

**City of Rainier
Regular City Council Meeting
December 7, 2022
6 p.m.
Rainier City Hall**

**OPEN PUBLIC HEARING ON ORDINANCE 1088 – APPROVING THE ANNEXATION
OF SUSAN AND LARRY KNAUB WHO OWN THE HEREIN DESCRIBED REAL
PROPERTY TO THE CITY OF RAINIER, COLUMBIA COUNTY, OREGON –
ACCEPT PUBLIC COMMENT – CLOSE PUBLIC HEARING**

Mayor Jerry Cole called the council meeting to order at 6 p.m.

City Planner Skip Urling gave the staff report. He described the property as being around one acre. The owners want to build a house on it and hook up to city utility services. The property is adjacent to city limits and the city and county processes and zoning are aligned. Water and sewer services are available to the property. An annexation would be budget neutral, with no expenses incurred for the city. There are seven criterion in the city code for annexations, and this meets all of them. Urling recommends that council adopt the ordinance after its second reading at the next meeting.

Cole opened the public hearing at 6:03 pm. No comments were given. The hearing was closed at 6:04 p.m.

Council Present: Connie Budge, Scott Cooper, Robert duPlessis, Levi Richardson and Denise Watson

Council Absent: Mike Kreger and Jeremy Howell

City Attorney Present: No

City Staff Present: Gregg Griffith, Police Chief; W. Scott Jorgensen, City Administrator; Sue Lawrence, Public Works Director; Skip Urling, City Planner

Flag Salute

Additions/Deletions from the Agenda: Public Works Director Sue Lawrence said she would like to add approval of a proposal for engineering services. Councilor Scott Cooper moved to add that item to the agenda. That motion was seconded by Councilor Connie Budge and adopted unanimously.

Mayor's Address: Mayor Jerry Cole wished everyone a happy holiday season.

Visitor Comments: There were no visitor comments at this time.

Consider Approval of the Consent Agenda

Consider Approval of the November 7, 2022 Regular Council Meeting Minutes and Monthly Financial Statements—Budge moved to approve the consent agenda. That motion was seconded by Cooper and adopted unanimously.

New Business

- a. Audit Report Presentation—Tracy Jones from Paul Rogers & Co. said the city is adhering to and following standards. The firm is about to issue a clean opinion with no reservations, exceptions or issues. No management letter will be issued.
- b. Fox Creek Feasibility Study Presentation—Sandrine Ganry from West Yost said that parts of the culvert are owned by the city, the Oregon Department of Transportation (ODOT) and private entities. The area has local businesses adjacent to it. Heavy rains and flooding in 2015 caused a sinkhole. An emergency repair was done on the culvert in 2016-17. The Oregon Department of Fish and Wildlife (ODFW) gave authorization for it but also provided notice that it is a fish passage barrier. There was also flooding in 2019. An evaluation was conducted in 2020 and found that the culvert is undersized. West Yost has come up with three alternatives and five options. The first alternative is a hydraulic design approach. It may not need future fish passage requirements. The second alternative is preferred by state and federal agencies and the third alternative maximizes daylighting. Alternative 1a is a large arch culvert with an open channel, with an estimated cost of around \$6.5 million. Alternative 1b would cost \$7 million but may not meet future fish passage requirements. Alternative 2a would cost \$7.5 million and is likely to meet fish passage requirements. Alternative 2b would cost \$8.9 million and likely meet fish passage requirements. Alternative 3 is an open channel that would cost \$6.7 million. But it would impact Don Pedro's and the estimated cost does not include the acquisition of that property. The first alternatives have the lowest cost but are not the best for fish passage. The second alternatives are higher cost but better for permitting and maintenance and the third alternative would impact a local business. Alternatives 2a and 3 are recommended. The next steps will be to identify funding sources and grant applications, environmental and Geotech studies, coordinating with ODOT on Highway 30 and having discussions with local businesses about potential impacts to them. Alternative 2a has no impact to businesses and has an open channel in the middle. City Administrator W. Scott Jorgensen said that an alternative had previously been described to him as "high-risk, high-maintenance." Which alternative was that? Ganry said it was Alternatives 1a and 1b. Cole expressed his preference for Alternative 2a. He doesn't like Alternative 3 because he doesn't want to displace a business. Cooper and Budge both agreed. Councilor Robert duPlessis said he likes the idea of having a pocket park around the open channel. Councilor Levi Richardson said he also doesn't want to displace a business. Mark Barker asked what the lowest risk, lowest maintenance alternative would be. Ganry said that would be Alternatives 2 and 3. Cooper moved to have the city move forward with Alternative 2a. That motion was seconded by Councilor Denise Watson. duPlessis asked if the culverts under Alternative 2a would be large enough to handle flood flows. Ganry said they would. There was a discussion about the easements under the vacant lot that would be daylighted under Alternative 2a. Richardson asked how many there are. City Recorder Sarah Blodgett said there are four. Council voted unanimously to approve the motion.
- c. First Reading of Ordinance 1088—Approving the Annexation of Susan and Larry Knaub Who Own the Herein Described Real Property to the City of Rainier, Columbia County, Oregon
- d. Vehicle Purchase Approval—Cole said that most cities have a car for administrative staff, but Rainier does not. It would be used for tasks like getting the mail or going to the bank. Staff currently have to use their personal vehicles. Jorgensen said the issue came up during an insurance best practices assessment. It was suggested that the city adopt a vehicle policy that would require individual staff members to carry large amounts

of coverage for their personal vehicles. Staff doesn't feel comfortable with that. Cole said Lawrence has funds set aside for a purchase. She public works had a budgeted amount for a utility truck but will not be purchasing one. She received a quote for \$24,000 for a Ford Maverick. It's a small four-wheel drive pickup that gets good gas mileage. duPlessis and Cooper said they were supportive. duPlessis moved to approve the purchase of a Ford Maverick for \$2,325. That motion was seconded by Cooper and adopted unanimously.

- e. Water Treatment Plant SCADA and PLC Upgrade—Lawrence said that the SCADA system was recently replaced at the water treatment plant. The Programmable Logic Controller (PLC) that operates the system is currently outdated. Some components are breaking down at that facility and the wastewater treatment plant and are getting difficult to replace. She received a quote of \$38,000 for the PLC at the water treatment plant. It is in the budget. duPlessis moved to approve the upgrade. That motion was seconded by Watson and adopted unanimously. Lawrence said she received a quote for a new computer system for the wastewater treatment plant for \$70,000. That is also in the budget. duPlessis moved to approve \$70,340 for the upgrade. That motion was seconded by Watson and adopted unanimously.
- f. LOC City Day at the Capitol—Jorgensen said that the League of Oregon Cities is having city day at the Oregon State Capitol January 25. He has registered for the event and any councilors who are interested in attending can let him know.
- g. Engineering Services Proposal—Lawrence said she has an updated request for proposal from West Yost for \$21,000. It's in the budget. Cooper moved to approve the proposal. That motion was seconded by Watson and adopted unanimously.

Unfinished Business

- a. Downtown Beautification—Jorgensen presented the banners he's been putting together with Bell Imaging and the Rainier Oregon Historical Museum. He has locations picked out for them and plans to place the order if council agrees. Council agreed by consensus.

Staff Report—Lawrence said the city has been awarded a \$120,000 Small Cities Allotment grant for paving work on Fox Street. She plans to apply for the next round of funding in July. The roof replacement at the water treatment plant is almost finished. Ultraviolet lights had to be replaced at the wastewater treatment plant and the cost came in at \$10,422. Cooper moved to approve. That motion was seconded by Watson and adopted unanimously. Jorgensen met with representatives of the Department of Land Conservation and Development about a possible urban growth boundary land swap. He was the guest speaker at the November 2 Friends of Fox Creek meeting and performed election duties November 8. On November 10, he attended Col-Pac and Northwest Area Commission on Transportation meetings. He worked with the auditors and coordinated the release of a library service and met with Col-Pac's new grant coordinator about the city's needs.

Council Reports

City Calendar/Announcements—The next meeting is scheduled for January 9.

Cole adjourned the meeting at 7:50 p.m.

Mayor Jerry Cole

W. Scott Jorgensen, City Administrator

DRAFT

**BEFORE THE CITY COUNCIL OF
THE CITY OF RAINIER**

RESOLUTION #23-01-01

**A RESOLUTION ESTABLISHING THAT THE RAINIER CITY COUNCIL
HOLD REGULAR MEETINGS ON THE FIRST MONDAY**

WHEREAS, the City of Rainier City Council has regularly held Regular Meetings the First Monday of every Month at 6 P.M.; and

WHEREAS, this Resolution serves as Notice to the Residents and Newspaper of Official Notice of Rainier,

NOW THEREFORE, IT IS HEREBY RESOLVED that the Rainier City Council establishes that its Regular City Council Meetings are scheduled the first Monday of every month at 6 p.m. in the Rainier City Hall. In the event that the first Monday coincides with a holiday, the meeting shall be held on the second Monday of the month. Upon special or emergency circumstances, a meeting date may be added, cancelled or changed with proper notice.

Passed and approved this 9th day of January, 2023.

Jerry Cole, Mayor

ATTESTED:

W. Scott Jorgensen
City Administrator

**BEFORE THE CITY COUNCIL OF
THE CITY OF RAINIER**

RESOLUTION #23-01-02

**A RESOLUTION DESIGNATING THE CLATSKANIE CHIEF AS THE CITY'S
OFFICIAL NEWSPAPER OF NOTICE**

WHEREAS, the City of Rainier has Regularly Used *The Clatskanie Chief* to Publish Public Notices; and

WHEREAS, this Resolution Serves as Notice to the Residents and Official Newspaper of Notice of Rainier,

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Rainier City Council designates that The Clatskanie Chief is the Official Newspaper of Notice.

Passed and Approved this 9th day of January, 2023.

Jerry Cole, Mayor

ATTESTED:

W. Scott Jorgensen, City Administrator

**BEFORE THE CITY COUNCIL OF
THE CITY OF RAINIER**

RESOLUTION #23-01-03

**A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR THE STORAGE OF
VEHICLES, RECREATIONAL VEHICLES AND VESSELS ON CITY PROPERTY**

WHEREAS, The City and its staff strive to enforce the provisions of the Rainier Municipal Code (RMC); and

WHEREAS, portions of the RMC establish penalties for violations of ordinances regarding the illegal parking of vehicles, recreational vehicles (RVs) and vessels in city limits; and

WHEREAS, the City incurs costs for towing and storing those vehicles, RVs and vessels through the enforcement of those provisions of the RMC; and

WHEREAS, the City seeks to recover those costs in a reasonable fashion.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Common Council of the City of Rainier, Oregon that:

The following fee schedule is adopted for the storage of vehicles and vessels on city property:

Vehicles--\$50 per day;

RVs--\$50 per day for RVs 25 feet long and under; \$100 per day for RVs 25 to 40 feet long; \$200 per day for RVs 40 feet and over;

Boats—\$8.50 per foot per month and \$2500 for disposal;

Towing—the actual costs incurred by the City.

This resolution takes effect immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Rainier, Oregon this _____ day of _____, 2023.

Attested:

Jerry Cole, Mayor

W. Scott Jorgensen, City Administrator

City of Rainier Planning Commission
Code Update Priorities for 2023

Already in Progress:

- Increase minimum square footage for garages from 120 to 240 feet
- Provide a definition for “sandwich board signs” and add them to the list of exempt signs

Continued Discussions:

- Shipping containers
- Tiny homes
- feather banners

Recommendations from Columbia County Housing Implementation Plan:

- Permit ADUs in Suburban Residential (SR), low density residential (R-1) and medium density residential (R-2) zones
- Permit cottage cluster housing in R-1, R2 and high density residential (R-3) zones
- Permit duplexes and/or two-unit townhouses in R-1 zones
- Reduce minimum lot size for duplexes and/or two-unit townhouses in R-1 zoning from 15,000 to 10,000 square feet
- Reduce minimum lot size for duplexes and/or two-unit townhouses in R-2 zoning from 15,000 to 6,000 square feet
- Reduce minimum lot size for townhouses with four or more units in R-2 zoning from 3,000 square feet/unit to 2,500 square feet/unit
- Reduce minimum lot size for duplexes and/or two-unit townhouses in R-3 zoning from 8,000 to 5,000 square feet
- Reduce minimum lot size for triplexes and/or three-unit townhouses in R-3 zoning from 11,000 to 7,000 square feet
- Reduce minimum lot size for townhouses with four or more units in R-3 zoning from 2,500 square feet/unit to 1,500 square feet/unit
- Reduce minimum lot size for multifamily in R-3 zoning for three units from 11,000 to 7,000 square feet/unit and four or more units from 2,000 square feet/unit to 1,500 square feet/unit

Scott Jorgensen

From: Dana Potter
Sent: Wednesday, December 14, 2022 10:58 AM
To: Scott Jorgensen
Subject: Fees

Scott –

When searching “fees” in the resolutions list I only find:

597	Zoning Fees
776	Business Licenses Fees
847	Business License Fees
863	Business License Fees
895	Boat Launch Fees

The miscellaneous utility fees that I’m currently charging are:

Late fee	\$5
NSF fee	\$25
Turn off	\$25
Turn on	\$25
Tampering	\$25

I feel like our utility deposit of \$50 is too low. I would like to see it be \$100. That amount would be closer in line with closing balances, of which some customers don’t pay.

Dana Potter
Utility Billing Clerk
City of Rainier

503-556-7301
dpotter@cityofrainier.com

**CITY OF RAINIER
ORDINANCE NO. 1088**

**AN ORDINANCE APPROVING THE ANNEXATION OF
SUSAN AND LARRY KNAUB
WHO OWN THE HEREIN DESCRIBED REAL PROPERTY TO THE
CITY OF RAINIER, COLUMBIA COUNTY, OREGON**

WHEREAS, the Petition for Annexation of contiguous property was signed and filed by the petitioners who own the entire property described herein, Susan and Larry Knaub; and

WHEREAS, the City caused notice of the hearing to be published once each week for two successive weeks prior to the date of the hearing in a newspaper of general circulation in the City pursuant to ORS 222.120 through 222.125; and

WHEREAS, the City caused to be posted four public places in the City copies of the notice of the hearing pursuant to ORS 222.120 through 222.125; and

WHEREAS, a public hearing was held on December 5, 2022, and a second hearing was held on January 9, 2023; and

WHEREAS, it appears that ORS Chapter 220 concerning annexation of contiguous territory has been fully complied with.

NOW, THEREFORE, THE CITY OF RAINIER DOES ORDAIN AS FOLLOWS:

Section 1: That the following described contiguous real property situated in Columbia County, Oregon, is hereby annexed to and made a part of the City of Rainier, to wit:

Tax Lot 7216-CC-00400. located just south of the cul-de-sac at the terminus of Crestview Lane, west of Debast Road, Columbia County, Oregon.

City Zoning per Ordinance #974 will be Low Density Residential (R1).

Amended Legal description marked Exhibit “A” is attached hereto and by this reference incorporated herein.

Passed, Amended, and Adopted by the City Council of the City of Rainier, Oregon, this ____ day of _____, 2023.

Jerry Cole, Mayor

W. Scott Jorgensen, City Administrator

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF:)
CITY OF RAINIER)
Permittee.)
MUTUAL AGREEMENT
AND ORDER
NO. WQ-M-NWR-2022-044
COLUMBIA COUNTY

WHEREAS:

1. On August 1, 2012, the Department of Environmental Quality (DEQ) issued National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permit Number 102571 (the Permit) to the City of Rainier (Permittee). The Permit authorizes the Permittee to construct, install, modify or operate a wastewater treatment control and disposal facility (Facility or Facilities) and discharge adequately treated wastewaters into the Columbia River, a water of the state, in conformance with the requirements, limitations and conditions set forth in the Permit. The Permit expired on July 31, 2017, but has been administratively extended because Permittee made a timely application for renewal.

2. Condition 1 of Schedule A of the Permit requires Permittee to meet the following waste discharge limitations:

a. Outfall Number 001 (May 1 – October 31):

<u>Parameter</u>	<u>AVERAGE EFFLUENT CONCENTRATIONS</u>		<u>EFFLUENT LOADINGS</u>		
	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly Average lbs/day</u>	<u>Weekly Average lbs/day</u>	<u>Daily Maximum Lbs</u>
BOD	10 mg/L	15 mg/L	83	130	170
TSS	10 mg/L	15 mg/L	83	130	170

b. Outfall Number 001 (November 1 – April 30):

<u>Parameter</u>	<u>AVERAGE EFFLUENT CONCENTRATIONS</u>		<u>EFFLUENT LOADINGS</u>		
	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly Average lbs/day</u>	<u>Weekly Average lbs/day</u>	<u>Daily Maximum Lbs</u>
BOD	10 mg/L	15 mg/L	130	190	250
TSS	10 mg/L	15 mg/L	130	190	250

3. Permittee has violated the Permit as follows:

October 28, 2021	The reported daily maximum BOD loading of 260 lb/d exceeds the permit limit by 53%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
October 2021	The reported weekly average BOD loading of 149 lbs/d exceeds the permit limit by 14%	This is a Class III violation pursuant to OAR 340-012-0055(3)(b)
October 2021	The reported weekly average BOD concentration of 19 mg/L exceeds the permit limit by 26%.	This is Class II violation pursuant to OAR 340-012-0055(2)(a)
October 2021	The reported monthly average TSS loading of 866 lbs/d exceeds the permit limit by 904%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
October 28, 2021	The reported daily maximum TSS of 6256 lbs/d exceeds the permit limit by 357%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
October 2021	The reported monthly average TSS concentration of 113 mg/L exceeds the permit limit by 1030%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)

October 2021	The reported weekly average TSS loading of 3281 lbs/d exceeds the permit limit by 2423%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
October 2021	The reported weekly average TSS concentration of 388 mg/L exceeds the permit limit by 2486%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
October 2021	The reported monthly average TSS removal efficiency of 84% was below the permit limit by 1%	This is a Class III violation pursuant to OAR 340-012-0055(3)(c)
November 2021	The reported monthly average TSS concentration of 15 mg/L exceeds the permit limit by 50%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
November 2021	The reported weekly average TSS concentration of 23 mg/L exceeds the permit limit by 53%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
December 20, 2021	The reported daily maximum TSS loading of 250 lbs/d exceeds the permit limit by <1%	This is a Class III violation pursuant to OAR 340-012-0055(3)(b)
December 2021	The reported monthly average TSS concentration of 13 mg/L exceeds the permit limit by 30%	This is a Class II violation pursuant to OAR 340-012-0055(2)(a)
December 2021	The reported weekly average TSS loading of 203 lbs/d exceeds the permit limit by 6%	This is a Class III violation pursuant to OAR 340-012-0055(3)(b)
December 2021	The reported weekly average TSS	This is a Class I violation pursuant to

	concentration of 27 mg/L exceeds the permit limit by 80%	OAR 340-012-0055(1)(k)
January 2022	The reported monthly average TSS loading of 158 lbs/d exceeds the permit limit by 21%	This is a Class II violation pursuant to OAR 340-012-0055(2)(a)
January 4, 2022	The reported daily maximum TSS loading of 554 lbs/d exceeds the permit limit by 121%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
January 2022	The reported monthly average TSS concentration of 16 mg/L exceeds the permit limit by 50%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
January 2022	The reported weekly average TSS loading of 546 lbs/d exceeds the permit limit by 187%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
January 2022	The reported weekly average TSS concentration of 46 mg/L exceeds the permit limit by 206%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
March 2022	The reported monthly average TSS loading of 146 lbs/d exceeds the permit limit by 12%	This is a Class III violation pursuant to OAR 340-012-0055(3)(b)
March 2022	The reported monthly average TSS concentration of 29 mg/L exceeds the permit limit by 190%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
March 2, 2022	The reported daily maximum TSS loading of 377 lbs/d exceeds the permit limit by	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)

	50%	
March 2022	The reported weekly average TSS loading of 261 lbs/d exceeds the permit limit by 37%	This is a Class II violation pursuant to OAR 340-012-0055(2)(a)
March 2022	The reported weekly average TSS concentration of 42 mg/L exceeds the permit limit by 180%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
April 2022	The reported daily maximum TSS loading of 616 lbs/d exceeds the permit limit by 146%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
April 2022	The reported monthly average TSS concentration of 34 mg/L exceeds the permit limit by 240%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
April 2022	The reported monthly average TSS loading of 190 lbs/d exceeds the permit limit by 46%	This is Class II violation pursuant to OAR 340-012-0055(2)(a)
April 2022	The reported weekly average TSS concentration of 59.0 mg/L exceeds the permit limit by 293%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
April 2022	The reported weekly average TSS loading of 435.0 lbs/d exceeds the permit limit by 129%	This is a Class I violation pursuant to OAR 340-012-0055(1)(k)
November 3, 2022	The reported daily maximum TSS loading of 2351 lbs/d exceeds the permit limit by 840%	This is a Class 1 violation pursuant to OAR 340-012-0055(1)(k). However, the cause of the violation was determined to

		be beyond the permittee's reasonable control, so this violation was not included in the civil penalty calculation.
November 2022	The reported weekly average TSS loading of 949 lbs/d exceeds the permit limit by 399%	This is a Class 1 violation pursuant to OAR 340-012-0055(1)(k). However, the cause of the violation was determined to be beyond the permittee's reasonable control, so this violation was not included in the civil penalty calculation.
November 2022	The reported monthly average TSS concentration of 300.9 lbs/d exceeds the permit limit by 131%	This is a Class 1 violation pursuant to OAR 340-012-0055(1)(k). However, the cause of the violation was determined to be beyond the permittee's reasonable control, so this violation was not included in the civil penalty calculation.
November 2022	The reported weekly average TSS concentration of 202 mg/L exceeds the permit limit by 1247%	This is a Class 1 violation pursuant to OAR 340-012-0055(1)(k). However, the cause of the violation was determined to be beyond the permittee's reasonable control, so this violation was not included in the civil penalty calculation.
November 2022	The reported monthly average TSS concentration of 68 mg/L exceeds the permit limit by 580%	This is a Class 1 violation pursuant to OAR 340-012-0055(1)(k). However, the cause of the violation was determined to be beyond the permittee's reasonable

		control, so this violation was not included in the civil penalty calculation.
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4. On April 11, 2022, a sanitary sewer overflow (SSO) event occurred at a manhole located at West 3rd and A Street. During the event, approximately 121,900 gallons of untreated wastewater mixed with stormwater was discharged to the Columbia River. OAR 340-041-0009(3) prohibits the discharge of untreated sewage into the waters of the State. This is a Class I violation of ORS 468B.025(1)(b) which prohibits any person from discharging any wastes into the waters of the State if the discharge reduces the quality of such waters below established water quality standards.

5. From November 4, 2022, through November 6, 2022, an SSO event occurred at a manhole located at East 3rd and A Street. During the event, approximately 715,219 gallons of untreated wastewater mixed with stormwater was discharged to the Columbia River. OAR 340-041-0009(3) prohibits the discharge of untreated sewage into the waters of the State. This is a Class I violation of ORS 468B.025(1)(b) which prohibits any person from discharging any wastes into the waters of the State if the discharge reduces the quality of such waters below established water quality standards.

6. On November 30, 2022, an SSO event occurred at a Constructed Overflow on East 3rd and A Street. During the event, approximately 270,719 gallons untreated wastewater mixed with stormwater was discharged to the Columbia River. OAR 340-041-0009(3) prohibits the discharge of untreated sewage into the waters of the State. This is a Class I violation of ORS 468B.025(1)(b) which prohibits any person from discharging any wastes into the waters of the State if the discharge reduces the quality of such waters below established water quality standards.

7. DEQ and Permittee recognize that until new or modified Facilities are constructed and put into full operation, Permittee may continue to violate the permit effluent limitations listed in Paragraphs 2a. and 2b. at times and may discharge raw sewage to waters of the state

1 from a sanitary sewer overflow caused by the system being overwhelmed by stormwater.

2 8. DEQ and Permittee recognize that the Environmental Quality Commission has the
3 authority to impose a civil penalty and to issue an abatement order for violations of the Permit.
4 Therefore, pursuant to ORS 183.417(3), DEQ and Permittee settle the past violations referred to
5 in Paragraphs 3–6 by this Mutual Agreement and Order (MAO).

6 9. The U.S. Environmental Protection Agency appropriately delegated the federal
7 NPDES permitting program to DEQ, making DEQ the primary administrator and enforcer of
8 NPDES permits. This MAO furthers the goals of the NPDES permitting program by ensuring
9 progress towards compliance and is consistent with DEQ's goal of protecting human health and
10 the environment. However, DEQ and Permittee recognize that this MAO does not eliminate the
11 possibility of additional enforcement of Permit requirements by the U.S. Environmental
12 Protection Agency or citizens under the federal citizen suit provisions.

13 10. This MAO is not intended to limit, in any way, DEQ's right to proceed against
14 Permittee in any forum for any past or future violations not expressly settled herein.

15 II. FINAL ORDER

16 11. The Environmental Quality Commission hereby enters a final order:

17 A. Requiring Permittee to comply with the following conditions and corrective
18 action schedule:

19 Task	Due Date
20 1. <u>Wastewater System Planning, Permitting and Funding:</u>	
21 a. Complete and submit to DEQ for review an evaluation of 22 the storm water impacts from Conrad Forest Products.	January 31, 2023
23 2. <u>Collection System:</u>	
24 a. Complete additional field investigations and submit to 25 DEQ a report with maps showing the investigation	September 30, 2023

1	findings and proposed initial peak flow reduction projects.	
2	3. <u>Wastewater Treatment System:</u>	
3	a. Complete Initial Wastewater Treatment Plant Flow and	April 30, 2023
4	Load Capacity Evaluations and submit preliminary	
5	findings to DEQ for review.	
6	b. Interim Treatment Plant Improvements:	
7	i. Submit a proposed interim improvements plan and	September 30, 2023
8	schedule to DEQ for review and comment.	
9	ii. Revise the interim improvements plan and schedule	Within 30 days of the
10	consistent with DEQ's comments.	completion of DEQ's
11		review
12	iii. Complete interim improvements	September 30, 2024
13	4. <u>Wastewater Master Plan (Combined Collection and</u>	
14	<u>Treatment)</u>	
15	a. Complete and submit to DEQ for review and comment a	March 31, 2024
16	Wastewater Master Plan.	
17	b. Revise the Wastewater Master Plan consistent with	Within 30 days of the
18	DEQ's comments.	completion of DEQ's
19		review.
20	c. Obtain all necessary project approvals and funding	June 30, 2024
21	5. <u>Wastewater System Design and Construction</u>	
22	a. Complete design and obtain DEQ approval for Collection	June 30, 2025
23	System and WWTP projects.	
24	b. Complete construction of collection system and WWTP	June 30, 2027
25	upgrades.	
26		

1 B. Requiring Permittee to continue to meet the effluent limitations set forth in
2 the Permit; except at any point prior to June 30, 2027, when influent flow exceeds the Peak
3 Instantaneous Flow design capacity of the Facility (2.77 MGD) for a 1-hour period on any day,
4 Permittee must not exceed:

- 5 a. 45 mg/L TSS Daily Maximum when the 24-hour composite tests end
6 within 48 hours after a flow event of 2.77 MGD average for a 1-hour
7 period.
8 b. 30mg/L TSS Weekly Average for those weeks when one or more tests
9 ended within 48 hours after a flow event of 2.77 MGD average for a 1-
10 hour period.
11 c. 580 lb TSS/day when the 24-hour composite tests end during the next
12 48 hours.
13 d. 490 lb TSS/day Weekly Average for weeks when one or more tests
14 ended within 48 hours after a flow event of 2.77 MGD average for a 1-
15 hour period.

16 C. Requiring Permittee, upon receipt of a written Penalty Demand Notice from
17 DEQ, to pay the following civil penalties:

- 18 a. \$600 per day, per violation of the corrective action schedule set forth in
19 Paragraph 11.A.
20 b. For exceedance of the interim effluent limits in Paragraph 11.B.:
21 1. \$300 for any exceedance of 50% or more of the limit,
22 2. \$150 for any exceedance of 20% or more, but less than 50% of the
23 limit, and
24 3. \$50 for any exceedance of less than 20% of the limit.
25 c. \$2,400 per SSO event caused by the system being overwhelmed by
26 stormwater.

1 D. Requiring Permittee to pay a civil penalty of \$52,650 for the violations listed
2 in Paragraphs 3–6 above. The determination of the civil penalty is attached as Attachments A
3 and B.

4 a. In accordance with DEQ's Internal Management Directive on
5 Supplemental Environmental Projects (SEPs), DEQ agrees to mitigate the \$52,650 civil penalty
6 to \$10,530 and Respondent agrees to satisfactorily complete the approved SEP proposal as set
7 forth in Attachment C and incorporated by reference. Respondent agrees to refrain from using
8 the value of the SEP as a tax deduction or as part of a tax credit application; and, whenever
9 Respondent publicizes the SEP or the results of the SEP, Respondent will state in a prominent
10 manner that the project was undertaken as settlement of a DEQ enforcement action. Respondent
11 will be deemed to have completed the SEP when DEQ receives a Final SEP Report verifying that
12 the project, as described in the approved SEP, has been completed. The Final SEP Report must
13 include a detailed description of the project's expenses, copies of relevant receipts, an
14 explanation of measurable results, and a certification that the SEP is complete as described in the
15 report.

16 F. Requiring Respondent to submit the Final SEP Report by December 31,
17 2023, otherwise the remaining civil penalty (\$42,120) is due and owing to DEQ on December
18 31, 2023.

19 G. Requiring Respondent to pay the civil penalty set forth in Paragraph 11.D
20 above via check or money order payable to "Department of Environmental Quality" and sent to
21 the DEQ, Revenue Section, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232.

22 12. If any event occurs that is beyond Permittee's reasonable control and that causes or
23 may cause a delay or deviation in performance of the requirements of this MAO, Permittee shall
24 immediately notify DEQ verbally of the cause of delay or deviation and its anticipated duration,
25 the measures that have been or will be taken to prevent or minimize the delay or deviation, and
26 the timetable by which Permittee proposes to carry out such measures. Permittee shall confirm

1 in writing this information within five (5) working days of the onset of the event. It is Permittee's
2 responsibility in the written notification to demonstrate to DEQ's satisfaction that the delay or
3 deviation has been or will be caused by circumstances beyond the control of and despite the due
4 diligence of Permittee. If Permittee so demonstrates, DEQ shall extend times of performance of
5 related activities under this MAO as appropriate. Circumstances or events beyond Permittee's
6 control include, but are not limited to, acts of nature, unforeseen strikes, work stoppages, fires,
7 explosion, riot, sabotage, or war. Increased cost of performance or a consultant's failure to
8 provide timely reports are not considered circumstances beyond Permittee's control.

9 13. Any violation of the Permit effluent limits referenced in Paragraph 2 above that do
10 not exceed the interim limits established in Paragraph 11.B will be addressed per DEQ's
11 Enforcement Guidance Internal Management Directive in effect at the time of the violation.

12 14. Pursuant to OAR 340-012-0030(19) and OAR 340-012-0145(2), the violations cited
13 in Paragraphs 3–6 of this MAO, will be treated as prior significant actions in the event a future
14 violation occurs.

15 15. Permittee and DEQ hereby waive any and all of their rights to any and all notices,
16 hearing, judicial review, and to service of a copy of the final order herein. DEQ reserves the
17 right to enforce this order through appropriate administrative and judicial proceedings.

18 16. Regarding the schedule set forth in Paragraph 11.A., Permittee acknowledges that
19 Permittee is responsible for complying with that order regardless of the availability of any
20 federal or state grant monies.

21 17. The terms of this MAO may be amended by mutual agreement of DEQ and
22 Permittee.

23 18. DEQ may amend or terminate this MAO upon finding that such modification or
24 termination is necessary because of changed circumstances or to protect public health and the
25 environment. DEQ shall provide Permittee a minimum of thirty (30) days written notice prior to
26 issuing an order amending or terminating the MAO. If Permittee contests the order, the

1 applicable procedures for conduct of contested cases in such matters shall apply.

2 19. This MAO shall be binding on the parties and their respective successors, agents,
3 and assigns. The undersigned representative of each party certifies that he or she is fully
4 authorized to execute and bind such party to this MAO. No change in ownership or corporate or
5 partnership status relating to the facility shall in any way alter Permittee's obligations under this
6 MAO, unless otherwise approved in writing by DEQ.

7 20. All reports, notices and other communications required under or relating to this
8 MAO to Randall Bailey, DEQ Northwest Regional Office, 700 NE Multnomah Street, Suite 600,
9 Portland, Oregon 97232, phone number 503-229-5019, unless otherwise notified by DEQ. The
10 contact person for Permittee shall be Sue Lawrence, Public Works Director, City of Rainier, 106
11 West "B" Street, P.O. Box 100, Rainier, Oregon, 97048, phone number 503-556-7301.

12 21. Permittee acknowledges that it has actual notice of the contents and requirements of
13 this MAO and that failure to fulfill any of the requirements hereof will constitute a violation of
14 this MAO and subject Permittee to the payment of civil penalties pursuant to Paragraph 11.C.
15 above.

16 22. Any stipulated civil penalty imposed pursuant to Paragraph 11.C. shall be due upon
17 written demand. Stipulated civil penalties shall be paid by check or money order made payable to
18 the "Department of Environmental Quality" and sent to: Business Office, Department of
19 Environmental Quality, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232. Within
20 20 days of receipt of a "Demand for Payment of Stipulated Civil Penalty" Notice from DEQ,
21 Permittee may request a hearing to contest the Demand Notice. At any such hearing, the issue
22 shall be limited to Permittee's compliance or non-compliance with this MAO. The amount of
23 each stipulated civil penalty for each violation and/or day of violation is established in advance
24 by this MAO and shall not be a contestable issue.

25 23. This MAO shall terminate at the end of the day on the date the final compliance task
26 in Paragraph 11.A. above is to be completed. However, Permittee remains liable for stipulated

penalties for any violations of the MAO occurring during the period the MAO was in effect and demanded pursuant to Paragraph 11.C.

CITY OF RAINIER

Date

Jerry Cole, Mayor
City of Rainier

**DEPARTMENT OF ENVIRONMENTAL QUALITY
and ENVIRONMENTAL QUALITY COMMISSION**

Date

Kieran O'Donnell, Manager
Office of Compliance and Enforcement
on behalf of DEQ pursuant to OAR 340-012-0170
on behalf of the EQC pursuant to OAR 340-011-0505

ATTACHMENT A

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATIONS: Respondent violated ORS 468B.025(2) by the exceeding the TSS and BOD technology based effluent limits (TBELs) in its wastewater permit by 50% or more.

CLASSIFICATION: These are Class I violations pursuant to OAR 340-012-0055(1)(k)(A).

MAGNITUDE: The magnitude of the violation is minor pursuant to OAR 340-012-0135(2)(a)(C)(i) because Respondent's effluent was diluted by a factor of 10 or more by the receiving stream.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is: $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$750 for a Class I, minor magnitude violation in the matrix listed in OAR 340-012-0140(4)(b)(A)(iii) and applicable pursuant to OAR 340-012-0140(4)(a)(F)(i) because Respondent's facility has a permitted flow of less than two million gallons per day.

"P" is whether Respondent has any prior significant actions (PSAs), as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 10 according to OAR 340-012-0145(2)(b) because Respondent has more than nine Class I equivalent violations stemming from Case Nos. WQ/M-NWR-2017-228 and WQ/M-NWR-2020-179.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is insufficient information on which to base a finding under paragraphs (3)(a) or (b).

"O" is whether the violation was repeated or ongoing, and receives a value of 2 according to OAR 340-012-0145(4)(b) based on the following:

- On the following dates, Respondent's discharge exceeded the applicable TBEL:
 - October 28, 2021: daily maximum BOD loading (Class I violation)
 - October 2021: weekly average BOD loading (Class III violation)
 - October 2021: weekly average BOD concentration (Class II violation)
 - October 2021: monthly average TSS loading (Class I violation)
 - October 28, 2021: daily maximum TSS loading (Class I violation)
 - October 2021: monthly average TSS concentration (Class I violation)
 - October 2021: weekly average TSS loading (Class I violation)

- October 2021: weekly average TSS concentration (Class I violation)
 - October 2021: monthly average TSS removal (Class III violation)
 - November 2021: monthly average TSS concentration (Class II violation)
 - November 2021: weekly average TSS concentration (Class I violation)
 - December 20, 2021: daily maximum TSS loading (Class III violation)
 - December 2021: monthly average TSS concentration (Class II violation)
 - December 2021: weekly average TSS loading (Class III violation)
 - December 2021: weekly average TSS concentration (Class I violation)
 - January 2022: monthly average TSS loading (Class II violation)
 - January 4, 2022: daily maximum TSS loading (Class I violation)
 - January 2022: monthly average TSS concentration (Class I violation)
 - January 2022: monthly average TSS loading (Class I violation)
 - January 2022: weekly average TSS concentration (Class I violation)
 - March 2022: monthly average TSS loading (Class III violation)
 - March 2022: monthly average TSS concentration (Class I violation)
 - March 2, 2022: daily maximum TSS loading (Class I violation)
 - March 2022: weekly average TSS loading (Class II violation)
 - March 2022: weekly average TS concentration (Class I violation)
 - April 2022: daily maximum TSS loading (Class I violation)
 - April 2022: monthly average TSS concentration (Class I violation)
 - April 2022: monthly average TSS loading (Class II violation)
 - April 2022: weekly average TSS concentration (Class I violation)
 - April 2022: weekly average TSS loading (Class I violation)
- As set detailed above, Respondent experienced 30 total violations. DEQ is assessing a separate penalty only for the 19 Class I violations.
 - To arrive at “O”, DEQ divides the total number of violations by the number of violations penalized. Therefore, each assessed penalty represents 1.6 occurrences for an “O” factor value of 2.

"M" is the mental state of the Respondent and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. The TSS and BOD limits are express conditions of Respondent's permit. By failing to take necessary actions to comply with the limits, Respondent failed to exercise reasonable care to avoid the foreseeable risk a permit violation would occur.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of 0 according to OAR 340-012-0145(6)(f) because the violation or the effects of the violation could not be corrected or minimized.

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to “level the playing field” by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In

this case, “EB” receives a value of 0 according to OAR 340-012-0150(4) because there is insufficient information on which to make an estimate under the rule.

PENALTY CALCULATION: $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$
 $= \$750 + [(0.1 \times \$750) \times (10+0+2+4+0)] + \0
 $= \$750 + [\$75 \times 16] + \$0$
 $= \$750 + \$1,200 + \$0$
 $= \$1,950$

ORS 468.140(2) states that each day of violation constitutes a separate occurrence of the offense. DEQ is assessing penalties only for the 19 Class I violations. The single occurrence violation penalty is therefore multiplied by 19 for a final civil penalty of \$37,050.

ATTACHMENT B

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATIONS: Respondent violated OAR 340-041-0009(3) and ORS 468B.025(1)(b) by discharging untreated sewage into the Columbia River.

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0055(1)(b).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1), as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is: $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$6,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(2)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(2)(a)(D).

"P" is whether Respondent has any prior significant actions (PSAs), as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 10 according to OAR 340-012-0145(2)(b) because Respondent has more than nine Class I equivalent violations stemming from Case Nos. WQ/M-NWR-2017-228 and WQ/M-NWR-2020-179.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is insufficient information on which to base a finding under paragraphs (3)(a) or (b).

"O" is whether the violation was repeated or ongoing, and receives a value of 2 according to OAR 340-012-0145(4)(b) because there were more than one but less than seven occurrences of the violation. Respondent experienced three SSO events.

"M" is the mental state of the Respondent and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. Respondent's permit expressly prohibits uncontrolled overflows where wastewater is likely to escape into a water of the state. By failing to take necessary actions to prevent the SSOs from occurring, Respondent failed to exercise reasonable care to avoid the foreseeable risk a violation would occur.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of 0 according to OAR 340-012-0145(6)(f) because the violation or the effects of the violation could not be corrected or minimized.

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of 0 according to OAR 340-012-0150(4) because there is insufficient information on which to make an estimate under the rule.

PENALTY CALCULATION: $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$
= \$6,000 + $[(0.1 \times \$6,000) \times (10+0+2+4+0)] + \0
= \$6,000 + $[\$600 \times 16] + \0
= \$6,000 + \$9,600 + \$0
= \$15,600



Technical Memorandum

Prepared for: Sue Lawrence, Public Works Director
City of Rainier, Oregon

Project: Supplemental Environmental Project
West C Street Stormwater

Author: Rob Lee, PE, PMP
Leeway Engineering Solutions

Date: November 9, 2022

Subject: Budgetary Estimate

1 Introduction

The City of Rainier (City) has identified a potential project that could provide environmental and social benefits. Stormwater conveyance in the vicinity of W. C Street and Maple Drive has been an issue in the past, and this identified project could provide relief while also improving stormwater quality and beautification of the area.

The project would involve the design and construction of approximately 550' of new stormwater conveyance, a new green stormwater infrastructure (GSI) rain garden or bioswale, and stabilized outfall to Nice Creek. Figure 1 below shows the approximate project location.



Figure 1. Project Location

2 Project Budgetary Estimate

Leeway Engineering (Leeway) has developed the following budgetary estimate the following for the project.

Table 1. Project Estimated Cost

Item	Budgetary Cost
600 lineal feet of new 12-inch storm sewer	\$82,500
Bioswale	\$20,000
Construction Subtotal	\$102,500
Design and Administration (30%)	\$30,750
Contingency (20%)	\$20,500
Project Budgetary Estimate	\$153,750

Leeway estimates approximately one year is required from start of design to completion of construction.

Supplemental Environmental Project Application
Oregon Department of Compliance and Enforcement
700 NE Multnomah St., Suite 600
Portland, OR 97232

Case Name and No.: WQ-M-NWR-2022-044

Project Contact: Sue Lawrence
Public Works Director
City of Rainier
PO Box 100
Rainier, OR 97048
slawrence@cityofrainier.com

Type of Project: Separation of Storm and Sanitary Sewer with storm water – Reducing the amount and/or danger presented by some form of pollution, often by providing better treatment and disposal of the pollutant.

Type of Project Rationale: The project proposes to separate storm water from the sanitary sewer and install a green-streets type of stormwater facility that will reduce pollutants inherent to roadway generated runoff.

Who is conducting the project: The City of Rainier will be the project manager and will be hiring the design and construction.

Location where the project will take place:

The project will take place along West C Street within the City of Rainier, in this general area that could capture roadway runoff generated along W C St and Fern Hill and that would provide significant water quality treatment prior to discharge into Nice Creek. Currently, no water quality treatment exists for the roadway drainage. The proposed project location is advantageous in that it has the potential to utilize the City's existing stormwater infrastructure, utilizes downslope areas adjacent to the Creek that are within the City's Right-of-Way (ROW), and is public facing to provide additional community benefits and education.

General Project Location

Project description:

The project proposes to install a green-streets type stormwater facility along West C Street within the City's ROW. The facility would capture and treat roadway generated runoff from along West C Street that currently flows into the sanitary sewer and the drainage ditch into Nice Creek. Given supportive geotechnical findings, the facility will be a non-lined bioretention planter ("green street planter") which would also provide the benefits of infiltration in addition to water quality treatment (peak flow attenuation and volume reduction benefits). A non-lined facility would also minimize the complexities/costs associated with tie-in to existing stormwater infrastructure. Other similar design options are available if geotechnical findings do not support infiltrating practices. Optimizing the design

of the facility would utilize the knowledge/guidance from similar successful green-streets projects that have been constructed in the City of Portland; examples below from the City of Portland website.



Green Street Planter Examples

(images from City of Portland website; <https://www.portlandoregon.gov/bes/article/414873>)

What environmental benefits are expected?

The proposed project will provide multiple environmental benefits:

- Removal of stormwater from the sanitary sewer system
- Reduction of pollutants inherent to roadway generated stormwater runoff (engine oils, grease, rubber/tire wear, heavy metals, debris/garbage, etc.).
- Reduction of Total Suspended Solids (TSS) in stormwater discharged to Nice Creek.
- Reduction of runoff temperatures to Nice Creek.
- Habitat creation (through facility plantings and soil strata).
- Reduction of peak discharge flowrates and peak runoff volumes generated from the drainage area; reduction of erosive forces in Fox Creek during wet-weather.
- Potential for groundwater recharge (given approved infiltration facility).

Additionally, the project will also include such benefits as:

- Provide a public facing stormwater management/treatment facility; public engagement.
- Provide the community with a template and example for future stormwater retrofit projects.
- Continue to build upon previous community restoration efforts nearby and along Fox Creek.
- Increased roadway aesthetics with stormwater plantings.

How will you measure/assess the benefits?

The City will measure/assess the benefits of the project in multiple ways:

- Quantify the amount of impervious surface area that is provided treatment by the new facility.
- Provide estimates of the reduction of peak runoff flows and volumes.
- Document the condition and health of the stormwater plantings.

What is the total project cost?

The total project cost is \$150000

Project costs include: Estuary Partnership staff time (project coordination, stormwater facility design, construction inspections, facility as-built documentation, reimbursement for travel to/from site, etc.), permits, potential geotechnical services, potential surveying services, stormwater facility construction services, and construction materials and plantings.


What is the timeframe for the project (most projects are completed within one year)? Include milestones and final completion date:

The project is anticipated to be completed within one-year of the final approval of the SEP. We anticipate that the stormwater facility construction will occur in the spring/summer of 2022 when weather is conducive, while any applicable geotechnical/surveying/permitting and facility design to begin upon stakeholder consensus on specific project location. Assuming an award in AUG 2021, project milestones/schedule include:

- Design of storm system – March 2023
- Permitting (as applicable) – March 2023
- Site surveying (as applicable) – February 2023
- Geotechnical investigations and reporting (as applicable) – March 2023
- Preliminary stormwater facility design development – May 2023
- Facility construction – July/August 2023
- As-built facility documentation and final reporting – December 2023

Date: 11/16 2002

Signature:

 Public Works Director

An officer appointed by the mayor and city council, the City Administrator plans and directs the activities of all City departments through subordinate department managers and others and acts as the City's Personnel Officer and Chief Administrative Officer. Specific duties include HR, Risk Management, third-party contract administration, records management, serving as the city's budget officer and Elections Official and being the management representative on the Safety Committee.

The administrator is charged with coordinating with the volunteer members of the city council, Planning Commission, Parks Committee, Budget Committee, Library Board, Rainier Economic Development Corporation (REDCO) and others to prepare and staff their meetings and implement policy.

The preferred candidate must have broad knowledge of municipal government organization, power and functions; inter- and intra-governmental relationships; principles and practices of public administration, finance, budgeting, and management; understanding of public processes, regulatory and legal compliance and public records and meeting laws.

A working knowledge of planning practices and Oregon's land use laws is required, as well as experience bargaining with labor unions, engaging in legislative advocacy, drafting ordinances, contracts, IGAs, MOUs and updating municipal codes.

The administrator will also perform media relations, work with the Columbia County Board of Commissioners, representatives of the city's federal delegation and their staff and represent the city's interest as a board member of outside organizations, as well as applying for and administering grants. The candidate is required to be bondable and must have a valid driver's license.

City Administrator Report
January 9, 2023 Rainier Council Meeting

Mayor Cole and Members of the Council,

Happy New Year!

I met with Columbia County emergency manager Chris Carey on December 7 and spent part of the day finalizing the downtown banners and placing the order. I've been coordinating with the Rainier Oregon Historical Museum (ROHM) on the locations and public works is scheduled to hang them around town the week of March 6.

Along those same lines, I'm working with the ROHM on creating an event in April centered around the banners. The concept at this point is an historic reenactment of sorts. More details will follow as it all comes together over the next few weeks.

I attended the December 8 Chamber of Commerce meeting and its December 13 board meeting.

Councilor Cooper and I did lunch at the senior center on December 20. Sue and I had a follow up meeting with the city's engineering firm that day about the next steps for the Fox Creek feasibility study project. That evening, an event was held at the County Fairgrounds to honor the retirement of Commissioner Henry Heimuller, and I went to that.

On December 21, I arranged to attend City Day at the Oregon State Capitol in Salem. It is scheduled for January 25.

Finally, on December 27, I consulted with our municipal court judge and representatives from the League of Oregon Cities about the governor's decision to undo hundreds of drivers license suspensions throughout the state.

Sincerely,

W. Scott Jorgensen, Executive MPA
City Administrator