

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 5, 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 Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, and Rob Miles. Councilors Carmen Matthews and Sara Stephens attended remotely by teleconference. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager Nichole Rutherford, Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing, Fire Chief Mark Anderson, Police Chief Chris Chapanar, and Library Director Sami Pierson. City staff attending remotely by teleconference 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

Christine Moffitt, Coos Bay stated Oregon Coast Music Association 44th annual festival was scheduled to begin July 16, 2022 and gave an overview of events. James Johnson, Coos Bay stated he lived near a drug house which was a nuisance, someone from Portland/Salem area was bringing homeless people into the city, and wanted to know why it was happening. Mayor Benetti stated a meeting could be setup with Police Chief Chapanar, City Manager Craddock, and himself to explain the issues associated with homelessness and current laws. Lynda Johnson, Coos Bay stated none of the nice things being done in the city would not matter if the homelessness issue wasn't dealt with. Rob Taylor, Coos Bay stated he was part of Coos County Neighborhood Watch and wanted to attend a meeting discussing the issues as well. Dylan Hood-Foster, Coos Bay stated he was a volunteer mechanic at Front Street Community Bike Works, the majority of people spoken to felt it was dangerous to bike in Coos Bay, and requested the city to review bike safety.

Public Comment Form

No public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Acceptance of Advanced Health Grant for Community Resource Officer Vehicle Purchase

The Police Department was recently notified of a grant award from Advanced Health for \$67,000 to purchase equipment and vehicle for the Community

Resource Officer.

- 3b: Consideration of 2022 Oregon State Fire Marshal Wildfire Season Staffing Grant
The Coos Bay Fire Department would like to utilize Oregon State Fire Marshal (OSFM) grant funds to augment staffing for the 2022 wildfire season.
- 3c: Adoption of Resolution 22-19 Amending Fiscal Year 2022-2023 Appropriations
Recently both the Fire Department and Police Department were awarded grants. The Fire Department was awarded a \$35,000 Oregon State Fire Marshal Wildfire Season Staffing grant and the Police Department was awarded a \$67,000 Advanced Health grant for the purchase of a vehicle for the Community Resource Officer. The proposed resolution would appropriate these grant funds which were not anticipated at the time of the original fiscal year 2022-2023 budget.

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

Discussion Regarding the Council Flag Policy

City Attorney Nate McClintock stated September 2021 Council adopted the Council Flag Policy. Suggested placing a moratorium on the policy in order to further analyze the Supreme Court's ruling on the Harold Shurtleff v. City of Boston case. Mayor Benetti stated he requested the Flag Policy be placed on the agenda to have a discussion. Darrion Lyn, North Bend asked if the policy was regarding personal property. Mayor Benetti stated it was to fly a flag on city property. Rob Taylor, Coos Bay stated the flag policy made people feel excluded and the city should either fly all flags or only official flags. Jody Hoffman, Coos Bay asked to have his flag sponsored. Council discussion ensued.

Councilor Farmer moved to approve a 90-day moratorium on the Council Flag Policy to allow the City Attorney to further analyze recent related court cases and to provide the Council legal advice and options. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Public Hearing for Consideration to Amend the Transportation System Plan Related to the Front Street Blueprint - Would Require Enactment of Ordinance

Community Development Administrator Carolyn Johnson stated following the Council's June 21, 2022 authorization of Resolution 22-16 approving the Front Street Blueprint (Blueprint), the Coos Bay Transportation System Plan (TSP) required minor amendments to reflect Blueprint references. An ordinance was required to amend the TSP which was included within the Coos Bay Municipal Code. The proposed revisions to the TSP plan were described in the proposed ordinance, including provided Exhibit A. Revisions included changes to the TSP Table 1, Summary of Tier 1 (Financially Constrained Improvements) Capital Projects #9 to read "Blueprint" instead of "Action Plan", and also TSP project sheet for CB-9 to reflect the finished Front Street Blueprint.

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

Councilor Miles moved to enact an ordinance adopting minor amendments to the Coos Bay Transportation System Plan. Councilor Kilmer seconded the motion. Finance Director Melissa Olson read the ordinance by title only, “An Ordinance amending the 2020 Transportation System Plan (TSP) related to the adoption of Resolution 22-16 authorizing the Front Street Blueprint.” and Ordinance 558 was enacted by the following vote:

Aye: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Nay: None.

Absent: None.

Consideration to Accept Contract for Library Services

Library Director Sami Pierson stated in 1992, the voters overwhelmingly approved the formation of the Coos County Library District and the establishment of a permanent tax base for the taxing district. Coos County collects the tax base dollars and distributes them to the cities, the Dora Library, and the fiscal agent for the Extended Services Office (at this time is City of Coos Bay). Each year, the eight public libraries in Coos County enter into a contract with the Coos County Library Services District for library services. The annual contract contains, in part, the tax distribution formula for the libraries and the contractual amount for Extended Services Office. The contract was for July 1, 2022 to June 30, 2023. The 2022-2023 Coos Bay Public Library budget included an estimated \$1,220,000 in revenue from the Library District to cover operational expenses. The contract also provided \$653,500 to operate the Extended Services Office.

Councilor Kilmer moved to approve the contract and authorize the City Manager to sign the contract. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration to Award Pump Station 6 Construction Management Services to Dyer Partnership

Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing stated the following was in pursuit of completing a portion of Goal two of the 2021-2023 Council Goals. Pump Station 6 was originally constructed in 1960. In 1974 the pumps station was upgraded to include a more robust control and electrical system and a structure to house the controls. In 1974 the pump station pumps were upgraded and a structure was built to house the new pumps. Since that time, there have been minimal additional work performed aside from routine maintenance. Within the last few years, the level of maintenance has increased to the point that it is no longer feasible to keep up with the required maintenance. Because of the many issues which need to be addressed with the upgrade of the pump station, it was decided this pump station needed a complete reconstruction instead of a partial upgrade which would target one or two specific issues. Over the last twelve months, city staff has been working with The Dyer Partnership to prepare the plans and specification for the complete reconstruction of Pump Station 6. This would include demolishing the existing control building and pump house along with all mechanical and electrical equipment, constructing a new control building, installing a new 83kW generator and housing, installing three redundant twenty-five horsepower submersible pumps, a new effluent header, a watertight lid, a flow meter, fencing, and wet well lining. The existing wet well and control building foundation would be reused as they were still in good condition. City staff was nearly ready to bid the project and was seeking assistance from The

Dyer Partnership to complete this project. The estimated cost for bidding and construction management services was \$125,040 with a 15% contingency for a total of \$143,796.00. The funds for this project would come from the Water Quality Improvement Fund 29, Water Quality Collection System - Capital Projects account 29-810-530-3004.

Councilor DiNovo moved to award the contract for construction management services for the construction of Pump Station 6 to The Dyer Partnership for \$143,796.00, which includes a 15% contingency. Councilor Miles seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration to Award Janitorial Services Contract

Public Works and Community Development Director Jim Hossley stated the City has contracted with Bay Area Enterprise (BAE) for janitorial service since 2011 and currently provides services for city hall, Visitor Information Center, library, water quality treatment plant offices, and the city maintenance shops. The current two-year contract has expired. BAE is a nonprofit organization, therefore under ORS 279C.335 (1) (a) 279C.335 Competitive Bidding; Exceptions; Exemptions. (1) All public improvement contracts shall be based upon competitive bids except: (a) Contracts made with qualified nonprofit agencies providing employment opportunities for individuals with disabilities under ORS 279.835. BAE has typically provided good service to the city. Over the last year the quality of service had slipped, mostly due to the challenge BAE had in retaining employees. Over the last two months, BAE management and staff have worked closely with city staff to improve delivery of service and accountability. Thus, staff recommended continuing with BAE and awarding the service contract. The term of the proposed contract was four years with an option to extend for one year. BAE shall have the option to request an amendment to increase billing rates due to increase costs and wages every two years. BAE services City Hall five days a week, the VIC six days per week, the city shops three days a week, the library seven days per week, and the treatment plants one day a week. The annual cost for the expiring janitorial services contract for the six locations was \$112,521.09. After back-and-forth negotiations between city and BAE staff, the new contract annual cost would be \$140,792.44 (\$563,169.76 over the four-year life of the contract). Labor and material costs have increased significantly since approval of the expiring contract. Additional services were \$38.26/hour per person. Emergency services were \$79.09/hour per person.

Councilor DiNovo moved to award the four-year contract for janitorial services to Bay Area Enterprises. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration to Approve a Tesla Supercharger Agreement

Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing stated at the May 17, 2022 Council meeting, Council directed staff to move forward with the investigation of installing a Tesla Electric Vehicle Supercharger Station at the public parking lot located at S 4th Street and Curtis Avenue. At the June 28, 2022 work session, Council had the opportunity to learn more about the Tesla Supercharger station from the Tesla representative, Alex Schoknecht. Staff worked with Tesla to complete the attached zero cost agreement and was reviewed and approved by the City Attorney. The term of the agreement was up to fifteen years and Tesla would assume one hundred percent of the design, construction, operations, and maintenance costs. The proposed location was along the western portion of the parking lot adjacent to S. 4th Street. Upon approval of the agreement,

Tesla would perform a survey and work with Pacific Power to understand the improvements required, if any, to upgrade the electrical to service the EV charging station. According to the Tesla representative approximately 20-25% of the initial locations identified end up not being viable or need to be amended. However, any amendment and/or modification to the agreement would be presented to Council for approval.

Councilor Kilmer moved to approve the execution of the Tesla Agreement to install a supercharger station at the public parking lot at S. 4th Street and Curtis Avenue. Councilor Farmer seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

Consideration to Approve an Intergovernmental Agreement - Coordinated Office on Homelessness

City Manager Rodger Craddock stated Coos Bay, North Bend, and Coos County worked together to secure funding support through HB 4123. Together, the three entities were awarded \$1,000,000 in state funding over a two-year period to operationalize a coordinated office to strengthen our community's homeless response. The Intergovernmental Agreement was in alignment with HB 4123 and had been reviewed and approved by the Coos Bay City Attorney, North Bend City Attorney and Coos County Council. North Bend and Coos County have both approved the agreement. Councilor Farmer volunteered to be a representative, Councilor Kilmer volunteered to be an alternate representative, and Assistant City Manager Nichole Rutherford to be the second representative on the Homeless Advisory Board.

Councilor Kilmer moved to approve and authorize the City Manager to sign the agreement on behalf of the City of Coos Bay. In addition, appoint Councilor Farmer and Assistant City Manager Nichole Rutherford to serve as representatives on the Homeless Advisory Board to assist in providing guidance towards fulfilling the requirements of HB 4123 with Councilor Kilmer as an alternate representative. Councilor DiNovo seconded the motion which carried. Ayes: Benetti, DiNovo, Farmer, Kilmer, Matthews, Miles, Stephens.

City Manager's Report

City Manager Rodger Craddock stated the Hwy 101 mural was completed on June 30, 2022 by Mike Vaughan and some Council members attended to assist; Advanced Health awarded \$67,000 grant funds to Community Resource Officer Program to purchase a vehicle; Mingus Park Fourth of July Celebration was organized by the Coos Bay Public Library and the Coos Bay Fire Department ran the fireworks display; July 6, 2021 the city took the operations of the wastewater facilities in-house and staff have done a phenomenal job; and the city would be adding a new parking lot downtown with bid due date scheduled for July 13, 2022.

Council Comments

Councilor Stephens stated met with Eric from Front Street Community Bike Works, had good short and long-term solutions. Councilor Matthews stated he hoped everyone had a good holiday. Councilor Kilmer stated citizens could email Council with questions or concerns, was excited for the work done by the Homeless Workgroup that helped secure the \$1,000,000 homeless response, was excited to be apart of receiving the grant check, and the Community Resource Officer has been a great asset to the city. Councilor Miles gave an update of the Boys and Girls summer programs and thanked the Public Library for organizing the Mingus Park July 4th activities. Councilor DiNovo stated the Coos Bay fireworks were beautiful and thanked everyone who came out to attend the meeting. Councilor

Farmer stated ORRCA had a fundraiser scheduled for July 10, 2022, the Councilor's emails were available online to contact, and would be on Rob Taylor's show to discuss his comments at the June 21, 2022 meeting. Mayor Benetti thanked everyone for attending, stated the public could contact any of the Council, thanked staff for putting on the July 4th activities, and enjoyed seeing everyone out for the festivities.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for July 19, 2022. These minutes were approved as presented by City Council on July 19, 2022.



Joe Benetti, Mayor

Attest: Nichole Rutherford
Nichole Rutherford, City Recorder