

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

May 5, 2020

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 VIRTUAL MEETING.

Those Attending

Those attending remotely by teleconference were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, Phil Marler, Carmen Matthews, and Rob Miles. City staff attending remotely by teleconference were City Manager Rodger Craddock, Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Library Director Sami Pierson, Public Works and Community Development Director Jim Hossley, and Fire Chief Mark Anderson.

Flag Salute

Mayor Benetti opened the meeting.

Public Comments

No public comments were provided online and no public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of April 21, 2020 Minutes

- 3b: Approval of an Emergency Medical Services (EMS) Proclamation
This year, the Emergency Medical Services week is May 17, 2020 through May 23, 2020.

- 3c: Adoption of Resolution 20-10 Fair Housing Policy as part of Community Development Block Grant Program Application
To conform with Federal Community Development Block Grant (CDBG) requirements, the city must adopt a Fair Housing Policy as shown in the provided Resolution 20-10. The city submitted a CDBG application to Oregon Business Development Department (OBDD) on April 27, 2020. Resolution 20-10 will replace the city's previously adopted Resolution 98-25 Fair Housing Policy 1998.

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

Approval of Revisions to the Emergency Operations Plan

Fire Chief Mark Anderson stated the City of Coos Bay had adopted an Emergency Operations Plan that provided a framework for coordinated prevention, planning, response,

and recovery activities for any type or size of emergency affecting the city. This Emergency Operations Plan complimented the State of Oregon Emergency Management Plan and integrated the concepts of the National Response Framework.

Annually, city staff reviewed the plan and updated as appropriate. Following the review schedule, located within the Letter of Promulgation section, city staff have reviewed and revised the provided sections of the Emergency Operations Plan for 2020: ESF 5, ESF 8, ESF 9, ESF 15, IA 4, IA 5, IA 6, SA 2 , SA 3, and SA 5.

Councilor Miles moved to approve revisions to the City of Coos Bay Emergency Operations Plan. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Award of Contract Amendment for Consulting/Engineering Services - Mingus Pond and Park Rehabilitation Phase 2

Public Works and Community Development Director Jim Hossley stated Mingus Park needed several improvements including dredging of the pond and replacing amenities at the park's south end, recommended as priority by the Parks Commission. To accomplish the dredging project, city staff identified a potential Oregon Department of Fish and Wildlife (ODFW) grant to fund the dredging of the pond and provide improvements around the pond including fishing piers, trail enhancement, and removal of environmental issues.

Staff also identified an Oregon Parks and Recreation Department (OPRD) grant for replacing amenities at the south end of Mingus Park. The proposed replacement (phase 2) project included new restrooms, playground equipment, pavilion, pathways, wetland mitigation, and a new water feature. There were potential cost savings to combining the dredging project with the phase 2 improvements.

If awarded both grants, the city's cost for the project would be for the consulting and engineering services. These costs were \$69,690 for dredging (previously approved by the city manager) plus \$70,664 for phase 2, totaling \$140,354. The cost of the consulting and engineering services would be used as city match for the ODFW grant.

Staff requested council consider awarding an amendment to the existing contract with ZCS to include the consulting and engineering services for phase 2 of the improvements to Mingus Park. Both grant applications require design plans. While there was no guarantee that the city would be successful in obtaining these grants, utilizing the grant writing services of Heather Laird, who had been very successful at obtaining grants for the city, would hopefully result in positive results. Work would not begin until the end of summer 2021.

Councilor Matthews moved to approve the Phase 2 Amendment to the consulting and engineering services Mingus Pond contract with ZCS Engineering and Architecture for a fee not to exceed \$70,664, bringing the total contract fee to a not to exceed amount of \$140,354. Councilor Farmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Adoption of Resolution 20-11 Amending the Expiration Date of Resolution 20-07 Relating to Transient Lodging Facilities

City Manager Rodger Craddock stated in an effort to limit the spread of COVID-19, city

council adopted Resolution 20-07 requesting temporary lodging establishments within the city to assist in telling visitors to "Stay Home and Stay Healthy" by voluntarily limiting the rental of rooms to individuals who are considered essential workers, local residents, the unsheltered or persons lodging for medical reason, etc. The resolution was adopted on April 1, 2020, and is scheduled to sunset on June 1, 2020. While approved, Resolution 20-07 was superseded by Coos County Order 20-03-014L which set in place mandatory restrictions on all short-term rental establishments in Coos County. While a number of statewide restrictions were implemented by Governor Brown, no restrictions were placed on hotels / motels and other short-term rental establishments.

Coos County Commissioners recently decided to let Coos County Order 20-03-014L expire on April 30, 2020, although they urged short-term lodging providers to implement several safety measures throughout the duration of the COVID-19 emergency.

As Governor Brown and her staff began to implement staged reduction of COVID-19 related restrictions, and as the Coos County Commissioners had allowed Order 20-03-014L to expire, the council had been asked to consider shortening the duration of Resolution 20-07.

Councilor Kilmer moved to adopt Resolution 20-11 amending the expiration date of Resolution 20-07 to May 5, 2020. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Adoption of Cybersecurity Policy

Finance Director Nichole Rutherford stated for the last several years, the city had purchased additional cybersecurity insurance coverage. In the ever-changing world of technology, this additional coverage provided another layer of protection to shield the city from an unfortunate event such as a phishing campaign or ransomware. The city's general liability coverage covered up to \$50,000 of cybersecurity, and the city had selected to supplement that coverage with an additional \$950,000 policy, at a cost of roughly \$4,000 per year. CityCounty Insurance (CIS) now required a Cybersecurity Policy be adopted in order to renew the insurance for the upcoming fiscal year 2021. The Technology Committee will annually review the policy to make sure it remains current with standards.

Councilor DiNovo moved to adopt the Cybersecurity Policy provided with an effective date of May 5, 2020. Councilor Miles seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

Discussion Regarding Continued Funding for the Boat Building Center

City Manager Rodger Craddock stated the idea for the boat building center / school came about during public meetings held in 2008 concerning the development of a master plan for the Hollering Place. The Hollering Place Master Plan was later adopted by the city. In 2009, the Urban Renewal Agency (Agency) leased the old Eureka Fisheries facilities and dock, and began making improvements to the buildings and dock structures. In 2010, the city entered into a management agreement with the Coos Bay Boat Building Center (Center) Board which stipulated the city would provide operational funds for two years, along with a requirement for the Center to become self-sufficient by the end of 2013.

In late 2010, structural deficiencies in the pier system and the concrete deck were identified

and the Center was forced to move their operations. In 2011, the property owner began work to address the pier deficiencies. Later that year, during the midst of the facility and structural reconstruction, the Agency entered into an agreement with the Center and the property owner to transfer the lease from the city to the Center in exchange for funding to complete the building upgrades and a management agreement with the Center to provide limited operating funds for a two-year period. A stipulation in the new management agreement required the Center to be self-sufficient by January 1, 2014.

Between 2009-2012, the Agency has paid \$157,881.76 in capital funds to take down a couple of dangerous buildings and to upgrade the remaining building on the pier. Even after the management agreement expired in 2014, the city provided the Center \$5,000 annually to be used by the Center for operational support and costs associated to organize the annual Tall Ship visits. In addition to the capital expenses, the city has provided the Center just over \$90,000 since 2010 to support their operations. Most of those funds have been provided from the Hotel/Motel Tax Fund.

Unfortunately, the annual visit of the Tall Ships will not occur this year and due to the COVID-19 pandemic there will be far less revenue received. Due to the lack of revenue and absence of the annual tall ship event, the annual contribution was not included in the proposed Fiscal Year End (FYE) 2020-2021 budget.

The Center Board requested council to consider adding the annual \$5,000 stipend back into the proposed 2020-2021 budget to be presented at the budget committee's May 14, 2020 meeting. Council discussed and consensus due to pandemic, reduced transient lodging revenues, and potential need for future event cuts from the Hotel/Motel Tax Fund, was to not to allocate any additional funds to the budget for the annual \$5,000 stipend to the Center at this time.

Councilor Farmer moved to not add the Boat Building Center funding for consideration of the 2020-2021 budget. Councilor Marler seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Marler, Matthews, Miles.

City Manager's Report

City Manager Rodger Craddock stated the upcoming street improvement projects in spring 2020 were: Merchant (D Street to Merchant), I Street (14th Street to 17th Street), 19th Street (California to Idaho), 11th Street (Central Avenue to End), Park Avenue (4th Court to Telegraph), Underwood (8th Street to End), N Marple Street (Grant to Taylor), Kentucky (Prefontaine to Denise), South 4th Street, Safe Routes to School sidewalk project, and various potholes.

The summer/fall 2020 street improvements projects were: Koosbay Blvd (Teakwood to City limits), Donnelly Avenue (6th to 7th), Eastside school bus route, South 4th Street, and Safe Routes to School sidewalk project, and various potholes. Councilor DiNovo requested the Transportation Utility Fee (TUF) signage be put up during projects. Councilor Miles requested Koosbay Blvd be moved up in the schedule. Councilor Kilmer agreed as it was the main road to the hospital and medical services. Councilor Marler asked to review standards to include some gravel roads each year, possibly do strip paving. Councilor Matthews asked for alternatives to strip paving and help with drainage, such as using bioswells. Public Works and Community Development Director Jim Hossley stated to

control drainage ditching could be done, but would look into other options and report back to council.

Budget committee meetings were scheduled for May 14, 2020 and May 21, 2020 if needed; proposed budgets have been uploaded to the city's website.

Council Comments

Councilor Matthews asked everyone to continue to stay respectful of those immune compromised, continue social distancing even while having fatigue and wanting to get back to normal life, continue on this path for better future, and thanked everyone. Councilor Kilmer attended the virtual town hall meeting with Coos Health and Wellness regarding the number of positive cases at the Shutter Creek Facility in Coos County, and encouraged everyone to view the Facebook posted meeting which answered many questions. Councilor Farmer encouraged public to continue to outreach to each other by phone or virtual meetings, as it was important to stay connected. Councilor Miles reminded everyone to be respectful, keep wearing masks, and be safe. Councilor DiNovo stated was out in stores and saw many not wearing masks, encouraged others to wear masks to keep the numbers down. Councilor Marler asked everyone to be safe. Mayor Benetti stated it was difficult times, be respectful, everyone's health was important, wanted to open area back up and wearing masks was a step in the direction to open business back up.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for May 19, 2020 and would be be a virtual meeting.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder