

Memorandum

Date: May 22, 2015

To: Members, West Linn City Council

From: Chris Jordan, City Manager 

Subject: Miscellaneous Items

Election Recap and Next Steps

Congratulations to Councilor Russ Axelrod on your election as mayor.

The swearing in ceremony will occur after the County Clerk has certified the election results which is likely to happen in the next few weeks.

This election was very hard fought by both candidates and, by many accounts, left the City Council in the challenging position of having to repair relationships -- between Councilors; between the Council and the community, and between the City and the community. We have successfully navigated similar situations in this city before. Past Councils have found it helpful to engage the services of an outside professional coach to assist in this process. If the Council is interested in this approach, the Council should provide me with this direction and staff will refer some professionals with experience assisting with this type of challenge.

Update on Investigation

Attached is a letter to me from our prosecutor, Amy Lindgren, discussing the case against Eva Chapin. Ms. Lindgren's letter discusses the fact that she has decided to dismiss the charges against Ms. Chapin at this time. But she notes that this does not impact future prosecution of this matter; it merely allows the police department additional time to investigate and, possibly refer any future prosecution to the District Attorney's office.

Transportation Funding

According to our lobbyist, David Barenberg, there continue to be discussions in the legislature about a transportation funding package. Some of these conversations include the possibility of providing funding for preliminary engineering for a third lane in both directions on I-205 from Stafford to 99E. In individual conversations with councilors, I have not identified opposition among all of you to this proposal. As a matter of fact, it seems that this proposed funding would be supported by the Council.

Please let me know if I am incorrect in my read of this situation so I can inform Mr. Barenberg if the City Council wants to oppose this proposal. Please note also that Mr. Barenberg plans to provide the Council with a legislative update at your June 1 work session.

Fountain Across from City Hall

(This section was in my memorandum of May 1, but I have not heard from Councilors on this item and staff is still looking for feedback. If necessary, the Council may wish to discuss it on June 1.)

Community Development Director Chris Kerr has been informed by the owners of the shopping center by City Hall that they do not plan to continue to operate and maintain the fountain. Apparently, the cost of maintenance, and the concern about liability should someone be injured when playing in it or near it, have led to this decision.

We have reviewed the land use application for this project, and the fountain, although the subject of much discussion, was not included as a condition for approval of the permit. Also, because the City has no enforcement authority to require the continued maintenance and operation of the fountain, the fountain/plaza is becoming an eyesore.

We believe we have two options in dealing with this: 1) attempt to work with the property owner to ensure that the design that replaces the fountain enhances the area; or 2) the City offer to take over the maintenance and operation of the fountain, redesign it and turn it into a splash pad similar to those we have in some of our parks. We estimate the cost of option 2 to be approximately \$75,000-100,000. (Please note that this would require the permission/approval of the property owner.)

Please let me know if you have any thoughts on this.

Robinwood Station

This week staff sent a draft Request for Proposals (attached) to the Friends of Robinwood Station as a starting point toward hiring a consultant to develop a conditional use permit application. We are waiting for comments from the FORS group.

Staff has spent more time looking at this project and determined that the best way to proceed will be for the City to provide a grant of \$40,000 to FORS. This will allow FORS to hire a consultant and work with that consultant unencumbered by state or local contracting regulations.

If this is acceptable to FORS, we will add the grant agreement to the Council's June 8 agenda.

Community Development

Three items:

- The Planning and Building counter on the first floor of City Hall will be closing each day at 2:00 beginning July 1. Due to the small number of staff members in this department, we have found that staff needs more dedicated time to review land use and building permit applications necessitating the reduced counter hours. Data collected indicated that the afternoon was the least busy time at the counter and, therefore, the appropriate time to close with the least impact on customer service.
- Darren Wyss has been hired as the new Associate Planner. Darren will start here in early June.
- We have hired the team of Cogan Owens Greene (Project management, public involvement), Qamar and Associates and Structura Naturalis, Inc. (code amendments, design standards) and DKS

(Traffic analysis) to assist the Planning Commission, staff, and the community to prepare the Community Development Code amendments and design standards to implement the Arch Bridge /Bolton Area Master Plan.

Support for Oregon City Grant Request

The City of Oregon City is applying for a Construction Excise Tax (CET) grant from Metro. Oregon City is requesting a letter of support from West Linn. Attached is a draft letter of support. At the June 1 work session, please let me know if the Council is willing to offer its support to Oregon City's grant application.

Attachment



CITY OF West Linn

May 19, 2015

Chris Jordan, City Manager
West Linn City Hall
22500 Salamo Road.
West Linn, Oregon 97068

RE: West Linn Case Number 15-0467, Eva Chapin

Dear Mr. Jordan,

This afternoon I filed a Motion to Dismiss Without Prejudice the criminal charges against Eva Chapin because the West Linn Police Department re-opened the investigation of Ms. Chapin. Subsequent to filing the charging document in municipal court, Elizabeth Philips, the victim, and her family moved out of the apartment complex feeling as though Ms. Chapin intended to drive her out because of her race. Ms. Philips also obtained a temporary stalking order against Ms. Chapin in Clackamas County Circuit Court.

Please know that dismissing the municipal court case against Ms. Chapin without prejudice has no impact on any future prosecution of her. Dismissing the case at this point allows the police department adequate time to fully investigate Ms. Chapin's conduct and the impact on Ms. Philips and her family.

When the investigation is complete, the police department will refer the case to the Clackamas County District Attorney's Office for all further prosecution of Ms. Chapin. I believe it is in the best interest of the West Linn community for Ms. Chapin to be prosecuted to the fullest extent of the law. Specifically, Mark Cogan, Ms. Philip's personal attorney, indicated to Detective Poitras and me that he believes Ms. Chapin committed the crime of Coercion, a Class C Felony. Because a municipal court can only hear misdemeanor crimes, a city prosecutor cannot file felony charges against a potential defendant. By referring the case to the circuit court level, a deputy district attorney can present the case to the grand jury for potential felony charges if he/she feels it is appropriate.

I also believe it is in the best interest of the victim, Ms. Philips, for the prosecution to be handled by the District Attorney's Office due to the expansive resources its Victim Assistance Program will provide to guide and support Ms. Philips through an entire prosecution. Furthermore, as any violations of Ms. Philips' stalking order will be prosecuted in circuit court by the Clackamas County District Attorney's Office, it makes sense to have one jurisdiction adjudicating the case.

Having been a prosecutor Clackamas County for close to a decade, I trust that the district attorney's office will evaluate the case fairly and in the best interest of the community and Ms. Philips.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amy Lindgren", with a long horizontal flourish extending to the right.

Amy Lindgren
West Linn City Prosecutor

cc: Megan Thornton, Assistant City Attorney
Mark Cogan

**FRIENDS OF ROBINWOOD STATION
REQUEST FOR PROPOSALS
ROBINWOOD STATION CONDITIONAL USE PERMIT**

INTRODUCTION

Your firm is invited to submit a proposal to the Friends of Robinwood Station (FORS) to plan, complete and submit for a City of West Linn Conditional Use Permit for a Privately Operated Neighborhood Community Center. This project will include an extensive assessment of:

- Specific facility needs,
- Conditional use permit requirements and any other applicable land use requirements,
- Development options,
- Economic evaluation of the property,
- Operations management strategy for a privately operated neighborhood community center, and
- Financial strategy, including a financing program.

The budget for this project is \$40,000.

The award will be made to the respondent who is determined to be the most qualified, creative, responsible and responsive, within a competitive price range, based on an evaluation of the proposal. The successful consultant shall commence work only after an agreement (an example is attached to this RFP) with the FORS group is fully executed and a notice to proceed has been issued.

PROJECT DESCRIPTION

The purpose of this project is to work in conjunction with FORS to provide FORS with comprehensive analytical documents for the potential planning, coordination, permitting and construction of a Privately Operated Neighborhood Community Center by converting a remnant fire station. The selected contractor is expected to approach the project comprehensively and consider multiple options and the impacts of those options.

One of the documents that will be created as part of the award of this contract is a Conditional Use Permit application that complies with all West Linn Code requirements and plans currently in effect, such as the City's existing Comprehensive Plan, Community Development Code, Transportation System Plan and the State of Oregon Specialty Building Code.

TASKS AND DELIVERABLES

Part I - Existing Conditions Assessment.

- Evaluation of the City's Comprehensive Plan, the Robinwood Neighborhood Plan and West Linn Community Development Code. (as relates to this project)
- Evaluation of existing Facility footprint and the creation of a Building and Facility Needs Assessment.
- Evaluation of likely requirements resulting from the City approval of this application.
- Inventory and evaluation of non-City owned aquatic facilities and programs.
- Evaluation of the most recent pre-application meeting notes relating to this project.

Part II - Facility Assessment.

- Interpret the neighborhood and FORS public opinion of future Community Center Facility wants and needs, etc.
- Develop analysis of the facility and program desires and needs of the neighborhood and West Linn citizens in general, and assess the willingness of citizens to support various uses of the facility.

Part III - Recommendations for the Future.

- Based on information gathered in the first two parts, develop recommendations and options for a Neighborhood Community Center, and, as necessary, complimenting facilities for any Community Recreation Center.
- Develop recommendations in regards to community interest and potential demand by engaging FORS, the public, and the neighborhood.
- Develop footprint for a Neighborhood Community Center and related facilities e.g. parking etc.
- Develop recommendations for likely additional required public improvements e.g. sidewalks, streets and water quality etc. as a result of the approval of this permit application.
- Develop recommendations for the most logical phasing for such improvements.

Part IV - Propose Facility Improvements and Programs?

- Given the recommended facility and program, what are the respective estimated costs for, development, operation and maintenance?
- Prepare recommendations for professional or volunteer staffing levels for a Privately Operated Neighborhood Community Center.
- Develop recommendations for development options including description of capital cost components and viable options.
- Develop recommendations based on operating costs for expense/revenue recovery projections.
- Present recommendation(s) to FORS, the neighborhood, and West Linn citizens.

Part V- Financial Assessment and Strategy

- Develop priority construction plan based on need of the Neighborhood Community Center.
- Explore partnership options.
- Develop recommendations for management and financial strategies including organizational options, financing mechanisms, and financial impact.

Part VI - Plan of Action.

- Develop a strategic plan of action looking at implementation and phasing, as necessary.
- Identify the respective courses of action necessary to implement the strategic plan.
- Formulate a Conditional Use Permit application and any other necessary land use application to implement the proposed facility improvements.
- Develop a City Council Information Package.

Overall Public Involvement Program.

The public involvement should be undertaken throughout the project and will at a minimum include involving the neighborhood and community stakeholders as follows:

- Three Citywide workshops (e.g., group planning exercises, informational presentations, etc.).
- One Neighborhood informational meeting.
- Public hearings on the final application for Planning Commission and City Council adoption.

SCOPE OF WORK

Each firm shall submit one electronic copy of its proposal to Randall Fastabend, President, Friends of Robinwood Station. The scope of work for this project is to satisfy the objectives specified in the Project Description, Tasks, and Deliverables above. FORS encourages consultants to propose revisions to this Scope of Work in their proposals as they deem necessary to more effectively address the project objectives. Accordingly, the final Scope of Work will likely be refined once the consultant has been selected and attached to the contract.

SUBMISSION REQUIREMENTS

The proposal shall include the following:

1. Cover Letter. The cover letter with original signature shall contain:
 - a. The name, address, tax filing name and number of the corporation or business structure submitting the proposal.
 - b. The name, address, telephone, fax number, email address, and title of the person authorized to represent the firm.

- c. A brief history of the firm.
- d. Statement that the offer is valid for 60 days.
- 2. Memorandum. The memorandum shall include:
 - a. An explanation of the firm's understanding of the project and interest in performing the services required.
 - b. Examples of previous experience with projects of this nature, including a description of the work completed and client contacts that can be contacted as references.
 - c. The proposed approach to meet the project objectives, including identification of any recommended deviations from the description specified in the RFP.
 - d. The project schedule, including tasks and deliverables.
 - e. The expected fee for services to complete the project based on expected deliverables and any recommended deviations in the proposal. The expected fee for services **must be placed in a separate envelope** and set forth the Consultant's proposed fee for each of the tasks listed in the Consultant's scope of work, per hour cost, and hours.
- 3. Resume. Provide resume(s) for the Project Team, including the project manager and key staff performing work on this project, that demonstrates experience on similar projects and professional qualifications.
- 4. Consultant Interview Questions. Provide written answers to the interview questions attached to this RFP.

Please submit one electronic copy of the proposal (up to 15 MB) to Randall Fastabend, President of the Friends of Robinwood Station, at Randallfastabend88@gmail.com. Contact Randall Fastabend if you have any questions about this RFP.

EVALUATION CRITERIA

The written proposal will be judged on the completeness and quality of content. Only those Consultants, who supply complete information, as required by this RFP will be considered for evaluation.

FORS will select a consultant for this project based on the following:

Evaluation Criteria	Weight
1. TO BE DETERMINED BY FORS BEFORE RFP IS ADVERTISED	TBD%
2.	%
3.	%
4.	%
5.	%

Timelines

June 15, 2015	Requests for Proposals Advertised
July 15, 2015 by 3:00 p.m.	Proposals Due
July 16-22, 2015	Review Proposals
July 25, 2015	Interview Consultants
August 1, 2015	Award of Contract by FORS
September 30, 2015	Final Report Due to FORS for Adoption
October 7, 2015	CUP Application Submitted to City of West Linn

Contract

Execution of an agreement in substantially the same form as the agreement attached to this RFP is a condition of consultant selection. The contract terms will include the scope of services and any special terms and conditions. The contract is not negotiable. Submission of a proposal constitutes agreement to the terms of the contract. Any extraordinary circumstance requiring deviation from the agreement must be clearly identified and discussed in the proposal. Suggested revisions to these contract terms must be explained in clear language, and you must draft and submit proposed alternative clauses in your application.

Work items, in addition to those listed in the proposal, identified after the contract is awarded will be handled through an amendment to the agreement.

Incurring Costs

Neither the City, nor its agents, is liable for any cost incurred by vendors as a result of the issuance of an agreement, contract or notice to proceed.

Proposal Interpretation of the RFP

If any person who contemplates submitting a proposal finds discrepancy in, or omission from, or is in doubt as to the true meaning of any part of this RFP document, he/she shall submit to:

Randall Fastabend
3706 Cedaroak Drive
West Linn, Oregon 97068
Randallfastabend88@gmail.com
503-789-3763

A written request for a clarification or interpretation thereof at least - 5 calendar days prior to the RFP closing date.

If inquiries result in a significant disclosure, in the opinion of FORS, the question and answer will be provided in the form of an addendum to the RFP to all consultants who were sent the RFP.

FORS is not responsible for any explanation, clarification, interpretation, or approval made or given in any manner, except by addenda. Addenda, if necessary, will be issued not later than 5 days prior to the RFP closing date.

Consultant's Responsibility

The selected consultant will be required to assume responsibility for all services offered in the proposal whether or not the consultant or sub consultant produces them. FORS will consider the selected Consultant responsible for all contractual matters.

Proposal Acceptance

Proposals shall be firm for a period of 60 days after the closing date. Responding consultants may withdraw their proposal, if it has not been accepted within 60 days from the RFP closing date.

Award Criteria and Rights of FORS to Award or Reject

This RFP does not commit FORS to award a contract for the services specified in this document. Under no circumstances will FORS pay the costs incurred in the preparation of a response to this RFP.

FORS will be the sole judge in determining award of a contract based on the answers provided to the attached Consultant Interview Questions and the Evaluation Criteria above. FORS reserves the right to:

- Accept or reject any or all proposals received as a result of this RFP;
- Negotiate with any qualified Consultant;
- Accept a proposal and subsequent offers for contract from other than the lowest cost proposed.

Economy of Preparation

Proposals should be prepared simply and economically, providing a straightforward, concise description of the consultant's approach and capabilities to satisfy the requirements of the RFP and plan. Special bindings, colored displays, promotional materials, etc., are not necessary or desired. Emphasis should be on the completeness and clarity of the content.

Attachments

Consultant Interview Questions
Sample Contract

Robinwood Station
Conditional Use Permit Application
Consultant Interview Questions
July 25,2015

- 1) What in your opinion is the most critical component of a Privately Operated Neighborhood Community Center Feasibility Study for FORS?
- 2) What do you see as the roles of the FORS Board, Neighborhood Association, and the Community in developing this study? How will you address/balance the issues/roles of special interests?
- 3) Please explain your vision of the Community involvement process.
- 4) What experience do you have with privately operated community centers and conditional use permits?
- 5) What are the most important trends in community recreation space planning in a suburban area?
- 6) What processes will you utilize to ensure the Robinwood Station CUP Application will be customized or unique to West Linn?
- 7) What do you feel is the most critical element missing from the RFP or the overall budget for this project? How will you address it?
- 8) How will you determine economic feasibility? A. Design functions to include add-ons e.g. concessions, community rooms? B. Are our residents willing to pay for it? C. Initially to build? D. Long term to operate?
- 9) What are the main location factors? A. Transportation? B. Proximity to a school? C. Utilities? D. Partnerships? E. Redevelopment?



CITY OF West Linn

May 26, 2015

Martha Bennett
Metro Chief Operating Officer
600 NE Grand Ave.
Portland, OR 97232

RE: Support for CPDG funding for the Willamette Falls Legacy Project Joint Opportunity Study and Refined Master Plan

Dear Ms. Bennett,

On behalf of the City of West Linn, I would like to submit the following letter of support for the Willamette Falls Legacy Project's funding request for a Metro Community Planning and Development Grant. The proposed project is an exceptional example of the guiding principles of the grant program and should be fully supported.

The Blue Heron site has incredible advantages: a stunning location on Willamette Falls, historic revitalization opportunities, the adjacent burgeoning downtown Oregon City, and an unparalleled list of private and public supporters. Nevertheless, there remain significant challenges that need to be overcome at the site, including inadequate infrastructure and market conditions. The next necessary step to spur private investment at Willamette Falls is eliminating some of these challenges and we believe this innovative grant request that significantly leverages private investment is the right approach. Full funding of the grant request will ensure that the project can continue to build on the momentum that it has thoughtfully established.

With the assistance of a Metro CPDG grant, our City recently finalized the Arch Bridge/Bolton Concept Plan, which encompasses an area directly across the river from this project. We have a vested interest the successful implementation of the Legacy project. If completed in accordance with the adopted vision for the area, it will supplement and aid in the redevelopment opportunities for our side of the river as well as the entire region.

We look forward to working with the partners and Falls Legacy LLC to ensure that the Willamette Falls Legacy Project is a success that benefits not just Oregon City but also the region.

Sincerely,