

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 4, 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 Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

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

Flag Salute

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

Public Comments

Deputy Police Chief Chris Chapanar stated the investigation of video depicting the chase of a black man in Empire was complete and forwarded to the district attorney. The graffiti tip-line received four tips, staff had followed-up on leads and determined leads only produced circumstantial evidence, investigation was ongoing. If anyone had evidence they are encouraged to contact the police department. Staff worked on updating graffiti language contained in Coos Bay Municipal Code, with an ordinance to amend the language coming to Council soon. Mr. Chapanar noted city police officers receive sixteen weeks training, had a field officer assigned to them up to four months, and the Department of Public Safety Standards & Training (DPSST) required annual training to maintain certification, all of which show the Coos Bay Police Department training exceeds the minimum requirements. STOPS program used to report self-initiated police stops became effective July 1, 2020, in order to make police officers accountable, and enabled compilation of statistics by the State. Body cameras were ordered, would need programming, and would also interface with dash cameras. Staff will review policies related to body cameras, and anticipate activation of cameras on September 1, 2020. Mr. Chapanar stated he had spoken to Jay Brown regarding August 8, 2020 scheduled demonstration and concerns of potential cyber crime against Ms. Brown, pending receipt of evidence from Ms. Brown.

Tristan Avelis, Coos Bay requested more information on police training and response to hate/bias crime and threats of violence. Cameron Langley, Coos Bay stated as part of the Safer As One movement, he supported a committee for social, cultural, community development, and representation being established as suggested at the July 7, 2020 meeting. Robert Trout, Coos Bay stated Oregon Department of State Lands had \$97,500 unclaimed funds he wanted donated to the new democrats. Jay Brown stated she has received threats, received no protection, though only been vocal, and wanted a sit down with

law enforcement and officials throughout the state to propose solutions. Yolanda Ververka stated the mayor and council members received email today at approximately 5:15 pm inviting them to attend proposed sit down meeting on August 8, 2020, which could be rescheduled if needed. Zuleima Romero stated everyone should be treated the same regardless of their skin tone. Genevieve Martinez, North Bend noted surprise to hear the history of Alonzo Tucker and stated the past impacted the present.

Public Comment Forms

Autumn Kennedy stated the graffiti should be treated as a hate crime, there was a failure in equality, Black Lives Matters leaders have been threatened, and there was a lack of communication and response by city officials and Police Department. Jason Shifflett stated Black Lives Matters leaders have been threatened, was a lack of communication and response by city officials and Police Departments. Dominique Toyer, Medford stated the City Council needed to be anti-racist and the Black Lives Matter movement was up rooting systemic oppression but were labeled as terrorists.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Approval of July 21, 2020 Minutes

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

Presentation of the Downtown Association's Semi-Annual Report

Coos Bay Downtown Association's (CBDA) Executive Director Holly Boardman presented the semi-annual report which included an overview of events promoted by the CBDA throughout the year and introduced board members, including new members Katie Granado and Steve Schneiderman. The annual membership meeting was held January 16, 2020, with Mayor Joe Benetti and Robb Crocker speaking, and had the highest turnout. The Maritime Legacy Tall Ships were cancelled due to ship retirement and remaining port in Washington. The Farmers Market, considered an essential service, opened June 3, 2020 with new Market Manager Melissa Hasart. The Market follows COVID-19 guidelines of social distancing, masks, hand-washing stations, and barriers, and is open until October 28, 2020. The Organization Committee worked on new membership drive, total of 71 members, had applied for and received the Oregon Main Street Revitalization grant for \$200,000 on behalf of Robb Crocker for the Bugge Bank Building, and received Oregon Community Foundation grant in the amount of \$5,000 for general operating support in response to COVID-19 outbreak. The Promotions Committee had to cancel the summer festivals due to not being able to meet state COVID-19 guidelines and were working on a drive by Santa experience. The Design Committee displayed and hung seasonal banners, flower baskets, and worked on the Bike Rack Project with the grant being extended to April 2021 due to school closure and building racks on hold. CBDA applied for Travel Oregon grant for tourism for an Economic Vitality Plan for downtown and received \$20,000 to complete the plan, with the grant being extended until December 31, 2020. The association had lost revenue due to

COVID-19: \$12,000 from festival closures, \$10,000-\$15,000 due to limited Farmers Market, but did receive a grant from Oregon Community Foundation for \$5,000 and would be receiving administrative fees from the Revitalization Grant for \$12,000. Ms. Boardman thanked council for their ongoing support.

Presentation on Economic Development Administration Grant Opportunity

Michael Couch, consultant to Oregon Coast Artisan Trade Education Collective (OCATEC), presented a grant opportunity for the city to partner with OCATEC for federal grant offered by the Department of Commerce the the award to be used for city public works project and OCATEC development of training program and facilities. Awards range between \$100,000 and \$3,000,000 with cost-sharing requirement of twenty to fifty percent. City Manager Rodger Craddock stated there were potential projects and would be in contact. Rick Stillwagon and Sam Schwarz spoke for a trade school for more variety of industry in the area, encourage local youth to remain in the area, and bring others into the area. Council consensus to look into the grant possibilities.

Consideration of Approval of Amendment 2A to Jacobs Operations & Maintenance Contract

Public Works and Community Development Director Jim Hossley stated Jacobs, the city's Wastewater Operations and Maintenance Contractor, Jacobs, annually provided a budget for repairs. For fiscal year ended (FYE) 2020, the budget was \$179,693 and, per the contract, an 18% management fee was added to that for a total of \$212,037.74. Jacobs was authorized to manage the repairs and utilize this budget when the repair was less than \$7,500. When the city received the invoice for repairs for the month of June 2020, in July 2020, it was discovered that Jacobs had exceeded the repair budget. Overall, for FYE 2020, the actual amount spent including the 18% management fee was: Plant 1 \$122,840.81, Plant 2 \$52,848.27, Sanitary Sewer \$66,430.26, and Storm Sewer \$3,639.38. The city did not want Jacobs to defer maintenance; however, in future years Jacobs and city staff would work together on either keeping to the agreed upon budget, or recognizing the potential to exceed the repair budget sooner so staff could inform council prior to the repair budget being exceeded. Jacobs' repair budget for fiscal year ended 2020 was exceeded by \$33,720.98. Amendment 2 needs to be approved to increased by this amount to cover repairs performed in FYE 2020. This would increase the repair budget from \$179,693 to \$208,270.10 and consequently increase the management fee from \$32,344.74 to \$37,488.62. Efrain Rodriguez from Jacobs was available to answer any council questions.

Councilor Marler moved to approve Amendment 2A for an amount of \$33,720.98. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Matthews, Miles. Absent: DiNovo.

Award of Construction Contract for Tideview Terrace Storm Drain Replacement Project

Public Works and Community Development Director Jim Hossley stated staff had been monitoring the storm drain and road conditions along Tideview/Seabreeze Terrace and Lake Court for several years. Based on the last inspection, the storm drain pipe was determined to be in poor condition and causing significant deficiencies along the road surface. If this project was not constructed there was a potential for significant adverse impacts (e.g. further

road damage, damage to existing and adjacent infrastructure, etc.), and as a result, it was deemed an “emergency” project. Due to the fact that this project had challenges such as depth, conflicts with other utilities, groundwater/underground springs, etc., it was decided that detailed engineering plans were necessary. The city contracted with The Dyer Partnership under their miscellaneous engineering services contract to perform this work. Plans and specifications were prepared, but due to budgetary constraints the project was divided into two plan sets: Tideview Terrace and Seabreeze Terrace/Lake Court. At this time, only the Tideview Terrace project was advertised. Staff will monitor Fund 29 and if there is budget remaining, advertisement for bids for Seabreeze Terrace/Lake Court can occur early next year. If there is not budget remaining in FYE 2021, the engineering division will plan for construction in FYE 2022. Bids for construction for Tideview Terrace were opened on July 29, 2020. Three bids were received: Laskey Clifton Coporation \$371,122, Upper Rogue Excavation \$426,075, and Jessie Rodriguez Construction \$473,508. The engineer's estimate was a range of \$340,000 to \$440,000. Council received the bid tabulation and engineer's recommendation. City Manager Rodger Craddock stated an emergency project did not mean it was not known about, just meant it was not on the planned take down list.

Councilor Kilmer moved to award the Tideview Terrace Storm Drain Replacement Project to Laskey Clifton Corporation for \$371,122 plus authorize a 15% contingency for a total amount not to exceed of \$426,790. Councilor Matthews seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Matthews, Miles. Absent: DiNovo.

City Manager's Report

City Manager Rodger Craddock stated spring street projects were almost completed with pothole patching next, provided update on the Safe Routes to School project, noted work began on 4th Street reconstruction, several road striping projects begin soon, sewer/storm line projects begin soon also, would be awarding a contract for the 2020 timber harvest soon, trees were removed from front of Coos Art Museum, and working on successor agreement with Coos Bay Downtown Association.

Council Comments

Councilor Kilmer stated appreciation for signage of road improvements being completed with transportation utility fees (TUF) funds. Councilor Marler was happy to see all the projects happening. Councilor Matthews thanked staff for work on projects, excited for upcoming projects, interested in discussing a sub-community committee, and looked forward to more communication. Councilor Farmer stated there had been interactions between council and community members contrary to what continues to be acknowledged, and wanted to dispel assumptions council could not relate, as their personal lives may not be known. Councilor Miles commended library staff and board for providing high level of service during the pandemic. Mayor Benetti stated it was difficult to have community meetings with COVID-19 requirements, noted the potential Shutter Creek shutdown, and thanked Deputy Police Chief Chapanar for his council updates.

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 18, 2020 in the council chambers at city hall. These minutes were approved as presented by City Council on August 18, 2020.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder