

1 Depoe Bay Urban Renewal Agency
2 Regular Meeting
3 Tuesday, July 19, 2016 6:00 PM
4 Depoe Bay City Hall

5
6

7 PRESENT: Chair R. Johnson, J. Fisher-Brown, R. Gambino, J. Grant, Mayor A.J. Mattila, B.
8 Spores, J. Wiseman

9

10 VACANCY: 2 vacant seats

11

12 STAFF: City Recorder P. Murray, City Superintendent B. Weidner

13

14 I. CALL MEETING TO ORDER AND ESTABLISH A QUORUM

15 Chair Johnson called the Urban Renewal Agency meeting to order and established a quorum at 6:08
16 PM.

17

18 II. APPROVE MINUTES – June 7, 2016 Regular Meeting

19 Motion: Fisher-Brown moved to approve the June 7 minutes of the meeting. Gambino seconded the
20 motion.

21

22 Chair Johnson said it was moved and seconded, and called for discussion; there was none.

23

24 Vote: Motion passed.

25 Ayes: Fisher-Brown, Gambino, Grant, Johnson, Mattila, Spores, Wiseman

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27 III. ELECTION OF OFFICERS

- 28 ● Chair

29 Motion 1: Spores nominated Dick Johnson to continue his job. Gambino seconded the motion.

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31 Chair Johnson called for any other nominations; there were none.

32

33 Vote: Motion 1 passed.

34 Ayes: Fisher-Brown, Gambino, Grant, Johnson, Mattila, Spores, Wiseman

35

- 36 ● Vice-Chair

37 Motion 2: Grant nominated Jeff Wiseman. Gambino seconded the motion.

38

39 Chair Johnson called for any other nominations; there were none.

40

41 Vote: Motion 2 passed.

42 Ayes: Fisher-Brown, Gambino, Grant, Johnson, Mattila, Spores, Wiseman

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44 IV. AUDITOR SERVICES CONTRACT RENEWAL PROPOSAL – Grimstad & Associates

45 Murray said because the Urban Renewal Agency (URA) has not received or spent more than
46 \$150,000 in a fiscal year, the Agency has only been doing an annual compilation report, in
47 compliance with State audit requirements. It is expected that this current fiscal year and the following
48 year, the Agency will receive more than \$150,000 in tax revenues, and it is budgeted to spend quite a

1 bit more than that. We've been paying \$1,100 per year for the compilation reports. The review that
2 will be done for this fiscal year will be closer to a full-blown audit, and will cost \$3,800. (Copy of
3 Grimstad's proposals dated 6/29/16 attached to original of these minutes.)
4

5 Motion 3: Wiseman moved to accept the proposal from Grimstad & Associates dated June 29, 2016.
6 Grant seconded the motion.
7

8 Chair Johnson said it was moved and seconded, and called for discussion; there was none.
9

10 Vote: Motion 3 passed.

11 Ayes: Fisher-Brown, Gambino, Grant, Johnson, Mattila, Spores, Wiseman
12

13 V. STATUS REPORTS

- 14 • Preservation, Rehabilitation, Development, & Re-Development Incentive Program

15 Chair Johnson said a letter was sent to all property owners within the Urban Renewal Boundary
16 (copy attached to original of these minutes). Murray said an inquiry was received from a property
17 owner who lives at Thundering Shores, who also owns property within the Boundary. This person
18 was interested in extending the Hwy 101 sidewalk on the west side of the highway north of
19 Thundering Shores to the State Park, and this area is within the Urban Renewal District, so the
20 property owner could apply for a grant if they had ODOT, the property owner, sign off on the
21 application. The inquiry has raised a question: the Agency's intent is that an applicant would apply
22 for improvements to their own property, but reading through the program material she found that
23 nowhere does it say you can only apply for a project on your own property. Murray asked the
24 Agency's authorization to talk to the City Attorney about tightening up the language, if the Agency
25 wants the policy to clearly say that only property owners within the District Boundary can apply for a
26 project on their property.
27

28 Motion 4: Fisher-Brown moved to have Pery and Mr. Gintner tighten up the language on that for the
29 next round.
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31 Chair Johnson re-stated the motion: To have Pery and the lawyer look into changing the wording to
32 clarify that the Urban Renewal projects have to be on the Urban Renewal property owned by the
33 property owner. He asked for a second. Wiseman seconded the re-stated motion.
34

35 Discussion: There was further discussion, including a statement that the Agency should not modify
36 the policy based on someone else's interpretation, especially considering the property in question is
37 owned by the State of Oregon rather than a private entity, and Thundering Shores itself is not within
38 the Urban Renewal District Boundary. Motion-maker Fisher-Brown said Gintner recently told the
39 Agency that it retains the right to interpret these things as we choose because that's what we're
40 appointed for; but she thought the language should be tightened up and she did not think that Urban
41 Renewal funds would be appropriate for that project. Chair Johnson asked Murray to re-state the
42 motion: Have Pery and Mr. Gintner tighten up the language for the next round of the grant program,
43 and Johnson had re-stated that we would revise the wording so that property owners may apply for
44 projects on their property. Chair Johnson called for further discussion; there was none. Murray began
45 to call roll. Grant asked Murray to re-state her interpretation of the motion: To have Pery and Mr.
46 Gintner tighten up language for the next round of the grant program, and Mr. Johnson's re-stating
47 was to clarify to revise the wording so that property owners may apply for projects on their property.
48 Grant stated he was agreeable but wanted to change Murray's interpretation and expound on it now,

1 as he wasn't sure that was the intent of the original motion, and wanted the wording to be more
2 precise based on the intent of the Agency when they approved the policy, and that the interpretation
3 could be applied now rather than in the future. Chair Johnson asked Fisher-Brown if she accepted this
4 as a modification of the motion. Fisher-Brown said if she was interpreting correctly, what was being
5 asked was that we should tighten up the language and make it retroactive to the current round of
6 applications. Grant replied that retroactive wasn't the correct term, but it is shedding more light on
7 the Agency's intent, which was not that a property owner could apply for monies on property they
8 don't own and in this case the property isn't even owned by a private person but by the State of
9 Oregon. He wasn't sure Murray's re-statement reflected Fisher-Brown's actual motion. Fisher-Brown
10 said what she feels the Agency should do is to thank the inquirer for their interest and tell him that in
11 the Agency's opinion is is not appropriate usage for the funds, and refer him to possibly petitioning
12 the City for those funds. If any other applicants have a creative interpretation of the letter they
13 received, we can tell them the same thing. Then we have the chance to add the language to make sure
14 that the language is more precise for the next round of applications. She withdrew her motion.
15 Wiseman withdrew his second.

16
17 Motion 5: Fisher-Brown moved to thank the applicant for his interest in the program but that we
18 don't feel that it's an appropriate usage for the Urban Renewal funds; and that we have Pery and
19 possibly Mr. Gintner, if it's appropriate, to address the language in there in such a way that we can
20 narrow that definition to be more precise and more in line with what the Board is actually intending.
21 Gambino seconded the motion.

22
23 Chair Johnson asked for discussion on the motion. Mayor Mattila wanted to ensure the City Attorney
24 is involved. Grant was uncomfortable having a letter to the applicant included in the motion; Fisher-
25 Brown said she would withdraw that portion if necessary. During roll call, Grant asked that the
26 motion be re-stated; Murray did so, and was directed to strike the portion relating to the applicant.
27 Also during roll call, Gambino asked what the meat of the policy changes was. Murray said she will
28 write down what she feels appropriate clarifying wording will be, so the policy and the instructions to
29 the applicant reflect that the only people that can submit an application are property owners or their
30 tenants or their contractors (as long as they provide a letter as the owner, supporting the application),
31 and it can only be on their property.

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33 Vote: Motion 5, as amended, passed.

34 Ayes: Fisher-Brown, Gambino, Grant, Johnson, Mattila, Spores, Wiseman

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36 Chair Johnson said there's another month and a half before the application period closes, and asked if
37 anything should be done to drum up additional interest. Murray will put up a notice at the post office.
38 Gambino said all the property owners were sent a letter, and asked what else can we do if they don't
39 read their mail. Fisher-Brown suggested simply talking to people.

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41 ● Urban Renewal District Boundary Expansion

42 Murray said the City Planner will be back in the office later this month, and they will sit down and
43 get this rolling.

44

45 ● Parking Land Acquisition Project

46 Murray said tonight's Council Agenda contains an item for approval of the agreement with Tammy
47 Powell of Emerald Coast Realty to act as our agent. She's hoping to encourage the Council, if they
48 approve the Agreement, to think about scheduling an Executive Session to meet with Ms. Powell to

1 give her some solid direction. Chair Johnson suggested inviting the Chair and/or Vice Chair of Urban
2 Renewal to attend as well.

3
4 • Highway 101 South of Bridge/Oregon Department of Transportation (ODOT) Statewide
5 Transportation Improvement Program (STIP) Project
6 This item was tabled until the City Planner is present.

7
8 • Coast Avenue Infrastructure Improvements
9 Weidner said Devil's Lake Rock was selected as contractor, and they have shown interest in staging
10 areas. He said the construction phase is moving along.

11
12 • Harbor Master Plan
13 Murray said the engineer will attend the August 2 Council meeting to present the Plan.

14
15 Chair Johnson asked if there was any other business. Spores said there is a Parks Commission
16 meeting scheduled for tomorrow, and they will be discussing approaching the STIP for trails and
17 sidewalks funding. There was brief discussion about scheduling the next Urban Renewal meeting; no
18 specific date was decided.

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20 VI. ADJOURN

21 There being no further business, the meeting was adjourned at 6:57 PM

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Richard Johnson, Chair

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31 _____
32 Emma LuMaye, Recording Secretary (transcribed from audio)