

BEFORE THE BOARD OF DIRECTORS
 FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS
 In the matter of establishing rates for services provided member and other entities on a fee-for-service basis.

RESOLUTION 2024-01

WHEREAS, the Mid-Willamette Valley Council of Governments (COG) is an intergovernmental entity established by agreement among the participating jurisdictions pursuant to their home rule authority and ORS 190.019.

WHEREAS, the agreement establishing the COG and ORS 190.020 allows the COG to enter into intergovernmental agreements for the delivery of services to its member governments

WHEREAS, the COG presently offers a host of fee-for-service programs on a contractual basis with its member governments to include land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services; and

WHEREAS, the Board of Directors for the COG desires to set rates for such services that are affordable for members and recover the COG’s costs of providing such services,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:

That the following rates shall take effect for the COG’s fee-for-service program beginning July 1, 2024, and ending June 30, 2025, unless sooner amended:

Member Services

	COG Member Rates	Affiliate Member Rates
Recruitment Services		
Population - Up to 1,000	\$ 8,500	\$ 9,400
Population - 1,001 to 5,000	\$ 10,900	\$ 12,000
Population - Over 5,000	\$ 14,600	\$ 16,100
Background Check Services (per background check)	\$ 600	\$ 700
Legal Services		
Legal Service Subscription (Includes up to 10 hours per year, unused hours do not roll forward)	Per year \$ 1,000	\$ 1,200
General Counsell Services	Per hour \$ 200	\$ 230
Hearings Officer Services	Per hour \$ 200	\$ 250

Member Services (continued)

		COG Member Rates	Affiliate Member Rates	Grant Contract Rates	
Strategic Planning/Goal Setting					
	Evening/Half Day (4 hours)*	\$ 2,700	\$ 2,970		
	One Day (8 Hours)*	\$ 5,400	\$ 5,940		
	Evening Plus full day (10 hours)*	\$ 6,450	\$ 7,095		
	* hourly rates apply thereafter				
Staff Services					
	Executive Director	per hour	\$ 187	\$ 230	\$ 225
	Department Director	per hour	\$ 141	\$ 170	\$ 195
	Loan Program Manager	per hour	\$ 148	\$ 180	\$ 180
	Project Manager 2	per hour	\$ 114	\$ 140	\$ 165
	Planner, Senior	per hour	\$ 109	\$ 130	\$ 165
	Admin Services Coordinator	per hour	\$ 92	\$ 110	\$ 150
	Accountant	per hour	\$ 92	\$ 110	\$ 150
	Planner, Associate	per hour	\$ 107	\$ 130	\$ 150
	Project Manager 1	per hour	\$ 99	\$ 120	\$ 150
	Administrative Specialist	per hour	\$ 84	\$ 100	\$ 120
	Planner, Assistant	per hour	\$ 84	\$ 100	\$ 120
Modeling Services					
	Modeling Services Member Rate	per hour	\$ 100	\$ 160	
	Modeling Services For Profit Rate	per hour		\$ 200	
Loan Underwriting , Packaging and Closing Services*					
	*charged as per lender requirement		See contract	See contract	
Copy					
	Black and White Copies (Each)		\$ 0.30	\$ 0.30	
	Color Copies (Each)		\$ 0.80	\$ 0.90	
	Regular Plots (Each)		\$ 39.00	\$ 42.00	
	Image Plots (Each)		\$ 55.00	\$ 61.00	

Affiliate and Business Partner Rates

	Individual / Non-Profit Affiliate
Cost	\$500
Eligibility	<ul style="list-style-type: none">i. Local governments outside of Marion, Polk and Yamhill countiesii. Individual: Available to public employees or employees of nonprofits who work regularly with COG.iii. Nonprofit: Non-profit regional organizations and statewide intergovernmental associations that either have government representation on their boards (i.e. SEDCOR, Travel Salem, LOC, AOC, OSBA) or that partner with the COG in the delivery of its programs and services (i.e. Boys and Girls Club)
Scope of Services	<ul style="list-style-type: none">i. Affiliates are eligible for fee-for-service community development, transportation planning and GIS programs and such other services as the Executive Director may deem appropriate based on available resources.ii. Affiliates are not eligible to participate in the COG's fee for service programs that are limited to Marion, Polk, and Yamhill local government entities (i.e. recruitments, strategic planning, etc.)

ADOPTED by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 19th Day of March 2024.

ATTEST



Roxanne Beltz, Vice Chair
COG Board of Directors



Scott Dadson
Executive Director



MEMORANDUM

TO: Board of Directors
Mid-Willamette Valley Council of Governments

DATE: March 14, 2024

THRU: Scott Dadson
Executive Director

FROM: Amber Mathiesen
Finance Director

SUBJECT: Resolution No. 2024-01 Establishing Rates for Services for FY 2024-25

ISSUE

Should the Mid-Willamette Valley Council of Governments (COG) Board of Directors adopt the attached resolution establishing rates for fee-for-service programs FY 2024-25?

BACKGROUND

The COG, as an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments. The COG presently offers a host of fee-for-service programs on a contractual basis with its member governments, including but not limited to: land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services.

As part of the budget setting process, the Board adopts a rate schedule annually that sets out the fees that the COG charges for services provided to member and non-member governments.

RECOMMENDATION

The Board adopt Resolution No. 2024-01 establishing rates for fee-for-service programs FY 2024-25.

DISCUSSION

The following discussion summarizes the analysis that staff used to arrive at the rates on the attached resolution to include:

- Any relevant historical context for the program or service and its associated rates;
- The assumptions and methodology staff used to arrive at the recommended rate;

- Where applicable, how the recommended rate compares with private sector rates for similar work; and
- Whether the proposed rate will generate revenue in excess of expenses, only recover costs, or result in a program loss (and if so, why that is advisable).

Member Services Rates

Recruiting Services. The rates set forth in the attached resolution are based on an analysis that averages the number of hours spent on this service over a five-year period and tiered by entity size. The rates are well below that which recruiters charge (which based on recent recruitments in the area are \$25,000 - \$35,000 per recruitment). However, the services conducted by recruiters is markedly different, in that recruiters offer a guarantee and will also actively recruit candidates (whereas the COG's service approximates the role of an internal Human Resources staff - a passive recruitment model). The anticipated net effect of the attached rates is to be both revenue and cost neutral based on a five-year average.

Legal Services. The COG began providing legal services in 2018. The attached resolution contains two rates for attorney services. The first is for Legal Services subscriptions which allow members to get up to 10 hours of legal services for a flat rate. Then there are rates for general counsel and hearings officer services at a rate of \$200 per hour. Both rates are at or below what cities have historically paid for these services.

The COG's cost for providing this service is expected to be \$114 per hour starting July 1, 2024. On a strictly per-hour basis, this model results in a net revenue of \$86 per hour for attorney services. That net revenue goes to pay for the cost of legal services provided to the COG on internal matters. The anticipated net effect of the attached rates is to be revenue and cost neutral, with some potential for a net gain (depending on the degree to which the attorney is used for internal matters).

Strategic Planning / Goal Setting. The COG provides goal setting and strategic planning sessions through a contractor. The attached rates reflect the cost of the contractor. The net effect is to be both revenue and cost neutral.

Miscellaneous Services. The COG will occasionally provide additional member services on a fee for service basis. For example, members will contract with the COG to facilitate amendments to the city Charter, facilitate resolution of conflicts, or perform other studies within the skills and abilities of the Executive Director. The anticipated hourly cost for the Executive Director (including wages and benefits) is \$150.00. The anticipated hourly cost for administrative support is \$80.00. Staff recommends a rate of \$187 per hour for the Executive Director and \$84.00 per hour for the Administrative Support, which is the rate that most facilitators charge for similar services. Because the demand for this type of work is intermittent, it is difficult to accurately predict the revenue impact of this rate, but any revenue would be minimal.

Community Development Rates

Land Use Planning. The COG provides land use planning services on a contractual, hourly basis for over twenty (20) jurisdictions throughout the region. The current contracts are set to expire on June 30, 2024.

Contract work includes current planning, special planning projects and long-range planning work, such as updating comprehensive plans, buildable land inventories and UGB expansions, code updates, mapping, etc. and this work is often shared between the local jurisdiction and private sector (if we are not successful in securing grant sources).

The staff recommended rates are intended to recover costs, however, some rates have historically been lower than cost recovery. In these cases, we are raising these rates incrementally 10% this year, and similar increases in following years)to improve recovery over time.

A market rate analysis of other planning services consultants within the region shows that, at the recommended rates, the COG proposed FY24/25 in the mid-range of other planning consultants within the region.

Program attributes that sets the COG apart, in addition to our hourly services contracts, are:

- Direct representation of our local jurisdictions with an assigned planner they can become familiar with and develop firm relationships and understandings;
- Support from the Community Development program as a whole, including support from the Community Development Director, Housing Rehabilitation Specialist, Grant Administrator, and Small Business Loan Program staff; and
- Support from a total of seven (7) Community Development staff rather than a single land use planner providing office hours that can often serve as a siloed resource.

Grants Administration. COG staff also contract with cities and other local governments throughout the year for funding application assistance, administration of public infrastructure grants and loans, and/or income surveys or other tasks needed to ensure continued eligibility for various state and federal funding programs. The recommended rate will achieve full cost recovery for this program area and is well within market rates for similar services.

Housing Rehabilitation. Community Development staff support the Valley Development Initiatives (VDI) housing rehabilitation program and contracted hourly services to support housing rehabilitation program contracts for the cities of Jefferson, Mt. Angel, Scotts Mills, Silverton, and Woodburn who maintain their own housing funds and desire COG assistance with program administration. The recommended rate will achieve full cost recovery for this program area.

Other Economic Development Services. Community Development staff will occasionally provide other economic development services, such as urban renewal planning and other

economic development efforts as requested by member local governments to enhance the region. The recommended rates for these services will achieve full cost recovery for those activities.

Geographic Information Services (GIS) / Transportation Modeling Services Rates

The COG provides various technical GIS services to member governments to include:

- Updates of zoning and comprehensive plan maps as well as other maps needed for local land use planning services;
- Requested services of a local government, such as address mapping, or assistance with Census program participation (e.g. Boundary and Annexation Survey)
- Support to Yamhill County to maintain and update the county's online GIS web application;
- Services for the Salem-Keizer School District to maintain and update data layers, update and create maps of school boundaries, and maintain the district's online GIS web application (the Salem-Keizer School Finder), and other services requested by the district; and
- Mailing list GIS services for ODOT Region 2.

The hourly member rate is the needed to cover COG's labor rate for a GIS analyst, plus indirect and material costs.

Modeling Services. On an infrequent basis (from two to four times per year), the COG transportation section will get requests for modeling forecasts from private sector companies (or their consultants) for projects associated with a private-sector land use development application. COG only provides this service only for the geographic area inside the SKATS MPO area. The proposed Transportation Modeling services hour charges of \$130/hour is higher than the "break-even" costs of \$110.00/hour for a Senior Planner- \$100/hour for an Associate Planner. In a typical year, the total amount of hours charge is less than 20 hours. Requests from our local governments within SKATS and ODOT for modeling forecasts and related outputs is not charged to those jurisdictions or ODOT since they provide local or state funds for matching the federal funds provided to the COG for SKATS.

Loan Program Service Rates

The loan program bills the individual loan programs for the time spent to market, underwrite, funding and servicing the loans. The recommended staff rates are expected to achieve full cost recovery when loans are funded. However, because many prospective lending opportunities are not pursued by the business borrowers and their participating lenders, for a variety of reasons beyond the control of the loan program staff, the time spent working on these prospective projects is not billable, so the time and costs are not recovered in instances when a loan does not

fund. The costs of those activities are then borne by the carryover in program income from year to year, which derives from other program revenues.

The loan program budget is the aggregate revenues of each revenue source. For example, the SBA 504 program and the Oregon Business Development Fund generates income in excess of costs; the COG revolving loan fund and VDI loan programs fund most, to all of the revenues to cover expenses and the contract lending services provided two cities and one county is subsidized by the other COG lending activities.

The COG's rates are well below market rates and that of other public sector lenders. A true private sector comparison is problematic because a lender would be reluctant to accept the liability risk and increased insurance costs inherent with a contract for lending services that are not core to the lender's activities. However, for comparison purposes assume the COG's rate for loan officer and program manager to be doubled to match private sector salaries (loan officer and team leader) and add a factor of plus 50% for indirect costs; the loan servicing rates would be increased by an indirect increase of 50%. Public sector comparisons are limited to other Councils of Governments in the State, which either are understaffed, do not have the software capacity, and are unable to provide lending services outside of their area of operations. Typically, these public entities have higher staff rates because of their individual burden rates/indirect costs in comparison to MWVCOG, as per our prior affiliation with jointly operated (three COGs) Certified Development Company.