

MYRTLE POINT CITY COUNCIL AGENDA
Regular Meeting
Monday, October 16, 2023, 7:30 p.m.
OSU Extension Meeting Room | 631 Alder Street, Myrtle Point

For those wishing to attend remotely, please use one of the following options:

Join Zoom Meeting: <https://zoom.us/j/7532272341>

Meeting ID: 753 227 2341 | Password: Myrtle

or

Dial-in: 1 (253) 215-8782 | Meeting ID: 753 227 2341 | Passcode: 851522

- I. CALL TO ORDER – Mayor Clayburn
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL – City Council
- IV. CONSENT ITEMS
 - A. Minutes of October 2, 2023 Regular Meeting
- V. ACTION/DISCUSSION ITEMS
 - A. Presentation – Linda Maxon, Coquille Valley Hospital
 - B. Library Renovation Project Financial Review
 - C. Resolution 2023-26 Declaring Surplus Vehicles in the Fire and Ambulance Department and Establishing Disposition Procedures
 - D. City Manager Recruitment Process Update
- VI. PETITIONS FROM THE AUDIENCE

This is a public meeting and the media may use information presented.
- VII. UPCOMING MEETINGS AND EVENTS:
 - A. Myrtle Point City Council Meeting – November 6, 2023, 7:30 p.m.
 - B. Myrtle Point Public Library Foundation Meeting – November 7, 2023, 5:00 p.m.
 - C. Flora M. Laird Memorial Library Board Meeting – November 14, 2023, 5:00 p.m.
- VIII. INFORMATION ITEMS
 - A. Myrtle Point High School 2023-24 Yearbook Business Ad Request Form
- IX. OTHER COMMUNICATIONS
 - A. Staff Reports*
 - B. Council Concerns and Comments*
- X. ADJOURNMENT

Notice given this 12th day of October 2023 – Darin Nicholson, City Manager

* indicates no material included in packet

**CITY OF MYRTLE POINT
CITY COUNCIL MEETING MINUTES
Regular Meeting
Monday, October 2, 2023 – 7:30 p.m.,
OSU Extension Service Meeting Room
631 Alder Street, Myrtle Point**

Council Members

Present:

Samantha Clayburn, Mayor
Ivan Hawker, City Councilor
Berea Gibbons, City Councilor*

Mike Wood, City Councilor
Amy Ligon, City Councilor

Absent:

Gary Sullivan, City Councilor

Michael Hogan, Council President

Staff and Others

Scott Robinson, Chief of Police
Wayne Ramsey, Public Works
Amy Bruno, Library Director
Dan Kleis
David Combs (left at ~7:49 p.m.)
Kathy Lewis*

Willy Burris, Fire Chief
Ginny Groce, Accountant
Darin Nicholson, City Manager
Dan Lewis (left at ~8:23 p.m.)
Autumn Tryon (left at ~7:53 p.m.)

(* indicates remote attendance)

CALL TO ORDER

Mayor Clayburn called the City Council meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

ROLL CALL

Mayor Clayburn asked the City Council members to state their names for the roll.

CONSENT ITEMS

- A. Mayor Clayburn announced the Consent Items – Minutes of the September 5, 2023 Regular Meeting. Councilor Wood moved to accept the minutes as presented. Councilor Hawker seconded the motion which carried unanimously.

ACTION/DISCUSSION ITEMS

A. Resolution 2023-22 Approving Gateway Administrative Service Agreement with Xpress Solutions, Inc.

Mayor Clayburn announced Resolution 2023-22 Approving Gateway Administrative Service Agreement with Xpress Solutions, Inc. Manager Nicholson explained that Xpress Solutions, Inc. had partnered with Springbrook Software to provide an integrated payment solution which allows online bill payment as well as other options. He indicated that online bill payment plans had been considered in the past. The initial cost would be \$2,325 but after looking at the proposed transaction fees compared to existing fees, it was estimated that the city would save as much as \$250 per month. Based on the estimated savings, it was possible that the program would pay for itself in as little as 10 months. Mayor Clayburn called for a motion. Councilor Hawker moved to approve Resolution 2023-22 Approving Gateway Administrative Service Agreement with Xpress Solutions, Inc. and authorize the

City Manager execute the Agreement. Councilor Wood seconded the motion. Councilor Hawker expected the program would save a lot of hassle. Manager Nicholson agreed and said that people have been asking for an online bill payment option. He thought customers also would be able to set up paperless billing. There were some questions about credit card usage and the associated fees which Accountant Groce answered. Councilor Lignons asked if there was a minimum time which the city would be obligated to remain on the program. Accountant Groce indicated that the proposal identified a minimum of 36 months. Following discussion, Mayor Clayburn called for a vote on the motion to approve Resolution 2023-22. The motion carried unanimously.

B. Resolution 2023-23 Approving a Paid Leave Oregon Policy

Mayor Clayburn announced Resolution 2023-23 Approving a Paid Leave Oregon Policy. Manager Nicholson stated that Paid Leave Oregon had gone into effect in the previous month. He also explained that the city's insurance company had suggested the adoption of a Paid Leave Oregon Policy to address some aspects of the program which are not covered by State law. Mayor Clayburn called for a motion. Councilor Wood moved to approve Resolution 2023-23 Approving a Paid Leave Oregon Policy and authorizing the City Manager to implement the policy. Councilor Lignons seconded the motion which carried unanimously.

C. Resolution 2023-24 Approving the Engineering Scope of Services for the Willow Street Sewer Replacement Project

Mayor Clayburn announced Resolution 2023-24 Approving the Engineering Scope of Services for the Willow Street Sewer Replacement Project. Manager Nicholson explained that the Public Works Department had been performing video inspection and smoke testing of a number of sewer pipes in town and had discovered that the segment of pipe within Willow Street between C Street and B Street had multiple breaks. It was further discovered through dye testing that storm water actively passes from the adjacent storm drain to the sewer main in this area. It is planned to replace the subject sewer main to reduce inflow and infiltration (I/I) into the sewer collection system. An application was submitted to DEQ, and subsequently approved, to count the project as a Supplemental Environmental Project in which a portion of the DEQ fines for previous violations at the wastewater treatment plant can be offset by the cost of the project. Manager Nicholson said that funds had been budgeted for I/I Sewer Line Replacement. Councilor Hawker asked the approximate cost of the project. Manager Nicholson said he expected it to be about \$100,000 for construction and the Engineering Scope of Services was \$26,304. Manager Nicholson also recommended approving the design work for replacement of the adjacent storm drain which added another \$6,082. Following the explanation, Councilor Wood moved to approve Resolution 2023-24 Approving the Engineering Scope of Services for the Willow Street Sewer Replacement Project. Councilor Hawker seconded the motion which carried unanimously.

D. Resolution 2023-25 Declaring an Assessment Lien for the Cost of Abatement of a Dangerous Building at 1030 Harris Street

Mayor Clayburn announced Resolution 2023-22 Declaring an Assessment Lien for the Cost of Abatement of a Dangerous Building at 1030 Harris Street. Manager Nicholson reviewed the history of the effort to cleanup the site at 1030 Harris Street following a structure fire which occurred in August 2022. He noted that at the August 7, 2023 City Council meeting, a bid had been approved for demolition of the remaining portion of the structure and cleanup of the site. The work had taken place a few days after the meeting. Manager Nicholson reported sending an invoice for the cost of the work to the property owners on August 28th.

Because no payment had been received within the 30-day timeframe stated on the invoice, it was recommended to file an assessment lien for the cost of the work. Councilor Hawker moved to approve Resolution 2023-25 Declaring an Assessment Lien for the Cost of Abatement of a Dangerous Building at 1030 Harris Street. Councilor Wood seconded the motion. Mayor Clayburn called for discussion by the City Council. Mayor Clayburn asked for clarification about the property owners. Manager Nicholson stated that the property owners are deceased but because they are the owners of record, the invoice for the cost of abatement was sent in their name to the property address. He stated that it was his understanding from the apparent heir, Jeannie Fosdick, that she receives mail at the property address. He also noted that she had received other notices that he sent to the property address. Mayor Clayburn also asked for clarification about probate proceedings concerning the property. Manager Nicholson reported that he had spoken to the attorney who was handling the probate paperwork and she stated that it had not been filed because there was another family member who also had rights to the property and that had not been sorted out. There was some related discussion. Mr. David Combs interrupted with his own comments about the way the matter has been handled. After being notified by the Mayor that it was not public comment time, Mr. Combs left the meeting at 7:49 p.m. Mayor Clayburn then stated that it had been over a year since the fire and the family members had ample time to file probate paperwork but had not done so. She also stated that the city had moved forward with abatement because it was a dangerous building and the heirs to the property owner had not taken care of it in the timeframe which had been set. She also said that she didn't see a reason not to file the lien since the work had been done. Councilor Wood voiced his agreement. Manager Nicholson pointed out that by approving the resolution and filing the lien, it would begin accruing interest from that date. He went on to say that the heirs to the property could appeal to City Council regarding the amount of interest accrued. Following discussion, Mayor Clayburn called for a vote on the motion to approve Resolution 2023-25 Declaring an Assessment Lien for the Cost of Abatement of a Dangerous Building at 1030 Harris Street. The motion carried unanimously.

E. City Manager Recruitment Services

Mayor Clayburn announced the City Manager Recruitment Services item. Manager Nicholson explained that following the previous meeting at which he had announced to the council that he was planning to step down from his position, he contacted the Prothman company to obtain a proposal for City Manager Recruitment Services. He explained that the company does executive searches for public entities, nonprofits, and special districts all over the country and is experienced in doing so. The fee for their services was \$14,500. Manager Nicholson acknowledged that it was a significant amount but did not feel it was out of line based on the amount of work that would go into the recruitment effort. He indicated that in about two and a half months, the firm would present the top three candidates meeting the criteria set by the City Council. He also noted that the firm offered a one-year guarantee regarding the candidate selected and would repeat the process if the candidate did not remain employed during that time. Mayor Clayburn called for discussion. She asked if a recruitment service had been used the last time. Manager Nicholson did not think a service had been used. There was some discussion about how the process had gone last time and the City Council's options moving forward. Councilor Gibbons asked about advertising locally and online to see who applies. Manager Nicholson said that could be done. Some discussion followed about how the process of reviewing applicants would go. Manager Nicholson suggested that a committee be formed. The process timeframe was also discussed. The City Council asked about the City Manager job description and the minimum requirements. Manager Nicholson said he thought a Bachelor's degree was a minimum requirement but a Master's in Public Administration was preferred. There was

some discussion about what types of related experience would make a candidate a viable option for City Manager. The City Council ended up directing the City Manager to post the job opening online and spend up to \$100 to increase visibility of the announcement.

F. RV Temporary Dwelling – OSU Extension Property

Mayor Clayburn announced the item but explained it might be a moot point. She went on to explain that an employee of the OSU Extension Service may need a temporary location to reside in her 5th wheel RV, but another option was being explored and therefore use of the OSU Extension property was not expected to be necessary. Mayor Clayburn asked how the City Council felt about the possibility. There was some discussion on the matter. Mayor Clayburn realized that they would need to get permission from the building owner. There were no objections from the council, but due to a number of unanswered questions no action was taken.

PETITIONS FROM THE AUDIENCE

Mayor Clayburn called for petitions from the audience. Kathy Lewis commented on the question of RV dwelling on the OSU Extension property. She commented that it would have to go through the Planning Commission and they could set an appropriate time limitation and any other requirements the city felt were necessary.

Dan Lewis commented on his concern about the speed of vehicles going through town. There was some discussion with the council and the Police Chief about the matter. Following his comments, Mr. Lewis departed at 8:23 p.m.

UPCOMING MEETINGS AND EVENTS

- A. Flora M. Laird Memorial Library Board Meeting – September 12, 2023, 5:00 p.m.
- B. Myrtle Point Harvest Festival - Saturday, September 23, 2023

INFORMATION ITEMS

- A. Myrtle Point Public Library Foundation Monthly Meeting Agenda – September 5, 2023
- B. Myrtle Point Public Library Foundation Monthly Meeting Minutes – August 1, 2023

OTHER COMMUNICATIONS

- A. Staff Reports:
 - 1. Manager Nicholson reported on the following:
 - a. 1030 Harris Street – Following last month's City Council meeting, he contacted the attorney who had been working on probate paperwork for the property. She indicated that another relative is entitled to the property and Ms. Fosdick has not gotten that situation handled, so probate paperwork has not yet been filed. Based on this situation, there is a legitimate chance the property will go into tax foreclosure within the next year.
 - b. Gas Tax – Manager Nicholson inquired about gas tax revenue from Coquille and Coos Bay. He reported that Coos Bay's effort to institute a local gas tax had failed. He had not yet received any information from Coquille.
 - c. Website – Manager Nicholson reported that he had been looking for options to make the city website more user friendly for staff and useful for the public. Munibit provides websites for cities, counties and nonprofits for very reasonable pricing. For our size of community, the cost is \$69 per month. The layout is easy to follow and for staff, it will be easy to post and modify information. There was still more work to do to make sure it will be a good fit, but he thought it would be a much better option than the current website. There was also discussion about transitioning to a .gov

- domain. The City Council was in favor of pursuing a .gov domain for the city website.
2. Senior Maintenance Worker Ramsey reported that the sewer plant had a violation due to solids discharge following a recent day of heavy rain. He also reported that some planned asphalt patching work would take place within the next couple of weeks on Spruce Street and Maple Street and some potholes would be repaired on Cathcart Street and 19th Street.
 3. Accountant Groce had nothing to report but reminded Manager Nicholson that there was an issue to discuss regarding the Library Renovation project. Manager Nicholson reported that in addition to the portion of the construction costs which the City Council agreed to have paid by the city, there had been over \$15,000 in other project-related costs, including plan review fees, advertising costs and architect fees. He was unsure how it had worked out, but in order to finish paying the contractor, another \$67,250 was needed. The contractor was not charging more than the contract amount, in fact the total construction cost was a little bit under the contract amount. Manager Nicholson indicated that he believed that there had been an error in what the Library Foundation estimated they had left at the time the project was awarded. He mentioned that there were funds available in the Operating Contingency of the General Fund to cover the difference and asked about moving some of those funds up to the Expansion Projects line in order to close out the project. Mayor Clayburn asked if the foundation had reported the wrong numbers to the council. Manager Nicholson was unsure. He stated that he had reviewed the amounts paid to the contractor and there had not been an overpayment. He also reiterated that the final amount requested by the contractor was about \$8,000 less than the contract amount. He could account for the additional \$15,000, but did not understand where the other \$52,000 had come from. Manager Nicholson answered questions from the City Council. He stated that the foundation was out of money and the city had taken over paying the contractor and architect in May. There had been three payments by the city to the contractor and four payments to the architect. Councilor Hawker asked how much the Library Foundation had when the contract was awarded. Manager Nicholson said they had about \$460,000. The city had agreed to pay a total of \$405,124 which was not entirely expended, but an invoice had been received from the contractor in the amount of \$155,651 and the city did not have enough remaining from the budgeted amount to pay it. There was discussion about the shortfall. Councilor Hawker asked if there was a way to look into the foundation funds and what they had paid for. Mayor Clayburn asked about getting a copy of the foundation expenditures and having another meeting. There was some additional discussion. Library Director Bruno said she would speak to the foundation about getting their financial information. There was discussion about the amount paid to the architect. Manager Nicholson said he had all those invoices, but had handed them off to the Library Foundation for payment until their funds were expended. There was also discussion about payments to the contractor. Manager Nicholson said he would double check the total of those payments. There was additional discussion about the architect fees. Director Bruno remembered discussion at her first Library Foundation meeting about approving payment of an architect invoice. Manager Nicholson said there were architect bills coming in monthly but he did not think those bills would amount to \$60,000 between November 2022 and April 2023. Accountant Groce noted that the city had paid about \$8,750 in architect fees since May. She also asked if she should pay out the remaining amount budgeted to the contractor. The council agreed that the remaining amount should be paid out to the contractor until an explanation could be given for the budget shortfall.

4. Library Director Bruno had given out information on the upcoming eclipse and said there would be an eclipse party at the library on the next Saturday. She explained that she had gotten a grant to provide eclipse glasses to patrons and would hand them out at the party. She also said she would have moon pies for the party. Regarding the Library Renovation project, Director Bruno reported that she is having library staff finish up sanding and staining the old shelves and expected to be finished that week. She said that they had passed the plumbing inspection and she expected to be able to open the library later in the month. She was tentatively planning a Grand Reopening sometime in November.
 5. Police Chief Robinson reported that there was a lot of good stuff going on at the Police Department. Community events over the previous month included the Harvest Festival, Homecoming, and a parade. There also was a blackout the previous weekend. He thanked Sr. Maintenance Worker Ramsey for bringing in a construction light tower to illuminate the intersection of Spruce Street and Hwy 42 to help with safety.
 6. Fire Chief Burris thanked all those who helped put on the Harvest Festival as well as the Volunteers and their family members who helped at the Steak Feed put on by the Fire Department. He also reported that there would be a Fire Department open house during Fire Prevention week. He also reported that the Ambulance Department had been doing lots of nighttime transfers, which has been hard on the 24-hour staff members.
- B. City Council Concerns & Comments:
1. Councilor Gibbons thanked the Public Works Department, Police Department and Fire Department for their response to a major gas leak near her house. They closed off the road in the surrounding area and kept everyone safe until repairs could be made by the gas company.
 2. Councilor Hawker thanked the Police Department and Public Works Department for their help during the Harvest Festival. He also complimented the Fire Department on the steak he had at their Steak Feed.
 3. Councilor Ligon asked who had carved the wooden doors from the library. There was some discussion. Manager Nicholson said he could find out. Library Director Bruno said the name was carved on the doors.
 4. Councilor Wood advised people to slow down and stay safe.
 5. Mayor Clayburn reported that she didn't get much of a chance to participate in the Harvest Festival but what she did see and hear about, it was wonderful. She mentioned that she had taken her dad down to see the cars. She then thanked everyone for their condolences. Councilor Hawker shared a story about Mayor Clayburn's dad at the Harvest Festival.

ADJOURNMENT

Having no further business for the City of Myrtle Point,
Mayor Clayburn adjourned the meeting at 9:28 p.m.

10/16/2023

Samantha Clayburn, Mayor
City of Myrtle Point

City of Myrtle Point Agenda Item Report

To: Mayor Clayburn and City Council
From: Darin Nicholson, City Manager
Date: October 16, 2023
Re: Library Renovation Project Financial Review



BACKGROUND

The Myrtle Point Public Library Foundation began raising money over 20 years ago with the vision of expanding the Flora M. Laird Memorial Library. Over the years, several concepts were developed, but rough cost estimates resulted in decisions to scale back the scope of the work. In the latter part of 2020, the project architect provided a plan for a renovation with a new ADA accessible main entrance and restroom, the addition of a small reading room, a covered patio area, and the option to further expand the building in the future over the patio area. A cost estimate of about \$600,000 for construction and associated costs (architect, permit fees, bonding, insurance, contingency) was provided to the foundation in December 2020. Barbara Carter attended the March 1, 2021 City Council meeting and indicated that the foundation had about \$250,000 and she believed the Ford Family Foundation would grant \$200,000 if the Library Foundation could increase its funding to an initial goal of \$300,000. She asked if the city would contribute to the effort. The City Council agreed to budget \$25,000 in the 2021-22 budget. On May 11, 2021, at a meeting of the Flora M. Memorial Library Board of Directors, based on a request from Library Director Shanna Allen, the Library Board unanimously approved an expense of \$25,000 from the Library Trust Fund to be used for the renovation.

In May 2022, the architect was authorized to produce a set of plans and specifications for bidding and construction. The agreement, which also covered construction phase services, was for a total of \$101,740. The plans were produced and the project advertised. Bids for construction were received in October 2022, with the low bid being \$865,124. At the November 21, 2022 City Council meeting, with the understanding that the Library Foundation had \$485,000 for the project, the council authorized an additional expenditure of \$380,124 to cover the additional construction costs. There were two problems with this amount authorized: 1) It did not take into account other project costs (architect fees, plan review, advertising, BOLI, etc.); and 2) It did not take into account the \$25,000 contribution planned from the Library Trust Fund. In all, the total construction phase project costs were \$973,491.10 and total resources prior to the additional funds authorization by the City Council were approximately \$535,000. Consequently, an additional \$438,491 should have been budgeted.

An accounting of expenses paid thus far by the city and known expenses remaining on the project is provided on the following page. Based on the accounting, an additional \$58,579.29 is needed to close out the project.

RELATED CITY POLICIES

None

COUNCIL OPTIONS

- **Approve Additional Expenditure:** SAMPLE MOTION – *“I move to approve an additional expenditure of \$58,579.29 from the General Fund to cover remaining construction related expenses for the Library Renovation Project and direct the City Manager to prepare a Supplemental Budget to effect the changes.”*
- **Do Nothing:** NO MOTION NEEDED

CITY MANAGER’S RECOMMENDATION

Authorize the additional expenditure as the city is under contract.

ATTACHMENTS

Library Expansion Project Accounting Ledger
Myrtle Point Public Library Foundation Financial Ledger – FY 2022-23

Library Expansion Project

Initial Construction Cost	\$865,124.67
Less change orders	<u>-\$8,128.06</u>
Final Construction Cost	\$856,996.61

Library Foundation Total Raised fro Project	\$550,000.00	Construction costs paid by Foundation:		
Library Foundation for architectural & other fees	<u>\$65,000.00</u>	Available Funds		<u>\$485,000.00</u>
Library Foundation share of construction cost (Res 2022-20)	\$485,000.00	2/8/2023 Upper Valley Builders	\$68,587.41	\$416,412.59
		3/6/2023 Upper Valley Builders	\$68,400.00	\$348,012.59
		4/5/2023 Upper Valley Builders	\$92,373.29	\$255,639.30
		5/16/2023 Upper Valley Builders (partial)	\$170,633.00	\$85,006.30
		Architectural & other costs paid by Foundation:		
		Available Funds		<u>\$65,000.00</u>
		6/5/2022 Robertson, Sherwood Architects	\$367.50	\$64,632.50
		7/5/2022 Robertson, Sherwood Architects	\$4,927.50	\$59,705.00
		8/5/2022 Robertson, Sherwood Architects	\$17,905.00	\$41,800.00
		9/5/2022 Robertson, Sherwood Architects	\$24,042.79	\$17,757.21
		10/5/2022 Robertson, Sherwood Architects	\$29,706.60	-\$11,949.39
		11/5/2022 Robertson, Sherwood Architects	\$1,660.00	-\$13,609.39
		2/5/2023 Robertson, Sherwood Architects	\$2,408.19	-\$16,017.58
		3/5/2023 Robertson, Sherwood Architects	\$2,945.00	-\$18,962.58
		4/5/2023 Robertson, Sherwood Architects	\$1,568.19	-\$20,530.77
		5/5/2023 Robertson, Sherwood Architects	\$742.50	-\$21,273.27
City Funds Budgeted for ancillary costs (if needed)	\$25,000.00	Architectural & other costs paid by City:		
City ARPA Funds Allocated for Construction Costs (2022-20)	\$380,124.00	Available Funds		<u>\$25,000.00</u>
Less change fees, should have reduced cost to city	<u>-\$8,128.06</u>	10/6/2022 DJC - Advertise for bids	\$258.94	\$24,741.06
Total city funds	\$396,995.94	10/25/2023 Chase	\$4,968.60	\$19,772.46
		11/16/2023 Arcadia Environmental	\$534.44	\$19,238.02
		1/17/2023 BOLI	\$865.12	\$18,372.90
		6/23/2023 Robertson, Sherwood Architects	\$4,449.68	\$13,923.22
		7/17/2023 Robertson, Sherwood Architects	\$4,165.10	\$9,758.12
		8/16/2023 Robertson, Sherwood Architects	\$130.00	\$9,628.12
		9/29/2023 Upper Valley Builders (partial)	\$9,628.12	\$0.00
		Construction costs paid by City:		
		Available Funds		<u>\$380,124.00</u>
		Change order reduction	\$8,128.06	\$371,995.94
		5/16/2023 Upper Valley Builders (partial)	\$55,163.00	\$316,832.94
		6/6/2023 Upper Valley Builders	\$73,416.67	\$243,416.27
		7/5/2023 Upper Valley Builders	\$129,921.69	\$113,494.58
		9/29/2023 Upper Valley Builders (partial)	\$113,494.58	\$0.00
		9/29/2023 Upper Valley Builders (unpaid)	\$7,529.02	-\$7,529.02
		RETAINAGE Upper Valley Builders	\$42,849.83	-\$50,378.85
		CONTRACT REMAINING Robertson, Sherwood Architects	\$8,200.44	-\$58,579.29
Library Trust Fund	<u>\$25,000.00</u>	Construction costs paid by Trust:		
Total Library Trust Fund	\$25,000.00	Available Funds		<u>\$25,000.00</u>
		9/29/2023 Upper Valley Builders (partial)	\$25,000.00	\$0.00

MurHe Point Public Library Foundation

Checks written July 2022 - June 30, 2023

Prepared By	Initials	Date
Approved By		

1		2		3		4	
Date	Check #	Architect	Contractor	Foundation Bills			
2022							
7-8	1228	Robertson/Steward	492750				
8-17	1229	Robertson/Steward	17905-				
9-16	1230	Robertson/Steward	2408279				
10-12	1231	Oregon - CT-12				198-	
10-25	1232	Robertson/Steward	2970660				
11-1	1233	CD Mason - high Jns.				115-	
11-16	1234	Robertson/Steward	1660-				
12-7	1235	Dorlywood				56080	
	1236						
2023							
2-1	1236	CD Mason - ins (security)				14500	
2-6	1237	Upper Valley		6858741			
2-8	1238	Ore. Corporate Trv.				50-	
2-8	1239	USPS - pobox				78-	
2-8	1240	Robertson/Steward	240819				
3-2	1241	Upper Valley		68400 -			
3-9	1242	Robertson/Steward	3945 -				
4-4	1243	Upper Valley		9237429			
4-13	1244	Robertson/Steward	156819				
	1245	Voio					
5-12	1246	Upper Valley		170633-			
5-16	1247	Robertson/Steward	742 -				
6-7	1248	Nic Bruno website				600-	
Total each		8590521	39999470			173680	
				706 ✓			
Total			48163677				
+ Council donation			25000 -				
+ library Trust			25000 -				
			53763677				

City of Myrtle Point Agenda Item Report

To: Mayor Clayburn and City Council
From: Darin Nicholson, City Manager
Date: October 16, 2023
Re: Resolution 2023-26 – Declaring Surplus Vehicles in the Fire & Ambulance Department and Establishing Disposition Procedures



BACKGROUND

The Myrtle Point Fire & Ambulance Department has determined for various reasons, including costs related to maintenance and storage, that three existing vehicles are surplus to department needs at this time. The vehicles and equipment include a 1955 American LaFrance ladder truck, a 1973 Kenworth water tender truck, and a 2000 Ford ambulance.

RELATED CITY POLICIES

City of Myrtle Point Public Contracting Rules and Procedures (Ordinance No. 1240) – Ordinance No. 1240 establishes guidelines for the disposition of surplus property by several methods including sale at public auction.

COUNCIL OPTIONS

- **Approve the Declaration of Surplus Vehicles:** SAMPLE MOTION – *“I move to approve Resolution 2023-25 Declaring Surplus Vehicles in the Fire and Ambulance Department and Establishing Disposition Procedures.”*
- **Do Nothing:** NO MOTION NEEDED

CITY MANAGER’S RECOMMENDATION

It is recommended to approve Resolution 2023-26.

ATTACHMENTS

Resolution 2023-26 – Declaring Surplus Vehicles in the Fire and Ambulance Department and Establishing Disposition Procedures

RESOLUTION 2023-26

**A RESOLUTION OF THE CITY OF MYRTLE POINT CITY COUNCIL
DECLARING SURPLUS VEHICLES IN THE FIRE AND AMBULANCE
DEPARTMENT AND ESTABLISHING DISPOSITION PROCEDURES**

WHEREAS, the Myrtle Point Fire and Ambulance Department has identified three vehicles which are no longer required for the usual course of business and are surplus to the needs of the department; and

WHEREAS, the vehicles and equipment occupy valuable storage space, require insurance coverage and unnecessarily consume city resources; and

WHEREAS, staff has determined that the cost of maintenance and repairs exceed the value of these vehicles and equipment.

NOW THEREFORE, the City of Myrtle Point City Council hereby resolves:

SECTION 1: To declare a 1955 American LaFrance ladder truck (VIN: L5233); a 1973 Kenworth water tender truck (VIN: 130678); and a 2000 Ford ambulance (VIN: 1FDWE35F5YHA72783) surplus to the City's needs.

SECTION 2: To offer these items for public sale to the highest bidder.

SECTION 3: To place proceeds from the sale of the ladder truck and water tender truck in the Fire Truck Reserve Fund.

SECTION 4: To place the proceeds from the sale of the ambulance in the Ambulance Reserve Fund.

SECTION 5: To direct the City Manager to take necessary action to fulfill the intent of this Resolution.

Adopted by the Myrtle Point City Council this 16th day of October 2023.

Samantha Clayburn, Mayor

ATTEST:

Darin Nicholson, City Manager

City of Myrtle Point Agenda Item Report

To: Mayor Clayburn and City Council
From: Darin Nicholson, City Manager
Date: October 16, 2023
Re: City Manager Recruitment Update



BACKGROUND

In accordance with the City Council's request from the last meeting, I have posted the City Manager job on Indeed and have received several applications from individuals who have qualifications that may be appropriate for the job. Excerpts from the applicants' resumes are attached on the following pages. It is recommended that a committee be formed to further review and interview candidates, with the goal of ultimately recommending a primary candidate (and possibly a backup candidate) to the City Council. The committee should not include more than three members of the City Council so that its meetings will not be subject to public meetings laws. The council may wish to appoint or invite other non-council members to participate on the committee, such as department heads, members of other committees or commissions, or community members who work/interact regularly with the city.

RELATED CITY POLICIES

City Council Rules – Paragraph 9.2 Members on Committees, Boards and Commissions

COUNCIL OPTIONS

- **Form a City Manager Recruitment Committee (Members Appointed by Mayor):**
SAMPLE STATEMENT – *"I hereby appoint _____ to serve on a City Manager Recruitment Committee until such time as a new City Manager is recommended and approved by the City Council."*
- **Do Nothing:** NO MOTION NEEDED

CITY MANAGER'S RECOMMENDATION

Form a committee

ATTACHMENTS

- City Manager Applicant Summary

City of Myrtle Point

City Manager Applicant Summary

APPLICANT 1

Experience

MARCH 2023 – PRESENT • *Owner/Grant Writer*

Conduct comprehensive grant searches using various databases, portals, and other resources to identify funding opportunities. Monitor and stay updated on federal, state, and local grant programs, eligibility criteria, and submission deadlines. Evaluate grant requirements, guidelines, and application procedures to determine the organization's eligibility and feasibility. Collaborate with internal stakeholders, to gather necessary information and supporting documentation for grant applications. Prepare and compile grant application materials, including proposals, budgets, supporting documents, and required forms. Ensure compliance with all grant application requirements, including formatting, documentation, and submission deadlines. Coordinate with relevant parties to obtain letters of support, endorsements, or other necessary documents for grant applications. Submit grant applications electronically or by mail, following the prescribed submission process for each grant opportunity.

JUNE 2020 – JULY 2023 • *Dep. City Recorder/Exec. Assistant*

Perform a variety of complex professional work in various municipal areas. Work under the general guidance and direction of the City Manager and City Council. Coordinate public information programs, city websites, and social media. Tracks and assists in the coordination of City Contracts and City Records. Performs research and special projects as needed. Writes grants and obtain bids for purchase, installation, and maintenance of equipment and projects.

JANUARY 2019 – FEBRUARY 2020 • *Legal Receptionist*

Responsible for drafting estate planning documents as well as judgments, liens, and satisfactions. Generated documents for legal matters including exhibits and trial memorandums. Operated various computer programs to maintain schedules and case information.

JANUARY 2018 – MAY 2018 • *Office Specialist • (State Agency)*

Reviewed individual criminal records for disqualification to possess or receive a firearm. Researched missing information using various databases and corresponding with court and district staff. Responsible for entering information in accordance with division policies and state laws. Supported the establishment of division policies and procedures.

JANUARY 2016 – DECEMBER 2017 • *Legal Assistant*

Generated legal pleadings including subpoenas, judgments, small claims litigation and general correspondence. Directed the training of new personnel while establishing written policies and procedures. Reviewed documents in conformance with legal statutes maintaining legal records according to state standards.

Education

Western Oregon University • Monmouth, Oregon

- Bachelor of Arts – Criminal Justice
- Minor – Social Sciences

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City Manager Applicant Summary

APPLICANT 2

Work Experience

Finance Director (Public Agency) - May 2009 to September 2023

Performs accounting functions of a Water Utility with \$93 million in assets, using Springbrook Accounting Software.

- Produces Financial Statements for Management, financial institutions, local, state, and federal governments
- Teach and Train computer systems and accounting to team
- Supervises one division supervisors with 18 member team
- Part of Management team in absence of General Manager
- Perform duties of chief accountant, preparing and checking journal vouchers or supervising their preparation, establishing accounting systems; directs the accounts receivable, including utility billing and accounts payables systems; analyzes and reviews accounts; maintains inventory ledger; prepares state and federal reports, asset ledgers, insurance register, and other subsidiary ledgers.
- Responsible for general ledger; prepares monthly financial and operating statements, periodical cash forecasts, and other financial and operating data reports as required.
- Prepares annual financial and labor budget under direction of the General Manager and with input from other department heads; assists auditor in review of information for annual audit of financials
- Supervises preparation of employee payroll and quarterly tax reports
- Purchases office equipment and authorizes purchases other materials and supplies
- Supervises utility's computer operations, including analysis of current and future hardware and software needs and oversees the general operation and good working condition of the utilities computer equipment
- Researches and recommends cash investment activity for surplus funds
- Administers workers' compensation, pension programs, health insurance and general and liability insurance
- Develops and recommends policies and procedures related to Water Board Rules and Regulations and divisional operations
- Prepares reports or performs special studies at the request of the General Manager
- Manager Customer Service functions including office, field services, and cross connection control program
- Assumes division fiscal responsibility by participating in the preparation of and operating within an approved annual budget
- Demonstrates exemplary leadership and maintains positive, cooperative, and effective working relationships with Water Board staff, other organizations and the general public
- Follows all safety rules and procedure for work areas

Controller (Tribal Casino) - April 2007 to May 2009

Perform accounting functions of a \$7.5 million Casino using QuickBooks

- Produce Financial Statement for Management, financial institutions, local, state, and federal entities
- Teach and Train computer systems and accounting to 2 team
- Supervise two department supervisors, with 15 member team
- Part of Bi-Management team in absence of General Manager
- Oversee the Finance, Information Technology, Purchasing, and Cage/Vault departments and the cash management program
- Responsible for the overall financial results for the organization and assist in safeguarding assets
- Make recommendations on suggested improvements in casino financial operations
- Prepare short and long range business assumptions, financial projections on special projects and casino operating budgets
- Prepare financial policies and procedures, cash handling controls and internal audit procedures consistent with approved practices and regulatory agencies

Educational Specialist / IT Coordinator (Tribe) - September 2004 to April 2007

Grant writing for educational program development

- Control of Educational budget and manage 1 person team
- Established functionality within seven networks; Administration, IHS Clinic, Police, Fish and Wildlife, Environmental, Education/Cultural, and the Council
- Developed data storage and backup procedures for all networks

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City Manager Applicant Summary

- Created stronger data security thru implementation of proven firewall system
- Negotiated, Coordinated and Install network change over saving \$35,000 in hardware costs and saving \$3,600 annually in connectivity costs
- Migrated Fundware accounting upgrade in software, hardware and user training
- Developed IT Plan for the seven networks

Contract Technology Teacher (Education Service District) - July 2000 to September 2004

Created educational program to produce \$58,000 annually

- Coordinated, maintained, and collected StRUT, Students Recycling Used Technology, inventories worth \$500,000
- Compiled, and recorded annual data to State of Oregon StRUT Program • Developed private contracts and training programs to produce \$55,000 annually
- Coordinated technology projects between three superintendents
- Developed, established funding, coordinated three district, and installed 5 specialized computer labs
- Coordinated, trained and monitored the building and installation of 175 computers
- Designed 5 different high school classes/projects
- Developed classroom and program budgets for 3 separate districts

Staff Accountant (Professional Group) - September 1996 to July 2000

Trained staff and clients in relevant functions of hardware and software

- Conducted all phases of audit for non profits and municipalities
- Created, drafted and presented Financial Statements
- Prepared tax returns for individuals, businesses, non profits and municipalities
- Prepared tax and statistical reports for individuals, businesses, non profits and municipalities
- Managed audit team on several school district audits
- Performed audit reviews for both accounting offices

Education

Masters in Business Administration

Concordia University - Portland, OR

May 2008

Bachelor of Science in Business Administration

Oregon State University

June 1996

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City Manager Applicant Summary

APPLICANT 3

EDUCATION

Baldwin-Wallace University, Berea, Ohio

BACHELOR OF ARTS DEGREE IN POLITICAL SCIENCE

EXPERIENCE

President / Founder

(Consulting & Communications) [January 2002] - [Current]

Represented various businesses and political clients at the state, local and federal levels offering consulting services in crisis and strategic communications, government and public relations, marketing, media buying, fundraising and campaign management. Managed multi-million-dollar integrated advertising and communications campaigns. Developed, created, and edited advertisements for television, radio, online media, mail, and print. Managed small and large groups for strategic communications, direct lobbying efforts, research, and fundraising activities. Client services also include land use, development agreements, public private partnerships, lobbying and educating government staff and elected officials on policy and legislation. Presented and spoke at committee and commission hearings, and official government meetings, successfully moving agendas forward and accomplishing client's goals. Over the years Brandon has developed relationships and key contacts in every area of industry and sectors of local, state, and federal government.

Governmental Affairs Cannabis & Hemp Consultant

(Law Firm) [May 22, 2019] - [Current]

The Puzzle Group Law Firm focused on partnering with multi-location and multi-state cannabis operators to assist them in developing new cannabis dispensary locations. The firm acquires, manages, and partners in real estate opportunities. It also regularly advises clients on all aspects of governmental affairs, licensing, and transactional matters. He has also been a dynamic presence in the emerging cannabis industry, and his input was pivotal to legislation throughout California's local governments. He has partnered with the Puzzle Group Law Firm on multiple successful licensing and property efforts including dispensaries in Marina and Santa Barbara County. His transparent explanations and helpful attitude regularly find favor before Boards of Supervisors, City Councils, and Planning Commissions.

Vice-President Government Affairs

(Agricultural Company) [December 21, 2017] - [December 2022]

Successfully manage in County of Santa Barbara and won appealed approved agriculture operation is that entitled 48 acres of cannabis in County of Santa Barbara which represents 10th largest approved cultivation site in California. Helped build a multi-million-dollar company in every changing and challenging cannabis space. From 2019 to 2022 managed conditional use permit, planning commission public hearings appeals, Santa Barbara County Board of Supervisor appeals, and building and operational permit efforts. Additional managed all operations state and local licensing with the California Department of Agriculture and Department of Cannabis Control. Handled all annual compliance documentation, inspections, official communications and approvals with California Department of Fish and Wildlife, USDFW, Central Coast Regional Water Board, State Water Resources Control Board, California Department of Tax and Fee Administration, California Secretary of State Business Division, County of Santa Barbara Cannabis Compliance Department, Planning Department, Sheriff's Office, County Fire Department among others.

Vice-President Governmental Affairs

(Farm Company) [October 1, 2015] - [January 2020]

Brandon navigated the political waters by developing and implementing the successful government relations and public affairs strategies that have gotten the company where it is today. Brandon has served as (Company's) Executive Vice President and Director of Government Affairs since 2015. Through his strategy and efforts (Company) acquired over sixteen acres of land and building assets

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that appreciated 400%. He also led and managed the land use entitlements that made that possible. In addition, he was part of a partnership that was valued for the company at over \$40 million dollars. In 2016 Brandon lobbied the city council to place on the ballot - measure J which and which created the cannabis entitlements in the city. He also successfully ran the election which passed with 80% of the vote. For all our properties Brandon ran point on all the entitles and licensing with the city and state of California. Every single project we won at the Planning Commission and City Council meetings. These various projects at the time through 2016-2018 valued to represent over \$250 million dollars.

GOVERNMENT SERVICE

Board Member

(Fire Protection District) [November 2015] - [April 27, 2017]

Brandon in 2015, was elected and governed on the (Fire Protection District), Board of Directors. He provided the Board with statewide experience and perspective working with Cal-Fire. That provided additional guidance to board members responsible for the administration budget and operations of the district. Brandon's experience also led to the establishment of policies for the district that saved taxpayers' dollars and increased transparency. During my tenure we maintained a balanced budget with millions of dollars in surplus.

Senior Advisor

Office of Lt. Governor Abel Maldonado [April 27, 2010] - [January 10, 2011]

Provide Senior Counsel to the Lt. Governor. Implement of winning strategy for confirmation during the longest confirmation process in California history 157 days. Lt. Governor Maldonado was acting Governor for 57 days of his brief term. No other Lt. Governor in California history was acting Governor and accomplished more. Advised and staffed the Lt. Governor during what was the most visible time of public service during the tragic San Bruno Gas Pipeline Fire Disaster. As Senior Advisor Brandon was the point person communicating with local governments and various federal, state, and local agencies to address numerous issues including water, utilities, roads and infrastructure, public safety and public health issues for counties and cities in California. In the service of Senior Advisor, when Lt. Governor was acting Governor, served as top advisor, and attended meetings with and on behalf of Lt. Governor. Agencies I interacted with directly or indirectly: UC Board of Regents, CSU Board of Trustees, California Energy Council, Oceans Protection Council and The State Lands Commission.

Senior Advisor / Spokesman

Office of State Senator Abel Maldonado [December 6, 2004] - [April 27, 2010]

Senior Advisor to Senator Maldonado during his entire tenure in the Senate. During every major important budget vote or action, Brandon was there in the Capitol by the Senators side working through what ultimately what action or vote would be made. In this office his portfolio included: agriculture, High Tech, energy, the environment, and tourism. Senator was appointed Chairman of the Senate Agriculture Committee in 2006-2008. In his role as Chair, it was Brandon's role to interact on the Senator's behalf with the agriculture industry, local, state, and federal governments, and regulatory agencies. Had hearings out of capitol in Agriculture industry areas which promoted concerns of agriculture and promotion of its vital industry to the state's economy. Collaborated with the Senator on policy positions and coalition building activities including Organized environmental conference hosted by Julie Packard at the Monterey Bay Aquarium with all statewide and regional environmental groups in attendance with special guest Terry Tamminen, Secretary of the California Environmental Protection Agency for Governor Schwarzenegger. Met with leaders of the High-Tech industry of the Senators behalf. Notably and example of addressing needs of the district on behalf the Senator, the Senator offices collaborated with local congressmen, county officials, city of Salinas and with Monterey County Sheriff Mike Kanalakis to receive a 7.5 million federal grant for government funds for new equipment, staff training, and a joint-gang task force with the city of Salinas. Additionally, with direct assistance from the Senators office helped Sheriff secure grant funding over \$85 million for the County Jail expansion. This represents an example of many grants I was a part of.

Campaign Manager/Fundraising Manager

Abel Maldonado for Congress 2012 [March 1, 2011] - [November 8, 2012]

Managed and oversaw campaign management, fundraising, and communications during the first half of this congressional race through the Primary which he won. **Fundraising highlights:** Managed and organized many high-profile fundraising events throughout California, Texas and New Jersey raising over \$2 million with some notables including former Speakers Boehner and Gingrich, Congressman Kevin McCarthy, among others.

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APPLICANT 4

FIRE CHIEF

(City), California 10/2018 - Present

Oversee all administrative, operational, logistical, and financial responsibilities of a municipal all hazards fire department.

- ▢ Established a new City Fire Department from square one, and obtained funds to purchase and equip a new fire engine through grants and political persuasion. Key contributor of the team that worked to obtain grants in excess of \$1MM.
- ▢ Increased staffing levels of full-time personnel, improved morale within the department, assisted line personnel in obtaining comparable wages, and created a culture of honest and respectful communication.
- ▢ Built a prevention program from the ground up, implemented policy procedure manuals, and established hiring procedures for full-time and part-time personnel.
- ▢ Implemented new technologies and software to improve dispatching and organizational databases.
- ▢ A key member of the city leadership team addressing the challenges caused by Covid 19, and serve as the liaison between the city and multiple community groups.

FIRE CHIEF

(Fire & Rescue / Ambulance District), Oregon 10/2013 - 10/2018

During this challenging political atmosphere I oversaw the administrative, operational, logistical, and financial accountability for an all-hazards municipal fire district.

- ▢ Worked with governing boards to establish policies/procedures to ensure they served the community using legal best practices.
- ▢ Obtained funding to provide seismic retro-fits for four fire stations, as well as obtaining funding and playing a key role in the updating of Regional Emergency Operation and Resiliency Plans.
- ▢ Controlled budgeting to ensure it did not contribute to increased taxes, and this led to the payoff of nearly \$1MM in debt.
- ▢ Led the process of adopting a fire code, and instituted a position Task Book process.
- ▢ Key contributor in obtaining a strategic plan and acted as the lead in executing and updating the plan.
- ▢ Led the process of creating an administrative MOU between two public safety agencies saving money and creating efficiencies.

FIRE CHIEF

(City), Texas 11/2012 - 09/2013

In 2012, I was recruited to establish a new municipal fire department from the ground up. Shortly after accepting this position, the City Council went through significant political turmoil leading to the defunding of the fire department project and persuading me to take the offer of Fire Chief with Siuslaw Valley Fire & Rescue.

- ▢ Wrote the implementation plan that included all financial, administrative, logistic, and operational needs. Also served as the City's representative on the El Paso County 911 Board.

FIRE CHIEF

(Community Services District), California 07/2010 - 11/2012

Oversaw all administrative, operational, logistical, and financial responsibilities of a small municipal fire department.

- ▢ Obtained over \$700k in grant funding, and instituted a Part-Time Firefighter and Intern program to address challenges recruiting and retaining volunteers.
- ▢ Implemented Position Task Book process, new technologies, and software to improve dispatch and organizational databases.
- ▢ Improved operational readiness of firefighters through increased training and updated department policies and procedures.

DEPUTY CHIEF

(Fire & Rescue), Arizona 06/2009 - 07/2010

Oversaw all fire service operational and prevention activities of the Whiteriver Community.

- ▢ Improved training through the utilization of simulations and hands-on scenario-based training.
- ▢ Improved firefighter morale by working closely with the Captains and actively communicating and training with them.

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BATTALION CHIEF

(County Fire & Rescue), Washington 06/2001 - 05/2009

Supervised a six-station battalion and served as Incident Commander at large and complex emergency responses.

- Built Paramedic program, EMS training, and quality assurance program from the ground up.
- Started a part-time paramedic program, and created a public/private partnership with a local ambulance provider.
- Led the process of obtaining a voter-approved initiative to fund the hiring of full-time paramedics.

PARAMEDIC TRAINING OFFICER/FIREFIGHTER 03/1993 - 07/2001

(EMS / Fire Dist.), Washington

Paramedic/firefighter in a rural community with extended transport times and advanced EMS protocols.

- Served as the Training Officer for this advanced life support all hazard EMS and Fire District.
- Improved the EMS quality assurance program as well as the ALS and BLS training programs.
- Coordinated and taught EMT training programs and Citizen Emergency Response Team (CERT) programs.
- Served as the organization's liaison to the Clark County Medical Program Director and as the volunteer coordinator and infection control officer.

United States Air Force (Honorable Discharge) 1985 – 1989

EDUCATION

Master of Public Administration, Concentration in Human Resources (2013) Member, *Pi Gamma Mu* Honor Society
American Military University, Charles Town, WV

Bachelor of Fire Science, *summa cum laude*, Columbia Southern University, Orange Beach, AL (2010)