



January 3, 2023  
Agenda Bill 23-03  
Exhibit 1

## **RESOLUTION NO. 2023-925**

**A RESOLUTION OF THE CITY OF NEWCASTLE, WASHINGTON, DIRECTING STAFF TO ENTER INTO A CONTRACT WITH OSBORN CONSULTING INC. TO PROVIDE PHASE 2 FINAL DESIGN AND PERMITTING SERVICES FOR THE NEWPORT HILLS CREEK RAILROAD EMBANKMENT PROJECT, S-017, IN AN AMOUNT NOT TO EXCEED \$194,401.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT.**

**WHEREAS**, the adopted 2017 Comprehensive Surface Water Management Plan Update retained the Newport Hills Creek Railroad Embankment Project, S-017, with the recommendation to assess the railroad embankment; and

**WHEREAS**, the Newport Hills Creek Railroad Embankment is owned by the City and is regulated by the Washington State Department of Ecology Dam Safety Office and has a downstream hazard classification of Hazard Class 2D, indicating a significant downstream hazard potential; and

**WHEREAS**, the Washington State Department of Ecology Dam Safety Office considers the Railroad Embankment to be in Poor condition, based on an inspection in August 2018; and

**WHEREAS**, the standpipe riser of the Railroad Embankment has been repaired, thus decreasing the flood hazard; and

**WHEREAS**, the Muckleshoot Tribe and Washington State Department of Fish and Wildlife require a long-term commitment for fish passage at the railroad embankment; and

**WHEREAS**, the Newport Hills Creek Railroad Embankment does not comply with reservoir permits as required by the Washington State Department of Ecology Water Resources Program; and

**WHEREAS**, the City desires to reduce flood hazard risk, exposure, and comply with state water code, and evaluate options for fish passage;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWCASTLE, WASHINGTON,** hereby directs staff to contract with Osborn Consulting Inc. to provide Phase 2 final design and permitting services for the Newport Hills Creek Railroad Embankment Project, S-017, in an

amount not to exceed \$194,401.00, and authorizes the City Manager to execute the contract on terms acceptable to staff.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NEWCASTLE, WASHINGTON,** at a duly noticed public meeting thereof held January 3, 2023.

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Linda Newing, Mayor

ATTEST

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Paul J. White, City Clerk

Adopted:

Effective: