

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, September 17, 2012. Mayor Knapp called the meeting to order at 7:03 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp
Council President Núñez
Councilor Goddard
Councilor Starr

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Mike Kohlhoff, City Attorney
Stephan Lashbrook, SMART Director
Sandra King, City Recorder
Mark Ottenad, Public Affairs Director
Dan Knoll, Public Affairs Coordinator
Delora Kerber, Public Works Director
Nancy Kraushaar, Community Development Director

Motion: Council President Nunez moved to approve the order of the agenda. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

A. Upcoming Meetings

Mayor Knapp announced the upcoming Council meeting date and that the water features in Murase Plaza and Town Center Park have been shuttered for the winter. He announced the Beauty & the Bridge Dedication set for the morning of Sunday October 7, 2012, to recognize the student artwork installed under the I-5/Wilsonville Road overpass. The Mayor then reported on the regional meetings he attended on behalf of the City.

COMMUNICATIONS

A. WWTP Quarterly Report

Eric Mende, Deputy City Engineer, presented the Quarterly Report. SAIC (formerly R.W. Beck) and Brown and Caldwell are currently providing Owner's Representative services to the City on the Design-Build-Operate (DBO) contract for the Wastewater Treatment Plant (WWTP) Improvements. One of the tasks under the Owner's Representative Agreement with SAIC is a quarterly report to City Council pertaining to the performance of the DBO Company – CH2M HILL. Tonight is the third of these quarterly reports.

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The current Design-Build Work schedule shows that CH2M HILL is generally on schedule to meet the contractually required Scheduled Acceptance Date of March 20, 2014. Although the aeration basin work (a critical path item) is approximately one week behind schedule, CH2M HILL has stated that the Scheduled Acceptance Date will still be met. Since June, the monthly updates to the Design-Build Work schedule have shown a progressively declining amount of float relative to the Scheduled Acceptance Date, and the current schedule does not show any float. Therefore CH2M HILL has less cushion should it encounter additional delays. The Scheduled Acceptance Date is 19 months away and CH2M HILL has options to actively manage the schedule situation. Declining float is not uncommon with projects of this size and complexity as the work progresses, and the schedule will continue to be closely monitored. The Owner's Representative conducts detailed reviews of monthly updates to the Design-Build Work Schedule in order to alert the City to any issues that may impact CH2M HILL's ability to meet the Scheduled Acceptance Date.

As of August 31, 2012, CH2M HILL has been paid \$10,514,033.82, representing 29.3% of the current \$35,871,460.98 Design-Build contract value. A summary of the current and original Design Build Price is shown below:

Table 1
Summary of Design-Build Price

Original Design-Build Price	\$35,707,414.00	
Change Order Amount (total to date)	\$164,046.98	(0.46%)
Current Design-Build Price	\$35,871,460.98	

CONTRACT ADMINISTRATION MEMORANDA (CAM), CHANGE ORDERS (CO), AND DBO AGREEMENT AMENDMENTS (DAA)

Four Change Orders were executed during this quarter, as summarized on Table 2:

Table 2
Summary of Change Orders Executed this Quarter

Description of Change Order	Cost
Fire Alarms in Operations Building (City Request – Split cost)	\$14,268.45
Influent Raw Sewer Line Upsizing (City Request)	\$40,021.65
Temporary Emergency Generator Rental due to Early Removal of Existing Generator (City Request)	\$30,037.88
Revised Layout of CH2M HILL's Permanent Standby Generator Layout (Company Request)	\$0
TOTAL	\$84,327.98

Eight Contract Administrative Memoranda (CAMs) were executed this quarter, six of which provided City approval of subcontractors who will provide contract services to CH2M HILL, valued in excess of \$50,000. One CAM documented a methodology for City repayment to CH2M HILL for electric power costs for ongoing WWTP operations that are a City

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responsibility, but are billed by PGE to CH2M HILL. The last CAM provided a temporary easement to CH2M HILL from SW Fir Street for construction activities related to the influent raw sewer line relocation.

CH2M HILL continues to refine the design through the process of procuring major equipment and systems. One example is the selection of the therma-flite biosolids dryer which resulted in changes to the Dewatering and Drying Building that improve the efficiency of the equipment layout. Additional refinements have been made related to the configuration of the influent raw sewage piping.

Seven permits were issued by the City during the quarter. These permits included building, mechanical, and plumbing permits for the new Headworks and Dewatering / Drying facilities, plus a Site Plumbing Permit. Clackamas County also issued a Site Electrical Permit.

CH2M HILL also submitted revised Dewatering and Drying Building design drawings for Class I Administrative Review. CH2M HILL will submit revised Headworks design drawings for Class I Administration Review in September.

CH2M HILL continues to install, implement, and modify the temporary sediment and erosion control measures on the site, in accordance with its Construction Plan and City input.

Construction activities this quarter have included the following: Completion of the outfall pipe; installation of the temporary 500 kW generator and removal of the existing generator; concrete placements for the plant drain pump station, aeration basin splitter box and aeration basin #3; grading; yard piping changes; and electrical feed modifications.

The temporary odor control system was operational throughout this quarter. Odors have been noticed by CH2M HILL staff, City staff, the Owner's Representative and the public. CH2M HILL has been monitoring the function of the temporary odor control system on a daily basis, in accordance with the DBO Agreement and CH2M HILL's Construction Plan, and evaluated possible improvements to the temporary odor control system to further mitigate odors. So far, CH2M HILL has replaced the filter media with a different type of media and installed additional stacks which have reduced odors.

Procurement for major equipment, smaller subcontractors, and yard piping continues. The mechanical subcontractor mobilized on the site in August. CH2M HILL has responded to and approved Requests for Information and early Submittals.

CH2M HILL, the City and the Owner's Representative continue to meet at the Monthly Construction Meetings to discuss CH2M HILL's progress and any outstanding issues. Weekly Construction Check-in Meetings between the City, CH2M HILL and the Owner's Representative are held as needed.

The City is currently working with Department of Environmental Quality (DEQ) to develop a Mutual Agreement and Order (MAO) to postpone implementation of the temperature Total Maximum Daily Load (TMDL) and give the City an opportunity to evaluate alternative means of achieving TMDL compliance.

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The WWTP violated the National Pollutant Discharge Elimination System (NPDES) permit during the month of August due to operator error. The error was quickly rectified but a permit violation still occurred. CH2M HILL is taking corrective actions but, as a result of the violation, DEQ may impose a fine for which CH2M HILL is responsible.

ANTICIPATED ACTIVITIES FOR NEXT QUARTER

- HSSE Safety Training for anyone who plans to be on the WWTP site during construction
- Additional permitting activities
- Development of draft Acceptance Test Plan and Hydraulic Test Plan
- Further refinements to CH2M HILL's planned construction sequencing
- Update to CH2M HILL's Construction Plan
- Long lead time procurement items to be ordered
- Completion of structural demolition of the north primary clarifier, new yard piping, and slope stabilization prior to the upcoming wet season
- Completion of revised influent sewer construction
- Start foundations for flow control structure, headworks and sludge stabilization basins
- Completion of major earthwork
- Monthly Construction Meetings

ONGOING PROJECT SUCCESS

- Design completed on schedule and budget
- Minimal change orders through design
- Strong partnering relationships among team members
- No lost time accidents or injuries

Mr. Mende added the odor control plan will be reviewed and staff as well as CH2M Hill will be more aggressive in responding as odors occur and in reporting potential problems.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

David Correll, asked the Council to dedicate a road near City Hall to the memory of Tyler Byrne. Mr. Correll would help with cost of the sign.

Mr. Cosgrove stated there was a memorial rose garden at City Hall, and a bronze plaque will be installed at one of the water features in either Murase Plaza or Town Center Park.

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Yvonne Addington, Tualatin Historical Society, asked for support in renaming the Tonquin Trail to the “Ice Age Tonquin Trail”. Ms. Addington hoped the name change would increase interest in the history of the area, tourism, as well as enhance funding opportunities, economic development, and scientific research.

Mayor Knapp asked staff to prepare a resolution for Council consideration at a future Council meeting.

COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

Council President Núñez – Chamber Leadership and Library Board liaison, had no report.

Councilor Goddard – Library, Chamber Board, and Clackamas County Business Alliance liaison, reported the CCBA held their latest meeting at Oregon Institute of Technology. The Councilor thanked residents of the Wilsonville Meadows/Landover neighborhoods who attended the last neighborhood BBQ.

Councilor Starr –Development Review Boards and Wilsonville Community Seniors Inc. liaison, announced the date of the next DRB meeting. The last opportunity to attend the Villebois Farmers Market will be September 24, 2012, and he invited the public to attend the Conversation Project Unlimited at Graham Oaks Nature Park on September 22, 2012.

Mayor Knapp noted there will be a planned burn in the Graham Oaks Nature area this fall, and reported the Planning Commission heard an update on the Basalt Creek Transportation Plan at their last meeting.

CONSENT AGENDA

A. Minutes of the August 20, 2012 Council Meeting

Motion: Councilor Goddard moved to approve the Consent Agenda. Councilor Starr seconded the motion.

Vote: Motion carried 4-0.

PUBLIC HEARING

A. SMART Transit Fare Increase

Mayor Knapp called the public hearing on the SMART transit fare increase to order at 7:23 p.m.

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Stephan Lashbrook presented the staff report. Fares on Routes 2X (Barbur; \$1.25), Route 3 (Canby; \$1.25), and the out-of-town Dial-a-Ride service for Elderly and Disabled (\$2.00), have not increased since 2006 when fares were first introduced on these routes. Route 1X (Salem) has had one fare increase, from \$2.00 to \$2.50, in 2008.

Staff recommended a fare increase for all out-of-town trips only. Routes inside the Wilsonville city limits will remain free.

These increases are recommended for two reasons:

1. Costs, both in personnel and fuel continue to rise annually; and
2. The increase in fares will ensure that riders pay a reasonable share of the additional expenses so the Wilsonville business community is not required to bear 100 percent of the increased operational costs.

Most riders recognize the value of the service and realize taking public transit is less expensive than driving their personal vehicles. Based on historical data, staff expects the costs of both gasoline and diesel fuel to continue to increase. Staff does not project a significant loss of ridership with the proposed fare increases.

Salem-Keizer Transit, also known as Cherriots, has proposed that the Route 1X cash fare increase to \$3.00 and the cost of a monthly pass increase from \$55.00 per month to \$75.00. This is approximately a 20 percent increase for the cash fare and a 36 percent increase for the monthly pass. This route is shared by Cherriots and SMART. SMART staff believes this proposal is reasonable for service that has not had a fare increase in four years. The proposed fare changes have already been approved by the Salem-Keizer Transit Board of Directors. Having the two entities (SMART and Cherriots) use the same fare schedule is necessary in order for expenses, revenues, and service to be shared equitably between the two agencies.

In line with the Route 1X increase, staff also recommends increases for Routes 2X and 3. Staff proposes to increase the cash fare from \$1.25 to \$1.50, with the cost of a monthly pass increasing from \$30.00 to \$35.00. Staff also proposes eliminating the extra discount if a party buys both the Route 1X pass and the Zone 2 pass because both passes are already discounted, and staff feels further discounts are unwarranted. The proposed two-pass cost would increase from \$80.00 to \$110.00 a month. Since the startup of WES, this pass combination has dropped to only 3 or 4 buyers, on average, per month.

With respect to the Elderly and Disabled Out-Of-Town Dial-a-Ride fare, staff proposes a cash fare increase from \$2.00 to \$3.00, with an increase in the monthly pass from \$40.00 to \$50.00. Sales of monthly passes for this service are low, as this service is offered exclusively for medical trips. The passenger using a monthly pass would have to ride 20 times a month to break even. Except for dialysis patients, most riders do not have a need for that much service during the month. This service is a grant-based service with federal funds paying for most of the expenses incurred.

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The chart below highlights the proposed changes.

Route	Current monthly pass	Current cash fare	Proposed monthly pass	Proposed cash fare
1X	\$55.00 (\$27.50)	\$2.50 (\$1.25)	\$75.00 (\$37.50)	\$3.00 (\$1.50)
2X, 3	\$30.00 (\$15.00)	\$1.25 (\$.60)	\$35.00 (\$17.50)	\$1.50 (\$.75)
Dial-a-Ride	\$40.00	\$2.00	\$50.00	\$3.00

Fares in parenthesis are senior/disabled/youth, as required by law.

In addition to the above, staff proposes raising the charge for a Zone 2, 18-ride punch-pass from \$18 to \$22.50. The area within the city limits of Wilsonville will remain a fare-free zone.

Staff does not project a significant loss of ridership due to the proposed fare increases. Anecdotal evidence suggests that significant fare increases can cause a ridership reduction to be in the 15-25 percent range, or up to 35,000 annual rides, representing about 9 percent of our total ridership. Staff estimates that proposed modest fare increases may cause an initial ridership loss of up to 5 percent, with ridership returning to current levels within a year. Even with the increase in fares, SMART service is a recognized value. Should fuel prices plummet for some reason, it may take a longer period to recover the initial passenger drop-off.

Federal Title VI requirements mandate consideration of the effects of any changes to transit fares on minority and low income populations. Unfortunately, SMART has no definite demographic information about our riders, other than those who receive reduced fares because they are elderly or disabled. The lack of more detailed information necessitates a certain amount of extrapolation and reliance on anecdotal information in order for SMART to comply with the federal requirement. On one hand, SMART offers in-town rides (on both fixed routes and dial-a-ride) without charging any fare and that program is not proposed to change. Therefore, low income and minority riders will not be affected by the fare increases insofar as travel within the city limits of Wilsonville is concerned. Anecdotal information would indicate that SMART's highest minority ridership for fixed route out-of-town travel comes on Route 3 (Canby). While the cash fare on Route 3 is proposed to increase by 20 percent (just as with the 1X and 2X routes), the proposed monthly pass rate for Route 3 is proposed to be increased by less than 17 percent or \$5.00 (one-fourth of the proposed increase for the monthly pass rate for the Route 1X -- \$20.00). In other words, the fare increase on the fixed route that is believed to carry the highest percentage of minority riders is lower than the increase for the busiest out-of-town route. Furthermore, the out-of-town routes have seen the greatest cost increases based on fuel consumption but fares on the Canby route have not been raised since 2006.

Given that a higher percentage of elderly and disabled riders tend to be on fixed incomes, any increase in fares for Dial-a-Ride service must be carefully considered. It is important to note that Dial-a-Ride customers will continue to travel for free within the Wilsonville city limits. The proposed out-of-town Dial-a-Ride cash fare increase from \$2.00 to \$3.00 represents only a fraction of the actual cost of providing this service (the average cost of a Dial-a-Ride is calculated to be \$26.97 per trip in fiscal year 2010/11, after subtracting federal assistance).

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It should be noted that, even with the outreach effort and publicity about the proposed fare increases, the City has received minimal public reaction to the proposed increases, including no reaction from lower income or minority members of the community.

Staff recommends that the proposed fare increases have an effective date of October 1, 2012. This date will coordinate with the implementation date for fare increases set by Salem-Keizer Transit.

Notice of the opportunity for the public to comment on the fare increase was published in The Oregonian and The Wilsonville Spokesman. Additionally, this notice was posted in buses, in transit shelters, at bus stops, and on our website. A meeting for public comments on the proposed fare increase was conducted on July 30, 2012, in the Council Chambers. Additionally, the public was invited to comment via email and standard mail. No one attended the public meeting. As of August 10, 2012, SMART received a total of three comments, none expressing an argument against the fare increase.

Councilor Starr wanted it understood that the local businesses pay for the SMART system in town and allow the no fare services inside the City limits.

Councilor Goddard wanted to make sure customers had a sufficient opportunity to voice their views on the rate increases. Mr. Lashbrook felt the public outreach was adequate. Councilor Goddard recognized and thanked the businesses in Wilsonville for their support of the bus system.

Mayor Knapp asked for ridership numbers for the past year. Mr. Lashbrook responded 270,000 riders per year.

Mayor Knapp asked for public testimony, hearing none he closed the public hearing at 7:56 p.m.

Motion: Councilor Starr moved to approve the SMART Transit fare increase as outlined in the staff report listed in Attachment A. Councilor Nunez seconded the motion.

Vote: Motion carried 4-0.

CITY MANAGER'S BUSINESS

A. Meeting Recap

Mr. Cosgrove reminded Council of the League of Oregon Cities conference in Salem, September 27-28; and the C-4 Retreat. He stated a joint meeting with members of the Planning Commission had been scheduled for October first.

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LEGAL BUSINESS

Mr. Kohlhoff mentioned he would be working with Council President Núñez and staff to gather information for his annual review.

ADJOURN

The Mayor adjourned the Council meeting at 8:00 p.m.

Respectfully submitted,

Sandra C. King, MMC, City Recorder

ATTEST:

TIM KNAPP, MAYOR