



CITY COUNCIL WORK SESSION

Wednesday, May 01, 2019

265 Strand Street, St. Helens, OR 97051

www.ci.st-helens.or.us

Welcome!

All persons planning to address the Council, please sign-in at the back of the room. When invited to provide comment regarding items not on tonight's agenda, please raise your hand to be recognized, walk to the podium in the front of the room to the right, and state your name only. You are not required to give your address when speaking to the City Council. If you wish to address a specific item on the agenda, you should make your request known to the Mayor as soon as possible before the item comes up. The Council has the authority to grant or deny your request. Agenda times and order of items are estimated and are subject to change without notice.

1. **1:00PM - Call Work Session to Order**
2. **Visitor Comments - Limited to five (5) minutes per speaker**
3. **Swearing in New Police Officer Eric Zwald**
4. **Discussion Topics**
 - 4.A. Request from St. Helens High School Safe & Sober Committee - Marit Nelson
[04a. SHHS Safe & Sober Request 2019-04.pdf](#)
 - 4.B. Presentation of Check to South Columbia County Chamber of Commerce
 - 4.C. Discussion with Roger Konka about Farmers' Market on Riverfront Property
 - 4.D. Review "If I Were Mayor..." Student Contest Entries
[2019 If I Were Mayor Contest Submittals.pdf](#)
 - 4.E. Discussion Regarding Proposed Recreation Fee - Matt & Shanna
 - 4.F. Review RFP for Food Bank Architectural & Engineering Design Services - Jenny
[DRAFT RFP for Design Engineering of the CPFB 042419.pdf](#)

The St. Helens City Council Chambers are handicapped accessible. If you wish to participate or attend the meeting and need special accommodation, please contact City Hall at 503-397-6272 in advance of the meeting.

**Be a part of the vision...get involved with your City...volunteer for a City of St. Helens Board or Commission!
For more information or for an application, stop by City Hall or call 503-366-8217.**

- 4.G. Godfrey Park Master Plan Presentation
[Godfrey_Final_03.28.19_R.pdf](#)

5. **Department Reports**

- 5.A. Administration & Community Development Depts. Report
[ADMIN Dept Report.pdf](#)

6. **Council Reports**

7. **Other Business**

8. **Adjourn**

Executive Session - *Following the conclusion of the Council Work Session, an Executive Session is scheduled to take place under the following provisions:*

ORS 192.660(2)(e) Real Property Transactions

ORS 192.660(2)(h) Consult with Counsel/Potential Litigation

Representatives of the news media, staff and other persons as approved, shall be allowed to attend the Executive Session. All other members of the audience are asked to leave the Council Chambers.



St Helens Class of 2019 Safe & Sober Committee

*Post Office Box 302
St. Helens OR 97051
Tax ID # 46-3769446*

April 22, 2019

City of St. Helens
Mayor Rick Scholl
Council Member Doug Morten
Council Member Keith Locke
Council Member Stephen Topaz
Council Member Ginny Carlson
PO Box 278
St. Helens OR 97051

RE: Student Sponsorship 2019 Safe & Sober Celebration

To the Honorable Members City of St. Helens City Council:

The 2019 SHHS Seniors Celebrating Success Committee is seeking sponsorship of ten students who are in financial need and unable to contribute the \$50 registration fee to attend this year's event taking place immediately following graduation on June 7th and 8th. Members of our committee, students and family members have been fundraising throughout the community since last June in order to offset the out of pocket costs for students' families. Each month we have sponsored a can and bottle drive as well as held raffles and sales as a way for students and families to raise money. Our efforts have been very successful but we are still in need of registration fees to pay for food, transportation and prizes.

The goal of the Safe & Sober party is to create a safe and supervised environment for our senior class members. This party will be their last event together and will create lasting memories. This is their final glimpse at childhood before they take their first steps into adulthood. It truly takes a village to create success and we are hoping that you can help us meet our goal and provide a special night for them on their last day as high schoolers. There are over 200 class members and it is our wish for everyone to attend, regardless of their ability to pay.

Please consider a donation of \$500 to support ten members of the senior class attend.

Thank you for considering a contribution to the St. Helens Class of 2019 Safe & Sober committee.

With Warm Regards and Many Thanks,

Marit Nelson
Committee Co-Chair

Jennifer Mercier
Co-Chair

Marit Nelson
Co-Chair

Marcie Hastings
Co-Vice Chair

Bridget Duarte
Co-Vice Chair

Crystal Clark
Secretary

Darrin Hastings
Treasurer



If I Were Mayor, I Would... Student Contest



**The Oregon Mayors Association and your city invite you to enter the
"If I Were Mayor..." contest.**

Share your creative ideas about what you would do as mayor.

Local winners are entered into the state contest for a chance to win an **iPad Air 2!**

CONTEST DEADLINE: _____

Contest Rules:

GENERAL RULES:

- All submissions must be accompanied by a completed entry form. All forms for students under age 18 must be signed by the student's parent or guardian. Entry forms may be photocopied.
- Only one submission per student will be accepted at the state level.
- Previous statewide winners may participate, but are not eligible to receive a prize in the same category (grade level) they previously won in. They are eligible to receive a prize in a new category.
- State level submissions become the property of the Oregon Mayors Association (OMA).
- OMA retains the right to publish state-level entries along with the names and likenesses of each student.
- League of Oregon Cities (LOC) employees and dependents are not eligible to enter.

POSTERS:

- The poster contest is open to students enrolled in grades 4 and 5 or being home-schooled at the same grade level for the 2018-19 school year.
- Poster size must be a minimum of 17" and a maximum of 28" in height or width.
- Students are encouraged to be creative and may use any art medium (e.g., poster paints, felt pens, colored pencils, pastels, crayons, three-dimensional art, etc.). The poster may be in color or black and white.
- The student's name and a daytime phone number or email address for their parent or guardian must appear on the back of the poster.

ESSAYS:

- The essay contest is open to students enrolled in grades 6 through 8 or being home-schooled at the same grade level for the 2018-19 school year.
- Essays must be 500 to 1,000 words in length and typed.
- The student's name and a daytime phone number or email address for their parent or guardian must appear at the top of the essay.

DIGITAL MEDIA PRESENTATIONS (video, PowerPoint, Prezi, etc.):

- The digital media presentation contest is open to students enrolled in grades 9 through 12 or being home-schooled at the high school level for the 2018-19 school year.
- Presentations must be one to three minutes in length and may be submitted on disk or emailed.
- The student's name and a daytime phone number or email address for their parent or guardian must be written on the disk or disk sleeve.

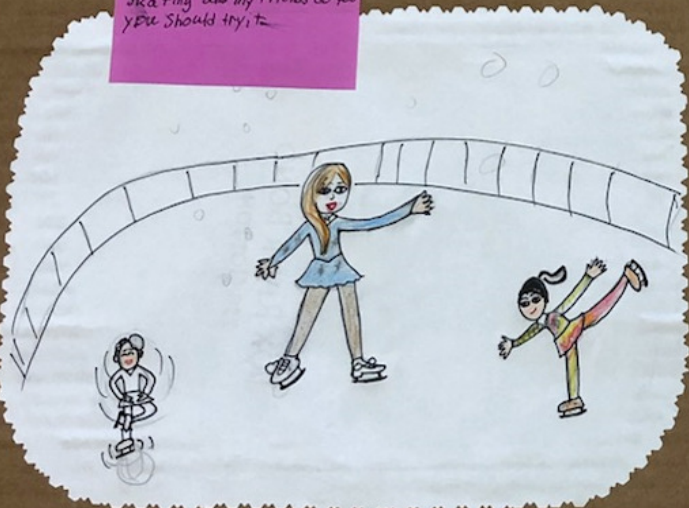
First-place statewide winners will receive their prizes during the OMA Summer Conference, to be held August 1-3 in Medford.

For more information about the local contest please contact:

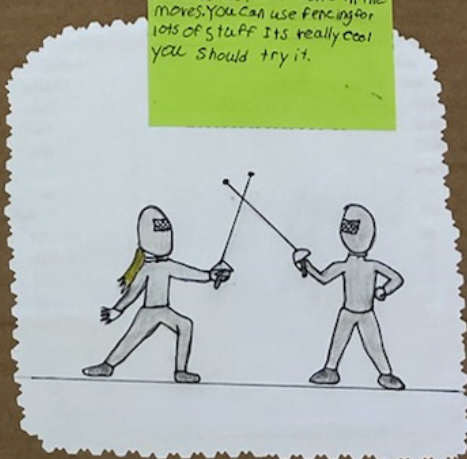


IF I WERE MAYOR I WOULD

If I were mayor I would make ice skating school a place to free skate. It's really amazing when people do like flips and turns. I love ice skating and my friends do too. You should try it.



If I were mayor I would hire a professional of fencing. I would do that because lots of kids like fencing. You can also make believe you are a hero in the moves. You can use fencing for lots of stuff. It's really cool. You should try it.



If I were Mayor I would make a puppet place and hire a professional person to make puppets. They are really fun to play with and all the persons I know can make a puppet show. You should try it.

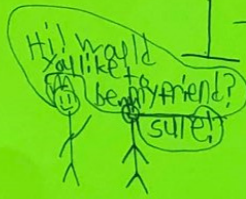


If I were Mayor I would make a carnival because it's fun. Lots of kids like carnivals. It's really really fun because you can also get cotton candy. You should try going.



I would have more friend ship clubs

If I were Mayor...



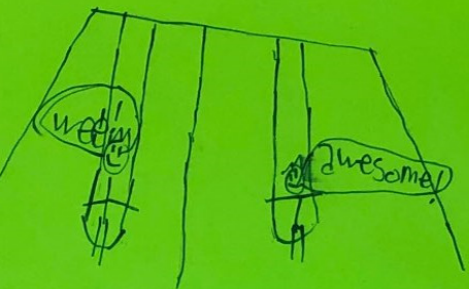
I would add more BMX tracks and skate parks.

I would add swings to all the parks in St Helens



I would add gluten free restaurants.

100%
GLUTEN FREE



If I were in charge of all the money that taxes brought in I would spend it on helping the city with the events, such as fair festival, and thirteen nights at the river.



April 20, 2019
If I were Mayor

If I Were Mayor

If you could choose any job in the world what would you be? I would want to be a nurse, but I would also love to be a mayor. In my essay I will talk about what I would do as a mayor and why. If I were mayor I would, have a landmark, I would make public areas more cleaner, and I would have more fun activities.

The first thing that I would do as a mayor would be to have a landmark. I would not have to be anything fancy, but just something that would make people come to St. Helens. I remember when I was little there was a volcano that erupted water every hour or so. I do not want to bring that back, but I would want to do something like that again. I think we should have a landmark or something to make people come to St. Helens and enjoy their stay.

The second thing that I would do as mayor would be to clean public areas. I have noticed that some restaurants are cleaner or dirtier than others. Sometimes I think the waiters should clean off the gum under the table. If I ever become mayor I would put on a cleaner's day. Each person would be assigned a job. They also would get their names put in a raffle for a family vacation to Disneyland. This is something I think would be great for our town. It would help our community to be cleaner. I think it would make people want to come back to St. Helens more often.

The last thing that I would do as mayor would be to have more fun activities. I know that our town does things in summer, but I would like to do things throughout the whole year. If it was cold I would do indoor activities, and if it was warm I would do outdoor activities. I would make the children get exercising without knowing it. I think it would be fun to put on, and fun for the kids to do.

In conclusion, I would do more activities, clean public areas, and create a landmark as a mayor. Those were my ideas of being a mayor. I think I would have a lot of fun having that job. I think mayors are also very nice and kind. They try their best to make their cities and towns fun. They also try to make it a safer place. Mayors try to make things right. We should agree with their ideas. Sometimes I wonder what people feel like when they get told something rude or kind. Mayors have probably been told nice and rude things before, but they deal with it. I think we should not argue over the fair rules. Thank you to all the mayors who have decided to take their free time and help our community. Thank you to all the mayors that have thought about others instead of yourself. Thank you to all the mayor that love their people no matter what they have done or how rude they were. Thank you.

THE END

REQUEST FOR PROPOSALS
ARCHITECTURAL AND ENGINEERING SERVICES

City of St. Helens, Oregon
REQUEST FOR PROPOSALS
for a
QUALIFICATIONS BASED SELECTION

For the Design and Engineering of the Columbia Pacific Food Bank

Contract Administrator:

Mary McArthur, Executive Director
Columbia-Pacific EDD
PO Box 534
Columbia City, OR 97018
503.970.3336
mbmacarthur@comcast.net

RFP Contact:

Casey Wheeler, Executive Director
Columbia Pacific Food Bank
P.O. Box 1031
St. Helens, OR 97051
503-410-1373
casey@cpfoodbank.org

City Contact:

Jenny Dimsho, Associate Planner
City of St. Helens
P.O. Box 278
St. Helens, OR 97051
(503) 366-8207
jdimsho@ci.st-helens.or.us

ISSUE DATE:

May x, 2019

RFP CLOSING (DUE) DATE:

June x, 2019, by 5:00 p.m.

Proposers are solely responsible for ensuring that the City receives its Proposal.

This is an INFORMAL Process. No publication of this Solicitation or the Award is required. The RFP document, attachments, and any addenda for this RFP will be posted on the City's Bids & RFPs page at <https://www.ci.st-helens.or.us/rfps>.

Work under this contract will be funded in part with federal grant funds from the Community Development Block Grant (CDBG) Program awarded by the State of Oregon, acting by and through its Oregon Infrastructure Finance Authority (IFA)

Contents

Section 1 – Instructions: General Provisions.....	4
Introduction	4
Informal Selection Procedure	4
Solicitation Review	4
RFP Protest; Request for Change; Protest of Award	4
Reservation of Rights	4
Additional Requirements.....	4
Questions about RFP; Addenda	4
Section 2 – Instructions: Statement of Work	5
Introduction	5
Project Overview	5
Services Required.....	6
Project Description	6
Description of Services	8
Anticipated Award and Contract Performance Schedule.....	9
Compensation.....	9
Project Delivery Method	9
Limitations; Conflicts of Interest	9
Section 3 – Proposal Content and Submission Requirements	10
Introduction	10
Proposal Content	10
Cost Information	11
Proposal Format and Submission	12
Section 4 – Evaluation & Selection.....	13
Evaluation of Proposal	13
Evaluation Criteria	13
Interviews	13
Selection	14
Termination	14
Selection Process Milestones	14

Responsibility Evaluation	14
Project Contract.....	15
Section 5 – Additional Architect/Engineer Contract Requirements.....	15
Incorporation of CDBG Grant Contract; Required Federal Contract Clauses	15
Certification of Compliance with Tax Laws	15
Section 6 – Attachments	18
Attachment A – Consultant Certification Form	
Attachment B – Draft Architect/Engineer Services Contract	
Attachment C – Required Federal Contract Clauses	
Attachment D – Building Photos, Reports and Drawings	

Section 1 – Instructions: General Provisions

Introduction

This Solicitation is issued pursuant to ORS 279A, ORS 279C and the Oregon Department of Justice Model Rules Division 48. The term “City” throughout this document means City of St. Helens, the term “Food Bank” means Columbia Pacific Food Bank and the term “Consultant” or “Proposer” means an Architect, Engineer, Land Surveyor or provider of related services.

Informal Selection Procedure

Pursuant to OAR 137-048-0210, City of St. Helens (City) shall use the Informal selection procedure described in this Solicitation to Contract with a Consultant.

Solicitation Review

Proposers must carefully review this Solicitation document and are responsible for knowing and understanding all terms and conditions.

RFP Protest; Request for Change; Protest of Award

Proposers are directed to the protest procedures set forth in OAR 137-048-0240.

Reservation of Rights

City of St. Helens reserves the rights to: (a) amend this Solicitation; (b) to extend the deadline for submitting proposals; (c) to waive minor irregularities, informalities, or failures to conform to the Solicitation, if the City determines that such waiver is in the best interest of the City; (d) to award one or more contracts, by item or task, or groups of items or tasks, if so provided in this Solicitation and if multiple awards are determined by the City to be in the public interest; and (e) to reject, for good cause and without liability therefore, any and all proposals and to cancel this Solicitation at any time if such cancellation is deemed appropriate.

Additional Requirements

Pursuant to OAR 137-048-0220(4)(a):

- a. The City reserves the right to seek clarifications of submitted Proposals, which may or may not affect the evaluation scoring criteria, and to negotiate a final Contract that is in the best interest of the City.
- b. Proposers responding to this Solicitation do so solely at their expense, and the City is not responsible for any Proposer expenses associated with the Solicitation;

Questions about RFP; Addenda

Questions shall be submitted in writing only. Please send questions via email to the RFP Contact, Casey Wheeler, at casey@cpfoodbank.org. No other contact regarding this Solicitation process shall be permitted. Unauthorized contact regarding this Solicitation may subject the contacting Proposer’s proposal to rejection. Any addenda will be posted on the City’s Bids & RFPs page at <https://www.ci.st-helens.or.us/rfps>.

Section 2 – Instructions: Statement of Work

Introduction

City of St. Helens (City) is seeking Proposals from qualified firms for architectural and engineering services to renovate and repurpose an existing building that will be the site of the Columbia Pacific Food Bank (the “Project”).

Project Overview

City of St. Helens has received a Community Development Block Grant (CDBG) for 1,500,000 from the State of Oregon’s Infrastructure Finance Authority (IFA) that will enable the renovation of a site that will serve as the Columbia Pacific Food Bank – the regional food bank for Columbia County and operates the food pantry for St. Helens. A CDBG Administrator has been hired to coordinate grant administration. The selected firm will coordinate between the City, the Food Bank, and the Grant Administrator.

Matching funds secured by the food bank are also included in the Project’s budget, as presented below:

- \$90,000 Architectural and Engineering†
- \$25,000 Permits†
- \$1,195,000 Construction*

†Includes other soft costs, such as agency review and permits

**Construction comprises a number of items, such as site work, landscaping, finishes, lighting, mechanical systems, kitchen equipment, furnishings, etc.*

Constructed in the 1920s, the existing building (12,500 sf, single-story structure) was once an auto dealer, followed by a feed and seed store and is now vacant. The building is located at 1421 Columbia Boulevard.

The building is comprised of three sections. The front section will house the shopping style food pantry, offices, a commercial kitchen/training room, a meeting room and a bottle/can recycle room. The middle sections will contain the fresh produce pantry, a repack room and restrooms. The third section will be the warehouse including 20 x 24 cooler and freezer, warehouse racking, cleaning station, and equipment storage.

The new Food Bank will provide a location for the low income food distribution center for Columbia County and the St. Helens food pantry. Finally, the Food Bank will also provide space for additional activities that will benefit their clients.

As part of the CDBG application process, the following photos, reports and drawings were obtained and have been included as **Attachment D** to this RFP for reference:

- Building Inspection Report
- Asbestos Report

Services Required

The City is requesting proposals for complete Architectural/Engineering Services for the project. Construction is anticipated to begin as soon as construction bids are awarded and pre-construction meetings are completed (estimated at six to eight months), and construction work shall be competitively bid under a Design/Bid/Build procurement method.

Project Description

Renovations and site improvement design/engineering will include, but are not limited to, the following:

1. Building
 - a. New/repared siding – less maintenance, increased moisture resistance
 - b. Increased insulation in exterior walls, ceiling and glazing
 - c. Installation of a building-wide vapor wrap
 - d. Installation of subarea vapor barrier
 - e. Improved building ventilation
 - f. Upgraded plumbing and electrical systems
 - g. Increased support for roof, and also resisting wind and seismic loads, as necessary
 - h. New HVAC (replace building's existing mechanical systems with modern, energy efficient systems)
 - i. New energy efficient windows and exterior doors
 - j. New energy efficient lighting fixtures
 - k. Resurfacing/retexturing of existing drywall
 - l. Interior colors
 - m. New floor materials more suited to safety, keeping in mind ease of maintenance
 - n. Installation of data lines throughout the building to accommodate internet and VOIP phones
 - o. Installation of sprinkler and alarm systems
 - p. Removal of windows on upper back section and replaced with siding and sheet rock/insulation
 - q. Rear wall repair, siding, framing, insulation and sheet rock
2. Interior design including but not limited to:
 - a. Front Section
 - i. Shopping Style Food Pantry
 - a. Equipment shall include but is not limited to:
 - a. Multiple refrigerator/freezers
 - b. Shelving/Storage
 - c. Back access door large enough for pallet jack
 - d. Connecting doors to adjacent rooms
 - ii. Offices

- a. Multiple desks/workstations/storage
 - b. Windows
 - c. Connecting doors to adjacent rooms
 - d. Kitchenette with small sink
- iii. Kitchen and Multipurpose Room
 - a. Equipment shall include but is not limited to:
 - a. Open burner range, exhaust hood, fan and ducting
 - b. Reach in refrigerators and freezer
 - c. Convection oven
 - d. Work tables for meal assembly
 - e. 3-compartment sink; required hand sinks; mop sink
 - f. dishwasher
 - g. Shelving
 - h. Connecting doors to adjacent rooms
- iv. Conference Room and Office
 - a. Equipment shall include but is not limited to:
 - i. Work Station
 - ii. Multiple outlets for equipment
 - iii. AV hookups
 - iv. Storage
 - v. Connecting doors to adjacent rooms
- v. Bottle Return/Recycling Room
 - a. Equipment shall include but is not limited to:
 - i. Outside overhead door
- b. Middle Section
 - i. Produce Pantry
 - a. Equipment shall include but is not limited to:
 - i. Outside overhead door
 - ii. Back door large enough for pallet jack
 - iii. Remove windows in walls
 - ii. Bulk item Repack Room
 - a. Equipment shall include but is not limited to:
 - i. Door large enough for pallet jack
 - ii. Remove windows in walls
 - iii. ADA toilet rooms
- c. Rear Section
 - i. Food storage
 - a. Equipment shall include but is not limited to:
 - i. Outside overhead door
 - ii. Utility Room with mop sink and washer/dryer
 - iii. 7' x 7' scale
 - iv. Pallet wrapper
 - v. Forklift/pallet jack charging station
 - vi. 20 x 24 walk-in cooler
 - vii. 20x 25 walk-in freezer
 - viii. Racking for dry goods

- ii. Separate mechanical and janitorial storage areas
 - iii. Rear exit door for building
- 3. Exterior design
 - a. Parking facilities
 - i. Improve existing parking area along 14th Street
 - ii. Provide minimum of 6 standard striped parking spaces on 14th Street
 - iii. Restripe spaces along Columbia Blvd to maximize parking; additionally must include 1 -2 ADA parking spaces.
 - iv. Possible repairs to roofing, flashing and gutters

Description of Services

Design Services shall include *Schematic Design*; *Design Development*; *Construction Documents* for permitting and bidding; *Bidding Assistance*, *Construction Administration and Oversight*; and warranty follow up for one year beyond substantial completion.

1. Design/Engineering

- a. All designs shall be in compliance with the Oregon Structural Specialty Code and Oregon Energy Code requirements, and any other applicable Building Code requirements.
- b. Consultant shall provide the necessary Structural, Mechanical and Electrical engineering as required for any structural, mechanical, plumbing, fire system, and electrical work to be included in the scope of work.
- c. Consultant shall develop complete non-structural plans and specifications associated with the replacement of existing finishes. Plans could include, but are not limited to, floor plans; roof plans; exterior and interior elevations; and associated finish details and schedules.
- d. Consultant shall develop HVAC, Plumbing and Lighting plans as required for the repair or replacement of existing systems. Include complete engineering design and detailing for the restraint of non-structural building elements.

2. Construction

- a. Construction Bidding
 - i. Provide the scope of work and technical specifications for the construction bid document.
 - ii. Assist City, Food Bank, and Grant Administrator in preparing a draft construction bid document and conducting a solicitation as required by Oregon's Public Contracting Code, City's Public Contracting Code, and any applicable CDBG requirements.
 - iii. Assist City, Food Bank, and Grant Administrator during the solicitation phase by attending a pre-bid meeting; responding to technical questions from contractors during the bidding process; developing written addenda, as needed; and reviewing bids and protests from contractors.
- b. Meetings
 - i. Consultant shall participate in a preliminary project kick-off meeting and physical design review presentations at completion of Schematic Design,

- completion of Design Development, and 50% Construction Document completion. Allow for 2 hours minimum for each design review session.
- ii. Consultant shall set up and facilitate a preconstruction meeting.
- iii. Consultant shall participate in weekly meetings during construction; punch list walkthrough and follow-up; and a one-year warranty walk.
- c. Construction Administration and Oversight
 - i. Develop all construction documents required for a design/bid/build construction delivery method.
 - ii. Coordinate submittals to City, Food Bank, and Grant Administrator for all required project approvals.
 - iii. Obtain all necessary permits needed for project completion.
 - iv. Review contractor's submittals, shop drawings and material samples.
 - v. Respond to contractor's requests for clarification or information.
 - vi. Monitor project schedule.
 - vii. Verify certified pay requests.
 - viii. Review and process change orders for City, CDBG, and Grant Administrator approval.
 - ix. Provide oversight of contractor's performance and inspection of construction.
 - x. Provide project closeout services including punch list, final inspection and warranty review.
 - xi. Provide record "as-built" documents in both paper and electronic format at completion of the project.
 - xii. Monitor CDBG compliance; coordinate and communicate with City, Food Bank, and Grant Administrator

Anticipated Award and Contract Performance Schedule

A performance schedule shall be included in the successful Consultant's Architect/Engineer Services Contract. It is anticipated that Consultant will develop a phased project schedule that incorporates Pre-design/Schematic Design; Design Development; Construction Document; Bidding; and Construction Administration. It is also anticipated that architectural drawings and engineering plans will be completed 6-8 weeks after the attached Contract is signed.

Compensation

Compensation will be based on a firm fixed price with a total "not-to-exceed" amount, including direct reimbursable expenses. The amount of compensation will be negotiated with the highest ranked Proposer, following the steps outlined under *Section 4 – Evaluation & Selection*.

Project Delivery Method

The project delivery method will be Design/Bid/Build.

Limitations; Conflicts of Interest

Proposers are directed to OAR 137-048-0130(8)-(10)(b), which may limit or prohibit the selected Proposer's ability to provide additional services related to the Project, including construction services.

Section 3 – Proposal Content and Submission Requirements

Introduction

This section prescribes the mandatory submission format for the presentation of a Proposal in response to this Solicitation. The purpose of the submission format is to ensure uniformity of the information from each Proposer and to aid in a clear understanding and evaluation of each Proposal.

The Proposer and all firms, subsidiaries and individuals providing professional services shall be currently licensed to practice in each of their respective areas of professional expertise in the State of Oregon, and shall comply with all State of Oregon Architect and Professional Engineer licensure requirements.

Proposal Content

Proposers must provide a reply to each of the following items. The Consultant Certification Form (see attachments) shall be completed and submitted as the cover of the Proposer's response. Provide a brief but concise response to each of the following criteria areas. Do not assume the City has any prior knowledge of the Proposer. Proposal response must be in the same order as presented below:

a. OVERALL PROJECT UNDERSTANDING AND APPROACH

- i. Describe the Proposer's knowledge and understanding of the Project and Services described in the Statement of Work Section;
- ii. Define the Proposer's approach to staffing and scheduling needs for the services;
- iii. Define proposed solutions to any perceived design and constructability issues;
- iv. Describe the design philosophy, if applicable, and approach to the services described in the Statement of Work Section.
- v. Provide an estimate of the amount of time needed to complete each major task and a preliminary schedule of major elements.

b. EXPERIENCE

- i. Describe the Proposer's availability and capability to perform the required services outlined in the Statement of Work Section;
- ii. Describe Proposer's and their sub-consultants demonstrated ability to successfully complete similar services on time and within budget, including whether or not there is a record of satisfactory performance under OAR 137-048-0120(2) (the City's or other public agency's record of Consultant's performance);
- iii. Describe Proposer's performance history, including but not limited to:
 - i. Quality of work
 - ii. Ability to meet schedules
 - iii. Cost control methods
 - iv. Contract administration practices
- iv. Describe your experience working within the framework and requirements of grant-funded projects, specifically CDBG-funded projects. Identify if the project(s) finished on schedule and within the budget;
- v. Provide the status of any required license or certification.

c. PERSONNEL

- i. List the Proposer's key staff to be assigned to the Project and describe their experience in providing similar services on comparable projects;
- ii. Describe the amount and type of resources, and list the number of experienced staff persons Proposer has available to perform the services described in the Statement of Work Section;
- iii. Show the recent, current and projected workloads of the staff and resources referenced above to be assigned to the Project;
- iv. Estimate the proportion of time that the key staff referenced above would spend on the services described in the Statement of Work Section.

d. SUB-CONSULTANTS

- i. List the sub-consultant(s) that would be retained, and their roles with the Project;
- ii. List the sub-consultant(s)' key staff, amount and type of resources, availability, current workload, and proportion of time Proposer estimates sub-consultant(s)' key staff to spend on the services described in the Statement of Work Section;
- iii. Describe the sub-consultant(s)' demonstrated ability to successfully complete similar services on time and within budget, including whether or not there is a record of satisfactory performance under OAR 137-048-0120(2) (the City's or other public agency's record of sub-consultant(s)' performance);
- iv. Describe sub-consultant(s)': Performance history in producing high quality work; meeting deadlines; controlling costs; and working within the framework and requirements of grant-funded projects, specifically CDBG-funded projects.

e. GEOGRAPHIC PROXIMITY; FAMILIARITY WITH PROJECT LOCATION

- i. Describe the Proposer's and sub-consultant(s)' geographic proximity to and familiarity with the physical location of the Project and the design and construction procedures specific to the Project area, including local permitting procedures and regulations.

f. REFERENCES

- i. Provide at least three (3) references for projects of similar size and scope including client name; key contact's name, address, email, and phone number; and a brief description of the project. References for CDBG-funded projects preferred.

g. OPTIONAL INTERVIEWS

- i. The evaluation committee may elect to interview Proposer(s) if the evaluation committee considers it necessary or desirable. The interview process may be used to supplement and clarify the information contained in the Proposal(s).

Cost Information

Proposers will submit, in a separate and sealed envelope, ONE (1) PRINTED COPY EACH of the Proposer's proposed Billing Rate Schedule and Cost Estimate Breakdown to complete the services.

Cost information WILL NOT be used as a part of the evaluation process.

The Billing Rate Schedule must include the name, job classification and fully loaded hourly billing rate for each employee that may be used under the contract, including sub-consultant employees. The Cost Estimate Breakdown must include a detailed breakdown of the costs for each element of the work, including proposed staff assignments, job classifications and sub-consultants; hours per task and sub-task; and itemized direct non-labor costs, including reimbursable expenses.

The cost information requested will not be used as part of the evaluation process but is requested solely to enable a prompt beginning to the contract negotiation process.

After the *Notice of Intent to Award* has been issued, the cost information from the successful Proposer will be opened and reviewed by the City and CPFB. Upon the successful negotiation of a contract with the successful Proposer, the proposed cost information from all unsuccessful Proposers will be returned unopened.

Proposal Format and Submission

Submit FIVE (5) COPIES of your written Proposal, as well as ONE (1) PDF format copy of your Proposal on a CD, DVD, or flash drive.

Submit ONE (1) ORIGINAL print copy each of your proposed Billing Rate Schedule and Cost Estimate Breakdown in a separate and sealed envelope. **Cost information WILL NOT be used as a part of the evaluation process.**

DELIVER PROPOSAL TO:

City of St. Helens
Attention: Jenny Dishmo
265 Strand Street
St. Helens, OR 97501

MAIL PROPOSAL TO:

City of St. Helens
Attention: Jenny Dishmo
P.O. Box 278
St. Helens, OR 97501

Proposals must be contained in a document not to exceed fifteen (15) double-sided 8 ½ x 11 pages including pictures, charts, graphs, tables and text the firm deems appropriate to be part of the review of the firm's Proposal. Resumes of key individuals proposed to be involved in the Project are exempted from the 15-page limit and should be appended to the end of your Proposal. No supplemental information to the 15-page Proposal will be allowed. Appended resumes of the proposed key individuals, along with a transmittal letter, table of contents, front and back covers, and blank section/numerical dividers, etc. will not be counted in the 15-page limit.

Information shall be presented in the same order as the above Proposal Content. The Proposal should be submitted in soft-bound (comb or spiral – no three-ring binders) format. The basic text information of the Proposal should be presented in standard business font size (minimum 10-point), and reasonable margins. Your Proposal must be signed by an officer of your firm with the authority to commit the firm.

**Telephone, facsimile, or electronically transmitted Proposals will not be accepted.
Proposals received after the closing date and time will not be considered.**

Section 4 – Evaluation & Selection

Evaluation of Proposal

The evaluation committee will review, score and rank Proposals according to the evaluation criteria set forth in this Solicitation. Evaluation shall be in accordance with the subjective evaluation criteria defined below. The evaluation committee will consist of two representatives from the City, two representatives from the Food Bank, and the CDBG Administrator.

Evaluation Criteria

The evaluation committee shall grade each Proposal by reviewing and evaluating the line items required to be submitted above. The following table indicates how the total points in the scoring shall be assigned by Proposal line item. Failure to meet minimum requirements for any individual item may disqualify the Proposal regardless of the total points scored for the other items.

Proposal Content	Maximum Points
Overall Project Understanding and Approach	15
Experience	20
Personnel	20
Sub-Consultants	20
Geographic proximity; familiarity with Project location	10
References	5
CDBG Experience	10
Total	100

Interviews

- The evaluation committee may elect to interview Proposer(s) if the evaluation committee considers it necessary or desirable. The interview process will be used to supplement and clarify the information contained in the Proposal.
- Interviews, if conducted, will bear on the firms' rankings in the selection process.
- Percentage/points assigned during the initial evaluation process may be adjusted by the evaluation committee members, at their discretion, based upon findings from the interviews.
- Based upon the proposal scoring, as modified by the interview, and the results of reference checks, the firms will be given final ranking by the evaluation committee. The final ranking will be provided to the City and CPFEB for a final decision to award a contract.
- Particular details about interviews will be issued to those firms invited. Such interviews/presentations will be at the firm's expense.

Selection

The evaluation committee shall provide to the City and CPFB the results of the scoring and ranking for each Proposer. If the City does not cancel the RFP after it receives the results of the scoring and ranking for each Proposer, the City shall begin negotiating a Contract with the highest ranked Proposer. The City shall direct negotiations toward obtaining written agreement on:

- a. The Proposer's performance obligations and performance schedule;
- b. Payment methodology and a maximum amount payable to the Proposer for the Architectural and Engineering Services required under the Contract that is fair and reasonable to the City as determined solely by the City, taking into account the value, scope, complexity and nature of the Architectural and Engineering Services; and
- c. Any other provisions the City believes to be in the City's best interest to negotiate.

Termination

The City shall, either orally or in writing, formally terminate negotiations with the highest ranked Proposer if the City and Proposer are unable for any reason to reach agreement on a Contract within a reasonable amount of time. The City may thereafter negotiate with the second ranked Proposer, and if necessary, with the third ranked Proposer, and so on, in accordance with section (6) of OAR 137-048-0210, until negotiations result in a Contract. If negotiations with any Proposer do not result in a Contract within a reasonable amount of time, the City may end the Solicitation and thereafter may proceed with a new informal Solicitation under OAR 137-048-0210 or proceed with a formal Solicitation under OAR 137-048-0220.

Selection Process Milestones

The milestones for the selection process are set forth below. The dates are approximate but will be followed to the extent reasonably possible. The purpose of this schedule is for Proposers' information only. Required dates for submittals and any other activities are provided elsewhere in this Solicitation.

<u>Activity:</u>	<u>Completion Date</u>
Solicitation Document Available	May x, 2019
Deadline for Questions	May x, 2019 at 3:00 p.m.
Deadline for Addenda	May x, 2019
Submit Proposals	June x, 2019 at 5:00 p.m.
Deadline for Award Protests	7 days after Notice of Intent to Award at 12:00 p.m.
Contract Award	on or about July x, 2019
Begin Services	on or about July x, 2019

Responsibility Evaluation

The City will investigate a Proposer's responsibility and will consider information obtained from any source as part of its evaluation, at any time prior to execution of the contract. Submission of a signed Proposal constitutes the Proposer's approval for the City to obtain any information the City deems necessary to conduct the evaluation including, but not limited to, credit reports and information discovered during reference checks.

Project Contract

The selected Proposer will be awarded a contract that substantially conforms to **Attachment B**. Before the contract can be approved, it must also be reviewed and approved by the Infrastructure Finance Authority to ensure compliance with CDBG requirements. Submittal of a Proposal indicates Proposer's agreement with the terms of the attached contract. Any open terms in the attached contract will be completed, based upon awardee's Proposal. The Contract requires that the selected firm comply with all applicable federal and state laws, rules and regulations.

Section 5 – Additional Architect/Engineer Contract Requirements

Incorporation of CDBG Grant Contract; Required Federal Contract Clauses

This Contract shall be subject to all provisions, requirements, and conditions of CDBG Grant Contract Number C18005 and the Community Development Block Grant Management Handbook, which are incorporated herein by this reference. **Attachment C** of this RFP includes the required federal contract clauses: *Exhibit 5E – Grant award exceeds \$100,000 Non-Construction Contracts and Exhibit 5C – Section 3 Summary Report from HUD 60002*. In the event that any term or provision of this Contract conflicts with CDBG Grant Contract Number C16009, the terms of the Grant Contract shall control.

Certification of Compliance with Tax Laws

By submission of your Proposal, the signatory (a duly authorized representative of the submitting firm) must certify that the firm is not, to the best of their knowledge, in violation of any Oregon tax law. For purpose of this certification, "Oregon Tax Laws" means a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250, ORS Chapters 118, 314, 316, 317, 318, 321 and 323; the elderly rental assistance program under ORS 310.630 to 310.706; and local taxes administered by the Oregon Department of Revenue under ORS 305.620.

Section 6 – Attachments

Attachment A – Consultant Certification Form

Attachment B – Draft Architect/Engineer Services Contract

Attachment C – Required Federal Contract Clauses

Exhibit 5C – Section 3 Summary Report from HUD 60002

Exhibit 5E – Grant Award Exceeds \$100,000 Non-Construction Contracts

Attachment D – Building Reports

CONSULTANT CERTIFICATION FORM

(Consultant)

(Physical Address)

(City, State, Zip)

1. The Consultant certifies that he or she has read and understands the terms and conditions of all documents pertaining to this RFP.
2. The Consultant acknowledges that he or she that signs this Certification is fully authorized to sign on behalf of the Consultant listed and to fully bind the Consultant listed to all conditions and provisions thereof.
3. The Consultant certifies that Consultant has complied or will comply with all requirements of local, state, and national laws, and that no legal requirement has been or will be violated in making or accepting this RFP.
4. The Consultant is registered with the Oregon State Board of Architect Examiners (ORBAE); Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS); Construction Contractors Board of Oregon (CCB); and/or Landscape Contractors Board of Oregon (LCB), if required.

License Number _____ Licensing Agency _____

5. The Consultant, pursuant to ORS 279A.120 (1), **(check one)** is _____ / is not _____ a resident Bidder. If not, indicate State of residency _____.
6. The Consultant certifies that it has not discriminated and will not discriminate, in violation of ORS 279A.110, against any minority, women or emerging small business enterprise in obtaining any required subcontracts.
7. The Consultant hereby certifies that to the best of Consultant's knowledge, s/he is in compliance with all Oregon Tax laws described in ORS 305.380(4).

Federal Tax ID _____ Oregon Tax ID _____

Respectfully submitted this _____ day of _____, 2017.

Signature:_____

Name_____

Phone:_____

(print/type)

Title:_____

Email

Address:_____

DRAFT

MASTER PLAN PROJECT GOALS

The master plan for Godfrey park is intended to provide guidance for the placement of new play equipment throughout the park and create rich play experiences through a wide variety of play features and opportunities.

The design of the park is driven by the following goals set out at the beginning of the project:

- **Provide nature-based play:** Provide a design that engages kids with nature.
- **Use natural and available materials:** Use tree trunks, branches, boulders and other natural readily available materials in the design.
- **Improve accessibility and circulation:** Provide access to an ADA swing and the existing pavilion.
- **Replace play equipment:** Existing equipment, such as the swing set, should be replaced with new equipment.
- **Design will be installed by City staff:** No general contractor will be used for park implementation.
- **Provide a cost-effective concept:** \$30,000 is available for initial equipment purchases; more money may become available later through grants or other funding sources.
- **Create a plan that can be implemented in phases:** Provide a holistic vision for the park development.

MASTER PLAN OVERVIEW

The master plan illustrates the creation of a series of “rooms” that are individually and uniquely characterized with inexpensive and accessible resources that offer distinct, fun, and tactile experiences for a variety of age groups. The rooms are linked with a pathway so kids can move from one room to another, encouraging movement and creating a circuit of experiences. A room with an accessible swing and rooms created for toddler use are placed along an accessible pathway for ease of access. Rooms created for older users are set further away from the main path.

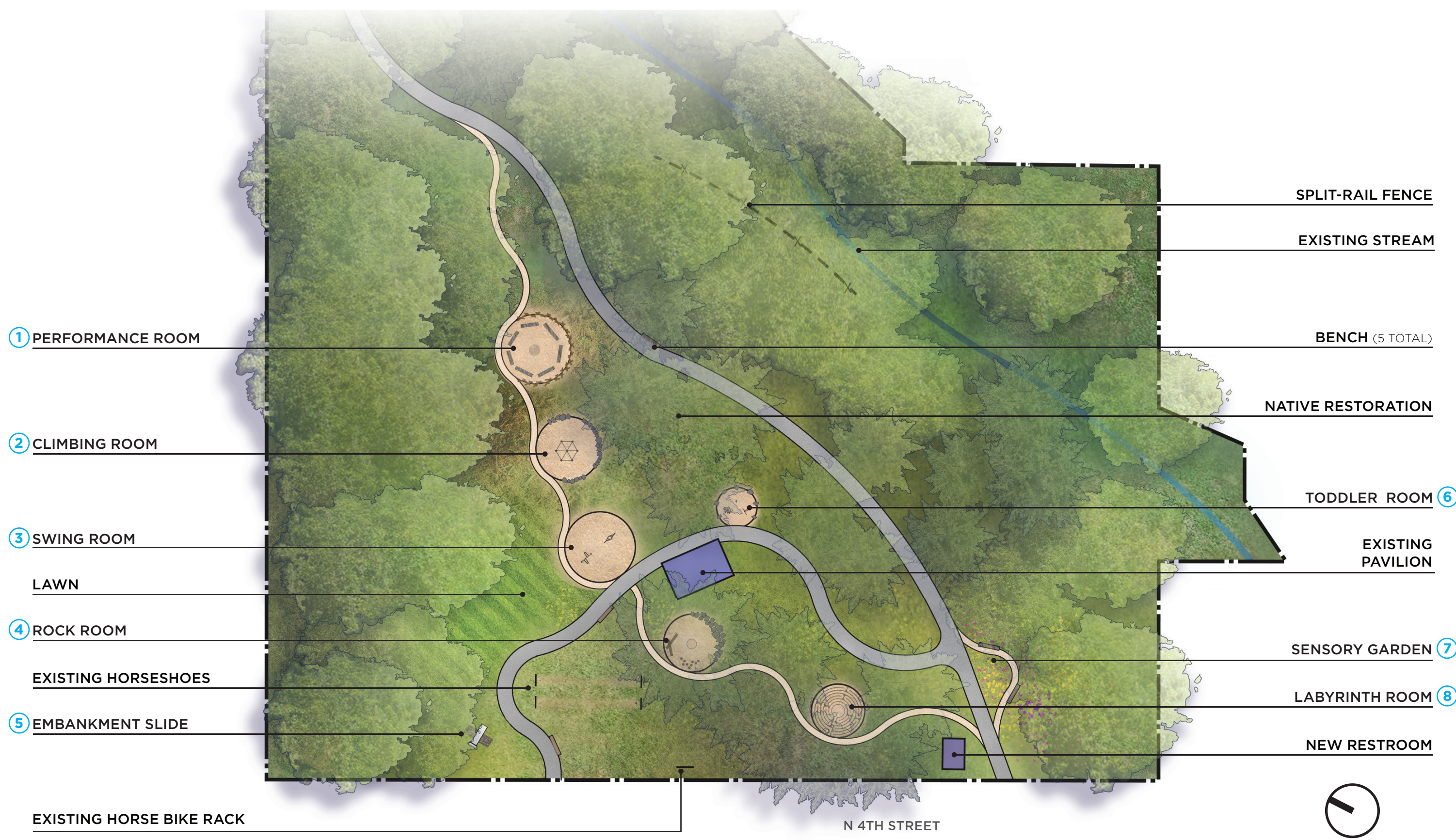
Each room is intended to be distinct in purpose, use, and expression of materials. For instance, a performance room is intended to encourage small groups of kids to engage in drama or social activities, yet the climbing room encourages active use. The arrangement of natural materials at the perimeter of each room should be unique to create a variety of spatial experiences and edges. For example, boulders placed closely together, yet at different heights, would create one type of enclosure experience at the climbing room, while logs or a split rail fence at the perimeter of another room would cause that room to feel different in its character. The rooms and secondary pathways would have a bark chip surface. In order to accommodate fall protection, areas around play elements would require a specific depth and breadth of engineered wood fiber, which is similar to standard bark chips.

A new major pathway is indicated on the plan to create more purposeful site circulation, emphasize the importance of the existing shelter in the center of the park, and create an accessible route to the play features. A new restroom is placed near the park’s current entry to take advantage of its proximity to existing infrastructure. Removal of two of the site’s horseshoe pits enables the placement of an embankment slide at the north end of the park along N 4th Street, along with additional open lawn space. New benches are placed throughout the park to contribute to the park’s overall usability and enjoyment.

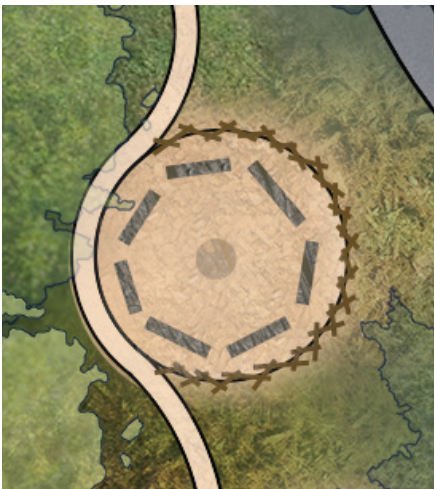
The images and descriptions that follow the plan are intended to be used as a toolkit to illustrate the design-intent and concepts of the master plan. This plan and toolkit are conceptual in nature, the installation techniques are intended to be simple, and the materials are intended to be natural and readily available.

No survey was available for the creation of this master plan; the plan was prepared with basic GIS data available from the city. Prior to implementation of plan elements, existing tree roots, slopes, utilities and the location of other physical site features should be verified.





① PERFORMANCE ROOM



Design Intent:

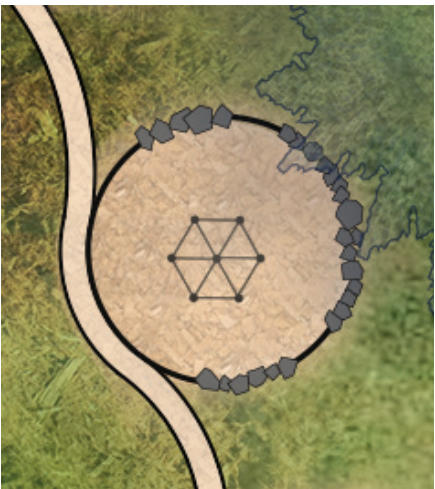
- An area with logs placed in a circle or semi-circle to create an amphitheater with a stage or performance areas located in the center.
- Suitable for young and older children.

Equipment and Materials:

- Seating elements can include: log rounds cut and placed upright to create individual seats, or logs placed as bench seats.
- Stage can be a constructed element like a deck, a large tree stump, a large open area, etc.



② CLIMBING ROOM



Design Intent:

- A climbable play structure suitable for older children.

Equipment and Materials:

- Classic TimberForm Pole Climber by Columbia Cascade Company (Model #4500-209)
- Perimeter boulders



example of similar product



model #4500-209

③ SWING ROOM



Design Intent:

- Provide an ADA accessible swing to be used by park-goers of all abilities
- Locate near ADA accessible pathway and close to the existing pavilion

Equipment and Materials:

- Nest Swing with wood posts by Columbia Cascade Company (Model # 1555-1-PL)
- Double Belt Swing with Wood Posts (Model #1561-2)



double belt swing



nest swing

④ ROCK ROOM



Design Intent:

- An open space for young children with large boulders and logs to climb and play on. Materials arranged around tree to create interesting and fun moments of play, and to create a low wall on one edge of the room.

Equipment and Materials:

- Boulders and logs of various sizes from city sources.



⑤ EMBANKMENT SLIDE



Design Intent:

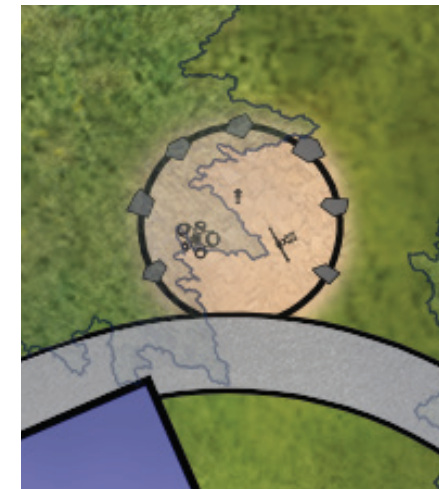
- Modify the existing slope to create a short embankment slide near park entry. Use logs to retain soil and to create a fun surface to climb.
- Suitable for young and older children.

Equipment and Materials:

- Double wide steel embankment slide (approximately 5'-0") by Columbia Cascade Company (Model #1640-51-EMB)
- Logs from city sources.



⑥ TODDLER ROOM



Design Intent:

- A collection of play equipment suitable for toddlers and young children.
- Locate near existing covered pavilion.

Equipment and Materials:

- Spring Rider "Loggie" from Columbia Cascade Company (Model #3886-01)
- Various musical instruments; options:
 - Drum Tree (Model #3841-02)
 - Chain Chime (Model #3841-04)



⑦ SENSORY GARDEN

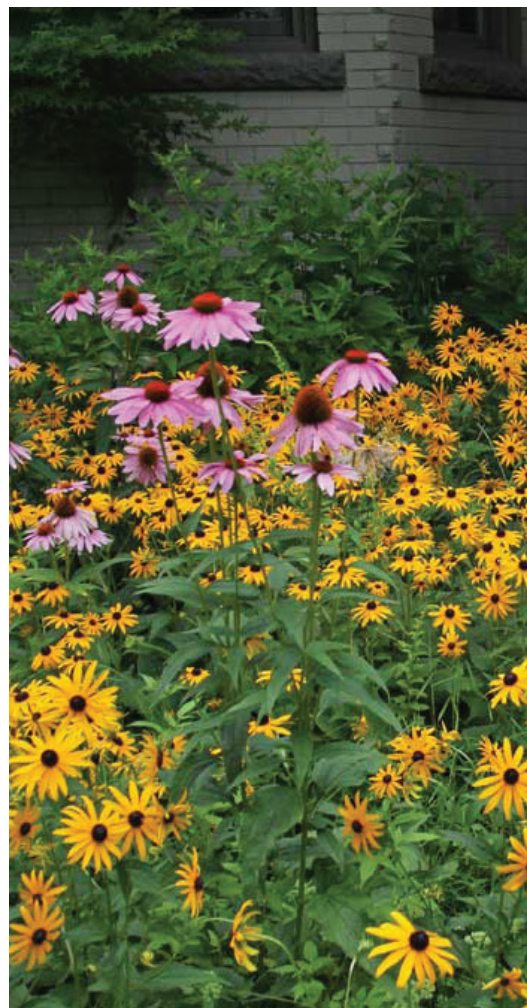


Design Intent:

- Arrange benches around a small planted area, creating a quiet area off the main path for seniors to sit and enjoy the park.
- Plant with colorful and fragrant perennial plants to create the feel of a sensory garden.

Equipment and Materials:

- Two (2) Restoration Benches with end and intermediate armrests, 6'-0" length, wood slats with embedment mount (Model #2119-8)



⑧ LABYRINTH ROOM

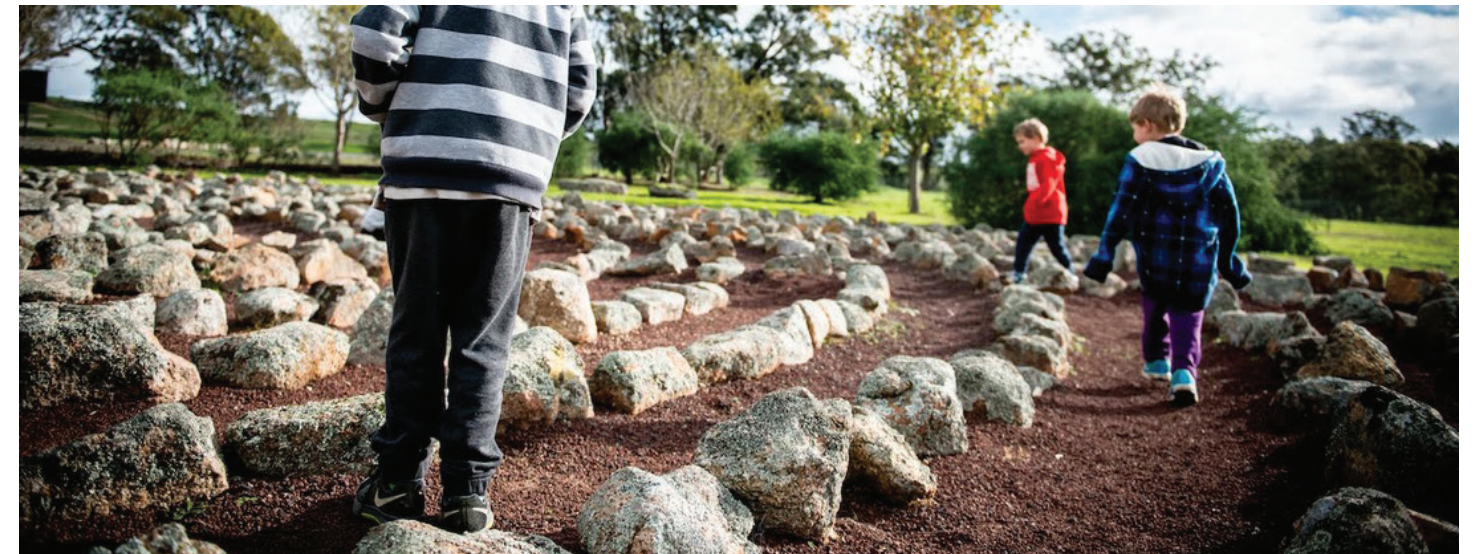


Design Intent:

- A clearing in a wooded area with a spiral or labyrinth in its center.
- Fun for people of all ages to walk around and explore.

Equipment and Materials:

- Rocks or low plant material laid out in a spiral or labyrinth pattern.



COST ESTIMATE

Play Area	Item Description	Model Number*	Qty.	Unit Cost	Notes
Performance Room					
	Logs and wood material provided by City	N/A	N/A	\$ -	
Climbing Room					
	Pole Climber	4500-209	1	\$ 6,305.00	
Toddler Room					
	Loggie Spring Rider	3886-01	1	\$ 1,415.00	
	Drum Tree	3841-02	1	\$ 3,700.00	
	Chain Chime	3841-04	1	\$ 2,495.00	
Rock Room					
	Boulders and logs provided by City	N/A	N/A	\$ -	
Embankment Slide					
	Double wide steel embankment slide	1643-51-EMB	1	\$ 5,200.00	
	Logs provided by City	N/A	N/A	\$ -	
Labrynth					
	Rocks or plants material provided by City	N/A	N/A	\$ -	
Swing Room					
	Double Belt Swing with Wood Post	1561-2	1	\$ 2,065.00	
	Nest Swing	1555-1	1	\$ 6,930.00	
Sensory Garden					
	Perennial Plant Material provided by City	N/A	N/A	\$ -	
Site Furnishings					
	"Restoration" 6' Bench with intermediate armrest**	21198	5	\$ 11,575.00	\$2,315 each.
Structures					
	Restroom provided by City	N/A	N/A		
		Total:		\$ 39,685.00	
		Freight & Delivery:		\$ 600.00	
		10% Contingency:		\$ 3,968.50	
		Grand Total		\$ 44,253.50	

* All play equipment and site furnishings provided by manufacturer Outdoor Cathedral. Contact info: David Gaston 503.332.4308

** Same model bench without intermediate armrest available for \$1,615 each.

MACKENZIE.

833.317.9051 | mcknze.com

Architecture · Interiors · Structural Engineering · Civil Engineering
Land Use Planning · Transportation Planning · Landscape Architecture

Copyright © 2019 Mackenzie, All Rights Reserved.



Memorandum

To: Mayor and City Council

From: John Walsh, City Administrator

Subject: **Administration & Community Development Dept. Report**

Date: May 1, 2019

Planning Division Report attached.

Business Licenses Reports attached.

CITY OF ST. HELENS PLANNING DEPARTMENT ACTIVITY REPORT



To: City Council
From: Jacob A. Graichen, AICP, City Planner

Date: 04.23.2019

This report does not indicate all *current planning* activities over the past report period. These are tasks, processing and administration of the Development Code which are a weekly if not daily responsibility. The Planning Commission agenda, available on the City's website, is a good indicator of *current planning* activities. The number of building permits issued is another good indicator as many require Development Code review prior to Building Official review.

PLANNING ADMINISTRATION

The theme of this month is one step forward, two steps behind. Unfortunately, due to a combinations of long range plans, City projects and the development activity in the city, permits are moving slowly.

Continue to update planning report and notice templates. Started this in 2017 and most are done, but we received our first Home Occupation application since changing the regulations that pertain to them, so needed to update the Home Occupation related templates.

Had a preliminary Q&A meeting for a large apartment complex along Gable Road close to the highway.

BPA agreement for the Bailey Subdivision (required for improvements within the BPA easement) if completed. It is an agreement between the City, developer and BPA.

Land Use Board of Appeals (LUBA) made their decision on the Vannatta et. al. v. City of St. Helens case, that originated as a Conditional Use Permit (file CUP.3.18) to Establish a marijuana retailer/medical marijuana dispensary at 100 St. Helens Street. LUBA upheld the original decision (rejected the appellants arguments). This could be appealed to the Oregon Court of Appeals.

Had a meeting with Columbia County Public Health and City staff regarding food carts. Knowing each other's regulations can help us educate people and better coordinate.

Drafted updated regulations for porta potties for the Council's consideration. See Ordinance No. 3236 on the Council's April 17, 2019 work and regular session. Note that version at the work session was amended with added language for adoption.

Had a preliminary Q&A meeting for a potential buyer of the Klondike building.

DEVELOPMENT CODE ENFORCEMENT

The Bailey Subdivision off Sykes Road broke ground recently with a bit of a hiccup. **See attached letter dated April 3, 2019.** The developer is working with us to get correct the issues.

DEQ issued a civil penalty to the developer of the Graystone Estates subdivision (the big pile of dirt by the DMV) for \$112,040 for poor management of dirt placed and stored on the site. The

developer can appeal this. They may be able to resolve the penalty by sponsoring an environmental improvement project. This issue was also discussed in last month's report.

Pelham Cutting (530 Milton Way) was observed last month placing unauthorized fill. This is the most recent in a series of improvements on the site that have not been approved. **See attached letter dated April 16, 2019.** Pellham Cutting contacted me right away and said they'd work to get things in order.

Starting last year, we received complaints about someone living in a commercial suite at 430 Columbia Boulevard. In late January, staff discussed this with the Fire Marshall. The suite is now vacant; issue resolved. Ask me about back story if interested.

PLANNING COMMISSION (& acting HISTORIC LANDMARKS COMMISSION)

April 9, 2018 meeting (outcome): The Commission approved a yard (setback) Variance for a residential garage on a property along Farmview Drive. They also recommended approval of an Annexation of property at the intersection of Gable Road and McNulty Way.

May 14, 2019 meeting (upcoming): The Commission will hold a public hearing for a Comprehensive Plan and Zoning Map change for properties along N. 1st Street from commercial to residential. They will also hold a hearing to adopt the Riverfront Connector Plan. We also need to discuss the annual report to the Council.

HOUSING NEEDS ANALYSIS

The last meeting with the consultants (FCS Group) is scheduled before the City Council as a public forum on May 1st at 6:00pm. After that, FCS Group will provide us with a final draft Housing Needs Analysis, which staff will process to adopt. We are hoping to do that later this year.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Software updates this month. Also, purchased new licenses for Planning, Engineering and Public Works.

ASSOCIATE PLANNER—*In addition to routine tasks, the Associate Planner has been working on:*
See attached.



265 Strand / PO Box 278
St. Helens, Oregon
97051

April 3, 2019

Rich Bailey Construction, LLC
PO Box 613
St. Helens, OR 97051

Kessi Engineering & Consulting
6400 NW Hwy 99 #G169
Vancouver, WA 98665

Via Email: rbaileyconstruction@hotmail.com; james.kessi@gmail.com

RE: work that has occurred on the Bailey Subdivision site contrary to plans and City law and its impact for future approvals. Applicable files: SUB.1.18/SL.1.18 and DEV.1.18.

Dear Mr. Bailey (owner),

This letter explains what has happened contrary to City law and per plans, the consequences and what is needed to get things get things back on track.

First, there is a Development Agreement pending. The Protection Area Management Plan (PAMP) is a key part of that. If you read it after what has happened on the site you would see that it is now completely outdated. **The PAMP will need to be updated to reflect a proper tree counts and restoration of wetland protection zone impacts not authorized to date.** The City cannot proceed with an ordinance until this is done, subject to City review and approval.

Second. After observing the site and speaking with some of the people involved, the work that has occurred as described below crosses the line. The extent of unauthorized impacts is inexcusable. I suspect a communication gap amongst your development team, but the City's concern is compliance with law. The City cannot regulate who you hire or their skills at communication; that is at your risk.

Whether intentional or not, the record shows what we approved and the evidence that shows otherwise is clear. **I intend to include violation fines with the final plat review process.** I hope to be modest in this regard, but that depends on your cooperation going forward.

* * *

Background

Issues with current Protection Area Management Plan (PAMP) (not yet adopted into the Development Agreement) dated Jan/Feb 2019.

1. All trees indicated as being protected and saved outside of the wetland or its 50' upland protection zone have been removed, except for some in the far southeast corner of the site between the wetland protection zone and Sykes Road and one along the north side of proposed Lot 5.
2. Some trees identified as being protected within the "outer" 25' protection zone appear to have been removed. Some impact was anticipated to the outer protection zone, but tree preservation is still relevant.
3. Some trees within the "inner" 25' protection zone have been removed. There was never any approval for "inner" 25' protection zone impact other than a trail and storm water outfall.
4. Trees to be protected and some of the wetland protection zone was supposed to have protective fencing during site development. Only the wetland itself was fenced through March.
5. The City's laws prohibit unapproved impacts to wetland protection zones. There was never a proposal to substantially impact the inner 25' protection zone. Not only were trees within this area removed, but the area was largely leveled and stripped of vegetation (including native vegetation) using mechanical equipment.

The PAMP includes a plan and a narrative document. Some excerpts from those are included below to help you understand the issues. We first look at the plan and then the narrative document.

Please note that the Wetland, Buffer, Fence and Tree Plan (dated 16 JAN 2019) which is part of the current Protection Area Management Plan (not yet incorporated into a Development Agreement) specifically states:

SITE GRADING, TREE PLANTING AND BUFFER MANAGEMENT TO FOLLOW THE PAMP (PROTECTION AREA MANAGEMENT PLAN) BY WETLANDS SOLUTIONS NORTHWEST DATED 2019 AND APPROVED DEVELOPMENT AGREEMENT FOR THE SITE. THESE DOCUMENTS SHALL REFERENCED TO AND PART OF THE CONSTRUCTION PLAN SET.

It also states:

NO TREES PROPOSED TO BE REMOVED FROM INNER 25-FOOT WETLAND BUFFER PROTECTION ZONE

Looking at the current Protection Area Management Plan (narrative document) dated February 11, 2019, note the following:

Its talks about enhancing the “inner” 25’ foot buffer. It does not describe substantial elimination of the protection zone including native vegetation. It only speaks of the trail and storm outfall impacts.

Pg. 3:

Mitigation will be provided by enhancing the inner 25 feet of the wetland protection zone by removing invasive species and planting native trees and shrubs.

Pg. 4 under the criterion regarding **minimum site disturbance** (to the protection zone):

The proposed impact is the minimum disturbance necessary to allow for development of the site in accordance with the City’s density requirements and trail connection requirements.

Pg. 5:

The project will mitigate for impacts to the 50-foot wetland protection zone by removing invasive species and planting native trees and shrubs in the entire area of the inner 25-foot wetland protection zone, which totals 18,088 SF

Pg. 6:

Prior to the start of construction, the outer limits of the inner 25-foot protection zone will be demarcated with construction fencing to prevent any construction from occurring in the protection zone. In addition, all trees to be retained on the site will be protected with construction fencing along the edge of the tree canopy to avoid impacts to the root zone of protected trees during construction.

Pg. 6 continued:

The project includes enhancement of the inner 25-feet of the wetland protection zone by removing invasive species and planting native trees and shrubs.

Pg. 6 continued:

*The inner 25-foot wetland protection zone currently contains areas where invasive Himalayan blackberry and English ivy are present under the existing native tree canopy and intermingled with existing native shrub cover. Other invasive species observed on the site include thistle and English holly. All invasive species in the inner 25-foot wetland protection zone and wetland will be removed through mowing, cutting, and/or pulling. **Native shrub species should be protected during invasive species removal activities.***

Pg. 8. There is a tree table here that is no longer valid since many trees identified as being protected have been removed.

Violation issues:

The unauthorized impacts to the “inner” 25’ protection zone constitute violations of law. Impacts to protection zones, including removal of native vegetation is not allowed with proper permitting and approval from the City. Trees are particularly protected. Note that for the purpose of wetlands and wetland protection zones a “tree” is:

“Tree” shall mean a standing woody plant, or group of such, having a trunk which is six inches or more DBH.

Please see Chapters 17.40, 17.44 and 17.132 of the St. Helens Municipal Code for more information.

Consistency:

For the **Subdivision Preliminary Plat SUB.1.18 & Sensitive Lands Permit SL.1.18**, your application indicated no tree removal within the entire 50’ protection zone. Later some impact were proposed, which we agreed to in the current PAMP (yet to be adopted into a Development Agreement). And now, even more have been removed without any communication with the City and as you can see above, completely contrary to the Protection Area Management Plan.

Photos:



Left. The subject property along Sykes Road before any development. This is where the wetland protection zone is near the road. Photo taken facing east.

Note extensive tree canopy and compare to plan, especially how close the “inner” 25’ protection zone is.



Left. The subject property along Sykes Road after site work commenced. This is where the wetland protection zone is near the road. Photo taken facing west.

Note the large trunk. This is probably the largest tree on the subject property and is within the “inner” 25 foot protection zone.

Also note the extent of impact here. All vegetation including native species have been stripped.

Below. Looking at the wetland facing east. The orange fence is the wetland boundary. Note the lack of protection for the protection zone and substantial impact to it. Many trees identified as being preserved have been removed. Native vegetation has been stripped.





Left above. The subject property before development along its west property line south of proposed Lot 15. Photo taken facing north.

Note several trees.



Left below. The subject property after development started along its west property line south of proposed Lot 15. Photo taken facing north.

The tree plan shows about a half dozen trees to be protected along this property line. All were removed. No protective fencing was ever placed.

If you have any questions, please let me know.

Respectfully yours,

Jacob A. Graichen, AICP
City Planner

Attachments (via email only):

Protection Area Management Plan (narrative document) dated February 11, 2019
Wetland, Buffer, Fence and Tree Plan (dated January 16, 2019)



265 Strand / PO Box 278
St. Helens, Oregon
97051

April 16, 2019

Attn: George Pellham
Pellham Cutting
PO Box 840
St. Helens, OR 97051

Port of Columbia County
PO Box 190
Columbia City, OR 97018

Via Email: pellhamcutting@comcast.net; allison@portofcolumbiacounty.org

RE: unlawful development activity at 526/530 Milton Way Notice of violations.

George Pellham,

There has been activity on the property currently occupied by Pellham Cutting that requires permitting from the City. Starting after around 2012 there has at least been land use expansions, substantial fill material and fencing installed, all of which requires review by the City but no permits have ever been sought.

I first noticed something in 2016 and inquired with the Port in October of 2016. Rich Bailey, a local contractor who I assume you spoke with, called me on November 3, 2016 and said that you were having Lower Columbia Engineering work on a new building and that something would be submitted soon. Rich also said the fence contractor was supposed to pull permits. I confirmed with Lower Columbia Engineering that they were working on something for you. My thought at the time was to address what should have been permitted with the new building permitting and requirements.

In February of 2017, Lower Columbia Engineering inquired about street frontage improvements so I knew there was still potential for an upcoming proposal. Didn't hear anything new until the Fall of 2018 when someone, Wil Sims I believe, came to City Hall to inquire about a temporary office building. We told him about the past issue and the permitting required for the temporary and permanent offices. The temporary building showed up on site without any permits being issued. It also looks like gravel was placed on that site for that; also without any approval. In January 2019, Jay Stoel with Hobby Logging took over the effort from Wil Sims and withdrew the Temporary Use Permit application (before any decision was made).

This March, Jay Steel visited City Hall to inquire about a grade fill permit. I had mentioned the history of the site as described above and told him we need to resolve all of the issues on this property and it will take land use permitting in addition to grade/fill permitting, at least. I thought that message was clear until we observed him delivering gravel, further expanding improvements/use of the site. Our Building Official posted a stop work order on the site on March 27, 2019 due to lack of permitting.

At this point, too much has occurred in the last 6 years or so to ignore. It is very important that you cease any land improvements after March 27, 2019 when the stop work order was placed.

I think it is also important for you to talk to the City directly. One purpose of this letter is to initiate that. **The other purpose of this letter is to notify you that if site improvements continue, this will become an enforcement issue, which can include fines and jail time. This will also become an enforcement issue if you do not cooperate resolving the unpermitted activity that has occurred on the site as far back as 2012/2013.**

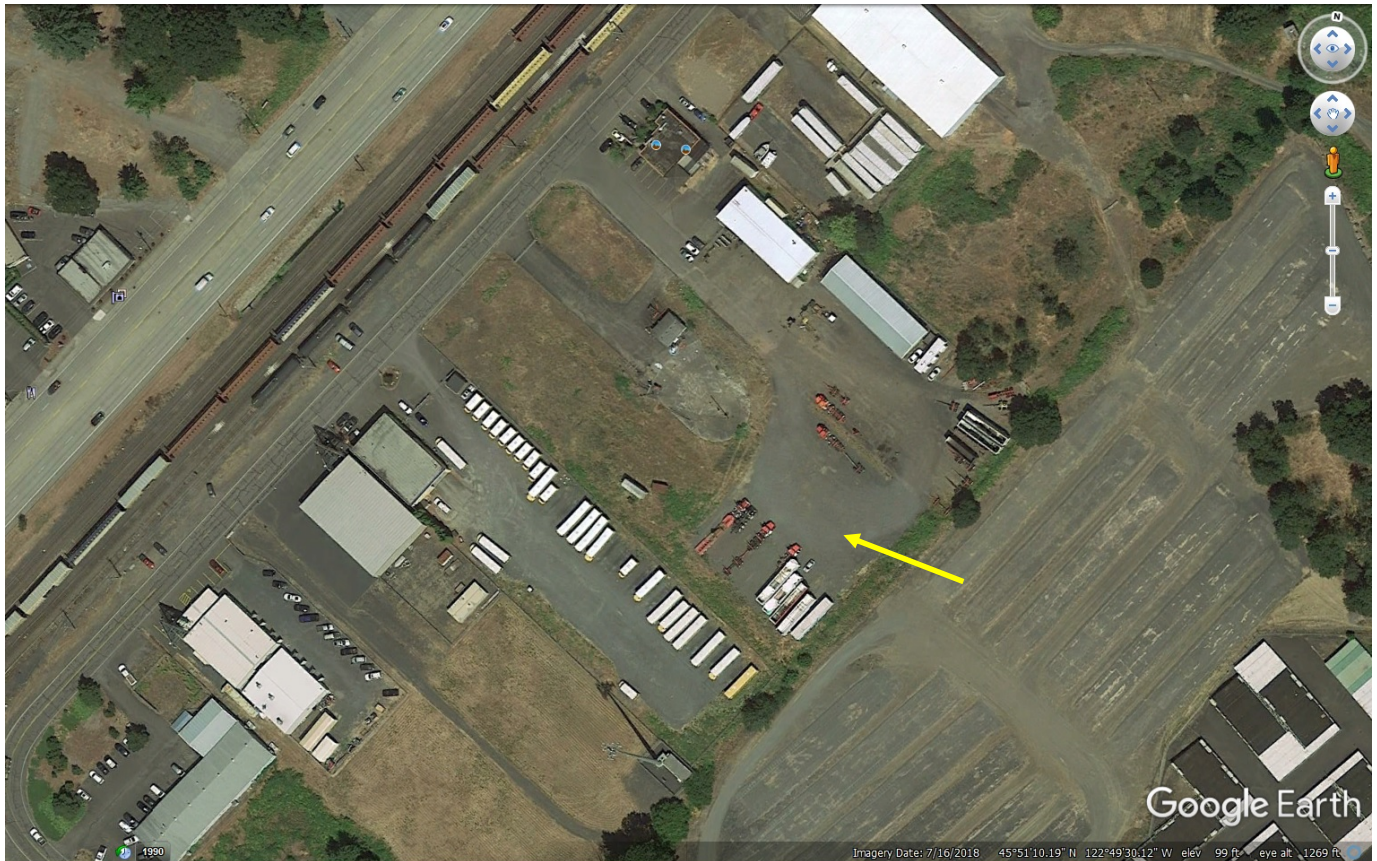
* * *

What has happened since 2012/2013 based on our observations?

Attached to this letter is a 2009 aerial photo with taxlot lines. **Please note that taxlot lines are not property lines.** Looking through our records, unless the Port of Columbia County or someone else has records that show otherwise, I believe that the taxlots encircled by the cloud constitutes one legal property. I suspect the taxlot line are for various leases. Taxlot lines and property line are not the same. This is important for the City in how certain standards apply. I heard that this may have been an issue between you and the Port for the temporary building that was proposed in late 2018.



Looking at the 2014 aerial photo on the *previous page*, some expansion of the gravel surface area is noticeable compared to aerial photos before 2013. Aerial photos from 2012 and prior resemble the 2009 one attached to this letter.



Looking at an aerial photo *above* from 2018, the area has been substantially expanded. Aerial photography shows that this happened in 2015 or 2016.

In addition to the fill/expansions above, we have photographic evidence of more recent activity.

Looking at the photos on the next page it is clear that gravel has been laid in the area of the temporary building. As noted earlier, no permits were obtained for the building. No work advancing that should have ever occurred.

Right: photo from March 2019 shows gravel expansion not evident in September 2019 (below).



Very recently, another substantial expansion of gravel surface was added. On March 27, 2019, Jay Stoel with Hobby Logging was observed adding a substantial amount of new rock to the site (about 120 cubic yards/12 loads). This resulted in a stop work order posting by the Building Official the same day.



Left: photos taken on March 27, 2019 showing Hobby Logging dumping gravel.

At the time Hobby Logging did not have a business license, although Jay Stoel came in later that day to apply for one.

None of this work was permitted and the Building Official posted a stop work order that same day (red sheet on photo below).



In addition to fill material and expansion of surfaces for vehicles, etc., fencing was installed around 2015. We usually require a permit for non-residential fencing. Fencing can impact and influence access, which is of particular concern along streets classified as collectors or arterials. Milton Way is a collector street.



Left: photo from January 2016 shows a recently installed fence along Milton Way.

Below: 2012 street view from Google Earth and aerial photography shows no fencing prior to around January 2016. No permits are on record for this activity.

It also looks like landscaping associated with the former batting cage has been removed (note discussion of this on next page).



* * *

Land Use Permit History.

In regards to land use permitting, we have a 1979 Site Design Review for the 526 Milton Way building that was originally for electronic assembly for 12 employees. It included some parking and access improvements within the immediate vicinity of the building. It did not include the pole barn building that lies to the east of it. This building is not visible in an early 1980's aerial photo at City Hall but Google Earth aerials go as far back as 1990 and that building is visible.

We also have 1994 Site Design Review for a recreation facility (batting cage). That use has long been abandoned, but it also only showed land improvement in the immediate vicinity of the batting cage building and the decision included paving, drainage and landscaping requirements. The improvement on the site in the last several years are contrary to this.

* * *

To avoid enforcement action from the City, please restore the site to the condition it was in before 2012 or apply for necessary permits from the City to make what has happened legal. There is no guarantee that what has happened can remain unchanged to be legal. There may also be additional requirements.

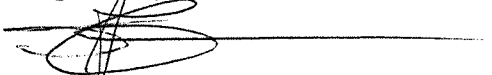
Concerns include but are not limited to:

- Unlawful land use (expansions of gravel areas and fencing)
- Lack of grad/fill permitting
- Clarifying the use of the property
- Stormwater issues
- The City's sanitary sewer line, which runs through the middle of the property
- Access along Milton Way

If you do not act to resolve these issues within a reasonable time, we will initiate enforcement action without further notice. Penalties can include attendance to municipal court, fines and jail time.

If you have any questions, please let me know.

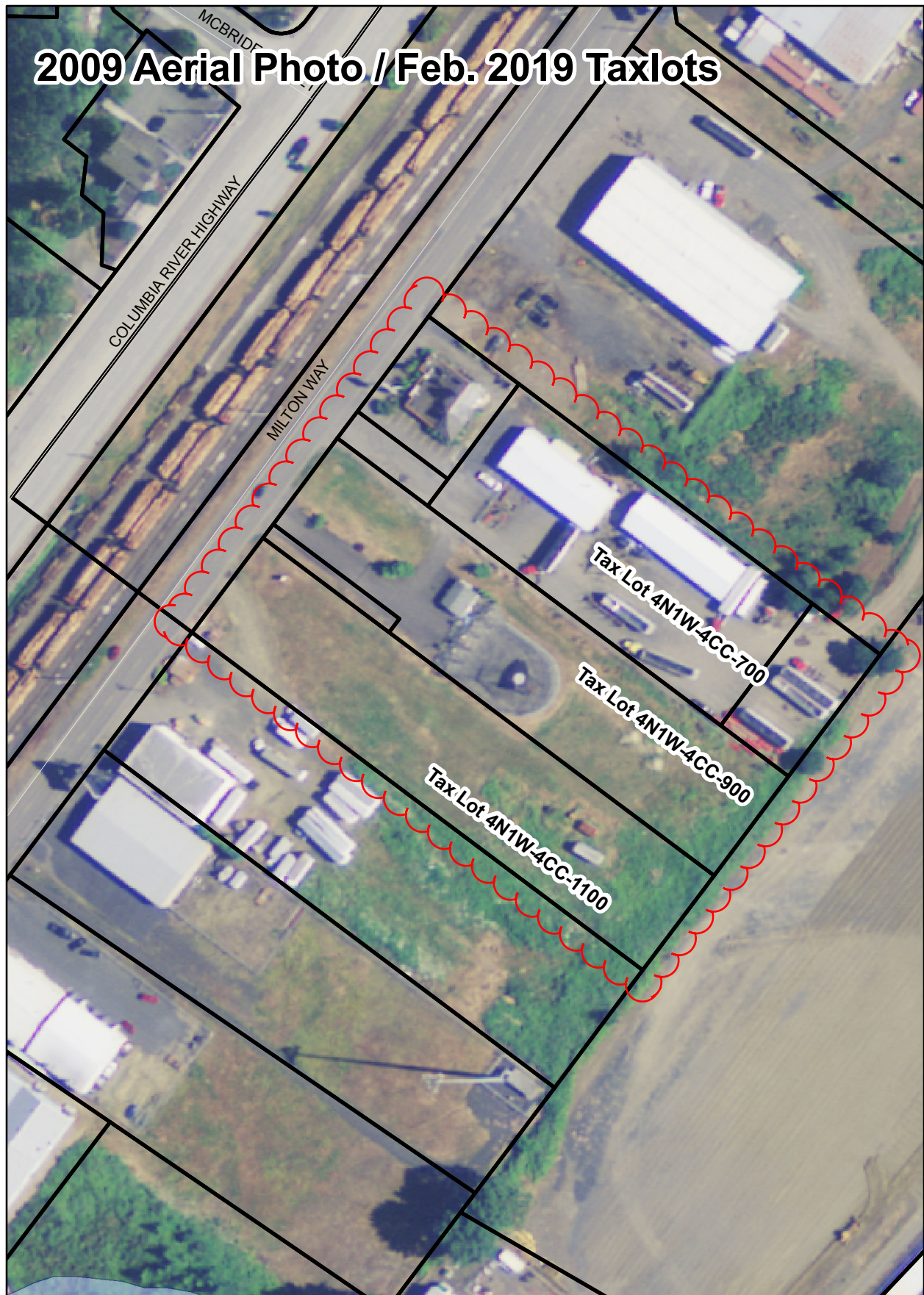
Respectfully yours,

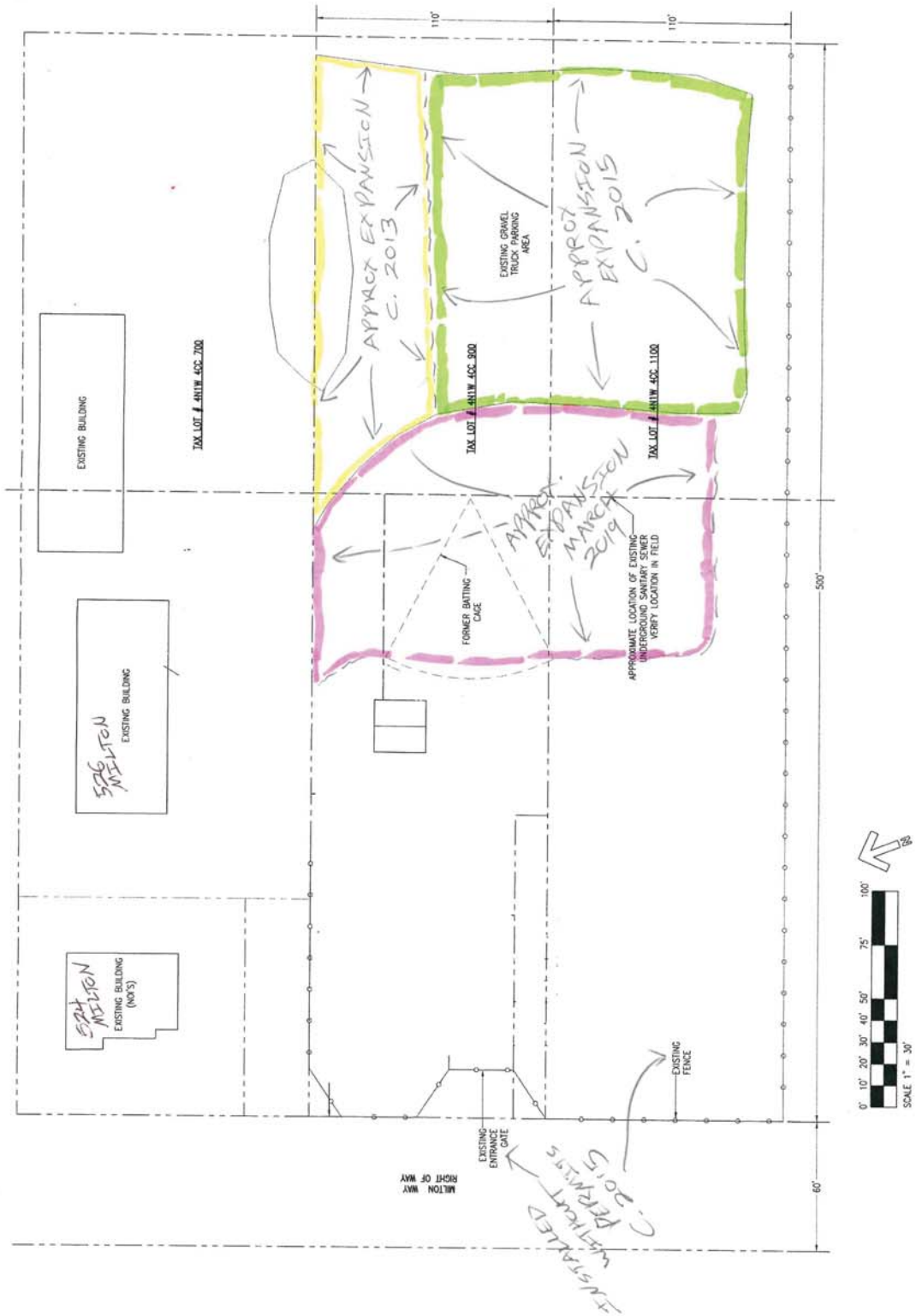


Jacob A. Graichen, AICP
City Planner

Attachments (via email only): 2009 aerial photo with Feb. 2019 taxlots
Plan illustrating unpermitted improvements described herein

2009 Aerial Photo / Feb. 2019 Taxlots





Jacob Graichen

From: Jennifer Dimsho
Sent: Monday, April 22, 2019 1:39 PM
To: Jacob Graichen
Subject: April Planning Department Report

Here are my additions to the April Planning Department Report.

GRANTS

1. Received final grant contract for **ODOT's Safe Routes to School Project** – \$322,536, \$80,634 match. Worked with Sue on work plan and timeline. First quarterly report due 6/5.
2. **Travel Oregon - Medium Grants Program (100k)** – MoU finalized with County for kiosk. PW to prepare sites for 3 vehicular sign installations and kiosk installation week of 5/6.
3. **OPRD – Veterans Memorial Grant** –Submitted a Progress Report to OPRD and received a grant deadline extension to June 30, 2019. Roof installation on covered structure complete. Next steps are stormwater catch basin and concrete pathway installation by City staff. Working on concrete donation with VFW and suppliers.
4. **TGM – Riverfront Connector Plan** – Scheduled adoption Public Hearings for May 14 before PC and June 5 before CC. Submitted DLCD review of application materials.
5. **EPA – CWA Grant Program** – Eligibility form for a Phase II on a site on Columbia Blvd submitted and approved. Awaiting final work plan. Eligibility confirmed for County-owned property on Old Portland Road (DEQ/EPA Coordination)
6. **Housing Needs Analysis** – Final Public Meeting/City Council meeting on May 1 at 6 p.m. Reviewed Draft HNA/Appendices. Prepared for meeting.
7. **OPRD – RTP – Grey Cliffs Park** – Restroom open. Paving and striping work of parking lot done. Parking and boat ramp signage to be installed. Final grading work needed on ramp before completed. Plan to complete by June 30, 2019.
8. **CDBG- Columbia Pacific Food Bank Project** – Check-in call with CDBG Project Manager, Grant Admin, and Food Bank on 4/22. Working through First Draw Requirements. Drafting RFP for Architectural & Engineering Services for the Food Bank renovations. Council/Staff/Legal review for City's procurement processes.
9. Kickoff Conference Call for **BUILD Grant Round 2 Application** with Alta Planning & Design - Discussed opportunities to make our application more competitive through project readiness and scope of work/budget.

MISC

10. Continued coordination with ODOT/ODOT Rail/P&W about **entrance sign** location at Millard Road intersection. Received application, timeline estimate, and worked on preparing accurate site plan of location to submit.
11. Attended the **APA National Planning Conference** in San Francisco, CA – April 12 – 16.
12. **Godfrey Park Nature Playground** Design – Parks Commission/City Council/City staff review and coordination
13. **Urban Renewal Agency Budget Adoption** - Budget Committee 4/22. 5/15 URA PH, and URA meeting for final adoption

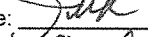
Jenny Dimsho

Associate Planner
City of St. Helens
(503) 366-8207
jdimsho@ci.st-helens.or.us

BUSINESS LICENSE REPORT

City Department Approval: 04/08/2019

The following occupational business licenses are being presented for City approval:

Signature: 
Date: 4-8-19

RESIDENT BUSINESS – RENEWAL 2019

- | | |
|-----------------------------|------------------------------------|
| • CHRISTINE SPRENGER | SELLING 2 ND HAND ITEMS |
| • JENTLE HANDS DOG GROOMING | DOG GROOMING |
| • RJR LAND & SEA TRANSPORT | TRANSPORT |
| • SLB STUDIO | VINTAGE BOOTH |
| • *WHELESS CONSTRUCTION | CONSTRUCTION |

RESIDENT BUSINESS – NEW 2019

- | | |
|---|------------------------------|
| • CLEANING ENERGY MAIDS | RESIDENTIAL CLEANING SERVICE |
| • THE JANE GARCIA TEAM/KELLER WILLIAMS REALTY PROFESSIONALS | REAL ESTATE OFFICE |
| • UNWINED WITH ART LLC | ART CLASSES |

NON-RESIDENT BUSINESS - 2019

- | | |
|--|----------------------|
| • HOBBY LOGGING & CONST. INC | CONSTRUCTION |
| • INDUSTRIAL CONTRACTOR SERVICES INC. | GENERAL CONTRACTOR |
| • INTEGRITY CONSTRUCTION GROUP INC | ROOFING CONTRACTOR |
| • MCFARLAND DESIGNS LLC | GENERAL CONTRACTOR |
| • NORTHSTAR QUALITY CONSTRUCTION | GENERAL CONTRACTOR |
| • REXEL USA, INC DBA PLATT ELECTRIC SUPPLY | WHOLESALE ELECTRICAL |
| • TOWNSHIP UNITED BUILDING SERVICES LLC | JANITORIAL SERVICES |

RENTALS - 2019

- | | |
|------------------|--------------------|
| • BOND PLAZA LLC | COMMERCIAL RENTALS |
|------------------|--------------------|

MISCELLANEOUS - 2019

- | | |
|---|---------------------------|
| • ATLAS THERMODYNAMICS (7-DAY) | CONTRACTOR |
| • INTEGRITY CONCRETE & CONSTRUCTION (7-DAY) | CONCRETE AND CONSTRUCTION |
| • J. ANDERSON PLUMBING SERVICE (7-DAY) | PLUMBING |
| • K-DESIGNERS (ADDRESS CHANGE) | HOME REMODELERS |

*Denotes In-Home Business

BUSINESS LICENSE REPORT

City Department Approval: 04/22/2019

The following occupational business licenses are being presented for City approval:

Signature: [Signature]
Date: 9/19/19

RESIDENT BUSINESS – RENEWAL 2019

- | | |
|--|------------------|
| <input type="checkbox"/> THE VANITY ROOM | SALON & BOUTIQUE |
|--|------------------|

RESIDENT BUSINESS – NEW 2019

- | | |
|---|-------------------------|
| <input type="checkbox"/> FEATHERS AND LEATHERS BY HEIDI STYLE | WOMEN'S BOUTIQUE |
| <input type="checkbox"/> KOALATY PHOTOS & FILM LLC | PHOTOGRAPHY/VIDEOGRAPHY |
| <input type="checkbox"/> USA ROOFING & WATERPROOFING | ROOFING & GUTTERS |

NON-RESIDENT BUSINESS - 2019

- | | |
|---|----------------------------|
| <input type="checkbox"/> BUSY B'S EXTERIORWOOD CONSTRUCTION | GENERAL CONTRACTOR |
| <input type="checkbox"/> DE TEMPLE COMPANY | PLUMBING & HVAC SERVICES |
| <input type="checkbox"/> GONZALO OLVERA | PAINTING |
| <input type="checkbox"/> RELEVANT BUILDING CO. (DBA OF NORWAY CONSTRUCTION LLC) | PREFABRICATED HOME BUILDER |

MISCELLANEOUS - 2019

- | | |
|--|------------------------|
| <input type="checkbox"/> THE OLDE SCHOOL | ADDED TWO RENTAL UNITS |
|--|------------------------|

*Denotes In-Home Business