

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

February 15, 2022

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 Council President Rob Miles and Councilors Drew Farmer, Stephanie Kilmer, and Sara Stephens. Councilors Lucinda DiNovo and Carmen Matthews attended virtually by teleconference. Mayor Joe Benetti was absent. City staff present were City Attorney Nate McClintock, Assistant City Manager Nichole Rutherford, Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, Police Chief Chris Chapanar, and Library Director Sami Pierson. City staff attending remotely by teleconference was City Manager Rodger Craddock.

Flag Salute

Council President Miles opened the meeting and led the council and assembly in the salute to the flag.

Public Comments

Scott Frasier, Coos Bay stated he was not in support of the new library; took a tour of the current 911 Communications/Dispatch Center, they had outgrown their location, and suggested the Eastside Fire Hall could be the future location of the 911 Communications/Dispatch Center; and asked if the city could include 6th avenue and D street in the Urban Renewal zone so funds could be used by businesses on the East side of town. Police Chief Chris Chapanar stated there would a concern to move to the Eastside Fire Hall as during a natural disaster it would isolate the area with potential bridge closures.

Public Comment Form

Kamryn Stringfield, Coos Bay thanked the city for working with Equal Justice Initiative, stated additional Coos Bay history needed to be addressed related to racism, and requested Charles Hall's name be removed from Hall Avenue and Hall building. Ashley Audycki, Coos Bay stated she was a field organizer with the organization Rogue Climate and invited everyone to a webinar series about the Coos Bay Estuary entitled "Where the Rivers Meet the Sea: the Coos Bay Estuary Webinar Series" every fourth Thursday at 5:30 p.m. from February 2022 through July 2022 at bit.ly/cbestuaryseries.

Consent Calendar

Council President Miles reviewed the consent calendar which consisted of:

3a: Approval of January 18, 2022 Minutes

3b: Approval of January 25, 2022 Minutes

3c: Approval of February 1, 2022 Minutes

3d: Acceptance of January 2022 Financial Reports and Check Registers

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

Approval of Black History Month Proclamation

Assistant City Manager Nichole Rutherford stated February 2022 has been recognized as Black History Month, giving us the opportunity to acknowledge and pay tribute to the contributions African Americans have made to American history in their struggles for freedom and equality and deepens our understanding of our shared history; as well as remembering important and influential people and events in the history of African Americans. Black History Month serves as a celebration and reminder that Black history and culture is American history and culture. It was important to take time to celebrate the valuable contributions of Black Americans, honor the legacies and achievements of generations past, acknowledge the centuries of injustice, and confront the injustices of today. Councilor Kilmer read the Black History Month Proclamation.

Councilor Stephens moved to approve the proclamation designating February 2022 as Black History Month. Councilor Farmer seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

Consideration of Approval of Memorandum of Understanding with North Bend Public Library

Library Director Sami Pierson stated In July 2020, North Bend, Coos Bay and Lakeside Public Libraries joined together to apply for a grant administered by the State Library of Oregon. The idea was to implement an Embedded Social Worker pilot program in the three libraries The State Library of Oregon ARPA grant was funded in the amount of \$158,091.01 with North Bend serving as the fiscal agent. The three libraries are partnering with Coos Health and Wellness to embed a Community Engagement Specialist in the libraries for a total of forty hours a week. This qualified mental health professional would support all community members in accessing housing, food, employment, healthcare, and other vital resources during scheduled hours at each library on a weekly basis. They would make referrals to social service providers as appropriate and would assist with applications for services and employment. They would also coordinate and/or present monthly public programs with community service providers to raise public awareness of the services available. As the fiscal agent, the City of North Bend has developed a Memorandum of Understanding for both Coos Bay and Lakeside libraries to agree to, so all parties understand their responsibilities.

Councilor DiNovo moved to approve the Memorandum of Understanding with North Bend Public Library authorizing signature by the City Manager or his designee. Councilor Kilmer seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

Consideration of Approval for a Contract Amendment for the Englewood School Brownfield Remediation Project

Public Works and Community Development Director Jim Hossley stated a Sponsorship Option (SO) project was an option under the Department of Environmental Quality (DEQ) State Revolving Fund (SRF) program in which a non-point source loan could be awarded and it reduced the interest rate for a point source loan. Essentially the City was able to construct a non-point source project for the same amount as the original loan amount (based on the higher interest) of the point source project because DEQ reduced the interest rate on the point source loan to account for the cost of the non-point source loan. In this case, the City received a point source loan for the Plant 1-Phase 1 Upgrade project. As a result, the City also received approval for a Sponsorship Option project (non-point source) for the remediation of the Englewood School Brownfield site. In October, Council awarded the remediation contract to 3 Kings Environmental (3 Kings). At that time Dyer Partnership was already under contract. For the purposes of the contract, it was assumed by Dyer Partnership the remediation effort would take four weeks. However, when 3 Kings submitted their work schedule they needed seven weeks in which to do the abatement. As part of the project's regulatory approvals, the environmental consultant must be onsite full-time during the abatement to oversee the work and monitor air quality. Approval of the \$15,884 amendment would cover this effort for the duration of the project and bring the total Dyer contract to \$90,884. This school demolition and site remediation would be covered under the Sponsorship Option loan from the Wastewater Improvement Fund 29, DEQ SRF #R24005 SO for Englewood School and 2nd Street Parking 29-810-530-3025. Council discussion ensued.

Councilor Stephens moved to approve the \$15,884 amendment for Dyer Partnership for the Englewood School Brownfield Remediation Project for a total contract price of \$90,884. Councilor Farmer seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

Consideration to Approve General Obligation Bond Ballot Title - Approval Would Require Adoption of Resolution 22-03

Assistant City Manager Nichole Rutherford stated at the January 25, 2022 council work session, staff presented materials from Hacker detailing cost estimates and design elements, as well as, several bond scenarios prepared by the city's financial advisor, Wedbush Securities. Following that work session, the Library Steering Committee met to review the same materials, as well as, additional information from Hacker regarding possible siting and potential to include a 911 Communications/Dispatch facility within the new library building. At the February 1, 2022 Council meeting, a draft ballot title was reviewed and suggested changes were discussed, including updating the ballot title for the appropriate average tax rate, related to the financing option preferred by Council, as well as, adding language for inclusion of a 911 Communications/Dispatch Center to the facility. Approval of the ballot title language would allow the City's Election Official to publish notice to notify the public of the City's intention to add the ballot measure to the upcoming May 17, 2022 ballot, as well as, work with the City Attorney to complete SEL 802 for submission to the Coos County Clerk so the measure may be added to the ballot. City Manager Rodger Craddock stated Mayor Benetti was in full support. Council discussion ensued.

Councilor Stephens moved to approve the proposed ballot title and adopt Resolution 22-03 providing for addition of a general obligation bond measure to be added to the May 17, 2022

ballot. Councilor Farmer seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

Consideration of Approval to Amend the City Fee Schedule - Approval Would Require Adoption of Resolution 22-04

Assistant City Manager Nichole Rutherford stated staff brought the city's fee schedule to the August 24, 2021 work session for review and discussion with intention to bring to back for action at the following council September 7, 2021 meeting. An oversight resulted in the fee schedule not being presented for action until now, at the February 15, 2022 council meeting. The proposed revised fee resolution included changes for fees related to services provided by staff from the Fire Department, Library, and Police Department. In addition to these previously presented changes, staff requested an update to the moorage rates. Moorage rates were updated annual, following the Municipal Cost Index which increased by 10.818%. The summary below was previously presented at the August 24, 2021 work session.

Fire Department fee changes proposed, fees were aligned with the 2021 Oregon Fire Service Mobilization Plan and includes revisions to personnel and equipment rates.

The Library Board met on August 18, 2021 to review related fees and approved removal of late fees and revision to the fees for renting the meeting room(s).

The Police Department performed a survey of other agency fees throughout Oregon and has provided the results of that survey for review. The proposed fee changes are related to the costs of producing requested materials such as police reports and audio, video and body cam recordings.

Budget implications were expected to be minimal, potentially increasing revenues slightly for the General Fund and Library Fund, with the focus on recovery of actual costs to provide the requested service.

Councilor Kilmer moved to approve the changes to the city's fee schedule by adoption of Resolution 22-04. Councilor Stephens seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

Adoption of Resolution 22-05 Approving an Intergovernmental Agreement (IGA) between the City of Coos Bay and Urban Renewal Agency for Du Jour Financing

Assistant City Manager Nichole Rutherford stated in ORS 457 and the Oregon Constitution, as well as, confirmed by the City's Urban Renewal Agency Consultant, Elaine Howard and the Association of Oregon Revitalization Agencies (AORA), tax increment urban renewal revenue can only be spent on debt service. There were two methods to expend urban renewal tax increment revenue on debt service, one of which involves obtaining conventional financing through bonds or a bank loan. This process involves the use of financial advisers, bond attorneys, and a request for funding to solicit bids for financing and other financing costs. This conventional bond or loan process provides a large amount of tax increment revenue to expend on typically long-term capital projects within the urban renewal plans. The second option is an overnight loan process, du jour financing, from the City of Coos Bay which is a substantial cost savings in financing fees and other related costs over the conventional process. Du jour financing converts the current year tax increment revenue into debt service proceeds and immediately repays the debt service. To complete this process,

an IGA between the City of Coos Bay and the Urban Renewal Agency of the City of Coos Bay, along with resolutions are presented to the city council and agency board for approval. The financing process was approved in the FYE 2021-2022 budget to fund this year's budgeted projects.

Councilor Stephens moved to adopt Resolution 22-05 to approve an Intergovernmental Agreement between City of Coos Bay and the Urban Renewal Agency of the City of Coos Bay and authorize up to \$1,547,413 in Du Jour financing budgeted to fund planned projects of which \$447,474 will be for the Empire District and \$1,099,939 for the Downtown District. Councilor DiNovo seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

Presentation of the Coos Bay Downtown Association Semi-Annual Report

Assistant City Manager Nichole Rutherford stated the Coos Bay Downtown Association provided management for the City of Coos Bay in implementing the Main Street Program in an effort to improve and revitalize downtown Coos Bay. Semi-annual reports were a required component of our management agreement with the Coos Bay Downtown Association. The current agreement was a three-year contract ending June 30, 2024. The budgeted amount per fiscal year was: July 1, 2021-June 30, 2022 \$40,000; July 1 2022-June 30,2023 \$45,000; and July 1, 2023-June 30,2024 \$50,000.

Coos Bay Downtown Association Executive Director Holly Boardman introduced the board members, vision statement, mission statement, strategic goals, reviewed accomplishments from 2021: Farmers Market's 21st season held May 5-October 27 providing essential services like a grocery store with an average of 60 vendors per week; installation of running legs bike racks; Revitalization Award for 999 N Front Street; and holiday events, and highlighted future projects.

The Organization Committee was working on new membership drive, a new website with K-Dock and received full sponsorship of \$3,200 from Banner Bank, received a Coquille Tribal and Community Funds Grant for \$3,640 for handwashing stations at the Farmers Market, received a CBNB Visitor & Convention Bureau Funding Grant for \$6,000 for three festivals, created the Dues Relief Program with Banner Bank in the amount of \$2,500.

The Promotions Committee assisted in the various events such as Farmers Market, Holiday Open Houses, Shop Small Saturday, Walk by Santa, tree lighting, and the Reindeer Roundup.

The Design Committee replaced aging banners and rotated the hanging of seasonal banners, flower baskets were installed in May, and assisted with Bike Rack Project, and was working on painting utility boxes downtown.

The Economic Vitality Committee were working on implementing the Travel Oregon and RDI Economic Vitality Plan for downtown that was completed in 2021 from the Travel Oregon Grant and was working on implementing the CBDA's Strategic Plan.

Acceptance of Grants to Fund the Empire & Eastside Boat Ramp Floats Project - Would Require Adoption of Resolution 22-06

Public Works and Community Development Director Jim Hossley stated the Council was committed to the effort to improve the conditions of the city's access to the bay for both the citizens of Coos Bay and visitors to our city. This Project was for the fabrication and delivery of fourteen (14) aluminum boat ramp floats, as per the plans and technical specifications issued by the Oregon State Marine Board. Six (6) boat ramp floats were to be delivered to the Empire Boat Ramp and eight (8) were to be delivered to the Eastside Boat Ramp. This project would increase the capacity of access to the water for both angler and recreational use. On January 25, 2022 the City publicly opened electronic bids for the Empire and Eastside Boat Ramp Float Replacement Project two bids were received. The low responsive bidder was Topper Industries Inc, LLC. for the amount of \$406,444.00. The city had originally received Grant funds from Oregon Department of Fish and Wildlife (ODFW) in the amount of \$203,250 and a grant from Oregon State Marine Board (OSMB) for the amount of \$67,750.00 for a total of \$271,000 with the URA providing \$20,000 in funding. The OSMB Engineer's estimate of \$290,000.00 was exceeded by \$116,444.00. The large difference between the engineer's estimate and bid was contributed to increased material cost, limited availability of materials, and increased shipping costs. OSMB agreed to increase the grant amount by \$105,444.00 for a total of \$308,694. Unfortunately, an additional \$10,000 was still needed for this project. As such staff would be recommending at the February 15, 2022 URA meeting the Agency contribute an additional \$10,000 so the project would be performed. Mr. Hossley stated the project would not be completed before summer 2022, but hoped to be completed before fishing season started. Both Council action items were contingent on the approval of the additional funding from the URA.

Councilor Kilmer moved to adopt Resolution 22-06 and award the Empire and Eastside Boat Ramp Float Replacement project to Topper Industries Inc., LLC. Councilor DiNovo seconded the motion which carried. Ayes: DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: Benetti.

City Manager's Report

Assistant City Manager Nichole Rutherford stated the Englewood School project was scheduled to be completed by March 2022, thanked Helping Hands cleanup at John Topits Park February 12, 2022, and staff had previously reached out to Tesla who now had interest in sites in the City of Coos Bay with a fifteen year commitment.

Council Comments

Councilor Matthews stated excitement for the new library and thanked the Second Saturday volunteer group. Councilor Farmer gave an update on mental health issues in the short session with legislature giving generalized support. Councilor Stephens stated the Wayfinder signs were important, needed updated information and cleaner look. Councilor Miles thanked everyone for their public comments and Holly Boardman for her presentation.

Adjourn

There being no further business to come before the council, Council President Miles adjourned the meeting. The next regular council meeting was scheduled for March 1, 2022. These minutes were approved as presented by City Council on March 1, 2022.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder