

**ORDINANCE NO. 1630**

**AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT WITH WATERLEAF ARCHITECTURE INC. OF PORTLAND, OR, TO CONDUCT A NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) STUDY FOR THE TRANSIT BUILDING PROJECT.**

**WHEREAS**, the Parties entered into a contract for Engineering and Architectural services dated October 19, 2023;

**WHEREAS**, the City would like to apply for Grants for funding the building project;

**WHEREAS**, the State of Oregon is requiring a NEPA study for building projects that use State or Federal Grant Money;

**WHEREAS**, the study and cost are beyond the original scope of the contract; and

**WHEREAS**, the Contractor has provided, in writing the cost and proposal for the study.

**NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:**

The City Administrator is hereby authorized and directed to make, execute, and declare in the name of the City of Canby and on its behalf, an appropriate amendment to the contract with Waterleaf Architecture of Portland, OR.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, August 21, 2024, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, September 4, 2024, commencing at the hour of 7:00PM in the City Council Chambers located at 222 NE 2nd Avenue, 1<sup>st</sup>Floor, Canby, Oregon.



Maya Benham, CMC  
City Recorder

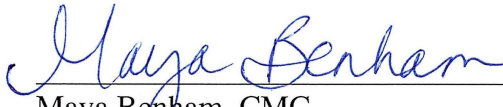
**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on September 4, 2024, by the following vote:

YEAS 6

NAYS 0

  
\_\_\_\_\_  
Brian Hodson  
Mayor

ATTEST:

  
\_\_\_\_\_  
Maya Benham, CMC  
City Recorder

**AFFIDAVIT OF POSTING**

STATE OF OREGON        )  
  )  
County of Clackamas    )        ss:  
  )  
CITY OF CANBY            )

I, Maya Benham, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 21<sup>st</sup> day of August, 2024, the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1630 was read for the first time and passed by the vote of said Council and then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 22nd day of August 2024, I posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and very conspicuous places for the period of more than five (5) days and until the very 4th day of September 2024.

*Maya Benham*  
\_\_\_\_\_  
Maya Benham, CMC  
City Recorder

Subscribed and sworn to before me this 22nd day of August, 2024.



*Teresa Ann Ridgley*  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires:

**FIRST AMENDMENT TO PERSONAL SERVICES AGREEMENT**

The City of Canby, Oregon ("City") and Waterleaf Architecture, LLC ("Contractor") enter into this First Amendment. This First Amendment will be effective when both parties have signed it.

**RECITALS**

- A. The City and Contractor entered into a personal services agreement (the "Agreement") on or about October \_\_, 2023. Pursuant to the Agreement, Contractor is providing design services to the City for a new Canby Area Transit administration building.
- B. Through this First Amendment, the parties wish to add additional services to Contractor's existing scope of work. The additional services relate to demonstrating compliance with the National Environmental Policy Act ("NEPA"), which the Federal Transit Authority is requiring of the City.
- C. Except for adding the NEPA-related services to Contractor's existing scope of work, and increasing Contractor's compensation accordingly, the parties otherwise reaffirm the terms and conditions of the Agreement.

**AGREEMENT**

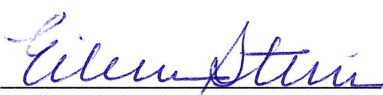
- 1. The parties amend the Agreement to expand Contractor's scope of work to include NEPA-related services, and to increase Contractor's compensation in the amount of \$79,966.00 for those services, as specifically described in Exhibit A, which is attached to this First Amendment and incorporated by reference.
- 2. Except for the specific changes the parties make to the Agreement through this First Amendment, the terms and conditions of the Agreement remain effective and enforceable.

**SIGNED:**


Waterleaf Architecture, LLC

City of Canby

\_\_\_\_\_  
Name, Title

  
Eileen Stein, City Administrator

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date