



CITY OF COOS BAY CITY COUNCIL MEETING

August 17, 2021 - 7:00 PM

Council Chambers - 500 Central Avenue, Coos Bay, Oregon

All citizens addressing the City Council under regular agenda items or public comments are required by City Council Rule 2.9.4 to sign-in on the forms provided on the agenda table.

If you require a listening enhancement device, please contact the City Recorder.
Please silence electronic devices - Thank you.

Meeting Live Link/Video

5:45 pm - Council Interviews

Interviews of Applicants for the Temporary Council Position Will be Held in the City Hall Conference Room

1. Flag Salute
2. Public Comments
 - a. Public Comment Form
3. Consent Calendar
 - a. Approval of July 27, 2021 Minutes
 - b. Approval of August 3, 2021 Minutes
4. Presentation of the Coos Bay Downtown Association Semi-Annual Report
5. Mayor's Appreciation Award to Tristen Reasor
6. Presentation of Appreciation of Service Plaque for Councilor Phil Marler
7. Consideration of City Councilor Appointment to Fill an Unexpired Term
8. Revision to Department of Land Conservation and Development Grant Funding Application Related to Housing Needs Assessment
9. Public Hearing to Consider Adoption of Supplemental Budget - Approval Would Require Adoption of Resolution #21-22
10. Consideration to Extend Marijuana Business License Moratorium
11. City Manager's Report
12. Council Comments
13. Adjourn

CITY OF COOS BAY CITY COUNCIL

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	

TO: Mayor Benetti and City Councilors

FROM: Jackie Mickelson, Executive Assistant

THROUGH: Rodger Craddock, City Manager

ISSUE: Interviews of Applicants for the Temporary Council Position Will be Held in the City Hall Conference Room

ATTACHMENT(S):

- ▣ Council Interview Schedule
- ▣ Jim Kingsley
- ▣ Richard Baxter
- ▣ Wim De Vriend
- ▣ Sara Stephens

CITY COUNCIL INTERVIEWS

Temporary City Councilor

Tuesday, August 17, 2021
City Hall Conference Room

The attached applications are citizens interested in being appointed to the Temporary City Council position.

<i>Time</i>	<i>Name</i>
5:45 pm	Jim Kingsley
6:00 pm	Richard Baxter
6:15 pm	Win De Vriend
6:30 pm	Sara Stephens



CITY OF COOS BAY

500 Central Avenue
Coos Bay, OR 97420

APPLICANT INFORMATION

Name of Applicant

First Jim MI Last Kingsley Suffix MR Title MR.

Applicant Residence Address

Street Address 293 N. 11th St City Coos Bay State OR Zip 97420 County Coos

How Long at Current Address 10 yrs, 1 mo. Registered Voter: Yes ☒ No ☐

If you have lived in your current address for less than one year, please provide your previous address.

Street Address _____ City _____ State _____ Zip _____ County _____

Applicant Mailing Address

Street Address or PO Box PO Box 342 City NORTH Bend State OR Zip 97459

Contact Information

Work Phone 541-267-6595 Home Phone _____ Cell Phone 541-290-3292 Fax Number _____
Email address Jimsley33@yahoo.com

Letter of Intent

Hello: my name is Jim Kingsley and I have lived in Coos Bay for 10 years. My intention is to fill the coming vacancy on the Coos Bay City Council.

With the council meetings I have attended, I feel the city is in pretty good shape; although I know there is some room for improvement. I ran in the 2020 election for the council. Out of the 9 candidates who ran, I came in 4th place. As we know, the incumbents won. I also ran twice for the Coos Bay School Board. Our students need to be prepared for the "Real World" with instruction, not with programs of worthless stuff. More on that at another time.

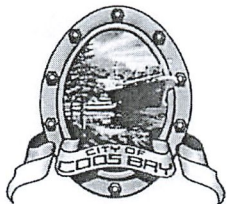
I support all first responders, Fire, Police and EMS. In fact I am still a volunteer firefighter of 33 years. I was also deputized with the S.O. when I rode with the Coos County Sheriff's Posse.

On political views I am more conservative, a bit right of center. I know I will be an asset on the City Council. I look forward to serving the City of Coos Bay and it's citizens.

Thank you,

A handwritten signature in black ink that reads "Jim Kingsley". The signature is written in a cursive, flowing style with a large initial "J" and "K".

Jim Kingsley



CITY OF COOS BAY

500 Central Avenue
Coos Bay, OR 97420

APPLICANT INFORMATION

Name of Applicant

Richard A Baxter _____
First MI Last Suffix Title

Applicant Residence Address

491 3RD Ave Coos Bay OR 97420 Coos
Street Address City State Zip County

42 years Registered Voter: Yes ☒ No ☐
How Long at Current Address

If you have lived in your current address for less than one year, please provide your previous address.

Street Address City State Zip County

Applicant Mailing Address

491 3RD Ave Coos OR 97420
Street Address or PO Box City State Zip

Contact Information

Work Phone

541-269-0445 541-290-9500
Home Phone Cell Phone

fbaxter2@hotmail.com
Email address

Fax Number

07-06-2021

To whom it may concern

This letter is to inform you that I would like to be considered for the open city council position. My name is Richard Baxter and have been a resident of the bay area since 1969 and have resided within Coos Bay city limits since 1979. I am 71 years of age and retired in 2015. The majority of my career was spent in the timber industry but spent the last eleven years of it working as a deputy sheriff at the Coos County jail.

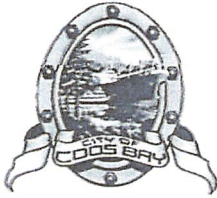
I have a strong desire to see this city return to it's former glory and would appreciate the opportunity to see if I could help make a difference in these challenging times.

Richard A. Baxter
491 3rd Ave
Coos Bay OR 97420
(541)290-9500
rpbaxter2@hotmail.com

Sincerely,

Richard A. Baxter

A handwritten signature in black ink, appearing to read "Richard A. Baxter", written in a cursive style.



CITY OF COOS BAY

500 Central Avenue
Coos Bay, OR 97420

APPLICANT INFORMATION

Name of Applicant

WIM 6 DE VRIEND M ?
First Mi Last Suffix Title

Applicant Residence Address

573 S-12 St. CB OR 97420 Coos
Street Address City State Zip County

48 YEARS Registered Voter: Yes ☒ No ☐
How Long at Current Address

If you have lived in your current address for less than one year, please provide your previous address.

Street Address City State Zip County

Applicant Mailing Address

573 S-12 St CB OR 97420
Street Address or PO Box City State Zip

Contact Information

Work Phone 266-8391 Home Phone 404-7672 Cell Phone _____ Fax Number _____

CostaCoosta@coosnet.com
Email address

Wim de Vriend

573 South 12th Street
Coos Bay, OR 97420, USA

costacoosta@coosnet.com

home: (541) 266-8391

cell: (541) 404-7672

{Please, no texting or voice mails}

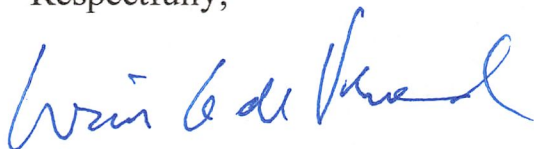
July 30, 2021

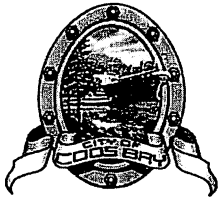
To the Mayor and Council members of the City of Coos Bay:

This letter is to express my interest in filling the vacancy on the City Council. I've attached a completed application form. My relevant background includes the following:

1. I am a 50-year resident of the city, and 48-year property owner.
2. For 39 years, until I retired, I was in the restaurant business, also in the city. Prior to that I had a local semi-government job, in what was called 'comprehensive health planning'. I have also worked in advertising and market research.
3. I have been a long-time observer of local politics. Using my observations and a great deal of research, I have published a book about the many failed attempts to re-industrialize the area; the book also proposed better ways of capitalizing on Coos Bay's undeniable assets.
4. I have published several other books, the most recent of which is a historical work about World War II.
5. I am an expert on the serious public safety hazards posed by the Jordan Cove LNG plant, a controversy which may now be moot.
6. Although I have come to the conclusion that academic degrees are greatly overrated, I should probably mention that I have a B.A. and an M.B.A. in business from the University of Oregon, and an earlier degree in international business from a university in the Netherlands.

Respectfully,





CITY OF COOS BAY

500 Central Avenue
Coos Bay, OR 97420

APPLICANT INFORMATION

Name of Applicant

Sara K Stephens
First MI Last Suffix Title

Applicant Residence Address

1315 N. 12th Terrace Coos Bay OR 97420 Coos
Street Address City State Zip County

1.5 years
How Long at Current Address

Registered Voter: Yes ☒ No ☐

If you have lived in your current address for less than one year, please provide your previous address.

Street Address City State Zip County

Applicant Mailing Address

1315 N. 12th Terrace Coos Bay OR 97420
Street Address or PO Box City State Zip

Contact Information

541-290-9557 541-290-9557 541-290-9557
Work Phone Home Phone Cell Phone Fax Number

sara.stephens8@gmail.com
Email address

July 20, 2021

City of Coos Bay
500 Central Avenue
Coos Bay, OR 97420

Dear City Staff, Counselors, Mayor and Citizens;

It is with great pleasure I submit this letter of interest to serve on the Coos Bay City Council. I have lived in the Coos Bay area for over seven years and I am proud to call this place home.

I currently serve on the budget committee for the City of Coos Bay. This has given me great insight into the inner workings of our city. I also serve as the Board Chair for United Way of Southwestern Oregon and as a member of the Board of Trustees for the Coos History Museum. I believe it's my privilege and duty to be a servant leader.

As a City Counselor I would uphold the interest of our citizens and our great city as my highest intention. I would listen, learn and understand all aspects of an issue to make an informed decision. I would maintain an attitude of gratitude ensuring respect and kindness for all.

Thank you for all you do for this city. I admire each of you and the commitment you have to excellence. It would be my honor to serve alongside you.

Sincerely,

A handwritten signature in cursive script that reads "Sara Stephens".

Sara Stephens
1315 N. 12th Terrace
Coos Bay, Oregon 97420
541-290-9557



City of Coos Bay PUBLIC COMMENT FORM

The City of Coos Bay values our citizen's input and participation in our various councils, boards, and commissions. In an effort to encourage access to participation, we have established a process by which the public can provide written comments in advance which allows for potential timely addition to the agenda topics of interest to the public. Each council meeting provides for a public comment period, as well as when a public hearing is held. Public comment is an opportunity to share information or concern with the council. Public comment is limited to three (3) minutes, per individual.

If you wish to provide public comment at an upcoming meeting, please fill out this form and submit to publiccomment@coosbay.org. You may also mail or hand deliver your completed form to 500 Central Avenue, Coos Bay, OR 97420; fax to 541-267-5912; or leave in the drop box at the front doors at City Hall. Completed forms must be received by 1:00 pm the day of the meeting to be added to Public Comment List.

Public Comment Rules:

- Public Comment Form must be completed before speaking.
- Limited to three (3) minutes per speaker.
- Coos Bay residents and business will be given preference for addressing the council during the time allotted for public comment.
- Speakers may not convey/donate their time to another speaker.
- Council cannot engage in question/answer conversations with the speaker.
- Questions/concerns about operations should be handled by city staff during regular business hours.
- The presiding officer has responsibility of enforcement of these rules, and may alter the order of speakers for efficiency.

Name: _____

Address: _____

Phone: _____ Email: _____

I wish to speak to the City Council on the following agenda item/issue:

I have previously addressed the City Council on this issue.

In lieu of speaking, I request the City Recorder to include my written comments into the public record (comment area provided on page two).

By signing below, I acknowledge the above public comment rules. Pursuant to ORS 192.420, this document is considered a public record and disclosure may be required upon request.

SIGNATURE REQUIRED

DATE

[illegible]

CITY OF COOS BAY CITY COUNCIL

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	3.a.

TO: Mayor Benetti and City Councilors

FROM: Nichole Rutherford, Assistant City Manager/Finance Director

THROUGH: Rodger Craddock, City Manager

ISSUE: Approval of July 27, 2021 Minutes

ATTACHMENT(S):

- ▣ July 27, 2021 minutes

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

July 27, 2021

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 pm in Council Chambers - 500 Central Avenue, Coos Bay, Oregon.

Those Attending

Those present were Councilors Stephanie Kilmer, Carmen Matthews, and Rob Miles. Mayor Joe Benetti attended remotely by teleconference. Councilors Lucinda DiNovo, Drew Farmer, and Phil Marler were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager/Finance Director Nichole Rutherford, Public Works/Community Development Deputy Director Jennifer Wirsing, Water Quality Administrator/Engineer Stephan Stys, Police Chief Chris Chapanar, Library Director Sami Pierson, and Community Development Administrator Carolyn Johnson.

Flag Salute

Councilor Miles opened the meeting and led the council and assembly in the salute to the flag.

Public Comment

No public comments were made.

Public Comment Form

Public Comment Form

No public comment forms were received.

Review of the Upcoming City Council and URA Board Agenda Action Items:

Review of Request for Reimbursement on Façade Improvement Grant at 375 Central Avenue

City Manager Rodger Craddock shared that the applicant had requested reimbursement of the remaining \$25,000 of the approved \$50,000 Façade Improvement Grant, approved by the Urban Renewal Agency (Agency) in February of 2020, without the window/door repair/replacement portion being completed. The applicant was actively working on a window repair/replacement strategy that will comply with the federal guidelines, but continued to run into roadblocks. Finding a path forward will take a significant amount of time and research. The applicants had completed the other elements of the approved grant, which have exceeded the original project estimate of \$100,500.00, with total cost approximately \$114,000.

Unrelated to the façade improvement grant, the applicants indicated completion of most of the interior refurbishing and had recently hosted the first big event; offices were ready to lease; and there was a party interested in the coffee shop.

Review of Request for Urban Renewal Improvement Grant Request for 260 and 265

South Broadway

Community Development Administrator Carolyn Johnson shared that the property owners of 260 & 265 South Broadway had jointly submitted an Urban Renewal Improvement Grant application for repairs and façade improvements. Structure frontages were on Broadway Avenue (west) and Bayshore Avenue (east) for the following work and improvements:

260 S. BROADWAY (Restaurant O): Broadway Avenue elevation work would include removal of existing awning frame; existing windows, exterior wall framing and wood siding. A rebuild of the lower portion of the wall would enable compliance with flood-proofing requirements. Additional work would include relocation of emergency/service door, installation of 12' wide by 6' tall glass overhead garage door, installation of new wall framing, new fiber cement siding and new polycarbonate awnings. Painting of exterior siding and trim was also a part of the project. Bayshore Avenue elevation work would include repair of existing wood siding and existing awning frames, painting of existing siding, trim and window frames, and installation of new awning material and under-awning LED lighting.

265 S. BROADWAY (My Yarn Shop): Broadway Avenue elevation work included repair of existing concrete finish, new paint on existing walls, trim, and window frames and installation of new polycarbonate awnings and new under-awning LED lighting. Bayshore Avenue elevation changes would be achieved with repair of existing concrete finish, painting of exterior walls, trim and window frames and installation of new awning material and under-awning LED lighting.

Mayor Benetti discussed perceived conflict of interest due to being the current owner of the buildings, which were under a sales agreement with the applicants and the price had been agreed upon prior to intention and submission of the grant application.

Discussion Regarding Revision to Previously Approved Façade Improvement Grant Request for 275 North Broadway (Tioga building)

City Manager Rodger Craddock shared that during September 2020, the Urban Renewal Agency approved a Building Improvement Grant for extensive renovations of the facade, the historic sign, and installation of fencing and exterior lighting of the Tioga building. The cost for those improvements was estimated at \$528,985, with the Agency approving \$264,492.50 towards the project which was now nearly complete. In addition to the façade project, the owners of the property remodeled and refurbished numerous apartments, some of which were out of service for several years. The building owners desired to remodel the second floor of the building which once housed an expansive ballroom. The old ballroom and the majority of the second floor has been dormant for many years. The owners want to put the second floor back into productive commercial use. As such, additional funding is being sought by the building owners for both residential rehab and remodeling the second floor. A total of \$200,000 is being requested of which \$100,000 is for the rehabilitation of residential units in the building and the other \$100,000 is for renovation of the 2nd floor. Robb Crocker of Tioga LLC provided an update on the renovation project.

Consideration of City Fee Schedule Revision Options Related to Recent CBMC Title 17 Amendments

Community Development Administrator Carolyn Johnson shared that a revision to current land use permitting fees was presented to Council for discussion and consideration. The

proposed fees were based on the value of staff time and materials to process land use permits; not dissimilar to permit fees required in similar Oregon municipal agencies.

The proposed fee amendments resulted from Ordinances 540 and 541 adoption amending CBMC Title 17 procedures. Streamlining of the land use permitting process was now in place but not reflected in the current fee schedule, which did not adequately cover staff time and material costs. FY 20/21 land use permit fees provided about \$39,000 in city revenue, far less than the staff costs required for processing land use permit applications. If fee revisions and new fees proposed were adopted, additional City revenue was anticipated to accurately reflect the City's cost of land use permitting services.

Presentation of the Pre-Design Report for Wastewater Treatment Plant 1

Public Works/Community Development Deputy Director/City Engineer Jennifer Wirsing shared that predesign efforts for Wastewater Treatment Plant 1 had been completed and Craig Massie, P.E. from Jacobs' was here to present a status of this project to Council. Water Quality Administrator/Engineer Stephan Stys provided a summary background and introduced Mr. Massie. Mr. Massie reviewed the progress to date on the predesign plans, options available for bid and construction process, and provided recommendation for next steps.

Discussion Regarding Potential Library Bond Issuance

City Manager Rodger Craddock shared that at the July 21, 2021 Coos Bay Public Library Board of Trustee meeting, the board made the decision to recommend to City Council to place the library bond on the ballot in May 2022. Mr. Craddock shared a summary of the process to date. Ms. Wirsing provided an update on the process for repairing the roof. Curt Benward addressed concerns about necessary repairs in order to maintain a working library while awaiting construction of the new facility, stressing the importance of the safety of staff and citizens using the library.

Discussion Regarding Proposed Flag Policy

City Attorney Nate McClintock stated during a council meeting in June, a citizen request was received to place the Pride Flag on a city flag pole. Though the request was not granted due to the lack of a flag policy, it was requested that the matter be discussed at a future meeting and for staff to prepare a policy. Mr. McClintock research the matter and gathered similar policies other entities had in place, with the focus being on the City's Eighth Amendment right to determine which flags were representative of the City's sentiment. The proposed policy provides for two or more Council members to recommend a flag for display, with a super majority vote to approve.

Anse Tauber and Cameron Stringfield, Coos Bay, shared personal experience in the community regarding challenges surrounding acceptance and acknowledgement of the LGBTQ+ community, and the importance, statement, and support the Pride Flag would represent for the LGBTQ+ community.

Councilor Miles discussed the requirement for policy presentation to Council which currently denotes two councilors to request presentation to Council. Mr. McClintock confirmed the policy draft currently provided for the requirement of two councilors to request presentation and review by Council, but could be changed, with the key is that Council would work together to approve a policy that works best in the community. Councilor Matthews asked which flag

poles would be available for other flags to be flown. Mr. Craddock share that the flag poles would be those at the boardwalk. Discussion surrounded super majority vote noted in the draft policy. Mayor Benetti suggested that more time was needed for review of the policy, specifically addressing the location of flags, the time period for having the flag flown, and whether the policy is approved annually or permanently. Discussion regarding First Amendment rights were discussed. Councilor Kilmer suggested we should wait until the full council was in session to get consensus of the group as a whole. Consensus was to review the policy for additional recommended changes to the flag policy.

Discussion Regarding Proposed Time, Manner and Place Camping Ordinance

City Manager Rodger Craddock shared that over the last several months, staff has been working on the development of a Time, Manner and Place Camping Ordinance that complies with the requirements outlined in House Bill (HB) 3115 and Martin v. Boise which have helped to established the rights of the public to rest and sleep on public property and right-of-way (ROW), as well as the way in which cities can manage the use of these public spaces. From those efforts, an ordinance had been prepared and presented to the Homeless Work Group who provided additional feedback. With that feedback, the ordinance was further updated, in preparation of presentation to a committee of elected officials from both Coos Bay and North Bend to ensure consistency and compatibility of regulations surrounding use of public spaces, including the right-of-way, by the unhoused for the purpose of resting, sleeping, or camping. The Homeless Work Group has reviewed, approved and recommended the draft ordinance for Council consideration. Councilor Kilmer confirmed the efforts undertaken to date, the importance the ordinance in order to establish standards city-wide and provide tools to city staff and law enforcement, as well as educational opportunity for the community and collaboration with the City of North Bend and Coos County. Councilor Miles asked about the ordinance regarding the Temporary Lodging Ordinance and whether there was concern with the difference in language between the previous ordinance and the new ordinance for non-profits and religious organizations, regardless of zoning. Mr. Craddock shared that change was intentional, as the draft ordinance limited non-profits and religious to three units per property. Emil Gregowsky shared had been living in the community for several months and wondered how the ordinance addressed needs surrounding public restroom facilities. Mr. Craddock shared there were public restrooms throughout the city and may need to add more portable facilities. Councilor Kilmer noted that property owners who allow temporary camping would have to provide access to facilities. Mayor Benetti shared his support of this great first step and was absolutely necessary.

Adjourn

There being no further business to come before the council, Councilor Miles adjourned the meeting. The next regular council meeting was scheduled for August 3, 2021 in the council chambers at city hall.

CITY OF COOS BAY CITY COUNCIL

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	3.b.

TO: Mayor Benetti and City Councilors

FROM: Nichole Rutherford, Assistant City Manager/Finance Director

THROUGH: Rodger Craddock, City Manager

ISSUE: Approval of August 3, 2021 Minutes

ATTACHMENT(S):

- ▣ August 3, 2021 minutes

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL

August 3, 2021

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, Phil Marler, and Rob Miles. Councilors Lucinda DiNovo and Carmen Matthews were absent. City staff present were City Manager Rodger Craddock, City Attorney Nate McClintock, Assistant City Manager/Finance Director Nichole Rutherford, Deputy Finance Director Melissa Olson, Public Works and Community Development Director Jim Hossley, Fire Chief Mark Anderson, Police Chief Chris Chapanar, and Library Director Sami Pierson. City staff attending remotely by teleconference was Community Development Administrator Carolyn Johnson.

Flag Salute

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

Public Comments

Ken Folker, Coos Bay asked if the city could implement a mask mandate. City Manager Rodger Craddock stated the county was not at a high level and the city would refer to the county health authority. Austin, Coos Bay asked the status of the Public Works Code Enforcement Officer position, who was taking current complaints as he was having an issue with neighboring vehicles, had emailed the Mayor regarding garbage on the boardwalk which was taken care of, noted City Hall should have a mask mandate, and shared he could not afford a home especially with the current housing shortage. Mr. Craddock stated the Codes position would be posted soon and any complaints could be submitted to him directly. Katja Donato, Coos Bay stated there were many false positives, individuals were no longer dying from the virus, and masks do not protect from the virus. Also read a recent Airbnb article related to their Public Relations Group who clean up issues related to the rentals. Jon Peery, Coos Bay stated the Prefontaine neighborhood had issues in the past from short-term rentals and want protection with a moratorium. James Behrends, Coos Bay stated the neighborhood had no interest in short-term rentals, it was a booming industry, and many homes are trying to be bought as rentals. Emily Gardner, Coos Bay requested a moratorium until restrictions could be enacted and offered to help write the code necessary to help combat the housing shortage. Chad Putman, Coos Bay stated he was representing various neighborhood home owner associations (HOA) which were against short-term rentals, would be enacting rules against them within the HOA, and stated difficulty to hire teachers as they are unable to find housing in the area, due to many being converted to short term vacation rentals. Christina Moffett, Coos Bay stated the short-term rentals were a commercial development and requested a thoughtful enforcement. Tony Donato, Coos Bay stated he was representing many neighborhoods and the faith community who were overwhelmingly against short-term rentals and suggested when someone moves away, homes were sold for

rental instead of community members. Crystal Shoji, Coos Bay stated short-term rentals are in many communities and had not received communication regarding city code for new uses being allowed. Kate Martin, Coos Bay stated there was illegal work done on a property and the rental permit should have been rejected immediately. Sue Lee, Coos Bay stated had purchased a home as a short-term rental, was zoned commercial to take into consideration, and had put a lot of money into the community; also there is a rental shortage as it was an issue during COVID to get renters to pay their rent.

Public Comment Form

Public comment forms were received from Alex Zenzuni, Don Brown, Christine Moffitt, Cynthia and Alden Miller, and Gary Colvin requesting a moratorium on short-term vacation rentals.

Consent Calendar

Mayor Benetti reviewed the consent calendar which consisted of:

3a: Approval of July 20, 2021 Minutes

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

Consideration of a Vacation Rental Land Use Permit Application Moratorium

Community Development Administrator Carolyn Johnson stated City staff have received communication from several individuals identifying concerns regarding vacation rentals in Coos Bay; exhibits provided. Council discussed draft vacation rental regulations October 19, 2019, after reviewing a Planning Commission unanimous recommendation (formulated September 10 and October 8, 2019) to approve vacation rental standards; exhibit provided. Jim Behrends participated in the discussion, presented comments, proposed changes and provided exhibits. Council consensus was for additional Planning Commission review of the draft regulations and comparison with other municipalities. At this time there were ten vacation rentals in the City with business licenses that have been issued in the past two years. Currently, there was only one application for establishing a vacation rental that has either been submitted or is in the process of submittal. All authorized vacation rentals are current on their Transient Occupancy tax and business licenses. The process to apply for a vacation rental land use permit requires a Type II review application with a \$350 application fee and notification of property owners within 150 feet of a proposed vacation rental location. The decision to authorize a vacation rental was made by the Director after a twenty-day review of the vacation rental by notified property owners and review and identification of conditions from building, fire, engineering, and operations departments with regard to their respective enforcement responsibilities.

Standard approval requirements include, prior to the vacation rental operation, a Coos Bay Business license and registration to pay for Transient Occupancy tax. Other requirements include compliance with all City regulations such as noise, nuisance and all other health and safety requirements. Director action can be appealed to the Planning Commission. The Director has the discretion to expand the notification area and/or forward the application on to

the Planning Commission for review and action. Planning Commission action can be appealed to the City Council. Comments received for this meeting are from the Prefontaine area neighborhood where some years ago a vacation rental created a disturbance and a recent vacation rental application to the City was subsequently withdrawn following neighborhood opposition. Except for the concerns expressed in the Prefontaine area, to date there are no known complaints to the City attributed to vacation rentals. Known vacation rental property owners have been responsive to all City requirements. One vacation rental application on Prefontaine received opposing comments during the Type II land use permit public review comment period and subsequently the application was withdrawn.

Assistant City Manager/Finance Director Nichole Rutherford stated the City contracts with a third-party company to collect the transient tax reporting, noted Airbnb reporting did not include addresses, and the City was working on getting information on language other municipalities have used to require rental postings to use a registration number for tracking. Janice Langlinais, Visitor Convention Bureau, stated they contracted with AirDNA to collect data on the third-party rental companies to confirm the properties are paying the transient tax.

Council discussion ensued with options to 1) Take no action at this time and discuss the Planning Commission's October 12, 2021 recommendations at the October 26, 2021 work session. 2) Implement a moratorium on vacation rental land use applications citywide or in the Prefontaine neighborhood to November 2, 2021. Discuss the Planning Commission's recommendations at the October 26, 2021 work session and determine whether the moratorium should be extended and a public hearing held to enact an ordinance to either prohibit vacation rentals or adopt vacation rental standards. 3) Provide staff with direction related to another option.

Councilor Farmer moved to implement a moratorium on vacation rental land use applications citywide with the exception of commercial districts and discuss the Planning Commission's recommendations at the October 26, 2021 work session and determine whether the moratorium should be extended and a public hearing held to enact an ordinance to either prohibit vacation rentals or adopt vacation rental standards. Prior to that meeting or at that meeting having a joint work session with the Planning Commission.. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Miles. Absent: DiNovo, Matthews.

Presentation of the Semi-Annual Report on the Coos Bay/North Bend Visitor and Convention Bureau

The Coos Bay / North Bend Visitor Convention Bureau (VCB) provides quarterly reports to the council detailing the activities of the VCB, the events and attractions which have been promoted by the VCB, and the funds spent to date. VCB Director Janice Langlinais stated the VCB was funded by the transient tax and was responsible for the promotion, advertising, and marketing of the area to travelers. The VCB used print, digital, broadcasting, social media, trade shows, tours in order to increase overnight visitation year-round. Budget, tourism data, sample advertising, campaigns, and promotions were presented. VCB staff were currently in discussions with North Bend for possible management of the North Bend Visitor Center. The Coos Bay Visitor Information Center returned to regular full-time schedule, have three new volunteers, and the numbers of visitors have been increasing with 13,965 in fiscal year 2021.

Consideration to Award Design, Bid and Construction Management Contract for Fall Streets Projects

Public Works and Community Development Director Jim Hossley stated as part of the continued efforts by Council to improve City streets and enhance the drivability and safety for the constituents of our community, staff continually identifies streets that were in need of repair. The recommended fall street projects encompasses South 7th Street between Kruse Ave and Lockhart, as well as, portions of Minnesota Ave, and potholes throughout the City. The improvements for South 7th Street include rebuilding the road bed, pavement, and replace the curb and gutter on the east side of the road. The portions of Minnesota which would be repaired include two sections of roadbed rehabilitation, a section of curb and gutter that has failed, and just over 100' LF of grind out and pavement inlay. Staff was working with utility providers in an effort to facilitate less traffic interruptions in the area by coordinating work. In addition to the work on Minnesota Avenue and 7th Street, other proposed work included spot repairs on Oregon Avenue to be performed by City staff, and city-wide pothole repairs.

The engineer estimated the cost of the Minnesota Avenue and 7th Street project would be approximately \$600,000.00. In addition, there was \$100,000 to be devoted to city-wide pothole patching. This work would all be competitively bid. The material cost for the work to be done by City staff on Oregon Avenue was not expected to exceed \$5,000. In addition to the project work, \$100,000 was held for emergency road work. The funding for this project would come out of transportation utility fees and the City's portion of the recently received federal Highway Infrastructure Programs - Coronavirus Response and Relief Supplemental Appropriations Act, 2021, \$250,000.

Staff requested Dyer Partnership to provide an estimate for design, bidding and construction management, under their miscellaneous engineering services contract. The cost associated with these services for this project is not to exceed \$87,716.00. The estimated cost to construct (with contingency) this project is \$599,865.

Councilor Marler moved to award the design, bidding, and construction management of the 2021 fall streets project to The Dyer Partnership for the amount of \$87,716.00. Councilor Kilmer seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Miles. Absent: DiNovo, Matthews.

Public Hearing to be Held to Consider Approval of Proposed Camping Ordinance - Approval Would Require Enactment of Ordinance

Police Chief Chris Chapanar stated as many communities throughout Oregon and across the nation, Coos Bay had experienced an increased in the unhoused population while burdened with inadequate resources to assist these individuals and balancing the rights/needs of the taxpayers with those of the unhoused. Finding a balance, while remaining within the requirements and restrictions of recent case law (Martin v. Boise) and legislative action (HB 3115 and HB 3124) continued to prove challenging. The Martin v. Boise case, established that the public has a right to use public property, including right-of-way, to rest or sleep. HB 3115 went further to establish that restrictions in place limiting this right must meet "time, manner and place" provisions that were "objectively reasonable." Staff consulted several sources, including reaching out to other cities to identify the solutions that have shown to be successful and within the guidelines established by Martin v. Boise and

HB3115. One such city was McMinnville.

Staff from the McMinnville Police Department shared efforts by their council to enact laws governing the use of public lands and rights-of-way, including citizen education opportunities and enforcement tools. Coos Bay staff were able to work with the ordinance in place at McMinnville to draft an ordinance and start conversations with the Homeless Work Group (HWG). Over the last couple of meetings with the HWG, the ordinance was refined, then presented to a committee of elected officials and city staff from both Coos Bay and North Bend. This group further reviewed the draft ordinance, with discussions around fit within current municipal code and developing consistency between the two cities to ensure easier compliance and understanding by both citizens and the unhoused. This combined committee had additional revisions to the draft ordinance which were once again presented to the HWG at their July 22, 2021 meeting, ultimately resulting the proposed ordinance presented at the July 27, 2021 work session. Police Chief Chapamar reviewed the ordinance content.

Mayor Benetti opened the public hearing. Celeste Timberlake, Coos Bay asked who would enforce the time and identified areas allowed in the ordinance, stated concern for the vehicles parked long-term, safely walking through where individuals are camping, and requested an area for those individuals to stay. Mayor Benetti stated currently camping was not prohibited throughout the City and there was a Community Resource Officer who worked with individuals as needed. Scott Timberlake, Coos Bay stated when the church opened the parking lot for camping it exploded, this would also once implemented, and worried for citizens safety. Jim Kingsley, Coos Bay stated the ordinance sounded good, but the Police Department could not be everywhere and suggested buckets in the camping allowed areas. Council stated the ordinance was not to tell individuals where they could camp and have allowed areas, but where it was not allowed. Barbara Cornell, North Bend stated concern for enforcement as it is causing more work for the Police Department without more officers, the amount of trash being left, and potential increase in crime. City Manager Rodger Craddock stated the Police Department spends the majority of their time with homeless complaints now and the ordinance would give them a tool for regulation and enforcement. Tony Donato, Coos Bay asked how it would be communicated. Mr. Craddock stated there would be an education period prior to enforcement and the Resource Officer speaks to many of the individuals. James Behrends, Coos Bay stated the City was being proactive on this issue. The public hearing was closed.

Councilor Farmer moved to enact the Camping Ordinance as presented. Councilor Kilmer seconded the motion which carried. Deputy Finance Director Melissa Olson read the ordinance by title only and Ordinance 545 was enacted by the following vote:

Aye: Benetti, Farmer, Kilmer, Marler, Miles.

Nay: None.

Absent: DiNovo, Matthews.

Resolution Amending City Fee Schedule Related to Coos Bay Municipal Code Title 17 - Approval would Require Adoption of Resolution 21-23

Community Development Administrator Carolyn Johnson stated the proposed fee resolution resulted from the enactment of Ordinance 540 and 541 Coos Bay Municipal Code (CBMC) Title 17 procedures and reflected estimated staff time for review of a variety of land use permits. Examples of staff time and materials translated to value of permits included: for

homes and small commercial buildings-front office staff intake of applications, set up of electronic and paper file, and route for review and comments by building, engineering, planning and operations departments. About half of these require public noticing that was prepared by the Planner, then copied and mailed out by the front office staff. Planning staff responded to inquiries from public noticing and prepares a staff report and final order acting on the project. For larger, more complex Planning Commission projects: a development review meeting was held with building, engineering, planning, operations and fire staff for review of the project. If consultants had been engaged, staff interface is required. Each staff member provides project requirements that are included in the planning staff report written analysis for project consistency with the Development Code for inclusion in a Planning Commission packet. The review may include preparation for and holding a Design Assistance team meeting with one of the Planners. Front office staff contacts Commissioners for packet pick up or email transmittal, prepares the Council Chambers, fields phone calls from applicants and at the meeting, and takes minutes. The Community Development Administrator, Planner and one front office staff member attend the Planning Commission meetings. After-meeting work is required to prepare a final order specifying the actions of the Commission, applicant notification and finalizing the project file.

A comparison of Coos Bay's land use related fees to those of Florence, Bandon and North Bend was provided. Generally Coos Bay fees were lower. Permits and processes were unique to each city, not all application types could be compared. Fees were also proposed for land use related services which to date have been provided at no cost. Fiscal Year 2020-2021 land use permit fees provided about \$39,000 in city revenue, far less than the costs required for processing land use permit applications. If fee revisions and new fees proposed are adopted, additional City revenue is anticipated to accurately reflect the City's cost of land use permit processing.

Councilor Kilmer moved to adopt Resolution 21-23 amending the City's fee schedule related to land use application fees. Councilor Marler seconded the motion which carried. Ayes: Benetti, Farmer, Kilmer, Marler, Miles. Absent: DiNovo, Matthews.

City Manager's Report

City Manager Rodger Craddock stated Donald Poage former Coos Bay Mayor passed away, 4th Street was scheduled to be completed in three weeks, spring street projects were nearly finished, staff was planning fall projects, have designated urban renewal agency funds for various streets which plans were 90% complete, skate park was scheduled to be opened August 9, 2021 with all the working being done by volunteers, operating for almost one month and for the first time in a long time have not had violations at either location, the LED lighting project was to continue in August 2021 and would be completed soon after, the scrap yard would be need to be cleaned-up after the rainy season per DEQ, and final approval for clean-up of Englewood School was need to complete an additional form and should take less than 90-days to complete the work once started.

Council Comments

Councilor Miles stated condolences to Mayor Poage's family . Councilor Kilmer stated appreciation for action on the camping regulations, homeless workgroup is made up of very diverse individuals in the community, stated festival preparations were underway, and was proud in the partnership for the running legs bike rack project . Councilor Marler stated with the camping ordinance enforcement and education would be the key to success. Councilor

Farmer stated in reading the comments regarding the short-term rentals noticed a lot of comments from home owners association which HB 2001 restricted and would be putting a group of people together to discuss local provider issues at the state level. Mayor Benetti gave condolences and appreciation for Mayor Poage's services, was able to have positive discussions during the Mayor's Convention, and thanked everyone for attending.

Adjourn

There being no further business to come before the council, Mayor Benetti adjourned the meeting. The next regular council meeting was scheduled for August 17, 2021.

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	4.

TO: Mayor Benetti and City Councilors

FROM: Jackie Mickelson, Executive Assistant

THROUGH: Rodger Craddock, City Manager

ISSUE: Presentation of the Coos Bay Downtown Association Semi-Annual Report

SUMMARY:

Semi-annual reports are a required component of the management agreement with the Coos Bay Downtown Association. The current agreement is a three year contract ending June 30, 2024.

ACTION REQUESTED:

None.

BACKGROUND:

The Coos Bay Downtown Association provides management for the City of Coos Bay in implementing the Main Street Program in an effort to improve and revitalize downtown Coos Bay. Semi-annual reports are a required component of our management agreement with the Coos Bay Downtown Association.

BUDGET IMPLICATIONS:

Listed below is the budgeted amount per fiscal year:

July 1, 2021-June 30, 2022 \$40,000

July 1, 2022-June 30, 2023 \$45,000

July 1, 2023-June 30, 2024 \$50,000

ATTACHMENT(S):

- ▣ August Presentation
- ▣ CB Downtown Management Agreement



CBDA

COOS BAY DOWNTOWN ASSOCIATION

OUR MISSION AND GOALS



WHAT WE DO

CBDA Vision Statement
 Advocate for and support local businesses
 to thrive by being a vibrant downtown that
 promotes healthy living and provides
 opportunities for our community and guests
 to shop, eat, mingle and explore.





WHY WE DO IT



The mission of the Coos Bay Downtown Association is to foster the development of downtown Coos Bay by strengthening local business, encouraging new business, and connecting the community through partnerships. The Coos Bay Downtown Association is committed to promoting Coos Bay as an attractive place to live, work, and visit by continually enhancing the quality life of the downtown area.





HOW DO WE DO IT



The Coos Bay Downtown Association is part of the National Main Street Program, which leverages community assets to generate investment, create jobs, and foster the rehabilitation of downtown areas and Main Streets. As part of this program, CBDA is supported by a Board of Directors, Main Street Manager, and four Committees: Promotions, Organization, Design, and Economic Development. CBDA works closely with its members, downtown businesses, and local organizations to strengthen existing business, to expand opportunities for new businesses, and to plan events and activities that improve the quality of life in downtown Coos Bay.



OUR STRATEGIC GOALS

EXPAND MEMBERSHIP

150+

EMBRACE TECHNOLOGY

UPDATE THE WEBSITE TO A
MORE USER FRIENDLY
PLATFORM FOR BOTH
VISITORS AND MEMBERS

ENHANCE BEAUTY

ADD TO THE VISUAL
AESTHETICS OF
DOWNTOWN WITH
ART AND FUNCTION

INCREASE ACTIVITIES

CONTINUE WITH OUR
ANNUAL EVENTS AND ADD
EVENTS AND PROMOTIONS
THAT ATTRACT CONSUMER
TRAFFIC

EXTEND OUR FOOTPRINT

ENCOMPASS FRONT
STREET AND THE
COOS BAY VILLAGE

OUR FIRST HALF ACCOMPLISHMENTS

FARMERS' MARKET STARTS IT'S 21ST YEAR

MAY 5TH through OCTOBER 27TH

MARKET MANAGER MELISSA HASART

ESSENTIAL SERVICE: LIKE A GROCERY STORE.

MASKS AND SOCIAL DISTANCING START OF SEASON

SNAP MATCH PROGRAM DOUBLE UP FOOD BUCKS
\$10 MATCH

SNAP GIVEN OUT \$10,243 , DUFB DISTRIBUTED
\$4208

AVG. VENDOR ATTENDANCE 60 PER WEEK

SPONSORED BY: JUNIOR ALVARADO TRUCKING INC.,JENNIE'S
SHOES, LEHNE FARMS, HARMONY HOME CARE, ATLAS EDGE,
BIGFOOT BEVERAGES, SOUTH COAST
FAMILY DENTISTRY, COOS HEAD FOOD COOP, OREGON HEALTH
INSURANCE MARKETPLACE & SO IT GOES COFFEEHOUSE

THANK YOU TO THE CITY



INSTALLATION OF RUNNING LEGS BIKE RACKS

THANK YOU TO THE MARSHFIELD HIGH SCHOOL WELDING
CLASS, THE CITY OF COOS BAY AND THE SEVERAL GRANTS
THAT I LEAD TO THE COMPLETION OF THE BIKE RACK PROJECT

OUR COMMITTEES



ORGANIZATION

- WORKING ON NEW MEMBERSHIP DRIVE
A TOTAL OF 75 MEMBERS
- WORKING ON A NEW WEBSITE WITH K-DOCK. RECEIVED
A FULL SPONSORSHIP OF THE WEBSITE FROM BANNER BANK
IN THE AMOUNT OF \$3,200.
- APPLIED FOR AND RECEIVED THE COQUILLE TRIBAL AND
COMMUNITY FUNDS GRANT FOR HANDWASHING STATIONS
AT THE FARMERS MARKET IN THE AMOUNT OF \$3,640.00.
- APPLIED FOR AND RECEIVED THE CB/NB VISITOR &
CONVENTION BUREAU FUNDING GRANTS FOR THE FESTIVALS
IN THE AMOUNT OF \$6,000.00. \$3,000.00 FOR
BLACKBERRY ARTS AND \$3,000.00 FOR THE BAY AREA
FUN FESTIVAL.
- CREATED THE DUES RELIEF PROGRAM WITH BANNER BANK IN
THE AMOUNT OF A \$2,500.00 MATCH FOR BRONZE AND
SILVER MEMBERSHIPS. BANNER BANK PAID HALF OF THEIR
DUES.
- 14 BUSINESSES HAVE TAKEN ADVANTAGE OF THIS FIRST
COME FIRST SERVE PROGRAM. 4 ARE IN THE PROCESS.

PROMOTIONS

- PUT ON GREAT EVENTS YEAR ROUND
HELD THE COVID 19 “SAFE” FARMERS
MARKET THAT HAS NOW OPENED
UP DO TO A CHANGE IN
REGULATIONS.
- IN THE FIRST HALF OF THE YEAR WE ARE
PREPARING FOR ALL OF THE EVENTS IN THE
SECOND HALF OF THE YEAR, SUCH AS
TRICK OR TREAT, HOLIDAY OPENHOUSES,
SHOP SMALL SATURDAY AND SANTA
TO NAME A FEW.
- WE WILL BE HOLDING THE BLACKBERRY ARTS
FESTIVAL ON AUGUST 28TH AND 29TH. IT IS A
JURIED ART SHOW AND MALL MARKET.
- THE BAY AREA FUN FESTIVAL IS ON AND THE
THEME IS “BACK TO THE FUN IN 20 21” IT
WILL BE HELDON SEPTEMBER 18TH AND
19TH. THERE IS A MALLMARKET,
PARADE, PREFONTAINE RUN, PRE KIDS RUN
AND CRUZ THE COOS.



DESIGN



- REPLACING AGING BANNERS AND ROTATING THE HANGING OF SEASONAL BANNERS
- FLOWER BASKETS ARRIVED IN MAY TO HIGHLIGHT DOWNTOWN
- THE BIKE RACK PROJECT IS COMPLETE THE CBDA PURCHASED THE DESIGN FROM AN ARTIST IN TENNESSEE WE RECEIVED THREE GRANTS, \$5000 FROM THE FORD FAMILY FOUNDATION, \$2500 FROM JORDAN COVE AND \$2000 FROM THE COOS ROTARY FOUNDATION MARSHFIELD HIGH SCHOOL WELDING CLASS MANUFACTURED THE RACKS.
- THANK YOU CITY FOR INSTALLING THEM.

ECONOMIC VITALITY

- WE ARE WORKING ON IMPLEMENTING THE TRAVEL OREGON AND RDI ECONOMIC VITALITY PLAN FOR DOWNTOWN COOS BAY THAT WAS COMPLETED LAST YEAR FROM THE TRAVEL OREGON GRANT.
- WE ARE ALSO WORKING ON IMPLEMENTING THE CBDA'S STRATEGIC PLAN



Re energizing reasons to shop, eat, mingle and explore downtown is priority. New events that bring people downtown along with enhancing the current events is key and is on the forefront.



FUTURE PROJECTS

Increasing our footprint and embracing the new direction of building improvements and new businesses is high on the list. Added Wayfinding signs informing the public what is an easy walk just around the corner will benefit the old and the new.



The electric box art project has been identified and moving forward. Looking forward to seeing a splash of color downtown!



YOUR CBDA BOARD



KATIE GRENADO
South Coast Family
Denistry



DOUG WOOLSEY



STEPHANIE KILMER
KDOCK Radio



JILL RASMUSEN
Jackson-Osborn
Farmers Insurance



STEVE SCHNEIDERMAN
Marshfield Merchantile



JAY ANDREWS
Bigfoot Distributors



DANA WEBBER
Banner Bank



NICKI SIMMONS
Bay Area Dental Lab



JULIE GRAHAM
Bi-Coastal Media



BETH CLARKSON
Checkerberry's Flowers

The Coos Bay Downtown Association would not be where we are today without the support and partnership of the City.
Great minds all moving forward towards a better tomorrow.

THANK YOU!



City Council Meeting August 17, 2021



Management Agreement

Between Urban Renewal Agency of the City of Coos Bay ("Agency")
 500 Central Avenue
 Coos Bay, OR 97420

And Coos Bay Downtown Association ("Association")
 320 Central Avenue, Suite 410
 Coos Bay, OR 97420

Recitals

1. The Urban Renewal Agency of the City of Coos Bay (hereinafter "Agency") and the Coos Bay Downtown Association (hereinafter "Association") desire to maintain and enhance a healthy, vibrant downtown commercial district that functions as the economic, social and cultural center of the community; and
2. The Agency and Association are committed to the Main Street Approach and to working cooperatively on efforts to improve and revitalize downtown Coos Bay in accordance with the principles and accords set forth by Oregon Main Street and the National Trust for the Historic Preservation programs; and
3. The Association has assumed the role and responsibilities of the Main Street Program, has committed funds for supporting the hiring of a Main Street Manager, established a Main Street office, and is seeking funding to sustain the program; and

NOW, THEREFORE, the parties agree as follows:

Section 1. Term: The term of this agreement shall be for three years, commencing on July 1, 2021 and ending June 30, 2024.

Section 2. Funding: The Agency shall pay to the Association for the latter's use in providing the services of the Main Street Program and work listed within this agreement:

July 1, 2021-June 30, 2022	\$40,000
July 1, 2022-June 30, 2023	\$45,000
July 1, 2023-June 30, 2024	\$50,000

The Agency's obligation to make such payments is subject to the Agency's yearly appropriation during the budget process. Should this agreement terminate prior to the end of any given year, the funding provided pursuant to this section shall be apportioned on a pro rata basis and any unexpended portion shall be returned to the Agency. The Agency reasonably believes at the time of entering into this agreement that sufficient funds will be available and authorized for expenditure to finance the cost of the agreement.

Section 3. Scope of Work: The Association, in consideration for the funding provided for herein, undertakes the following:

- 3.1 Work to ensure compliance with the Oregon Main requirements and to implement, report on and maintain the Main Street revitalization strategies in downtown Coos Bay.
- 3.2 Maintain a full-time Main Street Manager, responsible for implementation of the Main Street Program.
- 3.3 Extend the Association boundaries to include the Front Street business area from Commercial Avenue to Ivy Avenue and from Bayshore Drive to the Bay, as noted in Exhibit B.
 - 3.3.1 Partner with Coos Bay Village, Front Street businesses and the Coos History Museum to establish working relationships and to cross promote each other.
- 3.4 The Association will support and promote year-round events, such as but not limited to: street festivals, parades, retail events and image development campaigns that encourage customer traffic and stimulates downtown excitement for residents and visitors. As possible in the Downtown (including Front Street) this will include, but not be limited to: Friday Wine Walk, Farmer's Market, Shop Local, Trunk or Treat, Blackberry Arts Festival, Fun Festival Events, July 4th Festivities, and the Tall Ship Events. One real time or virtual new event showcasing the Front Street area is encouraged before the conclusion of this agreement.
- 3.5 Modify the Association website to include the following within six months of the effect of the agreement:
 - 3.5.1 Expansion to link with other community business resources such as but not limited to the Bay Area Chamber of Commerce, Coos Bay/North Bend Visitor and Convention Bureau, the Egyptian Theater, Coos Art Museum, Marshfield Sun Museum, Historic Rail Museum, and other community resources;
 - 3.5.2 Provide a link to the Bay Area Chamber of Commerce Event calendar and work with the Chamber to notify them of downtown/Front Street events of both the Association and businesses in the Association area.
 - 3.5.3 Develop on the Association web site an "Attractions" section identifying and providing contact information to all downtown or near downtown attractions, including, but not limited to: Coos Art Museum, Coos History Museum, Egyptian Theater, Mingus Park, Marshfield Sun Museum, Downtown Boardwalk, Marshfield Pioneer Cemetery, public art throughout downtown, and others.

- 3.6 Inspect, update, clean, and repair or replace promotional content on all downtown wayfinding signs on a quarterly basis.
 - 3.6.1 As Front Street area public improvements are completed, utilize the Front Street Blueprint to expand wayfinding sign program to Front Street.
- 3.7 Purchase flower baskets for downtown light poles, including those for Front Street when light poles to accommodate are in place. Agency will hang, water until the fall of each year, then remove the flower baskets at the end of the season.
- 3.8 Purchase and replace when appropriate seasonal banners to be mounted on downtown period lighting poles.
- 3.9 Increase Association membership by 50 new members to include Front Street businesses and property owners.
 - 3.9.1 Develop a corporate membership / sponsorship package.
- 3.10 Improve advertising with use of media/digital or TV; partnership with the Chamber of Commerce is encouraged.
 - 3.10.1 Develop a social media plan.
- 3.11 Build better relationship with property owners beginning with developing a contact list and expanding business visits to include property owners.
- 3.12 Provide a list of suggestions to businesses on how they can tie into events to make the most of the potential customers coming to downtown.
- 3.13 Work with the Agency on designs plans for future parking lots and a maintenance plan for existing parking lots within the Association boundaries.
- 3.14 Assist the Agency as it continues to examine and potentially expand the Improvement Grant program.
 - 3.14.1 Develop and implement a Improvement Grant program marketing strategy.
- 3.15 Determine the available space / building inventory of rental and for sale property within the district, and create and maintain a listing of such inventory. This may be accomplished by working with SCDC to update available inventory on Oregon Prospector.
- 3.16 Assist the Agency should it undertake a Streetscape Design Study for the Downtown District.

- 3.17 Assist the Agency should it undertake consideration of a downtown public art program.
- 3.18 Provide advice and guidance to the City with regard to efforts to renovate and utilize vacant upper floor buildings in the Downtown area.
- 3.19 The Association shall present a semi-annual report to the Agency on the progress and status of the Main Street Program.

Section 4. Status and Insurance:

- 4.1 The Agency is not by virtue of this agreement a partner or joint venture with the Association in connection with the activities carried on under this agreement and shall have no obligation with respect to any of the Association's debts or liabilities. In providing services pursuant to this agreement the Association is acting as an independent contractor. The Association represents and warrants that it is not an officer, employee, or agent of the Agency and meets the specific independent contractor standards set forth under ORS 670.600.
- 4.2 The Association shall be insured, as noted in the following and provide to Agency a current certificate for each insurance policy. Each certificate shall provide that coverage under the policy cannot be canceled and restrictive modifications cannot be made until at least 30 days prior written notice has been given to the City/Agency. Further, all required insurance policies under this agreement must be maintained by the Association and each shall provide that the insurer waives the right of subrogation against the City of Coos Bay and the Urban Renewal Agency of the City of Coos Bay, its officers, employees, and agents, and then any loss shall be payable, notwithstanding any negligence of City/Agency, its officers, employees, or agents; and be issued by a responsible insurance company which is licensed to do business in the state of Oregon.
 - 4.2.1 Liability Insurance. Association shall, at Association's expense and at all times during the term of the agreement, maintain in force a commercial general liability insurance policy. Minimum liability coverage shall be \$2,000,000 per occurrence. As the limits of liability for tort claims against public bodies under the laws of the state of Oregon are increased during the term of this agreement, Association shall increase its liability limits on such coverage in an amount proportional to such increases. Agency shall be added as an additional insured to the policy and documentation evidencing such shall be provided to the Agency.
 - 4.2.2 Personal Property Insurance. The Association, at its option, may insure Association's personal property against loss or damage from fire or another casualty. Whether or not Association insures its personal property, Association shall bear the risk of loss of its personal property on the property, and waives any claim against the City/Agency for damages to such personal property which would be covered by fire insurance with extended coverage endorsement.

Section 5. Indemnification. Association shall indemnify, defend and hold harmless City/Agency, its officers, agents, and employees from any and all claims, actions, costs, damages, judgments, and other expenses resulting from any and all injuries to any person or damage to any property caused by the negligence or other tortuous acts of the Association or the Association's officers, agents, or employees. Association shall not be responsible for claims, actions, costs, damages, judgments, and other expenses resulting from injury to persons or property that is directly, solely and proximately caused by the negligence or other tortuous acts of the City/Agency, or the City/Agency officers, agents, or employees.

Section 6. Default. The failure of the Association to comply with any term or condition of this Agreement within 20 days after written notice is received from the Agency specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Association begins correction of the default within the 20-day period and thereafter proceeds with reasonable diligence and in good faith to affect the remedy as soon as practicable.

Section 7. Remedies on Default

7.1. Termination. In the event of a default, the agreement may be terminated at the option of Agency by providing written notice to Association.

7.2. Agency's Right to Cure Defaults. If Association fails to perform any obligation under this agreement, the Agency shall have the right, but not the obligation, to perform that obligation after 30 days' written notice to Association. Any expenditure of Agency to cure any such default on the part of the Association shall be reimbursed by Association on demand with interest at the rate of 7 percent per annum from the date of expenditure by Agency. Such action by Agency shall not waive any other remedies available to Agency because of the default.

7.3. Remedies Cumulative. The foregoing remedies shall be in addition to and shall not exclude any other remedy available to City/Agency under applicable law.

Section 8. Termination. Mutual Options to Terminate and Requirement of Notice of Termination. This agreement may be terminated by either party on giving written notice of the intent to terminate to the other party not less than three months prior to the date of the intended termination, by sending the required notice to the other party. The giving of notice shall not release either Agency or Association from full and faithful performance of all terms and conditions of this agreement after the notice of termination but before the Association actually halts operations at the premises.

Section 9. Miscellaneous

9.1. Non-waiver. Waiver by either party of strict performance of any provision of this agreement shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

- 9.2. Attorney Fees. If suit or action is instituted in connection with any controversy arising out of this agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees at trial, on petition for review, and on appeal.
- 9.3. Notices. Any notice required or permitted under this agreement shall be given when actually delivered or 48 hours after deposited in United States mail as certified mail addressed to the address first given in this agreement or to such other address as may be specified from time to time by either of the parties in writing.
- 9.4. Succession. Subject to the above-stated limitations on transfer of Association's interest, this agreement shall be binding on and inure to the benefit of the parties and their respective successors and assigns.
- 9.5. Severability. If any provision of this agreement is held to be invalid by a court, such holding shall not affect any other provision of this agreement.
- 9.6. Entire Agreement. This agreement constitutes the final and complete agreement between the parties.
- 9.7. Amendments. This agreement may only be changed or modified by mutual agreement of the parties, in writing, and signed by both parties. Any attempted oral modification shall be invalid.

Approved by the Urban Renewal Agency of the City of Coos Bay and becomes affective when both entities have signed the agreement.

Urban Renewal Agency of the City of Coos Bay

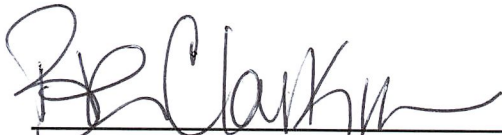


Rodger Craddock, City/Agency Manager

7-7-21

Date

Coos Bay Downtown Association



Beth Clarkson, President

7-7-21

Date

Exhibit A

Financial Best Practices

- All financial accounts shall be balanced and subsequently reviewed by the Board on a monthly basis. A detailed report of the check register shall be submitted monthly to the Board.
- A debit card in lieu of cash should be used for purchases in lieu of cash. The Coos Bay Downtown Association board uses a debit card rather than a credit card. Use of the card is limited to the president, vice-president, and treasurer and the ability to do cash withdrawals using the card is blocked.
- When events are held, at least two people should work together on the cash handling, so they can monitor and vouch for each other. Have the people handling cash, count the cash they took in at the end of the event and turn it in to the bookkeeper, along with any paper documentation of number of items sold and at how much.
- Do not sign blank checks.
- The president, vice-president, and treasurer are the authorized signers on the checking account. In accordance to the association's by-laws, only one signature is required on a check; however, all expenditures require prior approval of the board.
- The Board should review reconciliation of disbursements to invoices and bank statements.
- Do not allow any cash withdrawals in any form from the bank.
- Divide responsibilities of handling incoming funds and expenses for proper segregation of duties. For example, separate individuals should be responsible for opening mailed donations, making bookkeeping entries, and depositing the checks, respectively. This is similarly applicable to expenses in which the person who authorizes a purchase should be different from the person who writes the check.
- System controls such as using receipts with preprinted tracking numbers for incoming and outgoing money and confirming incoming invoices against the goods or services billed for ensures the individual transactions that make up the organization's cash flow have all been accounted for.
- Request a review of controls by a CPA firm to ensure that financial controls are sound and to identify areas where further structure is needed. An annual review or audit provides integrity to the financial system.
- Background checks and calling references and previous employers are essential for new employees or volunteers.

Exhibit B

Expansion of Association Area.



CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	5.

TO: Mayor Benetti and City Councilors

FROM: Nichole Rutherford, Assistant City Manager/Finance Director

THROUGH: Rodger Craddock, City Manager

ISSUE: Mayor's Appreciation Award to Tristen Reasor

SUMMARY:

Mayor Benetti is presenting Tristen Reasor the "Mayor's Appreciation Award" in an effort to formally recognize him for leadership and supervision in the renovation and repairs of the Skate Park.

ACTION REQUESTED:

No action required.

BACKGROUND:

On May 7, 2002, Mayor Joe Benetti instituted the "Mayor's Appreciation Award" in an effort to formally recognize citizens for their extraordinary contributions to our community. The recipients of the award to date are as follows:

- June 2002 - Awarded to Gloria Hillstrom in appreciation of her vision and dedication in the development of Choshi Gardens in Mingus Park.
- November 2004 - Awarded to Chuck Knight in appreciation for his thirty-eight years of service to the City during which in addition to his various positions within the police department he served as the interim city manager on two different occasions.
- March 2006 - Awarded to Gus Langley for his years of service to the City while serving on the Public Safety Committee, Planning Commission, and Parks Commission.
- November 2006 - Awarded to Teri Whitty for her contributions to community activities and projects in the City which included the Coos Art Museum, Historical Museum, and the SMART reading program.
- November 2006 - Awarded to John Whitty for his contributions to community activities and projects in the City which included the construction and operation of the Bay Area Hospital and his service related to State and local transportation committees.

- January 2009 - Awarded to Becky Soules for her dedication and service to the community involving the Marshfield Pioneer Cemetery.
- September 2014 - Awarded to the Egyptian Theatre Preservation Association and its members for to restore, preserve, reopen, and once again manage the Egyptian Theatre.
- July 2015 - Awarded to Cricket Soules for her advocacy and tireless energy to restore and preserve the Marshfield Pioneer Cemetery.
- August 2015 - Awarded to the Choshi Garden volunteers for their tireless energy to create, preserve, and beautify the Choshi Gardens.
- July 2018 – Awarded to Stacy Gulseth for leadership and supervision in the Marshfield Key Club's renovation of the park now known as Marshfield Key Club Pirate Park.

Tristen Reasor has lead a group of volunteers to perform necessary repairs to the coping at the Skate Park located at North 8th Street and Commercial Avenue. The repairs began in late June and are expected to be completed in mid-August. The materials necessary for the repairs were purchased courtesy of a generous donation from Alternative Your Activities program. Mr. Reasor, and his team have donated several hundred hours of labor to complete the necessary repairs.

BUDGET IMPLICATIONS:

None.

ATTACHMENT(S):

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	6.

TO: Mayor Benetti and City Councilors

FROM: Jackie Mickelson, Executive Assistant

THROUGH: Rodger Craddock, City Manager

ISSUE: Presentation of Appreciation of Service Plaque for Councilor Phil Marler

SUMMARY:

Councilor Phil Marler began his term as a Council member on November 15, 2016 serving for a total of five years on the Council.

ACTION REQUESTED:

If it pleases Council, present the appreciation of service plaques to Councilor Phil Marler for his dedicated service to the City of Coos Bay.

BACKGROUND:

Councilor Phil Marler served as a city councilor from 2016 - 2018, council president from 2018 - 2021, and as a city council representative on various boards during his term of office. Furthermore, he served on the Budget Committee from 2010 - 2016 and the Planning Commission from 1996 - 1999.

BUDGET IMPLICATIONS:

The cost of a plaque.

ATTACHMENT(S):

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	7.

TO: Mayor Benetti and City Councilors

FROM: Executive Assistant Jackie Mickelson

THROUGH: City Manager Rodger Craddock

ISSUE: Consideration of City Councilor Appointment to Fill an Unexpired Term

SUMMARY:

Council President Phil Marler announced he would be moving from the Coos Bay area and would be stepping down from the Coos Bay City Council. Staff advertised the unexpired term opening and received applications and letter of interest from Richard Baxter, Jim Kingsley, Sara Stephens, and Wim de Vriend.

ACTION REQUESTED:

If it pleases Council, cast ballots for the appointment to fulfill Councilor Marler's unexpired term ending November 2022.

BACKGROUND:

Council President Phil Marler recently announced that he would be moving out of the area and would be stepping down from the Coos Bay City Council. He added that his last Council meeting would be August 17th. The Council agreed to fill Councilor Marler's unexpired term through an application process, so staff advertised the opening with a deadline of July 30, 2021 for submitting an application and letter of interest. Applications were received from four Coos Bay residents.

BUDGET IMPLICATIONS:

None.

ATTACHMENT(S):

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

This item was previously discussed at City Council meeting on 6/15/2021

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	8.

TO: Mayor Benetti and City Councilors

FROM: Carolyn Johnson, Community Development Administrator

THROUGH: Jim Hossley, Public Works and Community Development Director

ISSUE: Revision to Department of Land Conservation and Development Grant Funding Application Related to Housing Needs Assessment

SUMMARY:

Council Goal 5, Economic Development, includes: **Explore the Urban Growth Boundary (UGB) and its relationship to possible annexation opportunities.**

With Council authorization, the City has an opportunity to apply for DLCD funding for explore this project as an alternative to update to the 2020 Housing Needs Assessment described in the Background section of this report. The application deadline to submit an alternative application is August 31, 2021. A Council letter of support is attached.

It is anticipated that if funded, the project assessment would include opportunities and constraints for future UGB and annexations, the City's criteria and expectations for new lands in the UGB and in annexed areas, Comprehensive Plan and Development Code update work and necessary information and requirements for future UGB and annexation applications.

ACTION REQUESTED:

If it pleases Council, authorize modification of grant application and issuance of letter for explanation of alternative project.

BACKGROUND:

The City successfully applied for a \$28,000 DLCD technical assistance grant for a Housing Needs Assessment (HNA) related to HB 2001 and HB2003 housing goals. Lane Council of Governments (LCOG) worked with the City to complete the HNA; which was then used as baseline data to build the Housing Pre-Production Strategy and Comprehensive Plan and Development Code amendments. The HNA is a part of the recently adopted Comprehensive Plan.

The HNA analysis included a 2020 City approved 447 unit manufactured home park to

provide a lion's share of the needed low- moderate income housing for the coming years. Consequently, the 2020 HNA notes a modest need for workforce and lower income housing needs.

The manufactured home park project applicant intends, subject to City approval of a Planned Unit Development (PUD), to abandon the manufactured home park project in favor of subdividing the project site and future construction of 400 stick-built homes beginning at about at a minimum \$299,000 price point. Upon approval of the PUD, the current HNA will no longer be accurate as the HNA included the 447 manufactured homes in the projection of units to be developed affordable for low to moderate income individuals and families. The proposed modification to the Manufactured Home Park approval will essentially void the projection of more modestly priced units anticipated in the City over the life of the HNA.

If and when the City seeks to consider future UGB boundary expansion and annexation requests, an accurate identification of housing needs of all income groups will be required with an update of the HNA and Comprehensive Plan.

State Planning Goal 10 requires cities to plan for future housing needs by providing opportunities for the development of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon households. It also requires that cities allow for flexibility of housing locations, types, and densities. In other words, cities are required to ensure that there is enough land within their urban growth boundary (UGB) to meet these needs for a 20-year period. Housing needs for families and individuals of all incomes must be accurate prior to any future UGB expansion or annexation.

With consideration to information received by DLCD, approval of the current \$40,000 grant application request is unlikely. A Housing Needs Assessments have a typical life of 5+ years and the City's HNA was just completed. However DLCD staff has indicated they will accept a request from the City for modification to the current application with a simple letter and explanation of an alternative project.

BUDGET IMPLICATIONS:

None.

ATTACHMENT(S):

- ▢ Letter of support



500 Central Ave
Coos Bay, Oregon, 97420
541-269-8918
www.coosbay.org

August 17, 2021

Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Subject: Support of modification request for grant funding for Coos Bay

The Coos Bay City Council supports an amendment to a previously submitted grant application for the revision of the 2020 Coos Bay Housing Needs Assessment. The City's recent Comprehensive Plan update work reveals a need to address a 2021-2023 Council goal to explore the Urban Growth Boundary (UGB) and its relationship to possible annexation opportunities.

If funded, the project assessment would include identification of opportunities and constraints for future UGB expansion and annexations, the City's criteria and expectations for new lands in the UGB and in annexed areas, and Comprehensive Plan and Development Code update work and identify necessary information and requirements for future UGB and annexation applications.

It is understood that if and when the City considers future UGB boundary expansion and annexation requests, an accurate identification of housing needs of all income groups will be required with an update of the HNA and the Comprehensive Plan.

For any questions, please contact Carolyn Johnson, Community Development Administrator at 541-269-8924 or cjohnson@coosbay.org.

Sincerely,

Joe Benetti
Mayor

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	9.

TO: Mayor Benetti and City Councilors

FROM: Nichole Rutherford, Assistant City Manager/Finance Director

THROUGH: Rodger Craddock, City Manager

ISSUE: Public Hearing to Consider Adoption of Supplemental Budget - Approval Would Require Adoption of Resolution #21-22

SUMMARY:

It is anticipated during the fiscal year that several supplemental budgets will be brought forward for consideration to adjust the budget based upon operational needs. Reasons for a supplemental budget include appropriating grant funding not included in the budget, appropriating additional carryover balance from the prior fiscal year that was more than budgeted and are needed to meet operational needs, reallocating funds within categories, and appropriating new funds.

ACTION REQUESTED:

If it pleases Council, after holding a public hearing, adopt Resolution 21-22 authorizing a supplemental budget appropriating additional funds for fiscal year 2021-22.

BACKGROUND:

The City of Coos Bay has complied with the provisions of ORS 294.338(2) which allows for appropriation of funds by resolution only for unforeseen specific purpose grant funds received; the governing body, at a regularly scheduled meeting, shall adopt a resolution stating the need, purpose, and amount of the appropriation. Additionally, the City of Coos Bay has complied with the provisions of ORS 294.471 which allows for appropriation of funds and adjustment of a fund's expenditures by less than ten (10) percent of total fund expenditures; the governing body, at a regularly scheduled meeting, shall adopt a resolution stating the need, purpose, and amount of the appropriation; and provide notice of a supplemental budget at least five days before the meeting.

The City has been awarded a \$25,000 Oregon Community Foundation grant to support Mingus Pool operations; and has been approved for a \$100,000 Business Oregon loan with an award of a \$100,000 matching grant to support repair and/or replacement of tidegate infrastructure. The City was previously awarded a Community Development Block Grant through Business Oregon for housing rehabilitation which was anticipated to have been fully expended during the 2020-2021 fiscal year, however, due to several challenges related to the

pandemic and staff turnover at Neighborworks Umpqua (grant administrator), receipt and expenditure of grant funds will not be occurring until the current fiscal year.

BUDGET IMPLICATIONS:

The appropriations allow for approved expenditures within the budget for transparency.

ATTACHMENT(S):

- ▣ Resolution #21-22

City of Coos Bay

Resolution 21-22

A RESOLUTION AMENDING THE 2021-2022 FISCAL YEAR BUDGET OF THE CITY OF COOS BAY, COOS COUNTY, OREGON

WHEREAS, the City of Coos Bay has been awarded a \$25,000 Oregon Community Foundation grant to support Mingus Pool operations; and has been approved for a \$100,000 Business Oregon loan with an award of a \$100,000 matching grant to support repair and/or replacement of tidegate infrastructure; and,

WHEREAS, the City of Coos Bay has complied with the provisions of ORS 294.338(2) which allows for appropriation of funds by resolution only for unforeseen specific purpose grant funds received; the governing body, at a regularly scheduled meeting, shall adopt a resolution stating the need, purpose, and amount of the appropriation; and

WHEREAS, the City of Coos Bay was previously awarded a Community Development Block Grant through Business Oregon for housing rehabilitation which was anticipated to have been fully expended during the 2020-2021 fiscal year, however, due to several challenges related to the pandemic and staff turnover at Neighborworks Umpqua (grant administrator), receipt and expenditure of grant funds will not be occurring until the current fiscal year; and,

WHEREAS, the City of Coos Bay has complied with the provisions of ORS 294.471 which allows for appropriation of funds and adjustment of a fund's expenditures by less than ten (10) percent of total fund expenditures; the governing body, at a regularly scheduled meeting, shall adopt a resolution stating the need, purpose, and amount of the appropriation; and provide notice of a supplemental budget at least five days before the meeting; and,

WHEREAS, the funds shall be appropriated as shown below:

GENERAL FUND

Source

State Grants	\$	500,000
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Use

General Government	\$	500,000
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WASTEWATER IMPROVEMENT FUND

Source

State Grants	\$	100,000
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Business Oregon Loan		100,000
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Use

Capital Outlay	\$	200,000
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CAPITAL IMPROVEMENT FUND

Source

Private Grants/Donations	\$	25,000
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Use

Capital Outlay		25,000
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The foregoing resolution was duly adopted by the City Council of the City of Coos Bay, Coos County, Oregon this 17th day of August 2021.

Joe Benetti, Mayor

ATTEST:

Nichole Rutherford, Recorder

CITY OF COOS BAY CITY COUNCIL

Agenda Staff Report

This item was previously discussed at Joint URA/Council Worksession on 3/2/2021

MEETING DATE	AGENDA ITEM NUMBER
August 17, 2021	10.

TO: Mayor Benetti and City Councilors

FROM: Carolyn Johnson, Community Development Administrator

THROUGH: Jim Hossley, Public Works and Community Development Director

ISSUE: Consideration to Extend Marijuana Business License Moratorium

SUMMARY:

On March 2, 2021, Council extended a moratorium on new business licenses for marijuana businesses to September 1, 2021. Council also directed Planning Commission review and recommendations regarding Coos Bay Municipal Code (CBMC) 17.335.080, Indoor Marijuana-related Businesses.

Notification to the Department of Land Conservation and Development (DLCD) of proposed Development Code regulations is required 35 days ahead of the first public hearing on Development Code changes. The submission of notification on potential changes to DLCD was not timely. For this reason, the Council's first public hearing on the matter cannot occur until October 5; however the subject is also scheduled for Council's September 28, 2021 work session.

The moratorium on new marijuana business licenses is scheduled to expire September 1, 2021. Council should determine whether the moratorium should be extended until the public hearing process can be completed. If the Council takes action on October 5 to adopt and ordinance revising 17.335.080 regulations, the ordinance would go into effect on November 5.

ACTION REQUESTED:

If it pleases Council, consider options as presented by staff:

- 1) Extending the marijuana business license until November 5, 2021.
- 2) Allowing the moratorium to expire on September 1.
- 3) Another option determined by Council.

BACKGROUND:

The Planning Commission met August 10, 2021 and reviewed the Development Code regulations regarding marijuana pursuant to Council direction and developed a consensus

opinion and recommendations. Four of the seven commissioners were present at the August 10 meeting, and three commissioners concurred that the 1,000 foot distance requirements in 17.335.080 should be stricken. The Commission unanimously recommended that a definition for marijuana be added to the Development Code and that two other definitions suggested by staff be adopted. Planning Commission meeting minutes with more detail will be provided to Council on October 5 at the public hearing on this matter.

BUDGET IMPLICATIONS:

None.

ATTACHMENT(S):