

## RESOLUTION NO. 2021 - 02

A Resolution approving the award of a Personal Services Contract to Jacobs Engineering Group Inc. for an Infrastructure-Based Time Extension Request (IBTER) Analysis as required by HB 2001 and OAR 660-046-0300

### RECITALS:

The Oregon State Legislature of 2019 adopted HB 2001. HB 2001, often described as the "Missing Middle Housing" bill mandates that all cities with a population of 25,000 or more people must allow all missing middle housing types on

Understanding that this type of increased density in previously planned single family neighborhoods may cause some infrastructure capacity issues for cities, HB 2001 also outlined an opportunity for cities to apply for an extension on the implementation of infrastructure capacity remedies through an Infrastructure-Based Time Extension Request process.

On August 7, 2020, the Land Conservation and Development Commission adopted Oregon Administrative Rule 660-046-0300 providing the process that cities must follow to analyze the need for and request an Infrastructure-Based Time Extension Request.

The premise behind this process is that cities should study the anticipated impact of the missing middle housing mandate outlined in HB 2001 on their infrastructure systems in different areas of their communities where they feel there may be capacity issues, and then design a solution for the issue. If the city cannot implement the solution by the time that it is mandated to allow the missing middle housing types in that area, it can request an extension.

With some neighborhoods that could have potential infrastructure capacity issues, the City of McMinnville applied for and received a \$100,000 grant from the Department of Land Conservation and Development to assist with the work.

Per OAR 137-048-0200(1)(c), the City of McMinnville is entering into a direct appointment with Jacobs Engineering Group, Inc. for a proposal to conduct the analysis and develop the IBTER application for an extension if necessary, as Jacobs Engineering Group, Inc. has the city's capacity model for wastewater, and is providing a service that was substantially studied in an earlier contract, the fee is less than \$250,000 and the previous contract was selected under OAR 137-048-0220 (Resolution No. 2005-46).

The City has negotiated the type of services, work scope, project team, sub-consultants, fee, and schedule with Jacobs for this project. No future phases are anticipated.

The estimate for this scope of work is \$ 147,992.

### **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON, as follows:**

1. That the City Council, acting as the Contract Review Board, is making a direct appointment per OAR 137-048-0200(1)(c), "Continuation of Project with Intermediate Estimated Fee".
2. That entry into a Personal Services Contract with Jacobs Engineering Group Inc for an Infrastructure-Based Time Extension Request (IBTER) Analysis as required by HB 2001 and OAR 660-046-0300, in the amount of \$ 147,992 is hereby approved.
3. The City Manager is hereby authorized and directed to execute the contract with Jacobs Engineering Group Inc.

4. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 26th day of January 2021 by the following votes:

Ayes: \_\_\_\_\_ Drabkin, Garvin, Geary, Menke, Peralta, Chenoweth \_\_\_\_\_

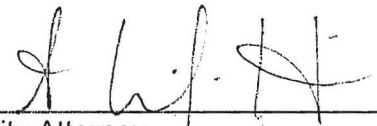
Nays: \_\_\_\_\_

Approved this 26th day of January 2021.



\_\_\_\_\_  
MAYOR

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Attest:

  
\_\_\_\_\_  
City Recorder