure is as follows:

- 1. For communities and special districts below 2,500 in population:
 - a) <u>Project Development and Resource Prospecting</u> = 100% subsidy (free service)
 - b) Grant Writing = 50% cost reduction.
 - c) <u>Grant Administration</u> = When needed by clients and where allowable within grant program rules, the cost of this service will be built into the grant application itself. Most grant programs do allow some expense for grant administration. For those that do not, MWVCOG will negotiate an appropriate rate for providing grant administration on behalf of the client.
 - d) An additional subsidy amount may be available and is dependent upon the need in a community and the scale and scope of the project. Such an additional subsidy must be requested at the time of the agreement in writing and the reasons for same must be articulated.
- 2. For communities and special districts between 2,500 and 35,000 in population:
 - a) Project Development and Resource Prospecting = 100% subsidy (free service)
 - b) Grant Writing = 50% cost reduction. The amount of the subsidy is dependent upon the scale and scope of the project.
 - c) <u>Grant Administration</u> = When needed by clients and where allowable within grant program rules, the cost of this service will be built into the grant application itself. Most grant programs do allow some expense for grant administration. For those that do not, MWVCOG will negotiate an appropriate rate for providing grant administration on behalf of the client.

Section 2.

LOCAL GOVERNMENT ROLE. The City of Aumsville will:

 Confirm applicable funding programs eligibility under one of the following eligible categories:
"Rural jurisdictions" for the purposes of these funds is defined as communities with populations of 2,500 or less (HB 2345 funding) *
"Rural jurisdictions" for the purpose of these funds is defined as communities with populations of 35,000 or less (TFFF funding)
b. Provide the personnel, resources, and tools necessary to successfully complete the
following tasks:
A. Be the point of contact responsible to assist the Consultant to collect
information and local authority needed to pursue grant funding. Such
information shall be provided to Consultant in a timely manner so grant
opportunities may be pursued within established funding cycles. Time is of the
essence is assisting the Consultant to obtain local information and approvals in order to pursue grants;
B. Schedule local government meetings required for decision-makers to provide review and direction, as needed, to meet funding timelines;
C. Review draft documentation, provide feedback and approval in a timely manner;
D. As needed, specify preferred funding source(s) to pursue
(pending COG staff support and guidance).

^{*}Assistance may be provided to tribes, cities, counties, special districts, school districts, and nonprofit organizations within rural jurisdictions.



595 Main St. Aumsville, Oregon 97325 (503) 749-2030•TTY 711•Fax (503) 749-1852 www.aumsville.us

July 25, 2022

John Pouley State Archaeologist Oregon State Historical Preservation Office 725 Summer Street NE, Suite C Aumsville, OR 97301

SUBJECT: Permit for Archeological Testing at 955 Onley St. Aumsville Oregon.

Dear Mr. Pouley:

With this letter, I authorize SWCA Environmental Consultants to conduct archaeological testing on behalf of the City of Aumsville on City-owned land known as the Aumsville Public Works campus at 955 Onley Street located in Northwest Aumsville between Onley Road and SR 22. I understand that the proposed archeological investigations will assist the City of Aumsville in complying with state laws that protect cultural resources. By authorizing this work, I acknowledge the City of Aumsville's responsibility to provide sufficient funding to cover the excavation, artifact analysis, curation, and preparation of the final report.

Sincerely,

Ron Harding City Administrator

Payroll Register



City of Aumsville

Fiscal: 2021-22

Deposit Period: 2021-22 - June

Check Period: 2021-22 - June - Second Council

Riverview Community Bank

9001000967

Check

<u>EFT 7122022-C</u> PERS

6/30/2022

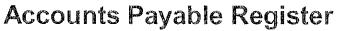
\$0.01

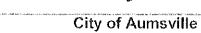
Check 9001000967 \$0.01 \$0.01

Total Grand Total

Total

\$0.01





Fiscal: 2022-23

Deposit Period: 2022-23 - July Check Period: 2022-23 - July - First Council

Riverview Community Bank	9001000967		
Check			
<u>55578</u>	911 SUPPLY	7/11/2022	\$1,539.00
<u>55579</u>	AUMSVILLE ACE HARDWARE	7/11/2022	\$218.54
<u>55580</u>	BMS TECHNOLOGIES	7/11/2022	\$2,509.48
<u>55581</u>	CAPITAL VALUATION GROUP, LTD.	7/11/2022	\$300.00
<u>55582</u>	CITY OF KEIZER	7/11/2022	\$1,657.50
<u>55583</u>	FERGUSON WATERWORKS #3011	7/11/2022	\$3,550.00
<u>55584</u>	GO FULL CLOUD	7/11/2022	\$6,134,40
<u>55585</u>	GREYSTONE TACTICAL	7/11/2022	\$54.39
<u>55586</u>	LEAGUE OF OREGON CITIES	7/11/2022	\$20,00
<u>55587</u>	MID-WILLAMETTE VALLEY COUNCIL OF	7/11/2022	\$2,462.00
	GOVERNMENTS		
<u>55588</u>	MNOP	7/ 1 1/2022	\$1,828.37
<u>55589</u>	MOONLIGHT MAINTENANCE	7/11/2022	\$731.75
<u>55590</u>	ONE CALL CONCEPTS INC	7/11/2022	\$13.20
<u>55591</u>	PACIFIC COAST ELECTRIC INC	7/11/2022	\$20,475.00
<u>55592</u>	SAIF CORPORATION	7/11/2022	\$25,739.78
<u>55593</u>	STETTLER SUPPLY COMPANY	7/11/2022	\$7,396.63
<u>55594</u>	THE POLICE & SHERIFFS PRESS, INC	7/11/2022	\$70.95
<u>55595</u>	VALLEY 5 ELECTRICAL SERVICES LLC	7/11/2022	\$410.00
<u>55596</u>	VISION MUNICIPAL SOLUTIONS, LLC	7/11/2022	\$7,356.00
<u>55597</u>	WESTECH ENGINEERING INC	7/11/2022	\$62,149.75
EFT Payment 7/11/2022 4:35:56 PM - 1	HOME DEPOT CREDIT SERVICES	7/11/2022	\$115.68
EFT Payment 7/11/2022 4:35:56 PM - 2	INVOICE CLOUD	7/11/2022	\$203.00
EFT Payment 7/11/2022 4:35:56 PM - 3	PACIFIC POWER	7/11/2022	\$9,186.34
EFT Payment 7/11/2022 4:35:56 PM - 4	RIVERVIEW COMMUNITY BANK	7/11/2022	\$4,341.10
EFT Payment 7/11/2022 4:35:56 PM - 5	VERIZON WIRELESS	7/11/2022	\$37.64
	Total	Check	\$158,500.50
	Total	9001000967	\$158,500.50
	Grand Total		\$158,500.50

Payroll Register

City of Aumsville

Fiscal: 2022-23

Deposit Period: 2022-23 - July

Check Period: 2022-23 - July - First Council

Riverview	Community	Bank
Check	_	

Direct Deposit Run - 7/13/2022 EFT 35094032 EFT 58370713 EFT 7272022 EFT HSA7152022 EFT OSGP7152022 EFT V7152022 HDHSP DON 7152022

9001000967

D 0 \ / l	7/45/0000	A07 000 47
Payroll Vendor	7/15/2022	\$37,882.47
EFTPS	7/15/2022	\$13,415.88
Oregon Department of Revenue	7/15/2022	\$3,839.69
PERS	7/15/2022	\$13,050.50
HSA Bank	7/15/2022	\$1,304.17
VOYA - STATE OF OREGON - LG#:2234	7/15/2022	\$665,00
Valic	7/15/2022	\$25,00
CITY OF AUMSVILLE	7/15/2022	\$101.47
Total	Check	\$70,284.18
Total	9001000967	\$70.284.18

Grand Total

A A

\$70,284.18