

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 14, 2017

The minutes of the proceedings of a City Council and Urban Renewal work session of the City of Coos Bay, Coos County, Oregon, held at 5:30 p.m. in the meeting room at Fire Station 1, 450 Elrod Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Lucinda DiNovo, Drew Farmer, Jennifer Groth, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Public Works & Community Development Director Jim Hossley, Resident Project Representative Jan Kerbo, Wastewater Project Engineer Jennifer Wirsing, and Police Chief Gary McCullough.

Mayor Benetti opened the meeting and stated the purpose of the meeting was for an informal review of the upcoming March 21, 2017 agendas, no decisions would be made.

Progress Report on Wastewater Treatment Plant No. 2 Construction

Resident Project Representative Jan Kerbo provided an update and PowerPoint on the progress of the construction for Wastewater Plant No. 2. The project was on schedule, concrete work would commence next week, piping work would be ongoing, \$1,535,946.81 in pay requests had been submitted to date, and all work would be completed by September 2018.

Addendum to the 6th Avenue Culvert Project Design Contract for Archeological Study

Wastewater Project Engineer Jennifer Wirsing stated on December 15, 2015 Council approved design of the permanent solution to the 6th Avenue storm drainage failure through a contract with the Dyer Partnership. At the February 7, 2017 Council meeting an amendment to the 6th Avenue storm drainage project was approved for the additional environmental cross cutter funding requirements of the Department of Environmental Quality (DEQ). During this process, DEQ and the City received comments from Federal Emergency Management Agency (FEMA) and State Historic Preservation Office (SHPO) which resulted in having to provide hydraulic and archeological analysis. Staff recommended an increase in contingency of \$3,000 for a total contract of \$134,244.

Consequences of Waiving Insurance for Memorial Day Parade and Tall Ship Event

Public Works & Community Development Director Jim Hossley stated the AMVETS organization sponsor the annual downtown Memorial Day Parade and because they utilized City services, a Special Event Permit along with Certificate of Insurance naming the City as an additional insured was required. The Council had waived the insurance requirement in the past. The AMVETS did not carry any insurance, did not require participants in the parade to carry insurance, and it would cost \$775 for the AMVETS to purchase a policy.

The City's insurance provider, Citycounty Insurance Services (CIS), provided guidance based upon risk management best practices and experience that the City should not waive the insurance requirement for special events on City property. CIS would not extend coverage to a

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third party not acting as an “agent” of the City nor would they respond for the sole negligence of a third party.

Additionally, the Grays Harbor Historical Seaport Authority, organizers of the Tall Ship event at City docks, had provided a certificate of insurance naming the City as additionally insured in the past. Last year, the City Council waived the requirement, which would have cost approximately \$150 for a policy.

City Manager Rodger Craddock stated the City provided the Boat Building Center funds to assist with the Tall Ships event which could be a resource for Grays Harbor Historical Seaport Authority to obtain a policy. The City could supplement the AMVETS from Fund 5, Hotel/Motel, to assist their obtaining the required insurance and reduce the risk to the City. Consensus was the City Manager would work with the AMVETS to obtain the necessary insurance.

Oregon State Marine Board Grant

Public Works & Community Development Director Jim Hossley stated the City was awarded an Oregon State Marine Board (OSMB) grant of \$29,600 to rehabilitate the Empire and Eastside Boat Ramp parking lots. The scope of work would involve crack sealing, seal coating, and restriping both parking lots with a City match of \$7,400.

Consider Approving Design Contract for Hollering Place Seawall

City Manager Rodger Craddock proposed to table the discussion due to the recent communication received from the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw (Tribe) and their request to make a presentation to the Agency next month. The repair of the failed Hollering Place seawall could possibly be negotiated as part of the development by the Tribe.

Possible Funding for Street Maintenance

Public Works & Community Development Director Jim Hossley presented the City’s Street Maintenance Task Force (Task Force) potential funding methods and requested Council consideration on which they preferred: general obligation bonds, change the city charter, transportation utility fee, franchise fee, local improvement districts, system development charges, local gas tax, downtown parking district, and shared services.

General Obligation (GO) Bond: Task Force suggested this for deferred maintenance. Based on the assessed value of \$955,934,561 with a \$0.50/\$1,000 charge would generate \$477,965 annually. Research evidenced the success rate of statewide voter-approved bonds were greater for those less than \$1/\$1,000. Identify specific projects prior to a public vote.

Change the City Charter: Section 9.12 of the Coos Bay City Charter did not allow revenue bonds to be undertaken without a public vote. The Task Force recommended changing the language to allow the sale of revenue bonds through the City Council public hearing process.

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Transportation Utility Fee: The Task Force recommended adding this fee to the Water Board water/wastewater billing. Concern was expressed of adding a fee onto the already increasing sewer billing needed to fund the wastewater construction for Plant 1 and Plant 2.

Franchise Fees: The Task Force recommended transferring the solid waste franchise fees from the General Fund to the Street Maintenance Fund for a steady revenue stream rather than just to cover deficits. This consideration should be part of the budget process to evaluate the General Fund impact.

Local Improvement Districts: The Task Force believed this method would help smaller streets to be paved and recommended a citizen education campaign. Property owners had not been willing to participate and a substantial percentage did not repay their share after the City expended funds. Creative funding options might make this alternative more effective.

System Development Charges: The Task Force agreed the current moratorium on SDC's needed to be lifted to prepare for future development; the methodology to calculate the fees would be improved. The Task Force recommended immediate pursuit to address the specific impact of new development before it occurs on a large scale.

Local Gas Tax: The current state gas tax did not provide sufficient revenue. Mayor Benetti suggested this tax could be used for maintenance. Discussion ensued on a local gas tax for five months per year at five cents to also obtain funds from tourists to support the infrastructure.

Special Levy: Mayor Benetti suggested the five year special levy model the City of Eugene brought before their voters had been successful and was a good resource for street maintenance.

Downtown Parking District: The current downtown parking district did not provide for maintenance of parking lots or on-street parking. Task Force suggested consideration of an assessment for maintenance of these downtown assets.

Shared Services: The City had an agreement and paid ODOT to provide maintenance of all City traffic signals; limited pavement work, striping, and traffic control for special events. Occasionally, the City shared equipment with the Water Board and the City of North Bend.

Discussion of the options to address the results of the five year Pavement Management Plan ensued. The resources needed for just maintenance was approximately \$750,000 per year to extend the life and prevent further degradation. Other revenue sources would be needed to address the streets in poor condition.

City Manager Rodger Craddock suggested further discussion before the Budget Committee. Consensus was to pursue the System Development Charges to get the process started, thoughtful consideration to the impact of the public with implementation of the options, complete projects/maintenance from those funds to encourage support from the community, and consider a fee to the parking districts.

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Current Janitorial Contract

City Attorney Nate McClintock stated at the last work session discussion ensued regarding the Bay Area Enterprises (BAE) janitorial contract with the City of Coos Bay. The contract was awarded pursuant to Department of Administrative Services rule and ORS 279C 335 (1) (a) which exempted from the competitive bid process qualified non-profit organizations which provided employment opportunities for individuals with disabilities, such as Bay Area Enterprises (BAE). The City had contracted with BAE since 2011 servicing City Hall, Visitor Center, City Shops, and recently the Library. In 2011 the janitorial services were bid with BAE presenting the low bid. The current two year contract would expire on May 22, 2017 unless extended. Mr. Craddock suggested as a first step to work with BAE to resolve identified service deficiencies. To award a bid to another contractor if the service deficiencies were not improved would require the City Attorney to further research. Discussion ensued by Bob Moore and Curt Benward on the BAE 20% markup and 6% margin and if those could be negotiated.

Public Comments:

Pam Connelly questioned how she could be involved to help mitigate the recent crime in Coos Bay. Chief McCullough reiterated a recent crime of a series of stolen cars near Blossom Gulch and the lack of jail space to hold the individuals for accountability once apprehended. Discussion ensued of the existing neighborhood watch groups, communication between the groups, ideas to help increase safety, and a teleconference at Southwestern Oregon Community College on Thursday between 5:00 p.m. and 6:00 p.m. to provide comment to the State of Oregon on their consideration to eliminate 18 drug enforcement state police officer positions.

Councilor DiNovo stated a meeting occurred on March 14th to begin discussions with those in the community on the homeless issue and the involvement with the City clean-up. Mayor Benetti stated he and City Manager Rodger Craddock met with the school district who requested support of a school bond measure, through a resolution, to address maintenance of school facilities; suggested a discussion of bike racks in the future; and the merits of not issuing a business license if business owners were not addressing needs such as not paying property taxes or not maintaining grease traps. Establish a set of minimum standards for businesses in order to renew a business license, which Mr. McClintock suggested further research would be required.

Adjourn

There being no further items for discussion, Mayor Benetti adjourned the work session. The next regular Council meeting was scheduled for March 21, 2017 in the Council Chambers at City Hall.

Joe Benetti, Mayor

Attest: _____
Susanne Baker, City Recorder

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

March 21, 2017

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 Council President Jennifer Groth and Councilors Lucinda DiNovo, Drew Farmer, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. Mayor Joe Benetti was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Finance Director Susanne Baker, Deputy Finance Director Amy Kinnaman, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Flag Salute

Council President Jennifer Groth opened the meeting and asked Councilor Drew Farmer to lead the Council and assembly in the salute to the flag.

Public Comments

Gail Small, Coos Bay: stated she was a masters student in social work at Portland State University and serving an internship at the Nancy Devereaux Center. Ms. Small extended an invitation to the City Council and staff to attend a homeless summit to raise awareness of homeless issues, identify work currently being done, and establish work groups and action teams to lead the ongoing work. The “neighbors in our backyard” event was scheduled for April 14, 2017 from 10 a.m. to 3:30 p.m. at the Mill Casino and open to the public. Ms. Small provided the Council and staff with invitations to the event.

Brett Pruess, Coos Bay: stated he was the managing attorney for the Oregon Law Center, a statewide mandated law firm whose mission was to provide free legal services to low income individuals facing issues of critical need; locally the center focused on freedom from violence, freedom from discrimination, access to healthcare, public benefits, income maintenance, safe and affordable housing, and homelessness. Mr. Pruess stated people were not homeless by choice, were not shipped in from Portland or other areas, and were not all criminals; stated homeless were our community members and most of the time from Coos County; our most vulnerable neighbors, often Veterans, disabled, domestic violence survivors, and increasing they were families with small children. Mr. Pruess noted the success and/or failure of the upcoming homeless camp cleanup would depend on the intent and instruction from people in charge; noted the importance of compassion and humility from the volunteers; stated he was encouraged by City’s current efforts and plans and thanked the City for coordinating and providing advanced notice. Councilor DiNovo inquired if Mr. Pruess had demographic information on the areas homeless population; suggesting the data could aid in finding solutions to the problems. Mr. Pruess stated he did not statistics due to the transient nature of the homeless population.

Anna Marie Slate, Coos Bay: stated she was currently homeless; prior to being homeless and still, was an advocate for homeless in Coos Bay for the past 15 years; stated she did not realize

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until she became homeless just how many reasons people were homeless. Ms. Slate stated she was part of Homeless Solutions and wanted to help provide assistance with the homeless camp cleanup; pleaded with City to work with the community; noted several months ago Oregon Coast Community Action (ORCCA) provided local area homeless with camp kits which included things like tents and sleeping bags and she did not want to see them in a dumpster. Ms. Slate stated Homeless Solutions was willing to help so that the homeless did not lose valuable items the community had provided.

Consent Calendar

Council President Jennifer Groth reviewed the consent calendar which consisted of 3a: approval of the minutes of February 28 and March 7, 2017; 3b: acceptance of the February 2017 accounts payable and payroll check registers; 3c: acceptance of the February combined cash report, and; 3d: acceptance of a Firehouse Subs grant award for Police K-9 equipment. Councilor DiNovo moved to approve the consent calendar approving the minutes of February 28 and March 7, 2017, accepting the February 2017 accounts payable and payroll check registers, accepting the February combined cash report, and accepting a Firehouse Subs grant for Police K-9 equipment. Councilor Kilmer seconded the motion which carried with Council President Groth and Councilors DiNovo, Farmer, Kilmer, Kramer, and Marler voting aye. Mayor Benetti was absent.

Presentation of Appreciation Plaques to Urban Renewal Advisory Committee Members

City Manager Craddock provided a brief history on the Urban Renewal Advisory Committee and presented an appreciation plaque to advisory committee member Scott Frasier for his service and assistance to the Urban Renewal Agency. Jim Berg, Joanne Moss, Andrew Locati, and Hillary Baker were not in attendance to receive their plaques.

Report by Marshfield High School Key Club

Marshfield High School (MHS) Key Club representatives Maireni Santana and Mixtli Rodriguez summarized upcoming Key Club activities, shared achievements by various MHS clubs and athletic teams, and thanked the Council for continued support and the opportunity to speak at the meeting.

Approval of Addendum to Perform an Archeological Study for the 6th Avenue Culvert Replacement Project

Public Works and Community Development Director Jim Hossley stated in December 2015 the City Council approved the replacement of the culvert under 6th Avenue, located approximately 300 feet south of F Street in Eastside. Because construction of the project would be funded with federal dollars, environmental cross cutters were required. City would also be required to coordinate with additional state and federal agencies such as the Environmental Protection Agency, the Federal Emergency Management Agency (FEMA), State Historic Preservation Office (SHPO), etc. on the project. The additional coordination meant the City had to expand the scope of work required by The Dyer Partnership and amend the contract. On February 7, 2017 Council approved the amendment to perform the cross cutters. However, after Council approved the February 7th amendment, the Department of Environmental Quality (DEQ) and the

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City received additional comments from FEMA and SHPO. The comments resulted in additional work in the form of hydraulic and archeological analysis. Current scope of work was minimal, but it was unknown if additional comments would be received from other state and federal agencies. Estimated cost for the additional hydraulic and archeological analysis was \$3,000; staff requested an additional contingency of \$7,000 to address unforeseen comments from outside review agencies which would bring the total contract amount to \$134,244.

Councilor Kilmer moved to approved an addendum to Thy Dyer Partnership contract for design and environmental permitting services for the 6th Avenue Culvert Replacement Project for the additional hydraulic and archeological analysis in the amount of \$3,000 and approved the additional contingency of \$7,000 to address unforeseen comments from outside review agencies for total amount not to exceed of \$134,244. Councilor DiNovo seconded the motion which carried with Council President Groth and Councilors DiNovo, Farmer, Kilmer, Kramer, and Marler voting aye. Mayor Benetti was absent.

Acceptance of Oregon State Marine Board Grant to Resurface Boat Ramp Parking Lots – Acceptance Would Require Adoption of Resolution 17-05

Public Works and Community Development Director Jim Hossley stated the City was awarded an Oregon State Marine Board (OSMB) grant for up to \$29,600 to rehabilitate the Empire and Eastside boat ramp parking lots. The scope of work involved crack sealing, seal coating, and restriping both parking lots with a City match of 20% or up to \$7,400. The existence of the grant award was not foreseen at the time the budget was prepared for current fiscal year. Therefore the Council would need to adopt resolution 17-05 for a supplemental budget making appropriations and accepting the grant award.

Council Farmer moved to adopt Resolution 17-05 and authorized the City Manager to enter into an Intergovernmental Agreement with OSMB for the award of a \$29,600 grant to rehab Empire and Eastside boat ramp parking lots. Councilor Kramer seconded the motion which carried with Council President Groth and Councilors DiNovo, Farmer, Kilmer, Kramer, and Marler voting aye. Mayor Benetti was absent.

Approval of the 2017-2020 IAFF Collective Bargaining Agreement

City Manager Rodger Craddock stated the labor contract between the City and the Coos Bay Chapter of the International Association of Fire Fighters (IAFF) local #2935 was due to expire on June 30, 2017. The City's bargaining team along with IAFF's bargaining team recently negotiated a successor three-year collective bargaining agreement (CBA). The proposed fiscal year (FY) 2017-2020 CBA was ratified by the members of IAFF local #2935 and now required Council approval.

City Manager Craddock noted in November/December 2016 the City had a public-sector labor attorney from the Local Government Personnel Institute (LGPI) review the current CBA with IAFF which resulted in a number of suggested non-economic language changes to provide clarity and ease of administration of the CBA. Mr. Craddock provided the Council with a summary of economic tentative agreements: No salary or cost of living adjustment (COLA) for fiscal year ending 2018 (FYE 2018); a 1% COLA increase for FYE 2019, and; a 1.5% COLA increase for FYE 2020. Union members acting in capacity of a higher classification would be

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compensated at the higher rate for each full hour while working in the higher capacity. Certification pay: under proposed contract union members who already had their EMT intermediate certification would continue to be compensated at 4% in addition to their base rate of pay, but those receiving their EMT I or equivalent certification after July 1, 2017 would only receive 2% in addition to their base rate of pay. Union members who obtained or had their paramedic certification after July 1, 2019 would be entitled to 6% in addition to their base rate of pay. A person with both the EMT1 and paramedic certification would only receive incentive pay for the paramedic certification. Under the proposed contract station transfer compensation would be eliminated.

City Manager Craddock stated the limited and reasonable economic changes to the proposed contract were made possible through the inclusion of desired changes to the shift schedule in the proposed successor agreement. Under the current CBA union members worked what was known as a 24/48 shift schedule under which the employee worked a 24-hour shift followed by 48 hours off-duty. The 24/48 shift schedule was utilized by a majority of fire departments across the United States. However, a number of fire departments were switching to a 48/96 shift schedule under which the employee worked a 48-hour shift followed by 96 hours off. While the yearly number of hours worked are identical under both shift schedules, the latter allowed more continuous time off periods for the employees and their families. Under the proposed contract, union members would switch to the 48/96 work schedule. The additional cost impact of all economic based changes in the proposed successor agreement across the department for the three-year contract period was estimated at \$71,729.

Councilor Kramer moved to approve the negotiated contract changes and allow the City Manager to sign a new three year labor contract with the Coos Bay Chapter of the International Association of Fire Fighters Local #2935. Councilor Kilmer seconded the motion which carried with Council President Groth and Councilors DiNovo, Farmer, Kilmer, Kramer, and Marler voting aye. Mayor Benetti was absent.

City Manager's Report

City Manager Rodger Craddock spoke regarding the homeless issue and upcoming homeless camp cleanup efforts; noted the City had responsibility to property owners. City Manager Craddock stated City was fortunate to have local community partners such as the Nancy Devereaux Center; noted Bill Richardson of Waste Connection volunteered to provide dumpsters for the cleanup effort. Councilor DiNovo commended City staff for their coordination efforts.

Council Comments

Councilor Marler stated the homeless issue was a regional problem and would take more than the City of Coos Bay to solve. Councilor DiNovo stated she was encouraged by the recent collaboration and communication between agencies to help solve the homeless problem. Councilor Farmer also expressed his appreciation for the collaboration between community partners to help address the homeless issue.

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Adjourn

There being no further business to come before the Council, Council President Groth adjourned the meeting. The next regular Council meeting was scheduled for April 4, 2017 in the Council Chambers at City Hall.

Joe Benetti, Mayor

Attest: _____
Susanne Baker, City Recorder