

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, August 16, 2011 - 7:00 PM
4 Depoe Bay City Hall
5

6 PRESENT: Mayor C. Connors, P. Cameron, S. Hoitink, B. Leff, D. Goddard, T. Lewis,
7 D. Zimmerman (dep 9:03 PM)
8

9 STAFF: City Field Superintendent T. Owings, City Recorder P. Murray, Recording Secretary
10 E. LuMaye
11

12 I. PLEDGE OF ALLEGIANCE

13 Mayor Connors called for all to stand for the Pledge of Allegiance.
14

15 II. CALL TO ORDER

16 Mayor Connors called the meeting to order and established a quorum at 7:00 PM.
17

18 III. APPROVE MINUTES: August 2, 2011 Regular Meeting

19
20 Motion 1: Leff moved to approve the minutes from the August 2, 2011 Regular Meeting as written.
21 Cameron seconded the motion.
22

23 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
24

25 Vote: Motion 1 passed.

26 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman

27 Abstain: Hoitink
28

29 IV. ACCOUNTS PAYABLE

30 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Leff seconded the
31 motion.
32

33 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
34

35 Vote: Motion 2 passed.

36 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman
37

38 V. SPECIAL ORDERS

39 A. Tina French, North Lincoln Sanitary Service – Rate Review Report 2011

40 Tina French presented the 2010 Rate Review Report (copy of cover letter attached to original of
41 these minutes). A rate increase was not proposed. She reviewed the recycling program and public
42 outreach programs. Document shredding, electronics disposal (including computers and
43 peripherals), and disposal of used batteries and cooking oil are free services offered on site.
44

45 Mayor Connors recessed the Council at 7:16, and convened the Local Contract Review Board.
46

47 B. City of Depoe Bay's Local Contract Review Board Public Hearing – Exemption from 48 competitive bidding requirements of public improvement contracts for the Outdoor Warning 49 and Public Alert System Project

50 Mayor Connors opened the public hearing (copy of script attached to original of these minutes).
51 Murray said the Draft Findings in Support of an Exemption from Competitive Bidding dated August
52 16, 2011 (copy attached to original of these minutes) is the findings of fact and explained why the
53 project should be exempt from the public bidding process. She pointed out that items in red in the
54 draft RFP (Request For Proposal) dated July 31, 2011 (copy attached to original of these minutes)

1 need to be looked at by the Board. She said no written or oral testimony had been received.
2 Owings justified the exemption by describing the unique circumstances of the project and location.
3 Roy Hageman 325 SW Coast Ave. and representing the Planning Commission, encouraged the
4 Board to accept the Findings. A Councilor thanked Mr. Hageman for the work he did on the RFP.
5 Rick Beasley 140 Bayview, asked the following questions: 1) What are the acquisition and annual
6 operating and maintenance costs of a siren and have they been adequately explained to the public?
7 2) Will further public hearings including a permitting process notifying affected homeowners be
8 held? 3) Has the City considered implementing suggestions for other safety steps that could be
9 taken at a fraction of the cost, or including the agencies making the suggestions in an RFP for
10 tsunami readiness? 4) Does the Council feel that the City and City Staff have too many projects
11 under way at this time to take on this project? (Copy of Mr. Beasley's notes attached to original of
12 these minutes.)
13

14 Motion 3: Leff moved to approve the Findings of Fact as written, exempting the Outdoor Warning
15 Public Alert System from the public bidding requirement. Goddard seconded the motion.
16

17 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
18

19 Vote: Motion 3 passed.

20 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman
21

22 The Board reviewed the draft RFP dated July 31, 2011, making the following changes and
23 additions:

- 24 1) Page 3, Item 1.5 Mandatory Pre-Proposal Discussion and Tour: A mandatory pre-proposal
25 discussion and site tour will be conducted at **October 5, 2011, 570 SE Shell Avenue,**
26 **Depoe Bay, OR 97341.**
- 27 2) Page 4, Item 2.1.4 Questions: Questions pertaining to this RFP should be presented via e-
28 mail to info@cityofdepobay.org or in writing to: **P.O. Box 8, Depoe Bay, OR 97341.**
29 Questions must be received not later than: **October 13, 2011.** Questions will be compiled
30 and collectively addressed in writing **on November 1, 2011** ~~days prior to the deadline for~~
31 ~~receipt of proposals.~~
- 32 3) Page 5, Item 2.4.1.1 Include one original (marked as such) and **10 7** copies.
- 33 4) Page 5, Item 2.4.1.4 Be delivered to the following addressee not later than **November 15,**
34 **2011: P.O. Box 8, 570 SE Shell Avenue, Depoe Bay, OR 97341**
- 35 5) Page 5, Item 2.5.1 Milestones:
36 Advertisement of RFP: **September, 2011**
37 Pre-proposal briefing and site tour: **October 5, 2011**
38 Submittal of Questions: **October 13, 2011**
39 Submittal of suggested changes to RFP: **October 20, 2011**
40 Answers to submitted questions: **November 1, 2011**
41 Receipt of proposals: **November 15, 2011**
42 Interviews with City of Depoe Bay Evaluation Committee (if required): **December 5, 2011**
43 Evaluation Committee results briefing to City Council: **January 3, 2012**
44 City Council selection of Outdoor Warning and Public Address System: **January 17, 2012**
- 45 6) Page 6, line 1: City of Depoe **Bay** Contract Award: **January 17, 2012**
- 46 7) Page 6, Item 2.5.2 Period of Irrevocability: Murray was directed to check with the City
47 Attorney on a legal time limit on accepting a submitted proposal.
- 48 8) Page 6, Item 2.6.1 Process: A proposer or prospective proposer who wishes to object or
49 protest any aspect of this procurement must deliver a written protest to: **P.O. Box 8, 570**
50 **SE Shell Avenue, Depoe Bay, OR 97341**
51

52 Motion 4: Leff moved to approve the 7/31/11 RFP solicitation as amended and including the time
53 schedule. Cameron seconded the motion.
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1 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

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3 Vote: Motion 4 passed.

4 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

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6 Mayor Connors adjourned the Local Contract Review Board at 7:55 and reconvened the Council.

7

8 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

9 A. In reference to the Council's directive that the Harbor Commission review current harbor
10 activities and moorage permits to ensure all ordinances and regulations are being correctly
11 administered and the harbor facilities properly managed and maintained, and to review the
12 moorage ordinance and bring recommendations to the Council (see 6/21/11 Council minutes),
13 Harbor Commission Chair Lars Robison presented the Council with a "fix-it" list (copy of list
14 attached to original of these minutes) for the harbor, and shared his concerns over certain
15 pedestrian safety items including holes by ramps, loose and broken planks, and loose hinges.
16 Owings was directed to ensure the items on the list get done as soon as possible. There was also
17 discussion about scheduling extra staff at the harbor on weekends in the summer, when there are
18 a lot of tourists in town.

19

20 B. Oregon Mayors Association (OMA) Summer Conference 2011

21 Mayor Connors reviewed her written report (copy attached to original of these minutes) on her
22 attendance at the OMA conference. She summarized the State Agencies Directors Forum; panel
23 discussions on "Were We Ready?", social media, media relations, and economic development; and
24 an open mayors forum. Mayor Connors volunteered to attend ad-hoc emergency preparedness
25 committee meetings when Councilor Cameron can't. She expressed an interest in operating levies
26 and wanted to schedule a workshop to discuss this subject. Murray was asked to distribute copies
27 of Mayor Connor's report to Councilors.

28

29 VII. PUBLIC COMMENTS

30 There were no public comments.

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32 VIII. UNFINISHED BUSINESS

33 A. Rules for City Commissions, Committees, and Teams

34 Murray reviewed the packet of information she prepared which summarized existing rules relating
35 to City Commission members (copy attached to original of these minutes). She said only the
36 Salmon Enhancement Commission has a rule about missing meetings. This item will appear on the
37 next agenda for further discussion.

38

39 B. Signs Along Hwy 101 Right-of-Way

40 Owings reviewed an email from Wendy Elstun at ODOT (copy attached to original of these minutes)
41 regarding placing signs on Hwy 101. Signs must be located at a business or activity the public has
42 access to, and no compensation can be exchanged for permission to place a sign. Signs on vacant
43 lots or open fields are subject to stricter regulations and need a permit from the State. Owings was
44 directed to obtain a copy of ODOT's signage rules.

45

46 C. Law Enforcement Enhanced Services Contract – Lincoln County Sheriff's Office

47 Murray presented the final draft of the agreement (copy attached to original of these minutes) to
48 the Council. The City Attorney has reviewed the contract and found it legally sufficient. There was
49 discussion about hours and cost, with a suggestion made that there be an annual limit on
50 expenditure.

51

52 Zimmerman excused himself from the remainder of the meeting at 9:03 PM.

53

54 Motion 5: Cameron moved to approve the agreement for law enforcement services as submitted.

1
2 Discussion ensued. A Councilor said the motion must be seconded for discussion to take place.
3 Motion 6: Cameron moved to approve the agreement for law enforcement services with Lincoln
4 County Sheriff's office, with cost not to exceed \$10,000 in fiscal year 2011-12 without Council
5 approval, and authorize the mayor to sign the agreement. Goddard seconded the motion.

6
7 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

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9 Vote: Motion 6 passed.
10 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis

11
12 IX. NEW BUSINESS

13 A. Award Engineering Contract – Dock 1 Replacement Project

14 Owings said one bid was received; it was in the amount of \$47,000 and was from Stricker
15 Engineering.

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17 Motion 7: Goddard moved to accept the quote from Stricker Engineering for \$47,000 for the Dock 1
18 replacement project. Leff seconded the motion.

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20 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

21
22 Vote: Motion 7 passed.
23 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis

24
25 B. Award Construction Contract – City Hall Parking Lot Paving Project

26 Owings reported that no bids were received on this project. He will fax the RFP to a few local
27 companies and bring results back to the Council.

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29 X. CORRESPONDENCE

30 There were two items of correspondence (copies attached to original of these minutes): 1) An
31 email dated 8/15/11 from Portland Mayor Sam Adams, with a cover letter and supporting
32 documentation regarding banning single-use plastic bags at large retailers. 2) A letter dated
33 8/15/11 from Lincoln County Board of Commissioners regarding continuation of their matching
34 grant program for emergency preparedness and disaster recovery. Murray was directed to find out
35 if there is a deadline for this program.

36
37 XI. CITY STAFF REPORT

38 Owings reviewed his written report (copy attached to original of these minutes), providing an
39 update on the water tank painting project, which is complete, and results of an RFP for removal of
40 dirt at the wastewater treatment plant. He recommended accepting the low bid of \$6 per cubic
41 yard from Dave Stafford Excavating.

42
43 Motion 8: Leff moved to approve Dave Stafford Excavating for dirt removal at the wastewater
44 treatment plant. Goddard seconded the motion.

45
46 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

47
48 Vote: Motion 8 passed.
49 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis

50
51 Murray reported she plans to bring codified harbor ordinances, including proposed amendments, to
52 the Council for discussion at the second meeting in September. The City is currently getting ready
53 for the annual audit.

1 XII. COUNCIL COMMENTS

2 Cameron said he will miss the next two meetings, as he will be traveling on vacation.

3

4 Leff said she will be recovering from surgery and may not be up to attending the next meeting.

5

6 Goddard said the *JimBob* has been removed from the harbor [it is out of the water in the launch
7 ramp parking lot]. She also said she researched a newspaper article where the *JimBob's* owner
8 claimed the City put him out of business, and found that he hasn't conducted business at the
9 harbor in at least two years, so the City didn't put him out of business.

10

11 Mayor Connors thanked everyone for being here and staying late. She also thanked the Council for
12 allowing her to attend the OMA meeting and said she's looking forward to attending the League of
13 Oregon Cities conference in Bend, which she feels will be valuable.

14

15 XIII. ADJOURN

16 There being no further business, the meeting was adjourned at 9:18 PM.

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Carol Connors, Mayor

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Emma LuMaye, Recording Secretary