



## CITY OF COOS BAY CITY COUNCIL MEETING

January 3, 2012 – 7:00 p.m.

Library Meeting Room – 525 Anderson Avenue – Coos Bay, Oregon

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- 1) Flag Salute
- 2) Public Comments
- 3) Consent Calendar
  - a) Approval of the minutes of December 20, 2011
  - b) Approval of a change of ownership for an existing OLCC license for the El Sombrero Mexican Restaurant
- 4) Presentation of Appreciation for Joanie Johnson for Her Service on the Coos Bay City Council
- 5) Filling of a Council Vacancy
- 6) Introduction of New Library Director Samantha Pierson
- 7) Public Hearing on the Adoption of the Supplemental Budget for Fiscal Year 2012-13 – Approval will Require Adoption of Resolution 12-01
- 8) Public Hearing to Consider Approval of Revised City Fees – Approval will Require Adoption of Resolution 12-02
- 9) Approval of a Guaranteed Maximum Price and Construction Contract with Chambers Construction
- 10) Approval of the Coos Bay Police Officer Association's Fiscal Year (FY) 2012-2015 Collective Bargaining Agreement
- 11) City Attorney's Report
- 12) City Manager's Report
- 13) Council Comments
- 14) Adjourn

All citizens addressing the City Council under regular agenda items or public comments are required by City Council Rule 4.8.4 to sign-in on the forms provided on the agenda table and podium.

If you require a listening enhancement device please contact the City Recorder.  
Please silence electronic devices – Thank you.

## **MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL**

**December 20, 2011**

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 p.m. in the Library Meeting Room, 525 Anderson Avenue, Coos Bay, Oregon.

### **Those Attending**

Those present were Mayor Crystal Shoji and Councilors Jennifer Groth, Gene Melton, John Muenchrath, and Mike Vaughan. Councilors Joanie Johnson and Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, Deputy Finance Director Amy Kinnaman, Intermediate Accountant Debbie Frankenberger, Public Works and Development Director Jim Hossley, Operations Administrator Randy Dixon, Fire Chief Stan Gibson, Acting Library Director Ellen Thompson, and Police Chief Gary McCullough.

### **City Council Interviews**

At 5:40 p.m. prior to the start of the regularly scheduled Council meeting, the Council interviewed Howard Forte, Roy Metzger, Brian Bowers, and Don Irvin for two openings on the Budget Committee. Jennifer Stephens was interviewed for the one opening of the "at large" position on the Parks Commission; applicant Daniel Baumann did not attend his scheduled interview. No interviews were held for the three openings on the Planning Commission; applicant Daniel Baumann did not attend his scheduled interview. No decisions were made.

### **Flag Salute**

Mayor Shoji opened the meeting and asked Timm Slater to lead the Council and assembly in the salute to the flag.

### **Public Comments**

No comments were given.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of November 29, and December 6, 2011; 3b: acceptance of November 2011 accounts payable and payroll check registers; 3c: acceptance of the November 2011 combined cash report; and 3d: approval of an OLCC application for a change of ownership for the Red Lion Hotel. Mayor Shoji requested item 3a: approval of the minutes of November 29, 2011 be moved down to the agenda as item 4a. Councilor Groth moved to approve the consent calendar as amended approving the minutes of December 6, 2011, accepting the November 2011 accounts payable and payroll check registers, accepting the November 2011 combined cash reports, and approving an OLCC application for a change of ownership for the Red Lion Hotel. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent.

## **City Council Minutes – December 20, 2011**

### **Presentation of the Homeless Persons' Memorial Day Proclamation by Patty Gouveia**

Patty Gouveia stated she was standing in on behalf of Neighbors in Need which was a coalition of homeless agencies and independent individuals concerned with homelessness in our community. The National Coalition for the Homeless, the National Consumer Advisory Board, and The National Health Care for the Homeless Council encouraged communities to join public events on December 21<sup>st</sup> remembering our neighbors who died while being homeless in the past year. Ms Gouveia advised Neighbors in Need in collaboration with Coos County would be holding a memorial vigil on the Coos Bay Boardwalk on Wednesday, December 21<sup>st</sup> at 6:00 p.m. Commissioner Cam Parry was scheduled to represent Coos County at the vigil and the Council was invited to participate in the event. Ms. Gouveia and Mayor Shoji invited the Council and community to attend monthly meetings of Neighbors in Needs held the fourth Tuesday of each month at the Nancy Devereux Center; the next meeting would be held January 24, 2012. Ms. Gouveia and Mayor Shoji read the proclamation declaring December 21, 2011 as Homeless Persons' Memorial Day. Councilor Melton moved to accept the Homeless Person's Memorial Day proclamation. The Council observed a moment of silence. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **Approval of the Minutes of November 29, 2011**

Mayor Shoji requested the minutes of November 29, 2011 be amended to correct a goal listed within the Economic Development and City Revitalization which should have read: appoint an outside group of volunteers to evaluate/suggest on economic development. Councilor Groth moved to approve the amended minutes of November 29, 2011. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent.

### **Bay Area Chamber of Commerce Semi-Annual Report by Chamber President Eric Farm**

Timm Slater, Executive Director of the Bay Area Chamber of Commerce (BACC) stated he appreciated the opportunity to provide the Council with semi-annual reports on BACC activity. BACC President Eric Farm provided information to the Council on the history of the BACC, its membership, activities provided on behalf of the business communities, and volunteer recruitment. Mr. Farm noted this year marked the third year that the BACC managed the Coos Bay Visitor Center; and reported earlier in the month the Chamber recognized the outstanding volunteers from all three local visitor centers with a dinner and gift baskets. Mr. Farm encouraged everyone to stop by and express their thanks to all of the local volunteers. Other highlights included the commencement of the 23<sup>rd</sup> Leadership Coos class this fall; the 19<sup>th</sup> Annual Economic Outlook Forum; the Wednesday Business Connection lunch; monthly business after hour events, and six business ribbon cuttings. City Manager Rodger Craddock thanked Timm Slater and his staff for the excellent job they were doing operating the Visitor's Center. Mr. Craddock stated he appreciated Mr. Slater's management and leadership skills and all the help the City received from RSVP's volunteers. Mr. Farm stated he looked forward to seeing everyone at the upcoming BACC Annual Awards Banquet on Saturday, January 28, 2012; thanked the Council for the opportunity to provide an update on the BACC and wished everyone a Merry Christmas.

**Appointments to the Budget Committee, Parks Commission, and Planning Commission**

No interviews were held for appointments to the Planning Commission to fulfill Christine Coles, Steve Donovan, and Rex Miller's terms ending December 31, 2011. Applications were received from Christine Coles, Rex Miller, and Daniel Baumann. Applicant Daniel Baumann did not attend his scheduled interview. Councilor Muenchrath suggested since Daniel Baumann was not able to be interviewed and none of the other applicants were interviewed because they were seeking re-appointment, it would be fairer to delay all appointments to Planning Commission. Mayor Shoji inquired if the Council would be delaying action by the Planning Commission or if they would still have a quorum to operate. Christine Coles, Chair of the Planning Commission advised that both her term and Rex Miller's terms expired on December 31, 2011; and stated the Planning Commission had a total of seven members of which four were required for a vote. City Attorney Nate McClintock advised the Council could temporarily extend the current appointments to the Planning Commission. Councilor Muenchrath moved to delay all appointments to the Planning Commission to be considered at a later date. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Muenchrath, and Vaughan voting aye and Councilor Melton voting nay. Councilors Johnson and Kramer were absent. Mayor Shoji moved to extend the current terms of Christine Coles and Rex Miller's position on the Planning Commission until the positions were filled. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent. Councilor Muenchrath requested staff look into revising the current ordinance to ease the criteria for making appointments to boards, commissions, and committees.

The Council interviewed applicants for appointment to the Budget Committee to fulfill Howard Forte and Roy Metzger's terms ending December 31, 2011. Applications were received from Howard Forte, Roy Metzger, Brian Bowers, and Don Irvin. By Council ballot the Council appointed Brian Bowers and re-appointed Roy Metzger to the Budget Committee for a three-year term ending December 31, 2014.

The Council interviewed applicants for appointment to the Parks Commission to fulfill Mike Vaughan's unexpired term ending December 31, 2014. Applications were received from Daniel Baumann and Jennifer Stephens for the "at large" position. Applicant Daniel Baumann did not attend his scheduled interview. There were no applicants qualified for the "Landscape Professional or Business" position. By Council ballot the Council appointed Jennifer Stephens to the Parks Commission "at large" to fulfill Mike Vaughan's unexpired term ending December 31, 2014.

**Approval on Setting a Public Hearing Before the Planning Commission on a Proposal to Vacate the Webster Avenue Right-of-Way Between South Marple and South Wall Streets**

Public Works and Development Director Jim Hossley stated his department received a request from Siegfried Hoffman of 611 S. Marple, to vacate Webster Avenue between S. Marple and S. Wall Streets. Mr. Hoffman owned the property abutting the south side of the Webster Avenue right of way. Mr. Hoffman met with city staff and requested the Council initiate the street vacation pursuant to Coos Bay Municipal Code Chapter 17.375.020(2) whereby a vacation may be initiated by the Council by a majority vote without a petition or consent of property owners and prior to giving public notice. Mr. Hoffman felt the process of gathering notarized signatures

## **City Council Minutes – December 20, 2011**

of landowners in the area affected by the vacation, as required by state law was too arduous. The address was for an undeveloped lot at the southeast corner of the Webster Avenue right of way and S. Marple Street intersection. Mr. Hossley noted a small stream ran through the lot, passed under S. Marple Street and discharged onto the north end of the property the city recently purchased for the expansion of wastewater treatment plant #2. Based on the how the lot currently existed, there was very little buildable area available without rerouting the stream; regulatory issues related to the rerouting effort would be substantial. Mr. Hoffman believed if he acquired the south half of the Webster right of way he would be able to build a home on the property without impacting the stream. In October it was discovered Mr. Hoffman was in violation of city regulations for various non-permitted activities. Mr. Hossley stated staff was continuing to work with Mr. Hoffman to get him in compliance with city regulations. Councilor Groth inquired if surrounding landowners would be informed of the proposed vacation through the Planning Commission process. Mr. Hossley stated property owners within 250 ft of the entire length of the area being vacated would be notified of the public hearing. Mr. Hoffman stated he had been trying to build a house on his property for the past two and one half months; request consideration for the proposed vacation be expedited because he still wanted to build his home on the property. Councilor Muenchrath moved to set a public hearing date for the proposed vacation before the Planning Commission during their regular meeting on February 14, 2012. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Johnson and Kramer were absent.

### **Update on the Value Analysis for Wastewater Treatment Plant #2 Facilities Plan Amendment**

Oregon Department of Environmental Quality (DEQ) requested the City prepare a Facility Plan Amendment (FPA) to document changes to the original 2007 Facility Plan prepared for Wastewater Treatment Plant #2. This FPA prepared by Civil West Engineering Services, Inc. o further analyzed the influent facility, treatment, and disinfection alternatives and was 50% completed. At the 50% completed stage the City moved forward with preparation of a Value Analysis (VA) to evaluate the recommended alternatives to date and see if there were other alternatives worth considering. The City advertised an RFQ for qualified consultants to submit a Statement of Qualifications to perform a VA for this project and CH2M Hill was the firm selected. The Value Analysis consisted of a team of experts, City Staff, representatives from the Charleston Sanitation District, and DEQ in a three day workshop held the week of October 24<sup>th</sup>. The VA team presented its findings and prepared a report that included alternative proposals not in the FPA. Public Works and Development Director Jim Hossley stated the alternatives proposed were not commonly used in the western United States but appeared to be gaining popularity due to their superior water quality treatment capability and the method for treating high flows. Three cities in Oregon were successful in processing and approving the technology through DEQ. Mr. Hossley noted there were still questions needing to be answered including the constructability and cost of the alternatives. Staff negotiated with consultants to provide construction and life cycle cost analysis as well as address the constructability issues to the top two alternatives recommended in the FPA and VA. The VA team estimated one of its construction alternatives may be 25% less expensive than the top alternative proposed in the FPA. Councilor Muenchrath asked when the project will be finalized. Mr. Hossley stated the end of January or February 2012.

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### **Approval of the Installation of Equipment in the New Police Vehicles**

Police Chief Gary McCullough stated in September 2011 the Council approved the purchase of three 2012 Chevrolet Tahoe's with available factory equipment for patrol use for a cost of \$85,630. Police Department staff recently obtained three competitive bids to install the vehicles with necessary technical and safety equipment, emergency overhead light bars, barriers, prisoner transport seats, mobile radios, digital video recording equipment and other electrical wiring modifications. Auto Additions of Salem submitted the lowest bid price of \$34,200 for the purchase and installation of the necessary equipment. Councilor Muenchrath moved to approve the expenditure not to exceed \$34,200 to purchase and install the necessary technical and safety equipment for the three police services vehicles that were purchased September 2011. Councilor Melton seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **Consideration of Council Chambers Dais Remodel Options**

City Manager Rodger Craddock stated as part of the City Hall seismic upgrade project, the Council Chamber would be remodeled. Mr. Craddock stated over the years various criticisms were noted with the flexibility of the existing room, audience seating, projection system, and the height of the dais. Staff proposed a plan to make the Council Chambers a more useable and inviting space: moveable, comfortable seating which could be rearranged to configure the room for multiple uses, improvements to the sound system including a system for the hearing impaired, a projection system with two projectors so the audience and the Council could easily view visual presentations, upgrades to the lighting system, painting the ceiling soft white, and replacement of the carpet. Staff requested input from the Council regarding the proposal to lower the dais and move it to the north end of the room because the configuration of the dais would dictate the layout for the rest of the improvements to the Council Chambers.

Operations Administrator Randy Dixon presented a slideshow of various proposed layouts. Councilor Melton asked if seating would be lost with the proposed layouts. Mr. Dixon explained seating would be gained with all proposed layouts. Mayor Shoji asked if the podium could be situated so the speaker would not have their back to the audience whereby Mr. Dixon stated the location of podium was not permanent, all seating, tables and the podium could be moved to any configuration. Councilor Vaughan agreed the podium should not be situated in the center of the room; suggested a white ceiling would compress the space; and requested to see other options for the ceiling including leaving it black. Mayor Shoji concurred with Councilor Vaughan's assessment of the black ceiling. Councilor Vaughan also stated his concern regarding easels and other presentation materials only facing the Council. Councilor Muenchrath stated none of the options presented were more inviting, nor were they an improvement to the current Council configuration; suggested the two most necessary changes were to upgrade the existing infrastructure and the addition of projector screens so both the audience and Council could view presentations. Councilor Groth asked how many additional seats would be gained. Mr. Dixon advised 10 to 15 seats. Councilor Groth asked if a screen could be positioned behind the dais if the dais remained in its current position. Councilor Melton stated he preferred lowering the dais and retaining the theatre seating. Mayor Shoji agreed with Councilor Melton's suggestion for lowering the dais and suggested adding two presentation screens. City Manager Rodger Craddock stated the theatre seating was donated to the Dolphin Theatre in Empire. Mr. Dixon stated he would prepare additional designs for the Council's

## **City Council Minutes – December 20, 2011**

consideration. Mayor Shoji pointed out when a presenter used a laptop for a presentation with the current configuration that the laptop and presenter impede the view of audience members sitting on that side of the Council Chambers. Mr. Craddock stated staff was looking into having a system built into the podium so a PowerPoint presentation could be operated and presented from the podium. Councilor Vaughan stated the white ceiling was cost effective and a good green idea but suggested the comfort level provided by a black ceiling should be a consideration; also requested a dry erase board be incorporated into the plan for improvements to the Council Chambers.

### **Appointment to the County Urban Renewal Agency**

City Manager Rodger Craddock stated the County Urban Renewal Agency (CCURA) was comprised of ten people two of which are representatives from the City of Coos Bay, two from the City of North Bend, two from Coos County, two from the Port of Coos Bay, and two citizen at large representatives. Councilors Mike Vaughan and Gene Melton were the City's current representatives on the CCURA. Mr. Craddock advised Councilor Melton's term was due to expire on December 31, 2011. Mayor Shoji moved to re-appoint Councilor Gene Melton to the County Urban Renewal Agency for a term ending December 31, 2013. Councilor Muenchrath seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **Consideration on Approval of a City Street Sweeper**

Public Works and Development Director Jim Hossley stated the City's current street sweeper was purchased new in 2002 and was no longer cost effective to repair due to its condition and age. The purchase of a new street sweeper was not budgeted for this fiscal year because staff believed the sweeper could be used for one more year. Due to heavy use of the machine it experienced accelerated deterioration and was in need of replacement. Staff located a new demonstrator model street sweeper which normally sold for \$212,000 but the manufacturer was willing to sell the City the sweeper for \$150,000 which included a \$25,000 deduction for the trade in value of the old sweeper and a \$37,000 discount for the slightly used condition. Mr. Hossley clarified Enviro-Clean Equipment, Inc. was not listed on the state bidding list as was previously thought and stated Enviro-Clean was on the State of Minnesota Cooperative Procurement List, an entity that met the state and local requirements for the competitive bidding process. Since the purchase was not budgeted in the Major Capital Reserve Fund for fiscal year 2011/2012, staff recommended replacing the purchase of the street sweeper for the budgeted purchase of three other pieces of Public Works equipment which included: a highway roadside mower, a 12 ton rated equipment trailer, and a 72" rotary mower which could be replaced next budget year. The budgeted amount for these three items totaled \$150,000. Councilor Muenchrath moved to approve the purchase of the new 2011 Schwarze A7000 street sweeper for \$150,000 in lieu of purchasing previously budgeted equipment for the Street Department. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Groth, Melton, Muenchrath, and Vaughan voting aye. Councilors Kramer and Johnson were absent.

### **City Attorney's Report**

No report was given.

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### City Manager's Report

City Manager Rodger Craddock reported the substandard issues affecting the foundation of the Fletcher building were repaired and noted exterior improvements to the building were still ongoing. Mr. Craddock advised permits were being issued to repair the foundation of the Chandler building. Additionally, the City was notified by Oregon Department of Transportation that the City had passed the first round for consideration of receiving grant funds for the Empire Pedestrian Bicycle project. Mr. Craddock reported in an effort to facilitate the seismic retrofit of City Hall, the Police Department and Oregon Liquor License Commission (OLCC) offices were temporarily relocated to the Public Works area of City Hall; Public Works and Oregon Department of Fish and Wildlife (ODFW) offices were moved to four modular structures located in the parking lot at the rear of City Hall. Mr. Craddock stated the City Manager's office, Finance Department, and Council Chambers would be completed last. Mayor Shoji suggested the City's website be updated to include information on the seismic retrofit.

### Council Comments

Councilor Vaughan provided a brief overview of recently attended Parks and Tree Board meetings. Councilor Groth inquired about convening the Wastewater Taskforce to get the community involved in the process. City Manager Rodger asked if the Council was interested in setting a number for how many people were going to be on the taskforce; if there was going to be an application process or if staff should seek out people for the taskforce; and inquired how Council would like staff to proceed or if staff should bring back suggestions on how to proceed. Mayor Shoji stated interested parties could apply but suggested the Council have the right to appoint to the taskforce to insure all parts of the community were represented. Councilor Groth stated she was willing to help with the taskforce. Councilor Melton reported the Egyptian Theatre Preservation Association Board and the Steering Committee were moving forward and making progress on creating a strategic plan and listing priorities for the Egyptian Theatre; wished everyone a Merry Christmas and Happy New Year. Councilor Muenchrath wished everyone a Merry Christmas and a safe and Happy New Year, Happy Hanukkah, and Happy Festivus. Mayor Shoji congratulated Operations Administrator Randy Dixon for being manager of the year; and suggested an area within City Hall be designated to display pictures of City staff being honored for their accomplishments.

### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for January 3, 2012 in the meeting room at the Coos Bay Public Library.

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Crystal Shoji, Mayor

Attest:

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Susanne Baker, City Recorder



**CITY OF COOS BAY**  
**Agenda Staff Report**

MEETING DATE	AGENDA ITEM NUMBER
January 2 2012	

TO: Mayor Shoji and City Councilors

FROM: Gary McCullough, Chief of Police

THROUGH: Rodger Craddock, City Manager *rec*

**ISSUE:** Change of ownership of the **El Sombrero Mexican Restaurant**

**BACKGROUND:**

Oregon Revised Statute (ORS) 471.166 establishes the process for local governments to make recommendations to OLCC regarding any requested changes in the status of liquor license held by businesses in their jurisdictions. As part of the process, the Police Department reviews all requested changes to the applications to ensure compliance with applicable regulations. The City Council is charged with the responsibility for recommending approval or denial of these applications to the Oregon Liquor Control Commission bases on information submitted by the Police Department.

On December 22, 2011, Monica Ruiz Perez the new owner of El Sombrero Mexican Restauant submitted an application requesting a change of ownership for the existing OLCC license at their business. Support Services Supervisor Linda Mitchell has reviewed the renewal application, conducted a records check of the business and applicants. The investigation revealed no information that would prohibit the approval of the application.

**BUDGET IMPLICATIONS:**

None

**ADVANTAGES:**

A business, operating in compliance with OLCC regulations, can add to the economic stability of our community.

**DISADVANTAGES:**

None

**ACTION REQUESTED:**

If it pleases the Council, recommend the approval for the change of ownership request of El Sombrero Mexican Restaurant.



# OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

## LICENSE TYPES

- ☒ Full On-Premises Sales (\$402.60/yr)  
☒ Commercial Establishment  
☐ Caterer  
☐ Passenger Carrier  
☐ Other Public Location  
☐ Private Club  
☐ Limited On-Premises Sales (\$202.60/yr)  
☐ Off-Premises Sales (\$100/yr)  
☐ with Fuel Pumps  
☐ Brewery Public House (\$252.60)  
☐ Winery (\$250/yr)  
☐ Other: \_\_\_\_\_

## ACTIONS

- ☒ Change Ownership  
☐ New Outlet  
☐ Greater Privilege  
☐ Additional Privilege  
☐ Other \_\_\_\_\_

## CITY AND COUNTY USE ONLY

Date application received: \_\_\_\_\_

The City Council or County Commission:

(name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: \_\_\_\_\_  
 (signature) (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## OLCC USE ONLY

Application Rec'd by: 47

Date: 12-21-11

90-day authority: ☐ Yes ☐ No

## 90-DAY AUTHORITY

☐ Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

## APPLYING AS:

- ☐ Limited Partnership ☐ Corporation ☐ Limited Liability Company ☒ Individuals

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Monica Ruiz Perez ③ \_\_\_\_\_  
 ② \_\_\_\_\_ ④ \_\_\_\_\_

2. Trade Name (dba): El Sombrero

3. Business Location: 252 Broadway Coos Bay OR 97420  
 (number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 252 Broadway Coos Bay OR 97420  
 (PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: (541) 266-9310  
 (phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: Raul and Sonia Robles Type of License: Full on-Premises Sales

8. Former Business Name: El Sombrero

9. Will you have a manager? ☐ Yes ☒ No Name: N/A  
 (manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Coos Bay OR  
 (name of city or county)

11. Contact person for this application: Monica Ruiz Perez (541) 290-3315  
 (name) (phone number(s))

1387 California A.V. babylavelymonika@hotmail.com  
 (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 12/21/11 ③ \_\_\_\_\_ Date \_\_\_\_\_  
 ② \_\_\_\_\_ Date \_\_\_\_\_ ④ \_\_\_\_\_ Date \_\_\_\_\_

**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

<b>MEETING DATE</b>	<b>AGENDA ITEM NUMBER</b>
January 3, 2012	

TO: Mayor Shoji and City Councilors

FROM: Rodger Craddock, City Manager *RC*

ISSUE **Appreciation Plaque to Joanie Johnson**

**BACKGROUND**

Joanie Johnson began serving on the City Council November 18, 2008. On December 27, 2011, Coos Bay Councilor Joanie Johnson tendered her resignation from her position on the Coos Bay City Council. Councilor Johnson wrote the following in her resignation letter.

"Due to current health issues, I am stepping down from my council position effective December 27, 2011. My condition at this time is an undetermined Auto Immune Disorder, and one of the areas being challenged is my speech. This has been noticeable as of late and as I like to talk this is most difficult on all parties involved. Being on the Council has been one of the most rewarding and educational experiences I have ever had the pleasure of participating in!"

In her resignation letter, Councilor Johnson also wrote her personal wishes which included the following:

- Support our local retailers and embrace our entire community.
- Volunteer and stay informed with accuracy (watch Ch. 14) and work toward common goals.
- Turn the pedway into Prefontaine Plaza.
- Create community gardens in all available areas open to everyone.
- Put in RV parking across from Outdoor In to capture the ten thousand visitors from Shore Acers before they leave town.
- Create signage for the parking lots that have a walking, shopping, services, and restaurant guides (a legend) on them.

Councilor Johnson has been serving on the Council since November 18, 2008. During her time in office, she also served on the Coos Bay Urban Renewal Board, Coos Bay / North Bend Visitors & Convention Bureau Board, Coos Bay's representative on the Oregon Coast Zone Management Association, Coos Bay's Public Safety Standing Committee, Community Coalition of Empire, Coos Art Museum Board, Coos Historical & Maritime Museum Project Committee, and the Tree Board. In addition to her public service, Councilor Johnson has been an active member of the Coos Bay Downtown Association and the Bay Area Chamber of Commerce.

**ACTION REQUESTED:**

If it pleases the City Council, present the appreciation of service plaque to Joanie Jonson for her service on the City Council from November 2008 to December 2011.

**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

MEETING DATE	AGENDA ITEM NUMBER
January 3, 2012	

TO: Mayor Shoji and City Councilors

FROM: Rodger Craddock, City Manager *REC*

ISSUE: Council Vacancy

BACKGROUND:

With the recent resignation of Joanie Johnson from the Council, there is a need to fill the vacant position. Below you will find the relevant sections of the City Charter which addresses filling a vacant position:

**Section 3.6 Qualifications:**

A person who at the time of election or appointment is a qualified voter within the meaning of the state constitution and has resided within the City one year immediately preceding the election or appointment to fill a vacancy shall be eligible to fill an elective office of the City. No elective office holder of the City may be employed by the City in a position that is not substantially volunteer in nature. Before the names of candidates for elective office are placed on the ballot and before the appointment of an elective officer to fill a vacancy, the candidate for elective office shall present proof of qualifications to the municipal judge whose decision shall be a final determination of both fact and law, but if there is no municipal judge then such determination shall be made by the city attorney.

**Section 6.8 What Creates a Vacancy.**

An elective office shall be deemed vacant by declaration of the Council upon the incumbent's death, adjudicated incompetence, convictions of felony, resignation, recall from office, ceasing to possess the qualifications necessary for the office, the failure of the person elected or appointed to take the oath of office within three weeks after the time for the term of office to commence, which shall be the first regular council meeting following election or appointment, or absence from meetings of the council for 30 days without the consent of the Council.

**Section 6.9 Filling Vacancies.**

Vacancies in elective offices of the City shall be filled by appointment by a majority of the entire membership of the Council holding office at the time of the appointment. The appointee's term of office shall begin upon taking the oath of office following appointment and shall continue until a successor has been elected and qualified following the next regular city election. The successor to a council member appointed during the first two years of the term shall serve for the unexpired term of two years.

Below you will find a history of those who have resigned from the council or whose position has been vacated though their election to another position and how those positions were filled:

**1992** Joanne Verger ran for Mayor in 1992 while still serving as City Councilor. Her councilor term was for 1990-1994. Verger was elected to the position of Mayor in November 1992. In this election, Benetti, Combs, and Williams were elected to the three open councilor positions. Melton received the 4<sup>th</sup> highest votes. The City Council filled Joanne's unexpired councilor term by appointing Gene Melton to the position on November 24, 1992. Gene Melton served the remainder of the unexpired term until November 1994.

**1994** Councilor Bill Grile resigned from the City Council July 19, 1994 to apply for city manager's position. August 2, 1994 Mayor Verger recommended the Council appoint Gene McCabe to the vacant seat. The vote passed and Gene McCabe was sworn in as councilor.

**2002** Councilor Don Spangler resigned in May 2002. Applications were accepted and the Council interviewed several citizens for the position on June 12, 2002. Among those interviewed for the position were John Eck, Roger Gould, John Muenchrath, Howard Forte, Steve Schneiderman.

Roger Gould was appointed to fulfill Spangler's position on June 18, 2002. At that same meeting Judy Weeks resigned from the Council. The Council then appointed Jon Eck to fulfill the remainder of Judy's term.

**2006** Councilor McKeown was elected as Mayor in November 2006 while he had still had two years left on his term as Councilor. The Council chose to take letters of interest and interview applicants for appointment to the remaining two years, rather than take the 4<sup>th</sup> highest vote getter. Through this process Michele Burnette was appointed as Councilor on December 12, 2006 to serve the remainder of the unexpired term until November 2008.

**2008** Councilor Roger Gould resigned from the City Council on January 17, 2008. The City Council chose to appoint Gene Melton to fill the vacancy on February 5, 2008 and oath of office was given at that meeting.

**2011** Councilor Eck resigned from the City Council on May 17, 2011. On June 7, 2011, the City Council decided to appoint Mike Vaughn who had received the 4<sup>th</sup> highest votes during the previous election, to fill the vacancy.

Based on City Charter and as the relevant history has shown, the Council can use any of the following options to fill the position:

- 1) Use a process, such as accepting letters of interest, interviewing applicants, and appointing one of the applicants to the open position.
- 2) Appoint the candidate who received the 4<sup>th</sup> highest votes in the last election.

- 3) The Council can simply appoint a new councilor through a majority vote without holding an application process or using the results from the last election.

Whatever process is used, the appointed Councilor shall serve until the next biennial general election which is in November of 2012. The person appointed would then stand for election, if he or she so desires. After that the seat will be up for election every four years.

ACTION REQUESTED:

If it pleases the Council, fill the current vacant position by utilizing one of the following process options:

- 1) Conduct an application process whereby those who are interested are directed to submit a letter of interest and where the applicants are interviewed by the Council prior selection and appointment of an applicant to the vacant position.

If an application process is chosen, staff proposes the following process timeline:

January 5, 2012	Advertise position opening with a deadline of February 9, 2012 for the submission of letters of interest
-----------------	--

February 21, 2012	Interview applicants prior to the regular scheduled council meeting.
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February 21, 2012	Through a majority vote, appoint one of the applicants to the vacant position during the scheduled council meeting.
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- 2) Appoint the candidate who received the 5<sup>th</sup> highest votes in the last election. According to attached November 2010 elections results, former councilor Mark Daily was the candidate with the 5<sup>th</sup> highest votes. (Mark Daily was contacted and he is willing to assume the remainder of the open term if that is the wishes of the Council)
- 3) Appoint a new councilor through a majority vote without holding an application process or using the results from the last election.

Coos Bay City Councilors

WITH 3 OF 3 PRECINCTS REPORTING

Vote for 3

	JG er no nt ih f e r (NON)	HF oo wr at re d (NON)	SK tr ea pm he ar n e (NON)	MV ia ku eg h a n (NON)	JH ou he nn c MD aa ri kl y (NON)	W r i JLP r o u e h n d t (NON)	OV VO ET RE S (NON)	UV NO DT EE RS		
0005 COOS BAY CITY WEST	1013	384	910	600	613	893	440	19	168	1659
0006 COOS BAY CITY NORTHEAST	861	263	517	499	422	723	225	20	162	982
0007 COOS BAY CITY SOUTHEAST	811	305	554	544	534	755	199	17	123	1147
CANDIDATE TOTALS	2685	952	1981	1643	1569	2371	864	56	453	3788
CANDIDATE PERCENT	22.15	7.85	16.34	13.55	12.94	19.56	7.12	.46		

I HEREBY CERTIFY THAT THE ABOVE  
RESULTS ARE TRUE AND CORRECT

*TERRI L. TURI by Debbie Heller*  
TERRI L. TURI, CCC  
COOS COUNTY CLERK  
*Election Director*



Coos Bay Mayor

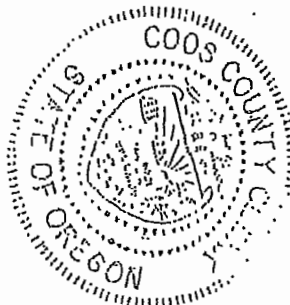
WITH 3 OF 3 PRECINCTS REPORTING

Vote for 1

	C S r h y o s j t i a l (NON)	W r i G M e e n l e t o n (NON)	I n (NON)	O V V O E T R E S	U V N O D T E E R S
0005 COOS BAY CITY WEST	1221	684	11	0	317
0006 COOS BAY CITY NORTHEAST	987	389	6	0	176
0007 COOS BAY CITY SOUTHEAST	940	524	3	0	196
CANDIDATE TOTALS	3148	1597	20		689
CANDIDATE PERCENT	66.06	33.51	.41		

I HEREBY CERTIFY THAT THE ABOVE  
RESULTS ARE TRUE AND CORRECT

*Teri L. Turi by Debbie Heller*  
TERRI L. TURI, CCC  
COOS COUNTY CLERK  
*Election Director*





**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

MEETING DATE January 3, 2012	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Councilors

FROM: Jackie Mickelson, Executive Assistant *JM*

Through: Rodger Craddock, City Manager *RC*

ISSUE **Introduction of New Library Director Samantha Pierson**

**BACKGROUND**

It is our pleasure to introduce Samantha (Sami) Pierson as the new Coos Bay Public Library Director. Sami is most recently from Libby, Montana where she has served as the Library Director of the Lincoln County Public Library since 2003. The Lincoln County Library is a three-library system which provides service for a population of 18,000. She is also an adjunct faculty member at Flathead Valley Community College and a contract cataloger for the Montana Department of Transportation. In addition, she has served on the Montana State Records Advisory Board, and she is the recent past president of the Montana Library Association.

Sami earned a Master of Public History and Archives degree from Colorado State University and a Masters of Library and Information Sciences from the University of Southern Mississippi. She grew up in a rural area just outside of Albany, OR, and she is making preparations to return to Oregon with her family to start in her new job as the Coos Bay Library Director in January.

# CITY OF COOS BAY CITY COUNCIL

## Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
January 3, 2012	

TO: Mayor Shoji and City Councilors

FROM: Susanne Baker, Finance Director 

THROUGH: Rodger Craddock, City Manager 

ISSUE Public Hearing for Adoption of Supplemental Budget Resolution 12-01

### BACKGROUND

This resolution is a general housekeeping measure to comply with Oregon budget law and follow through with recommendations made by the auditor in accordance with Governmental Accounting Standards Board 54 (GASB 54). This pronouncement further defined special revenue funds and the Building Codes Reserve fund did not meet the criteria; on June 7, 2011, through Resolution 11-16, the Building Codes Reserve fund was closed. As a result, the majority of the balance, \$58,998, is to be transferred to the Building Codes operations fund and the remaining \$5,300, to the Technology fund for the Building Codes portion of the technology program.

The second item appropriates \$170,000 in pass through funds from the Coos Bay North Bend Water Board for their current construction project to meet the interest payment due to the State of Oregon Infrastructure Finance Authority loan. The interest payment will be due in June of 2012 and will be based upon the final amount of funds drawn against the loan. The appropriation being made at this time will be sufficient to cover the maximum amount that could be invoiced.

The third item appropriates \$20,000 for the DUII Enforcement grant that was accepted at the November 15, 2011 City Council meeting. The grant award was more than what was anticipated during the FYE 12 budget process.

### General Fund

	Total Appropriation Before Resolution 12-01	Resolution 12-01	New Total Appropriation
Public Safety	\$6,595,996	\$20,000	\$6,615,996
Transfers	\$1,158,696	\$64,298	\$1,222,994
Other Financing Uses	\$2,975,935	\$64,298	\$3,040,233
Total General Fund	\$15,140,726	\$84,298	\$15,225,024

### Technology Reserve Fund

Total Appropriation Before Resolution 12-01	Resolution 12-01	New Total Appropriation
\$182,138	\$5,300	\$187,438

<b>Building Codes Fund</b>		
<u>Total Appropriation</u> <u>Before Resolution 12-01</u>	<u>Resolution 12-01</u>	<u>New Total Appropriation</u>
\$574,847	\$58,998	\$633,845

<b>Revenue Bond Fund</b>		
<u>Total Appropriation</u> <u>Before Resolution 12-01</u>	<u>Resolution 12-01</u>	<u>New Total Appropriation</u>
\$985,526	\$170,000	\$1,155,526

#### ADVANTAGES

The City will be in compliance with ORS 294.480.

#### DISADVANTAGES

None.

#### BUDGET

The appropriations will provide the needed funds for the anticipated expenditures and complete the closure of the Building Codes Reserve fund.

#### RECOMMENDATION

It is staff's recommendation the City Council hold the required public hearing and adopt Resolution 12-01.

**City of Coos Bay**

**Resolution 12-01**

**A RESOLUTION OF THE CITY OF COOS BAY, COOS COUNTY, OREGON ADOPTING A SUPPLEMENTAL BUDGET MAKING APPROPRIATIONS AND HOLDING A PUBLIC HEARING.**

WHEREAS, the City of Coos Bay, Coos County, Oregon has complied with the provisions of ORS 294.480 providing for expenditures contained in an individual fund that are changed by a supplemental budget which differ by more than 10 percent of the expenditure in the budget as most recently amended prior to the supplemental budget; and

WHEREAS, notice of the public hearing, including a summary of the changes proposed, was published not less than five days before the meeting which contained a statement that a supplemental budget would be considered; and

WHEREAS, the City Council recognizes the need to appropriate the additional DUII grant funds; to transfer the audited FYE 11 Building Codes Reserve fund ending fund balance to the Building Codes operations fund; to transfer to the technology fund the Building Codes annual share for the technology program; and the need for a sufficient appropriation for the Coos Bay North Bend Water Board OFIA interest payment; and

**REVENUE BOND FUND**

Resources:

Water Board Revenue Bond	\$ 170,000	
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Requirements:

Debt Service	\$ 170,000	
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New Total Revenue Bond		\$1,155,526
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**BUILDING CODES FUND**

Resources:

Other Financing Sources		
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Transfers	\$ 64,298	
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Requirements:

Materials and Services	\$ 58,998	
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Other Financing Uses		
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Transfer to Technology	\$ 5,300	
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New Total Building Codes		\$633,845
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**GENERAL FUND**Resources:

Grants \$ 20,000

Requirements:

Public Safety: Police and Fire \$ 20,000

New Total Public Safety \$ 6,615,996

Other Financing Uses

Transfer to Building Codes \$ 64,298

New Total Transfers \$1,222,994

New Total Other Financing Uses \$3,040,233

New Total General Fund \$15,225,024

**TECHNOLOGY FUND**Resources:

Transfers \$ 5,300

Requirements:

Capital Outlay \$ 5,300

New Total Capital Outlay \$138,803

New Total Technology \$187,438

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Coos Bay, Coos County Oregon hereby adopts the FY 2011-2012 supplemental budget as set forth above, and appropriates the sums as shown.

The foregoing resolution was duly adopted by the City of Coos Bay, Coos County, Oregon this 3rd day of January 2012.

\_\_\_\_\_  
Crystal Shoji, Mayor

ATTEST:

\_\_\_\_\_  
Susanne Baker, City Recorder

# CITY OF COOS BAY CITY COUNCIL

## Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
January 3, 2012	

**TO:** Mayor Shoji and City Councilors

**FROM:** Jim Hossley, Public Works and Development Department Director

**Through:** Rodger Craddock, City Manager

**ISSUE:** Consideration of Revised Fee Resolution, Resolution 12-02

### **BACKGROUND:**

Resolution 11-26, Fee Resolution, was passed by Council on October 18, 2011. Changes to the Building Code fees in this resolution were to take effect on January 1, 2012. However, due to a misunderstanding with Oregon State Building Codes Division, the fee resolution needs to be re-adopted through adoption of the attached Resolution 12-02. When a community is making changes to its building code related fees, the State advertises the proposed changes for 45 days in advance of the hearing date for consideration of the fee changes. The State has completed the 45-day notice. Thus, the entire fee resolution, if adopted, will become effective upon signature by the Mayor.

The fee changes proposed for adoption in Resolution 12-03 are the same as previously adopted in Resolution 11-26. As a reminder of what was approved in Resolution 11-26 to be carried forward in Resolution 12-03, staff proposed revisions to the city's fees and language clarification. The proposed changes are summarized below:

- Delete business license fee for Amusement Devices currently \$35/device/year
- Decrease limited contractor's business license annual fee from \$75 to \$25
- Increase special contractor's business license annual fee from \$25 to \$75
- Increase moorage rates effective July 1, 2012 due to increase to cost of electrical power and water

	Moorage Rates								
	Weekly: Short Term					Monthly: Long Term			
	Coos Bay Old Rate	Coos Bay New Rate	Charleston			Coos Bay Old Rate	Coos Bay New Rate	Charleston	
15'	\$ 25	\$ 27	\$ 32			\$ 70	\$ 80	\$ 53	
19'	\$ 40	\$ 45	\$ 84			\$ 70	\$ 80	\$ 114	
29'	\$ 40	\$ 45	\$ 91			\$ 102	\$ 116	\$ 174	
39'	\$ 40	\$ 45	\$ 98			\$ 137	\$ 156	\$ 234	
45'	\$ 68	\$ 90	\$ 126			\$ 158	\$ 180	\$ 270	
70'	\$ 105	\$ 140	\$ 182			\$ 245	\$ 280	\$ 420	

- Add new planning review categories to include "Signage only" review \$50; Flood Map Revision reviews \$70 plus additional \$70/hour as needed; extension of land use application \$55
- Increase fee for appeal to the Planning Commission or City Council from \$358 to \$375 (to be consistent with other planning actions that incur planning commission review)
- Delete the \$0.05 per square foot/month fee to occupy the right of way with any temporary or permanent structure or vehicle
- Add that Building Permits are subject to additional plan review/check fee for each review after the initial review. The fee to be the greater of 50% of the original permit fee or \$110
- Add Deferred Submittal fee for all deferred submittals, fee is 65% of permit fee of the particular deferred portion, with a minimum fee of \$200 for each deferred submittal item
- Add Phased Project fee of \$250 + 10% of the total permit fee per phase, not more than \$1500 per phase
- Revised fee for Temporary Certificate of Occupancy so that commercial certificate is \$250 and residential remains \$100
- Decrease fee of copy for Police investigative report from \$20 for up to 15 pages, \$1.00/page thereafter to \$10 for up to 10 pages, \$0.25/page thereafter
- Decrease fee for police investigation video recordings from \$40 to \$25 per copy
- Add fee for criminal history record check for non-profit/charitable organizations and non-law enforcement governmental agencies \$10/applicant
- Add the ability to charge interest to past due accounts in accordance with Oregon Revised Statute (ORS). Presently the ORS rate is 9%, as it has been for several years.

The revisions above to the building fees reflect the cost to provide these services. The added fees are to capture costs for services that the building codes division is providing at no charge. These increased fees will help ensure that the program remains self supporting and avoid supplementing the building code program with general fund dollars.

#### **ADVANTAGES:**

The proposed revisions to fees better reflect the actual cost of providing many of the city services. Some of the revisions are made for reasons of practicality.

#### **DISADVANTAGES:**

None

#### **BUDGET IMPLICATIONS:**

Actual impact to the budget is unknown. The revisions to the fees will help cover the city's expenses for providing services.

#### **RECOMENDATION:**

City staff recommends the City Council adopt Resolution 12-02.

#### **ATTACHMENTS:**

Resolution 12-02

**City of Coos Bay**

**Resolution 12-02**

**A RESOLUTION OF THE CITY OF COOS BAY, COOS COUNTY, OREGON AMENDING FEES FOR GENERAL GOVERNMENTAL OPERATIONS AND SERVICES PROVIDED.**

**WHEREAS**, the City of Coos Bay adopted Resolution 11-26 on October 18, 2011, which established fees for business licenses, moorage rates, building code fees, public records research and copying fees, planning fees, and other general governmental and facility use charges; and

**WHEREAS**, the necessary State of Oregon Building Codes Division 45-day state wide notice of the proposed changes was not completed in advance of adoption of Resolution 11-26; and

**WHEREAS**, the necessary State of Oregon Building Codes Division 45-day state wide notice of the proposed changes has now been completed; and

**WHEREAS**, amendments to the language of the fee schedule are necessary to adjust fees for services, add additional fees for services the city has not previously charged for and to clarify language as follows;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF COOS BAY** that fees for utilizing City owned facilities and services provided shall be revised as follows:

**BUSINESS LICENSES (Ordinance 103 / Codified Title 5, Chapter 5.05):**

**General Retail and Service Businesses**

1 to 5 Employees	\$25 per year
6 to 10 Employees	\$50 per year
11 to 20 Employees	\$100.00 per year
21 to 30 Employees	\$125.00 per year
Over 30 Employees	\$150.00 per year

**Residential, Commercial and Industrial Leaseholds and Tenancies**

1 to 5 units	\$15.00 per year
6 to 12 units	\$15.00 per year plus \$2.50 per year per each unit in excess of five
Over 12 units	\$35.00 per year plus \$1.50 per year per each



	unit in excess of twelve
<u>Auctions</u>	\$50.00 per auction with an annual limit of \$250.00
<u>Auto Wreckers</u>	\$75.00 per year
<u>Carnivals and Circuses</u>	\$100 per performance plus a \$500.00 refundable clean-up deposit
<u>Exhibitions</u>	\$10 each day
<u>Flea Markets</u>	\$25 per day plus \$1 per table per day
<u>General Contractors</u>	\$125.00 per year
<u>License Transfers</u>	\$5 each
<u>Limited Contractors</u>	\$25.00 per year
<u>Mobile Home Parks</u>	\$75 per year for first space, \$2 per year for spaces 2 to 15, \$1 per year for each space in excess of 15, \$500.00 per year maximum
<u>Non-profit Organizations</u>	No Fee
<u>Seasonal</u>	\$25 per season
<u>Special Contractors</u>	\$75 per year
<u>Transient Merchants</u>	\$125 per day or \$500.00 per year whichever is less, plus posting of a \$2500 bond for one year
<u>Vehicles for Passenger Hire</u>	\$125 per year plus \$25 per vehicle
<u>Entertainment Clubs</u>	\$175.00 per year

MOORAGE (Ordinance 217 / Codified Title 11, Chapter 11.05):

Long-Term Moorage (30 day minimum) Agreements. Each owner or operator shall pay a fee equal to \$2.50 per foot/per each month of long-term moorage, \$50.00 minimum (effective 7/1/09, \$3.00/ft/mo, \$60.00 minimum; effective 7/1/10, \$3.50/ft/mo, \$70.00 minimum) \$4.00/ft/month, \$80 minimum effective 7/1/12.

Short-Term Moorage Agreements. Each owner or operator shall pay a fee as follows: (Exceeding seven consecutive calendar days but less than thirty consecutive calendar days) Rate change effective 7/1/12.

Vessels 15' in length and under:	\$27.00 per week
Vessels greater than 15' in length,	

but less than 40' in length:	\$45.00 per week
Vessels 40' in length and over:	\$2.00 / foot per week

Transient Moorage Agreements: Each owner or operator shall pay a fee as follows:  
(Exceeding 12 hours but less than one week)

Vessels 15' in length and under:	\$7.00 per day
Vessels greater than 15' in length, but less than 40' in length:	\$13.00 per day
Vessels 40' in length and over:	\$.50 / foot per day

Due Date and Late Fees: Moorage payments shall be payable by the first of the month for long-term moorage and within twelve (12) hours of mooring for short-term and transient. A late fee of \$25.00 shall be assessed for late payments for each month or part of a month that payments are late.

Live-Aboard Permits: Each owner and operator desiring to live aboard his/her vessel shall apply for a live-aboard permit with the Public Works and Development-Department. Issuance of a permit is contingent upon inspection of the vessel and may be renewed annually. There will not be a fee for the permit. A charge of \$100.00 for non-compliance shall be assessed if an owner or operator proceeds to live-aboard and does not apply for a live-aboard permit.

Finger Docks: All vessels 20' in length and under shall moor at a finger dock.

Reserved Docks: Day-to-day Transient Moorage from May through October; available for short-term and long-term moorage from November through April.

Service Docks: Restricted to temporary docking only.

Docks: All dock space other than finger docks, reserved docks and service docks shall be used to dock vessels greater than 20' feet in length.

Vessels assigned to the dock spaces that are metered for electricity shall pay for their electrical usage based upon the electrical rates used to calculate the total bill for the main electrical meter for the downtown city dock.

#### PLANNING (Ordinance 93 / Codified Title 17):

Additional plan review or planning assistance required or requested for which no fee  
is specifically indicated..... \$70.00 per hour  
Annexation ..... \$1690.00 +  
Plus: Publishing and election.  
Appeal to the Planning Commission or City Council..... \$375.00

Architectural Design Review: Waterfront Heritage Zoning District (WH) as defined by Coos Bay  
Municipal Code 17.240, Empire Waterfront Settlement Design Review and Hollering Place (HP)  
Zoning District

1. Color selection; painting exterior of building ..... 0.00
2. Signage only ..... \$50.00

3. 30% or less change to the exterior of the structure, with no change in the square footage of the structure (e.g., replace windows with a different style of window).... 50.00
4. Greater than 30% change to the exterior of the structure, with no change in the square footage of the structure (e.g., replace more than 30% of the siding)..... 100.00
5. New structures or change in the square footage of the existing structure..... 200.00

Administrative Conditional Use ..... \$200.00  
 Conditional Use; Cultural Resource ..... \$375.00  
 Engineering and other professional service recovery fees: All applications requiring additional professional services will pay a minimum retainage of \$500.00 to be applied against the actual cost of said services. Retainage to be increased as the cost of the professional services billed against the retainage. Balance of retainage will be returned to the applicant at final acceptance of the action by the City.

Estuarine & Coastal Shore Land Uses ..... \$400.00  
 Extension to land use applications..... \$55.00  
 Flood Plain Elevation Certificate ..... \$115.00  
     May include Pre-elevation, Building Under Construction and Final Construction Elevation  
     Certificates for a single project for one fee  
 Flood Plain Map Revision Review..... \$70+, 1<sup>st</sup> hour \$70.00, additional review time \$70/hr  
 Hearings Official - Applicant to pay the actual costs of hearing, recording fees, filing fees and publishing fees plus 10% Administrative fee Varies by case  
 Home Occupation ..... \$15.00  
     If public hearing is required..... \$375.00  
 Lot Line Adjustment ..... \$190.00+  
     Plus: \$25.00 for each additional line adjusted after the first  
 Ordinance Amendment (text) ..... \$825.00+  
     Plus: Publishing and if BM56 notice is required add \$2,000 for mailed notice  
 Partition ..... \$575.00  
 Plan Amendment (text or map) ..... \$960.00+  
     Plus: Publishing  
 PUD (Requires Conditional Use and Site Plan & Architectural Review applications)  
     Varies by case  
 Site Plan & Architectural Review..... minimum \$525.00+  
     \$0.00357 per sf. of the building square footage and all impervious surfaces  
 Street Names or Address Change ..... \$55.00  
 Subdivision (Plus \$27.00 per lot and the cost of publishing) ..... \$1630.00+  
 Vacation (Plus: Publishing) ..... \$795.00+  
 Variance ..... \$375.00  
 Waterway..... \$55.00  
 Zone Change ..... \$675.00

**BUILDING AND CONSTRUCTION (Ordinance 405/ Title 15):**

**Plumbing:**

Sewer cap and minimum fee..... \$50.00  
 Plan check ..... 65% of fee  
 Sewer connection. .... \$145.00

Building: (Based on Valuation)

<u>Total Valuation</u>	<u>Fee</u>
\$1 to \$500	\$17.05
\$501 to \$2,000	\$17.05 for the 1st \$500.00 plus \$2.56 for each additional \$100 or
\$2,001 to \$25,000	\$55.45 for the 1st \$2,000 plus \$10.23 for each additional \$1,000 or
\$25,001 to \$50,000	\$290.74 for the 1st \$25,000 plus \$7.68 for each additional \$1,000 or fraction thereof,
\$50,001 to \$100,000	\$482.74 for the 1st \$50,000 plus \$5.12 for each additional \$1,000
\$100,001 and up	\$738.74 for the 1st \$100,000 plus \$4.27 for each additional \$1,000 or

Valuation Table: A structural permit fee for new residential construction and additions shall be calculated using the International Code Council (ICC) Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the dwelling to determine the valuation.

Valuation Table: A structural permit fee for new commercial construction and additions shall be calculated using the International Code Council (ICC) Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the building to determine the valuation and the contracted value for the actual work with the applicant supplying a copy of said contract to the city. The permit fee shall be based on the highest value of the two methods of calculation.

Demolition (Requires a performance bond equal to the contract amount or requires a signed Demolition Bond Waiver). The demolition fee includes sewer cap fee

Residential home or garage.....	\$100
Commercial Building.....	\$250

(Complex commercial building demolition, as determined by the building official or city engineer, which may include multi-story buildings or a contract cost of \$100,000 or more will, in addition to the permit fee, pay a minimum retainage of \$500.00 to be applied against the actual cost of professional services used by the city to review the demolition permit. Retainage is to be increased as the cost of the professional services billed against the retainage exceeds \$500.00. Balance of the retainage will be returned to the applicant at final approval of the demolition work.)

Demolition Bond Waiver, failure to complete work..... \$500 per day

Deferred Submittal Plan Review...65% of the permit fee, using the value of the deferred portion, with minimum fee of \$200.00 for each deferred submittal item

Fire and Life Safety Plan Review ..... 40% of fee

Phased Projects Plan Review...\$250.00 + 10% of total permit fee phase, not to exceed \$1500 per phase

Plan Review..... 65% of fee

Residential Fire Sprinkler ..... \$1.50 per square foot of coverage

Grade/Fill/Excavation: (Based on Quantity)

<u>Total Valuation</u>	<u>Fee</u>
50 cubic yards or less	\$25.58
51 to 100 cubic yards	\$64.11

101 to 1,000 cubic yards	\$77.07 for the 1st 100 cubic yards plus \$18.07 for each additional 100 cubic yards or fraction, thereof to and including 1,000 cubic yards
1,001 to 10,000 cubic yards	\$239.70 for the 1st 1,000 cubic yards, plus \$15.35 for each additional 1,000 cubic yards or fraction thereof, to and including 10,000 cubic yards
10,001 to 100,000 cubic yards	\$377.85 for the 1st 10,000 cubic yards, plus \$49.79 for each additional 10,000 cubic yards or fraction thereof, to and including 100,000 cubic yards
100,001 and up	\$825.96 for the 1st 100,000 plus \$4.27 for each additional 1,000 cubic yards or fraction thereof
Fill for landscape work of less than 20 cubic yards is exempt from permit fee	
Plan Review.....	65% of fee

Mechanical:

Residential (Based on per item)

For installation, relocation or alteration of each appliance, including vents, ducts, metal & chimney, and fuel tanks.....	\$34.10
For each vent, duct or metal chimney not included in an appliance permit.....	\$ 6.82
Fuel gas, hazardous or non-hazardous, piping system regardless of outlet number...	\$20.46
Minimum fee.....	\$50.00
Plan Review .....	65% of fee

Commercial (Based on Valuation of the job)

<u>Total Valuation</u>	<u>Fee</u>
\$1 to 1,000	\$35.00
\$1,001 to 10,000	\$35.00 for the 1 <sup>st</sup> \$1,000 plus \$.45 for each additional \$100 or fraction thereof, to and including \$10,000
\$10,001 to 100,000	\$195.20 for the 1 <sup>st</sup> \$10,000 plus \$10.98 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$1,183.40 for the 1 <sup>st</sup> \$100,000 plus \$7.54 for each additional \$1,000 or fraction thereof

Plan Review ..... 65% of fee

OTHER:

Advanced Financing of Public Improvement Fee.....	\$431.00
Access Driveway/Curb Cut; Fireworks Retail Permit .....	\$75.00
Additional fees and bonding may apply based on the proposed project.	
Agreement to pay origination fee, 2% of loan amount or \$250.00 whichever is greater	
Certified Factory Built & Modular Homes .....	\$333.66
Engineering and other professional service recovery fees: All applications requiring additional professional services will pay a minimum retainage of \$500.00 to be applied against the actual cost of said services. Retainage to be increased as the cost of the professional services billed against the retainage. Balance of retainage will be returned to the applicant at final acceptance of the action by the City.	
Investigation Fee equal to permit fee with a minimum of two hours of "Other Inspections" listed below	
Inspection Fee (minimum one hour charge).....	\$70.00 per hour

Land Use Review Fee for building permits is 10% of the building permit fee-minimum fee \$55.00  
 Plan Review fee for all other.....65% of fee  
 Parking Lot Permits.....\$190.00  
 Right of Way Use (e.g. sidewalks, utility work, landscaping, fences, etc.).....\$75.00  
 Sign Permits: Based upon the cost of the contract to perform the work, labor & materials, building permit fee, building plan check fee, land use review fee, fire/life safety as applicable and the state surcharge.  
 Additional Plan Reviews are Subject to Plan Review/Check Fees after 1st review each review shall be the greater of 50% of original fee or \$110.00  
 Solar Structural Installations that comply with the prescriptive path in OSISC 305.4 \$100.00  
 (includes review and one inspection) .....\$100.00  
 Temporary Certificate of Occupancy (Residential).....\$100.00  
 Temporary Certificate of Occupancy (Commercial) .....\$250.00  
 Temporary Use (Regulates placement of RV on site during construction per Resolution No 83-17 and includes inspection fees, and sewer connection fee) .....\$301.80

FIRE:

Flammable or Combustible Liquid Storage installation, construction or removal from service:  
 Less than 130 gallons ..... \$68.20  
 Greater than 130 gallons ..... 109.12  
 Exception: Storage of less than 25 gallons inside, less than 60 gallons outside;  
 Fuel oil used in connection with oil burning equipment  
 Investigation fee..... Equal to permit fee  
 Aerial ladder ..... 150.00  
 Burn Permit..... No charge  
 Rescue units ..... 40.00  
 Suppression Costs (minimum one hour): Career firefighters: Actual cost  
 Volunteer: 12.00/hr; If in excess of 40 hours: 18.00/hr.....Varies by case  
 Squad vehicles, personnel transportation ..... 20.00  
 Support vehicles ..... 15.00  
 Type 1 pumper..... 100.00  
 Water tender..... 70.00

PUBLIC RECORDS:

- A. Compliance. The public records policy shall follow the Oregon Public Records Law as stated in Oregon Revised Statutes 192.410 - 192.505.
1. Specificity of Request. In order to facilitate the public's access to records in the City's possession, and to avoid unnecessary expenditure of staff time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable City personnel to readily locate the records sought.
  2. Access. The City shall permit inspection and examination of its non-exempt public records during regular business hours in the City's offices. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained.

Certified Copies. Certified copies of non-exempt public records shall be furnished upon request and receipt of payment therefore.

- B. Fees for Public Records. In order to recover its costs for responding to public records requests, the following fees shall be established:

Copies of Public Records; Certified Copies. Copies of public records shall be \$.25 per copy for standard, letter-size copies. Copies may be certified for an additional charge of \$10.00.

Copies of Sound Recordings. Copies of sound recordings of meetings shall be \$25.00 per copy.

Copies of Video Recordings. Copies of video recordings of meetings shall be \$25.00 per copy.

Copy of Police investigative Report. \$10.00 up to 10 pages. .25 cents per page thereafter.

Certified Copy of Police Report. \$5.00 per page.

Copy of Audio Recording. Minimum charge of \$15.00 (to be billed at rate of \$25.00 per hour).

Copy of Video Recording. Copies of video recordings related to police investigation shall be \$25.00 per copy.

Copy of Photo CD. \$10.00 per disc.

Card Room Application Background Check - \$40.00 per applicant.

Criminal History Record Check for Non-Profit/Charitable Organization and non-law enforcement governmental agencies - \$10.00 per applicant.

Copies of Maps and Other Nonstandard Documents. Charges for copying maps or other non-standard size documents shall be charged in accordance with the actual costs incurred by the City.

Research Fees. If a request for records requires City personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the fee shall be the actual cost to the City, with a minimum charge for one-quarter hour. The City shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.

Additional Charges. If a request is of such magnitude and nature that

compliance would disrupt the City's normal operation, the City may impose such additional charges as are necessary to reimburse the City for its actual costs of producing the records.

Reduced Fee or Free Copies. Whenever it is determined that furnishing copies of the City's public records at a reduced fee or without cost, would be in the public interest because making the record available primarily benefits the general public, the City may so authorize (ORS 192.440(4)).

3. Authorization Required for Removal of Original Records. At no time shall an original record of the City be removed from the City's files or the place at which the record is regularly maintained, except upon authorization of the City Council of the City of Coos Bay.
4. On-Site Review of Original Records. If a request to review original records is made, the City shall permit such a review provided that search fees are paid in advance in accordance with paragraph B6 above. A representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.
5. Unauthorized Alteration, Removal or Destruction of Originals. If any person attempts to alter, remove or destroy any City record, the City representative shall immediately terminate such person's review, and notify the attorney for the City.

PARKING (Ordinance 114 / Codified Title 10, Chapter 10.15):

1 <sup>st</sup> Offense within 60 days	\$ 7.00
2 <sup>nd</sup> Offense within 60 days	15.00
3 <sup>rd</sup> Offense within 60 days	25.00
4 <sup>th</sup> and subsequent offenses within 60 days	50.00
Late penalty will be added to any fine remaining Unpaid after 30 days from date of issue	20.00

MISCELLANEOUS:

Animal Permit – initial application and annual renewal \$50.00

Intrusion Alarm Permit - \$35.00 per permit

Interest shall be charged, pursuant to the rate allowed by ORS, on accounts greater than three months past due.

Lien search fee (per property) \$45.00

Liquor License – initial application and annual renewal \$25.00

Police Officer Training Reimbursement, as allowed in 2009 Senate Bill 971, at actual cost.

Scout Cabin  
Non profit organizations or governmental agencies \$ 10.00



Private groups, individuals, or other organizations	\$ 50.00
Damage deposit	\$ 100.00

NOW, THEREFORE, BE IT RESOLVED THAT, the Coos Bay City Council of the City of Coos Bay, Oregon, hereby amends the fee schedule for applications, permits and charges for utilizing City owned facilities and for services provided.

The foregoing resolution was duly adopted by the City Council of the City of Coos Bay, Coos County, Oregon this 3<sup>rd</sup> day of January 2012.

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Crystal Shoji, Mayor

ATTEST: \_\_\_\_\_  
Susanne Baker, City Recorder

**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

MEETING DATE	AGENDA ITEM NUMBER
January 3, 2012	

**TO:** Mayor Shoji and City Councilors

**FROM:** Jim Hossley, Public Works and Development Director

**Through:** Rodger Craddock, City Manager *RC*

**ISSUE:** City Hall Police Station Seismic Renovation - Consideration of Award of Contract with Construction Manager/General Contractor; Chambers Construction, Inc. for the Guaranteed Maximum Price (GMP)

**BACKGROUND:**

On October 4, 2011, staff presented to the Council / Agency four proposals for Construction Manager/General Contractor (CM/GC) for the City Hall Police Station Seismic Renovation Project. The Council / Agency decided on Chambers Construction Company, and directed staff to negotiate a Guaranteed Maximum Price for the rehabilitation and remodel work with Chambers Construction Company. Staff is pleased to present to the Council / Agency the Guaranteed Maximum Price in the amount of \$2,188,000 which includes a 5.5% contingency. The contractor wanted the contingency in case they encounter "unknowns". Staff understands that it is possible the contractor will encounter unexpected conditions, though unlikely. Therefore, as a provision for allowing for the 5.5% contingency, the contractor will report back to the City at different milestones regarding the use of the contingency. For example, at the 20% project completion point the contractor will report back to City staff the amount of contingency, if any, that has been consumed. If no contingency was used, the 5.5% contingency will be reduced by 20% and so on. Thus if no contingency is used, then the 5.5% (\$120,340) will not go to the CM/GC but will remain with the City. The City could elect to do additional city hall upgrades with the funds. The bottom line is that whatever is left of the contingency, it will not go to the CM/GC.

**BUDGET IMPLICATIONS:**

The City of Coos Bay was awarded a Seismic Rehabilitation Grant (SRG) through the Oregon Department of Emergency Management in the amount of \$1,500,000. In addition to the grant, City General Funds (\$600,000) and URA funds (\$400,000) provide \$1,000,000 for more needed improvements to city hall for a total project budget of \$2,500,000. After deduction of engineering services, there is \$2,188,000 remaining for construction of the project.

**ADVANTAGES:**

The seismic renovation to city hall will protect occupancy during a seismic event and meet code, ACSE41-06 "Seismic Rehabilitation of Existing Building". In addition to the seismic rehabilitation work, other improvements will include upgrades to City council chambers, public/staff restrooms, interior painting, new carpet and energy efficiency improvements to the building.

**DISADVANTAGES:**

None

**ACTION REQUESTED:**

If it pleases the City Council, approve the award of the Construction Manger/General Contractor contract for the City Hall Seismic Rehabilitation project to Chambers Construction Company for the Guaranteed Maximum Price of \$2,188,000 and authorize the City Manager to execute the contract documents.

# CITY OF COOS BAY CITY COUNCIL

## Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
January 3, 2012	

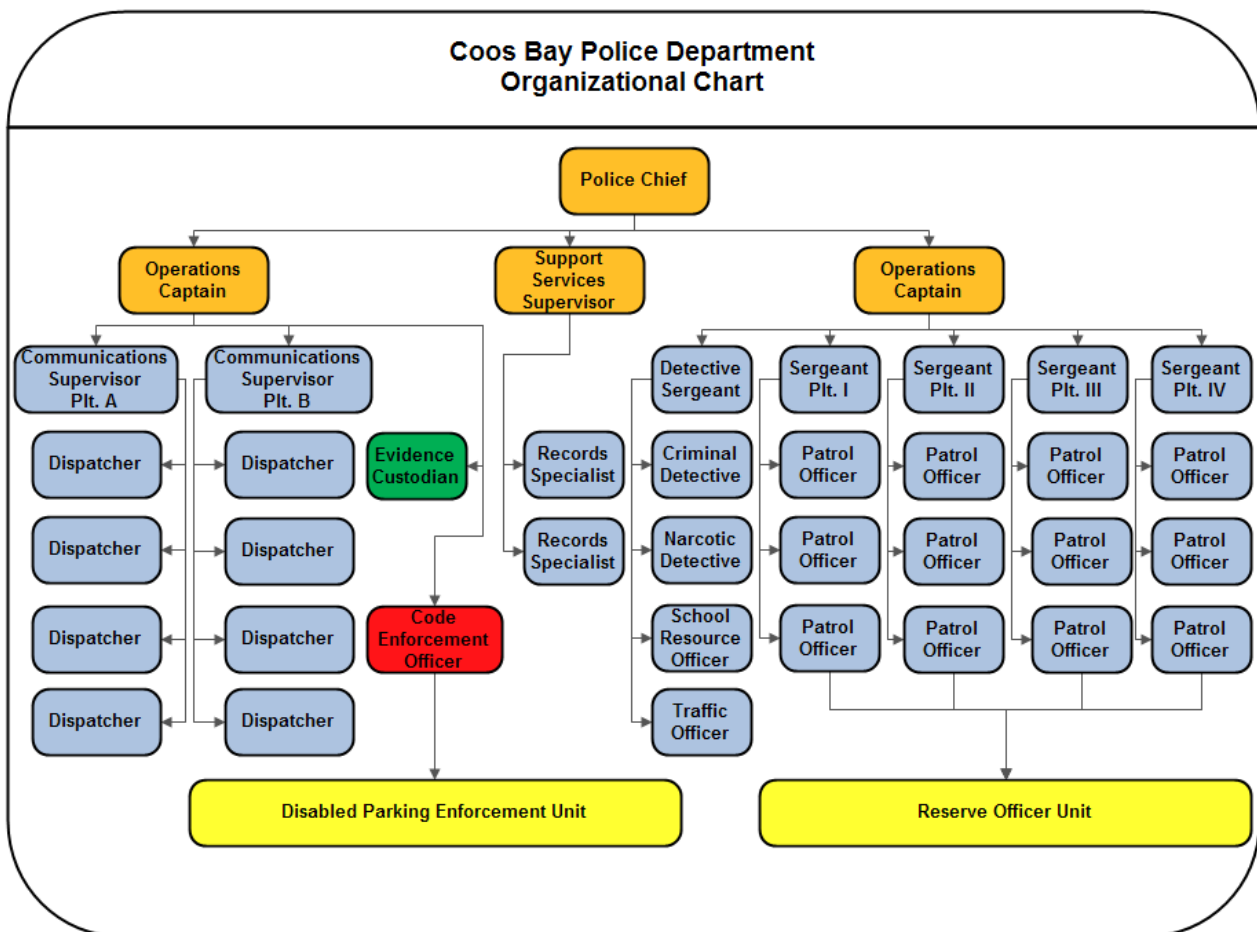
TO: Mayor Shoji and City Councilors

FROM: Rodger Craddock, City Manager

ISSUE: Labor Negotiations

### BACKGROUND:

As is indicated in the below organizational chart, the Coos Bay Police Department is staffed with thirty-nine employees. Five of the employees are non-represented, four management staff (orange), and one Evidence Custodian (green). Thirty-three employees (blue) are represented by the Coos Bay Police Officer's Association (CBPOA). And lastly, there is one employee, the Code Enforcement Officer (red) who is represented by the American Federation of State, County, and Municipal Employees Council (AFSCME)



The total Personal Services budget for the current year (FY2012-2013) is as follows:

Salaries	\$2,548,339
Overtime	270,198
P.E.R.S	532,454
Social Security	216,881
Employee Insurance	520,753
Unemployment	35,250
Worker's Compensation	72,011
<u>Volunteer Worker's Compensation</u>	<u>1,240</u>
<b>Total Personal Services</b>	<b>\$ 4,197,126</b>

The labor contract between the City and the Coos Bay Police Officer's Association (CBPOA) is slated to expire on June 30, 2012. In October, 2011, the City received notification from CBPOA's President Eric Schwenninger of their desire to enter into contact negotiations. Chief McCullough, Finance Director Baker, and I met with CBPOA's Bargaining Team Members on December 6, 2011 and December 19, 2011. At their request, no attorneys were present in these meetings. Based on these meetings we collectively arrived at several tentative agreements, subject to your approval. Most of the changes in the proposed collective bargaining agreement are noneconomic in nature. Below you will find a summary of the highlights of the three proposed economic changes to the collective bargaining agreement:

**Salaries:** Under the proposed collective bargaining agreement, bargaining unit members would receive the following increases in salary:

- July 1, 2012 – 2% - 5% (COLA increase to be based upon January 2011's US CPI-W B/C)
- July 1, 2013 – 2% - 5% (COLA increase to be based upon January 2011's US CPI-W B/C)
- July 1, 2014 – 2% - 5% (COLA increase to be based upon January 2012's US CPI-W B/C)

(CPI-W B/C is the Consumer Price Index reflecting the buying habits of urban wage earners and clerical workers in cities with populations of less than 1,500,000 in the 13 Western states.)

**Continuing Education Incentive:** Under the proposed collective bargaining agreement, the City will increase the yearly continuing education reimbursement from \$500 to \$1,500 for bargaining unit members who complete approved college level course work relevant to the employee's role in the organization. Reimbursement for college level course work is determined by the letter grades received by the student.

- Letter Grade "A" = 100% tuition reimbursement
- Letter Grade "B" = 80% tuition reimbursement
- Letter Grade "C" = 70% tuition reimbursement
- Letter Grade "D" or below = 0% tuition reimbursement
- Pass/Fail Classes "P" = 70% tuition reimbursement

**Boot Allowance:** Under the proposed collective bargaining agreement, the City will increase the yearly boot reimbursement from the current \$125.00 limit per year to \$175.00 per year.

**BUDGET IMPLICATIONS:**

Based on the current makeup of the department (33 association members) and the proposed CBPOA collective bargaining agreement, the potential budget impacts are as follows:

**For FY 2012-2013 the increased costs over FY 2011-2012 are as follows:**

Salaries:	\$58,414 – \$146,035 depending on CPI-W B/C.
Education Reimbursement:	This will not result in an increase to the budget. Reimbursement will be paid out of the yearly training budget.
Boot Reimbursement:	\$1,050 increase

**For FY 2013-2014 the increased costs over FY 2012-2013 are as follows:**

Salaries:	\$60,167 – \$150,416 depending on CPI-W B/C.
Education Reimbursement:	This will not result in an increase to the budget. Reimbursement will be paid out of the yearly training budget.
Boot Reimbursement:	No additional increase over previous year

**For FY 2014-2015 the increased costs over FY 2013-2014 are as follows:**

Salaries:	\$61,972 – \$154,929 depending on CPI-W B/C.
Education Reimbursement:	This will not result in an increase to the budget. Reimbursement will be paid out of the yearly training budget.
Boot Reimbursement:	No additional increase over previous year

**ADVANTAGES:**

Based on the State laws regarding public safety collective bargaining, the proposed increase is in keeping with what staff believes would be the minimum an arbitrator would award if we were unable to reach a contract agreement and had to go to arbitration.

**DISADVANTAGES:**

None

**ACTION REQUESTED:**

Approve the tentatively negotiated contract changes and allow the City Manager to sign a new three year FYE 2013 - 2015 labor contract with the Coos Bay Police Officer's Association.