



City of Bandon

555 Hwy 101, PO Box 67
Bandon, OR 97411
(541) 347-2437

Bandon by the Sea

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| CITY COUNCIL CONSENT AGENDA | DATE: 02-05-2024 |
| SUBJECT: CITY COUNCIL URBAN RENEWAL AGENCY BOARD AND PLANNING COMMISSION | ITEM NO: 3.0 |

BACKGROUND:

City Council and Urban Renewal Agency Board, Planning Commission meeting minutes as submitted by Richard Taylor, Minutes Clerk

- City Council and Urban Renewal Agency Board – January 9, 2024, Regular Meeting
- Joint City Council and Planning Commission – January 22, 2024, Work Session

FISCAL IMPACT:

None

RECOMMENDATION:

Motion to approve as part of the Consent Calendar Items.

SUBMITTED BY:

Denise Russell on June Hinojosa's Behalf, City Recorder



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MINUTES

CITY OF BANDON CITY COUNCIL AND URBAN RENEWAL AGENCY BOARD

COUNCIL CHAMBERS, 555 HIGHWAY 101, BANDON, OR 97411

TUESDAY, JANUARY 9, 2024

Livestreamed via Zoom Meetings

COUNCIL MEMBERS PRESENT:

Mary Schamehorn, Mayor
Joshua Adamson, Councilor
Peter Braun, Councilor
Chris Powell, Councilor
Geri Procetto, Councilor
Brian Vick, Councilor

STAFF PRESENT:

Torrey Contreras, City Manager
Shala Kudlac, City Attorney
Paula Burris, Finance Director
Christine Kingsbury, Library Director
June Hinojosa, City Recorder
Dana Nichols, Planning Director
Jim Wickstrom, Electric Supervisor
Tim Lakey, Public Works Supervisor
Sgt. Matthew Whitmer, Bandon Police
Nicolette Cline, Planning Assistant
Richard Taylor, Minutes Clerk

COUNCIL MEMBER NOT PRESENT:

Madeline Seymour, Council President

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Schamehorn called the meeting to order at 7:00 p.m. Roll Call was taken as indicated above. The Pledge of Allegiance was led by Procetto.

2. PRESENTATIONS

2.0 Jim Wickstrom – City Employee Introduction – Nicholas Klein

Wickstrom: Klein, a native of north Idaho and a graduate of Northwest Lineman College, was the most qualified applicant.

3. CONSENT CALENDAR ITEMS

3.0 City Council/Urban Renewal and Planning Commission Minutes

- City Council and Urban Renewal Agency Board – November 6, 2023
- Planning Commission - November 16, 2023
- Planning Commission - June 28, 2023
- City Council and Urban Renewal Agency Board – December 4, 2023

3.1 Accounts Payable Report for November 2023

3.2 Library Report for December 2023

3.3 Public Works Report for December 2023

3.4 Sprague Theater and Community Center Calendar for January/February 2024

3.5 Planning Department Report for December 2023

3.6 Police Department Report for December 2023

3.7 Finance Department Report for November 2023

3.8 Consolidated Municipal Utility Report for November/December 2023

3.9 Municipal Court Report for November 2023

3.10 System Development Charges Annual Report for Fiscal Year 2022-2023

3.11 Utility Account Write-Offs, October-December 2023

Braun moved to approve the Consent Calendar. Adamson seconded the motion, which carried by unanimous show of hands of those present (5:0:1):

AYES: Adamson, Braun, Powell, Procetto, Vick

NAYS: None

ABSENT: Seymour

4. NEW AND OLD BUSINESS ITEMS

4.0 Bandon Rural Fire Protection District Radio Communications Tower Project Proposal

Contreras: Bandon Rural Fire Protection District proposed to install a new communications tower serving the Fire District, Bandon Police, and emergency medical services. Staff sought Council authorization for administrative approval of the project.

Tim Lakey, a member of the fire department, accompanied Nick Siewell to the podium. Fire Chief Nick Siewell and Bandon Police Patrol Sergeant Matthew Whitmer addressed the benefits of the 139-foot tower, which would be funded by a countywide tax levy approved by voters to upgrade emergency communications. The tower would be located outside city limits but would correct existing gaps in coverage that hampered first responders in the Bandon area.

4.1 Proposed Library Funding Methodology

Contreras: Staff requested Council approval of the Coos County Library Services District Board's proposed change to the method of assigning funds to the libraries within its system. Christine Kingsbury, Bandon Library Director, had persistently pursued a more equitable methodology.

Kingsbury: The new distribution formula, in response to the City's advocacy, was to be based 25% on population and 75% on usage, increasing funding for the smaller libraries. It would be phased in over four years, beginning in Fiscal Year 2024-2025.

Schamehorn: Happy to sign letter with edits to emphasize points of the City's disagreement.

Procetto moved to approve a letter supporting the proposal. Vick seconded the motion, which carried by unanimous show of hands of those present (5:0:1):

AYES: Adamson, Braun, Powell, Procetto, Vick
NAYS: None
ABSENT: Seymour

4.2 Proposed Amendment to the Electric Utility's Net Metering Agreement Relative to Net Metering Billing and the Application of Energy Credits

Contreras: In accordance with state law, Bandon allowed privately owned "customer-generators" to interconnect with the City's Electric Utility via "net meters." Staff requested Council approval of an amendment to clarify how energy credits produced by customer-generators would be applied by the City.

Wickstrom: The owner of a private solar system that over-produced electricity would provide excess energy to the City's Electric system and be credited at the wholesale rate paid by the City for electricity from Bonneville Power Administration.

Contreras: Energy credits would accumulate from month to month but any credits remaining at the end of the calendar year would be applied to the City Utility's operating costs.

Braun: Buying power directly from local citizens would not involve the line loss incurred in getting power from a distant source.

Adamson made a motion to approve amending the City's Net Metering Agreement. Procetto seconded the motion, which carried by unanimous show of hands of those present (5:0:1):

AYES: Adamson, Braun, Powell, Procetto, Vick
NAYS: None
ABSENT: Seymour

4.3 Informational Report on Recreational Immunity

Kudlac: According to State Senator David Brock Smith, legislation was being prepared to counter the July 2023 ruling from the Oregon Court of Appeals that ended the protection of public and private landowners from lawsuits involving paths and trails. If passed, the emergency legislation would take effect immediately, making a text change to the existing law and reinstating recreational immunity.

A report on the issue by CityCounty Insurance Services (CIS) was included with the Council's agenda materials. No action by the Council was recommended at this time.

4.4 City's Audited Financial Statements for Fiscal Year Ending June 30, 2023

Schamehorn: For the first time in several years, the City's audit was completed on time, including adjustments made due to an inputting error by the auditors. Very happy with Finance Director Paula Burris and the Finance Department staff.

During Fiscal Year 2022-2023, the City gained \$235,000 from property taxes, \$550,000 from the 10% tax on utilities, and \$1,400,000 from the Transient Occupancy Tax (TOT). A portion of the TOT revenue was required to be spent on tourism promotion and facilities.

Contreras: Bandon has one of the lowest property tax rates in the state, which places added demands on TOT revenue generation. The City will work towards a more effective use of the TOT revenue in the future.

4.5 Granicus – Host Compliance Update

Nichols: The City was utilizing the Host Compliance service from Granicus at a cost of \$15,000/year since August 2022 to monitor short-term rentals in Bandon that were listed on over 50 websites promoting vacation rentals. Staff used the software's compliance function to send notices of violation, track hotline complaints, and receive tips from the public about illegal rentals or ongoing issues. Calls to the 24/7 hotline (541-237-1640) brought rapid responses from property managers. Staff saved time and resources. One violation in 2023 resulted in a citation to Municipal Court and the City recovered unpaid TOT.

4.6 Request for City-Initiated Vacation

Nichols: Tribal One requested the vacation of three specific unimproved City rights-of-way within or abutting the Coquille Indian Tribe's property containing the Pacific View Senior Living Community. The Tribe stated a willingness to reserve use of an easement for a City pump station if it was determined to be located in the public right-of-way (ROW) or on private property. Cost associated with the vacation request would be borne by the applicant.

Schamehorn: The consensus of the Council was for City staff to prepare for the feasibility of initiating the vacation.

5. PUBLIC HEARING ITEMS (none)

6. URBAN RENEWAL AGENCY ITEM

URA6.0 Urban Renewal Agency's Audited Financial Statements for Fiscal Year Ending June 30, 2023

Vick moved to approve the Urban Renewal District Audited Financial Statements for the Fiscal Year Ending June 30, 2023. Procetto seconded the motion, which carried by unanimous show of hands of those present (5:0:1):

AYES: Adamson, Braun, Powell, Procetto, Vick

NAYS: None

ABSENT: Seymour

7. PUBLIC COMMENTS

7.0 Written Comment from Kirsten Balin proposing a change to the vacation rental overlay.

7.1 Written Comment from Anonymous Individual concerning illegal vacation rentals.

Nancy Post, Bandon resident: Was there an item on the agenda about setting a hearing date for the Gravel Point project?

Schamehorn: The hearing was scheduled for Wednesday, February 21, at 6:00 p.m.

Annie Velazquez, Bandon area resident: Velazquez and her husband owned Master Blaster of Coos Bay, offering commercial building washing, painting, and mobile sandblasting services. The company had provided services to the cities of Coos Bay and North Bend.

8. CITY MANAGER COMMENTS

Contreras: A community meeting organized by the developers of Gravel Point, not sponsored by the City of Bandon, was scheduled for Wednesday, January 18, 2024, from 4:00 to 6:00 p.m., at the Barn Community Center. Representatives of the City would attend to monitor and observe.

Kudlac: Council attendance at the Gravel Point meeting was not recommended. All evidence would be presented at the Council's *de novo* hearing. She preferred everyone hearing the same information at the same time.

Nichols: The City Budget funded a GIS (Geographic Information System) program for the Planning and Public Works Departments. The Electric Department was also pursuing a system for its use. Staff are looking into making use of the ESRI online program through an Intergovernmental Agreement (IGA) with the Lane Council of Governments, which would come to the Council for approval at a future meeting. The City would have its own map with accurate updated zoning information compared to the Coos County Assessor's map. Sewer and water locations would be mapped and available to the public within about two years.

9. CITY COUNCIL COMMENTS

The Mayor and Councilors wished everyone a Happy New Year.

10. ADJOURN

Schamehorn adjourned the Regular Meeting at 7:52 p.m.



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MINUTES

JOINT CITY OF BANDON CITY COUNCIL AND PLANNING COMMISSION WORK SESSION

COUNCIL CHAMBERS, 555 HIGHWAY 101, BANDON, OR 97411

MONDAY, JANUARY 22, 2024

Livestreamed via Zoom Meetings

COUNCIL MEMBERS PRESENT:

Mary Schamehorn, Mayor
Peter Braun, Councilor
Chris Powell, Councilor
Geri Procetto, Councilor
Madeline Seymour, Council President
Brian Vick, Councilor

PLANNING COMMISSIONERS PRESENT:

Bill Frey, Commissioner
Sally Jurkowski, Vice Chair
Gordon Norman, Commissioner
Tom Orsi, Commissioner
Catherine Scobby, Commissioner
Gerald "Bear" Slothower, Chair
Donald Starbuck, Commissioner

COUNCIL MEMBER NOT PRESENT:

Joshua Adamson, Councilor

STAFF PRESENT:

Torrey Contreras, City Manager
Dana Nichols, Planning Director
June Hinojosa, City Recorder
Tim Lakey, Public Works Supervisor
Nicolette Cline, Planning Assistant
Jason Kral, Vegetation Management Coordinator
Richard Taylor, Minutes Clerk

1. CALL TO ORDER/ROLL CALL

Schamehorn called the meeting to order at 1:30 p.m. Roll Call was taken as indicated above.

2. DISCUSSIONS

2.0 Transportation System Plan Update Presentation

Nichols: The City of Bandon's Transportation System Plan (TSP) update project was funded by the Transportation and Growth Management Program, a cooperative effort of the Oregon Department of Land Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT). The project team consisted of Nichols, ODOT Senior Transportation Planner Tom Guevara, and two consultants from Parametrix—Transportation Division Manager Ryan Farncomb and Transportation Planner Emily Mannisto-Meyers.

Farncomb and Mannisto-Meyers provided a presentation covering the purposes of a TSP and the process involved with updating Bandon's TSP:

- TSPs addressed current transportation needs and planned 20 years into the future.
- TSPs contained projects, programs, policies, and standards.
- Bandon's existing TSP was produced in 2000.
- TSPs examined all modes of transportation: walking, driving, biking, bus, freight/deliveries.
- Priorities for Bandon included: U.S. 101 solutions, developing streets for all modes of travel, addressing the impact of tourism, and establishing more connections across and through town.
- The TSP process involved a Project Management Team receiving public input, a Project Advisory Committee comprised of community members, review and recommendations by the City's Planning Commission, and approval by the City Council.
- Goals and objectives guided the prioritization of projects and programs, funding options were examined, and municipal code updates were considered.
- Development of Bandon's TSP was one-third completed at the time of the Work Session and was expected to continue until the end of 2024.
- Parametrix consultants prepared a memorandum to the Council and Commission, summarizing transportation needs identified in the TSP update project.

Mike Baker, ODOT Region 3 Planning Manager, discussed safety, capacity, and bicycle/pedestrian concerns on U.S. 101 in Bandon. He addressed the need for community involvement and challenges in implementing potential solutions.

3. OPEN DISCUSSION

The Mayor, Councilors, Commissioners, and City Manager participated in a question-and-answer session with the Parametrix and ODOT representatives.

Nichols: The Bandon Transportation System Plan Online Open House, offering information on the TSP and an opportunity for the public to provide feedback, could be accessed from the City's website and Facebook page.

4. ADJOURN

Schamehorn adjourned the Joint Work Session at 3:00 p.m.