

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

December 6, 2022

The minutes of the proceedings of a regular meeting of the City Council of the City of Coos Bay, Coos County, Oregon, held at 7:00 pm in the Council Chambers, 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Mayor Joe Benetti and Councilors Drew Farmer, Stephanie Kilmer, and Rob Miles. Councilors Carmen Matthews and Sara Stephens attended remotely by teleconference. Councilor Lucinda DiNovo was absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager Nichole Rutherford, Finance Director Melissa Olson, Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing, Fire Chief Mark Anderson, Police Chief Chris Chapanar, Library Director Sami Pierson, and Planning Administrator Chelsea Schnabel.

Flag Salute

Mayor Benetti opened the meeting and led the council and assembly in he salute to the flag.

Public Comments

Jon Hill, Coos Bay offered to build a mini home for government to place homeless individuals for two years with collection of low-income rent after that time period on his property. Mayor Benetti stated his property address was in Coos County and would need to contact the County Commissioners. Katie Prince, Coos Bay stated concern for the Eastside boat ramp and park neglect, should not have a timber cruise on donated park property, needed traffic control at night at the Eastside boat ramp, and a gate was needed to eliminate those staying overnight.

Public Comment Form

No public comment forms were received.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

- 3a: Approval of November 1, 2022 Minutes
- 3b: Approval of November 15, 2022 Minutes
- 3c: Approval of November 22, 2022 Minutes

Councilor Miles moved to approve the consent calendar as presented. Councilor Farmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Presentation of Proclamations Acknowledging Marshfield High School Students Achievement

City Manager Rodger Craddock stated the Marshfield High School athletes continued to excel on the statewide stage. Recently the Marshfield High School Volleyball team earned the 2022 OSAA Class 4A State Championship, the first volleyball state title in Marshfield High School's history. In addition, MHS Cross Country team member Alex Garcia-Silver earned his second individual state cross country title and tied Marshfield legend Steve Prefontaine who had also earned two individual state cross country titles.

Councilor Miles read the MHS 4A Volleyball State Champions Proclamation. Councilor Miles moved to approve the Marshfield High School 4A Volleyball State Champions Proclamation. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Councilor Kilmer read the MHS 4A Cross Country Title Proclamation. Councilor Farmer moved to approve the MHS 4A Cross County Title Proclamation. Councilor Miles seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Presentation of a Proclamation Supporting Zonta Says No to Gender-Based Violence Campaign

City Manager Rodger Craddock stated in 1919, a group of forward-thinking executive women came together in Buffalo, New York to use their combined expertise in service to their community. They envisioned a new kind of service organization that would promote professionalism among its executive members while serving the needs of girls and young women in the community. Over one hundred years later, the legacy of Zonta's early members can be felt through nearly 26,000 Zonta members spread internationally throughout 62 countries. The Zonta Club of the Coos Bay Area encourages all citizens to support Zonta International's campaign to bring awareness to domestic violence through the Zonta Says NO effort. Members of the local Zonta Club will read the proclamation which intends to educate the community on the global epidemic of gender-based violence and requests support of Council announcing December 10, 2022 as the Zonta Says No to Violence Against Women day. President of the Zonta Club of the Coos Bay area Alissa Pruess read the Zonta Says No to Violence Against Women proclamation.

Councilor Kilmer moved to approve the proclamation in support of Zonta International and announcing December 10, 2022 as Zonta Says No to Violence Against Women day. Councilor Farmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Approval of Appointments to the Parks Commission

City Manager Rodger Craddock state the city advertised an opening on the Parks Commission, with applications accepted through November 25, 2022 and one application received. Additionally, two positions on the Parks Commission were set to expire on December 31, 2022, of which both of the current Commissioners had interest in re-appointment. The eight voting member Parks Commission, codified under Coos Bay

Municipal Code 2.30, was composed of: one City Council representative, one Planning Commission Representative, and six remaining members with knowledge and expertise, including landscape design, landscaping business professional, design professional, and parks management. Additionally, members shall be city residents or be a property owner within the city. The City Council may allow one nonresident member who must possess subject matter expertise. In mid-October, Commissioner Crowley resigned his position due to moving out of the area. His position had a term expiration of December 31, 2022. A vacancy notice was advertised, with applications accepted through November 25, 2022. Only one application was received and given the applicant's experience and Coos Bay residency, direct appointment to fill the vacancy was appropriate. Additionally, given the short period until term expiration of this position, it was recommended to appoint this candidate for a four year term, with expiration on December 31, 2026. There were two other Parks Commissioner terms expiring on December 31, 2022. Both Commissioners, Ariann Lyons and Bill Otton, were seeking re-appointment. Staff recommended both Commissioners be re-appointed for four year terms, expiring December 31, 2022.

Councilor Miles moved to appoint Jamie Fereday to fill the vacancy on the Parks Commission for four year term ending December 31, 2026 and reappointing for Ariann Lyons and Bill Otton for four-year terms ending December 31, 2026. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

2022 Certified Local Government Grant Project Authorization & Public Hearing on Land Use Application #187-22-000283-PLNG

Mayor Benetti opened the public hearing on Land Use Application #187-22-000283-PLNG, proposal to rehabilitate 102 gravestones within Marshfield I.O.O.F Cemetery, a designated local landmark and cultural resource. The date was December 6, 2022 at 7:22 p.m. Mr. Benetti stated, "My name is Joe Benetti. I am the Mayor of Coos Bay. The City Council will make a final decision on this application based on the complete record, including the testimony received at tonight's public hearing. These proceedings will be recorded. The hearing will be conducted in accordance with Coos Bay Development Code and State law ORS 197.797. Specifically the staff will first present the staff report and recommendation; the applicant will then have an opportunity to present the proposal and address any issues raised by the staff report and recommendation. For public testimony, I will first ask to hear from people who would like to speak in favor of the proposal; I will then ask to hear from those in opposition to the proposal; and finally, people who have neutral comments or questions about the proposal (neither for, nor against) will have the opportunity to speak. City staff may then present additional material and recommendations based on the public testimony. The applicant will be given the opportunity to have the last word. After each presentation, I will ask for questions from the Council. For anyone wishing to speak, we are asking you to use the sign-up sheet that has been provided. When called upon to speak, you must be recognized by me, the Mayor, and you must state your name and address for the public record. We ask that each speaker limit themselves to no more than three minutes. Please remember that all presentations will be timed. You will be informed by the City Attorney when your allotted time has expired. All speakers exceeding the time limit will be asked by the Mayor to immediately conclude his or her remarks. If you do not finish your presentation, be sure to provide a copy of your statement to the staff. Written testimony offered will be considered and made a part of the record. In order to minimize repetitive testimony, organizations are encouraged to have only one person speak for the group, with other members of the organization standing to show their support. Each person may testify

only once, unless called back to the podium at the request of a Council member to respond to a question. Thank you for your cooperation."

Mayor Benetti stated the Council was required to disclose any conflicts of interest and ex parte contacts that they have with the proposal or applicant. If there are any financial or other personal interest in the proposal and whether they have spoken with anybody about the proposal outside of the hearing. Council members may only participate if they can do so without undue bias either for or against the application. Councilor Matthews stated as a member of the Parks Commission he had heard the information already. Mayor Benetti stated there was no conflict of interest. There was no challenges from the audience as to conflicts of interest, ex parte contacts, or bias related to any member of the City Council.

Mayor Benetti stated, "state law requires me to tell you a number of things at the beginning of the hearing. First, the applicable substantive criteria that apply to this application are contained in the written staff report and will be identified and discussed in the oral staff report. [ORS 197.797(5)(a)]. Second, your testimony, arguments, and evidence must be directed toward these criteria or other criteria in the comprehensive plan or development code that you believe apply to this application. [ORS 197.797(5)(b)]. Third, failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker or other people an opportunity to respond may preclude appeal of a decision on this application based on that issue. [ORS 197.797(5)(c)]. Finally, to the applicant, failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court. [ORS 197.796(3)(b)]. A decision of the City Council may be appealed to the Land Use Board of Appeals (LUBA). [CBDC 17.130.110(5)]."

Planning Administrator Chelsea Schnabel stated the City was the recipient of a 2022 Certified Local Government Grant (CLG) in the amount of \$15,713 from the State Historic Preservation Office (SHPO) to offer a pass-through grant for preservation, rehabilitation, and restoration projects for National Register listed properties in Coos Bay. A public service announcement regarding this grant opportunity was published at the end of August 2022. Applications for the City's Historic Preservation Grant were accepted throughout the months of September and October 2022. The City received one application. The project proposal was to complete rehabilitation work to 102 gravestones in the Marshfield I.O.O.F. Cemetery. The proposed rehabilitation work constitutes alteration to a local landmark under Chapter 15.45 CBMC, Historic Preservation. As such and if inclined to authorize the project for grant funding, the City Council was required to review the proposal for consistency with the City's historic preservation standards through a separate Type III land use process and public hearing.

The Marshfield I.O.O.F. Cemetery was approximately 140 years old. It was a designated cultural resource and local landmark of the City of Coos Bay. It was owned by the City, overseen by the Parks Commission, and majorly managed by a group of volunteers. This project was spearheaded by the Marshfield Pioneer Cemetery volunteers. Limited ground disturbance would occur in the process of leveling gravestones on beds of ¾-inch minus gravel. All gravestones would be lightly cleaned with water and a biological cleaner. Gravestones with failed "joints" needing to be reset would be secured with natural hydraulic lime mortar or epoxy. Broken gravestones would be repaired with a combination of lithomex and mortar. Volunteers of the cemetery, through the City, sought funding from the City's 2022 Historic Preservation / CLG Pass Thru Grant to complete the proposed work. This grant

opportunity was made possible through the State Historic Preservation Office (SHPO). SHPO reviewed the project proposal and found it was eligible for funding; the project could move forward after completion of the required NEPA/NPS review period. To receive this grant funding, the City Council must authorize the project to be completed under the City's Historic Preservation / CLG Pass Through Grant. Alterations proposed to a designated local landmark required approval of the City Council after receiving the recommendation of the Design Assistance Team (DAT). The DAT reviewed the proposal at their November 1, 2022, meeting. The DAT found when this project was completed under the grant, all historic preservation standards set forth in Chapter 15.45 CBMC would be met because SHPO required projects meet Secretary of the Interior Standards, which are standards to ensure the highest level of preservation. The DAT recommended the City Council authorize the project for grant funding and approve the associated land use application subject to condition that the work comply with all requirements of the grant, specifically Secretary of the Interior Standards for preservation of historic resources. The Parks Commission, also, reviewed this project proposal at their October 20, 2022, meeting and is supportive. Because the City was technically responsible for the required match, staff recommended an additional condition of approval the work completed on this project would not exceed the amount of match in-hand.

Through the 2022 CLG Grant, SHPO would provide \$15,713 to complete this work. The City was responsible for match in the amount of \$15,713. In this case, the Marshfield Pioneer Cemetery volunteers would contribute the City's required match in the form of donations and additional grant funds. Planning staff would administer the grant to ensure that the project and any required reporting are completed prior to the grant end date, August 31, 2023.

Mayor Benetti opened the public hearing. The Marshfield Pioneer Cemetery volunteers had no additional information to add. No public comments were made in support, opposition, or neutral to the application. Council had no questions and the public hearing was closed at 7:32 p.m.

Councilor Farmer moved to authorize Marshfield I.O.O.F. Cemetery Rehabilitation project to be funded by the City's 2022 CLG Grant. Councilor Miles seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Councilor Miles moved for approval the City Council finds the proposal can comply with the applicable criteria when subject to condition of approval and therefore approve land use application #187-22-000283-PLNG subject to condition of approval: one, all grant requirements specifically, Secretary of the Interior standards, must be met and two, the Marshfield Pioneer Cemetery Volunteers will provide the required match for the City's Historic Preservation / CLG Pass Through Grant. Work on this project shall not exceed the amount of match in-hand. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

Consider the Award of the Chemical Contracts for the Water Quality Division

Deputy Public Works and Community Development Director/City Engineer Jennifer Wirsing stated chemicals were commonly used in treating wastewater. Plant 1 utilized chemicals for disinfection. Sodium hypochlorite, commonly known as bleach, was used for disinfection then sodium bisulfite was used to remove the residual sodium hypochlorite neutralizing the wastewater prior to discharging into the Bay. Plant 1 also had a pilot program called

Chemically Enhanced Primary Treatment (CEPT) which utilized several forms of ferric. If CEPT was successful it would allow the plant to treat high flows without building an additional second primary clarifier tank. Plant 2 utilized the chemical magnesium hydroxide to raise the pH and for alkalinity supplement. This helps improve the treatment process. In November, staff advertised a RFQ for chemical vendors to submit a statement of qualifications to provide chemicals to the city. Three vendors submitted: Hasa, Inc., NorthStar Chemical, and Cascade Columbia Distribution Company. Each vendor had different prices and these prices were subject to change. As a result, it was recommended to enter into contracts with all three vendors and have them submit updated quotes quarterly with the intent to purchase from the vendor with the lowest price for each individual chemical needed.

There were several vendors the City could purchase chemicals from but with the supply chain and volatility in the market it was very difficult to get quotes and low bids. In fact, if a vendor was committed to a price for an extended period of time, via a proposal process, the city would pay more for chemicals. Resolution 22-02 (Procurement) defines chemicals as a "goods and services"; however, Section 8 only discussed goods and services contracts up to \$75,000. Section 7 titled "Award of Bids or Proposals", states the City Council shall award the contract to the lowest bidder or the best proposer who has submitted the lowest bid or best proposal which is in the best interest of the city. It was the last statement, "best proposal which is in the best interest of the city" staff recommended Council utilize for the basis to award the contracts to the chemical vendors. The request for qualifications yielded three different vendor possibilities. The city can contract with all three of them and then solicit chemicals from the vendor who has the best price for that quarter. Requiring vendors to submit a bid that holds a price for an extended period of time forces the vendor to raise the price since they cannot predict economic and supply chain conditions.

Funds for purchasing chemicals would come from the Water Quality Fund 3, Plant 1 and Plant 2. Chemicals were charged to the Water Quality Operations line item (03-351-520-2414 or 03-352-520-2414). Based on the limited information staff had in regards to past chemical usage, a budget was assumed for each fund. Staff performed some projections based on the volumes used to date and the prices vendors supplied last year (adjustments were calculated to account for rainy season flows and escalation). Plant 1 sodium hypochlorite usage was projected to be 40,000 gallons and sodium bisulfite was projected to use 30,000 gallons. At this time there was little data on the CEPT program; however, based on anticipated rain events \$20,000 had been estimated. For fiscal year ending 2023, \$179,000 was budgeted for Plant 1. Plant 2 magnesium hydroxide usage was projected to be 140,000 pounds for an estimated value of \$95,000. For fiscal year ending 2023, \$135,000 was budgeted which was also the line item to purchase UV bulbs (estimated \$40,000). At this time, the Water Quality Division was on target to come in under budget for operations costs for both Plants. A table was provided highlighting the status of chemical usage past, present and projected.

Councilor Kilmer moved to award of the chemical supply contracts to Hasa Inc., NorthStar Chemical, and Cascade Columbia Distribution Company. Councilor Miles seconded the motion which carried. Ayes: Benetti, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo, Farmer.

Public Hearing Regarding Severely Rent Burdened Designation

Assistant City Manager Nichole Rutherford stated the City of Coos Bay was recently identified as a Severely Rent Burdened Community by OHCS. This designation required an

annual meeting with community partners to discuss issues surrounding rental challenges in the community. Specifically, OAR 813-112-0030 required a public hearing to discuss: causes and consequences of severe rent burdens within the city; barriers to reducing rent burdens; and possible solutions to reduce the number of severely rent burdened households within the city. This OAR also required invitation to attend the public meeting be extended to the following community partners: local housing providers, local service providers, households experiencing severe rent burden, Public Housing Authority, Community Action Agency, and Non-profit housing and service providers. Coos Bay was designated as a severely rent burdened community for 2022, with 26.5% of households within Coos Bay spending more than 50% of their income on rent. OHCS announcement for 2022 was provided to Council. Initial identification of causes for rental challenges within the community were the inadequate rental property supply, largely impacted by the pandemic resources and restrictions put in place by the state, as well as several state regulations limiting landlord/property owners and resulting in transition of long-term rental property conversion to short-term vacation rental property. Efforts by the City of Coos Bay focused towards lessening the impact of rental burdens and increasing opportunities have been underway for several years (earliest dating back to 2008) and continue, some of which were:

Reduction of barriers to and creation of opportunities for construction of new or conversion of existing properties through modification of Coos Bay Municipal Code (CBMC) in areas such as: Moratorium on System Development Charges; allowance of duplexes in all land use districts that allow single family dwellings, and later increasing allowance to tri/quad plexes; reduction in lot-line setback requirements providing for greater lot coverage by buildings; allowance of accessory dwelling units; establishing Vacant Property Registration program, providing resource to non-profit developers to purchase foreclosed homes for rehabilitation into low-to-moderate income rental properties; reduction of minimum lot sizes; allowance of single room occupancies; streamlined the land use permitting process; limitation of short-term rental properties within residential zoned areas; authorized Cottage Clusters; and multi-unit residential development standards for citywide use.

Participation in, and creation of, community comprised committees focused on housing issues: Community Housing Action Team and Homeless Work Group.

Application for financial assistance, with subsequent award of grant from Department of Land Conservation and Development, to develop Housing Needs Analysis, Housing Production Strategy and Buildable Lands Inventory.

Partnering with other entities with funding opportunities and housing projects: Neighborworks Umpqua on Community Development Block Grant for housing rehabilitation program, focused on low-income families and preserving homes to keep families in their homes; Coos County and Northwest Housing Alternatives on the cleanup of a brownfield site to be deeded to the nonprofit for development of multi-family residential units; and Devereux Center and the development of the Coalbank Village transitional housing.

Financial assistance, through use of Urban Renewal Agency funds or property, to support development of nine-plex, redevelopment of apartments in historic downtown buildings.

Partnering with developers to support infrastructure construction costs, reduction or elimination of permit costs, and vacation of unimproved right-of-way for several medium-to-large scale housing developments.

Establishment of Opportunity Zone and Enterprise Zone, offering tax incentives to developers.

Potential solutions increase and diversify the housing supply contemplated but not currently in place, or in early stages of development, included: Partnering with Coos County and City of North Bend on a statewide pilot project to develop strategic plan in addressing homelessness; Support of Oregon Mayors Association's request to the legislature to fund ongoing efforts to overcome homelessness, including \$2.5 million request to partner with local non-profit for development of shelter facility which may include transitional and supportive housing; development and provision of pre-approved middle housing designs • Development of criteria and process for identifying land to upzone; incentivize medium and high-density housing on medium and high-density land; continued partnerships with non-profits; ensure clear and objective zoning; residential development on commercial property that isn't feasible for commercial development; and Multi-unit Property Tax Exemption providing for tax incentive to developers who develop multi-unit residential properties.

The Multi-Unit Property Tax Exemption (MUPTE) was recently presented by staff for Council consideration. Since that time, and with Council interest to pursue implementation of a MUPTE program within Coos Bay, staff had discovered and would present additional options which might be of Council interest for inclusion in Coos Bay's MUPTE program that would further incentivize housing development. Though there are no budget implication for engaging in the public process within this meeting, some solutions would have impact to the budget which are not known at this time.

Mayor Benetti opened the public hearing. Josh Stevens, Director of Planning for Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians stated lack of housing was inhibiting jobs. Robert Whitsell, Neighborworks Umpqua stated there was a lot of collaboration in the community, but public was not aware of what was available. Charles Stayner, Coos Bay stated fees to tenant of water, power, property taxes, and all utilities compound each year by existing landlords could not be helped. Mayor Benetti stated they were talking about building new housing and development burden, not trying to help existing landlords. Matthew Borderstrasse, Executive Director of the North Bend City Coos County Housing Authority stated wanted to grow community partnerships and building more affordable housing. Jamie Meyers, Director of Housing Tribal stated they had a rental assistance program, but was a strain on budget. Tara Johnson, Director of Devereaux Center stated there was additions to the housing stock and was seeing elderly priced out of homes. Baker Lyon, Northwest Housing Alternatives expressed gratitude to the community and city staff, had worked with various non-profits and Housing Action Team to build multi-family housing, and collaboration by everyone has been positive. Scott Cooper, Executive Director for Alternative Youth Activities stated collaboration in the community was incredible, continue to look for opportunities, and were moving forward. The public hearing was closed.

Council discussion ensued; consensus for staff to move forward with recommended MUPTE program and support NWU collaboration.

Public Hearing to Consider Enactment of Ordinance Amending Transient Tax Regulations

Assistant City Manager Nichole Rutherford stated transient lodging tax was projected to

generate nearly one million dollars in the current fiscal year. Historically, this tax program was administered by staff, with revenues from this program intended to promote tourism within Coos Bay. Revenues had previously been predominately sourced from lodging tax charged to those staying overnight at lodging facilities within the city limits, however, over the last decades, the lodging industry had transformed to now include short-term vacation rentals. This industry expansion provides greater options to those visiting the Coos Bay area, but also has challenged staff with administration of the program, including lodging facility compliance with local regulations. At the November 15, 2022 council meeting, staff presented a proposal to shift third-party administrators from Azavar (current administrator) to Oregon Department of Revenue which also required CBMC revisions to align the city's code to the recent state legislation providing for state administration of local TLT programs. These CBMC amendments did not include changes to the city's current penalty regulations within the TLT program. ODR legal staff reviewed the revised CBMC, identifying that the penalty section also needed to align with current OAR/ORS regulations. The differences between the penalties outlined in OAR/ORS and CBMC were:

No provision for \$750 fine (per day, per reporting, etc) in OAR/ORS – Though this appeared from face value would be a significant loss of potential penalty revenue, historical research from the last decade indicates the city had only evoked this penalty twice. In both instances, the facilities were significantly behind in reporting and were assessed the \$750 per quarter report that was delinquent. The delinquent quarterly reports were calculated based upon an average of prior filed quarterly reports, with the full amount due (including the \$750/report) placed as a lien on the property. These two facilities were in the process of transitioning from a STVR to long-term (30+ days). In working with both facilities, the final lien amount was adjusted to actual amounts owed and ultimately, the \$750 was not charged. The intent of the \$750 penalty was to impose the penalty in instances of gross negligence and/or evasion of tax, keeping in mind that TLT is only collected by the facility (not charged to the facility) to be held in trust and passed on to the city. With ODR administration of the TLT program, better compliance is expected, due to both simplifying reporting for facilities to one online site and the ability for ODR to not only lien property, but also bank accounts.

Late filing fee is less (and more) with OAR/ORS – CBMC allows for 10% late filing for less than 30 days late and 15% for greater than 30 days. OAR/ORS provides for 5% late filing fee within 30 days, and 20% for greater than 30 days. There is also provision in OAR/ORS for returns filed beyond 60 days of the due date.

Currently twenty-two governmental entities were using ODR to administer their TLT program, including Coos county, Eugene, Florence, Gold Beach, and Springfield. Though the overall impact to the budget had not been determined due to the infrequency of historical penalty assessment, this CBMC could reasonably be presumed to be minimally impactful.

Mayor Benetti opened the public hearing. No public comments were made. The public hearing was closed.

Councilor Kilmer moved to enact the ordinance amending Coos Bay Municipal Code Chapter 3.55 Transient Lodging Tax to align with OAR 150-320 and allow for Oregon Department of Revenue administration of Coos Bay's Transient Lodging Tax program. Councilor Farmer seconded the motion. Finance Director Melissa Olson read the ordinance by title only, "An Ordinance of the City of Coos Bay amending Municipal Code 3.55 Transient Room Tax." and Ordinance 563 was enacted by the following vote:

Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens.

Nays: None.

Absent: DiNovo.

Public Hearing to Consider Adoption of Resolution 22-29 Amending Fiscal Year 2022-2023 Budget

Assistant City Manager Nichole Rutherford stated it was anticipated during the fiscal year that several budget amendments would be brought forward to the council for consideration to adjust the budget based upon operational needs. Reasons for amendments could include appropriating grant funding not included in the budget, appropriating additional carryover balance from the prior fiscal year that was more than budgeted and needed to meet operational needs, reallocating funds within categories, and appropriating new funds. Oregon budget law was regulated through ORS 294. This section of state statute provides guidance on ways in which an adopted budget may be amended, by either the supplemental budget process which requires public notice for a public hearing and adoption of a resolution, or a budget amendment provided by adoption of a resolution. The method allowed is prescribed within ORS 294, and in this instance, the proposed resolution for adoption amends the budget for several reasons: carryover balances differing from those within the originally adopted budget and receipt of grant funds.

Mayor Benetti opened the public hearing. No public comments were made. The public hearing was closed.

Councilor Farmer moved to adopt Resolution 22-29 amending budgeted appropriations for fiscal year 2022-2023. Councilor Miles seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Matthews, Miles, Stephens. Absent: DiNovo.

City Manager's Report

City Manager Rodger Craddock stated at the Chamber of Commerce Economic Forum scheduled for December 9, 2022, the City of Coos Bay was invited to share what was happening in the community of Coos Bay and Council was invited to attend.

Council Comments

Councilor Stephens thanked the community for supporting the Bus Jam, 486 families had signed up to receive donations, and requested a council meeting time change to 5:30 p.m. Councilor Matthews thanked everyone who participated in the Bus Jam, thanked city staff for tree lightning ceremony, and supported a council meeting change to 5:30 p.m. Councilor Farmer thanked everyone who participated in the Bus Jam. Councilor Miles stated he met with Empire utility box committee along with Councilor Stephens with phase one to be completed by May 31, 2023 weather permitting. Councilor Kilmer stated Bus Jam volunteers and community pulled together, but donations were down this year and thanked the Fire Department for containment of the fire on November 25, 2022. Mayor Benetti thanked the Fire Department for containment of the fire, stated the firefighter memorial service was wonderful, thanked staff for the Empire tree lighting, thanked everyone for helping with the Bus Jam, thanked the community for attending the meeting, and asked to have the council meeting time change be added to the next agenda.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for December 20, 2022.