

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 20, 2021

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 7:00 pm in the Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Drew Farmer, Stephanie Kilmer, Phil Marler, Carmen Matthews, and Rob Miles. Councilor Lucinda DiNovo was absent. City staff present were City Manager Rodger Craddock, Assistant City Manager/Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, Police Captain Tom Lindahl, and Library Director Sami Pierson. City staff attending remotely was Community Development Administrator Carolyn Johnson.

Flag Salute

Mayor Benetti opened the meeting and led the council and assembly in the salute to the flag.

Public Comments

Susan Anderson, Coos Bay stated concerns for the possible two-year delay to put the library bond on the ballot, suggested it be placed on the May 2022, if not the November 2021, ballot, and concern the repairs to the library building would appear to the public as though a new building was not needed. Councilor Miles stated there was a Library Board meeting scheduled on July 21, 2021 and would put on the agenda to discuss the bond. Mary Kay Hill, Coos Bay stated she did not know why the city needed a new library and wanted it located downtown Coos Bay. City Manager Rodger Craddock gave a background of the reasons for a new library and Councilors discussed how the location was chosen.

Public Comment Form

No public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of July 6, 2021 Minutes - Special Meeting
- 3b: Approval of July 6, 2021 Minutes - Regular Meeting
- 3c: Acceptance of June 2021 Financial Reports and Check Registers
- 3d: Acceptance of Grant from Oregon Department of Transportation

The City of Coos Bay received a grant from the Oregon Department of Transportation to support road construction projects within the city. These funds

are flow-through federal funds, similar to STP funds, allocated from the State's COVID funding for infrastructure.

Councilor Miles moved to approve the consent calendar as presented. Councilor Marler seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Matthews, Miles. Absent: DiNovo.

Consideration of Concurrence with the Empire Urban Renewal Plan Amendment - Would Require Adoption of Resolution 21-20

Assistant City Manager/Finance Director Nichole Rutherford stated the Urban Renewal Agency of the City of Coos Bay (Agency) has proposed a plan amendment to the Empire Plan. This amendment added acreage (portion of John Topits Park), identified plan projects, and increased the maximum indebtedness from \$18,890,011 to \$29,000,000. As part of this plan amendment, overlapping taxing districts who made up at least 75% of the total taxing district area of the Plan must provide concurrence with the amendment by passing a resolution. The Agency engaged the assistance of Elaine Howard, URA Consultant to investigate and administer a plan amendment to the Empire URA Plan. With interest to have the library relocated to John Topits Park, as well as several other projects within the Empire area, an amendment to the plan was deemed necessary. Elaine Howard stated city received approval from the Coos Bay School District and South Coast Education Service District; the City had to adopt a resolution in agreement as well.

Councilor Marler moved to adopt Resolution 21-20 in support of the Urban Renewal Agency of the City of Coos Bay's Empire Plan Amendment. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Matthews, Miles. Absent: DiNovo.

Public Hearing Held to Consider Adoption of the Proposed Empire Urban Renewal Plan Amendment – Approval Would Require Enactment of Proposed Ordinance

Assistant City Manager/Finance Director Nichole Rutherford stated at the March 16, 2021 the Coos Bay Urban Renewal Agency (Agency) meeting, staff was instructed to begin work with the Agency's urban renewal consultant, Elaine Howard. Ms. Howard included an overview of the Coos Bay City Council's decision to locate the new library facility in a portion of John Topits Park, as well as, the necessary steps to perform a plan amendment which included addition of acreage to the Empire District Plan (Plan) and increase of maximum indebtedness to help support future projects planned for the Empire District. The Agency met on June 1, 2021 and authorized staff to begin the public review process. The Coos Bay City Council was asked to hold a public hearing to gain input regarding the Council's consideration and potential adoption of the proposed Empire Urban Renewal Plan Amendment (Amendment) and to vote on the ordinance to adopt the Amendment.

The Empire Urban Renewal Plan (Plan) was initially enacted by Ordinance 216 by Council at their August 30, 1995 meeting. At the May 19, 1998 Council meeting, Council enacted Ordinance 252 which established the Empire District maximum indebtedness. Several Plan amendments had been approved by the Agency since that time, such as including new projects to improve the area, development of a Facade Program (now Building Improvement Grant program), land purchases, etc. With the recent interest to locate the new library facility in John Topits Park, the Agency indicated interest in a potential plan amendment to include this acreage within the plan, as well as potentially increase the maximum indebtedness to

allow for funding of planned future projects. As there were specific requirements, detailed in ORS 457, to be met with a plan amendment of this type (substantial amendment), staff followed the Agency's direction to seek consultation with Elaine Howard, the Agency's urban renewal consultant. Ms. Howard provided a timeline for the process, as well as, the detailed steps necessary to ensure public participation and concurrence from the overlapping taxing districts. Due to the nature of the acreage recommended for addition to the Plan, the overlapping taxing districts would not be affected by its addition as the property was currently property tax exempt and would remain so. However, an increase to the maximum indebtedness would have an effect on the overlapping taxing districts by extension of debt service payments beyond current repayment schedules should the Agency incur additional debt necessary to complete future planned projects.

The projects to be added to the Plan included site improvements to John Topits Park to facilitate the development of the new Library and a future Sports Complex, including parking for these facilities, improvements to Wastewater Pump Station 14, and remediation activities for properties within the Area. The maximum indebtedness would be increased from \$18,890,011 to \$29,000,000. This increase must be approved via adoption of a resolution by the boards of the taxing districts representing 75% of the permanent rate levy for the Coos Bay Empire Urban Renewal District. The City of Coos Bay, Coos Bay School District and South Coast Education Service District have concurred with the Amendment, satisfying the 75% threshold. The impacts on taxing districts were shown in the Report on the Plan. The Amendment extends the projected time frame of the Plan from Fiscal Year End (FYE) 2031 to FYE 2040. General updating of the Plan was included in the Amendment.

The direction of the Agency would determine the extent of future projects for the Empire District, with exact costs to be determined and outlined in the Report Accompanying the Empire Urban Renewal Substantial Amendment, Amendment 13.

Mayor Benetti opened the public hearing. No public comments were made and the hearing was closed.

Councilor Marler moved to enact the proposed ordinance amending the Empire Urban Renewal Plan. Councilor Farmer seconded the motion which carried. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 543 was enacted by the following vote:

Aye: Benetti, Farmer, Kilmer, Marler, Matthews, Miles.

Nay: None.

Absent: DiNovo.

Acceptance of Intergovernmental Agreements with Coos Bay School District and South Coast Education Service District

City Manager Rodger Craddock stated City staff had been working the Elaine Howard, Urban Renewal Consultant, on an amendment to the Empire District Urban Renewal Plan. As part of this process, consult and confer correspondence had been sent to all overlapping taxing districts, and due to the type of plan amendment (substantial plan amendment) resulting in an increase to maximum indebtedness, concurrence was necessary from the overlapping taxing districts that comprise at least 75% of the total taxing district. As such, the Urban Renewal Agency (Agency) sought concurrence with the City of Coos Bay, Coos Bay School District

and the South Coast Education Service District.

For the last several months, staff had been working through the process of amending the Empire District Urban Renewal Plan (Plan), guided through the process by Ms. Howard, which involved: presentation before the Planning Commission to confirm that the proposed Plan amendments remained in conformance with the City's Comp Plan; issuance of Consult & Confer letters to all of the overlapping taxing districts; direct mailing to all property owners within the boundaries of the City; presentation to the Coos County Commissioners; and presentation to the overlapping taxing districts that comprise 75% of the taxing district to get concurrence with the Plan amendments (via their adoption of a Resolution). During the last step, two of the three overlapping taxing districts noted concern the affects of extending the life of the Plan from 2031 to 2040 could have on the State School Formula, directly effecting the districts annual funding. As such, intergovernmental agreements were established that alleviated the concern and allowed these two district's to move forward with adopting resolutions, concurring with the proposed Plan amendment.

Councilor Matthews moved to approve the two separate Intergovernmental Agreements between the City of Coos Bay and the Coos Bay School District and South Coast Education Service District. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Matthews, Miles. Absent: DiNovo.

Public Hearing on Coos Bay Comprehensive Plan (CBCP) and Coos Bay Development Code (CBDC) Amendments Related to HB 2001 Housing Requirements - Approval Would Require Enactment of Proposed Ordinance

Community Development Administrator Carolyn Johnson stated this public hearing was a review and comment opportunity on corrections to City Comprehensive Plan policies noted in Ordinance 539 and minor revisions to Coos Bay Municipal Code (CBMC) Title 17 noted in Ordinances 540 and 541.

Each ordinance was enacted on May 18, 2021, pursuant to HB 2001 requirements to create housing opportunities for all Oregonians. Funded by a Department of Land Conservation and Development department grant, with work beginning in the fall of 2020, planning consultants, a housing advisory committee and city staff developed Comprehensive Plan and Coos Bay Development Code (CBMC Title 17) amendments reflected in Council enactment of the three referenced ordinances. Each ordinance went into effect on June 18, 2021.

Regarding Ordinance 539, related to the Comprehensive Plan amendments, there was an omission of a portion of the ordinance exhibit that had been a part of May 4, 2021 public hearing and May 18, 2021 exhibits. Regarding Ordinances 540 and 541, a number of minor cross referencing and clarity questions have been pointed out for revision. The presented Ordinance addressed the addition of exhibit language for the Comprehensive Plan and needed revisions to CBMC Title 17. Council was asked to consider authorization of needed correction with enactment of the proposed ordinance.

Mayor Benetti opened the public hearing. No public comments were made and the hearing was closed.

Councilor Farmer moved to enact the ordinance amending the Coos Bay Comprehensive Plan and Coos Bay Municipal Code Title 17 with an amendment to page sixteen striking the

references to the manufactured home project. Councilor Matthews seconded the motion which carried. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 544 was enacted by the following vote:

Aye: Benetti, Farmer, Kilmer, Marler, Matthews, Miles.

Nay: None.

Absent: DiNovo.

City Manager's Report

City Manager Rodger Craddock stated 4th Street project was almost complete and on-time, the Tioga Building project was almost complete with the Koski building next, Tower Ford project had begun their façade project, School of Dance façade project was almost complete, Front Street building next to scrap yard was scheduled to be demolished by the end of August 2021, staff to go out for bids August 2021 for the Englewood School cleanup project, ratified Coos Bay Police Officers Association collective bargaining agreement, Homeless Work Group meeting was scheduled for July 22, 2021, and the League of Oregon Cities conference was coming up if the Councilors were interested to attend.

Council Comments

Councilor Farmer stated the comprehensive plan was a more comprehensive and optimistic plan and to support education in our community an investment in the city would contribute to the betterment of the students. Councilor Matthews thanked everyone at the city who had helped with his own permits. Councilor Marler stated two important people to the community were lost this last week; former Fire Chief Stan Gibson and Coquille Indian Tribal Chief Don Ivy. Councilor Kilmer gave her condolences and stated the Coos County Fair opened, Coos Health and Wellness had a free vaccination clinic starting July 21, 2021, and the Oregon Coast Music Festival opened. Councilor Miles gave an update on the Boys and Girls Club Summer Program activities and gave condolences to all the families for their loss. Mayor Benetti gave condolences to all the friends and families, commended the Police Department for their work with the homeless, and asked for an update on the garbage can research. Public Works and Community Development Director Jim Hossley stated he received estimates for self-compacting garbage cans and would be discussing with the City Manager.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for August 3, 2021. These minutes were approved as presented by City Council on August 3, 2021.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder