



CITY OF JACKSONVILLE
CITY COUNCIL AGENDA

CITY COUNCIL
City Council Meeting

October 6, 2020
6:00 pm

OLD CITY HALL IS CLOSED TO THE PUBLIC
PUBLIC MAY ATTEND THE MEETING VIRTUALLY VIA PHONE OR COMPUTER
Dial into the Meeting – (844) 890-7777 Access Code: 247-063-431*
Join the online meeting: <https://join.startmeeting.com/cityofjacksonville>
Online meeting ID: cityofjacksonville

For those wishing to provide comment during the meeting, there are four opportunities on the agenda: Public Comment; and Action Item 5(a) Public hearing to review findings for the CM/GC process for the Jacksonville Fire Station, 5(b) Approval of Transient Lodging Tax Grant, 5(e) Accept Bid for the Second Floor Remodel for New City Hall

Written statements may be sent in advance of the meeting to City Recorder Angela Watson, recorder@jacksonvilleor.us up until 4:00 pm on Monday, October 5th. These statements will be included in the official meeting record, but not read during the meeting.

- 1) **CALL TO ORDER**
- 2) **a. MINUTES**
September 15 2020
- b. BILLS LIST**
October 6, 2020
- 3) **PUBLIC COMMENT (items **not** on the agenda) limited to 3 minutes per speaker, refer to “Speaking Time Limit” guidelines below: *Opportunity for Public Comment will be given at this time. There will be a prompt that a Q & A Session has begun. Press *6 to be placed in the queue and you will be called upon.***
- 4) **STAFF / DEPARTMENT REPORTS**
- 5) **ACTION / DISCUSSION ITEMS**
*The public will be allowed to speak, one time, to certain items during the action/discussion items. The public will be given the opportunity to speak on **Agenda Item Letter A, B and E** by using the same method as stated above under Public Comment. Speaking Time Limit applies.*
 - a. **A PUBLIC HEARING to Discuss the Proposed Findings Supporting an Exemption from the Competitive Bidding Requirements and use of the Construction Manager / General Contractor Method of Procurement for the Jacksonville Fire Station Seismic Retrofit & 2nd Story Addition.**

PUBLIC HEARING CLOSED

 1. **Approval of the Findings of Fact and the Exemption to Competitive Bidding Process**
 - b. **Approval of Transient Lodging Tax Grant**
 - c. **Jacksonville Boosters Memorandum of Understanding for Peter Britt Gardens**
 - d. **Approval of Police Officer New Hires**
 - e. **Accept Bid for the Second Floor Tenant Improvement for New City Hall**
 - f. **RESOLUTION NO. R2020-015 – A Resolution Adopting a Color Palette for New Truncated Domes Within the City of Jacksonville**
- 6) **COUNCIL COMMITTEE REPORTS AND DISCUSSION**
- 7) **ADJOURN**

Please let the City offices know if you will need any special accommodations to attend or participate in the meeting by calling (541) 899-1231. Informational documents for items on this agenda are available for review on the City website www.jacksonvilleor.us. A recording of the meeting will be available on the website within one week of the meeting.

Action minutes along with electronic recordings of the meeting, which may be reviewed online on the City of Jacksonville website <http://www.jacksonvilleor.us>.

September 15, 2020 NCH and via Teleconference due to COVID-19 Pandemic

1) **CALL TO ORDER (includes call to order and roll call of attendees) 6:30 pm**

Mayor Becker states an Executive Session was held at 6:00 pm per ORS 192.660 2(a)

Present: Councilors Bowen, Casaleggio, McClain, Lewis, Garcia (via conference call), Gregg (via conference call), and Mayor Becker

Absent:

Staff Present: Administrator Alvis, Finance Director Bray, Recorder Watson and Planning Director Foster

Recorder Watson speaks to the minutes presented to Council on the dais.

2) **a. MINUTES (minutes from September 1, 2020 meeting)**

Move to: Adoption of the minutes as amended and provided at this meeting

Motion by: Councilor Lewis

Seconded by: Councilor McClain

Roll Call Vote:

Ayes: 7 Councilors Bowen, Casaleggio, Garcia, Gregg, Lewis, McClain and Mayor Becker

Motion Carries

b. BILLS LIST

September 15, 2020

Move to: Approval of the bills list as presented

Motion by: Councilor Casaleggio

Seconded by: Councilor McClain

Roll Call Vote:

Ayes: 7 Councilors Bowen, Casaleggio, Garcia, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries Unanimously

Councilor Casaleggio asks specific questions regarding items on the bills list. Administrator Alvis answers.

3) **PUBLIC COMMENT (items **not** on the agenda) limited to 3 minutes per speaker.**

None.

4) **STAFF / DEPARTMENT REPORTS**

a. Admin Department – Jeff Alvis/Stacey Bray / Angela Watson

Administrator Alvis speaks:

- The Fire Department and Fire Fighters who worked at the Almeda Fire in Ashland, Talent and Phoenix
- Public Hearing for Fire Hall Seismic Retrofit Project will be October 6, 2020
- Conference call with FEMA regarding grant for fuel reduction
- Naval Commission letter and donation to organization of \$100.00
- Councilor Bowen and Administrator Alvis speaks to the CERT volunteers that helped with phone calls during the Almeda Fire.

Finance Director Bray speaks to:

- Police Officer position that is available
- Organization Chart with names
- Virtual Meetings during the time of COVID 19.
- Public Records Request

b. Planning Department -Ian Foster

c. Police Department - Chief Towe

d. Fire Department – Interim Fire Chief Painter

e. Mayor – Paul Becker speaks to public records request and need to review pricing.

Councilor Bowen speaks to etiquette during the meetings so audio is clear when going back to listen.

5) **ACTION / DISCUSSION ITEMS**

(The public will be allowed to speak, one time, to certain items during the action/discussion items. In order to speak you must sign in with the Recorder under the item for which you wish to speak)

a. Employee Agreements

Public Comment: None.

Councilor Discussion: Administrator Avis speaks to employment agreements that were presented during the executive session.

Motion to: Approve the employment agreements of Chief Towe, Chief Painter, Administrator/Public Works Director Alvis and Asst. Administrator/Finance Director Bray per the agreement placed before City Councilors and the Mayor in the Executive Session.

Motion by: Councilor Bowen

Seconded by: Councilor Lewis

Roll Call Vote:

Ayes: 7 Councilors Bowen, Casaleggio, Garcia, Gregg, Lewis, McClain and Mayor Becker

Nays: 0

Motion Carries Unanimously

b. Historical & Architectural Review Commission (HARC) Appointment

Public Comment: None.

Councilor Discussion: Planning Director speaks to the open position on the Historical & Architectural Review Commission. Mayor Becker asks if either candidate would like to speak to Council. Andrew Hellenthal speaks to Council regarding his background and interest in serving on the commission. Councilor Lewis speaks to both applicants as very qualified to fill the vacant position.

Vote by Ballot:

Andrew Hellenthal: 7 Councilors Bowen, Casaleggio, Garcia, Gregg, Lewis, McClain and Mayor Becker

Martina Patella: 0

6) **COUNCIL AND COMMITTEE REPORTS AND DISCUSSION**

- a. Councilor Bowen: CCI will meet in October. CAC moving very slowly.
- b. Councilor McClain: No Report.
- c. Councilor Casaleggio: No Report.

- d. Councilor Gregg: Transient Lodging Tax meeting in Old City Hall on September 29th. Thank you to staff who worked on the audio for the City Council meetings.
- e. Councilor Garcia: No Report.
- f. Councilor Lewis: RVSS lunch meeting.
- g. Mayor Becker: Would like to add a Stage Coach to the New City Hall grounds. Has done some research and will bring back to Council at a later date.

9) **ADJOURN: 7:00 pm**

Paul Becker, Mayor

Angela Watson, City Recorder

Date approved: _____

**CITY OF JACKSONVILLE
Bills Against the City - City Council
OCTOBER 6, 2020**

GENERAL FUND - ADMINISTRATION DEPARTMENT

Vendor Name	Description	Amount
C & K Market Inc.	supplies for bldg maintenance	20.38
Costco Membership	annual membership renewal	240.00
Draperies N' Things Miniblinds & More	blinds for NCH	994.00
Forrest Consulting LLC	IT work @ OCH for teleconf.COVID-19	550.03
Government Ethics Commission	annual dues	548.87
KDP Certified Public Accountants LLP	Progress billing FY 2019-20 UR Audit	3,000.00
KDP Certified Public Accountants LLP	progress billing FY 2019-20 Audit	3,150.00
League of Oregon Cities	OMA virtual summer conference	29.00
Rosebud Media LLC	subscription renewal 6 mos.	148.20
Rosebud Media LLC	adv. RFB for 2nd floor NCH	227.23
Rosebud Media LLC	notice PH for firehall seismic	162.89
		9,070.60

GENERAL FUND - PLANNING DEPARTMENT

Vendor Name	Description	Amount
C & K Market Inc.	planning supplies	29.97
Rogue Valley Council of Governments	contract planner	518.36
Superior Stamp & Sign	HARC member nameplate	20.75
		569.08

FIRE PROTECTION FUND

Vendor Name	Description	Amount
Cascade Fire Equipment	hose replacement Alameda fire	2,207.00
City of Medford	vehicle maintenance	541.86
City of Medford	Fuel Aug. 2020	307.26
Department of Public Safety Standards & Training	DPSST certifications for volunteers	120.00
KDP Certified Public Accountants LLP	progress billing FY 2019-20 Audit	2,250.00
Life-Assist	medical gloves	505.00
Mercy Flights Inc.	medical supplies	349.52
		6,280.64

POLICE PROTECTION FUND

Vendor Name	Description	Amount
C & K Market Inc.	bldg. maintenance supplies	11.99
CDW Government	mount for MDC's	424.42
City of Medford	Fuel Aug. 2020	528.26
KDP Certified Public Accountants LLP	progress billing FY 2019-20 Audit	1,125.00
WatchGuard Video	supplies	44.50
		2,134.17

CEMETERY FUND

Vendor Name	Description	Amount
C & K Market Inc.	shop supplies	19.95
		19.95

STREETS FUND

Vendor Name	Description	Amount
Blue Mountain Rock	rock for regrading	130.00
Budget Lumber	supplies to repair trash barrels	84.60
C & K Market Inc.	supplies for refurbishing trash barrels	49.14
C & K Market Inc.	shop supplies	83.34
City of Medford	street sweeper parts	246.91
Dazey's - Hubbard's	shop supplies	62.35
Grange Co-Op	shop supplies	23.01
Industrial Source	shop supplies	19.48
Jackson County Roads	annual road striping	2,563.11
KDP Certified Public Accountants LLP	progress billing FY 2019-20 Audit	2,250.00
Sherwin-Williams	white traffic paint	85.90
Sunrise Environmental Scientific	shop supplies	231.56
		5,829.40

Vendor Name	Description	Amount
WATER FUND		
Vendor Name	Description	Amount
Bradley's Excavation Inc.	service repair @ lumber yard	342.00
Civil West Engineering Services Inc.	SDWRLF engineering	12,278.68
Control Systems NW LLC	work on telemetry	136.33
Ferguson Waterworks	meter washers	84.90
Ferguson Waterworks	shop supplies	1,183.96
Ferguson Waterworks	large meter boxes & lids	466.98
Ferguson Waterworks	meter box lids	383.10
Ferguson Waterworks	meters & radios	3,945.71
GC Systems	annual control valve maintenance	5,577.00
KDP Certified Public Accountants LLP	progress billing FY 2019-20 Audit	2,250.00
Lithia Motors	water truck service	66.55
Motion & Flow	shop supplies	11.53
Rogue Valley Council of Governments	SDWRLF grant management	6,175.42
Springbrook Holding Company LLC	mass meter change out fees	1,690.00
United Rentals	locate paint	139.85
		34,732.01
PARKS FUND		
Vendor Name	Description	Amount
Blue Mountain Rock	gravel for grading @ FP P-2	130.00
Budget Lumber	supplies for fence repair	824.00
C & K Market Inc.	paint & supplies for park fence	159.40
Jacksonville Chamber of Commerce	VIC reimbursement Aug. 2020	2,664.67
KDP Certified Public Accountants LLP	progress billing FY 2019-20 Audit	1,575.00
Salvador's Landscape Maintenance	parks & lawn maintenance	1,640.00
Stagg Plumbing	Doc Griffin RR toilet repair	220.50
Sunrise Environmental Scientific	cleaning supplies	334.47
United Rentals	equipment rental for fence repair	397.67
		7,945.71
CAPITAL PROJECT FUND		
Vendor Name	Description	Amount
Rogue Valley Council of Governments	fire hall SRGP expenses	280.78
ZCS Inc.	engineering for SRGP	6,760.00
		7,040.78
		TOTAL: 73,622.34
APPROVED BY:	DATE:	
Table of Acronyms		
FP =	Forest Park	
HPF =	Historic Preservation Fund	
JWA =	Jacksonville Woodlands Association	
NCH =	New City Hall	
O&M	Operation and Management	
PKS =	Parks	
PRR =	Public Records Request	
ROW =	Right of Way	
SAFER =	Staffing for Adequate Fire and Emergency Response	
SCADA =	Supervisory Controlled and Data Acquisition (part of Telemetry)	
SDWRLF =	Safe Drinking Water Revolving Loan Fund	

Vendor Name	Description	Amount
SRGP =	Seismic Rehabilitation Grant Program	
SRAMP =	Seismic Risk Assessment and Mitigation Plan	
SCA =	Small Cities Allotment	
STR =	Streets	
TLT =	Transient Lodging Tax	
VIC =	Visitors Information Center	
WTR =	Water	

Jacksonville City Council Agenda Item Summary



A PUBLIC HEARING to Discuss the Proposed Findings Supporting an Exemption from the Competitive Bidding Requirements and use of the Construction Manager / General Contractor Method of Procurement for the Jacksonville Fire Station Seismic Rehabilitation and 2nd Story Addition

Date: September 29, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: October 6, 2020
Agenda Item: 5a

Synopsis:

This purpose of this Public Hearing is to review the Findings of Fact supporting an exemption from the competitive bidding requirements for a public improvement project. The exemption process is allowed under ORS 279C.335(2). The exemption allows for the City of Jacksonville to obtain a Construction Manager/General Contractor (CM/GC) in lieu of the traditional General Contractor selected by a competitive low-bid process.

The CM/GC process is appropriate for the Jacksonville Fire Station seismic retrofit given the complexity and specialized expertise required for seismic retrofits. The following items summarize why the findings support the CM/GC process.

- The CM/GC will be selected through an open and competitive proposal process during the design phase of the project.
- CM/GC's provide constructability reviews and cost estimates during the design phase keeping the project on budget and on schedule.
- CM/GC provides specialized construction knowledge with regards to seismic retrofits that is otherwise not guaranteed in a low-bid process.
- The exemption of competitive low-bid process will reduce the risk associated with schedule increases, change orders, and unqualified contractors.

Exhibit A outlines the findings of fact showing why an exemption from the competitive bidding requirements is appropriate for this project.

Recommendations:

Staff recommends approval of the Findings of Fact and the Exemption to the Competitive Bidding Process.

Exhibits:

Exhibit A – Proposed Findings Supporting an Exemption from the Competitive Bidding Requirements and use of the Construction Manager / General Contractor Method of Procurement

PROPOSED FINDINGS SUPPORTING AN EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS AND USE OF THE CONSTRUCTION MANAGER/GENERAL CONTRACTOR METHOD OF PROCUREMENT

Before the Local Contract Review Board,

In the Matter of Exemption) FINDINGS OF FACT
Request of)
City of Jacksonville)
Jacksonville Fire Station)
Seismic Rehabilitation)

ORS 279C.335 (1) requires, with certain exceptions, that all Public Improvement contracts be based on competitive bids and, under ORS 279C.375, awarded to the lowest responsive and responsible bidder. ORS 279C.335(2) permits the Local Contract Review Board, which in this case is the **City of Jacksonville**, to grant, under certain conditions, specific exemptions from the requirement for competitive bidding upon the approval of specified findings.

OAR 137-049-0620(1), allows the Local Contract Review Board to exempt a Public Improvement contract from the requirements to be competitively bid, provided written findings supporting the use of non-competitive bid process show compliance with OAR 137-049-0600 to 137-049-0690 and applicable statute.

The hearing for review of these findings will be held at 6:00 PM on October 6, 2020 at the Old City Hall located at 205 W. Main Street, Jacksonville, OR 97530, as published in the public notice section of the Mail Tribune and the Daily Journal of Commerce on September 21, 2020.

Article I. BACKGROUND

The **City of Jacksonville** received a grant through Oregon’s Seismic Rehabilitation Grant program for a total value of **\$1,346,620**. The purpose of the grant is to seismically retrofit the **Jacksonville Fire Station** building to meet or exceed the code requirements outlined in ASCE 41-17. It was determined during the initial grant application that the building would be renovated during the rehabilitation work as permitted by budget. All renovated areas will increase **Life and Safety elements**.

This Project is limited to the funding outlined in the grant package, additional funding is not available. The current budget does not reflect a contingency typically allotted for a project of this size and scope. It is the recommendation of the **City of Jacksonville** to procure the Project using the CM/GC contracting methodology. ORS 279C.332(3) identifies the CM/GC methodology as an alternative contracting method under ORS 279C.335, which allows a contracting agency to procure construction related services that include, among other things listed in ORS 279C.332(3), a construction manager/general contractor (a) functioning as a member of a project team that includes the **City of Jacksonville, Jacksonville Fire Department**, the Project Architect or Engineer and other consultants, (b) reviewing and analyzing the project design in order to suggest changes to minimize potential errors, delays, unexpected costs and other problems during construction, (c) estimating construction,

materials, labor and other costs for the Project, (d) establishing a fixed price, a guaranteed price or other maximum price for the Project, (e) constructing portions of the Project and subcontracting portions to other contractors, and (f) coordinating and overseeing the construction process. In this Project, the CM/GC contract allows the **City of Jacksonville** to bring the General Contractor on board during the initial design phase providing value engineering services and a Guaranteed Maximum Price during the design phase in lieu of during the bid phase after full design documents have been established.

The **City of Jacksonville** proposes utilizing the Construction Manager/General Contractor contract delivery methodology to obtain proposals for the **Jacksonville Fire Station Seismic Rehabilitation**.

The exempted procurement process for this Project includes the following:

- 1) A Request for Proposals (RFP) process pursuant to OAR 137-049-0640 to procure a CM/GC contract with a general contractor.

Article II. FINDINGS REGARDING PROCUREMENT OF CM/GC SERVICES

ORS 279C.335(2) requires that an agency make certain findings as part of exempting public improvement contracts or classes of public improvement contracts from competitive bidding, as is the case with the procurement of CM/GC services. Pursuant to ORS 279C.330(2), the term “findings” as used in ORS 279C.335(2) means “the justification for a conclusion that a contracting agency, in seeking an exemption from the competitive bidding requirement of ORS 279C.335(1), reaches based on the considerations set forth in ORS 279C.335(2). Those required findings, generally defined as “findings regarding competition” and “findings regarding significant cost savings”, are addressed below.

A. Findings Regarding Competition

ORS 279C.335(2) (a) requires an agency to find that: *“It is unlikely that the exemption will encourage favoritism in the awarding of public improvement contractors or substantially diminish competition for public improvement contracts.”*

The **City of Jacksonville** finds that selecting the contractor through an exempted competitive proposal selection process in accordance with OAR 125-249-0620 and 125-249-0630 will not inhibit competition or encourage favoritism. This finding is supported by the following facts:

- 1) The proposed CM/GC alternative contract delivery methodology is a competitive proposal process that allows the **City of Jacksonville** to select a firm to Seismically Rehabilitate **Jacksonville Fire Station** at the best possible value. Simple price competition is not feasible due to technical complexity associated with a seismic rehabilitation Project of this nature. The technical complexity of the installation of certain structural systems within the rehabilitation plan lends it to specialized contractors with knowledge of these systems.
- 2) The CM/GC contractor will be selected through an open and competitive proposal process as prescribed by ORS 279C.400 to 410 and related administrative rules,

including but not limited to formal public advertising of the solicitation, an award made based upon identified selection criteria described in the RFP, and an opportunity to protest any such award.

B. Findings Regarding Significant Cost Savings

ORS 279C.335(2)(b) requires an agency to find that *“Awarding a public improvement contract under the exemption will result in substantial cost savings to the public contracting agency.”*

This finding is supported by the following facts:

- 1) How many persons are available to bid: There are limited qualified specialized contractors to perform the scope of work associated with this Project.
- 2) The construction budget and the projected operating costs for the completed public improvement: Limited or no additional funding is available for the **Jacksonville Fire Station Seismic Rehabilitation** above and beyond the awarded grant funding source.
- 3) Public benefits that may result from granting the exemption: Utilization of the CM/GC contract delivery process will allow the **City of Jacksonville and the Jacksonville Fire District** to deliver the most comprehensive project for the allotted funding.
- 4) Whether value engineering techniques may decrease the cost of the public improvement: This work integrates specialized equipment and personnel to properly install certain items of the rehabilitation. A requirement to competitively bid this type of work would create additional expenses and lead to uncertainty regarding the installation of said items.
- 5) The cost and availability of specialized expertise that is necessary for the public improvement: An exemption from competitive bidding will allow the **City of Jacksonville** to take advantage of specialized general contractors knowledgeable in the rehabilitation of existing structures and value engineering the Project during the design phase. This will allow the **City of Jacksonville** to be provided the best value and potentially eliminate costly change orders resulting from unknowns in the field.
- 6) Any likely increases in public safety: There are currently concerns with public safety during the scheduled work as the **Jacksonville Fire Station** will remain functional during the proposed work. The CM/GC will assist with the development of a safety plan.
- 7) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement: Risks associated with contract overruns, schedule increases and unqualified contracts are greatly reduced with the granting of the exemption to competitive bidding.

- 8) Whether granting the exemption will affect the sources of funding for the public improvement: Granting the exemption will not affect funding sources for **Jacksonville Fire Station Seismic Rehabilitation**.
- 9) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement: The specialty products, services and supplies needed under this contract are not particularly impacted by market conditions.
- 10) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement: Implementation of this Project involves a number of issues of technical complexity. Special skills and expertise are needed for optimizing the related foundation strengthening and the seismic strengthening and element installation.
- 11) Whether the public improvement involves new construction or renovates or remodels an existing structure: The public improvement of **Jacksonville Fire Station** will renovate and seismically rehabilitate the existing building.
- 12) Whether the public improvement will be occupied or unoccupied during construction: The public improvements will occur while the building is unoccupied by fire station staff. A temporary facility will be put in place to serve as the acting fire station during construction.
- 13) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions: It is the intent of **City of Jacksonville** to construct the Project under a single phase of the Project.
- 14) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract: The **City of Jacksonville** will enlist the assistance of **ZCS Engineering and Architecture** as the Project Manager to assist with the enforcement of the terms of the scope of work associated with the public improvement contract. The **City of Jacksonville** will enlist **Sydnee Dreyer** to assist the District with legal counsel and legal enforcement of the public improvement contract.

Article III. SUMMARY

Use of the CM/GC method of contracting for the **Jacksonville Fire Station Seismic Rehabilitation** is an appropriate use of the alternative contracting method under OAR 137-049-0620. Additionally, an exemption from competitive bidding requirements is justified under the criteria outlined in ORS 279C.330, findings have been developed in compliance with ORS 279C.335(2), and the **City of Jacksonville** will perform the post project evaluation

City of Jacksonville
Jacksonville Fire Station Seismic Rehabilitation

required by ORS 279C.355. Based upon previously listed findings, the **City of Jacksonville** specifically concludes that:

- 1) It is unlikely the exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and
- 2) The exemption will result in substantial cost savings to the affected **City of Jacksonville and Jacksonville Fire Department** for the services provided.

The **City of Jacksonville** submits that this Request meets all of the criteria above and requests approval of this Exemption. If you have any questions, please call **Jeff Alvis, City Administrator**, at 541-899-1231, ext. 305.



Jeff Alvis
City of Jacksonville
Administrator

09/04/2020

Date

Reviewed by **City of Jacksonville** Attorney:



Reviewed by Legal Counsel

9-4-2020

Date

Jacksonville City Council Agenda Item Summary



Approval of Transient Lodging Tax Grant

Date: September 29, 2020
From: Stacey Bray, Finance Director

City Council Meeting: October 6, 2020
Agenda Item: 5b

Synopsis:

The Transient Lodging Tax Committee reviewed applications on September 29, 2020 and submit the following recommendations to City Council.

Transient Lodging Grant Funds available: \$11,526.53

Review of Grant Applications – *total amount for applications received - \$5,800*

- a. Jacksonville Chamber of Commerce – Ongoing Advertising and Promotion for Jacksonville as a Tourist Destination – *\$5,800*
The Transient Lodging Tax Committee recommended not funding this application.

The Transient Lodging Tax Committee approved fully funding the following Marketing Fund Application:

- a. Jacksonville Lodging Association – Annual Subscription for Website Online Booking Engine for 2020 and 2021 - *\$7,000*

Recommendations:

Council to approve award amounts for Transient Lodging Grants per committee recommendation or make alternative awards.

Exhibits:

Exhibit A – Jacksonville Chamber of Commerce Grant Application

CITY OF JACKSONVILLE

APPLICATION FOR TRANSIENT LODGING TAX GRANT

(Incomplete applications will not be accepted by staff)

RECEIVED

AUG 20 2020

CITY OF JACKSONVILLE

Date: August 27, 2020

Applicant Organization Name: Jacksonville Chamber of Commerce

Mailing Address: PO Box 33 Jacksonville, OR 97530

Contact Name: Amanda Moreira Phone: 541-843-0985

Email Address: amanda@JacksonvilleOregon.org Federal Nonprofit Tax ID Number: 51-0191068

Describe the Project: Due to the economic impact of COVID-19 in 2020, our local small businesses have incurred monetary implications. This request is to assist with ongoing advertising and promotion for Jacksonville as a tourist destination. While the future of tourism is somewhat unknown at this time, these funds would be used once we are able to promote travel again to Southern Oregon. Depending on what makes the most sense at the time, funds would be directed to magazine quarterly ads, online digital advertising and social media promotions.

- Promotion includes a combination of print and digital advertising to local Oregon regions as well as neighboring large cities and surrounding states (San Francisco Bay Area, Southern California, Northern California, Seattle and Portland)

Estimated Start Date: September 2020 Estimated Completion Date: December 2021

B. Project Budget:

B. Project Budget (Examples of advertising options)		
Regional magazine Ad(s) or Travel Guide (or)	Ex: AAA Via, 1859 Magazine	\$3,600
Contest Giveaway Promotion		\$3,200
Quarterly Digital Banner	Total of 4 middle page banner ads	\$1,000
Social Media Advertising	Monthly promotion during peak season	\$1,200
Total Project Cost		\$9,000
C. Funding Provided by Sponsoring Organization:		
D. Contributions by Other Organizations:		
E. Total Amount Requested from Transient Lodging Tax Grant:		\$5,800

City Council
October 6, 2020
Agenda Item 5b
Exhibit A

F. Required Permits and Approvals (See required attachments):

List any permits or approvals required from local, state or federal jurisdictions: N/A

G. Project Benefits:

City Resolution #708 provides the following goal and objectives for the purpose of prioritizing projects to receive funding:

Goal: To promote Jacksonville as a long-term destination rather than a day trip stop.

Objectives:

- A) Develop or enhance the natural setting to provide a variety of possible activities for visitors.
- B) Sponsor events designed to showcase Jacksonville's special qualities.
- D) Develop promotional campaigns that emphasize Jacksonville's unique advantages.
- E) Disseminate information about Jacksonville.

Describe how the project provides the following benefits listed in Resolution #708 (provide separate sheet if needed):

- 1) **How will the project show benefit for the lodging businesses in Jacksonville?** Once the travel mandates are lifted or become more lenient, consumers will be eager to travel and visit new and loved destinations, like Jacksonville. The advertising is directed at regional as well as distant markets which require overnight stays and will increase lodging business. We are also aligning marketing efforts with areas where potential consumers have similar interests and more discretionary spending.
- 2) **How will the project promote Jacksonville's advantages as a regional center for unique goods and services?** The ads are designed to promote the diversity of activities, attractions and our unique goods and services. Ad placement is focused on markets in which we need to increase audience awareness of Jacksonville.
- 3) **How does the project enhance/highlight the history of Jacksonville?** Not directly applicable, but some messaging will highlight the small-town charm, historical aspect and history of the area. The ads call to action will be to go to the website which also includes information about our history and related activities.
- 4) **How will the project beautify Jacksonville and surroundings?**
Increased overnight stays will increase the transient bed tax revenue which can be used for future beautification projects. An increase in visitors, also strengthens our local economy.
- 5) **How will the project develop or enhance recreation opportunities in Jacksonville?** Not directly applicable.
- 6) **How will the project benefit the citizens of Jacksonville?** Increased overnight stays supports retail, restaurant and other tourism focused businesses and strengthen the overall business environment. Residents benefit from the diversity of businesses that would not normally exist in a town of this size. The large number of restaurants and shops has attracted many of the people who have moved to town within the past two decades.

7) **How will the project involve multiple community interest groups?** N/A

H. Required Attachments:

1. Applicant's current financial statement.
2. Project drawings for construction, signs, banners or other details.
3. Copies of project permits, Final Orders, or approvals. If permits or approvals have not been obtained, provide copies of completed applications or pre-application staff reports.

Submitted by: Amanda Moreira Title: Jacksonville Chamber of Commerce; Marketing Coordinator

Signature:  Date: 8/27/2020

This application must be submitted to the City Offices, attention City Tax Administrator, Transient Lodging Tax Committee, from February 1 to February 28 and/or August 1 to August 31.

Transient Lodging Tax Committee:

Recommended for Approval Recommended for Denial

Recommended Amount: \$ 5,800⁰⁰

Comments: _____

Signature: 
(Transient Lodging Tax Committee)

Date: 9/29/2020

Jacksonville City Council:

Approved Denied Approved Amount: \$ _____

Signature: _____
(Jacksonville City Council)

Date: _____

Transient Lodging Tax – Grant Information

The Jacksonville Transient Lodging Tax was established as a revenue source to assist local nonprofit organizations in promoting and advertising the City's cultural and tourist related activities, facilities and services, as well as to provide for City beautification, acquisition and construction of new cultural and tourist related facilities. Twenty (20) percent of the taxes collected by the City are made available for these purposes.

Applications for grants to nonprofit organizations must be submitted to the City offices and will be forwarded to the Jacksonville Transient Lodging Tax Committee. The committee is appointed by the Mayor and is responsible for monitoring ordinance compliance and accepting and reviewing applications for grants with recommendations submitted to the Jacksonville City Council.

Organization qualification, requirements and procedures for obtaining grants are in Chapter 3.20 of the Jacksonville Municipal Code. A full copy of this chapter can be obtained by request at the City offices.

Excerpts from Jacksonville Municipal Code:

§ 3.20.240 DISPOSITION AND USE OF TRANSIENT ROOM TAX FUNDS.

- (A) There is created a special dedicated fund within the city budget to be known as the Beautification and Tourism Development Fund (BTD Fund). 20% of the revenue from the BTD Fund shall be expended for:
 - (1) City beautification: enhancement of vehicular and pedestrian routes; acquisition and construction of new cultural and tourist related facilities, including parking; and
 - (2) Tourist development: promotion and advertising of the city's cultural and tourist related activities, events and services.
 - (3) The Transient Room Tax Committee shall use the criteria established by Council resolution for selection of priority projects.
- (B) Five percent of the revenue collected under this chapter shall be used for city administrative expenses; 50% will be dedicated to the operation and maintenance of the Visitor's Information Center; 20% will be deposited into a dedicated fund of the City of Jacksonville for park/parking funds; and the remaining 5% would be retained by the owner/operator of the lodging establishment.
- (C) The city and any lodging business or businesses may agree, under separate contract, to contribute a mutually agreed-upon amount, up to their respective 5% of funds collected each year, to a discrete fund for the purpose of marketing the City of Jacksonville as a whole in order to maximize the number of overnight stays. These agreed upon contributions would continue until such time that either one of the parties provides notice of withdrawal.

(1981 Code, § 3.20.240) (Ord. 424, passed 12-20-1994; Am. Ord. 480, passed 7-7-1998; Am. Ord. 501, passed 7-18-2000; Am. Ord. 591, passed 9-15-2009)

§ 3.20.250 TERM, POWERS AND DUTIES OF THE TRANSIENT LODGING TAX EXPENDITURE COMMITTEE.

- (A) The members of this Committee shall not at any time receive compensation for their services on the Committee.
- (B) The term of office shall be for two years. No member shall serve more than three terms.
- (C) Should any member resign or be removed from office as provided in this chapter, a replacement member shall be appointed by the Mayor, to fill the unexpired term of the replaced or resigned member.
- (D) Except for the City Tax Administrator or designee, any member of the Committee may be removed from the Committee for cause upon written recommendation signed by four members of the Committee and approved by the City Council.
- (E) A quorum of four members shall be necessary to conduct the business of the Committee.
- (F) The Committee shall select from amongst its members a Chairperson, Vice Chairperson and a Secretary who shall serve at the pleasure of the Committee.
- (G) The Committee shall keep a record of its meetings and proceedings and shall keep all minutes, records and files of the Committee in the City Hall.
- (H) Any recognized nonprofit organization may petition the Committee for funding pursuant to the provisions of this chapter. Petitions for funding shall be delivered to the Tax Administrator from August 1 to August 31 and from February 1 to February 28.
- (I) The petition shall state the name of the organization to be funded, the amount of funds requested, a description of the project to be funded and a statement of how the project will comply with the requirements of § 3.20.240.
- (J) Upon receipt of the funding petition, the Tax Administrator or designee shall convene a meeting of the Transient Lodging Tax Expenditure Committee. The Transient Lodging Tax Expenditure Committee shall meet to review applications no later than 90 days following June 30 and December 31. The Committee shall meet in open session to consider the funding request and upon the conclusion of its deliberations shall forward to the City Council a written expenditure recommendation. The City Council shall consider this recommendation at its next regularly scheduled meeting.
- (K) All organizations funded under this chapter shall provide, for the period of time they are funded under this chapter, and at no expense to the city, semi-annual financial reports. The reports shall be due in the office of the Tax Administrator or designee no later than August 1 for the six-month period ending June 30 and no later than February 1 for the period ending December 31. These reports shall be reviewed within 30 days by the Tax Administrator and the Transient Lodging Tax Expenditure Committee.

- (L) The financial report shall provide a detailed listing of the expenditure of funds received under this chapter with sufficient supporting documents attached so that the City Council can be satisfied that the funds were expended as intended by the Transient Lodging Tax Expenditure Committee and the City Council.
- (M) The Transient Lodging Tax Committee may, at any time, recommend to the City Council the rescinding or discontinuance of projects that have not conformed to the criteria established under §§ 3.20.240 and 3.20.250 or noncompliance with the representations of the application and any agreements made a part thereof.
- (N) The Transient Lodging Tax Expenditure Committee may advise the City Council on any matter pertaining to the transient lodging tax and recommend to the City Council the adoption, amendment or repeal of ordinances pertaining to the transient lodging tax.

(1981 Code, § 3.20.250) (Ord. 393, passed - -1993; Am. Ord. 470, passed 7-1-1997; Am. Ord. 600, passed 12-1-2009)

Jacksonville City Council Agenda Item Summary



Jacksonville Boosters Memorandum of Understanding for Peter Britt Gardens

Date: September 28, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: October 6, 2020
Agenda Item: 5c

Synopsis:

The current MOU expires in October, 2020. The new MOU has a five-year term and the responsibilities of each party are described in Attachment A. The changes incorporated in this MOU are that the Boosters are responsible for lawn mowing and dry-stacked stone wall maintenance and the City is responsible for fertilizing and mortared stone wall and foundation maintenance.

Fiscal Impact:

N/A

Recommendations:

Staff recommends approval of the Memorandum of Understanding for Peter Britt Gardens.

Exhibits:

Exhibit A – Memorandum of Understanding for Peter Britt Gardens

**MEMORANDUM OF UNDERSTANDING
FOR PETER BRITT GARDENS
JACKSONVILLE, OREGON**

This Memorandum of Understanding (MOU), dated as of October 6, 2020, is by and among the City of Jacksonville, an Oregon chartered city (City), the Jacksonville Boosters Club, Inc., an Oregon non-profit corporation (Club), and the Jacksonville Boosters Foundation, Inc., an Oregon non-profit corporation (Foundation), with Club and Foundation collectively called "Boosters".

RECITALS

- A.** City is the owner of the property commonly known as Peter Britt Gardens (PBG) in Jacksonville, Oregon.
- B.** Boosters, with City's permission and assistance, has improved and renovated and continues to renovate and maintain PBG with volunteer labor and financial assistance, including installation of paver pathways, landscape plantings, related irrigation, bark mulch, signage, stone walls, gravel pathways and lighting.
- C.** City and Boosters enter into this MOU to assure the orderly installation and maintenance of improvements to PBG and the sharing of responsibilities and costs thereof.

AGREEMENTS

In consideration of the mutual promises herein, City and Boosters agree as follows:

- 1. Attachment A.** The Activities and Responsibilities shown in Attachment A hereto are hereby approved and incorporated by this reference. The responsible party shown for each item in Attachment A shall bear all costs associated with the activity, unless agreed otherwise by City and Boosters.
- 2. Amendment.** Attachment A may be amended only in writing, from time to time, by the mutual agreement of City and Boosters to best provide for the continued improvement and/or maintenance of PBG.
- 3. Extra Activities.** Any Activities not specified in Attachment A, but undertaken by City and/or Boosters shall not be deemed an amendment to this MOU, unless otherwise mutually agreed.
- 4. Volunteer Work.** Any Activities by Boosters hereunder shall be deemed entirely voluntary and not part of any contract of employment or other agreement for remuneration of Boosters by City.
- 5. Employment of Others.** At their option and own expense, City and/or Boosters may employ others, including, but not limited to landscapers, laborers and outside contractors to accomplish the Activities shown in Attachment A in a manner consistent with City codes and policies.
- 6. Hardscape.** The installation of any new or replacement hardscape features, including, but not limited to, pathways, affixed benches, signage, kiosks, stone walls and other fixtures shall be subject to prior City approval

City Council
October 6, 2020
Agenda Item 5c
Exhibit A

**MEMORANDUM OF UNDERSTANDING
FOR PETER BRITT GARDENS
JACKSONVILLE, OREGON**

under its code; provided however that such approval shall not, without Boosters' prior written agreement, require Boosters to provide volunteer and/or financial support for such installation.

- 7. Termination.** Unless sooner terminated, this MOU shall terminate five (5) calendar years from its date above. Either City or Boosters may sooner terminate this MOU upon ninety (90) days' written notice to the other, provided that such termination shall not affect the completion of any Activity in progress at the time of such termination.
- 8. Notices.** Unless otherwise specified in writing, notices hereunder shall be given by first class mail as follows:

To City: Director of Public Works, City of Jacksonville, P.O. Box 7, Jacksonville, OR 97530, 110 East Main St., Jacksonville, OR

To Club: President, Jacksonville Boosters Club, Inc., P.O. Box 81, Jacksonville, OR.

To Foundation: President, Jacksonville Boosters Foundation, Inc., P.O. Box 1061, Jacksonville, OR 97530

Executed as of the date above as follows:

CITY:

By _____, its _____

CLUB:

By _____, its _____

FOUNDATION:

By _____, its _____

**MEMORANDUM OF UNDERSTANDING
FOR PETER BRITT GARDENS
JACKSONVILLE, OREGON**

ATTACHMENT A

Key: C = City and B = Boosters

<u>Activity</u>	<u>Responsibility</u>
Landscape Planting and Replacement	B
Drip irrigation installation	B
Irrigation system & Maintenance, including water bill	C
Weeding, spraying & general clean up	B
Plant fertilizing & mulching	B
Lawn mowing	B
Lawn fertilizing	C
Weed whacking	C
Tree felling & removal	C
Tree & shrub pruning & thinning	B
Pruning & debris stacking for pickup	B
Pruning, debris & refuse pickup	C
Wood fence maintenance & painting	B

**MEMORANDUM OF UNDERSTANDING
FOR PETER BRITT GARDENS
JACKSONVILLE, OREGON**

ATTACHMENT A (continued)

Paths & steps blow/clean up	B
Light system maintenance	C
Steel railing maintenance	C
Drinking fountain maintenance	C
DG path maintenance	B
Restrooms exterior maintenance	B
Restrooms interior maintenance & plumbing	C
Hardscape construction/ installation	C & B
Dry-stacked stone wall maintenance	B
Mortared stone wall and foundation maintenance	C
Signage acquisition, installation & maintenance	B
Garbage pickup & removal	C

Jacksonville City Council Agenda Item Summary



Approval of Police Officer New Hires

Date: September 21, 2020
From: David Towe, Police Chief

City Council Meeting: October 6, 2020
Agenda Item: 5d

Synopsis:

In July the department began the search to replace two positions within the department. We received 7 applications, of which only two were lateral transfers. We have completed the background and psychological evaluations of one person (Ken Berry) and have begun the process of a second (Kaden Johnson). Mr. Berry has passed both the background and psychological evals and I anticipate the same for Mr. Johnson. I would request the council approve hiring both officers at the first available date for each.

Fiscal Impact:

Per FY 2020-2021 Budget

Recommendations:

Staff recommends approving the hiring of Ken Berry as Police Officer; and approving the hiring Kaden Johnson as Police Officer, pending background and psychological evaluation.

Exhibits:

N/A

Jacksonville City Council Agenda Item Summary



Accept Bid for the Second Floor Tenant Improvement for New City Hall

Date: October 1, 2020
From: Jeff Alvis, City Administrator

City Council Meeting: October 6, 2020
Agenda Item: 5e

Synopsis:

After working with ZCS Engineering on modifications for a more cost-effective approach to the Second Floor Tenant Improvements for New City Hall, we received two competitive bids on October 1, 2020.

	Base Bid	Alternate #1	Alternate #2	Alternate #3	Total Bid Price
Vitus Construction	378,400	23,300	33,900	34,700	470,300
Lucas Main Construction	455,991	10,518	25,911	37,952	530,372

Fiscal Impact:

\$378,400 base bid with alternates to be determined. These funds for this project are budgeted in the Capital Projects Fund.

Recommendations:

Staff recommends Council approving the Vitus Construction base bid for \$378,400, with the City Administrator determining which alternates will be accepted.

Exhibits:

N/A

Jacksonville City Council Agenda Item Summary



Resolution No R2020-015 – A Resolution Adopting a Color Palette for New Truncated Domes Within the City of Jacksonville

Date: September 29, 2020
From: Jeff Alvis/Ian Foster

City Council Meeting: October 6, 2020
Agenda Item: 5f

Synopsis:

The Oregon Department of Transportation (ODOT) is in the planning phases of reconstructing the sidewalk ramps along North Fifth Street in order to comply with current disability standards. Part of the project includes replacing the truncated domes located on the ramps, the detectable underfoot surfaces that alert the vision impaired. Currently, the color of the domes within the City is a brick red (or similar).

ODOT's standards require the domes to be Emergency Red or Federal Yellow. As such, because the Jacksonville is in a National Historic Landmark District, the City is requiring a design exception in order to maintain the current color scheme. Therefore, staff recommends the Council adopt a Resolution in order to memorialize the City's color palette for the domes for current and future projects.

Staff determined that Colonial Red, by Tuftile, is similar to the current brick red color. Staff recommends that the City Council select Colonial Red, or equal as determined by the City, for new truncated domes located within the City of Jacksonville.

Fiscal Impact:

NA

Recommendations:

Staff recommends The Council adopt Resolution R2020-015, thereby approving Colonial Red, or similar as determined by the City of Jacksonville Planning or Public Works Directors, as the prescribed color for new truncated domes within the City of Jacksonville.

Exhibits:

Exhibit A: Resolution No. R2020-015

RESOLUTION NO. 2020-015

**A RESOLUTION ADOPTING A COLOR PALLETTE FOR NEW TRUNCATED
DOMES WITHIN THE CITY OF JACKSONVILLE**

WHEREAS, the City Council for the City of Jacksonville, Oregon finds as follows:

A. The Oregon Department of Transportation (ODOT) is in the design phase to replace sidewalk ramps on North Fifth Street in order to comply with disability standards.

B. The City of Jacksonville is a National Historic Landmark with specific design standards for the built environment, including sidewalk details.

B. ODOT has two specific colors for truncated domes, which are inconsistent with the current color scheme within the City of Jacksonville.

C. The City of Jacksonville is requiring a Design Exception for the truncated dome color palette in order to maintain a compatible and consistent color of existing facilities within the City.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF JACKSONVILLE,
OREGON, RESOLVES AS FOLLOWS:**

1. the City of Jacksonville approves Colonial Red, or similar as determined by the City of Jacksonville Planning or Public Works Directors, as the prescribed color for new truncated domes to be installed within the corporate limits of the City of Jacksonville, Oregon.

**Signed by me in authentication of the passage of the above on _____,
2020,**

Paul Becker, Mayor

**Attest: _____
Angela Watson, City Recorder**

City Council
October 6, 2020
Agenda Item 5f
Exhibit A