

# **John Day City Council**

**April 23, 2019**

**7:00 PM**

**John Day Fire Hall, 316 S. Canyon Blvd., John Day**

- 1. OPEN AND NOTE ATTENDANCE`**
- 2. APPROVAL OF PRIOR CITY COUNCIL MINUTES.**
- 3. APPEARANCE OF INTERESTED CITIZENS –** At this time Mayor Lundbom will welcome the public and ask if there is anything they would like to add to tonight's agenda.

## **CONSENT AGENDA**

- 4. RECREATIONAL TRAILS PROGRAM GRANT AGREEMENT**
  - RTP Grant Agreement

## **INFORMATION ITEMS**

- 5. WASTEWATER TREATMENT PLANT UPDATE**

Attachments:

  - None
- 6. PARKS & POOL PLANNING UPDATE**

Attachments:

  - None
- 7. BROADBAND PLANNING UPDATE**

Attachments:

  - None
- 8. U.S. 395S SIDEWALK PROJECT UPDATE**

Attachments:

  - None

## **OTHER BUSINESS & UPCOMING MEETINGS**

- 9. OTHER BUSINESS & UPCOMING MEETINGS**
  - May 1 – NW Regional Managers Association Conference
  - May 14 – Planning Commission Hearing, 6 P.M. @ Fire Hall
  - May 14 – City Council Meeting, 7 P.M. @ Fire Hall
  - May 28 – City Council Meeting, 7 P.M. @ Fire Hall

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 23, 2019  
**SUBJECT:** Consent Agenda Item #4: Recreational Trails Program Grant Agreement Attachment(s)

- RTP Grant Agreement

**BACKGROUND**

The RTP grant agreement is the only item on the consent agenda.

**RECOMMENDED MOTION**

“I move to approve the consent agenda, as submitted.”

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**Recreational Trails Program:** The enclosed agreement from OPRD’s RTP program documents the city’s responsibilities to receive the \$191,300 in grant funding awarded last fall. Our project match of \$48,900 is included in the FY20 budget.

**Recommendation:** Authorize Mayor Lundbom to sign the agreement on behalf of the city.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 23, 2019

**SUBJECT:** Agenda Item #5: Wastewater Treatment Plant Design Update  
Attachment(s)

- None

## **BACKGROUND**

CDBG grant award documents for the \$196,500 in engineering funds were fully executed on April 15. We are in the process of finalizing our professional services agreement for Anderson Perry (AP) to design the new wastewater treatment facility using these funds plus the City's \$200,000 match. The AP agreement will be ready for council approval at the May 14 council meeting. The proposed design milestones are under review and are discussed below, along with specific requirements of the CDBG program.

## **DISCUSSION**

**Approach.** AP is proposing a three-stage design process for the new facility.

*Preliminary Engineering Phase I.* The initial phase includes design of the Membrane Bioreactor (MBR) package treatment facility, preparation of performance specifications for the MBR facility, and solicitation of MBR manufacturers for pre-purchase of the MBR facility. This phase would also provide necessary field surveys and topographic and utility mapping for the engineering/design purposes. Wetland delineation, cultural surveys and reports summarizing findings for inclusion in the Environmental Assessment are also performed in this phase.

*Preliminary Engineering Phase II.* This phase includes the Preliminary Design Report (PDR) for the headworks, solids handling, operations building and hydroponic reactor. This phase would also plan the design for the visitor center and purple pipe network for distribution of reclaimed water from the facility.

*Final Design Phase.* After City's selection of the MBR packaged equipment (Phase 1) and acceptance of the PDR documents (Phase II), engineers will prepare the final drawings and specifications, provide technical criteria, written descriptions and design data for final construction. Engineers will also complete application for environmental and disposal permits. Final drawings, specifications and construction contract documents will be completed in accordance with applicable funding agency requirements, which are anticipated to include USDA, DEQ, and Business Oregon at a minimum.

**Timeline.** The two key dependencies for the timing of each design phase are funding and permitting. Availability and timing of the awards for the funding sources needed to procure the MBR package will determine how quickly we transition from Phase 1 to Phase 2. The MBR package will need to be awarded prior to moving to Phase II so the manufacturer can provide the specifications needed for the rest of the facility. The permit approval timelines for DEQ will determine the transition from Final Design into construction. Except for the CDBG engineering grant already awarded, we are proposing to use state and local funds first, then federal loans (if needed) followed by federal grants from USDA and CDBG.

**Additional CDBG Requirements.** Several resolutions need to be passed by the city as part of our CDBG program. They are documented in the agreement and include the following:

- Fair Housing resolution and evidence that this resolution has been published within six (6) months prior to the grant drawdown.
- Fair Housing Resolution affidavit of publication.
- Copy of a completed self-evaluation checklist required by Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (1994) or the Americans with Disabilities Act of 1990, 42 U.S.C. §§12111-12213 (1994).
- Policy prohibiting the use of excessive force by law enforcement agencies within our jurisdiction.
- Nondiscrimination Policy and Grievance Procedures.
- Section 3 Plan.
- Limited English Proficiency Language Access Plan.

These documents will be adopted during our May city council meetings as they are prepared.

## **SUMMARY**

This is hard.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 23, 2019

**SUBJECT:** Agenda Item #6: Parks & Pool Planning Update  
Attachment(s)

- None

## **BACKGROUND**

The planning grant for OPRD is due May 15. The grant requires a resolution signed by the city council in order to apply. I will submit the resolution for council approval at the May 14 meeting. We are requesting \$40,000 in planning funds for the feasibility study grant. We are also preparing two applications for the Oregon Pine property, one to the Ford Family Foundation and the other to USDA Rural Development, as described below.

## **DISCUSSION**

**OPRD planning grant.** The purpose of this grant is to assist us with the development of a final design and funding package for the new pool facility. OPRD provides a maximum of \$40,000 in grant funds for this effort. The scope of the grant would include determine the following program elements:

- Final aquatic facility size, amenities and design
- Pool location
- Service area for the facility (specific properties/communities to be included)
- Ballot measure preparation
- Capital improvement bond preparation
- Organizational structure for the new facility

We are evaluating options for consulting services for this effort that include the Special Districts Association of Oregon (SDAO) Advisory Services LLC (SDAOAS) and our current aquatic consulting team. SDAOAS would advise us on the organization structure, bond and ballot measure preparation and service area, based on data collected by our pool consultants on the facility design and location.

**Oregon pine development grants.** The scope of the Oregon Pine development grants includes the following program elements:

- Rehabilitation of the planar shed/sorter shed for code compliance
- Conversion of the planar shed/sorter shed to an open-air community pavilion
- Installation of restrooms to service the Oregon Pine property
- Design of the parking lot and local street network
- Landscaping and trails between the facility and the greenhouses
- Utility connections for power, water and sewer (as needed)

This scope would be divided among the USDA Community Facilities grant and the Ford Family Foundation Building Community Spaces grant, both of which will be submitted in May.

## **SUMMARY**

These three grant applications work in concert with the OPRD Large Planning Grant submitted for the Integrated Park System and the RTP grant enclosed in the consent agenda, as the trails leading to and from these existing parks would tie into the new amenities proposed for Oregon Pine property and the new aquatic center.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 23, 2019

**SUBJECT:** Agenda Item #7: Broadband Planning Update  
Attachment(s)

- None

## **BACKGROUND**

We are in discussions with Ortelco about the possibility of submitting a combined application under the 2019 USDA ReConnect program. Details of this potential revision to the grant scope and teaming approach are below.

## **DISCUSSION**

**PFSA.** The trunk line would begin in Seneca at the point-of-presence (POP) at the Seneca City Hall. It would follow OTEC's 69KV line north to the POP in John Day. From there, the line would tie into OTC's existing fiber optic network to Mt. Vernon. A new trunk line would be constructed north from there to Long Creek and eventually west to Monument, Kimberly and Spray. Along with the route from Seneca to Burns proposed under the 2019 Community Connect application, this would position us to eventually create a redundant, resilient ring around Grant County with connections to the main internet in the south, northwest and east. It would also connect nearly every incorporated city in Grant County to a fiber optic trunk line from which individual households and businesses could then receive service.

**Approach.** The goal of this proposed approach is to maximize the competitiveness of our application by connecting as many ranches, farms, businesses, residences and education facilities as possible. It also streamlines the permitting process, since the state historic preservation office (SHPO), Malheur National Forest, Bureau of Land Management and other permitting agencies would be evaluating a single application. This revised approach may have to be constructed in phases, depending on our ability to meet the 25 percent matching funds requirement under ReConnect.

**Team.** OTC would be the primary internet service provider under this proposal. Link Oregon is also evaluating whether they could participate by providing operations and maintenance, connectivity to the state research network, and potentially data transport from Grant County to the Pittock internet exchange in Portland. We have retained the Cohen Law Group to advise us on the legal process of structuring this approach, which would be a public private partnership between an intergovernmental agency (GCD) and a for-profit company (OTC).

**Subscribers.** Pre-subscriber forms are available on the [www.grantcountydigital.org](http://www.grantcountydigital.org) website. This proposal would include additional education facilities in Long Creek (increasing our score) and would maximize farms, businesses and ranches along the trunk line.

**OPC.** Commstructure is working on a revised OPC for this proposal to help determine if we would need to construct it in stages. The City has \$1 million in available cash for matching funds and we have requested additional funding from the state.

**ISPs.** The primary ISP for this route will be OTC.

**State Broadband Activity.** I have requested documentation for the state broadband activity requirements under the grant.

**Due Date.** Application deadline is May 31.

#### **SUMMARY & RECOMMENDATIONS**

The Grant County Digital board approved this revised approach, subject to our reaching a negotiated service agreement with OTC. We will review the terms of the agreement at our May 14 city council meeting.

I recommend we explore this opportunity as it will provide connectivity to each community and increases our probability of winning under the ReConnect guidelines.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 23, 2019

**SUBJECT:** Agenda Item #8: U.S. 395S Sidewalk Project Update  
Attachment(s)

- None

## **BACKGROUND**

The sidewalk project approved by ODOT requires use of our MTEP funds previously awarded for this project along with the engineering required as part of that project scope. I will provide the council with an update on what that means for John Day during our council meeting.

## **DISCUSSION**

Alta Planning + Design, Inc. will do the design for this project for ODOT. We will need to sign revised agreements with ODOT as the MTEP project sponsor and will need to secure the 2015 SCA grant funds awarded to the city but never received. These funds will also need to be added to our FY20 and FY21 budgets. The estimated cost for the City of the entire project was and remains \$86,265, of which \$16,000 has already been spent. For the balance of approximately \$70,000, we would receive \$50,000 through the SCA grant, leaving \$20,000 for the remaining obligation.

The expenditures would be split over a three-year period, as shown:

- Design: FY19 and FY20 (18%)
- Right-of-Way: FY20 (4%)
- UR (utilities) FY20: (2%)
- Construction: FY21 (76%)

Grant School District 3 will also have to complete some survey requirements for the Safe Routes to Schools (SRS) portion of the funding.

## **SUMMARY**

ODOT is amending the SCA grant agreement and the MTEP agreement to incorporate funding from the SRS program. These amended agreements will be submitted for council approval as part of future consent agendas.



**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 23, 2019  
**SUBJECT:** Agenda Item #9: Other Business and Upcoming Meetings  
Attachment(s)

- LOC Bulletins

**OTHER BUSINESS**

- None

**UPCOMING MEETINGS**

- May 1 – NW Regional Managers Association Conference
- May 14 – Planning Commission Hearing, 6 P.M. @ Fire Hall
- May 14 – City Council Meeting, 7 P.M. @ Fire Hall
- May 28 – City Council Meeting, 7 P.M. @ Fire Hall