



CITY COUNCIL AGENDA
March 14, 2016, 6:30PM
Regular Meeting

CITY COUNCIL CHAMBERS, CITY HALL
 29592 ELLENSBURG AVE
 GOLD BEACH OR 97444

NOTE: THE COUNCIL WILL MEET IN EXECUTIVE SESSION AT 6:00 PRECEDING THE REGULAR MEETING. THE EXECUTIVE SESSION MAY/MAY NOT GO PAST 6:30. IF THE DOORS TO THE COUNCIL CHAMBERS ARE STILL CLOSED AT 6:30 THE EXECUTIVE SESSION IS STILL IN PROGRESS. ONCE THE EXECUTIVE SESSION HAS CONCLUDED THE MAYOR WILL ANNOUNCE THAT THE REGULAR MEETING WILL BEGIN AND INVITE THE PUBLIC INTO THE CHAMBERS. THANK YOU.

Call to order: Time: _____

1. The pledge of allegiance
2. Roll Call:

	Present	Absent
Mayor Karl Popoff		
Council Position #1 Melinda McVey		
Council Position #2 Larry Brennan		
Council Position #3 Becky Campbell		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
STARTING VOTE		
City Administrator Jodi Fritts		
Student Liaison VACANT		

3. **Special Orders of Business:**
 None Scheduled

4. **Consent Calendar:**
 None Scheduled

5. **Citizens Comments**
 As presented to the Mayor at the beginning of the meeting

6. **Public Hearing**
 None scheduled

7. **Citizen Requested Agenda Items**
 None Scheduled

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community

8. Public Contracts and Purchasing

- a. Bid review and possible award of contract for removal of Dangerous Building at 29448 Russell Street

9. Ordinances & Resolutions

- a. R1516-07 a resolution awarding a contract to abate dangerous building

10. Miscellaneous Items (including policy discussions and determinations)

- a. Request by Mayor to Review Request from Curry County regarding possible land "gifts"
- b. Policy guidance for Water Rate Study

11. City Administrator's Report

To be presented at the meeting

12. Mayor and Council Member Comments

- a. Mayor Karl Popoff
- b. Councilors
 - 1) Melinda McVey
 - 2) Larry Brennan
 - 3) Becky Campbell
 - 4) Doug Brand
 - 5) Tamie Kaufman
- c. Student Liaison, Vacant

13. Citizens Comments

As permitted by the Mayor

14. Executive Session

The Council will meet in Executive Session at 6:00PM preceding the regular council meeting. The executive session will be held pursuant to ORS 192.660 (2)(f) To consider information or records that are exempt by law from public inspection, including written advice from our attorney.

The next scheduled meeting of the Gold Beach City Council is **Monday, April 11, 2016, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

15. Adjourn Time: _____

The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call 541-247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of discrimination should be sent to: USDA, Attention Director, Office of Civil Rights, Washington, D.C. 20250-9419

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PUBLIC CONTRACTS & PURCHASING



SECTIONS 8 & 9

Public Contracting & Purchasing / Ordinances & Resolutions

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 8. a./9. a.

Council Hearing Date: March, 14 2016

TITLE: Review of bids for Dangerous Building abatement: 29448 RUSSELL ST

SUMMARY AND BACKGROUND:

MARCH 2016

UPDATE: At the February meeting the Council directed me to contact the two lowest bidders and ask if they wanted to revise their bids to include filling in the daylight basement. Sandy's Backhoe decided to withdraw their bid after further consideration. I didn't hear back from the other bidder.

I was out of town part of February and I dropped the ball on following through on this. I apologize that I was not able to arrange another meeting before this one for you to decide on which (if any) of the contractor to award the bid to.

On a related note: Councilor Kaufman had made a request for me to consult with the attorney on our ability to foreclose on the 1st Street property we abated last year. The information I received from the attorney may affect your decision on this matter.

REGARDING THE 1ST STREET PROPERTY: We received a notice from the lien holder that they would be foreclosing on the property in June. I asked Ms. Sommers what that meant to our city liens and also other abatement liens. Here is her discussion on the lien matters:

Regarding Lien Priority

Generally, the rule for liens is "first in time, first in right." The lien that is recorded first has the highest priority. This is true unless state law changes the order of lien priorities (for example, County tax liens take priority over all other liens, regardless of when they are recorded). It looks like the mortgage lien was recorded before the City's abatement lien, so the mortgage lien probably takes priority. That means that the mortgage lender gets fully paid from the proceeds of the sale of the property. If the proceeds from the sale are equal to or less than the amount of the mortgage lien, the mortgage lender gets everything. If there are extra proceeds, the junior lienholders are paid in order of their priority. It looks like the mortgage lender has a lien for about \$20,000 on this property. If the property sells for more than that, the City could get some or all of its money back. There is an argument, based on your Code, that the City's lien actually takes priority



SECTIONS 8 & 9

Public Contracting & Purchasing / Ordinances & Resolutions

over the mortgage holder's lien. Your Code provides that abatement liens will be created and enforced in the same manner as liens for street improvements. Both your Code and ORS 223.230 provide that liens for public improvements take priority over all other liens.

Ms. Sommers said however, that case law doesn't really back this up and we would likely have to go to court to fight for our right to the proceeds. Since our lien is in the ballpark of \$8,000, legal fees to fight the lien priority would quickly outpace the actual lien so for practical purposes our lien doesn't take priority.

Once the foreclosure sale goes through, the City's lien will be extinguished.

Can the City Foreclose on a Property on which it has placed a Lien?

Yes, the City can foreclose its own liens, but a foreclosure often won't make fiscal sense for the City unless the lien is very large. There are costs associated with a foreclosure, even if the City doesn't have to go to court, and those costs will eat away at any profits the City will make from a foreclosure sale. In addition, the City could end up with a piece of property it doesn't want, and then have to figure out a way to deal with it or sell it. Cities do foreclose on properties sometimes, but it probably doesn't make financial sense unless the lien is very large (tens of thousands of dollars).

Abatement Action Calculus

The upshot of all this is that when the City is considering an abatement action (especially when the nuisance property is likely to be the subject of a foreclosure) the City should be prepared not to get its money back. It may still be worth it to go through with the abatement for the public good, and it is certainly worth it to try to lien the property, but especially if the property is not worth much there is a solid chance that the City will not be reimbursed for the cost of abatement, so that should be part of the calculus.

So circling back to this particular abatement, Councilor Kaufman has expressed her concern several times that if the City proceeds with these abatements that it is likely we will never see the \$\$ on the back end—for practical purposes she is correct—even with a lien we will probably never recoup our \$\$\$. But on the flipside, that risk has to be balanced against the Council's desire for public good/safety. This property on Russell Street is in much the same situation as the 1st Street property—low value and already in foreclosure. My guess is that whatever the mortgage company can sell the property for is not going to cover their note so if we do abate this property we probably will see no reimbursement even if we do lien the property.

Sorry, but it's a tough decision either way...



SECTIONS 8 & 9

Public Contracting & Purchasing / Ordinances & Resolutions

REQUESTED MOTION/ACTION:

Discuss and decide how to proceed with the abatement. If the Council decides to proceed, then review the bids again--minus Sandy's Backhoe, and determine which contractor to award the contract to.

SUGGESTED MOTION:

I make the motion to adopt Resolution R1516-07, a resolution awarding a contract to abate the Dangerous Building located at 29448 Russell Street.

FEBRUARY 2016

UPDATE FROM FORECLOSURE COMPANY: Attached is an email from the foreclosure company. They said a contractor was coming from Springfield to clean-up the property this past week. I did a site visit Saturday and very little has been done. It appeared to me the only thing different was that the old refrigerator was gone. Nothing else looked changed.

Pursuant to Section 5.385 of the City Code, the Council directed me at the January 2016 meeting to advertise for bids for abatement of the Dangerous Building located at 29448 Russell Street. The advertisement stated the Council was seeking bids for the following work:

- 1) Removal of the structure,
- 2) General clean-up of the area under and around the structure,
- 3) Removal of the debris on the lot,
- 4) Securing of the utilities services

Attached is a copy of the notice that was published in the paper to solicit the bids. The bidding process was open until 5PM on Friday, February 5th.

At the close of the bidding we received a total of five bids. I have attached the bid proposals and provided a brief narrative on each bid. Because this is not a Public Works contract, the Council has more latitude in deciding which bid to award--meaning the Council is not required to accept the lowest bid simply on cost. The Council has the latitude to determine which proposal most closely matches the desires of the Council in regards to the clean-up and safety of the parcel.

BID #1: Duane Rath Excavating BID: \$19,740

Rath provided a bid for all four work items. He included a copy of his Oregon CCB license and City of GB business license (for brevity I only included bid)



SECTIONS 8 & 9

Public Contracting & Purchasing / Ordinances & Resolutions

WITHDRAWN BID #2: Sandy's Backhoe & Construction BID: \$6,075

Sandy's provided a bid for all four work items

BID #3: Agness Company BID: \$9,792

Agness Company provided a bid for all four work items. They included a copy of their Oregon CCB license and a copy of their bid bond

BID #4: Benny Hempstead Excavating, Inc. BID: \$13,850

Hempstead provided a bid for all four work items. Hempstead also included former demolition experience and references, current CCB license, City of GB business license, a copy of their Public Works bond, and a copy of the current liability insurance.

BID #5: Halco Contracting LLC BID: \$32,525

Halco provided a bid for all four work items.

All of the contractors are licensed and bonded and we have hired all of them in the past for various public works projects. All of the contractors have the equipment and ability to perform the work. I have included a resolution to award the contract which we can insert the contractor name to award.

**ADVERTISEMENT FOR BIDS FOR
BUILDING REMOVAL & SITE CLEANUP**

The **Gold Beach City Council** is soliciting bids from licensed contractors for the removal of a council determined "dangerous building" and the general clean-up of the parcel surrounding the building.

The "dangerous building" is an abandoned stick built single-family dwelling. It appears there is basement or day-light basement under the structure. There is a significant amount of debris within and surrounding the structure.

The council seeks an itemized bid for:

- 1) removal of the structure,
- 2) general clean-up of the area under and around the structure,
- 3) removal of debris on the lot,
- 4) and the securing of the utilities serving the parcel (capping off sewer and water connections, and making electric service safe after disconnection).

The address of the parcel is:
29448 Russell Street in Gold Beach

Licensed contractors may bid on all or part of the work needed. Bids should be detailed and include a narrative of any additional work the contractor feels necessary to accomplish the removal and clean-up of the lot.

Bids must include the contractor's name and DBA (if any), mailing address, phone number, and contractor's license number and bond info. The Council will be accepting bids until Friday, February 5, 2016, and will review and discuss the bids at the February 8th Council meeting.

If you have questions about this Advertisement for Bids please direct them to City Administrator, Jodi Fritts: jfritts@goldbeachoregon.gov, 541-247-7029

Ad shown is not actual print size

DUANE RATH EXCAVATING
 28408 HUNTER CREEK HGTS
 GOLD BEACH, OR 97444
 (541) 247-7983
 CCB# 75977

Bid Proposal

Date	Bid #
1/31/2016	4538

Name / Address
City Of Gold Beach 29592 Ellensburg Ave. Gold Beach Oregon 97444

RECEIVED

FEB 01 2016

CITY OF GOLD BEACH

			Project
Description	Qty	Rate	Total
1) Removal of Structure:			
35 yd Roll Off Containers	7	1,040.00	7,280.00
EX 135 Equipment time	30	100.00	3,000.00
Obtain County Demolition Permit			
Koos Environmental Services-Asbestos Inspection	1	800.00	800.00
*(Asbestos cleanup not included in this bid)			
Subtotal			11,080.00
2) General clean-up of the area under and around the structure:			
EX 135 Equipment time	5	100.00	500.00
35yd Roll Off Container	1	1,040.00	1,040.00
Concrete Disposal	10	150.00	1,500.00
ZX-50 with Hammer-Break up foundation	10	100.00	1,000.00
Subtotal			4,040.00
3) Removal of debris on the lot:			
35 yd Roll Off Containers	3	1,040.00	3,120.00
EX 135 Equipment time	10	100.00	1,000.00
Subtotal			4,120.00
4) Securing of the utilities services:			
EX 135 Equipment time	5	100.00	500.00
* This bid includes Asbestos Inspection Only. Does not include Asbestos removal if any is found.			
If awarded this contract please sign below and include a check for \$9000.00 deposit for CTR fees and environmental inspection. Balance due upon completion.			
Signed _____		Date _____	
Demolition & Clean-Up Bid for 29448 Russell Street, Gold Beach, OR			Total \$19,740.00

AGNESS COMPANY

4236 AGNESS ROAD

AGNESS, OR 97406

bowen@agnesscompany.com

www.agnesscompany.com

Phone 541-247-6215 Fax 541-247-4345

February 4, 2016

OR CCB#71876 DEQ#37752 O&M#39

RECEIVED
FEB 04 2016
CITY OF GOLD BEACH

To: Gold Beach City Council
From: Larry Bowen

Re: Bid for building removal and site clean-up at 29448 Russel Street, Gold Beach

This bid is prepared with the understanding that the city will provide an asbestos abatement letter of certification to provide Curry Transfer and Recycling. CTR requires this prior to delivering dumpsters to this site.

All debris from demolition of the structure and grounds clean-up, including the 8'x16' shed will be placed in the CTR dumpsters and disposed of appropriately by CTR.

The bid does not include removal of the motor home in the driveway. However, the motorhome would be moved to access the basement of the house. After the clean-up is complete, the motorhome would be returned to the driveway.

As per the request of the itemized bid:

Item#1 Removal of the structure

Includes all labor and equipment to demolish the wood frame house including decks, ramps and chimney.

All the wood and debris will be placed in the CTR dumpsters. The chimney will be hauled in a dump truck. All windows and interior glass will be removed by hand prior to demolishing the structure with a 44,000 LB excavator.

The foundation will be left intact.

I would recommend attaching construction barricade fencing to the east and north ends of the remaining foundation walls to help provide safety warning and limit access to the top of the wall and reduce fall potential into the basement from the top of the wall.

CTR charges an average of \$30/cubic yd for construction debris, when you add up the various costs they apply delivering and removing the dumpsters.

My yardage estimate is as follows:

house & floor 38 cy; exterior walls 29.6 cy; ceiling 15.6 cy; roof 23.7 cy;
interior walls 9.4 cy; counter, cabinets, sinks, shower, toilet, tub 4 cy;
trash, furniture, appliance 14 cy; decks and ramp 7.1 cy; basement 6 cy

AGNESS COMPANY

4236 AGNESS ROAD
AGNESS, OR 97406
bowen@agnesscompany.com

www.agnesscompany.com

Phone 541-247-6215 Fax 541-247-4345

OR CCB#71876 DEQ#37752 O&M#39

Summary Item #1

Dumpster: 147.4 cy @ \$30 = \$4422 (CTR cost)

Labor and equipment Cost \$3660

2 laborers for 2 days

1 equipment operator for 2 days

1- 44,000 LB excavator for 2 days

1- 10,000 LB excavator for 2 days

1 – 10cy dump tuck for 1 day

move in and out of equipment

Sub-total \$8,082 for Item #1 and #2

Item #2 General clean-up of the area under and around the structure

Removal of the structure will result in some of the material falling into the basement. The costs for this cleanup and the area around the house are included in item#1.

Item #3 Removal of debris on the lot

Debris around the north end of the structure up to the property line, including the 8"x16" shed and its contents. This includes mowing blackberries.

Dumpster: 20cy x \$30/cy = \$600 (CTR cost)

Labor and equipment \$760

Sub-total \$1,360 for Item #3

Item #4 Securing and capping utilities

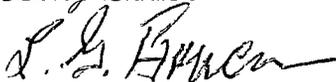
Sub-total \$350 for Item #4

SUMMARY

Item 1 and 2	\$8082
Item #3	\$1360
Item #4	<u>\$350</u>
Total	\$9792

Thank you,

Larry Bowen



Benny Hempstead Excavating, Inc.

93716 Hackett Lane
Coos Bay, OR 97420
CCB #120613
(541) 269-0254
(541) 269-5346 fax
hempstead@epuerto.com

February 4, 2016

City of Gold Beach
Jodi Fritts-Matthey
29592 Ellensburg Way
Gold Beach, OR 97444

RECEIVED

FEB 04 2016

CITY OF GOLD BEACH

RE: Building Removal & Site Cleanup
29448 Russell Street, Gold Beach

Jodi:

We are pleased to offer a bid price of \$13,850.00 for demolition and disposal of the residential structure located at 29448 Russell St. The price breakdown as listed below:

1. Removal of the Structure	\$6,000.00
2. General clean-up of the area under/around	\$2,000.00
3. Removal of Debris on the lot	\$2,000.00
4. Securing site Utilities	\$ 250.00
5. Site Grading, consistent slopes	\$1,650.00
6. Import Fill materials to fill basement void	\$1,200.00
7. Abatement Survey	\$ 750.00

Scope of work includes: Permits; Mobilization of tools and equipment; Traffic Control; Abatement Survey; Demolition of wood framed building and disposal of all associated debris; Demolition of concrete foundation/basement to include removal of all concrete materials from the site; Removal and disposal of all loose debris on the property; Removal and disposal of shrubs, brush and landscape items for a clear, clean lot; Capping of Sewer Lateral; Removal of water service to meter box; Import fill to establish a neat slope minimizing potential for sluffing or erosion; Erosion Control seeding and straw mulching of disturbed soils;

Trucks will be cleared of any loose debris prior to exiting the project site and tarped as required. No loose debris will be allowed to leave the site without proper containment.

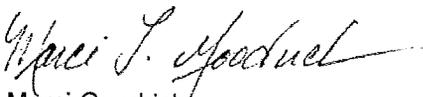
Prices Exclude: Hazardous Materials; Unknown Underground Structures; Removal and/or Disposal of Motorhome; Removal of exterior concrete slab (under motorhome).

Disposal of all resulting debris will be to a licensed landfill. To the greatest extent, any concrete or aggregate product will be recycled.

Our estimated construction schedule is 2-3 days on site. All work to be completed within 30 days of award.

Thank you for the opportunity to quote this project. Please feel free to call with any questions.

Sincerely,


Marci Goodrich
Estimator/Project Manager

Attached: CCB, City Business License, Corporate Bond (copy), Certificate of Insurance

Benny Hempstead Excavating, Inc.

93716 Hackett Lane
Coos Bay, OR 97420
CCB #120613
(541) 269-0254
(541) 269-5346 fax
hempstead@epuerto.com

DEMOLITION EXPERIENCE:

We are experienced demolition contractors performing all aspects of land based demolition activities. Following is a brief list of multi-story structure demolition projects with business references.

Project: Lincoln School Demo

Owner: City of Coquille, Ben Marchant, City Manager 541-396-2115

Year: 2014

Structure: 75'x100', Three-Story, Concrete and Wood Framed, School Building.

Project Constraints: The structure was located in an active school zone and shared playground. The structure had a full below grade basement that was to be removed to 3' below finish grade limiting access to the interior. The concrete was separated from the wood on site, pulverized and placed back into the basement to fill the void. An underground

Project: Bill's Place

Owner: Gerald Marca, Owner Marca Electric 541-396-5271

Year: 2014

Structure: 100'x40', Three-Story, Brick Construction with interior wood framing, Multi use structure, built in 1918.

Project Constraints: The structure was built using an adjacent structure's exterior wall and as a load bearing support wall. The basement was below grade. The main level of the structure was at street level and was an open floor. The upper story was a residential, apartment style structure. The building was unsound and unstable. The brick was separated from the wood and used as fill within the basement. An abatement survey was conducted and all abatement services were performed.

Project: Lockhart Building

Owner: City of Coos Bay, Randy Dixon 541-260-4580

Year: 2010

Structure: 100'x100', Three-Story, Wood Framed, Multi use structure.

Project Constraints: The structure was located in an active business district, attached to adjacent structures scheduled to remain. The structure was in disrepair, unstable and rotten. The only access point was from the street under traffic, over the sidewalk and planter area. An abatement survey was conducted and all abatement services were performed. The site was cleared and leveled and a storm system installed.

Project: Coos Bay Fire Station

Owner: City of Coos Bay, Randy Dixon 541-260-4580

Year: 2010

Structure: 100'x60', Two-Story, Concrete structure.

Project Constraints: The structure had a large flat roof, clear span, tall concrete walls 10" thick, several partition walls, and a 16" thick concrete floor with piling. It was situated between two adjacent structures with less than 5' between. All access was from a narrow front lot on the corner of a busy intersection. An abatement survey was conducted and all abatement services were performed. The site was cleared and leveled and a storm system installed.

Project: **Waterfront Hotel**

Owner: Tom Cottrell, Owner Best Western Motels

Year: 2009

Structure: 100'x50', Three-Story, Wood Framed, Apartment Style structure with a brick veneer, 40' tall, built in 1889.

Project Constraints: The structure was constructed with 1" of air space on both north and south sides. The structure to the south was taller, while the structure to north was shorter. The east side wall was on the bay front and inaccessible. The structure was in solid condition. Upon removal of the structure the site required fill and leveling. An abatement survey was conducted and all abatement services were performed.

Project: **First United Methodist Church, North Bend**

Owner: First United Methodist Church

Year: 2013

Structure: 100'x40' 50'x80', Three-Story, Wood Framed Church with a full concrete basement.

Project Constraints: The structure was burnt and unstable. It had been open and exposed to the elements for several months. Mold was heavily prevalent along with standing water in the basement. The structure was attached by concrete walks to a retaining wall on the east side. The retaining wall leaned into the project limits and was scheduled to remain untouched. Upon completion of the demolition, the concrete basement was pulverized and placed as fill. The remaining void was filled with clean import materials, capped with topsoil and seeded.

Additional information can be provided as requested. We have a substantial list of residential and smaller scale commercial demolition projects. We have the equipment and knowledge to perform demolition of shared structures, partial demolition, and demolition to include removal of the structure leaving the foundation. We are experienced in working on varying slopes and near large voids. We have an excellent safety record.

REFERENCES in Yellow

RECEIVED

FEB 05 2016

**Proposal and Contract
Residential Building Construction and Alteration**

CITY OF GOLD BEACH

Proposal # 16003

Date: 2/04/2016

Submitted To: Jodi Fritz City Admin.

Job Site: 2948 Russell St. Gold Beach

We will supply all materials, equipment and labor as necessary to complete the following: Removal of abandoned structure at above address. 1. Removal of all debris from property. 2. Removal of structure, concrete block and floor. 3. Removal of shed and unknown contents. 4. Utilities will be removed by appropriate company. 5. Removal of brush.

All above work shall be completed in a professional like manner according to the drawings project specifications. Terms and conditions of this contract attached. For the sum of _\$32,525.00_ Permit fees are not included. A down payment of 50% _\$ 0_ will be required. Balance due upon completion. If payment is not received when due a 1.5% LATE FEE will be assessed (monthly). Additional work requires owners written authorization.

The price quoted is good for 10 days, Delay in acceptance will require a verification of prevailing labor and material costs. This offer becomes a contract upon acceptance by contractor but shall be invalid if not executed within 20 days from the date above.

Workmanship is warranted to construction industry standards.

Thank you. If you have any questions please do not hesitate to call 541 815 9036.

Halco Contracting LLC : CCB#: 162965
Hal Ohler President/Owner
16063 Driftwood Ln.# 9
Brookings Oregon 97415
541 815 9036

Acceptance: You are hereby authorized to furnish all materials and labor required to complete the work according to the drawings, project specifications, terms and conditions attached, for which we agree to pay the amounts itemized above. I hereby acknowledge receipt of these Oregon CCB notices: Consumer Protection Notice: Notice Of procedure, and Information Notice to owned about Construction Liens.

Owner _____ Date _____

Contractor Hal Ohler _____ Date: 2/04/2016 _____

Note: Lead-based paint testing may be required on homes build pre-1978, at an additional cost to the customer. The testing must be performed by a licensed EPA-Certified Lead Inspector, and removed by a licensed Lead base paint renovator.

Note: IF it is necessary to refer this account for collection, buyer agrees to pay seller reasonable attorney fees and collection costs, including any collection fees charged by a collection agency, even though no suit or action is filed..If a suit or action is filed the amount of such reasonable attorney's or collection charges shall be fixed by the court or courts in which the suit or action including any appeal therein is tried, heard or decided.



ORDINANCES & RESOLUTIONS

RESOLUTION R1516-07

**A RESOLUTION TO AWARD A CONTRACT TO ABATE A DANGEROUS BUILDING LOCATED AT
29448 RUSSELL STREET**

WHEREAS, the City Council held a Dangerous Building Hearing on September 14, 2015 pursuant to City Code Section 5.370 regarding a structure located at 29448 Russell Street; and

WHEREAS, after formal notice of the Dangerous Building determination, the property owner failed to abate the Dangerous Building as order by the Council; and

WHEREAS, the Council, pursuant to City Code Section 5.385, ordered the Dangerous Building abated and filed a statement with the City Administrator of the specific work to be performed and directed the City Administrator to advertise for bids for the work to be performed; and

WHEREAS, the City Administrator advertised the work to be performed in a paper of general circulation and solicited interested bidders for removal of the Dangerous Building and clean-up of the surrounding property; and

WHEREAS, Five individual bidders submitted bids for consideration for the project, but after further consideration one bidder withdrew their bid, and

WHEREAS, the City Administrator presented the four submitted bids to the City Council for their consideration; and

WHEREAS, the City Council after reviewing the four bids chose _____ with a total bid of \$_____ to perform the advertised work; and

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Gold Beach, awards the contract for removal of the Dangerous Building and clean-up of the surrounding property located at 29448 Russell Street to: _____ and authorizes the City Administrator to execute all documents related to the project.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 14th day of March, 2016.

Karl Popoff, Mayor

ATTEST:

Jodi Fritts, City Administrator/City Recorder



MISC. ITEMS

**INCLUDING POLICY DISCUSSIONS &
DETERMINATIONS**



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

**GOLD BEACH CITY COUNCIL
AGENDA REPORT**

Agenda Item No. 10. a.

Council Meeting Date: March 14, 2016

**TITLE: Request by Mayor to review request from Curry
County regarding possible land “gifts”**

SUMMARY AND BACKGROUND:

The Mayor received the following email from the Curry County Economic Development Director regarding surplus county land within the City of Gold Beach.

Julie Schmelzer <schmelzerj@co.curry.or.us>

Thu 2/18/2016 12:47 PM

To: Karl Popoff <kpopoff@goldbeachoregon.gov>;

Cc: Port Manager <portmanager@portofgoldbeach.com>;

Mayor Popoff,

Curry County has 910 parcels of land. This past year a task force was formed to make recommendations to the Board of Commissioners as to what should be done with the properties. It was recommended that some of the parcels be ‘gifted’ to the cities. I need to take these recommendations to the Board for action. Please review the below/attached, and let me know whether your municipality would be willing to accept the gift(s) and file all necessary paperwork (deeds). Please try to have me a response by April 1, if possible.

- R25137, R25138 (The task force recommended this .20 acre should be developed into a sidewalk, boardwalk, or trail connecting 4 St. to 5 St. in Gold Beach, work with Port to extend boardwalk further)
- R24738 (0 acre to allow back access from 1 St. to Gold Beach city park)

Since the first recommendation includes the Port, I have copied the Port Manager on this message.

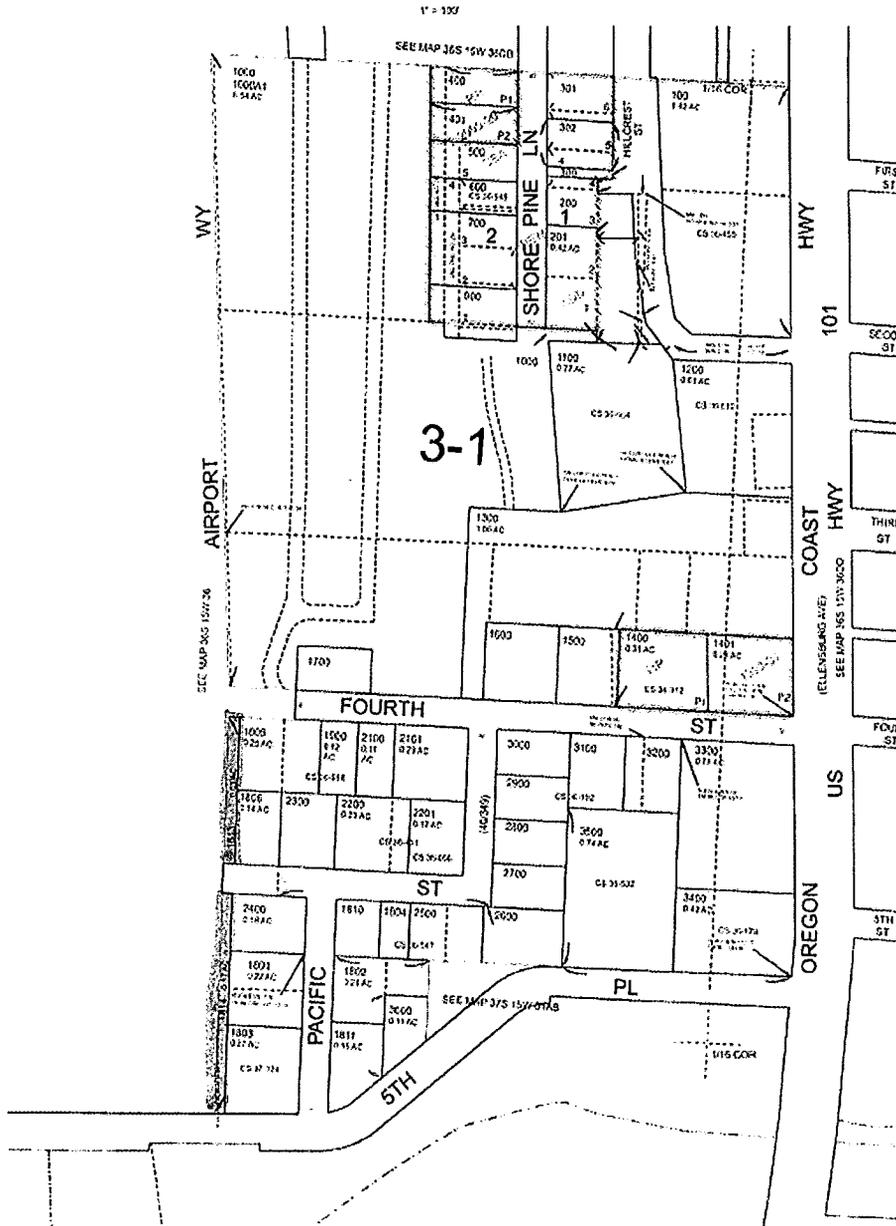
Typically these sliver parcels are gaps in deed descriptions that end up foreclosed on by the County for tax purposes. In my capacity as Planning Director, my recommendation to the Council is the 2 parcels *INSIDE* the airport proper should be “gifted” to the Port (as owner of the airport), and the sliver on 1st Street should probably just be vacated to the 2 adjacent land owners (5’ would go to each adjacent property). Gifting the 2 airport slivers to the City doesn’t make good planning sense, and we really have no need of the 1st Street property because we



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

own the full lot 2 doors east so we already have "back access" to the park—we actually have a public access trail to the park on that lot.



MISC ITEMS (including policy discussions & determinations)

PARCELS ADJACENT TO AIRPORT

3615-36DC-01813

3615-36DC-01814

These parcels would be better off vacated to the Port for Airport purposes. This would logically extend the airport parcel east to the same distance it is in front of the mobile home park. The Port probably already thinks these are part of the airport anyway.

A boardwalk or sidewalk inside the airport perimeter and in front of 3 working hangars does not make sense both from a planning standpoint and pedestrian safety.





SECTION 10.

MISC ITEMS (including policy discussions & determinations)



PARCEL BY BUFFINGTON PARK

3615-36DD-01100

We already own a full parcel (approximately 5500 sq ft) 2 parcels to the east so us taking this 10' strip wouldn't real serve any purpose.





SECTION 10.

MISC ITEMS (including policy discussions & determinations)

REQUESTED MOTION/ACTION:

Let me know how you wish me to respond to the County's request.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 10 b.

Council Meeting Date: March 14, 2016

TITLE: Policy Direction & Decision for Water Rate Study

SUMMARY AND BACKGROUND:

I inaccurately reported to you in February that the Water Rate Study would be presented at the March meeting. I had screwed up my discussion with Ms. Norval from RCAC—she was meeting with STAFF (me, the PW Superintendent, and Utilities Clerk) in March and will present the report to the Council in April.

At our March meeting with Ms. Norval we discussed several issues related to the water study. There were a few questions/topics that we felt were more policy decisions so she requested that I discuss these with the Council and then report back to her as your decisions will affect the study—not negatively, it's just depending on your answers it will take the study in different directions depending on what the Council decides.

Please note that the decisions made tonight WILL NOT affect current rates. The answers will provide direction for the Water Rate Study and after the study is presented to the Council you may/may not decide after that to alter rates. Any rate changes would be accompanied by at least one public hearing—which we do annually anyway.

QUESTIONS/DISCUSSION:

DISCUSSION #1

We currently have a different rate structure for customers inside city limits and outside city limits.

By state law we are prohibited to serve sewer outside the city limits but we are permitted—and do—serve water outside the city limits up Jerrys Flat Road, across the river in Wedderburn, on North Bank Rogue River Road up to the Tidewater plant, and in Rogue Hills and Rogue Shores. Those users pay a slightly higher monthly base rate. It's neither bad nor good that we have a different structure—there is justification for either decision. Unfortunately what that justification is currently has been lost in the sands of time. What we need now is direction on the policy. We have both residential and commercial rates for inside city limits users and outside city limits users. Our current rates are listed on the following page.



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

WATER	CURRENT RATE	PROPOSED FY1516 RATE	
Inside City Residential	\$ 16.97	\$ 17.23	First 1500 Gallons
Outside City Residential	\$ 18.65	\$ 18.94	First 1500 Gallons
Inside City Commercial	\$ 23.20	\$ 23.55	First 3000 Gallons
Outside City Commercial	\$ 25.83	\$ 26.22	First 3000 Gallons

(After the base gallonage there is an incredibly convoluted tiered per gallon rate—we will talk about that when the study is presented to the Council.)

Currently residential outside users pay \$1.71 more than inside city users and commercial outside users pay \$2.67 more than inside city users. Again, that is not uncommon, but we should state the justification for the difference. There are several possible rationalizations for the difference: the outside users do not pay city taxes; the outside users are further away and therefore the appurtenances to serve them are more costly (although this doesn't fly for the Jerrys Flat users!); it takes staff longer to respond outside the city; or simply, they aren't inside the city limits and it's our policy to charge our citizens a slightly lower rate, etc.

DISCUSSION #2:

Areas of the City that are served by pump stations—meaning higher elevation properties. Currently those users that are at higher elevations, but below reservoirs—specifically in Hunter Creek Heights and Emerald Hills (but some smaller pockets also) pay the same rate as other users. Is that a problem, or not? Arguably it costs more to serve those customers because more specialized equipment is required and that equipment has an associated maintenance cost and shelf life. Should there be tiered rate for users that are in areas that require special equipment or should the maintenance and replacement cost of that special equipment just be spread equally across all users? Again, justification can be made for arguments pro/con. Or, should instead of a different base rate, maybe these areas pay a different water reserve rate since the \$\$ would be for maintenance and replacement? Or, should they pay a different base AND reserve rate?

DISCUSSION #3:

Regarding the Water Master Plan Projects—when do we want to start projecting a loan payment and do we have a ballpark on how much we want to bite off of all those priority projects that were identified? Do we want, for planning purposes, to include ALL of them? I



SECTION 10.

MISC ITEMS (including policy discussions & determinations)

am verifying with our engineer the total figure from the draft of the Capital Improvement Plan. When we were presented with the draft Water Master Plan in January we were looking at a total of \$12,000,000 if we did ALL the projects identified. We had initially thrown around the idea of completing the Priority I projects for sure and probably most of the Priority II projects.

REQUESTED ACTION:

Need policy direction on these 3 topics tonight so I can advise RCAC for the Water Rate Study which a draft will be presented to you at the April meeting.