



## **AGENDA**

CITY COMMISSION OF THE CITY OF WARRENTON  
REGULAR MEETING  
August 8, 2023 – 6:00 P.M.  
Warrenton City Commission Chambers – 225 South Main Avenue  
Warrenton, OR 97146

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Public Meetings will also be audio and video live streamed. Go to <https://www.ci.warrenton.or.us/administration/page/live-stream-public-meetings> for connection instructions.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **CONSENT CALENDAR**
  - A. City Commission Meeting Minutes – 7.25.23
  - B. Budget in Brief – FY 2024
  - C. Public Works Department Quarterly Update – Quarter 2, 2023

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.

4. **COMMISSIONER REPORTS**
5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card and submit it to the City Recorder prior to the meeting. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the City Recorder, at [cityrecorder@ci.warrenton.or.us](mailto:cityrecorder@ci.warrenton.or.us), no later than 4:00 p.m. the day of the meeting. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

6. **PUBLIC HEARINGS** – None
7. **BUSINESS ITEMS**

- A. Update from Clatsop Community College Chair and President
- B. Consideration of Amplified Noise Variance – Movie in the Park
- C. Consideration of SW 9<sup>th</sup> and Main Avenue Intersection – Request for Bids
- D. Consideration of Safe Routes to School – Request for Bids
- E. Consideration of Resolution No. 2654; Ballot Title Adoption for Police Operations Tax Levy
- F. Consideration of City Camping Policy

**8. DISCUSSION ITEMS**

- A. Development Code Audit - Request for Proposals

**9. GOOD OF THE ORDER**

**10. EXECUTIVE SESSION**

**11. ADJOURNMENT**

**Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.**

MINUTES  
 Warrenton City Commission  
 July 25, 2023  
 6:00 p.m.  
 Warrenton City Hall - Commission Chambers  
 225 S. Main  
 Warrenton, OR 97146

Prior to the meeting being called to order, Mayor Balensifer noted for the record that there were no submitted public comment cards, and no items on the agenda will have someone coming forward; City Recorder Dawne Shaw confirmed.

Mayor Balensifer called the meeting to order at 6:00 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Henry Balensifer, Paul Mitchell, Tom Dyer, and Gerald Poe

Excused: Mark Baldwin

Staff Present: City Manager Esther Moberg, Police Chief Mathew Workman, Fire Chief Brian Alsbury, Planning Director Jay Blake, Public Works Director Greg Shafer, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 7.11.23
- B. Warrenton Community Library Board Minutes – 3.08.23
- C. Police Department Monthly Report – June 2023

**Commissioner Dyer made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Balensifer – aye; Dyer - aye**

Mayor Balensifer noted the city manager is requesting to add item 7.L for the 69 NE Heron building lease; there were no objections.

Police Chief Mathew Workman introduced new Police Officer Rick Rempfer and gave some details on his work history. He stated Officer Rempfer will attend training in November. Chief Workman gave a brief history of the badge and Officer Rempfer's wife Carrie pinned on his badge. Mayor Balensifer then administered the Oath of Office.

PUBLIC COMMENT – None

Mayor Balensifer noted there are no businesses items that require a public hearing, and as such there will be no public comments during that time.

PUBLIC HEARINGS - None

BUSINESS ITEMS

Planning Director Jay Blake discussed Ordinance No. 1262; amending the comprehensive plan to correct the urban growth boundary map and adding related text and recommending zoning districts tacking back

what was originally part of Hammond before Warrenton incorporated Hammond. He stated it is presented this evening for its second reading and adoption.

**Commissioner Dyer made the motion to conduct the second reading, of Ordinance No. 1262. Motion was seconded and passed unanimously.**

**Mitchell - aye; Dyer – aye; Poe – aye; Balensifer – aye**

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1262; an Ordinance Amending the City of Warrenton Comprehensive Plan Correcting the Urban Growth Boundary Map and Adding Related Text and Recommending Zoning Districts.

**Commissioner Poe made the motion to adopt Ordinance No. 1262. Motion was seconded and passed unanimously.**

**Mitchell - aye; Dyer – aye; Poe – aye; Balensifer – aye**

Mayor Balensifer asked if the correct motion would be to conduct the second reading by title only; City Recorder Dawne Shaw confirmed. Mayor Balensifer declared the previous motion out of order and asked for a new motion.

**Commissioner Dyer made the motion to conduct the second reading, by title only, of Ordinance No. 1262. Motion was seconded and passed unanimously.**

**Mitchell - aye; Dyer – aye; Poe – aye; Balensifer – aye**

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1262; an Ordinance Amending the City of Warrenton Comprehensive Plan Correcting the Urban Growth Boundary Map and Adding Related Text and Recommending Zoning Districts.

**Commissioner Dyer made the motion to adopt Ordinance No. 1262. Motion was seconded and passed unanimously.**

**Mitchell - aye; Dyer – aye; Poe – aye; Balensifer – aye**

Mr. Blake introduced Planning Commission member Jessica Sollaccio. Ms. Sollaccio presented the Sign Task Force recommendations and report. She discussed the challenges with the current code, recommending it gets removed from the developmental code to its own section in the Warrenton Municipal code. Mayor Balensifer thanked Ms. Sollaccio for all her work. Commissioner Mitchell stated that when he did signage in the City of Astoria, it was based on the square footage of the building and that he did not see something similar in the report. Mr. Blake added that they currently base it off front footage of the property, they are recommending they base it on a percentage of the facade. Mayor Balensifer notes he appointed the Sign Task Force because it has been an issue since Mayor Kujala was in office. Commissioner Mitchell noted his reader board at Kia and that he is bound by ODOT and asked if this will be changed in the code. Mr. Blake added that ODOT will retain what they have on Highway 101 and that the code was sent to ODOT asking for any concerns or comments and ODOT did not have any.

**Commissioner Mitchell made the motion to forward the sign code task force to the Planning Commission for further work and development. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Mr. Blake discussed the nuisance property at 158 SE Anchor Avenue. He noted that he received a complaint regarding the lack of exterior siding. Discussions began between Mr. Blake and the property owner regarding timing to complete the siding. In late June, a follow-up inspection was carried out and no movement towards completion has been made. He notified the property owner on July 3<sup>rd</sup> of the property potentially becoming a public nuisance. The City has had no contact with the property owner since then, due to their request that any contact be made through the property owner's attorney. He noted that some siding has been added to the property between July 3<sup>rd</sup> to July 25<sup>th</sup>. Mr. Blake discussed the process of declaring a public nuisance. Commissioner Mitchell stated he would like to hear from the property owner. Mayor Balensifer asked if the commission would like to suspend the rules.

**Commissioner Poe made the motion to suspend the rules to allow the property owner to make a statement. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Property owner Rick Newton gave comments and an update on the progress of the siding. Co-owner Patty Caples also spoke regarding problems with hiring a contractor to put up the siding on the house. She noted her difficulties with communicating with Planning Director Jay Blake and submitted her timeline for the record. Mr. Newton and Ms. Caples discussed their plan to continue working on the siding. Mayor Balensifer noted for the record Mr. Newton talked about the siding in the past, that he was looking for historical siding and that it took some time to acquire. Mr. Newton stated he is feeling better, allowing him to make progress on the house every day. Mayor Balensifer asked Mr. Blake if there was testimony stated for the record regarding financial status. Mr. Blake stated that he had received a copy of correspondence from the applicant a year prior indicating financial issues were not a concern. Mr. Blake followed up and offered options to move forward. Mayor Balensifer read into the record of previous communication with Mr. Newton from October 2<sup>nd</sup>, 2022 regarding his financial status. Commissioner Dyer asked if Mr. Newton would like to rescind his statement that all conversations must be with his attorney. Mr. Newton stated he will rescind that for the 158 SE Anchor property, as long as communication is returned.

**Commissioner Poe made the motion that the Warrenton City Commission declare a public nuisance exists at 158 SE Anchor Avenue, Warrenton, OR 97146 and direct staff to move forward with the appropriate abatement procedures as outlined in the municipal code. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

City Manager Esther Moberg stated the City had received a request from Robert Wirt for a continued noise variance for music at his food cart on SE Marlin Avenue/Hwy 101. The music will take place on weekends until October 15<sup>th</sup>, as band availability allows.

**Commissioner Mitchell made the motion to permit the use of amplified music at the Wirt Food Cart location on weekends, until October 15, 2023, between the hours of 2:00 – 9:00 pm. Motion was seconded and passed unanimously.**

Mayor Balensifer asked about the end time; Mr. Wirt confirmed it will typically not go past 5:00 pm.

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Public Works Director Greg Shafer discussed Change Order No. 2 for the Safe Routes to School design. He stated the change order is for a budget adjustment of \$15,760, for a total not-to-exceed contract amount of \$179,719.00. Mayor Balensifer asked if last year it was changed to a single lane due to the

cost of storm water improvement. City Manager Esther Moberg confirmed it was changed due to storm water improvement as well as utilities.

**Commissioner Dyer made the motion to approve Change Order #2 – Safe Routes to School design services, increasing the not-to-exceed contract amount from \$163,959.04 to \$179,719.04. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Mr. Shafer presented the authorization for bids, for the 2023 Pavement Management Program. He briefly reviewed the streets that will be addressed. It was noted that 56% of the paving will be done in Hammond.

**Commissioner Poe made the motion to approve advertising for bids for the 2023 Pavement Management Program.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Mr. Shafer discussed the Out-of-City Water Policy. He noted that in March of 2020, given concerns of limited water supply and potential development growth, the City moved to enact a policy restricting new water system development and connections outside the City to preserve Warrenton's water supply/reserves, as legally obligated, to customers within the City of Warrenton. The original policy remained in effect for eighteen months, with the option of renewal every six months. The proposed updated policy is to extend the restrictions of new water system development and connections outside the City.

**Commissioner Dyer made the motion to approve the updated Policy Restricting New Water System Development and Connections Outside the City of Warrenton. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Fire Chief Brian Alsbury discussed receiving a grant to allow seasonal staffing for the summer and presented Resolution No. 2653, approving and adopting increases to appropriations for unanticipated revenues from specific purpose grant for the fiscal year ending June 30, 2024. Mayor Balensifer commended the Fire Department for aggressively pursuing grants and receiving a significant amount.

**Commissioner Dyer made the motion to approve Resolution No. 2653. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

City Recorder Dawne Shaw discussed the Police Levy. She stated the current levy ends June 30, 2024, and noted the city would like to place the levy on the November ballot. Ms. Shaw stated revenues from the current levy at \$.28 funds an estimated one and a half full-time positions. If the levy is increased to \$.34 it will fund an estimated two full-time positions. Mayor Balensifer noted the issue with the tax levies and with it not being clear that if it was not approved, we would lose everything the levy currently provides. Discussion followed. Consensus was to go with the \$.34 option; staff will bring back a revised resolution. Mayor Balensifer asked Police Chief Workman what the levy increase would allow him to accomplish. Chief Workman noted the city is experiencing growth and will need additional staff. He stated if it does not pass, 24-hour coverage will be the first to go. Ms. Moberg stated the levy will fund two current patrol officer positions. There was unanimous consent to table the levy until the next meeting.

MINUTES

Warrenton City Commission

Regular Meeting – 7.25.23

Page: 4

Ms. Shaw presented two resolutions confirming the committee appointments that were made at the July 11, 2023 meeting, for the Parks Advisory Board and the Marinas Advisory Committee.

**Commissioner Dyer made the motion to adopt Resolution No. 2655. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

**Commissioner Poe made the motion to adopt Resolution No. 2656. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

Commissioner Mitchell stepped down from the dais for the next agenda item, due to a conflict of interest.

Ms. Moberg discussed an addendum to the Warrenton Kia lease. She noted the dealership has been sold to Par Coastal Enterprises LLC.

**Commissioner Dyer made the motion to approve the following lease addendum and first right of refusal for the Kia dealership to be transferred to Par Coastal Enterprises LLC. Motion was seconded and passed unanimously.**

**Poe – aye; Dyer – aye; Balensifer – aye**

Commissioner Mitchell returned to his seat at the dais.

At 6:58 pm, Mayor Balensifer asked the commission to stand at ease for five minutes to review the added agenda item, a lease for the building at 69 NE Heron; there were no objections. Mayor Balensifer brought the meeting back to order at 7:03 pm.

Ms. Moberg discussed a lease with Battery 245 for the building at 69 NE Heron. She noted it is a draft lease and noted an error in Article 3, section 3.1. Mayor Balensifer discussed the agreement for the adjoining lot, allowing the neighbor to use the lot as well. Ms. Moberg stated it will be permitted use by the tenant but not a transfer of ownership. Ms. Moberg highlighted several items in the lease. Discussion continued. Commissioner Mitchell requested to get clarification from legal; Ms. Moberg stated she will clarify with legal. Commissioner Mitchell noted the lease agreement is one of the best he has seen.

**Commissioner Poe made the authorize the City Manager to enter into a lease agreement with the stated changes and questions and authorize City Manager signature on the lease. Motion was seconded and passed unanimously.**

**Poe – aye; Mitchell – aye; Dyer – aye; Balensifer – aye**

DISCUSSION ITEMS - None

GOOD OF THE ORDER

Commissioner Mitchell stated he attended the CEDR meeting. He stated they approved their budget and noted other highlights from the meeting. He noted in the meeting they discussed occupancy rates are down in local hotels and there is an increase of people visiting for the day. He noted an event on August

15<sup>th</sup> which is a tour of our major industries and showing how the industries work and what they do in our community.

Commissioner Dyer stated he was glad to be in attendance, noting he has been ill. Due to his illness, he requested to be excused from his LCTC committee responsibility. Commissioner Poe agreed to be the LCTC representative.

Mayor Balensifer commented on the August 15<sup>th</sup> meeting; he noted other upcoming events on August 19<sup>th</sup> with the Fly-in event. He noted the Parks Advisory Committee fundraising cornhole tournament on August 19<sup>th</sup> and thanked Sara Long, Brooke Terry, and the Parks Advisory Committee for all their work to get the event to happen.

City Manager stated she attended the Oregon City Manager conference last week; the conference allowed her to gain lot of valuable information and allowed her to network with other city managers including a former Warrenton city manager.

There being no further business, Mayor Balensifer adjourned the meeting at 7:16 p.m.

Respectfully prepared and submitted by Hanna Bentley, Deputy City Recorder.

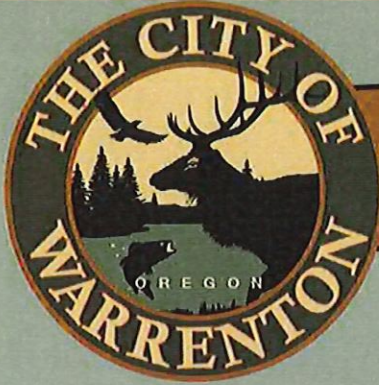
APPROVED:

\_\_\_\_\_  
Henry A. Balensifer III, Mayor

ATTEST:

\_\_\_\_\_  
Dawne Shaw, CMC, City Recorder



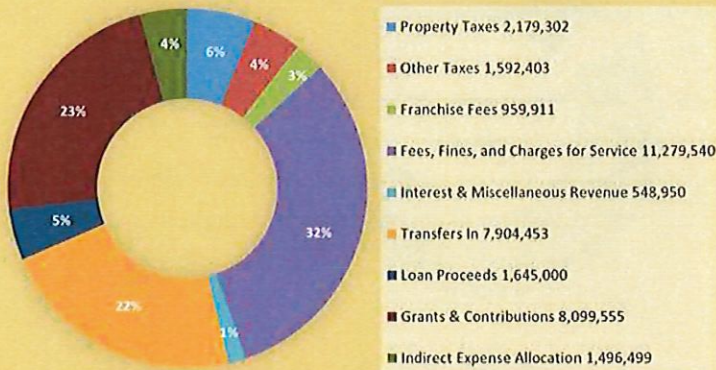


## BUDGET IN BRIEF FY 2024

3.B

Oregon Budget Law requires the City of Warrenton (and most local government entities) to adopt a balanced budget each fiscal year. The budget must be prepared, presented and administered using standard procedures. It requires citizen involvement and public disclosure before formal adoption. The budget is a financial plan that is prepared using estimates of expenditures and revenues. The budget gives the City authority to spend money and controls how that money can be spent. This Budget in Brief provides a snapshot of the City of Warrenton's FY 2023-2024 Budget. To see the City's Complete FY 2023-2024 Budget go to [www.ci.warrenton.or.us/finance/page/budget](http://www.ci.warrenton.or.us/finance/page/budget)

### Revenues (All Funds)



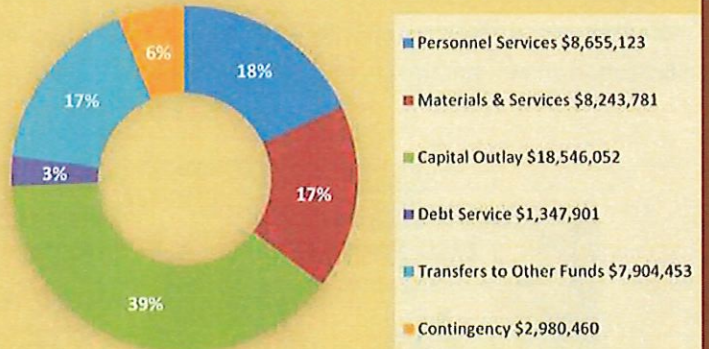
The budget is organized by funds. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City maintains 32 active funds. The estimated beginning fund balance across all funds is \$28,724,584. The beginning fund balance is reduced when current year expenditures exceed current year revenues. The estimated ending fund balance for FY 2023-2024 is \$16,752,427.

The total spending authority for FY 2023-2024 is \$47,677,770. Of this amount \$16,898,904 (35.4%) is for day to day operating costs.



This budget authorizes 64.88 Fulltime equivalent employees (FTEs). There is no change in FTEs from the previous year.

### Expenses (All Funds)



#### Major Projects Planned in FY 2023-2024:

|                                      |             |
|--------------------------------------|-------------|
| Hammond Waterline                    | \$2,645,000 |
| SW 4th Street Improvement            | 938,000     |
| Replace Raw Water Pipe Upstream      | 1,694,000   |
| Recoat Epoxy Lining Inside Clearwell | 1,175,000   |
| N Main Ave-NW 7th Place              | 837,000     |
| Safe Routes to School Phase I        | 500,000     |
| Safe Routes to School Phase II       | 3,360,000   |



#### Outstanding Debt FY 2023-2024

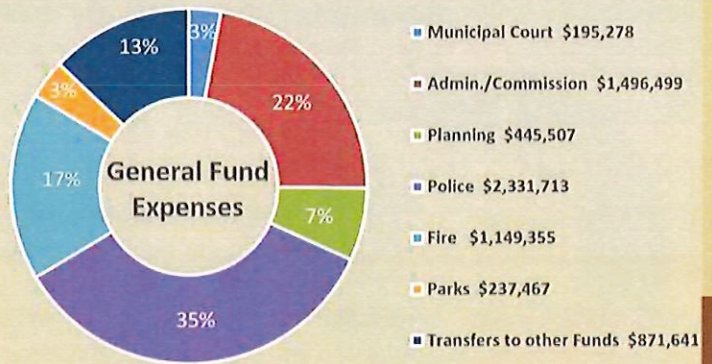
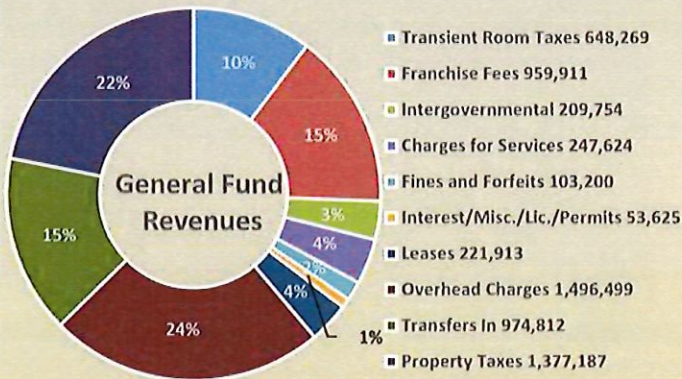
| Type                            | Balance as of 7/1/23 | FY24 Interest    | FY24 Principal     |
|---------------------------------|----------------------|------------------|--------------------|
| General Obligation Bonds (WWTP) | \$1,820,502          | \$57,723         | \$501,315          |
| General Fund Loan (Fire)        | 204,664              | 5,667            | 66,367             |
| Water Fund Debt                 | 3,021,482            | 73,038           | 466,992            |
| Sewer Fund Debt                 | 1,413,869            | 30,552           | 146,246            |
| <b>Total Outstanding Debt</b>   | <b>\$6,460,517</b>   | <b>\$166,980</b> | <b>\$1,180,920</b> |





# BUDGET IN BRIEF FY 2024

The General Fund is the main operating fund of the City. It accounts for services provided that are not accounted for in other funds. These major services include, but are not limited to, police and fire protection, management of the City's parks, operation of the municipal judicial system, City Administration/Commission/Finance, and Planning. The resources for the General Fund comes from general taxes, fees and other discretionary revenues. Dedicated taxes and fees (for example, motor vehicle tax, and water or sewer fees) are accounted for in other City Funds.



## How is *your* property tax dollar spent?

When you write your property tax check to Clatsop County, only some of your money goes to the City of Warrenton. This illustration shows what a City of Warrenton property owner pays for City and County-wide services.



If you live in tax code\* 3004 or 3010 this is what your 21 cents to City of Warrenton provides:

11\* Cents for General City Services, 6 Cents for General Obligation Bonds, 2 Cents for Library Local Option and 2 Cents for Police Officer Local Option

*\*If you live in tax code 0113 only 20 cents goes to City of Warrenton and the amount to General City Services is reduced to 10 cents.*





## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Greg Shafer, Public Works Director  
DATE: August 8, 2023  
SUBJ: Public Works Quarterly Update

### SUMMARY

Public Works continued to experience a number of staffing changes the second quarter of 2023; however, we are rebuilding our Team and continuing forward in both projects and maintenance, as follows:

#### Staffing/Training Updates:

- Paige Stump: new hire PW Executive Secretary
- Laura Dow: new hire PW Office Assistant
- Mike Ulness: reclass WTP Operator II
- Dave Davis: promoted WTP Supervisor
- Duane Hartman: reclass WWTP Operator II
- Rock Haglund Jr.: promoted PW Foreman
- Jeremy McMahon: job status change Utility Worker II
- Preston Errett: job status change Utility Worker I
- Jason Warner: new hire Utility Worker I

#### Project Updates:

- Safe Routes to School (SRTS)/SW 9<sup>th</sup> & Main to SW 11<sup>th</sup>: finalize design.
- SW 9<sup>th</sup> & Main Intersection: procure easements; prepare bid documents.
- Hammond Transmission Waterline: award design contract to Consor, Engineers, Inc.

- Raw Waterline Replacement Project: award design contract to Consor, Engineers, Inc.
- Pavement Management: complete Capital Asset & Pavement Services study; award annual overlay bid and construction management contract to North Coast Civil Design.
- WTP: complete re-roofing of plant building.

Maintenance Updates:

General maintenance, repair, servicing, engineering support on:

- Pump stations, generators, water meters, storm and sanitary sewer lines, culverts, ditches, tide-gates, Parks, potholes, Food Pod urban renewal, WWTP blowers, WTP tank repair, sanitation routes, mowing and brushing.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Dawne Shaw, City Recorder  
DATE: August 8, 2023  
SUBJ: Amplified Noise Variance Request - Movie in the Park

### SUMMARY

The City has received a request from Spruce Up Warrenton for a noise variance for the amplified sound at the Movie in the Park event. which will take place on August 10<sup>th</sup>.

### RECOMMENDATION/SUGGESTED MOTION

*"I move to authorize the use of amplified sound at the August 10, 2023 Movie in the Park event."*

### ALTERNATIVE

N/A

### FISCAL IMPACT

N/A

Approved by City Manager:

A handwritten signature in blue ink, appearing to read "Esther Moberg", is written over a horizontal line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
 FROM: Greg Shafer, Public Works Director  
 DATE: August 8, 2023  
 SUBJ: SW 9<sup>th</sup> St & Main Ave Intersection – Advertise for Bids

### SUMMARY

Pursuant to the approved budget and Capital Improvement Program (2024-2029, p. 88), Public Works is preparing bid documents and procuring necessary easements for the SW 9<sup>th</sup> St & Main Ave intersection project. This project is needed to widen the intersection to better accommodate turning movements, especially for school buses and fire trucks. Public Works intends to advertise for construction bids and is requesting Commission approval accordingly.

### RECOMMENDATION/SUGGESTED MOTION

*"I move to approve advertising the request for bids of the SW 9<sup>th</sup> St & Main Ave intersection project, according to the approved 2023-2024 budget, including 10% contingency."*

### ALTERNATIVE

- 1) Other action as deemed appropriate by the City Commission.
- 2) None recommended.

### FISCAL IMPACT

The approved 2023-2024 budget has \$220,000 allocated to this project.

Approved by City Manager: \_\_\_\_\_

*Esther Wiley*

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.





## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
 FROM: Greg Shafer, Public Works Director  
 DATE: August 8, 2023  
 SUBJ: Safe Routes to School (SRTS) – Advertise for Bids

### SUMMARY

Pursuant to the approved budget and Capital Improvement Program (2024-2029, p. 90), Public Works is nearing completion of the engineering design for SRTS, including the addition of sidewalks from the SW 9<sup>th</sup> St & Main Ave intersection to SW 11<sup>th</sup> St. Upon completion of final design, Public Works intends to advertise for construction bids and is requesting Commission approval accordingly.

### RECOMMENDATION/SUGGESTED MOTION

*"I move to approve advertising the request for bids of the Safe Routes to School project, from the SW 9<sup>th</sup> St & Main Ave intersection to SW 11<sup>th</sup> St, according to the approved 2023-2024 budget, including 10% contingency."*

### ALTERNATIVE

- 1) Other action as deemed appropriate by the City Commission.
- 2) None recommended.

### FISCAL IMPACT

The approved 2023-2024 budget has \$500,000 allocated to this project.

Approved by City Manager: \_\_\_\_\_

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
 FROM: Dawne Shaw, City Recorder  
 DATE: August 8, 2023  
 SUBJ: Adoption of Ballot Title for November 7, 2023 Elections –  
 Police Operations Levy (Resolution No. 2654)

### SUMMARY

The current five-year local option tax for police operations ends June 30, 2024. At its last meeting, the City Commission approved placing the police levy on the November ballot at a rate of \$.34 per \$1,000. Revenues raised from the levy will fund approximately 2.0 police officer positions and allow for the continuance of 24-hour police coverage. The City has had a Local Option Tax for Police Department Operations since 1999. A Resolution has been prepared for your consideration and approval.

### RECOMMENDATION/SUGGESTED MOTION

*"I move to adopt Resolution No. 2654; Calling an Election on November 7, 2023, in the City of Warrenton, Oregon, for the Purpose of Voting on a Five Year Local Option Tax for Police Department Operations for Fiscal Year 2024 – 2025 through Fiscal Year 2028-2029, Adopting a Ballot Title to Submit to the Electors of the City, and Approving an Explanatory Statement.*

### ALTERNATIVE

Other action as deemed appropriate by the City Commission

### FISCAL IMPACT

Proposed cost to the taxpayer per \$1,000 of assessed value for a \$250,000 house is \$85.00 total per year.

Approved by City Manager:

*Ethan Weberg*



**RESOLUTION NO. 2654**  
Introduced by All Commissioners

A RESOLUTION CALLING AN ELECTION ON NOVEMBER 7, 2023, IN THE CITY OF WARRENTON, OREGON, FOR THE PURPOSE OF VOTING ON A FIVE YEAR LOCAL OPTION TAX FOR POLICE DEPARTMENT OPERATIONS FOR FISCAL YEAR 2024 - 2025 THROUGH FISCAL YEAR 2028-2029, ADOPTING A BALLOT TITLE TO SUBMIT TO THE ELECTORS OF THE CITY, AND APPROVING AN EXPLANATORY STATEMENT

The Warrenton City Commission resolves as follows:

**SECTION 1.** That an election be held on November 7, 2023, for the purpose of voting on a local option tax for police department operations. The local option tax will be a five year levy of \$0.34 per \$1,000 of assessed property value each year, and, over the five year period, it is estimated that a total of \$1,510,266.00 will be raised for the purpose of funding two full-time positions in the department.

**SECTION 2.** The ballot title, submitted directly to the people, shall be as follows:

**CAPTION:** Five Year Local Option Tax for Police Operations.

**QUESTION:** Shall Warrenton increase police operations five-year levy from \$.28 to \$0.34 per \$1,000 assessed value beginning July 1, 2024? This measure may cause property taxes to increase more than three percent.

**SUMMARY:** The City will use the tax revenue from this measure to fund two current full-time police officer positions. Should this Ballot Measure fail, the police department would eliminate two full-time police officer positions, reducing ability to provide 24-hour police service. The proposed levy is \$0.34 per \$1,000 of assessed value or \$85.00 total per year for a \$250,000 house. This is an increase of \$0.06 compared to the current \$0.28 per \$1,000 policy levy which expires in June 2024. The proposed levy would begin in the tax year beginning July 1, 2024, and end in the tax year ending June 30, 2029. The money raised can only be used for police operations.

It is estimated this local option tax will raise approximately \$284,465 in 2024-2025, \$292,999.00 in 2025-2026, \$301,789.00 in 2026-2027, \$310,843.00 in 2027-2028, and \$320,168.00 in 2028-2029, for a total of \$1,510,266.00 over the five year period.

The estimated tax cost for this measure is an estimate only based on the best information available from the County Assessor at the time of estimate.

**SECTION 3.** The Explanatory Statement attached hereto as Exhibit 1 is hereby approved.

**SECTION 4.** The City Elections Officer is hereby directed to publish the ballot title and give notice of said election, as required by law, and is authorized to act on behalf of the City and to take such further action as are necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

**SECTION 5.** This resolution shall take effect immediately upon its passage.

PASSED by the City Commission of the City of Warrenton, Oregon this 8<sup>th</sup> day of August, 2023.

APPROVED

\_\_\_\_\_  
Henry A. Balensifer, Mayor

ATTEST

\_\_\_\_\_  
Dawne Shaw, CMC, City Recorder

## Five Year Local Option Tax For Police Operations \_\_\_\_\_.

### Ballot Measure Explanation:

Included on the November 7, 2023 election ballot for the City of Warrenton is a measure asking residents if they wish to authorize a five-year police operations local option levy of \$0.34 per \$1,000 assessed value. This is an increase of \$0.06 compared to the current \$0.28 per \$1,000 police levy which expires June 2024.

This Ballot Measure, if approved, would enact a Five-Year Local Option Levy to fund two current full-time police officer positions. Should this Ballot Measure fail, the police department would eliminate two full-time police officer positions, reducing the ability to provide 24-hour police service.

The proposed levy represents an increase of \$0.06 to the existing levy; from \$0.28 per \$1,000 of assessed value, to \$0.34 per \$1,000 of assessed value, or a total of \$85 per year for the average homeowner with a \$250,000 house. If passed, the levy would begin July 1, 2024, and end June 30, 2029.

The City of Warrenton covers an area of approximately 19.5 square miles, making it one of the larger cities in the State of Oregon in square miles. The City of Warrenton Police Department provides public safety to over 6,400 full-time residents, and more than double that number during busy weekends and the summer months.

The Police Department is responsible for security and safety for all of the residents and visitors. Warrenton is home to two of the largest campgrounds in the State; Fort Stevens State Park and the Astoria/Warrenton KOA, four large retail shopping areas that include a Fred Meyer Store, Costco, Home Depot, and a Wal-Mart, three marinas, a regional airport, a Coast Guard Air Station, and numerous industrial and commercial properties. All of these areas increase the influx of visitors into Warrenton. The police department also serves an active role in our public schools: Warrenton High School, Warrenton Middle School, Warrenton Grade School, Anchor Christian Academy, Encore Academy, and the Warrenton Head Start facility.

The Warrenton Police Department currently employs a Chief of Police, a Sergeant, ten full-time police officers, Police/Property-Evidence clerk, and a Police/Municipal Court Clerk. During the 2022 calendar year, the police department responded to 8,050 calls for service. This included 2,484 case reports, 1,602 arrests/citations, and 2,016 traffic incidents (Warrenton Police Department 2022 Annual Report). In 1999, a Local Option Tax Levy was created to fund approximately 1.5 patrol officer positions. Before that time, the City did not have 24-hour police service.

It is estimated this local option tax will raise approximately \$284,465 in 2024-2025, \$292,999.00 in 2025-2026, \$301,789.00 in 2026-2027, \$310,843.00 in 2027-2028, and \$320,168.00 in 2028-2029, for a total of \$1,510,266.00 over the five year period.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the County Assessor at the time of estimate.

city of warrrenton  
police department  
Nov 2023

|  | 2023-2024             |                | LOCAL OPTION LEVY PERIOD = 5 YEARS |                |                |                |                |
|--|-----------------------|----------------|------------------------------------|----------------|----------------|----------------|----------------|
|  | Police Officer Step 7 |                | 2024-2025                          | 2025-2026      | 2026-2027      | 2027-2028      | 2028-2029      |
|  | MONTHLY               | YEARLY         | YEARLY                             | YEARLY         | YEARLY         | YEARLY         | YEARLY         |
| GROSS                                      | 5,845                 | 70,143         | 72,248                             | 74,415         | 76,648         | 78,947         | 81,315         |
| FICA                                       | 447                   | 5,366          | 5,527                              | 5,693          | 5,864          | 6,039          | 6,221          |
| PERS                                       | 1,939                 | 23,267         | 23,965                             | 25,015         | 26,509         | 28,058         | 29,518         |
| UNEMPLOYMENT                               | 6                     | 70             | 72                                 | 74             | 77             | 79             | 81             |
| WC   | 195                   | 2,342          | 2,389                              | 2,437          | 2,485          | 2,535          | 2,586          |
| HEALTH INSURANCE                           | 2,029                 | 24,351         | 26,299                             | 28,403         | 30,676         | 33,130         | 35,780         |
| LIFE INSURANCE/ADD/LTD                     | 10                    | 215            | 215                                | 215            | 215            | 215            | 215            |
| <b>TOTAL</b>                               | <b>10,479.54</b>      | <b>125,755</b> | <b>130,715</b>                     | <b>137,052</b> | <b>142,553</b> | <b>149,603</b> | <b>155,716</b> |
| training / uniforms                        |                       |                | 5,000                              | 5,000          | 5,000          | 5,000          | 5,000          |
| <b>TOTAL COST OF STEP 5 POLICE OFFICER</b> |                       |                | <b>135,715</b>                     | <b>142,052</b> | <b>147,553</b> | <b>154,603</b> | <b>160,716</b> |
| <b>total</b>                               |                       |                | <b>135,715</b>                     | <b>142,052</b> | <b>147,553</b> | <b>154,603</b> | <b>160,716</b> |

Assumptions:

start officer at step 5 (assume 5% over current-in negotiations)

assume 3% increase for cola each year

fica rate of .0765 remains the same

5 year total **\$ 740,639** 1 FTE (amount needed to fund one officer)

highest pers rate for FYE 2023-2025 is .3317, assume same % increase from previous rates for 2025-2026, 2026-2027, 2027-2028 & 2028-2029

unemployment rate is .001

workers comp rate at highest rate = .0210 x 1.590 assume no change (expect exp. mod to go down)

assume Full Family Plan and health insurance increases 8% each year

Life & AD&D is \$5.25 a month; LTD is \$12.67

training and uniform costs estimated

assessed value increases 3% each year

collectible percentage is .95 each year

|   |             |             |             |             |             |             |   |
|---|-------------|-------------|-------------|-------------|-------------|-------------|---|
| ESTIMATED ASSESSED VALUATION                | 812,294,367 | 836,663,198 | 861,763,094 | 887,615,987 | 914,244,467 | 941,671,801 |   |
| UNCOLLECTABLE %5                            |             | 7,143       | 6,694       | 6,953       | 7,285       | 7,573       | 35,647  |
| AMOUNT NEEDED TO COVER 1 FTE                |             | 135,715     | 142,052     | 147,553     | 154,603     | 160,716     | 740,639   |
| SUB TOTAL LEVY NEEDED                       |             | 142,858     | 148,746     | 154,506     | 161,888     | 168,289     | 776,286   |
| RATE PER 1,000 OF ASSESSED VALUE            |             | 0.1707      | 0.1726      | 0.1741      | 0.1771      | 0.1787      |   |
| AMOUNT VARIED LEVY RATE RAISES              |             | 142,858     | 148,746     | 154,506     | 161,888     | 168,289     |   |
| AVERAGE RATE LEVY                           |             | 0.1746      | 0.1746      | 0.1746      | 0.1746      | 0.1746      |   |
| AMOUNT AVERAGE RATE RAISES                  |             | 146,116     | 150,500     | 155,015     | 159,665     | 164,455     |   |
| AVERAGE RATE LEVY ROUNDED UP                |             | 0.1746      | 0.1746      | 0.1746      | 0.1746      | 0.1746      |   |
| AMOUNT AVERAGE RATE RAISES                  |             | 146,116     | 150,500     | 155,015     | 159,665     | 164,455     |   |
| TOTAL LEVY NEEDED OVER 5 YEARS              | 776,286     |             |             |             |             |             |   |
| TOTAL <u>VARIED</u> RATE LEVY OVER 5 YEARS  | 776,286     |             |             |             |             |             | use this for one officer at step 5 over varied rate |
| TOTAL <u>AVERAGE</u> RATE LEVY OVER 5 YEARS | 775,750     |             |             |             |             |             |   |

|                         |         |         |         |         |         |           |
|-------------------------|---------|---------|---------|---------|---------|-----------|
| using .28               | 234,266 | 241,294 | 248,532 | 255,988 | 263,668 | 1,243,748 |
| # of officers at Step 5 | 1.6     | 1.6     | 1.6     | 1.6     | 1.6     |           |
| using .34               | 284,465 | 292,999 | 301,789 | 310,843 | 320,168 | 1,510,266 |
| # of officers at Step 5 | 2.0     | 2.0     | 2.0     | 1.9     | 1.9     |           |





# AGENDA MEMORANDUM

TO: The Warrenton City Commission  
 FROM: Esther Moberg, City Manager  
 DATE: August 8<sup>th</sup>, 2023  
 SUBJ: City Camping Policy for Camping Ordinance

## SUMMARY

The following is a camping policy created that staff may implement Ordinance #1265 amending section 12 of the City’s camping code. Staff are sharing the policy with the City Commission for review.

## RECOMMENDATION/SUGGESTED MOTION

Recommendation or suggested motion goes here. If a motion, wording should be

*I move to approve the Camping policy, understanding this is for staff to implement as it pertains to Ordinance 1265 regarding City Code on camping.*

## ALTERNATIVE

- 1) Other action as deemed appropriate by the City Commission
- 2) None recommended

## FISCAL IMPACT

N/A or...budgeted....or how funded

Approved by City Manager: \_\_\_\_\_

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



# City of Warrenton Camping Policy

## **CAMPING ZONE:**

Camping overnight allowed from 9pm to 7am

In a camping zone it is restricted to RV, tent site, car camping, or reasonable site. May not have built structures. Nothing may be left behind after 7am for storage.

### **Minimum provision of services includes**

A temporary camp site (9pm to 7am) for

- 1 RV trailer with a tow vehicle
- OR
- 1 tent camping site (up to one auxiliary vehicle)
- OR
- 1 motor vehicle

Any external tent or other items must be moved after 7am. No permanent parking.

## **See Map for Zones**

***Zones will be in effect starting August 15, 2023 until such time as a camp site location is created.***

## **CITY CAMP SITE LOCATION:**

### **Minimum provision of services includes**

- A temporary camp site for
- 1 RV trailer with a tow vehicle
- OR
- 1 tent camping site (up to one auxiliary vehicle)
- OR
- 1 motor vehicle
- Trash dumpster provided
- Portapotty on site

***See map for options for camp site location:***

## **GENERAL CITY CAMPING POLICY FOR PUBLIC SITES**

All campers must have a permit to stay at the camping program site. The permit may not be used anywhere other than the designated zones or public camp site.

All parties are required to move out every 2 weeks.

Permit valid for 6 weeks from date of issuance.

All requirements of rules must be followed including:

- 25 square feet 12 cubic feet.
- Permits must be obtained from the Warrenton Police Department
- Event with the permit, activities are prohibited from and not limited to the following:
- Conduct business without a business license (5.04.090)
- Create Unnecessary Noise (9.04.040)
- Obstructing the entrance to a building (Code 9.04.180)
- No storage of personal items on site when camp site has been required to be vacated. ??
- Having an open fire without a permit



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Jay Blake, Planning Director   
DATE: August 8, 2023  
Discussion Item  
SUBJ: Proposed Request for Proposals – Development Code Audit

### BACKGROUND:

Staff has prepared a Request for Proposals for services to complete a Development Code Audit. This item was included in the 2023-2024 Planning department budget.

As outlined, the City Commission would appoint a task force charged with overseeing the review of the development code. The final report will be presented to the City Commission upon completion. The following areas of concern are highlighted and should be addressed by the Code Audit:

- Streamlining Development Procedures
- Clearing up conflicting or unclear language
- Adding graphics where possible
- Homestay Lodging clarifications
- Nuisance Procedures
- Zoning District Permitted/Conditionally Permitted Uses Review
- Downtown Zoning District

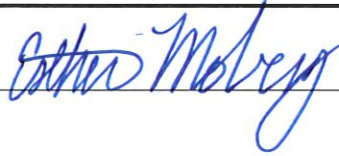
Staff would like additional input from the City Commission and Planning Commission on additional areas of concern that should be addressed before we make the RFP available.

For further information, staff has already initiated work with the Planning Commission on sign regulations, mini-storage units, chickens, and storage containers in residential districts.

FISCAL IMPACT

There is a potential cost for abatement that will need to be determined if the property owner fails to remove the nuisance.

Approved by City Manager: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Esther Moberg", is written over a horizontal line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



## RFP for City of Warrenton Development Code Audit

**Deadline for Receipt of Proposal:** 3:00 p.m. September, 22, 2023  
**Name of Contact Person and Title:** Jay Blake, Planning Director  
**Location for Receipt of Proposal:** Planning Department  
Warrenton City Hall  
255 South Main Avenue  
Warrenton, OR 97146

Signed electronic delivery of proposal by email attachment permitted at [jblake@ci.warrenton.or.us](mailto:jblake@ci.warrenton.or.us)

### Section Index:

1. General Project Description
2. Planning Background
3. Scope of Work
4. Proposal Submittal
5. Proposal Requirements and Selection
6. Award of Contract
7. Objections to Proposed Contract; Public Contract Information; Right to Cancel RFP

## 1. GENERAL PROJECT DESCRIPTION

The City of Warrenton is seeking an experienced consultant team to perform an audit of the Warrenton Development Code (WDC) and related chapters to identify code problems and define an approach for creating a more user-friendly code. The audit is intended to be a technical analysis that generates an overall strategy for streamlining the code and identifies content and policy issues that the City should adopt.

The audit should focus on problems with organization, readability, ease of use, exceptions and interpretations, as well as the identification of content and policy questions that includes the City's overall system of zoning and land use regulation and barriers to sustainable and efficient development reviews. The code audit will create the framework and approach for streamlining the code and is intended to result in a new code or new code language during this initial phase of work.

## 2. BACKGROUND

The WDC implements the City's Comprehensive Plan and governs the development of real property within the corporate limits of the city. The WDC and related codes have been amended and expanded numerous times over the years and are complex in terms of their content, and organization, making it difficult for the user to navigate and understand.

Community members, planning staff, and appointed and elected officials have all expressed concerns about the complexity of the WDC and related chapters. As a result, the City Commission has requested that staff undertake a code audit that will establish a framework to address this issue with the goal of creating a more user-friendly code.

The City Commission has appointed a Community Code Review Committee (CCRC) to assist the consulting team with local input and perspective. It is anticipated that the CCRC will oversee the process with assistance from the Planning Department staff and forward a recommendation for code amendments to the Planning Commission, City Commission and Department of Land Conservation and Development to review.

The following chapters are the subject of the code audit:

- **Warrenton Community Development Code (WMC Chapter 16)** – This chapter includes Introduction, Land Use Districts, Design Standards, Application and Review Procedures and exceptions to the Code Standards
- **Health and Safety Title 8 (Section 8.16, 8.24, and 8.28)** – This chapter includes Nuisance Procedures, Homestay Lodging Standards, Property Maintenance, Vacant Building and Chronic Nuisances

### 3. DRAFT SCOPE OF WORK

The Draft Scope of Work below represents the City's best estimate of the work needed to accomplish the objectives for this project. The City is open to a suggested approach that may deviate from this scope to better meet project objectives.

#### Task 1 - Overview

Review City codes to get an overview of organizational structure, content, and complexity. In addition to the Warrenton Community Development Code, the consultant shall examine related codes listed in Section 2.

Product: None

#### Task 2 - Stakeholder Input

Solicit feedback from stakeholders to identify problems and issues with the current code. The consultant is encouraged to conduct interviews with groups or individuals, hold a public workshop, and perform an online survey. At a minimum, feedback should be solicited from the following stakeholder groups:

- City Planning Administration - Director and Technician
- Building and Administrative Staff;
- City Attorney;
- Planning Commission;
- Development Review Committee;
- Neighborhood Groups; and
- Development Representatives – Builders, Developers,
- Business Community Members

At a minimum, the interviews shall explore the following code issues:

- Organization and ease of use;
- Readability and clarity;
- Numbering system;
- Use of graphics;
- Land use decision process;
- Exceptions and interpretations;
- System of zoning and regulation;
- Content and policy issues.

Product: Tabular or narrative report outlining the results of the stakeholder input. The report shall include an evaluation of the issues identified, including the consultant's assessment of whether issues are unique to Warrenton or whether they are common code problems that are found in many other communities.

#### Task 3 - Check Point

The consultant shall meet with the Community Code Review Committee for the project and review the findings from Task 2. Based on the results of the feedback and issues, the scope of work may be revised to better address the identified problems.

Product: One meeting with the Community Code Review Committee. Scope revisions, if necessary.

#### Task 4 – Code Examples/Research

The consultant shall provide the CCRC with examples from development codes of other communities that illustrate how codes have been structured to address the problems identified in Warrenton. These examples shall primarily focus on organization and readability and not necessarily focus on content or policy issues.

The consultant shall conduct research regarding the use of graphics in codes and the use of electronic technology to illustrate codes. Research shall also explore innovations in the use of electronic technology to disseminate code information or to provide easier access to code information.

Product: A brief memorandum regarding the research highlighting the best examples. The memorandum should include hard copy examples that illustrate key points and website links to the best examples.

#### Task 5 – Code Audit

A minimum of four meetings with the CCRC team shall be held to review the consultant's research and findings during the preparation of the code audit. The audit involves eight subtasks as set forth below. The product description for each subtask is for description purposes only; it is not intended for each chapter to be submitted separately. The final product of this task is a comprehensive report that addresses all the subtasks.

- A. Code Organization:** The consultant shall develop a framework for reorganizing the Warrenton Development Code. The framework will focus on ease of use and clarity. It should allow users to navigate through the code in such a way that relevant standards and procedures are easy to find and obvious that they apply to a particular piece of property. The reorganization strategy may suggest that new graphics, maps, or technologies are needed.

Product: A chapter in the final report presenting an outline for the reorganization of the code. A table of contents, description of a durable numbering system and a sample article of the Warrenton code shall be provided to illustrate the proposed organization, layout and format of the code.

- B. Readability and Clarity:** The consultant shall prepare a strategy for making the code more user friendly in terms of readability and clarity. This shall include an assessment of the readability of each article or chapter of the Community Development Code in which each article or chapter is graded on a scale according to magnitude of changes that are necessary to improve readability and clarity. The assessment shall include general suggestions for how each article or chapter may be improved.

Product: A chapter in the final report recommending ways in which the code can be clarified, including an assessment of each article or chapter of the code and a sample chapter or article of the code illustrating simplified language and/or graphics that would improve readability and clarity.

- C. Technology:** The consultant shall suggest ways in which the development code can use innovative technologies for dissemination of information, access by the public, mapping, graphics, etc.

Product: A chapter in the final report discussing ways in which innovative technology is

being used in at least three other jurisdictions to improve public access to and understanding of the development code. The chapter shall also include a list of recommendations for the City of Warrenton.

- D. System of Zoning and Use Regulation:** The consultant shall evaluate and describe the City's current system of zoning and use regulation and describe other zoning and use regulation models that are available. The consultant shall make recommendations as to whether another approach to zoning and use regulation should be considered and whether there is a better way in which to organize, list, and describe the uses allowed in a particular zone. This discussion should include consideration of both performance-based and form-based approaches.

Product: A chapter in the final report that briefly defines Euclidian, performance, and form-based land use regulation approaches, describes the city's current approach to land use regulation, and recommends ways the current system of zoning and use regulation can be improved.

- E. Graphics:** The consultant shall suggest ways to improve the code through the use of simple yet effective graphics. The audit work shall also evaluate existing graphics and suggest ways to clarify or modify graphics that are confusing.

Product: A chapter in the final report recommending ways to make the code more user friendly through graphics. An example article or chapter of the Warrenton development code shall be provided to illustrate how graphics can be effectively incorporated to improve the understanding of code language.

- F. Land Use Decision Process:** The consultant shall evaluate the land use decision making process and suggest ways in which to clarify, modify, and streamline the process. This shall include examining the types of decisions and the processes used to make those decisions.

Product: A chapter in the final report recommending ways to improve the land use decision process.

- G. Exceptions, Adjustments, and Interpretations:** The consultant shall examine the various exceptions and adjustments (including variances) in the WDC and related chapters in terms of organization, clarity, and ease of use. The consultant shall review other city codes and identify alternative ways to provide clear and objective standards yet also provide the flexibility to address unique situations.

The consultant shall also examine the types of code interpretations that are necessary for use of the code. The consultant shall make suggestions for ways to 1) Eliminate unnecessary interpretations and 2) Make the interpretation process more transparent and understandable.

Product: A chapter in the final report recommending ways to address exceptions, adjustments, and interpretations.

- H. Content and Policy Issues:** Based on the stakeholder input gathered from Task 2 and the consultant's understanding of best planning practices, the consultant shall compile a list of content and policy issues in the WDC and related chapters that the city should explore further. This will involve a review of the entire code and shall include a preliminary

analysis of whether the code is consistent with Metro requirements and State of Oregon statutes and rules. The consultant shall also review and discuss the experiences of other cities that have undertaken a comprehensive code rewrite in terms of timeline, costs, and best practices. The overall purpose of this subtask is to flag areas of the code that are outdated in terms of current best practices and laws and to gain an understanding of the issues, timeline, and costs that would be associated with substantive code changes prior to initiating a comprehensive code rewrite.

Product: A chapter in the final report outlining code content and policy issues that the City should explore further and a discussion of the various issues, including timeline and costs, associated with a comprehensive code rewrite.

### **Task 6 - Reporting**

Upon completion of the draft code audit described in Task 5, the consultant shall submit a draft report to the Planning Director. The Director shall provide comments and the consultant will then create a discussion draft for public review.

The consultant will present the discussion draft in a public meeting in Warrenton. Public comments will be documented. The consultant shall hold two work sessions with the CCRC and Planning Commissions (joint meetings). The discussion draft and a summary of comments from the public meeting will initially be presented to the Commissions.

Based on CCRC and Planning Commission and staff comments, the consultant shall prepare a final audit report for review and approval by the Management Team for the project.

Product: A draft report for staff review; a discussion draft for public review; a final report incorporating staff and the CCRC and Planning Commissions comments. One public meeting and two joint CCRC and Planning Review Commission work sessions.

#### 4. PROPOSAL SUBMITTAL AND SCHEDULE

##### Proposal Submittal

Parties interested in submitting a proposal should contact Jay Blake as provided below to indicate their interest in submitting a proposal and specify the manner to receive any amendments to the RFP.

Questions or comments regarding the Request for Proposals should be directed to Jay Blake, phone (503) 861-0920; or email [jblake@ci.warrenton.or.us](mailto:jblake@ci.warrenton.or.us). Any amendments to this RFP will be in writing and will be issued to all persons or businesses that have indicated an interest to receive RFP amendments. No proposal will be considered if it is not responsive to any issued amendments.

Seven copies of the proposal shall be submitted by the date and time stated on Page 1. Proposals can be mailed or hand-delivered to the Planning and Building Department at Warrenton City Hall.

No faxed materials will be accepted. Postmarks are not considered proof of delivery. If the proposal is hand delivered, it must be delivered to and stamped by personnel at the City of Warrenton's Planning and Building Department.

*Asterisk \* indicates approximate dates*

##### Schedule for RFP Process

|                          |   |
|--------------------------|---|
| September 22, 2023       | RFP Due                                       |
| October 2, 2023          | Interview Notification                        |
| Week of October 16, 2023 | Interviews                                    |
| November 2023*           | <i>(work to begin immediately thereafter)</i> |
| November 2024*           | Final Product                                 |

## 5. PROPOSAL REQUIREMENTS AND SELECTION

### Proposal Requirements

Please organize your proposal corresponding to the following outline:

1. Project Approach and Understanding - Detailed description of the Consultant's proposed approach demonstrating how the City's objectives will be accomplished as outlined in the above Scope of Work. Clearly describe and explain the reason for any proposed modifications to the methods, tasks and products identified in the Scope of Work outlined in Section 4 of this RFP.
2. Project Organization and Team Qualifications - Provide information regarding all personnel assigned as team members to this project including names, prior experience, position, role and level of responsibility in the project. The City reserves the right to reject any proposed firm or team member or to request their reassignment. The project manager shall be identified by name and shall not be changed without written approval by the City. The principal consulting firm must assume responsibility for any sub-consultant work and shall be responsible for the day to day management and direction of the project.
3. Project Timeline - Proposed timeline for accomplishing the project, including critical paths and milestones, and specific consulting staff by task based on the Scope of Work.
4. Project Coordination and Monitoring - Process for ensuring effective communication between the Consultant and the City and for monitoring progress to ensure compliance with approved timeline, budget, staffing and deliverables.
5. Proposed Cost of Services - Budget summary broken down by task, time, personnel, and hourly rate, number of hours and cost for each team member including any employed by subcontractors. Fee information should be formatted to correspond to tasks identified in this RFP; however, this format may be modified to suit the consultant's approach to this project. The summary shall include a budget for reimbursable expenses. The final cost of consulting services may be based on a negotiated detailed scope of work. The budget summary shall also include all required materials and other direct costs, administrative support, overhead and profit that will apply.
6. Similar Project Experience - Specific examples of comparable work which best demonstrate the qualifications and ability of the team to accomplish the overall goals of the project under financial and time constraints. Provide names, addresses and telephone numbers of clients associated with each of these projects. Through submission of a proposal, all respondents specifically agree to and release the City of Warrenton to solicit, secure and confirm information provided.

### Proposal Selection

Proposals will be evaluated based on the following criteria:

- Project understanding and approach for accomplishing the City's objectives
- Qualifications of project manager and project team, and proven ability to successfully complete projects of similar scope and complexity
- Thoroughness, quality and conciseness of submittal
- Proposed cost of services
- Availability and accessibility of individuals assigned to the project



- References from past and present clients

## **6. AWARD OF CONTRACT**

Subject to the City's right to cancel this Request for Proposals and to reject any and all proposals, and to the procedure for Objections to Proposed Contract, City will award the contract to the responsible proposer whose proposal the City determines is the most advantageous to the City based on the evaluation process and evaluation factors described in this Request for proposals, applicable preferences described in ORS 279A.120 and 279A.125 and, the outcome of any negotiations authorized by this Request for Proposals.

## **7. OBJECTIONS TO PROPOSED CONTRACT; PUBLIC CONTRACT INFORMATION; RIGHT TO CANCEL RFP**

The Proposer should include in the proposal any objections to the form or terms of the Contract. Any objections shall be considered after a determination of the apparent highest ranked responsive, responsible Proposer is made, and the terms shall be subject to negotiation. The Project Manager, in consultation with the City Attorney, shall determine if any proposed modifications to the form of Contract are acceptable to the City and that they do not present material risk to the City or increase the City's costs. If the final negotiated terms are not acceptable to the apparent highest ranked responsive, responsible Proposer, that Proposer shall be declared not to be responsive, and the next apparent highest ranked responsive, responsible Proposer's proposal and objections to form of Contract, if any, shall be considered, and so forth in order, until a responsive, responsible Proposer agreeable to execution of a form of Contract acceptable to the City and to the Proposer is ascertained.

**Public Contract Rules:** Except as modified by the terms of this Request for Proposal, the terms and procedures of the Warrenton Public Contract Rules shall apply.

**Notice of Intent to Award / Protest:** Notice of Intent to Award the contract shall be provided to each Proposer. Any protest of the intended award of contract must be submitted in accordance with state rules.

**Confidentiality of Proposals:** Proposals will be confidential until either a contract is awarded, or a notice of intent to award a contract is issued, whichever occurs first. If any part of the proposal is proprietary and is claimed exempt from disclosure, the Proposer should separately submit that material along with the Proposal, in an envelope marked "Proprietary Information Enclosed; Confidentiality Requested".

**Cancellation / Rejection of Proposals:** The City may cancel this Request for Proposals or reject any or all proposals, in accordance with ORS 279B.100.