

MONDAY, MAY 18, 2020
CITY COUNCIL MEETING
Regular meeting 7:00 p.m.
Scappoose Council Chambers
33568 East Columbia Avenue

Call to Order

Mayor Burge called the City Council meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call (present/in person)

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| Scott Burge | Mayor |
| Michael Sykes | City Manager |
| Susan M. Reeves | City Recorder |
| Laurie Oliver | City Planner |
| Dave Sukau | Public Works Director |
| Darryl Sykes | Treatment Plant Supervisor |
| Chris Negelspach | City Engineer |

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| Joe Kessi | Applicant |
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Remote/on the phone:

Council President Patrick Kessi
Councilor Megan Greisen
Councilor Joel Haugen
Councilor Josh Poling
Councilor Brandon Lesowske
Councilor Pete McHugh
Assistant City Manager Alexandra Rains
Legal Counsel Peter Watts

Steve Kay, Joe Kessi's consultant
Ernie Happala

Approval of the Agenda

Councilor Haugen moved, and Councilor Greisen seconded the motion to approve the agenda. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Public Comments

There were no emails/public comments received.

Consent Agenda ~ May 4, 2020 City Council meeting minutes

Councilor Poling moved, and Councilor McHugh seconded the motion to approve the Consent Agenda ~ May 4, 2020 City Council meeting minutes. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

New Business

Ord No. 890: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map

Council President Kessi recused himself.

Mayor Burge read the opening statement. He asked if any Council member wished to declare any ex parte contacts or conflicts of interest regarding this matter. There were none. He then asked does any party wish to challenge any Councilor's impartiality or legal capacity to participate in this matter? He explained the order of the hearing will be the staff report, then the applicant's presentation, then proponents, then opponents, then rebuttal by the applicant, then staff response. Thereafter the hearing will be closed for consideration of the matter by the Council. He opened the public hearing at 7:04 p.m.

City Planner Laurie Oliver went over the staff report. She explained OHM Equity Partners LLC requests approval to annex 1.6 acres of vacant land at the eastern terminus of SE Maple Street with a corresponding zone change to R-4 and requests concurrent approval for a 12-lot subdivision utilizing the Cottage Housing Development Code. The subdivision proposal involves 4 cottages clustered north of the eastern extension of SE Maple Street through the subject site, and 12 cottages clustered south of SE Maple Street. The applicant is requesting approval of three separate applications. Planning Commission provides a recommendation to City Council for both the annexation application and the zone change application, and Council is the decision authority on both. While the Planning Commission would normally be the approval authority for the proposed subdivision and associated cottage housing development, due to consolidation of proceedings, the City Council will decide the subdivision application as well (based on Planning Commission's recommendation). The Planning Commission staff report, revised May 13, 2020 (attached as Exhibit B to Ordinance 890) contains the approval criteria for each application and the findings related to how the applications meet the applicable criteria. The Planning Commission held a public hearing on this application on May 14, 2020, during which time the Commissioners unanimously voted to forward a recommendation of approval of all three applications to the City Council. An ordinance to approve the annexation, zone change, and cottage housing subdivision is attached for the Council's review. Approval of the ordinance would constitute a final decision since an election is not required for annexation in the City of Scappoose. She gave an overview of the application. The subject site consists of one parcel with an area of 1.6 acres. The parcel is located at the eastern terminus of SE Maple Street, east of SE 4th Street, and is identified as Columbia County Assessor Tax Lot 3212-DA-04400. The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map. The site is adjacent to City Limits on the west and south sides. Adjoining properties within the City are zoned Low Density Residential (R-1) to the west and Medium Density Residential (R-

4) to the south. The subject site and adjoining properties outside City Limits are zoned Single Family Residential, 10,000 square foot minimum lot size (R-10) by Columbia County. All the abutting properties are in residential use. The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department. According to Flood Insurance Rate Map (FIRM) 41009C0463D, dated 11/26/10, the property is located outside the Special Flood Hazard Area. The southeastern corner of the site (totaling approximately 25 square feet) is located in the Scappoose Drainage District and is protected from the one percent annual chance (100-year) flood by a dike. The Scappoose Local Wetlands Inventory Map does not depict wetlands within or near the property. The site is currently vacant and is vegetated with grasses plus trees along the southern and eastern boundaries. The site slopes gently downward from west to east, with an overall grade difference of only 4-5 feet. The site is currently zoned Single-Family Residential (R-10) by Columbia County and the applicant has requested annexation into city limits. According to Section 17.136.070 of the Scappoose Development Code, since the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1). However, the applicant has also applied to have the City re-zone the property to Moderate Density Residential, or R-4. The applicant has not requested an amendment to the Comprehensive Plan map. As the re-zone is dependent upon annexation, which would typically result in R-1 zoning based on the SR plan designation, this report and the applicant's narrative discuss the impacts of moderate density (R-4) development in comparison to low density (R-1) development. As required by Scappoose Municipal Code 17.22.050, proposals to amend the zoning map must be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 – Transportation Planning Rule (TPR). The applicant's transportation report and supplemental memo analyzed a reasonable worst-case scenario under the R-4 zone to address the Transportation Planning Rule. The report estimates that if the site were developed with 18 residences (the most intense development under the R-4 zone), the site could be expected to generate approximately 170 average daily trips, including 18 PM Peak Hour trips and 13 AM Peak Hour trips. While the applicant is proposing a 12-unit Cottage Housing Development, the R-4 zone also permits duplexes, tri-plexes, and four-plexes. In case the property is annexed but is instead later developed with multi-family housing, the applicant's transportation engineer analyzed not only the anticipated 12 units but also a scenario with up to 18 units. In accordance with TPR requirements, the applicant's transportation engineer examined traffic operations in the year 2035 (corresponding to the planning year in the Scappoose Transportation System Plan, or TSP). This analysis indicates that both the E. Columbia Avenue/SE 4th Street/NE West Lane Road and SE Maple Street/Highway 30 intersections would have LOS 'F' in 2035 either under the proposed 12-residence scenario or the worst-case 18-residence scenario, while the other intersections would operate at LOS 'C' or better. The analysis demonstrated that for the failing intersections, the v/c ratio in 2035 is the same for both the proposed 12-residence scenario or the worst-case 18-residence scenario. The supplemental traffic memo demonstrates that the SE Maple Street/Highway 30 intersection would meet ODOT's alternative mobility targets. Since the SE Maple Street/Highway 30 intersection is under the Oregon Department of Transportation's jurisdiction, ODOT was provided the opportunity to comment on the annexation and zone change. ODOT staff declined to provide written comments. In verbal communication with ODOT staff on March 30, 2020, ODOT indicated that unless the rezone involved more than 400 trips daily, they did not need to provide a comment on the application (the worst case scenario of 18-residences would only be expected to generate 170 daily trips). In addition to the annexation and rezone request, the applicant has requested approval of a Cottage Housing Development as part of the same

application. If the annexation were denied, then the cottage housing development application would also be denied as it would be outside the City's jurisdiction. If the annexation were approved but the re-zone were denied, then the cottage housing development application would also be denied as it would not be following the proper approval procedure (if the site were zoned R-1, the cottage housing would require a conditional use permit). As described in the applicant's narrative the proposed Cottage Housing Development would consist of a cottage cluster on the north side of SE Maple Street with 4 cottages and a cluster on the south side with 8 cottages. Each cottage is located on an individual lot with private open space in the rear and front yards of the parcel. Both cottage clusters include a commonly maintained tract with a minimum of 2 parking spaces for each unit. The tracts provide a variety of common open space amenities including lawn areas, benches, picnic tables, barbeque grills, and a covered structure. The proposed walking paths lead from each cottage to public sidewalks along SE Maple Street, on-site parking lots, and the proposed common open space amenities. The applicant proposes to subdivide the property into 12 lots and two tracts, as illustrated. As part of the subdivision, the applicant would extend SE Maple Street through the site, terminating at the eastern property line, which would accommodate a future street layout on neighboring properties similar to that shown. The City has not required the applicant to connect to the SE 6th Street right-of-way stubbed to the southern boundary of the site, since that segment of 6th Street does not align with the existing improved 6th Street and would result in an unsafe offset intersection at SE Elm Street. North of the proposed street extension, Lots 1 through 4 would have sizes ranging from 1,681 to 2,624 square feet, while south of the street, Lots 5 through 12 would range from 1,664 to 2,630 square feet. Tracts A and B would accommodate the required common open space and the parking areas. Access to the site will occur via the eastern terminus of SE Maple Street, which at this location is designated as a local street in the City's Transportation System Plan (TSP), for which the standard right-of-way width is 54 feet (Maple Street is a collector from SE 4th Street to SW 4th Street). To be consistent with the existing right-of-way width to the west, the applicant proposes to dedicate a 60-foot right-of-way width. The street extension must be improved to meet the City's local street standards, including a 32-foot paved width with curb and gutter, 5-foot planter (excluding curb) with street trees, and 6-foot sidewalks. The applicant's preliminary plans depict a 36-foot paved width, 5-foot planter (excluding curb), and 6-foot sidewalks; while narrower than the existing 44-foot paved section, it complies with the City's collector standard since the street will be extended to the east in the future and provide access to the signalized intersection at Highway 30. The applicant also proposes an 8-foot public utility easement to accommodate franchise utilities as required. The subdivision application requires analysis of traffic impacts in the buildout year (assumed to be 2021). The applicant submitted a Traffic Analysis Report and supplemental memo to analyze traffic impacts. The applicant's transportation engineer estimates that the 12 new cottages in the proposed subdivision would generate approximately 113 average daily trips, including 12 PM Peak Hour trips and 9 AM Peak Hour trips, using Institute of Transportation Engineers standard trip generation ratios for single-family detached residences. The Traffic Analysis Report analyzed the effect that these additional trips would have on the local street network. The study focused on five nearby intersections: SE Maple Street/SE 3rd Street, SE Maple Street/SE 4th Street, SE Maple Street/Highway 30, SE Elm Street/SE 6th Elm Street, and E. Columbia Avenue/SE 4th Street/NE West Lane Road. The SE Maple Street /Highway 30 intersection is under Oregon Department of Transportation jurisdiction while the remaining intersections are under City jurisdiction. The traffic analysis examined the effect of the proposed subdivision and other approved and pending developments and concluded that all of the study intersections will operate at a LOS (level of service) of 'E' or better through the year 2021 buildout period. The study also concluded that all intersections meet or exceeds the City of Scappoose's level of service

standards with the exception of the E. Columbia Avenue/SE 4th Street/NE West Lane Road intersection (the 2016 Transportation System Plan (TSP) specifies that all-way stop-controlled intersections have a target of LOS 'D' or better). The study submitted by the applicant also asserts that the E. Columbia Avenue/SE 4th Street/NE West Lane Road intersection would have the same Level of Service 'E' in 2021 with or without the proposed development. The SE Maple Street/Highway 30 intersection would have a year 2021 volume-to-capacity (v/c) ratio of 0.63 with or without the development, which the applicant's traffic analysis indicates meets ODOT's mobility standards. The traffic analysis indicates that the E. Columbia Avenue/SE 4th Street/NE West Lane Road intersection meets signal warrants in the year 2021, even without the proposed development. The TSP identifies project #14 for this intersection, consisting of a traffic signal or roundabout, with an estimated cost of \$500,000 in 2015 dollars. However, the project is labeled as 'aspirational' in the TSP, which means that it "likely would not have city or state funding by 2035." Staff has not proposed any conditions of approval requiring mitigation since the intersection improvements would not be proportional to the impact from the proposed development. The proposed water system improvements consist of an eight-inch public main in Maple Street, connecting to the existing pipe immediately west of the site. The new water main is proposed to extend to the east end of the site. Hydrants must meet the standards of the Scappoose Rural Fire Protection District and Public Works Design Standards. The applicant proposes 12 individual services with separate connections to the water main but Public Works staff has requested that larger stubs be provided north and south of Maple Street, with services connecting to those stubs rather than the new main in Maple Street. The applicant has proposed an 8-inch public gravity sanitary sewer line in Maple Street, connecting to the existing 8-inch line stubbed immediately west of the site. Laterals from individual houses would connect to private 6-inch lines which would then discharge to the new public line in Maple Street. As the parcel to the east is not yet developed at urban densities, the applicant is required to stub a sewer extension to the eastern site boundary for future development. A preliminary drainage (stormwater) report is included. As there is no public stormwater system adjacent to the site, the applicant proposes to collect stormwater from SE Maple Street and from within the site via catch basins and convey it to a series of drywells, similar to nearby streets. The applicant proposes 3 private drywells north of Maple Street, 6 private drywells south of Maple Street, and 5 public drywells in Maple Street. The appendices to the stormwater report include infiltration test results per the Public Works Design Standards. A final stormwater report would be required prior to approval of subdivision construction plans. Public Works staff has requested that the public stormwater system utilize horizontal infiltration facilities rather than drywells; this would allow for easier excavation and maintenance. Franchise utilities are provided to adjacent residential developments and could be made available through the extension of nearby lines and public service infrastructure. The Scappoose Development Code requires street trees along all street frontages. The Preliminary Landscape Plan indicates that Blireiana Plum Street Trees are proposed to be planted approximately 15 feet apart. Trees are proposed to be planted in the landscape strip between the curb and sidewalk, within the right-of-way.

City Planner Laurie Oliver explained at the time that the staff report was released they didn't have any public comments submitted, they now have had three submitted. She explained two of which are included in this packet and the other comment was sent out via email. She explained there is a concern about trespassing onto the property to the east of this site. She explained the applicant does propose to fence the eastern property boundary with the exception of the portion of the right-a-way where SE Maple Street extends to the eastern boundary. She explained our code does require that a type III barricade be placed at the end of all streets and the barricade is in the recommended conditions of approval. She explained however since this is residential use

to another residential use, we do not have any criteria that requires fencing between these two properties, nor would we have fencing across a right-of-way. She explained because there is no approval criteria that we can tie that to, the City did not include that as a condition of approval nor did the Planning Commission feel it was appropriate to do that.

City Planner Laurie Oliver went over the approval criteria and findings. She explained staff recommends that the Council approve the annexation, zone change and subdivision applications and adopt Ordinance 890, as presented.

City Planner Laurie Oliver went over the Options:

1. Approve the annexation, zone change and subdivision application, adopt the findings in ANX1-19/ZC1-19/SB1-19 Planning Commission staff report revised May 13, 2020 and adopt proposed Ordinance 890, as presented.

2. Approve the annexation, zone change and subdivision application, adopt the findings in ANX1-19/ZC1-19/SB1-19 Planning Commission staff report revised May 13, 2020 and adopt proposed Ordinance 890, as amended.

3. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Mayor Burge asked if Council had any questions.

Councilor Haugen asked is a barricade required?

City Planner Laurie Oliver replied yes.

Councilor Lesowske asked about Maple Street, is that a City or County maintained road?

City Planner Laurie Oliver replied City.

Mayor Burge asked if Council had any more questions for staff? Seeing none he stated we will move forward to the applicant's presentation.

Joe Kessi, representing OHM Equity Partners, explained when they looked at this piece of property they got super excited because at the time he believes that is when the City of Scappoose was considering bringing into their zoning cottage housing and we looked at it from a view of affordable housing or more affordable housing. He explained that was the ultimate goal and has been the goal the entire time, to create housing that a single mother or a single father or an older couple can afford, afford to maintain, and afford to live in. He explained the other piece of this that actually got him more excited is that experience told him that when you put houses together, meaning common wall, you have issues and the fact that they could do cottage housing and not have common walls creates an entirely different world for the person who lives there. He stated affordable housing, pride, pride of ownership; this really checked off all the boxes for them.

Mayor Burge asked if there were any proponents?

Ernie Happala, Scappoose, explained he is a proponent for this development, and he is just asking for one thing. He explained when he spoke with the Planning Commission, his initial concern was the issue of trespassing on their property. He explained from his house you can see the stop light on Highway 30 and SE Maple so there is a line of site there. He explained one of the concerns that he has is the car lights shining into his house and so he thinks that is a livability question. He explained even though it's not a requirement that they have to build the fence you can stipulate it to help mitigate the lack of privacy and to help with trespassing. He explained he is willing to accept the dirt from the dig out onto this property and they would even allow trees to be fallen on their property because they are good neighbors and they want this to be a successful development.

Mayor Burge asked if the applicant had a rebuttal.

Joe Kessi explained he thinks he said in the Planning hearing that it is really up to the City Council to decide if they want the homeowners to buy a fence. He stated since the Planning Commission hearing he has had two people call him and ask about the project and asked them to be called if this project moves ahead and both of them are single moms. He just wanted to share that.

Councilor Lesowske asked Mr. Kessi about what he just said that he would not be paying for the fence.

Joe Kessi explained he is not paying for the fence, which means that the homeowners would be eventually paying for the fence when they buy the home. He explained the road (right of way) is not owned by the HOA, it is owned by the City.

Councilor McHugh stated it seems like the fence would benefit the neighboring property owner. He thinks it is a fair request. He would like to see a fence put in but not at the neighboring property expense.

Councilor Poling asked if we put in the language about the fence needing to be installed would we be setting a precedence?

Legal Counsel Peter Watts explained he knows Ernie Happala from another jurisdiction that he represents and that in no way would that impact what he is going to talk about today. He explained anytime we are talking about exaction there are things to look at. He explained Council needs to consider whether this is a reasonable request, whether there is support for that under the Municipal Code, and then what Council thinks is in the best interest of the City.

City Planner Laurie Oliver replied there is no criteria that the City can tie this to. She explained the subdivision is processed as a limited land use approval (which does not require judgement).

Joe Kessi replied he didn't say that he would or would not build a fence. He just said he is not for it and he is not against it.

Councilor Lesowske stated he would ask again for clarification on that and he wants to make sure we are all in agreement as we move forward. He just wants to make sure there is clarity in where all parties stand.

Joe Kessi explained as he stated before he is not for the fence and he is also not against the fence. He feels it is a decision that is not up to him to make.

Councilor Greisen asked for clarification from the applicant regarding what he said about him not paying for the fence, the homeowners will.

Joe Kessi replied the fence would be included in the price of the home just as all the other development costs.

Councilor Greisen asked if it is appropriate to ask what the average cost of these cottage homes will be?

Joe Kessi replied that is a great question, but he doesn't know yet because he doesn't have approval yet. He explained once he has approvals and has designs then they can put this out to bid and that will set the stage for how much the homes will sell for.

Councilor Haugen talked about the road extending and when that would happen.

City Planner Laurie Oliver replied we don't know because the abutting property owner to the east would have control of how soon that would get developed.

City Engineer Chris Negelspach talked about a fence, usually there is an existing fence and he doesn't know how often we have had a developer put one in.

City Planner Laurie Oliver explained when drafting a staff report, she has to make sure what they are requiring as a condition of approval is tied to specific approval criteria.

Mayor Burge closed the public hearing at 8:02 pm

Councilor Haugen stated Mr. Happala's request seems reasonable, so he would offer that it would be a good item to include in the approval.

City Engineer Chris Negelspach explained just to clarify, there would be a gap there. He explained it needs to be decided if this fence would be on private property or in the right-of-way and there is also an issue of maintenance.

Councilor Haugen asked would the fence have a jog in it, if it was required?

Mayor Burge is still questioning what criteria we would use to require the fence.

Councilor Haugen asked didn't Peter say there is legal leeway to go forward with a fence?

Legal Counsel Peter Watts replied because we can't tie it to specific criteria, if the City was to require it and then if the applicant were to challenge it, the City would likely lose.

Councilor McHugh talked about sometimes things come up that don't fit the criteria. He thinks this is a reasonable request.

Councilor Lesowske asked if there is a way to have the Public Works Director get a cost of what a fence would be.

Public Works Director Dave Sukau stated the last request for a cedar fence was about \$45 per lineal foot.

Mayor Burge reminded Council that if you decide to make a decision on this, every single time the City makes a decision on a development and somebody wants a fence, you are going to be put back in this same situation.

Councilor Lesowske replied he agrees with Mayor Burge 100% and that was his hope of getting the Council to understand what the cost would be and also setting the precedence of what this decision means for future decisions. He doesn't want this to go to LUBA. He is just trying to make this part of the process and letting everyone know what is at stake and that we are making a transparent decision.

Councilor McHugh stated regardless if we can't do it, we can't do it.

Councilor Poling stated he thinks we really should look at this as a blank slate across the board and City Planner Oliver said we really don't have anything to tie it to but he thinks at this point we have to make a decision based on what is in front of us.

Mayor Burge replied he thinks that is really true, that we are deciding based on what the criteria is, and sometimes what other people want doesn't fit into that. He stated we have to follow the rules.

Councilor Haugen stated, the fact that there are no criteria to support this is troubling. He stated ideally Mr. Happala and Mr. Kessi could come to some agreement.

Councilor Greisen stated she is in agreement with some of the other comments that have been made and it doesn't involve a fence. Unfortunately, this has to do with something that is out of our hands and it has to do with being neighborly and it has to do with taking other people into consideration and at the cost of \$2,500 she urges the applicant to be neighborly and to be kind to the people around them. She stated she doesn't foresee affordable housing becoming unaffordable just based on the cost of including this section of fencing. She thinks sometimes they are asked to do things and they don't have to be forced to do them, they do them because they are the right thing to do and that is what she is asking to happen in this situation.

Mayor Burge asked for a motion.

Councilor Haugen moved and Councilor Poling seconded the motion that Council approve the annexation, zone change and subdivision applications and adopt the findings in the ANX1-19/ZC1-19/SB1-19 Planning Commission staff report revised May 13, 2020, as presented. Motion passed (6-0). Mayor Burge, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Councilor Poling moved and Councilor Haugen seconded the motion that the Council adopt Ordinance 890 as presented.

Mayor Burge read the title for the first time. Ord No. 890: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map.

Resolution No. 20-08: A Resolution Adopting Cybersecurity Policies within the City of Scappoose

City Manager Michael Sykes went over the staff report. He explained this past year, CIS has experienced a significant increase in claims from Cities due to cybersecurity attacks that have compromised their IT systems. St. Helens and Tillamook are two examples of local governments that have experienced attacks that caused damage to their IT systems. The Cost to repair their systems were covered by CIS. As a part of updating the City's insurance policy, we are increasing our coverage for Cybersecurity protection. In order to qualify for this insurance coverage, the City is required to adopt a Cybersecurity Policy. This policy is attached. In addition, Cities are required to comply with the provisions of the Fair and Accurate Credit Transaction Act provisions of the Federal Fair Credit Reporting Act. In addition, Cities are also required to comply with the Oregon Consumer Identity Theft Protection Act, also known as the Red Flag Policy. Best practices for protecting information from identity theft have changed since the City adopted its protection plan in 2008 and are updated in the new policy. Staff recommends that the City Council adopt Resolution No. 20-08: A Resolution Adopting Cybersecurity within the City of Scappoose.

Councilor Lesowske moved and Councilor Poling seconded the motion that Council adopt Resolution No. 20-08: A Resolution Adopting Cybersecurity Policies within the City of Scappoose as proposed. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Resolution No. 20-09: A Resolution Adopting Red Flag Policies within the City of Scappoose

City Manager Michael Sykes went over the staff report. He explained cities are required to comply with the provisions of the Fair and Accurate Credit Transaction Act provisions of the Federal Fair Credit Reporting Act. Cities are also required to comply with the Oregon Consumer Identity Theft Protection Act. Best practices for protecting information from identity theft have changed since the City adopted its protection plan in 2008. Staff recommends that the City Council adopt Resolution No. 20-09: A Resolution Adopting Red Flag Policies within the City of Scappoose.

Council President Kessi moved and Councilor Haugen seconded the motion that Council adopt Resolution No. 20-09: A Resolution Adopting Red Flag Policies within the City of Scappoose as proposed. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Stormwater Master Plan Agreement

Public Works Director Dave Sukau went over the staff report. He explained in order to complete a comprehensive update of the City's Stormwater Master Plan, staff issued a Request for

Proposal (RFP) on March 5th, 2020 to solicit proposals from engineering firms. Responses to the RFP were received on April 5th, 2020. The City received proposals from the following firms:

- 1) Cardno
- 2) Brown & Caldwell
- 3) Keller Associates

Following review of the proposals and interviews with each firm, the Selection Committee made a final recommendation to enter into contract negotiations with Brown & Caldwell on April 15th, 2020. The total cost for the Stormwater Master Plan Project is \$303,704.00. The budget for the project will be split over two fiscal years, \$247,899 will be spent in 2020-2021 and the remaining \$55,805 will be spent in 2021-2022. Staff recommends Council authorize the City Manager to execute an agreement with Brown & Caldwell to complete the Stormwater Master Plan Project.

Council President Kessi asked if the City has spoken with the Scappoose Drainage District about this and if so, have we received any comments from this about how to conduct this study?

City Manager Sykes replied yes, we have recently met with the Scappoose Drainage District to discuss with them some of the concerns that they have about the stormwater issue and one of the things that we like about Brown & Caldwell's proposal was the fact that it included a couple of different meetings with the Drainage District. He explained we also have shared the scope of work with the Drainage District and will take into consideration their comments as we move forward with this project. He thinks the bottom line is by moving forward with this plan and developing this new master plan, which hasn't been updated since 1998, he thinks it will be a real asset to the District when it is complete and we will have solid guidelines on how to move forward with new developments. He stated we plan to continue keeping the District informed.

Councilor Kessi replied thank you, and he would try to keep them more than informed by trying to get their help along the way. He stated this should be a plan that we work on together rather than separately.

Public Works Dave Sukau replied we have expressed our desire to have their consultant partner in this as well, using their data to merge with ours, to make sure everything aligns.

Councilor Kessi replied perfect.

City Manager Sykes stated it is critical that we build a positive relationship with them and that their interests are considered.

Councilor McHugh moved and Councilor Greisen seconded the motion that Council authorize the City Manager to approve the agreement with Brown & Caldwell to complete the Stormwater Master Plan Project. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Miller Road Wells Maintenance

Water Superintendent Darryl Sykes went over the staff report. He explained due to a decline in water production, the Miller Rd wells have reached the point where they need rehabilitation

services. City staff has solicited competitive quotes from three contractors to rehabilitate the 3 wells at the Miller Road Treatment Plant.

The bid results are as follows:

Crow Water Systems - \$125,000

Carpenter Drilling LLC - \$169,000

Stratus Corporation - Non-Responsive

Water Superintendent Darryl Sykes explained staff recommends Council authorize City Manager Sykes to enter into a contract with Crow Water Systems for the purpose of well rehabilitation.

Council President Kessi asked if it is okay to authorize an expenditure like this without three quotes?

Public Works Director Dave Sukau replied yes. He explained the non-responsive quote counts.

City Manager Sykes explained we have recently used Crow Water for rehab work that was completed at Dutch Canyon and were impressed with the work and they are local.

Councilor Haugen asked with the Miller Wells being problematic would it be better to dig deeper versus rehabbing?

Mayor Burge replied he thinks the answer is we are doing both. He explained in the short term we need these wells and in the long term we are going for a grant for the basalt well.

Public Works Director Dave Sukau talked about our current water rights and we don't want to give that up right now for something that is uncertain at this point.

Councilor Greisen explained for the record, her brother-in-law works for Crow Water Systems.

Councilor Lesowske would ask in the future for City Manager Sykes when we get these results, when there are local bidders maybe there could be an * that the business is located in Columbia County.

City Manager Sykes replied we can do that.

Council President Kessi moved and Councilor Haugen seconded the motion that Council authorize City Manager Sykes to enter into a contract with Crow Water Systems for well rehabilitation services of the Miller Road wells in a total amount of \$125,000. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Announcements ~ information only

Calendar

City Manager, Councilors, and Mayor

City Manager Sykes explained any day the new City brochure should be complete, and we will get copies out to Council. He explained in the next few weeks you will be seeing new sidewalks being constructed and repaired from EM Watts to Columbia Avenue. He explained staff has received a couple of bids for engineering to move forward with the design for SE 3rd, Old Portland Road and Vine Street sidewalks. He explained City Hall and CDC offices will be getting plexi-glass installed. He explained they have a couple of preliminary designs for the new City property. He mentioned the ad in the Spotlight that the City sponsored letting the community know what restaurants are open and encouraged people to dine with them.

Council President Kessi asked if the Budget meeting will be in person?

Mayor Burge explained there is the option of in-person or calling in.

Councilor Greisen stated she is happy that our community is slowly opening up. She stated hopefully people continue to be safe. She asked if Council could receive an email regarding if the parks are open or not.

Mayor Burge replied he knows as far as the parks, the City closure of items at the parks (play equipment) are in line with Governor Brown's Order.

Councilor Haugen thanked Mayor Burge and City staff for continuing to make things work and happen in the City. He stated it is really neat to see all of the cooperation and the way things are running smoothly. He explained he read a study that says if you wear a mask in a public setting you reduce your incidence of COVID by 50%.

Councilor Poling explained he is not sure if all of the local businesses know where to find the guidelines of what the re-opening looks like, what they have to do, etc. He is not sure if there is anything we can do to help in that process.

Mayor Burge stated the City website has a COVID-19 link that people can be directed to.

Councilor Lesowske reminded everyone ballots are due tomorrow. He thanked City staff, Mayor Burge and everyone's participation during this time, it is much appreciated.

Councilor McHugh thanked City employees for all the good work they do day in and day out.

Mayor Burge stated this Sunday we have arranged for the Unipiper to come and ride around town in his cap and gown with bagpipes to honor the 2020 graduates.

Mayor Burge explained on the LOC conference call they talked about businesses that have OLCC permit holders that have licenses within the City and being able to adjust their service area. As soon as he got done with the conference call, he spoke with City Manager Sykes, they printed out OLCC information packets and he took them around the City letting them know that OLCC is allowing them to adjust their footprints to alcohol service on their property. He explained we felt that was important due to social distancing and how it was going to reduce their service space. He stated we are trying to help the businesses out.

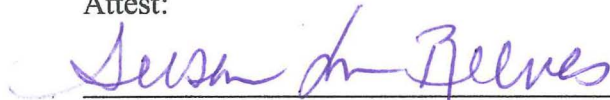
Adjournment

Mayor Burge adjourned the meeting at 8:51 p.m.



Mayor Scott Burge

Attest:



City Recorder Susan M. Reeves, MMC