



SCAPPOOSE *Oregon*

MONDAY, JANUARY 22, 2024 (REVISED 1-11-2024)
CITY COUNCIL MEETING AGENDA
REGULAR MEETING 7:00 PM
COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056

ITEM AGENDA TOPIC **Action**

Call to Order

Pledge of Allegiance

Roll Call

Approval of the Agenda

Public Comment ~ Items not on the agenda

Please sign a speaker request form and turn it in to the City Recorder along with any written testimony.

1. Consent Agenda ~ December 4, 2023 City Council work session minutes; and December 4, 2023

New Business

2. Interim City Manager Discussion **Approval**
Mayor Backus

3. Res No. 24-01: A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution No. 23-14 **Approval**
City Manager Alexandra Rains; Public Works Contract Manager Charlotte Baker; Assistant to City Manager Isaac Butman; Legal Counsel Ashleigh Dougill

4. Purchase of American Flags and Hardware **Approval**
Public Works Director Dave Sukau

5. RFP #2023-10 - Community Branding Project **Approval**
Associate Planner NJ Johnson

6. Discussion on the Remaining Funds for the Senior Center
City Manager Alexandra Rains

Announcements – information only

7. Calendar

8. Updates: City Manager, Police Chief, Councilors, and Mayor

Adjournment

PLEASE NOTE: IF YOU WOULD LIKE TO SPEAK WITH CITY STAFF ABOUT A PARTICULAR AGENDA ITEM, PLEASE CALL CITY HALL at 503-543-7146, EXT. 224, NO LATER THAN 3:00 PM ON THE DAY OF THE MEETING.

This meeting will be conducted in a handicap accessible room. If special accommodations are needed, please contact City Hall at (503) 543-7146, ext. 224 in advance.

TTY 1-503-378-5938



SCAPPOOSE

Oregon

MONDAY, DECEMBER 4, 2023

WORK SESSION WITH THE PLANNING COMMISSION & PARKS & REC COMMITTEE – DRAFT PARKS MASTER PLAN REVIEW, 6:00 PM

Disclaimer: These minutes are intended to summarize the conversations that took place in this meeting rather than provide a full transcript. Anyone wishing to view the full conversation can find a recording of this meeting on YouTube at: www.youtube.com/watch?v=x4bcOhL2PqQ.

Mayor Backus called the work session to order at 6:00 pm.

Present: Mayor Joseph A. Backus; Councilor Jeannet Santiago; Councilor Kim Holmes; Councilor Marisa Jacobs; Planning Commissioner Rita Bernhard; Planning Commissioner Ty Bailey; Planning Commissioner Bill Blank; Planning Commissioner Harlow Vernwald; Planning Commissioner Marty Marquis; Park and Recreation Committee Chair Michael Sykes; Park and Recreation Committee Vice Chair JJ Duehren; Park and Recreation Committee Member Paul Fidrych; Park and Recreation Committee Member Terry Brooks; Park and Recreation Committee Member Scottie Meinke; Park and Recreation Committee Member Nathan Haner; City Manager Alexandra Rains; Public Works Director Dave Sukau; City Recorder Susan M. Reeves; Community Development Director Laurie Oliver Joseph; Assistant to City Manager Isaac Butman; Public Works Contract Administrator Charlotte Baker; and Consultant Darci Rudzinski with MIG.

Remote: Councilor Andrew Lafrenz

Consultant Darci Rudzinski, with MIG, went over the presentation that was provided in the packet.



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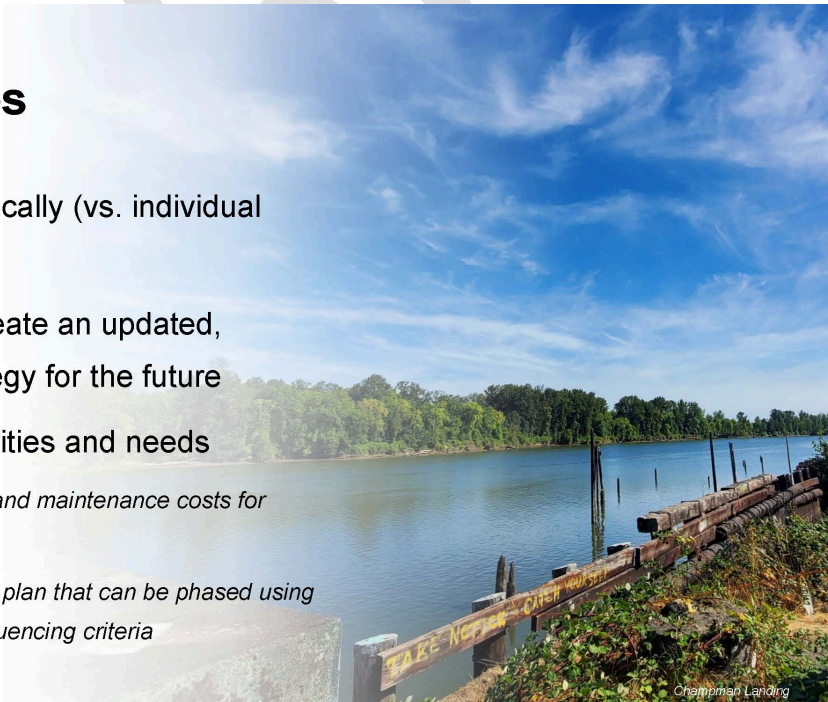
- | | |
|---|---------------------------|
| 01 Introduction | 04 Recommendations |
| 02 Planning Objectives & Process | 05 Implementation |
| 03 Needs Assessment | 06 Next Steps |

Project objectives

- Look at the system holistically (vs. individual sites and projects)
- Re-assess needs and create an updated, realistic investment strategy for the future
- Consider competing priorities and needs

** Identify capital, operations and maintenance costs for projects*

** Develop an implementation plan that can be phased using clear prioritization and sequencing criteria*



Planning Process



Needs Assessment

Park system planning tools



Community Feedback

Community members and stakeholders provided their input and ideas for the future of parks and recreation in Scappoose via a variety of engagement efforts



Strengths, Weaknesses, Opportunities, Challenges

A site tour throughout the city parks and trails to identify opportunities to enhance existing and planned parks



Level of Service

A ratio of acres per 1,000 residents, is frequently cited as a key metric in measuring the sufficiency of park land



Gap analysis

The 10-minute Walk - An industry standard established to ensure that all residents lives within a ten-minute walk to a high-quality park or green space

Public Outreach



2 in-person pop-up events

1 online survey with over 900 respondents



1 interactive work session at the Annual Town Meeting

3 joint work sessions with City Council and Planning Commission



5+ presentations and work sessions with SPRC

Relaxing or enjoying nature close to home is important

Wise use of limited resources is crucial

Everyone should feel included and safe in parks

We love outdoor activities, trails, and nature-based recreation features

We need to ensure that those with disabilities or mobility challenges can enjoy these public spaces.

The City should focus on Teens and Young Children through more community-wide events

Overarching themes



Access to nature



More facilities for active use,
children and youth



Connected trails for walking,
biking, and running



Expanded programming



Plan for growth



Building community with
events

Recommendations

Vision and Goals

Vision

Scappoose is a growing community where quality parks, outdoor recreation, and connections to nature support community livability and small-town charm.

Goals

1 Provide Quality Parks

Provide well-distributed, well-developed parks for all Scappoose residents.

2 Take Care of What We Have

Manage, maintain, and create parks, facilities, and open space that support safe, attractive, and engaging recreation and green space.

3 Serve All Ages and Abilities

Diversify recreation opportunities by providing a variety of inclusive, accessible park facilities and experiences.

4 Connect Residents to the Natural Environment

Strive to protect and enhance natural areas, understanding the health and wellness benefits to the community when connected to nature.

5 Create a Connected System

Prioritize trail connections that support active transportation and recreation, connecting key parks and City destinations.

6 Support and Expand Local Collaboration

Leverage resources through strategic and deliberate partnerships to provide community supported facilities, programs, events, and services.

Recommended Parks System

- Enhanced access to natural features and improve existing conditions
- Reflective of community needs and aspirations
- SPRC reviewed and revised
- City Staff reviewed and finalized



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Recommended Parks System

- Overall improvements in existing parks and trails
- New Special Use Sites
 - Commerce Drive Property
A unique site that combines wetlands and wildlife viewing with active outdoor recreation
 - Vista Property
A wooded area for recreational opportunities and viewpoints that overlook the Columbia River Valley and Scappoose
- Five new neighborhood parks

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Grabhorn Property



- Incorporate sports fields/courts to expand the available activities at Veterans Park
- Create a walking loop around the perimeter of the site and a creek-side trail
- Open up views and access to the creek
- Add shade, trees, and landscaping across the site for comfort, aesthetics, increased habitat

Grabhorn is a vibrant and active community park for sports, games, play, and creek-related activities. Together with Veterans and Chief Concomly parks, the Grabhorn property will become a third of Scappoose's "central park."

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Implementation

Capital Cost Model



- A flexible spreadsheet-based model of cost by park with assumptions for categories of improvements
- Allows the impact of the recommendations of this plan to be rolled up to a total for each park and for the system as a whole
- Has proved useful to long-term park and recreation planning



Cost Model does NOT provide:

- A precision estimate of costs for each project
- Final actual cost of a project

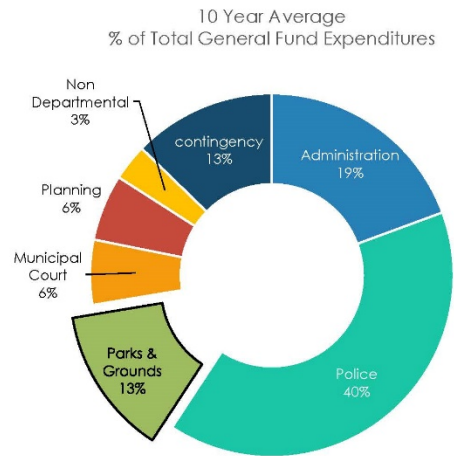
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Phased Implementation

| | Short-Term (0-5yrs) | Medium-Term (6-20yrs) | Long-Term (21+ yrs) | Total Planning Level Cost |
|-----------------------------|---------------------|-----------------------|---------------------|---------------------------|
| Community Parks | | | | |
| Heritage Park | | ✓ | | \$343,500 |
| Veterans Park | | ✓ | | \$736,500 |
| Grabhorn Property | ✓ | | | \$3,258,000 |
| Neighborhood Parks | | | | |
| Chief Concomly Park | | ✓ | | \$155,500 |
| Miller Park | | ✓ | | \$514,000 |
| Creekview Park | | | ✓ | \$503,000 |
| Linear Parks / Trail | | | | |
| Crown Z Trail | | ✓ | | \$97,000 |
| Trtek Trailhead | | | ✓ | \$0 |
| Special Use Sites | | | | |
| Chapman Landing | | ✓ | | \$1,838,000 |
| Commerce Drive Property | | | ✓ | \$621,000 |
| Vista Property | | | ✓ | \$904,000 |
| New Parks | | | | |
| PUD Property | | | ✓ | \$139,000 |
| New Neighborhood Park x 5 | | | ✓ | \$2,450,000 x 5 |
| Total Per Phase | \$3,258,000 | \$3,684,500 | \$14,417,000 | \$21,359,500 |

Scappoose Parks Funding Sources

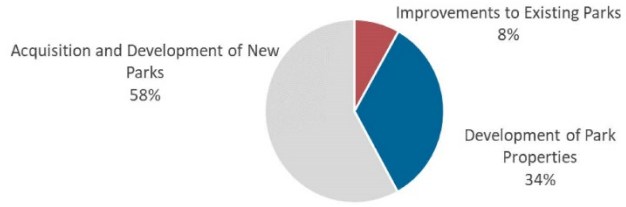
- General Fund
 - Police
 - Administration
 - Parks and Grounds
 - Planning
 - Municipal Court
 - Non-departmental and contingency
- System Development Charges
 - Charged to new homes as they are built



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Funding the Parks System

Recommended improvements = \$20.4 M



OPERATIONS FUNDING

The ongoing, and increasing, annual cost to maintain, repair, clean and program parks.

Operations cost per fully developed acre: \$10,500

Operations cost per partially developed acre: \$3,300

Operations cost per undeveloped acre: \$470

Funding Options



CAPITAL FUNDING

The one-time cost to buy, build or replace park land and features.

- General Fund
- System Development Charges
- Bond Measure
- Grants
- Donations



OPERATIONS FUNDING

The ongoing, and increasing, annual cost to maintain, repair, clean and program parks.

- General Fund
- Local Option Levy
- Special Tax District
- Utility Fee

The City should continue to discuss securing additional funding for parks, using excitement built by new features and valued community events to increase support for additional funding in this area

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Next Steps

- Public Hearing Draft
- Planning Commission Hearing (January 2024)
- City Council Adoption (tent. February 2024)

Consultant Darci Rudzinski stated she welcomes any comments on this draft. Once received she will do another revision and get it ready for the next steps.

Councilor Jacobs stated thank you very much for putting together this document and thank you to the Parks and Rec Committee for working on this, as this definitely is important work. She asked a question to the Parks Committee; since working on this plan can you share with us based off the work sessions that you have had, do you believe that this draft that we have is representative of the outcome of your work sessions.

Michael Sykes, Chair of the Parks and Rec Committee, explained his sense is that the process was very collaborative, and we had a lot of discussion about the different parks and there is not a lot of difference between this plan and the other one. The most important thing is that it quantified some of the cost which is going to be critical while determining the SDC's for parks. He thinks it is a really good work in progress. He stated they would like to add more projects but recognizing there are financial constraints and that being one of the most critical issues that kind of limits the ability to build parks.

Paul Fidrych, Park and Rec Committee Member, stated he agrees with what Mike was saying although he would say the Parks Committee was more of a passenger in this than a driving force of this plan. He explained they did meet with the consultant a few times but the last time they talked to them was in March where they gave their recommendations for the level of service. He stated they have never seen this plan before today, he thinks they got it a few days ago, but they never discussed it as a group. He stated the Committee has been working with

Dave on some great things and he applauds Dave for all his efforts on this. He stated there was much more that the Committee expected or were hoping for, more aspirational. He explained the Committee talked about a community center, at least to get it in the plan some where because they know there are needs from the community. He stated there are things in this plan that they never discussed like paving in Veterans Park. He stated from the Parks Committee aspect is they gave input, but no means did they say yep this is our plan. He kind of hoped they would have a work session internally, but that has not happened as of yet.

City Manager Rains asked Isaac to clarify when this plan was sent out to everyone.

Assistant to City Manager Isaac Butman explained on November 21 he sent out a link to a shared drive to Council and all the Committees involved with this document with the draft plan in it.

Paul Fidrych replied to clarify what he meant is that they as a group in their Committee never reviewed this as a group.

Michael Sykes explained the nice thing about this plan is you can always come back and modify it in the future.

JJ Duehren, Vice Chair of the Park and Rec Committee, gave an overview of the first plan and the challenges of funding. She explained we talk about funding, but we don't talk about how to actually get there. She thinks having a community center is really an essential thing to have and she feels ultimately for it to get accomplished the City will either have to do a levy or to have the City allocate more funds to parks out of its current or future budgets or to actually do a Parks and Recreation District, which would not only encompass the City of Scappoose but the outlying areas as well. She explained in order to be able to do those things successfully and have people vote for it, it has to make sense and it has to be really resonant in the community before those things happen and that takes time, money, and frankly expertise in those types of measures.

Councilor Holmes asked about getting information from just a few cities of similar size and see what they are allocating from their budget for similar maintenance for parks as it would help to understand where we are at.

Consultant Darci Rudzinski explained you can compare yourself against other communities, but it only goes so far as to really illuminate how well you are providing parks for your community.

City Manager Rains explained you don't really know if you are getting apples for apples comparisons.

Mayor Backus asked moving forward what is the time frame?

Community Development Director Laurie Oliver Joseph went over the timeline.

City Manager Rains went over the timeline of the grant timeline.

Discussion to be continued in the main meeting.

Adjournment

Mayor Backus adjourned the meeting at 7:04 pm.

Mayor Joseph A. Backus

Attest:

City Recorder Susan M. Reeves, MMC



SCAPPOOSE *Oregon*

**MONDAY, DECEMBER 4, 2023
CITY COUNCIL MEETING
REGULAR MEETING 7:00 PM
COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056**

Disclaimer: These minutes are intended to summarize the conversations that took place in this meeting rather than provide a full transcript. Anyone wishing to view the full conversation can find a recording of this meeting on YouTube at: www.youtube.com/watch?v=Rd5woXQJ97U.

Call to Order

Mayor Backus called the December 4, 2023 City Council meeting to order at 7:07 pm.

Pledge of Allegiance

Roll Call

| | | | |
|------------------|---------------------------------------|-----------------|---------------------------|
| Joseph A. Backus | Mayor | Alexandra Rains | City Manager |
| Megan Greisen | Council President (arrived at 7:22pm) | Steven Lougal | Police Chief |
| Tyler Miller | Councilor | Isaac Butman | Assistant to City Manager |
| Kim Holmes | Councilor | Dave Sukau | Public Works Director |
| Jeannet Santiago | Councilor | Susan M. Reeves | City Recorder |
| Marisa Jacobs | Councilor | NJ Johnson | Associate Planner |

Remote: Councilor Andrew Lafrenz

Also in attendance: Planning Commissioner Rita Bernhard (left at 7:51pm); Planning Commissioner Ty Bailey (left at 7:49pm); Planning Commissioner Bill Blank; Planning Commissioner Harlow Vernwald; Planning Commissioner Marty Marquis; Park and Recreation Committee Chair Michael Sykes; Park and Recreation Committee Vice Chair JJ Duehren; Park and Recreation Committee Member Paul Fidrych (left at 7:49pm); Park and Recreation Committee Member Terry Brooks; and Consultant Darci Rudzinski with MIG.

Approval of the Agenda

Councilor Holmes moved, and Councilor Jacobs seconded the motion to approve the agenda as amended to add the continuation of the discussion of the draft Parks Master Plan Review right

after new business. Motion passed (6-0). Mayor Backus, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye.

Public Comment

Sean Surratt, Scappoose, explained he is here to address Council. He stated as some of you know they had a house fire last month and they have been living in their trailer for a little bit. They have been trying to find short term housing, which is very difficult to find for them and their pets. He explained they are here today just to ask for a 30-day permit for their trailer so they can stay with their pets. He explained they have found a rental, but it won't be ready until January so that is why they are here. He knows there is a City code, and they have done the 14-day permit. He explained they are trying to do everything they can, as he has set out cones for the trailer, they even put the slide outs in during the day so there is not impeding traffic. They have talked to all of their neighbors, and they are fine with it for the time being until they can get into the rental. He stated trust me it has been very difficult to find temporary housing for four to six months because nobody really wants to do a lease for that amount of time, especially with a few pets. They are just asking the Council to grant them a 30-day stay, and they will have the trailer moved as soon as possible.

Mayor Backus stated thank you. He explained typically we'll discuss this, and someone will be in contact with you.

Work Session continued ~ Draft Parks Master Plan Review

Public Works Director Dave Sukau explained we are hoping to get everybody's comments that Council agrees with tonight from both the Planning Commission and the Parks & Recreation Committee. He stated hopefully we can all just kind of agree on something that Darcy could take back and put it into a final draft and then it would come to Council as a final draft. He explained that is typically how we do master planning.

Councilor Holmes explained she would appreciate a little more discussion/explanation around the 10-acres per thousand people for the level of service. She would like to see some aspirational goals included if it is at that 10 acres. She would feel a lot better adopting a plan that at least has at us at the National Best Practice level.

Consultant Darci Rudzinski explained the target that you adopt, whether it be aspirational or call it what you will, there's an expectation that goes along with it. That is the system that you're planning for. What we have kind of brought forward from the beginning is that the City probably does not have the funding realistically to develop all those acres. So again, you can apply a standard that you won't ever meet and try to come up with a standard that you could use as a planning tool to make decisions. We kind of split realistic with aspirational and provided you two different targets. It's really up to the City how you want to write that tool or

reference that tool or use that tool or ignore that tool going forward. But she thinks fundamentally the issue really is if you're going to develop all the parks, we'll need to find additional funding.

Councilor Holmes stated she also wonders if being kind of transparent with people about the gap that does exist would compel them to support some additional funding.

Community Development Director Laurie Oliver Joseph explained that if there was a parcel that came available that met the goals and the criteria for acquisition, it closed some of those 10-minute gaps, and we could acquire that land that wouldn't be an issue. While we plan for 20-year land supply, oftentimes we're not especially in the outskirts of town, it is not necessarily going to build out within those 20 years. So likely there could be opportunities to pick up land, especially if it's sensitive lands where there might be floodplain or wetlands or things you want to protect that would make good park land. That wouldn't preclude the city from acquiring that land in the future, and the nice thing again, back to the aspirational is we've generally shown locations where that land would be desirable.

City Manager Rains explained we are looking for feedback this evening and we do have time to make some changes, but as we pointed out earlier, the consideration here is the grant deadline.

There was discussion regarding the extra parking area at Veterans Park, which is only used during the summer. They also discussed pedestrian safety at Veterans Park.

City Manager Rains discussed the grant process.

After a lengthy discussion between Council, Staff and the Committees, the general consensus of Council is to move forward with the draft.

Consent Agenda – November 20, 2023 City Council work session minutes; November 20, 2023 City Council meeting minutes; and Appointment of Sara Jones-Graham as Alternate on the Planning Commission

Councilor Jacobs moved, and Councilor Santiago seconded the motion to approve the Consent Agenda – November 20, 2023 City Council work session minutes; November 20, 2023 City Council meeting minutes; and Appointment of Sara Jones-Graham as Alternate on the Planning Commission. Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye.

New Business

Committee Updates ~ presented by Committee Chairs

Economic Development Committee Chair Christine Turner gave an update of the Economic Development Committee. (Information from the memo submitted in the Council packet) Following a goal setting workshop at its October 19, 2023 meeting, the Scappoose Economic Development Committee (EDC) unanimously voted on its goals for the upcoming year at its November 16, 2023 meeting. The EDC desires to adopt two EDC goals for itself to work on in the upcoming year. The first goal is to advertise the Urban Renewal Grant Program to eligible businesses in the Urban Renewal District. Now that it has been adopted by the Urban Renewal Agency (URA), the EDC desires to make the Grant Program widely known in the Scappoose business community. The EDC believes that the success of this program is predicated on awareness and participation. This gives the URA and EDC greater choice among applicants, which leads to the most impactful projects being awarded. Additionally, higher levels of participation would allow for more grant funded improvements to be completed. The EDC would also like to do the work to develop a comprehensive downtown strategy for City Council's future consideration. Downtowns are of the most visible and impactful elements of a community's economy. Thriving downtowns allow for local entrepreneurship that keep dollars in Scappoose. The downtown strategy would be a comprehensive document put together by the Economic Development Committee with recommended actions and policies the City can take and adopt to improve the downtown core.

In summary, the EDC is proposing to adopt for itself the following EDC goals:

1. Advertise the Urban Renewal Grant Program to businesses in the Urban Renewal District
2. Develop a comprehensive downtown strategy to present to City Council in furtherance of pursuing a Transportation Growth Management (TGM) grant

We look forward to discussing these goals with you at the December 4, 2023 City Council meeting. Thank you for your consideration

Council thanked Christine.

Parks and Recreation Committee Chair Michael Sykes gave an update of the Parks and Recreation Committee. (Information from the memo submitted in the Council packet)
City Council,

The Scappoose Parks and Recreation Committee recommends the following list of goals for Council consideration during their Goal Setting session:

1. Pursue grants to develop Grabhorn property.
2. Identify and pursue grant opportunities.
3. Identify and strengthen partnerships with key stakeholders
4. Explore opportunities to pursue funding options
5. Increase recreational opportunities for the community.

6. Increase volunteer engagement
7. Create a strategic plan for Chapman Landing.

Respectfully,
Michael Sykes, Scappoose Parks and Recreation Committee Chair

Council thanked Michael.

Council President Greisen explained now that we've heard from both of these committees, and they've given us what they think should be their goals moving forward in the year to come. She asked City Manager Rains if she would explain what that now looks like in terms of Council looking at these goals, thinking about what they're presenting to us and how we move forward with what they've given us tonight.

City Manager Rains replied sometimes the Committees will either give you one list of goals, or sometimes will give you a combination of goals they want to do themselves and goals they are suggesting for Council. Council will take them into your goal setting process, which will be in late January. As staff, we're going to run through a big update on your current Council goals. Council will get the recommendations from each committee and then you'll get recommendations and goal suggestions from staff and then essentially during the Council goal setting process, you'll go through all of that information, it will be in the packets, and you can make your decisions about what you want to be your Council goals, essentially giving the green light to committees on whatever you want them to work on, and then the final list will come back to you in March for a formal adoption, and then we'll work off that to build the budget.

Work Session

FY 2023-2024 End of 2023 Calendar Year Council Goal Status Report

City Manager Alexandra Rains went over the goal status report. She, along with staff answered questions that Council had.

Announcements – information only

Calendar

Updates: City Manager; Police Chief; Councilors; and Mayor

Chief Lougal gave an update on the Police Department. He explained this year Donut Day will be held on December 9, at the Scappoose Middle School.

Councilor Lafrenz explained he took his children to the breakfast with Santa event at the High School, and he wanted to thank everyone who was involved who helped put that on.

Councilor Holmes stated Who-Ville is amazing. She explained Janet and her whole team does a great job. She gave an update from the 50-Year Plan meeting. She congratulated the Columbia County Sheriff's office. She saw the announcement that they are very close to reaching 24/7 policing levels and that was certainly a levy that this Council supported. She met with the Sherrif when she first came on and talked about what kind of services that they can provide to the communities throughout the County. She is going to meet with him again to see how this might change things and if there is anything of interest she will report back. She would like to wish all of those who celebrate Hanukkah a Happy Hanukkah.

Councilor Santiago explained she is looking forward to attending a couple of events and reporting back to Council at the next meeting. She stated happy holidays.

Councilor Jacobs talked about Who-Ville and how she is amazed. She also talked about the light fight that the Historical Society put on again this year and said it is a really fun activity to do with your family and friends.

Councilor Miller talked about Who-Ville and how impressive it is. He thanked Janet for the amount of effort that she put into decorating/designing Who-Ville is really apparent. He talked about how the discussion of Council goals made him think about infrastructure and how we are in a really good position to where other cities in this County are not. He thinks we really need to thank City Manager Rains and also former Senator Betsy Johnson for the ARPA Funds because if it was not for that money we would be in a really bad situation. He explained even though we did get this ARPA money we still have to save money and the only way that we really do that is through utility rates. He stated we should be very happy to where Scappoose is at, so thank you to staff and Former Senator Johnson. He gave an update on his Council Liaison duties with 911 and the County Commission meetings. He asked where we are at with the biosolids dryer.

Public Works Director Dave Sukau gave an update.

Councilor Miller asked about the public comment this evening and if City Manager Rains could give a brief update.

City Manager Rains explained we are not totally 100% certain how long they've been parking on the street in the RV. What happened is we received a complaint and so that triggered the Officers to be sent out and ask what was going on. At that point they did apply for the permit and our code limits that permit for the RV to be on the street to maximum of 14 days within a 30-day period. We knew that they'd probably been out on the street for longer since we had the complaint, but basically, just to be generous, she gave them the 14-day waiver. She

explained staff then actually did some work to try to help them find a place to park with their trailer. She thinks there was even an empty lot that was identified where some nearby property owner had offered to let them stay there. She doesn't think ultimately, they took that route. She gave them essentially the most flexibility and the longest extension she could give considering our constraints with the code, but at this point the code does not give her any more flexibility and so it was communicated that they would actually have to ask Council for anything else in the future. She stated again, the code doesn't envision for their flexibility, and she thinks it's more of just a question of Council for whatever precedent you want to set.

Councilor Miller asked what is the penalty if they don't move and by when do they have to move?

City Manager Rains replied \$500 a day and they have to move by end of day tomorrow.

Assistant to City Manager Isaac Butman explained what he and City Recorder Susan Reeves did to try to find a space for the Surratt's RV.

Mayor Backus explained their concerns with the property that City staff gave them information on was they have pigs and chickens and that they would not be able to take their animals with them. He appreciates staff working with them.

Mayor Backus explained Who-Ville was great.

Council President Greisen thanked Public Works staff for working with Columbia River PUD in getting the banners up.

Adjournment

Mayor Backus adjourned the meeting at 8:37pm.

Mayor Joseph A. Backus

Attest:

City Recorder Susan M. Reeves, MMC

City of Scappoose Council Action & Staff Report

Date Submitted: January 9, 2024

Agenda Date Requested: January 16, 2024

To: Scappoose City Council

From: Alexandra Rains, City Manager
Ashleigh Dougill, City Attorney
Isaac Butman, Assistant to the City Manager
Charlotte Baker, Contract Administrator

Subject: Resolution 24-01

Type of Action Requested:

| | | | |
|-------------------------------------|----------------------|--------------------------|--------------------|
| <input checked="" type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | Formal Action | <input type="checkbox"/> | Report Only |

Background: In September 2023, Council adopted new thresholds for small and intermediate procurements in accordance with recent legislative changes to these thresholds in state statute. These new thresholds became effective this month. After the adoption of the amendments to Resolution 23-14, City staff had the City’s new legal team, Beery Elsner and Hammond, LLP, (BEH) review the City’s contracting resolution. Upon completion of their review, BEH made recommendations for additional changes that would add clarity and efficiency to the City’s procurement and contracting processes.

Analysis: Exhibit A includes all proposed redlines to Resolution 23-14. However, staff would like to draw Council’s attention to and provide an overview of the more significant proposed changes:

Section A. Personal Services:

Changes to this section are the most extensive being proposed to the City’s current contracting rules. Personal services are highly specialized and the legislature has recognized that this is an area where cities often need more flexibility. Per ORS 279A.055, 279A. 070, and 279B.050, the state allows cities the flexibility to adopt their own procurement methods and thresholds for personal services without requiring adherence to any contracting limits currently assigned to procurement rules for regular services. That said, staff and legal counsel are proposing that the City’s contracting rules for personal services follow state law for regular services, for increased

transparency and accountability, with the one exception of allowing direct appointments to be made by the City Manager for contracts with an estimated value of up to \$75,000 rather than \$25,000. This aligns with the current City Manager contract approval authorization cap and would not change when a contract would require approval from Council. It would however increase efficiency for the administration of the City by making procurement of certain specialized services less difficult.

Section B. Contracts for Construction-Related Personal Services:

The additions to this section are substantial, however, they simply mirror state law and add significant clarity for staff when using this document.

Section J. Disposal of Surplus Property:

The proposed language allows authorized staff to determine what property is of no further use or value to the City via the surplus process. For single items with an estimated market value less than \$1,000, or a group of items with an estimated market value of less than \$5,000, the City Manager or their designee may declare such property as “surplus” and dispose of such item(s) by any means outlined within the resolution without Council approval.

Section L. Notice of Intent to Award:

This section provides specific procedures for noticing. These procedures are in accordance with state law and are already being followed. However, including this information in this document provides clarity for staff.

Fiscal Impact: No direct fiscal impact, although it greatly increases efficiency and clarity.

Recommendation:

Staff recommends that Council adopt Resolution 24-01 – A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution 23-14 as written.

Suggested Motion:

I move Council adopt Resolution 23-01 – A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution 23-14.

Exhibits:

Exhibit A – Redlined changes to Resolution 23-14.

Exhibit B – Resolution 24-01– A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution 23-14.

EXHIBIT A

PUBLIC CONTRACTING RULES AND PROCEDURES

A. Personal Services: (other than Construction-Related Personal Services).

(1) Definition. ~~As adopted by the City's Local Contract Review Board in Resolution No. 05-01,~~ "Personal Services" shall be defined to include those services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services shall include, but are not limited to: architects; engineers; land surveyors; photogrammetrists; transportation planners; attorneys; accountants; auditors; computer programmers; artists; designers; performers; and consultants. The City Manager or designee shall have the authority to determine whether a particular service is a "personal service" under this definition.

(2) Large Procurements. When the estimated payment to the contractor for personal services is above \$250,000, the City shall seek competitive sealed proposals in accordance with OAR 137-047-0260.

(3) Intermediate Procurements. The following informal selection procedure may be used when the estimated payment to the contractor is equal to or less than \$250,000 and above \$75,000. The City Manager or designee will contact a minimum of three (3) prospective contractors qualified to offer the services sought. The City Manager will request an estimated fee, and make the selection consistent with the City's best interests. If three (3) quotes are not received, the City Manager will make a written record of efforts to obtain the quotes.

(4) Small Procurements. The City Manager may enter personal service contracts when the estimated payment is less than \$75,000 in any manner the City Manager finds practical or convenient, including direct selection or award. However, the City Manager must make reasonable efforts to choose the most qualified contractor to meet the City's needs. The amount of a given contract may not be manipulated to avoid the informal or formal selection procedures.

(5) Sole Source. The City Manager may negotiate with a single source for personal services if the services are available from only one contractor, or the prospective contractor has special skills uniquely required for the performance of the services. The City must make written findings to demonstrate why the proposed contractor is the only contractor who can perform the services desired, in general compliance with ORS 279B.075, and shall present such findings to City Council for review and approval.

~~(2) — Emergency Contracts for Personal Services other than Architectural, Engineering and Surveying Services and Related Services. These personal services contracts shall be awarded according to the procedures described in ORS 279B.070. However, by separate resolution, the Local Contract Review Board may authorize certain personal services contracts, or a class of personal services contracts, to be exempted from competitive proposal requirements according to the requirements of ORS 279B.085. Contracts exempted from competitive proposal processes may be awarded by direct appointment. Personal services contracts existing on the effective date of these Rules may be extended by direct appointment.~~

(6) . The City Manager may select a contractor without following any procedures when an emergency is determined to exist. In such instances, the City Manager must make written declarations of the circumstances that justify the emergency appointments.

B. Contracts for Construction-Related Personal Services.

(1) Purpose. This section implements ORS 279C.100 to 279C.125. The City will rely on these rules, not the Model Rules, for a contract with an architect, engineer, photogrammetrist, land surveyor, as each is defined in ORS 279C.100, and (in very narrow instances) a transportation planner (collectively referred to herein as "Construction-Related Personal Services").

(2) Applicability. This section applies only to a Construction-Related Personal Service contract that meets the following criteria:

- (a) The estimated payment to the contractor exceeds \$100,000; and
- (b) The contract is for a personal service that is *legally required* to be provided or performed by an architect, engineer, photogrammetrist, transportation planner or land surveyor. For example: hiring an architect to design a building or hiring an engineer to design a wastewater system. Because the law requires licensed professionals to design buildings and infrastructure, the City may rely on this subsection to hire someone to perform those services. However, if the City is hiring an architect or engineer to perform project management services (for example), it may solicit and award such services under Section A of these Rules. See definition of “Related Services” below.
- (c) If either (a) or (b) above is not satisfied (i.e. the contract is for a personal service that is legally required to be provided by a licensed architect, etc. *but* is estimated to not exceed \$100,000; *or* the contract will require an engineer, etc. to perform a Related Service) then the City may rely on Section A of these rules to solicit and award the contract.

(3) Mixed contracts. Some contracts will contain a mixture of services covered by this Section (i.e. services that only the particular consultant may legally perform) and Related Services. Whether the City uses this Section or Section A to solicit and award a mixed contract will depend upon the predominate purpose of the contract. The City will determine the predominate purpose based upon either the amount of money it estimates it will spend for covered services versus Related Services or the amount of time it estimates that the consultant will spend working on covered services versus Related Services. If covered services predominate, the City will solicit the contract under this Section. If Related Services predominate, the City will solicit the contract under Section A.

(4) Small Procurements. For clarity’s sake, the City Manager may enter Construction-Related Personal Service contracts when the estimated payment is less than \$100,000 in any manner the City Manager finds practical or convenient, including direct selection or award. However, the City Manager must make reasonable efforts to choose the most qualified contractor to meet the City’s needs. The amount of a given contract may not be manipulated to avoid the informal or formal selection procedures.

(5) Exception for Emergencies. Pursuant to ORS 279C.110(9), the City may directly appoint a Construction-Related Personal Service contract in an emergency.

(6) Definitions. The following definitions apply to this Section:

- (a) “Transportation Planning Services” only includes project-specific transportation planning required for compliance with the National Environmental Policy Act, 42 USC 4321 et seq. and no other types of transportation planning services. By way of example only, Transportation Planning Services do not include transportation planning for corridor plans, transportation system plans, interchange area management plans, refinement plans and other transportation plans not associated with an individual Project required to comply with the National Environmental Policy Act, 42 USC 4321 et. seq.
- (b) “Related Services” means personal services, other than architectural, engineering, photogrammetric, mapping, transportation planning or land surveying services, that are related to planning, designing, engineering or overseeing public improvement projects or components of public improvements, including, but not limited to, landscape architectural services, facilities planning services, energy planning services, space planning services, hazardous substances or hazardous waste or toxic substances testing services, cost

estimating services, appraising services, material testing services, mechanical system balancing services, commissioning services, project management services, construction management services, and owner's representation services or land-use planning services. In other words, personal services that are not required by law to be performed by an architect, engineer, photogrammetrist, transportation planner or land surveyor.

(7) Intermediate Procurements. The following informal selection procedure may be used when the estimated payment to the consultant for Construction-Related Personal Services is equal to or less than \$250,000 and above \$100,000. The City Manager or designee will contact a minimum of three (3) prospective consultants qualified to offer the services sought. The City Manager will request an estimated fee, and make the selection consistent with the City's best interests, to the most qualified consultant. If three (3) quotes are not received, the City Manager will make a written record of efforts to obtain the quotes.

(8) Large Procurements.

(a) When the estimated cost of the contract for Construction-Related Personal Services is greater \$250,000, a contract shall be awarded following a qualifications based selection procedure focusing on the consultant's qualifications for the type of professional service required, taking into account the candidate's specialized experience, capabilities and technical competence; resources; record of past performance, including but not limited to price and cost data from previous projects, quality of work, ability to meet schedules, cost control and contract administration; ownership status and employment practices regarding minority, women and emerging small businesses or historically underutilized businesses; availability to the project locale; familiarity with the project locale; and proposed project management techniques.

(b) Unless the City follows the process set forth in subsection (c) of this Section, the City may not solicit or use pricing policies and proposals or other pricing information, including the number of hours proposed for the service required, expenses, hourly rates and overhead, to determine consultant compensation until after the City has selected a qualified professional for award.

(c) Notwithstanding subsection (b) of this Section, the City may request pricing policies or pricing proposals from prospective consultants, including an estimate of the number of hours that will be needed to perform the work described in the solicitation, and a schedule of hourly rates, if the City:

(i) States in the following in its solicitation document:

a. That the City will screen and select prospective consultants as provided in ORS 279C.110(5);

b. How the City will rank proposals from prospective consultants, with a specific focus on:

1. Which factors the City will consider in evaluating proposals, including pricing policies, proposals or other pricing information, if the City will use pricing policies, proposals or other pricing information in the evaluation; and

2. The relative weight the City will give each factor, disclosing at a minimum the number of available points for each factor, the percentage each factor comprises in the total evaluation score and any other weighting criteria the City intends to use;

- c. An estimate of the cost of professional services the City requires for the procurement; and
 - d. A scope of work that is sufficiently detailed to enable a prospective consultant to prepare a responsive proposal.
- (ii) Evaluates each prospective consultant on the basis of the prospective consultant's qualifications to perform the professional services the City requires for the procurement.
 - (iii) Announces the evaluation scores and rank for each prospective consultant after completing the evaluation described in paragraph (ii) of this subsection. The City may determine that as many as three of the top-ranked prospective consultants are qualified to perform the professional services the City requires for the procurement and may request a pricing proposal for the scope of work stated in paragraph (i)(d) of this subsection from each of the top-ranked consultants. The pricing proposal must consist of:
 - a. A schedule of hourly rates that the prospective consultant will charge for the work of each individual or each labor classification that will perform the professional services the City requires for the procurement, in the form of an offer that is irrevocable for not less than 90 days after the date of the proposal; and
 - b. A reasonable estimate of hours that the prospective consultant will require to perform the professional services the local contracting agency requires for the procurement.
 - (iv) Permits a prospective consultant identified as qualified under paragraph (iii) of this subsection to withdraw from consideration for the procurement if the prospective consultant does not wish to provide a price proposal.
 - (v) Completes the evaluation and selects a consultant from among the top-ranked prospective consultants that have not withdrawn as provided under paragraph (iv) of this subsection, giving not more than 15 percent of the weight in the evaluation to each prospective consultant's price proposal

~~(a)~~(d) If the City and the professional are unable to negotiate a reasonable and fair amount of compensation, as determined solely by the City, the City shall, either orally or in writing, formally terminate negotiations with the selected candidate and may then negotiate with the next most qualified candidate. The negotiation process may continue in this manner through successive candidates until an agreement is reached or the contracting agency terminates the consultant contracting process.

B.C. Delegation.

(1) Except as otherwise provided in these rules, the powers and duties of the Local Contract Review Board under the Public Contracting Code must be exercised and performed by the City Council.

(2) Unless expressly limited by the Local Contract Review Board or these Rules, all powers and duties given or assigned to contract agencies by the Public Contracting Code may be exercised or performed by the City Manager or the City Manager's designee, including the authority to enter into emergency contracts pursuant to ORS 279B.080.

(3) All contracts estimated to cost more than \$75,000 in a calendar year must be approved by City Council. All public contracts estimated to cost \$75,000 or less in a calendar year may be entered into by the City Manager or designee without Council approval.

(4) The authority delegated to the City Manager under Subsection (3) of this Section shall not include intergovernmental agreements authorized by ORS Chapter 190 or agreements for loans or grants from state or federal agencies, financial institutions or otherwise; provided however, that nothing herein shall preclude the City Manager or their delegate from applying for such grants or loans.

(5) Except as provided within these Rules, City public contracting is governed by the Oregon Public Contracting Code (ORS Chapters 279, 279A, 279B and 279C) (the “Public Contracting Code”) and the Oregon Attorney General’s Model Public Contract Rules (OAR Chapter 137, divisions 46, 47 and 49) (the “Model Rules”).

C.D. Special Procurements, Sole Source, and Exemptions.

(1) The Local Contract Review Board may exempt from competitive bidding certain contracts or classes of contracts for procurement of goods and services according to the procedures described in ORS 279B.085.

(2) The Local Contract Review Board may award a contract for goods or services from a single source if the goods or services are available from only one company, or the prospective company has special skills uniquely required for the provision of the goods or the performance of the services. The City must make written findings to demonstrate why the proposed company is the only company who can provide the goods or perform the services desired, in general compliance with ORS 279B.075.

~~(2)~~(3) The Local Contract Review Board may exempt certain contracts or classes of contracts for public improvements or Construction-Related Personal Services from competitive bidding according to the procedures described in ORS 279C.335. When exempting a public improvement from competitive bidding, the Local Contract Review Board may authorize the contract to be awarded using a Request for Proposal process for public improvements, according to the processes described in OAR ~~13-7137~~-049-0640 through 137-049-0690.

D.E. Small Procurements (Under \$25,000) for Goods and Services, and Public Improvements.

(1) Public contracts under \$25,000 are not subject to competitive bidding requirements. The City Manager or designee shall make a reasonable effort to obtain competitive quotes in order to ensure the best value for the City.

(2) The City may amend a public contract awarded as a small procurement beyond the \$25,000 limit in accordance with OAR 137-047-0800, provided the cumulative amendments do not increase the total contract price to a sum that is greater than twenty-five percent (25%) of the original contract price.

(3) A procurement may not be artificially divided or fragmented to avoid this Section.

E.F. Intermediate Procurements for Goods and Services, and Public Improvements.

(1) If a contract for procurement of goods and services estimated to cost between \$25,000 and \$250,000 in a calendar year, or a contract for a public improvement that is estimated to cost between \$25,000 and \$100,000 in a calendar year, ~~may be awarded according to the processes for intermediate procurements described in ORS 279B.070~~ the City Manager or designee will contact a minimum of three (3) prospective contractors qualified to offer the goods or services or public improvement sought. The City Manager will request an

estimated fee, and make the selection consistent with the City's best interests. If three (3) quotes are not received, the City Manager will make a written record of efforts to obtain the quotes.

(2) The City may amend a public contract awarded as an intermediate procurement beyond the stated limitations in accordance with OAR 137-047-0800 or OAR 137-049-0910, as applicable, provided the cumulative amendments shall not increase the total contract price to a sum that is greater than twenty-five percent (25%) of the original contract price.

F. Methods for Awarding Contracts Using Request for Proposal Process.

~~(3) In making an award using the request for proposal process in ORS 279B.060, the City may use any evaluation method determined to be most appropriate for the selection process, including, but not limited to, the processes described in ORS 279B.060(8), as well as direct appointment of personal services contracts if direct appointment is determined to be most advantageous to the City. The evaluation process(es) to be used shall be stated in the Request for Proposals. OAR 137-047-0261 through 137-047-0263 shall apply to evaluation of proposals. A procurement may not be artificially divided or fragmented to qualify for this Section.~~

G. Large Procurements for Goods and Services, and Public Improvements.

(1) When the estimated payment to the contractor for goods or services is above \$250,000, the City shall either seek competitive sealed bidding in accordance with OAR 137-047-0255 or competitive sealed proposals in accordance with OAR 137-047-0260.

(2) When estimated payment to the contractor for a public improvement is above \$100,000, the City shall follow the solicitation procedures set forth in OAR 137-049-0200.

(3) A procurement may not be artificially divided or fragmented to avoid this Section.

G.H. Emergency Contracts.

(1) "Emergency" shall be defined as follows: "Circumstances that (a) could not have reasonably been foreseen; (b) create a substantial risk of loss, damage, or interruption of services or a substantial threat to property, public health, welfare or safety; and (-c) require prompt execution of a contract to remedy the condition."

(2) The Mayor, the City Manager, or a designee of the City Manager shall have authority to determine when emergency conditions exist sufficient to warrant an emergency contract. The nature of the emergency and the method used for the selection of the contractor shall be documented.

(3) Emergency contracts may be awarded as follows:

(a) Goods and Services. Emergency contracts for procurement of goods and services may be awarded pursuant to ORS 279B.080 and section C, "Delegation," of these Rules.

(b) Public Improvements. The City hereby adopts OAR 137-049-0150 as its contracting rules for awarding a public improvement contract under emergency conditions.

H.I. Local Preference Allowed in Evaluation of Bids or Proposals.

When possible, the City shall use solicitation documents and evaluation criteria that give preference to goods that are fabricated or processed, or services that are performed entirely within the State of Oregon if the cost of the goods or services does not exceed 110% of the cost of the goods or services not fabricated or processed or performed entirely within the State of Oregon. If more than one bidder or proposer qualifies for this preference, the City may give an

additional 5% preference to a qualifying bidder or proposer that resides in or is headquartered in the State of Oregon.

I.J. Disposal of Surplus Property.

(1) "Surplus Property" is defined as any personal property ~~of under the ownership or control of~~ the City that has been determined ~~by the appropriate authority by the City Manager or designee~~ as being of no ~~further, or minimal~~ use or value to the City.

~~(a) When the current estimated market value of a single item of personal property is equal to or greater than \$1,000.00, or a group of items greater than a single discrete item is equal to or greater than \$5,000.00, The City Manager or designee may dispose of surplus property as follows: The City Manager shall submit a~~ shall be submitted request to the City Council for an ~~declaration approval to declare that certaintsuch~~ property as Surplus Property. is of no further use or value to the City. The City Council shall, by resolution, declare such property "Surplus Property" and authorize the means by which the City ~~Manager~~ may dispose of the property, including granting the City Manager discretion to dispose of the property in any appropriate manner, including in accordance with Section (3) below. The City Council may require the City Manager to obtain an appraisal of the property prior to disposition.

~~(b) When the current estimated market value for a single item of personal property is less than \$1,000, or a group of items greater than a single discrete item is less than \$5,000, the City Manager or their designee are authorized to declare such property as Surplus Property and dispose of the item(s) by any means described in Section (3) below.~~

~~(a)(c) Vehicles and large equipment always require Council authorization to declare as Surplus Property, regardless of the estimated market value.~~

(2) Surplus ~~P~~property may be disposed of in the manner that is most advantageous to the City or the community at large, with a preference towards auctioning or donating surplus items whenever possible, including, but not limited to, the following:

(a) Public Auction. Auctions must be sufficiently advertised in the manner that is most likely to obtain a competitive bidding pool for the Surplus Pproperty. Employees of the City may purchase ~~S~~surplus ~~P~~property from the City only at an advertised auction, and only if the employee submits the highest bid for such property.

(b) Donation. Surplus ~~P~~property may be donated or sold to any non-profit organization, any other local government, or any state or federal program created to dispose of surplus property.

(c) Disposal. Surplus ~~P~~property determined to be of insufficient value to merit auction or donation may be disposed of in any appropriate manner.

~~(d) Electronics and Computers Containing Digital Information. Any computers or electronics determined to be Surplus Property will have hard drives or other internal storage electronically wiped prior to disposal so as to prevent retrieval of data, or will have hard drives or other internal storage removed and destroyed prior to disposal, in accordance with any applicable City IT policies. For cell phones, tablets, and other mobile devices, this includes a factory reset, or resetting in a manner by which any data native to the device placed there by the City of Scappoose shall be permanently removed.~~

J.K. Appeals of Prequalification Decisions and Debarment Decisions.

(1) Review of the City's prequalification and debarment decisions shall be as set forth in ORS 279B.425. The following additional procedures shall apply to hearings on such decisions by the LCRB:

(a) Notices shall be submitted in writing to the City Manager. Appeals filed after the filing period stated in ORS 279B.425 shall not be heard.

(b) Upon opening of the hearing, City staff shall explain the City's decision being appealed and the justification thereof. The appellant shall then be heard. Time for the appellant's testimony shall be established by the Mayor. The appellant may submit any testimony or evidence relevant to the decision or the appeal. Any party requesting time to testify in support of the appeal shall then be heard, subject to time limits established by the Mayor.

(c) Once all testimony and evidence in support of the appeal is heard, any party requesting time to testify in support of the City's decision shall be provided time to be heard, with time limits established by the Mayor. Any party testifying in opposition to the appeal may submit any testimony or evidence relevant to the decision or the appeal. Once all testimony in opposition to the appeal has been heard, the appellant may request time to provide rebuttal testimony. At the conclusion of the rebuttal testimony, if any, the Mayor shall close the hearing.

(d) When issued in writing according to the requirements of ORS 279B.425, the LCRB's decision and order shall be final.

L. Notice of Intent to Award Certain Contracts.

(1) At least seven days before the award of a public contract solicited under any invitation to bid or request for proposals, the City will post or provide to each bidder or proposer notice of the City's intent to award a contract.

(2) If stated in the solicitation document, the City may post this notice electronically or through non-electronic means and require the bidder or proposer to determine the status of the City's intent.

(3) As an alternative, the City may provide written notice to each bidder or proposer of the City's intent to award a contract. This written notice may be provided electronically or through non-electronic means.

(4) The City may give less than seven days' notice of its intent to award a contract if the City determines in writing that seven days is impracticable.

(5) This Section does not apply to any goods or service contract, public improvement contract or class of public improvement or goods or services contracts exempted from competitive bidding requirements.

(6) A protest of the City's intent to award a contract may only be filed in accordance with OAR 137-047-0740, OAR 137-048-0240, or OAR 137-049-0450, as applicable. Protests to the City's intent to award a personal service contract under Section A may only be filed in accordance with OAR 137-047-0740.

K.M. Concession Agreements.

(1) A "concession agreement" is a contract that authorizes and requires a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from a site within a building or upon land owned by the City, and under which the concessionaire makes payments to the City based, in whole or in part, on the concessionaire's sales revenues. The term "concession agreement" does not include an agreement which is merely a flat-fee or per-foot rental, lease, license, permit, or other arrangement for the use of public property.

(2) Concession agreements are not required to be competitively bid. However, when it is in the City's best interests to do so, the City may obtain competitive proposals for concession agreements using the procedures described in ORS 279B.060.

L.N. Purchases from Federal Catalogs.

(1) By Resolution No. 05-01, the LCRB has adopted the following rules for procurement of goods from federal catalogues:

Subject to applicable Council approval requirements stated in the City's Contracting Rules, the City may purchase goods from federal catalogues without competitive bidding when the procurement is pursuant to 10 USC 381, the Electronic Government Act of 2002 (Public Law 107347). Purchases under other federal laws will be permitted upon a finding by the Local Contract Review Board that the law is similar to such Act in effectuating or promoting transfers of property to contracting agencies.

M.O. Electronic Advertising

(1) Pursuant to ORS 279C.360 and ORS 279B.055, electronic advertisement of public contracts in lieu of newspaper publication is authorized when it is cost-effective to do so. The City Manager or designee shall have the authority to determine when electronic publication is appropriate, and consistent with the City's public contracting policies.

(2) Notwithstanding the foregoing, any advertisement for a public improvement contract with an estimated cost over \$125,000 must be published at least once in a trade newspaper of general statewide circulation, such as the Daily Journal of Commerce.

RESOLUTION NO. 24-01

A RESOLUTION ADOPTING PUBLIC CONTRACTING RULES AND PROCEDURES AND REPEALING RESOLUTION NO. 23-14

WHEREAS, the City of Scappoose (“City”) is an Oregon municipal corporation which is subject to Oregon’s public contracting laws; and

WHEREAS, the City Council of the City serves as the City’s Local Contract Review Board (“LCRB”); and

WHEREAS, and the City Council wishes to amend its existing rules to align with state law and to increase efficiency and clarity of the contracting and procurement process;

WHEREAS, the City is required to adopt public contracting rules consistent with the revised Public Contracting Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That, except as otherwise provided herein, the City hereby adopts the Oregon Attorney General’s Model Public Contracting Rules (“Model Rules”) as the contracting rules for the City, as such Model Rules now exist or are later modified.
2. That the City adopts the public contracting rules described in Exhibit A, which is attached to this Resolution and incorporated herein by reference. The Rules described in Exhibit A shall be in addition to the Model Rules.
3. That the City shall regularly review changes in the Public Contracting Code and the Model Rules to ensure that the Exhibit A Rules are consistent with current law.
4. This resolution shall take effect on date of adoption.

APPROVED AND ADOPTED on _____.

Mayor Joseph A. Backus

ATTEST:

Susan M. Reeves, MMC, City Recorder

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| CITY OF SCAPPOOSE |
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Council Action & Status Report

Date Submitted: January 8, 2024

Agenda Date Requested: January 16, 2024

To: Scappoose City Council

From: Dave Sukau, Public Works Director

Subject: American Flag Approval

TYPE OF ACTION REQUESTED:

| | |
|---|--------------------------------------|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action | <input type="checkbox"/> Report Only |

ISSUE: Should the City of Scappoose pursue installing American flags along the Hwy 30 corridor on appropriate holidays

ANALYSIS: On August 21st, 2023, Public Works Director Dave Sukau presented some options to Scappoose City Council for the installation of the American flag within the City on National Holidays. After some discussion and Council feedback, a method was identified in which the flags would be attached to the streetlight poles along Hwy 30 in a 45 degree manner @ 10'-12' above the sidewalk.

This concept was presented to ODOT as the poles the City would be using are property of ODOT. After a series of communications with ODOT representatives and engineers, the City has been granted approval for this method. The only condition presented by ODOT is that the City will have to submit a permit application to ODOT for every time the flags will be presented.

FISCAL IMPACT: Scappoose Public Works has inquired into the purchase of the flags and necessary hardware and determined that this project would cost less than \$3,000.00 in materials. Installation would be coordinated with the CRPUD for the initial installation of the brackets. Flags would be installed by Public Works staff prior to each holiday.

REQUEST: City Staff is seeking Council's approval to move forward with the procurement of the flags and hardware for this project in an amount not to exceed \$3,000.00.

SUGGESTED MOTION: I move Council approve the procurement and installation of American Flags and hardware not to exceed \$3,000.00 for the purpose of flying American flags on appropriate holidays.

Request for Council Action

City of Scappoose Council Action & Staff Report

Date Submitted: January 9, 2024

Agenda Date Requested: January 16, 2024

To: Scappoose City Council

From: N.J. Johnson, Associate Planner
Alexandra Rains, City Manager

Subject: RFP #2023-10 - Community Branding Project

Type of Action Requested:

| | | | | |
|-------------------------------------|-------------------------------------|----------------------|--------------------------|--------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Formal Action | <input type="checkbox"/> | Report Only |

Issue:

City Council adopted Goal #1, Objective #1: “Identify a process for community branding, prepare a scope of work and request for proposals (RFP)” to take effect during the current 2023-2024 Fiscal Year. Council and the Economic Development Committee (EDC) have had a collective 6 meetings in calendar year 2023 where community branding was a named topic of the agenda. Staff issued RFP #2023-10 - Community Branding Project on October 6, 2023 and the RFP closed on November 13, 2023. The RFP was widely advertised and the City received 11 proposals, which is significantly greater than RFPs for consultant services typically receive.

The City allocated \$50,000 for this project. Each of the 11 proposers submitted a budget that exceeds this amount, with the most affordable proposal offering an estimated range of \$55,000-60,000 and the most expensive being \$175,200. In addition to being over the City’s initial budget, several proposers did not demonstrate a strong understanding of the project’s purpose or desired outcomes. For example, several firms assumed that the City was seeking support with developing document templates rather than discovering and promoting a *community* brand. Finally, the majority of proposers are from out of state and many proposed attending meetings and open houses virtually. This is not desirable because of the public-facing nature of this project with decision makers, stakeholders, and the community at large.

According to advice from Legal Counsel, the City would need to reopen the RFP if it desires to change the scoring criteria or eligibility requirements.

Analysis:

Currently, the City cannot select any of the 11 proposers and remain within budget since every proposed budget is greater than \$50,000. An adjustment to the Council Objective and/or the RFP is needed to proceed. Staff is seeking Council’s guidance on next steps. A list of options is provided in the Recommendation section.

Fiscal Impact:

The City budgeted \$50,000 for this project. Depending on the direction of Council, funding from this project can be increased overall by providing additional funds in the upcoming Fiscal Year, significantly decreased to support a modified project scope, or eliminated if no further action on community branding is desired.

Recommendation:

Staff is seeking Council’s direction on Council Goal #1, Objective #1: Identify a process for community branding, prepare a scope of work and request for proposals (RFP). Staff have identified the following options:

1. Provide \$_____ of additional funding in the upcoming Fiscal Year 2024-2025 budget to support a consultant contract greater than the \$50,000 currently budgeted for.
2. Reopen the RFP with the inclusion of the budget limit for this project and/or criteria that proposers must be able to attend every public meeting in person.
3. Rename Goal #1, Objective #1 to “Update the City’s logo using design materials from the 100-Year Centennial Event logo”, cancel the RFP, and seek a local business who would be willing and able to provide that service to the City.
4. Remove Goal #1, Objective #1 from the list of Council Goals, cancel the RFP, and take no further action on community branding.

Suggested Motion:

I move Council direct Staff to [select from below].

1. Provide \$_____ of additional funding in the upcoming Fiscal Year 2024-2025 budget to support a consultant contract greater than the \$50,000 currently budgeted for.
2. Reopen the RFP with the inclusion of the budget limit for this project and/or criteria that proposers must be able to attend every public meeting in person.
3. Rename Goal #1, Objective #1 to “Update the City’s logo using design materials from the 100-Year Centennial Event logo”, cancel the RFP, and seek a local business who would be willing and able to provide that service to the City.
4. Remove Goal #1, Objective #1 from the list of Council Goals, cancel the RFP, and take no further action on community branding.

Exhibits:

- A. RFP #2023-10 - Community Branding Project

CITY OF SCAPPOOSE
REQUEST FOR PROPOSALS (RFP)
for
Community Branding Project
RFP #2023-10



SCAPPOOSE
Oregon

Issue date: October 6, 2023

Proposal due date: November 13, 2023

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SECTION 1 – GENERAL INFORMATION

1.1 Background

The City of Scappoose has approximately 8,046 residents and is located 23 miles northwest of Portland in Columbia County, Oregon. Incorporated in 1921, Scappoose has a rich history and a strong sense of community pride but is not aligned on a common brand identity. The Scappoose City Council identified and adopted Goal #1, Objective #1: Identify a process for community branding, prepare a scope of work and request for proposals (RFP). The community branding project seeks to identify a brand theme that resembles the past, present, and future of Scappoose and develop implementation strategies for the identified brand theme.

1.2 Invitation

The City of Scappoose, Oregon is requesting proposals from experienced, professional consultants for a comprehensive community branding exercise.

This RFP contains the necessary information to understand the desired qualifications, the consultant selection process, and the required documentation in submitting a proposal. Procurement documents may be obtained from the City’s website at: <http://www.scappoose.gov/rfps>.

1.3 Schedule

| Action | Location | Date ¹ | Time |
|--|---|-------------------------|---------|
| Solicitation advertisement | Business Tribune, Spotlight, City Website, League of Oregon Cities, social media, other | 10/6/2023 | Various |
| Optional pre-proposal meeting ² | Microsoft Teams | 10/18/2023 | 1:00 pm |
| Pre-proposal questions due | Email | 10/23/2023 | 5:00 pm |
| Responses to pre-proposal questions | Email, City Website | 10/30/2023 | 5:00 pm |
| Proposals due | Email | 11/13/2023 | 5:00 pm |
| Interviews | Microsoft Teams | 11/20/2023 & 11/21/2023 | TBD |
| Notice of intent to award contract | Email | 11/22/2023 | - |
| Contract negotiations conclude | - | 12/1/2023 | - |
| Challenge period expires | - | 12/5/2023 | 5:00 pm |
| City Council approval of contract | Scappoose Council Chambers | 12/11/2023 | 7:00 pm |
| Begin contract | - | 12/12/2023 | - |
| Desired project completion | - | 6/30/2023 ³ | - |

¹ These dates are approximate and subject to change at the sole discretion of the City.

² Please register with RFP contact by Tuesday, October 17, 2023 at 5:00 pm.

³ The City is open to alternative project completion dates if another project timeline is more appropriate.

1.4 RFP Contact

All correspondence regarding this RFP should be directed to:

N.J. Johnson, Associate Planner, at njohnson@scappoose.gov or (503) 543 - 7184, ext. 403.

1.5 Proposal Withdrawal

Any proposal may be withdrawn at any time before the “Proposal Due” date and the time specified in **Section 1.3**, by providing a written request for the withdrawal of the proposal to the City. A duly authorized representative of the firm shall execute the request. Withdrawal of a proposal will not prejudice the right of the proposer to file a new proposal on this or future solicitations. Proposals may not be withdrawn within the thirty (30) days following the proposal due date.

1.6 Rejection or Acceptance of Proposals

The City may reject or accept any or all proposal or parts thereof, submitted in response to this RFP.

The City expressly reserves the following rights to:

- a. Disregard any or all irregularities in the proposals;
- b. Reject any or all proposals or portions thereof upon finding it is in the public interest to do so;
- c. Base award with due regard to the quality of services, experience, compliance with the RFP, and other factors as may be necessary under such circumstances; and
- d. Reject all proposals and re-advertise at the City’s sole discretion.

1.7 Evaluation and Selection of Consultant

An evaluation committee of at least three members will be appointed to evaluate the proposals received. For scoring proposals, each member will evaluate each proposal in accordance with the **Content and Evaluation Criteria** detailed in Section 4. The evaluation committee may seek outside expertise, including but not limited to, input from technical advisors, to assist in the evaluation process.

The successful Consultant(s) shall be selected by the following process:

- a. An evaluation committee will be appointed to evaluate submitted written proposals.
- b. The committee will score proposals according to the evaluation criteria.
- c. A short list of proposers, based on the highest scores, will be selected for interviews.
- d. Final scores, based on the same evaluation criteria and interview performance, will be determined.

Review

Following issuance of the Notice of Intent to Award, Consultants that were not selected for contract award may seek additional clarification, debriefing, or to request time to review the selection procedures.

Protest of Contract Awards

Protests may be submitted to the City Manager only from those Consultants who would receive the contract if their protest was successful.

Protests must be in writing and received by the City Manager within seven (7) calendar days, UNLESS OTHERWISE NOTED, following the issue date of the City’s Notice of Intent to Award. The protest must

specifically state the reason for the protest and show how its proposal or the winning proposal was misscored or show how the selection process deviated from that described in the solicitation document. No contract will be awarded until the protest has been resolved.

Protests must be timely and must include all legal and factual information regarding the protest and a statement of the form of relief requested. Protests received later than specified or from other than the Consultant who would receive the contract if the protest was successful will not be considered. The exercise of judgment used by the evaluators in scoring the written proposals and interviews, including the use of outside expertise, is not grounds for appeal.

The City Manager may waive any procedural irregularities that had no material effect on the selection of the proposed Consultant, invalidate the proposed award, amend the award selection, request the evaluation committee re-evaluate any proposal or cancel the solicitation and begin again to solicit new proposals. The City Manager shall create a written opinion on the protest and forward that opinion to the City Council for further action. Should the City Council return the matter to the evaluation committee, the City shall issue a notice cancelling the Notice of Intent to Award.

Decisions of the City Council are final and conclude the administrative appeals process.

1.8 Insurance

The Consultant shall be required to provide Errors and Omissions, Professional Liability, Workers' Compensation, General Liability, and Automobile insurance as required for compliance with the City's standards for personal services contracts. All aforementioned policies, other than Workers' Compensation and Professional Liability, shall include the City, its officers, employees, agents, and representatives as additional insureds with respect to the resulting contract with the City. Coverage will be endorsed to provide a "per project" aggregate.

1.9 Execution of Contract

It is anticipated that the total cost for the services contemplated by this solicitation will require authorization by the City Council. The contract should be signed within a week of Council award of the contract.

1.10 Public Records

Any materials submitted by the proposer shall become the property of the City unless otherwise specified. During the evaluation of proposals and the selection of the Consultant, the proposals shall be confidential. After the selection process has been completed, the proposals shall be open to public inspection. Proposals should not contain any information which the proposers do not wish to become public. If it is necessary to submit confidential information to comply with the terms and conditions of the RFP, each page containing confidential information should be clearly marked "NOT FOR PUBLIC DISCLOSURE, CONFIDENTIAL TRADE SECRETS." The City accepts no liability for the inadvertent or unavoidable release of any confidential information submitted, and any claims arising out of any public record request for such information shall be at the proposer's expense.

1.11 Federal/State/Local Requirements

The selected Consultant shall comply with all Federal, State, and local laws as well as all regulations, executive orders, and ordinances applicable to the work under this contract. In addition, the proposers agree to comply with:

- a. Title VI of the Civil Rights Act of 1964;
- b. Section V of the Rehabilitation Act of 1973;
- c. The Americans with Disabilities Act of 1990 and ORS 659.425;
- d. All regulations and administrative rules established pursuant to the foregoing laws and;
- e. All other applicable requirements of Federal and State civil rights and rehabilitation statutes, rules, and regulations.

The Consultant will be subject to the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires the provision of Workers' Compensation coverage for all employees working under the resulting contract. The City's programs, services, employment, and volunteer positions are open to all persons without regard to race, religion, color, national origin, sexual orientation, sex, age, marital status, disability, or political affiliation.

Every public contract that is subject to ORS 279C must include a representation and warranty from the consultant that consultant has complied with the tax laws of this state or a political subdivision of this state, including but not limited to ORS 305.620 and ORS Chapters 316, 317, and 318. The public contract must also require a covenant from the consultant to continue to comply with the tax laws of this state or a political subdivision of this state during the term of the public contract and provide that a consultant's failure to comply with the tax laws of this state or a political subdivisions thereof before the consultant executed the public contract or during the term of the public contract is a default for which a contracting agency may terminate the public contract and seek damages and other relief available under the terms of the public contract or under applicable law.

By signing the Statement of Qualifications Form (SOQ) required by this RFP, Consultant certifies compliance with the tax laws of the State of Oregon and its political subdivisions and provides a covenant to continue to comply with the tax laws of the State of Oregon and its political subdivisions for the duration of the contract resulting from this RFP.

1.12 Payment

The City will pay the Consultant(s) under contract for services performed based on the approved rates, the scope of work completed, and anticipated reimbursement expenses. The City will make monthly progress payments within thirty (30) calendar days following receipt of properly itemized invoices.

Payment for extra work not described in the scope of services will only be made when authorized in advance and in writing by the City's Project Manager prior to such work being performed by the Consultant.

If the Consultant anticipates that the fee is going to surpass the not-to-exceed figure because a task has changed and is outside the agreed upon scope, the Consultant shall notify the City in writing of the circumstances with an estimated amount that the fee is to be exceeded. The Consultant shall obtain written permission from the City before exceeding the not-to-exceed fee amount. If the consultant does work that exceeds the maximum fee amount prior to obtaining the written permission, the Consultant waives any right to collect that exceeding amount.

1.13 Incurred Costs

The City is not liable for any costs incurred by proposers in the preparation and/or presentation of their proposals or interviews (if held).

SECTION 2 – SCOPE OF WORK

2.1 Scope of Work

The Consultant will be expected to provide a wide range of responsible and responsive professional services including, but not limited to project management, community research, public engagement, brand selection, and brand implementation strategy.

Generally, only the major tasks along with general expectations and requirements are outlined below. The scope of work outlined in this section represents the minimum work the Consultant must complete. Proposers should outline their detailed plan to address each element of the scope of work in the Project Understanding & Approach section.

TASK 1 - PROJECT MANAGEMENT

The Consultant shall act as the project manager of the Consultant's team, including any sub-consultants or contractors for the duration of the Project. Consultant shall monitor and manage the project to produce promised deliverables on time, in scope, and within budget. Consultant will report on project progress and communicate in a timely manner. The Consultant shall ensure full coordination with City staff and be responsive to emails, telephone inquiries, and discussions in addition to meetings as required under various tasks in the scope of work. Open communication between the Consultant team and City staff will be crucial to a successful project. To fulfill this task, the Consultant will be expected to provide the following:

Task 1.1 Kickoff Meeting - Organize a kickoff meeting with City staff to share available information and knowledge, and discuss and/or confirm the City's expectations, the project approach, project management and communication protocols, and the project schedule.

Task 1.2 Project Administration - Perform general project administration services, monthly invoicing, monthly updates for the project team (City and Consultant), maintaining the project schedule, and project coordination.

Task 1.3 Ongoing Coordination Meetings - At a frequency recommended by the Consultant, the Consultant will host recurring project coordination meetings with City staff. The purpose of these meetings will be to maintain and update the project schedule, develop future deliverables, and discuss project activities.

TASK 2 - COMMUNITY RESEARCH

The City of Scappoose was incorporated in 1921 and already has a great degree of community, local pride, and culture established. Reviewing the work of the past and assessing the city's existing assets will aid the Consultant's understanding of where Scappoose is in its branding journey.

Task 2.1 Review Existing Documents - The City has developed several branding or branding adjacent documents over the years, including the City Vision Statement (2016) and the 50-Year Plan Vision Statement (2023). These will need to be reviewed by the Consultant in order to begin to understand the community's values and the work that has already been completed to date.

Task 2.2 View Previous Meetings - The City of Scappoose posts its public meetings online on the [City's YouTube channel](#). The Consultant will need to view a series of City Council and Economic Development Committee meetings/videos in which community branding is a named agenda item. City staff will identify the specific videos and timestamps that are critical to watch at the time the Consultant is selected.

Task 2.3 Branding Coordination with CET - The Columbia Economic Team (CET) is the local economic development agency in Columbia County. In May 2023, the CET began a county-wide branding exercise with a focus on expanding and promoting tourism in the county. The Consultant for the Scappoose branding project will meet with CET staff and their branding consultant team to coordinate the two branding projects and consider aligning the brand theme of Scappoose with the brand theme CET has selected.

Task 2.4 Asset Inventory - Create an inventory of the community's assets and attractions within Scappoose city limits and urban growth boundary as well as the surrounding areas in each direction. Nearby attractions include Chapman Landing, Crown Z Trail, Rocky Point Trail, Scappoose Bay, Scappoose Creek Inn, Means Nursery, Wildwood Golf Course, and more. The asset inventory should include local attractions, unique enterprises that set Scappoose apart, locations that could or already contribute to the community brand, and opportunities for brand development.

TASK 3 - PUBLIC ENGAGEMENT

Task 3.1 Stakeholder Engagement - The stakeholder advisory committee for the project will be the Scappoose Economic Development Committee (EDC), which is a standing committee of the City. The Consultant will meet and engage with the EDC throughout the process as the community brand & implementation plan are being developed. Although branding does not have to be discussed at every EDC meeting, their meetings take place every third Thursday at 12:00 pm PST. Meeting materials are sent to the Committee and published 7 days prior to the meeting. The Consultant must provide City staff with sufficient time to review and comment on materials before being distributed to the EDC.

Task 3.2 Decision Maker Consultation - In addition to regular meetings with the EDC, the Consultant will attend multiple City Council work sessions. The Consultant will present the progress of the Community Branding Project at key points and seek ongoing feedback from the City Council.

Task 3.3 Community Involvement - Propose a detailed plan to involve and seek feedback from the Scappoose community at large in the brand discovery process. This can include open houses, participation at existing community events, pop-up events, community conversations, and other public engagement activities. Consideration will need to be given to providing outreach materials in Spanish and other languages. Proposers will need to demonstrate their approach and ability to

be receptive to, consider, and consolidate all viewpoints received during the public engagement phase of the project.

Task 3.4 Annual Town Meeting - Attend and participate in the 2024 Annual Town Meeting. The Consultant will provide a presentation to attendees in addition to developing and facilitating an engagement activity to gather public input. The Annual Town Meeting will occur on a Saturday in spring (exact month and date TBD). The selected month will depend on the needs of the City, project, and public engagement plan.

TASK 4 - BRAND SELECTION

Task 4.1 Identify Feasible Brand Themes - Based on research and community feedback, develop a list (approximately 3-5) of feasible community brand themes⁴ that align with Scappoose's values, culture, assets, and opportunities. The potential brand themes will need to authentically reflect the Scappoose community today, have economic benefits, carry an achievable implementation strategy, be a source of community pride, and promote quality of life.

Task 4.2 Options Analysis with EDC - Conduct an options analysis of the feasible brand themes with the Economic Development Committee in which the advantages and challenges of every identified brand option are independently but comparatively explored. This can be done as a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis, by evaluating each brand theme against the criteria listed in Task 4.1, or by other means that will achieve the City's goal of narrowing down a brand theme.

Task 4.3 City Council Presentation - When a preliminary brand theme has been identified by EDC, the Consultant will develop and provide a presentation for City Council to ensure that the preliminary brand theme is consistent with Council's vision of Scappoose. While the focus of this presentation will be on the brand theme that emerged, the presentation should also include a brief analysis of other high-quality brand themes for Council's consideration.

TASK 5 - BRAND IMPLEMENTATION

Task 5.1 Develop Brand Implementation Strategies - Develop a draft list of specific and comprehensive strategies to implement the brand identified by EDC and approved by Council. This may include an analysis or specific proposals for a slogan, event themes, architectural design standards, features of public spaces, styles of public art, etc. This will need to include the creation of a new City logo and an easy-to-use template for the City's monthly newsletter. Both the logo and newsletter template should be attractive and consistent with the new identified brand.

Task 5.2 Staff Review Implementation Strategies - Share brand implementation strategies with City staff for a review of their feasibility.

⁴ Defined as a central identity that defines a community's brand such as high tech, outdoor recreation, performing & fine arts, or wine country.

Task 5.3 EDC Review Implementation Strategies - Share brand implementation strategies with EDC for a review of their appeal and conformance with the identified brand theme.

Task 5.4 Council Review Implementation Strategies - Share brand implementation strategies with City Council for a review of their appeal and conformance with the identified brand theme.

SECTION 3 – PROPOSAL FORMAT AND SUBMISSION

3.1 Proposal Submittal

Sealed proposals for the **Community Branding Project (#2023-10)** will be received by the City of Scappoose until **November 13, 2023 at 5:00 PM (PST)** at the address below. Proposals will not be accepted after this date and time. Please include **one (1) hard copy** of the proposal and **one (1) electronic copy** emailed to the RFP Contact listed in Section 1.5. The City is not liable for any costs incurred by proposers in the preparation and/or presentation of their proposals or interviews.

Proposals must be submitted in a sealed envelope and clearly marked as follows:

City of Scappoose
Attn: N.J. Johnson, Associate Planner
33568 E. Columbia Ave.
Scappoose, Oregon 97056
RE: Proposal for RFP #2023-10 - Community Branding Project

3.2 Proposal Format

To provide a degree of consistency in review of the written proposals, the standard format for proposals is as follows:

- a) **Page limit:** 19 - Proposals exceeding the specified number of pages in Section 4 may be deemed non-responsive. Each side of the page is counted as one page for hard copy proposals printed double-sided.
- b) **Font size:** 11 or 12-point
- c) **Font style:** Calibri preferred, Arial accepted

3.3 Recycled Products Statement

Proposers shall use recyclable products to the maximum extent economically feasible in the preparation of proposals, and the selected Consultant shall continue the same practice in the performance of the contract work in accordance with ORS 279B.270.

SECTION 4 – CONTENT AND EVALUATION CRITERIA

| | Content and Evaluation Criteria | Maximum Pages | Maximum Score |
|---|---|---------------|---------------|
| 1 | Cover letter | 2 | 5 |
| 2 | Statement of Qualifications (Mandatory) | 1 | Pass/Fail |
| 3 | Project understanding & approach | 5 | 35 |
| 4 | Proposed schedule | 1 | 10 |
| 5 | Proposed budget | 2 | 10 |
| 6 | Past project examples (1-3 required) | 6 | 25 |
| 7 | Project team organization | 2 | 15 |
| | Subtotal | 19 | 100 |
| 8 | Interviews | N/A | 100 |
| | Total | 19 | 200 |

4.1 Cover Letter

Provide an overview of the submittal, highlighting key points, understanding of important or critical issues and considerations for the project, and the unique experience that qualifies your firm to successfully complete the project. The letter should address the firm’s willingness and commitment, if selected, to provide the services and a description of why the proposer believes they should be selected.

4.2 Statement of Qualifications (Mandatory)

- a) The name of the firm, as well as, the signature, printed name and title, telephone and fax number, and email address of the officer authorized to represent the proposer in any correspondence, negotiations and sign any contracts that may result
- b) The address of the office that will be providing the service, project manager’s name, telephone number, fax number, and email address
- c) The Federal and State tax identification numbers, and the state of incorporation
- d) Indicate whether the proposer is a “Resident Bidder” as defined in ORS 279A.120

All fields on the Statement of Qualifications Form (SOQ) included in Appendix A must be filled out by proposer. By signing the Statement of Qualifications, Proposer certifies compliance with the tax laws of the State of Oregon or a political subdivision of the State of Oregon and provides a covenant to continue to comply with the tax laws of this state or a political subdivision of this state for duration of this contract. Proposals submitted without a complete and signed SOQ Form will be deemed nonresponsive.

4.3 Project Understanding & Approach

Provide a detailed narrative of the proposer’s understanding and approach to the project, describing how consultant will complete all deliverables, and details about how each deliverable will be created, consistent with the City’s purpose and approach to this scope of work and project. Provide a detailed description of the issues perceived by the consultant that must be addressed for this project to be successful, and solutions for identified problems. Provide a high-level description of critical schedule elements to be addressed.

4.4 Proposed Schedule

A proposed project timeline that identifies tasks, milestones, and the estimated timeline for completing each task is required. Additionally, proposers are asked to include their availability to begin the work. The City desires the Community Branding Project to be completed by July 2024. However, the City is also open to an alternative project completion date if another project timeline is more appropriate.

4.5 Proposed Budget

Submit a proposed project budget including a breakdown of personnel, materials, and total cost.

4.6 Past Project Examples

In order to receive points under this category, proposers must provide project descriptions of **1-3** past projects of similar size and scope that exemplify proposers' qualifications. Please list the team member(s) that worked on the example projects. Each project description should include the following:

- a) Project name
- b) Agency name
- c) Budgeted and actual project costs
- d) Organizational reference contact
- e) Major deliverables/documents produced such as an adopted branding plan or branding guidelines (attached as appendix, does not count against page limit)

4.7 Project Team Organization

Provide an overview of the proposer's project team highlighting their experience, qualifications, and technical capacities that are relevant to the project.

Briefly describe the team's key personnel and their experience, qualifications, and roles on this project.

- a) Describe your team's communication methods; provide an example of how this method provides benefit to the project team, and ultimately the City.
- b) Indicate the number of other projects that will be managed by the Project Manager during the time they would be assigned to the City's project.
- c) Provide a simple chart of the proposed project team structure.

Provide resumes for the project team's key members. Each resume should not exceed two (2) pages and must show the years of experience, licenses, certifications, and relevant project experience (attached as appendix, does not count against page limit).

4.8 Interview

Proposers do not need to provide a written response to this criterion.

- a. A minimum of three (3) evaluators shall score the interviews/follow-up questions.
- b. The interviews/follow-up questions will have a maximum score of 100 points.
- c. The number of Proposers selected for interviews/follow-up questions will be, to the greatest extent practicable, at least the two highest ranked proposers based on proposal scores.

- d. If the City elects to use follow-up questions as an alternative to interviews, questions will typically be sent via email to Proposer(s). Proposers' responses to the follow-up questions must be received by the City via email by the deadline provided.
- e. Interviews normally require physical attendance at City offices; however, the City may elect to conduct interviews virtually via Microsoft Teams. Further details will be included with notification of the time and date of interviews to proposers selected for interview.

APPENDIX A

A.1 Statement of Qualifications (SOQ) Form

A.2 Sample Contract

A.3 Major deliverables/documents produced from past project examples

A.4 Resumes of Project Team's Key Members

Center *for*
Public Service

Scappoose Community and Senior Citizens Center: Summary of Training Sessions and Recommendations

Submitted to:

Scappoose City Manager and Scappoose City Council

Submitted by:

Diane L. Odeh, MPA

Nonprofit Institute

dodeh@pdx.edu



Training Background

In June 2021, the Oregon Department of Justice issued a final audit report regarding the Scappoose Community and Senior Citizens Center (hereafter referred to as “the Center”).

Amongst the audit findings, the following issues were identified:

- Improper record-keeping of meeting minutes and decisions that impacted the organization
- Conflict of interest concerns regarding the executive director at the time
- Improper financial management and financial record-keeping

In addition to the audit findings, the Center experienced the following events:

- Bingo operations were suspended
- Kitchen operations related to Meals on Wheels were suspended

In the time since the audit report, the Center’s board of directors have taken the following actions:

- Terminated the executive director’s employment
- Hired an accountant to sort through financial records
- Renovated key areas of the Center, including the kitchen
- Appointed a Senior Advocate
- Resumed operation of the Salt & Pepper Cafe in the Center kitchen

To further support the current board of directors, the Scappoose City Manager hired the Center for Public Service (CPS) to equip board members, staff, and volunteers with the knowledge, skills, and abilities to address compliance issues related to the fiduciary responsibilities and legal governance of the Center. Furthermore, there was a goal to support the organization in developing operational policies with the aim of building internal capacity. Diane Odeh met with the board as a whole to discuss needs and goals related to the training. She also conducted interviews with key people who have institutional knowledge of the Center.

Training Summary

Upon assessing the organization’s needs and goals, a series of training sessions were developed and conducted. The following are descriptions of the training sessions.

Training 1: Board Governance Best Practices

The first training was an overview of the roles and responsibilities of board members who serve for a nonprofit organization based in Oregon. Key topics included reviewing relevant mandates within the Oregon Revised Statutes Chapter 65; including financial management, recordkeeping, and general legal governance of the organization. Participants were also given training related to developing standard operating procedures that can help the Center run more efficiently and effectively.

Training 2: Corrective Measures/Process Monitoring

The second training was designed to address key areas outlined in the DOJ report. Participants were “quizzed” on topics related to recordkeeping and financial management. Attention was placed on ensuring that members were aware and understanding of their legally mandated responsibilities such as bylaws management, meeting records management, and financial recordkeeping. Participants then engaged in an activity where they started to create new standard operating procedures related to board meeting materials preparation, Center transportation services, and Center administrative management.

Training 3: Volunteer Engagement

Board members explicitly requested training on volunteer engagement. This training focused more broadly on partner engagement; including managing funders/donors, general membership, and Center volunteers. Methods of how to communicate regularly with partners were offered, including the use of annual reporting and budget projecting. Board members were also given information on how to engage volunteers including how to advertise opportunities, potential sources of new volunteers, and how to sustain volunteers through showing appreciation. Each member set a goal related to volunteer engagement. The session ended with board members creating budget projections for key areas of the Center. This activity was designed to help board members understand the nuances behind financial management of the Center.

Training 4: Goal Setting and Ongoing Evaluation

The final training session started by asking board members to “rate” themselves on a variety of tasks related to the Department of Justice audit report such as financial management and legal governance. They were also asked to rate themselves on how well they think they are advancing the organizational mission. Participants then participated in goal setting exercises related to developing a strategic direction for the Center. Goals members would like to achieve in the next six months include developing a Center budget, implementing a volunteer coordinator, and revising Center bylaws. Guidance on how to monitor goals and establish performance indicators was offered.

Training Observations and Outcomes

The training sessions were delivered with the goal of building capacity within the organization. The following are observations and outcomes from these sessions.

Creating a culture of compliance through clarification of responsibilities

Many board members shared that they were initially unaware of the responsibilities associated with being a nonprofit board member. This is partially due to differences in how other nonprofit organizations board membership functions. Some organizations entail a stewardship model of board governance where organizational staff are responsible for implementing goals while the board of directors remains mostly “hands off” in the daily operations. The Center’s board of directors is currently functioning as an operational board that is primarily responsible

for the majority of the daily tasks required to serve the community. The Center receives administrative support from one .5 FTE staff member. One immediate outcome of the training was the increased knowledge of what is legally mandated of all board members. Further, the training increased understanding of why the board looks different from non-operational boards. This helps build capacity because a shared understanding of expectations can help with recruitment and retention of board members.

When quizzed on topics related to compliance with legal mandates, participants were able to accurately state key dates, such as the due date for filing the organization's annual report (November 15th) and renewing nonprofit registration with the Oregon Secretary of State (the anniversary of the Center). Participants also demonstrated understanding of the requirements related to managing meeting minutes and agendas. Meeting minutes were available for viewing on a Center bulletin board for general membership to view. Additional guidance was given related to tracking votes and disseminating information to general membership.

Enhancing operational practices

Key board members along with the Center staff member have been developing standard operating procedures that have added capacity to the Center. One example is the development of a guide on how to count cash received by Center staff and volunteers. Board members reported that this guide has standardized the way cash is received and counted. The source of the cash is now documented; making it easy to track the sources of revenue. Standard operating procedures related to accounting practices were developed prior to the training. The training functioned to educate all board members of the importance of such documentation to create a shared understanding of operational practices.

There has also been development of standard operating procedures related to kitchen management and administrative management of the Center. These were developed as a result of the training, and continue to be created and refined by staff and board members.

Fostering a sustainable and well-governed organization

The training provided a broad overview of why it is important to maintain proper financial record keeping within the Center. Some board members have a background in financial management and are able to provide their expertise to the Center. As a result of training sessions, members are more aware of the role budgeting plays in ensuring the overall sustainability of the organization. As of December 2023, Center board members are in the process of working with an accountant to develop budget records from previous fiscal years. From there, they will construct budget projections intended to assist with strategic planning as board members consider the long-term viability of the Center. Another stated goal is the need for Center staff and board members to consult with a nonprofit attorney to review and revise the organization's bylaws.

Partner management

The Center relies on healthy partnerships with general membership and volunteers in order to function. In order to ensure long term sustainability of the organization, attention must be given to managing these partnerships.

General member management

The Center has a fee paying general membership. As such, they are entitled to being involved in key decision-making aspects of the organization. Examples of areas where general membership should be involved include voting on changes to Center bylaws and other decisions that impact the functioning of the organization. Furthermore, general members should be given the opportunity to attend an annual meeting where the Center's financial records for the year should be made available; in addition to notable accomplishments. The Center currently communicates with members via a monthly newsletter. The training sessions underscored the importance of including general membership in decision-making moving forward.

Volunteer management

The Center would not exist without its unpaid volunteers. Currently, most volunteers are also users of the Center. During training, members learned of sources of potential volunteers and how to market opportunities. During the training, board members set the following goals related to volunteer recruitment:

- Establish a connection with the local high school for time-limited tasks (e.g. Center maintenance, labor for special events)
- Recruit neighbors to help with physical labor
- Recruit volunteers to re-establish a fundraising committee
- Establish a connection with Scappoose Boy Scout Troop 294
- Establish relationships with other organizations and businesses

Board members were also asked to develop goals related to volunteer appreciation. Participants in the training had the following ideas:

- Include a list of appreciation in the monthly newsletter
- Host a volunteer appreciation pizza party
- Honor individual volunteers during Wednesday lunches
- Feature articles about volunteers in the monthly newsletter
- Create tokens that show Center affiliation (patches, T-shirts)
- Establish a "volunteer of the month" award
- Give special parking as an appreciation for volunteering
- Offer gift certificates for free lunch at Salt and Pepper cafe, Senior Center shop
- Host an annual award night/dinner for volunteer

Next Steps for the Center

Throughout the training sessions, it was clear that the Center would benefit from setting both short-term and long-term goals. Upon assessment of the Center, the following recommendations are offered to improve operational efficiency and effectiveness.

Short-term recommendations

Short-term goals can have an immediate positive impact on the functioning of an organization. The following recommendations are intended to be considered for completion within six months to a year.

Strategic planning

In the final training session, board members were encouraged to develop short-term goals. In order to fully foster a sustainable organization, it is recommended that the Center engages in a strategic planning process. A strategic plan can provide a clear direction for the Center that can inform decision-making and effective stewardship of the organization. It can also inform how the other recommendations offered to the Center can be achieved.

Bylaws review/revision

It is best practice to regularly review and update organizational bylaws. In its current state, the Center's bylaws are unclear, which can cause confusion for board members. It is recommended that the Center prioritize hiring a lawyer who specializes in nonprofit law to review and revise the bylaws. One suggested resource to do this is the [Center for Nonprofit Law](#) based in Eugene, Oregon.

Finalized budget projections

Center board members have begun to work on budget projections for the Center. Budget projections are necessary to ensuring financial sustainability because they demonstrate what expenses are expected; and thus what revenue is required to maintain payment of those expenses. It is recommended that the Center have a finalized budget projection document for Fiscal Year 2025

Volunteer coordination

A short-term goal set by training participants has to do with establishing a volunteer coordinator. The Center has many services and activities housed within one organization. It would be beneficial to have one individual focused on both recruitment and retention of volunteers. This would add capacity to the organization because it would reduce the amount of people managing volunteers on an ad-hoc basis in addition to giving volunteers a clear source of information and assistance.

Resuming bingo operations

Bingo games within the Center are a large source of revenue for the Center. Beyond revenue, these games provide an opportunity for senior citizens and other community members

to gather and engage in fellowship. It is recommended that resuming bingo operations be a top priority for the Center.

Financial management training

The board of directors' primary legal responsibility has to do with the fiscal stewardship of the Center. Although board members are now aware of these responsibilities, the extent to how well they understand the nuances of budgeting and financial accounting varies. In order to ensure that members are able to read financial statements and make informed decisions, it is recommended that they undergo specific training related to financial management.

Longer-term recommendations

As the Center considers its future, the following long-term recommendations should be considered to ensure longevity and sustainability of the organization.

Hiring executive director

Traditionally, board of directors ensure a nonprofit organization's mission is being fulfilled. Currently, board members are directly responsible for many operational aspects of the Center. This is done on a voluntary, unpaid basis. In order to ensure that the Center can continue to function well, an executive director should be reinstated within the organization. An executive director should possess the skills, knowledge, and abilities necessary to run a nonprofit organization. This will add consistency and capacity to the Center.

Grant management

In consideration of financial sustainability, the Center should place attention on diversifying their revenue by pursuing grant opportunities. There are many grants available for nonprofit organizations, and the Center's mission to serve senior citizens entitles them to many grant opportunities. It would be prudent for the board of directors to engage with individuals who have expertise in grant writing and management.

Conclusion

The board of directors, staff, and volunteers with the Scappoose Community and Senior Citizens Center underwent a series of four training sessions delivered by the Center for Public Service at Portland State University. They were intended to improve the Center's overall governance, financial management, and other operational practices. The training sessions included information related to legal compliance and fiduciary responsibilities, developing standard operating procedures, partner management, and goal setting. The training participants exhibited increased knowledge and understanding of their duties and responsibilities related to the Center. Significant efforts have been made to address key concerns cited in the Oregon Department of Justice audit report. Moving forward, Center staff, members, and the board of directors should pay close attention to developing short- and long-term goals to ensure continued compliance with regulatory requirements and to foster a sustainable organization.

CITY OF SCAPPOOSE

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| January 2024 | | | | | | |
|---------------------|---|-------------------------------------|------------------|---|---------------|---|
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | 1 City Offices Closed ~ Happy New Year! | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 City Offices Closed | 16 Council meeting 7pm | 17 | 18 EDC, noon Park & Rec, 6pm | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 Planning Commission 7pm | 26 | 27 Council Retreat & Goal Setting Session 9am PCC |
| 28 | 29 | 30 | 31 | | | |