

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

April 25, 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 Councilors Drew Farmer, Stephanie Kilmer, Stephanie Kramer, and Phil Marler. Mayor Joe Benetti and Councilors Lucinda DiNovo and Jennifer Groth were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, and Police Chief Gary McCullough.

Nomination of Temporary Chair

Pursuant to City of Coos Bay City Council Rules as provided in the Coos Bay City Charter Chapter IV, Section 4.2.3 in the event of the absence of the Mayor and Council President, City Manager Rodger Craddock called the Council to order and called a roll of members present. Councilors Farmer, Kilmer, Kramer, and Marler were present. Councilor Marler moved to appoint Stephanie Kramer as Temporary Chair. Councilor Kilmer seconded the motion which carried with Councilor Farmer, Kilmer, Kramer, and Marler voting aye. Mayor Benetti and Councilors DiNovo and Groth were absent.

City Manager Craddock stated Councilor Kramer was nominated as the Temporary Chair. Should the Mayor or Council President arrive the Temporary Chair shall relinquish the chair immediately following the conclusion of the item of business then in consideration before the Council.

Presentation by Partnership for Coastal Watersheds Committee Members

Public Works and Community Development Director Jim Hossley stated the Partnership for Coastal Watersheds (PCW) in partnership with Coos County and the South Slough Reserve recently received \$246,000 from the National Estuarine Research Reserve System's (NERRS) Science Collaborative Program. The funds would allow for the County's Planning Department to update environmental and community data related to the Coos Bay Estuary Management Plan (CBEMP) noting some parts of the CBEMP had not been updated for 40 years.

Don Ivy stated the PCW was a diverse volunteer group of community members and citizen scientists with associations to cultural, economic development, environmental, government, and business interests in the Coos Bay area. The PCW planned to oversee the Coos Estuary Land Use Analysis Project. The project focus was to assemble and publish all available data about the Coos Bay Estuary as it related to the CBEMP. Mr. Ivy noted the plan had not been updated since the 1980's. Since that time environmental, regulatory, land use, ownership, and zoning changes had occurred and had not been incorporated into the CBEMP. The goal was to gather the relevant data and put it together in a user friendly electronic and published format. The PCW was offering their assistance to update the criteria for CBEMP but would leave it up to the politicians and public to decide if the plan needed to happen, how it would happen, and what should be updated.

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Jenny Schmitt stated the \$246,000 in funding received from the NERRS Science Collaborative Program was sourced from a grant funded by the National Oceanic and Atmospheric Administration (NOAA); South Slough was the fiscal agent and the majority of the grant funds would go towards University of Oregon Technical Assistance to complete a land use analysis and workshop development; remaining funding would go to the Coos County Planning Department, South Coast Development Council, South Slough Reserve, and to cover grant administration costs. Ms. Schmitt stated the 2-year project commenced last November; anticipated completion was end of October 2018.

Mr. Ivy stated he hoped there would be a series of public discussions throughout the duration of the project and noted the project would not generate, advocate, nor make recommendations for any specific projects proposed in the past, currently, or in the future about how the estuary resources might be used. The PCW was not asking to spend agency resources except for the minimal amount of staff time the City and other Planning Departments provided; no City resources would be required for participation. The PCW was not interested in public information that was proprietary to the agency, institution, or project. Mr. Ivy noted there were some examples of changed conditions since the CBEMP was first acknowledged that encouraged and inspired the PCW to think about the work they were doing. Examples of changes included: both Coos Bay and North Bend had more docks and boat ramps, the additions of the Mill Casino and Coos History Museum, expanded oyster agriculture on the Bay, Snowy Plover habitat and industrial development on the North Spit; County experienced redevelopment of the Sitka dock property into an RV park. Mr. Ivy stated there were new concepts, ideas, and activities that had occurred over the last 40 years that were not anticipated; noting the significant recreational fall salmon fishery in Coos Bay. New/emerging sciences since the CBEMP was developed included the Cascadia Subduction Zone earthquake/tsunami, flood plain and inundation zones, and the Federal Emergency Management Association (FEMA) flood plain. All of these things were part of the criteria for managing the estuary resources in context to Coos County, State, and Federal mandates or activities that occurred within the cities of Coos Bay and North Bend; not only now but for the future.

Mr. Ivy stated the PCW would be presenting a public presentation of their plan during tomorrow's Wednesday Business Connection meeting. Councilor Marler clarified if the proposed update only applied to the CBEMP, noting there were other estuary management plans in Coos County whereby Mr. Ivy confirmed the proposed update was only to the CBEMP. Mr. Ivy noted all of the estuary management plans on the Oregon Coast were outdated. The ambition of the project was to present a model plan that could be useful to estuary management plans along the coast.

Presentation of a Request for Proposal for Wastewater Treatment Plant #1 Facility Plan

Public Works and Community Development Director Jim Hossley stated this past February, Council directed staff to advertise a request for proposal (RFP) for facility planning services for Plant 1 wherein the City received one proposal; from CH2M. Mr. Hossley stated the Wastewater Treatment Plant #1 (WWPT#1) Facility Plan Committee (Councilors Farmer and Marler, Ivan Thomas of the Coos Bay-North Bend Water Board, Steve Major from The Dyer Partnership, and City staff Jim Hossley and Jennifer Wirsing) reviewed the proposal and offered committee members to share their thoughts on the proposal. Councilor Farmer stated it was an impressive presentation. If selected, CH2M proposed a meeting with Department of

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Environmental Quality (DEQ) to discuss the design requirements as part of their preparation of scope and fee without charge to the City. It was suggested there were several different reasons only one submittal was received: there was a limited number of consultants with experience designing upgrades for anaerobic digesters, there were numerous projects ongoing throughout the state and consultants were very busy, and the negative impacts from the Plant 2 process. Temporary Chair Kramer questioned if the upgrade to WWTP#1 would be a full or partial rebuild. City Manager Rodger Craddock suggested a full rebuild would be required if the treatment process was changed. Steve Majors stated it was unclear if DEQ would allow the plant to continue with existing process of blending flows when high volumes of inflow and infiltration were received and if analysis of the outfall and mixing zone would be required. These decisions would affect how the facility plan was prepared. Final determination by DEQ would be needed as to whether a new facility plan or amendment would be allowed, which would significantly impact the scope and fee.

Councilor Marler clarified the purpose of the facility plan was to hire someone to develop an overall plan. Mr. Hossley stated that was correct, then the next step would be preliminary planning, and final design. Mr. Major noted any project costing over \$10 million in construction costs typically had to go through the value engineering process; noted for WWTP#2 the City conducted a value engineering and value analysis process. The purpose of the value analysis was to evaluate best method and value engineering evaluated constructability. Councilor Kilmer expressed the importance of the value analysis and engineering process. Mr. Major noted CH2M had proven success with the Plant 2 project, was qualified with extensive experience in wastewater, and had a team with years of experience working together. Councilor Marler mentioned the CH2M proposal included two sub consultants to provide additional financial and operational experience.

Proposed Ordinance to Vacate a Portion of Division Avenue Between North Empire Boulevard and North Marple Street

Public Works and Community Development Director Jim Hossley stated a vacation of a portion of Division Avenue between North Empire Blvd and North Marple Street was proposed. The proposed vacation was initiated by Council motion on March 21, 2017 at the request of the applicant. After the hearing on April 11, 2017, the Planning Commission voted unanimously to recommend approval of the proposal to vacate the portion of Division Avenue between North Empire Boulevard and North Marple Street, found in Section 17CD, Township 25, Range 13 West of the Willamette Meridian, Coos County, Oregon. The City owned the property south of the proposed right-of-way vacation. The applicants were interested in purchasing the property but due to the topography, would like to incorporate the Division Avenue right-of-way for improved residential development potential. City Manager Craddock stated the platted Division Avenue right-of-way terminated at North Empire Blvd.

Discussion of Potential Recreation Projects for Old Wireless Lane and Englewood Dike

Public Works and Community Development Director Jim Hossley provided a brief history on the Old Wireless property and Englewood Diking district area noting the area was protected by the Englewood dike which was built in 1856. The Englewood Diking District encompassed property in the County and City of Coos Bay. Over the last few decades the dike had not been adequately maintained and experienced several overtopping events with significant leaks. This

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past year City staff was successful in negotiation with Federal Emergency Management Agency (FEMA) to secure a \$125,000 grant with a required 20% grant match to draft and design a repair. The diking district declined the grant because they did not have the 20% grant match. Coos County declined to upfront the match citing concerns over a partial fix for the dike. Mr. Hossley stated there were multiple challenges and noted if the dike failed the City was potentially liable to make significant repairs to the dike infrastructure.

City staff met with the Oregon Department of Fish and Wildlife (ODFW) to explore redevelopment options for the property. The ODFW Restoration and Enhancement grant (R&E) was a 100% grant and would redevelop the Old Wireless Lane property into a recreational boat ramp facility (restrooms, parking lot, and boat ramp), no match would be required. Another possible recreational grant would be through Oregon Parks and Recreation Department to construct a walking path on top of the dike from Old Wireless Lane to California Avenue. The dike would be renovated or repaired as part of constructing the path and it might be possible to use the boat ramp facility improvements as the match for the path. Staff asked for Council consideration on the proposal and questioned if they wanted to put City resources into seeking these grants as they would require significant staff time to develop and negotiate with various partners. Depending upon the outcome, there could be a 20% grant match for the dike repair and trail of approximately \$300,000. If City did not fix the dike, something would need to be done to protect City assets which could mean having to raise Southwest Blvd and flood proof existing wastewater infrastructure. Councilor Kilmer questioned if there had been an analysis of the entire dike whereby Mr. Hossley stated the entire dike was in need of repair.

Over recent years, due to repetitive flooding issues and Federal Emergency Management Agency (FEMA) funding, the City acquired all the property along Old Wireless Lane off Southwest Boulevard. City Manager Craddock stated over the years, the diking district struggled to maintain the dike noting they collected less than \$3,000 annually for maintenance assessment. Councilor Marler questioned what part of the wastewater system would be affected should the levy fail. Mr. Hossley stated the "state-named" street properties (California, Montana, etc.) would be impacted. Councilor Marler suggested spending the FEMA dollars to improve Southwest Blvd and improve the City's sewer system to protect Coos Bay property owners; if City did work on dike and something did happen, City could be liable. City Manager Craddock suggested there were two issues for consideration: boat launch and dike repair. Councilor Marler noted the Old Wireless Lane properties (six houses) were annexed to the City when their septic tanks failed and DEQ would not authorize their replacement and they needed a sewer system. The City went to the expense of building a pump station when the properties were annexed and now all of the houses had been demolished. Councilor Marler suggested the area was a money pit. Councilor Marler questioned if the State Marine Board was interested in some other option; questioned if the State could own the boat launch. City Manager Craddock stated typically boat launches were owned by municipalities. City Attorney stated the ODFW grant could not be used to fix Southwest Blvd.

City Manager Craddock stated Council could recommend staff make repair of Southwest Blvd a priority and consider installation of boat ramp at future date; suggested walking trail could eventually connect to the Boardwalk in downtown. Councilor Kilmer pointed out that creating recreational opportunities was a council goal. City Manager Craddock noted boat ramp project would be funded by ODFW but preparation and oversight would require a significant amount of staff time.

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Consider Award of Contract Commercial Building and Fire & Life Safety Plan Review Services

Public Works and Community Development Director Jim Hossley stated the City had contracted with Roger's Engineering, Inc. since 2011 to provide as needed commercial and fire and life safety plan reviews and the contract was about to expire. The contract was important for timely review of plans and expertise not available in-house. The City also had agreements with the State of Oregon Building Codes Division and the City of North Bend to provide plan review and inspections as needed. Due to an increase in building permit applications and the recently approved building permit fee increases the City would be recruiting a half-time plan reviewer/inspector. The City's reliance upon contract plan review services would diminish with this hiring but would still be required for complex projects and/or excessive workload. Staff requested quotes from three sources to provide as needed plan review services. Rogers Engineering, Inc. - Plan review: \$85/hour including structural engineering; Inspection: \$50/hour; Clerical: \$25/hour. Northwest Code Professionals - Plan Review: 75% of City plan review fees; Fire Life Safety: \$90/hour; Structural Engineering: \$115/hour; Inspection: \$90/hour (travel mileage flat \$50/day). Oregon State Building Codes Division - Plan Review: 90% of City plan review fees; Inspection: 90% of City permit fees; Other Work: \$85/hour. Staff recommended a two-year contract term with a not to exceed \$20,000 limit. The contract fee would be paid from the plan review fees collected and applicant if the plan review exceeded the fees collected.

Revised Renderings of North Entry Streetscape Project

Public Works and Community Development Director Jim Hossley stated the Agency requested at the March 28, 2017 work session for Green Works, Inc. to revise the current north entry landscaping rendering to reflect Agency member ideas. If the rendering met the Agency's needs, Green Works would bring the preliminary design to 100% for Oregon Department of Transportation (ODOT) review/approval with possible construction starting in June, 2017. City Manager Rodger Craddock recommended removing the hard angle out of the fencing and suggested crime prevention through environmental design by eliminating the open grass area in favor of a more low maintenance boulder type wall or hillside. Staff recommended enlarging and backlighting the welcome sign. Council recommended using stamped concrete rock in lieu of the proposed stamped concrete board and suggested repurposing the existing welcome sign. Council discussed proposed business opportunities for the Central dock property.

Other Business

No other business as presented.

Adjourn

There being no further items for discussion, Temporary Chair Kramer adjourned the work session. The next regular Council meeting was scheduled for May 2, 2017 in the Council Chambers at City Hall.

Attest:


Susanne Baker, City Recorder


Stephanie Kramer, Temporary Chair