

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

**September 1, 2015**

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 Council Chambers at City Hall, 500 Central Avenue, Coos Bay, Oregon.

### **Those Attending**

Those present were Mayor Crystal Shoji and Councilors Fred Brick, Jennifer Groth, Thomas Leahy, and Mike Vaughan. Councilors Mark Daily and Stephanie Kramer were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Deputy Finance Director Amy Kinnaman, Library Director Sami Pierson, Planning Administrator Tom Dixon, Public Works Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

### **Flag Salute**

Mayor Shoji opened the meeting and led the Council and assembly in the salute to the flag.

### **Public Comments**

No public comments were given.

### **Consent Calendar**

Mayor Shoji reviewed the consent calendar which consisted of 3a: approval of the minutes of August 18, 2015, and; 3b: acceptance of the July 2015 combined cash report. Mayor Shoji requested the minutes of August 18, 2015 be moved down to the agenda as item 4a for further discussion. Councilor Groth moved to approve the consent calendar as amended accepting the July 2015 combined cash report. Councilor Brick seconded the motion which carried with Mayor Shoji and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Review of the August 18, 2015 City Council Minutes**

Mayor Shoji requested her remarks made during the discussion on wastewater rates and classification options be amended to clarify she was not in favor of reducing the rates for high strength users and wished to explore a tiered rate approach. Mayor Shoji moved to approve the minutes of August 18, 2015 as amended. Councilor Groth seconded the motion which carried with Mayor Shoji and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **New Council Business**

Mayor Shoji noted during the August 18, 2015 Council meeting the majority of Councilors were in favor of 50/50 rate split between high strength users and all other user classifications. Mayor Shoji stated she wanted to explore a tiered rate approach by use for the high strength users; stated she did not wish to help corporations at the expense of Coos Bay residents. Consensus of the Council was for staff to postpone the hearing for consideration of the 50/50 rate split

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between the high strength and all other user classifications to allow time for staff to research an alternative tiered rate structure by use for high strength users.

### **Public Hearing to Consider Approval of Accepting a Brownfields Grant – Approval Would Require Adoption of Resolution 15-14**

City Manager Rodger Craddock stated at the November 18, 2014 Coos Bay Urban Renewal Agency meeting the Agency approved staff to send out a request for qualifications (RFQ) seeking qualified environmental consulting and/or planning firms to provide assistance with: securing a United States EPA Community Wide Grant for the assessment, cleanup, and redevelopment of brownfields properties within the Front Street planning area of Coos Bay, and; implementation of an environmental assessment, remedial planning, community outreach, and other environmental and planning components. The Agency award the Environmental Protection Agency Community Wide Assessment Grant contract to Stantec Consulting Services, Inc. at the November 18, 2014 Agency meeting. As a housekeeping matter, the grant was awarded to the City of Coos Bay and the award of the Stantec contract as stated above, needed to be approved by the City of Coos Bay City Council.

City Manager Craddock stated the City was awarded a Business Oregon grant in the amount of \$25,000 and an Environmental Protection Agency (EPA) Brownfields grant for \$400,000. The purpose of the two grants was to complete sub-area planning and brownfields assessment work along the Front Street area. Staff recommended the Council accept the two grant awards and hold a public hearing on Resolution 15-14 to adopt a supplemental budget to appropriate the award and use of the grant proceeds and expense. Staff also requested direction from Council on where and how to spend staff time and grant dollars and noted a component of the EPA grant required the City to establish a Brownfields Action Committee (BAC). The role of the BAC would be to discuss, evaluate, and advise the Council on Brownfields grant related projects.

Mayor Shoji opened the public hearing pursuant to Oregon Revised Statute (ORS) 294.473. No public comments were given and the hearing was closed. Councilor Groth moved to accept Resolution 15-14 appropriating a supplemental budget in the major capital improvement fund. Councilor Brick seconded the motion. Councilor Vaughan asked for clarification as to what “plan for area connectivity” meant. Mayor Shoji explained the purpose of the grant was to connect the Front Street Area to the north and south to the downtown area in addition to connecting the walkway. Councilor Brick inquired if environmental cleanup would be included whereby City Manager Craddock stated it depended on cost and available funds; suggested potential for an additional grant to assist with cleanup. A call for the question was made which carried with Mayor Shoji and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

Councilor Groth moved to accept both grant awards totaling \$425,000. Mayor Shoji seconded the motion which carried with Mayor Shoji and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

Mayor Shoji and Councilor Vaughan volunteered to be the Council representatives for the BAC. City Manager Craddock advised the purpose of the BAC was to seek public involvement; expert advice would be provided by Stantec; noted Community Development Director Eric Day was attending Brownfields Training Conference to gain more information on the subject matter.

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Consensus of the Council was for the BAC to include representatives from the Coos Bay City Council, Design Assistance Team and Planning Commission. City Manager Rodger Craddock recommended the Council consider including a waiver of the Council rule which stated no appointee may serve on more than two City Boards, Commissions or Committees at any one time.

Councilor Vaughan inquired if information from past brownfields studies and cleanup efforts would be shared with Council; expressed concern about disturbing contaminated soil; suggested brownfields were safer if left undisturbed and encapsulated by sediment layers. City Manager Craddock stated the purpose of the grants was to help transform the brownfields site; noted any information the Council requested or the BAC needed about past brownfields studies would be provided. Consensus of the Council was to use grant proceeds for environmental assessments and sub-area planning along Front Street area and to move north towards the city limits as funding allowed.

Mayor Shoji moved to award a consulting contract to Stantec Consulting Services, Inc. retroactively as of November 18, 2014. Councilor Leahy seconded the motion which carried with Mayor Shoji and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Consideration of Contract Award for Design Services for Blossom Gulch Sewer Line Replacement Project**

Public Works and Development Director Jim Hossley stated staff was prepared to begin the design phase for two more segments identified by the 2009 inflow and infiltration (I/I) investigation. One segment was a 6-inch clay sanitary sewer main along S. 10<sup>th</sup> Street beginning at Curtis Avenue and extending approximately 230 feet to the north. The existing 6-inch clay pipe would be replaced with 8-inch PVC. The other segment consisted of a 9-inch diameter corrugated metal sanitary sewer main located at the intersection of S. 10<sup>th</sup> Street and Curtis Avenue and extended easterly approximately 610 feet. The existing 9-inch corrugated metal pipe would be replaced with 10-inch PVC. The proposed improvements would be designed in conformance with the recommendations from the City's adopted wastewater collection master plan. Mr. Hossley stated HGE, Inc. of Coos Bay was selected to perform the design for the project; estimated six months for project design and for construction to commence in summer of 2016. Both projects were listed on the City's 20-year take down list for sanitary sewer and storm drain improvements.

Councilor Groth moved to award the contract for design services for the blossom gulch sewer pipe replacement project to HGE, Inc. for an amount not to exceed \$30,590 without prior approval from Council. Mayor Shoji seconded the motion. Councilor Vaughan noted an additional future engineering related expenditure for the project might include bidding and construction management and asked for clarification on the matter. City Manager Rodger Craddock stated it was not uncommon for the design firm to assist the City with bidding and construction management. Councilor Vaughan noted the area was commonly known as Blossom Creek or Mill Slough and he would like to see portions of the creek daylighted through the City to the Bay; requested the design team take daylighting into consideration when planning sewer line placement. A call for the question was made which carried with Mayor Shoji

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and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

### **Presentation on Disaster Preparedness**

Fire Chief Mark Anderson stated the 2008 Hazardous Analysis report for Coos County identified the following primary hazards which could pose a threat to the City of Coos Bay; hazards ranked and listed in order according to probability and severity: Severe weather – wind, earthquake, tsunami, hazardous materials release, flooding, wildland fire, landslide, domestic terrorism, and a pandemic or biological emergency. In 2012, the City of Coos Bay adopted a comprehensive Emergency Operations Plan (EOP) which provided the framework for the management of operations throughout the course of preparation, response, mitigation, and recovery from a disaster within the community. Chief Anderson reviewed the major objectives of the EOP and noted it was reviewed and updated periodically to ensure accuracy and effectiveness. Chief Anderson advised the City maintained mutual aid agreements with neighboring agencies and community partners for assistance in the event the City's resources were limited or exceeded during a disaster event. With the construction of Fire Station No. 1 in 2010, the City included the capability for the station to be utilized as the Emergency Operation Center (EOC).

Fire Chief Anderson reviewed resources and preparation steps taken to address threat-specific issues which included maintaining an inventory of sandbags for use with localized flooding, tsunami evacuation routes and assembly points, the 2013 seismic retrofit upgrade to City Hall to improve the survivability and reduce the structural damage to key infrastructure, Coos Bay was host to the Oregon State Fire Marshal's Regional Hazardous Materials Response Team which included access to specialized equipment. Chief Anderson noted in a major disaster, the communities' ability to respond and recover was directly related to the preparedness of individuals, households, and neighborhoods. For the past several years, the City of Coos Bay partnered with the American Red Cross and NW Natural Gas to host a community disaster preparedness fair called "Get Ready Coos Bay"; in 2014 over 600 people attending the event. Chief Anderson noted the Fire Department hosted monthly training (free of charge) to the public on topics including CPR, fire extinguisher use, disaster preparedness, fire safety tips, disaster preparedness education included parts of the "Map Your Neighborhood" program as well as Federal Emergency Management Agency (FEMA) recommendations for temporary self-sufficiency. Chief Anderson reviewed various agency and disaster response group partnerships and on-going action items necessary to maintain and support disaster preparedness.

Chief Anderson requested Council direction on the collection of stock piling items for victim relief resources and upgrading/repairing the City's tsunami warning sirens; noted the City had approximately 1,000 emergency blankets but did not have stockpiles of food and water. The Council requested staff to inquire with the County, school district, and other community partners as to their disaster preparedness plan.

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### **Approval of a Supplemental Budget Appropriating Insurance Proceeds into the General Fund and Declaring an Emergency Repair of the Ed Lund Building Due to a Fire – Approval Would Require Adoption of Resolution 15-17**

Public Works Director Jim Hossley stated on August 23, 2015 at approximately 3:00 p.m. the City owned Ed Lund building on South Wall Street in Empire caught fire and suffered extensive damage to the interior and exterior of the facility. The building was currently occupied by PEG Broadcasting Services, Inc. In lieu of paying rent, PED provided videotaping of City held programs/meetings. The building structure was insured through the City's insurance provider CityCounty Insurance Services (CIS). PEG also had insurance to cover their contents stored in the building. CIS coordinated with Willamette Valley Restoration to mitigate the fire and smoke damage; estimated cost for repair was \$44,657.10. In addition, the facility would require asbestos mitigation and temporary security fencing for public safety.

Budget appropriation through a supplemental was needed to comply with Oregon budget law to cover the cost of the repairs as a result of the fire. Payment of the repairs was being made by the CIS with the City subject to a \$1,000 deductible. Mr. Hossley stated because the Ed Lund building was a City asset, Oregon budget law required the Council to provide appropriation authority for expenditures related to the restoration even though funds from the insurance provider were paid directly to the contractor on behalf of the City. The claim was not finalized and the \$75,000 amount proposed in resolution 15-17 was a conservative approach to ensure compliance with Oregon budget law. Additionally, to comply with state statutes, the City Council would need to declare the fire at the Ed Lund Building an emergency to ratify the efforts made to expeditiously restore public operations.

Councilor Groth moved to adopt Resolution 15-17, and award the remediation contract to Willamette Valley Restoration for an amount up to \$50,000. Councilor Brick seconded the motion which carried with Mayor Shoji and Councilors Brick, Groth, Leahy, and Vaughan voting aye. Councilors Daily and Kramer were absent.

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

No comments were given.

#### **City Manager's Report**

City Manager Rodger Craddock reminded the Council of an upcoming joint work session with the Urban Renewal Advisory Committee to begin review of the Urban Renewal Plans; noted an opening on the URA Advisory Committee.

#### **Council Comments**

Mayor Shoji thanked Councilor Leahy for his assistance in coordinating the arrival of the Schooner America.

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### Adjourn

There being no further business to come before the Council, Mayor Shoji adjourned the meeting. The next regular Council meeting was scheduled for September 15, 2015 in the Council Chambers at City Hall.

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Crystal Shoji, Mayor

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