

drussell@cityofbandon.org

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, September 12, 2019 10:29 AM
To: Denise Russell
Subject: Fw: what's next

From: Matt Winkel
Sent: Friday, May 03, 2019 10:52 AM
To: Mary Schamehorn
Subject: RE: what's next

Mary:

I figure I would just announce the Utilities Commission emergency recommendation during my report at this upcoming May Council meeting.

I would then anticipate that the City Council would put the matter on the June agenda as an action item, including declaring an emergency and adopting the emergency rate increases to be effective for all water sold after July 1. The word will certainly get out through the newspaper and your column, which I suggest happen after the Utilities Commission makes its recommendation on Monday night. That way, people will have plenty of notice to show up at the June Council meeting, do their Facebook postings, and grumble and grouse at the City Council during the June meeting, as part of your consideration of whether to go with the Utilities Commission recommendation and declare emergency and raise the rates.

As for a Town Hall meeting, that needs to happen sometime after the rates have been increased. I think it is critical that we are in a position to defend our action after the emergency has been declared and the rates have been increased, not trying to explain things to the public in advance and begging them to please support the proposal. Maybe August or September would be a good time for the Town Hall? It would also be nice to have heard the grouching, and know if we have been sued, prior to holding the Town Hall.

Robert is supposed to get me his proposal on the rates today. I kind of support a straight across percentage increase. It's easier to explain, and is less regressive than tilting it towards the base rate. If I was to lean one direction or the other, I think I would prefer increasing the consumption rates. I'll see what Robert comes up with, using his new figures.

We shall see!

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Friday, May 3, 2019 10:17 AM
To: Matt Winkel <mattwinkel@outlook.com>
Subject: what's next

MS 0001

I need to know what is going to happen Monday night, and what the percentages are going to be.

I am wondering if I should run my piece about the emergency declaration this week in my column, which would come out Monday.

that way no one could say they didn't know about it.

How will that actually happen. After you have presented the utility commission's recommendation, than do we make a motion to pass the emergency rate increase?

Also when should we hold a Town Hall meeting? I don't want this to go off the rails before we have least explained that it will probably only amount to \$14 a month on the little guy's basic bill.

What do you think?

Did you and Robert figure out how it will be assessed; basic bill, consumption, etc.

M

drussell@cityofbandon.org

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, September 12, 2019 10:30 AM
To: Denise Russell
Subject: Fw: the deficits in the water and sewer funds

From: Matt Winkel
Sent: Tuesday, May 21, 2019 12:41 PM
To: Mary Schamehorn
Subject: RE: the deficits in the water and sewer funds

Mary:

That pretty much covers it.

If you want to include figures in future responses, a simple explanation might be:

The City Manager projects that next year, without a rate increase, the Water Fund will have revenues of \$935,121, but expenditures of \$1,095,121, leaving a deficit of \$160,000. The emergency rate increase is projected to raise the necessary \$160,000. The City Manager projects that next year, without a rate increase, the Sewer Fund will have revenues of \$838,197, but expenditures of \$1,060,197, leaving a deficit of \$222,000. The emergency rate increase is projected to raise the necessary \$222,000.

I think we will be getting much more support than opposition. I wonder what would have happened if we hadn't proposed the emergency rate increases? E coli in our drinking water? Crabs eating our sewage?

Power to the People!

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Tuesday, May 21, 2019 11:59 AM
To: Matt Winkel <mattwinkel@outlook.com>; Claudine Hundhausen <grammyandpapa1@msn.com>; Madeline Seymour <councilormadeline@earthlink.net>; geri Procetto <geri@mycomspan.com>; Peter braun <councilmanbraun@gmail.com>; brian vick <bvick@harborside.com>; Chris Powell <bandonbakingco@aol.com>
Subject: Fw: the deficits in the water and sewer funds

Here is a question from a constituent and my answer. Not sure what else to say. M

From: Mary Schamehorn
Sent: Tuesday, May 21, 2019 11:54 AM
To: R. Ponessa
Subject: Re: the deficits in the water and sewer funds

Thanks Mona. the deficits have occurred because the city is not able to raise utility rates because of a charter amendment. When the charter amendment first went into effect, there were pre-existing agreements with the state, which allowed us to raise rates, but those debts have now been paid off and we have not been able to raise rates for some years, except for the \$10 increase for capital water projects which the voters approved last year, which has resulted in a big deficit. Water, sewer and electric are enterprise funds, which need to pay for themselves, but without being able to raise rates in our utilities, that has not been possible. We have been putting this off for several years, by being as frugal as possible, but the time has come that these very modest rate increases are necessary. Had we, like every other city in the state and pretty much the country, been able to keep pace with our utilities, we would be fine, but that has not been the case. I hope you read my column, which clearly shows what others in our area are paying for the same amount of water.

Not only that, and I do not mention it in my column, but our general property tax rate is 46 cents a thousand; others in the county range from \$6 to \$8 a thousand.

Not only are we in a deficit position in operating both the water and the sewer departments, but our sewage treatment plant is nearing the end of its 20-year life. we have very dedicated people in both departments, including our electric (where we were able to balance that budget without a deficit), but they can only do so much.

I will send you a copy of what I wrote for my column in case you did not see it.

And yes, thank God, we are growing because not only do they pay much-needed Systems Development Charges, which go toward capital projects, but they also hook up to our utilities.

Mary

From: R. Ponessa

Sent: Tuesday, May 21, 2019 11:29 AM

To: marys@coosnet.com

Subject: the deficits in the water and sewer funds

Dear Mary,

I am hoping you can clarify why there is a \$200,000 deficit in the eater fund and a \$198,000 deficit in the sewer fund since the Band Western World didn't explain. I carefully read the City Manager's newsletter and the city's utility newsletters,(both of which we greatly appreciate), and didn't catch there was such a massive deficit. Is it because of unexpected repairs, problems arising, someone running off to Mexico with the funds??? I really think it would make a lot of people easier if they were told how such large deficits occurred. As of us, we totally support city owned utilities and it was one of the reasons we bought here in Bandon 21 years ago and, of course, will vote for any increase to keep these utilities functional even though, since we maintain a big green space on city property in front of our house as well as our garden it will be costly to us personally. But, I think the City would get much more support especially if it has to go to a vote if people knew how such deficits happen. I know the utility company newsletter has been very good about explaining where the money we voted for has been used and what is further needed and think such information would help get the public's support for an increase if the City explained how such large deficits occurred when there are so many new houses being built and going onto the city's utilities.

Thank you for your assistance in this matter.

Mona Ponessa

drussell@cityofbandon.org

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, September 12, 2019 10:20 AM
To: Denise Russell
Subject: As I See It for May 22, 2019.doc
Attachments: As I See It for May 22, 2019.doc

As I See It

By Mary Schamehorn

The first picture I am sharing will bring back memories for a lot of us old-timers and will be an interesting story for newcomers. I remember clearly that mother was driving us to school the morning of Nov. 3, 1953, and when we rounded the corner at the end of First Street, headed up Edison Avenue hill, we were shocked to see that a huge ship had run aground at the end of the south jetty.

The S.S. Oliver Olson, a 307-foot lumber carrier that had been operating between Bandon and San Pedro for several years, was hard aground on submerged rocks of the south jetty at the entrance to the Bandon harbor.

The Western World reported: "Caught in a cross-current while entering the mouth of the river at 8:40 a.m., the vessel could not be straightened out by the man at the wheel and the stern struck the submerged rocks, holding the ship fast. Powerless to move forward, the ship's bow was soon swung in the same direction by the current, leaving the vessel parallel to the jetty."

Preparations for salvage operations finally began in mid-December by a Napa, Calif., company who bought the ship from the insurance company. A suspension bridge was erected between the old piling of the south jetty and the stern of the ship, high enough to be above the break of the surf.

Fred Robertson of Robertson's concrete plant did the grading, and Bandon Rock rocked the road that led from the foot of Edison Avenue to the south jetty. The salvage job was expected to take about four months and employ 20 people.

For weeks after the ship went aground, it was a huge attraction as hundreds streamed to the area to get a closer look.

This is one of the pictures that Bob Fisher has shared with me.

This second photo was taken in 1960, as Mr. Peanut (Mike Anthony) talked with several local youngsters, including Gary Potterf and probably Scott Sutherland (with his back to the camera). They were on Second Street near the intersection of Baltimore Avenue in front of Erdman's City Market (now the Lloyd's Cafe building). In the back I can see Eloise Bowder holding a child, and a short distance away, her daughter, Marilyn Strycker.

How many of you remember when the kindergarten was on Ninth Street where the district office is now located? This photo was taken in December of 1958.

* * *

Let's say, for example, you owned a small grocery store, and one day your customers voted not to allow you to ever raise prices. Your merchandise continued to rise in price and other expenses increased, but you could not raise your prices. You kept going back to your customers, explaining your situation, but still they said "no increases." Eventually, you could no longer remain in business, and you were forced to close your doors.

This is essentially the same situation faced by the City of Bandon, but we cannot stop providing clean water and treated sewage ... just because we are not allowed to raise our rates without a vote of the people. This charter amendment was put in place more than 20 years ago by the voters; in the early years we were allowed to raise rates just enough to pay our pre-existing agreements with the state on sewer and water bonds. Those agreements have now been paid off, and we are facing an emergency in our ability to operate and maintain both the sewer and the water utility.

Not only can we not fund day to day operation and maintenance of our facilities, but the sewage treatment plant is nearing the end of its 20-year life and will require extensive upgrades.

The city council has been entrusted to take care of the health and welfare of the people of Bandon.

The city's utility commission recommended at the May council meeting that the city council declare an emergency, which will require us to raise our water rates 21 percent and our sewer rates 28 percent.

Based on the basic bill, which provides 2,000 gallons of water a month, your bill will go up approximately \$11.30 a month.

I looked at my last utility bill. I used 1,000 gallons of water for a water and sewer bill of \$46.22. Even if I had used 2,000 gallons of water, my bill would have gone up only \$11.30 to \$57.52. In the summer, if I choose to keep a green lawn and water almost daily (whether I need to or not), my bill will increase. If I don't, the increase will continue to be \$11.30.

I computed the increase based on someone using 5,000 gallons of water a month, and found that their increase would be \$15.27, including \$5.75 for water and \$9.52 for sewer. Their bill would go from \$61.40 to \$76.67.

How does that same usage compare with our neighbors? In Myrtle Point your bill would be \$70 a month; Powers, \$77 a month; Coos Bay, \$72; Port Orford, \$83 a month; Brookings, \$100 a month, and Coquille, \$124 a month. And not only that, our electric bills are cheaper than either Coos-Curry Electric or Pacific Power.

As one member of our utilities commission put it so well: if we are not able to prevent raw sewage from spilling out onto the bay and we can no longer provide safe, clean drinking water, the state could well step in, take

over our utilities, and charge whatever is necessary to maintain both systems. That is the last thing we want to happen!

We have dedicated people at both our sewer and water plants. All they ask is they have the resources to maintain those systems. That is why the utilities commission is urging that the City Council ... declare an emergency.

Once the increase has been put into effect, we will hold a town hall meeting to explain our short and long-range plans and what led up to the emergency declaration.

Again, we are talking about an increase of less than \$12 a month for those of us who use less than 2,000 gallons of water a month.

It is time to bite the bullet and do what we can to preserve our water and sewer systems and keep the state out of our business!

* * *

I was sorry to learn that Diana Fraser Holland died on Mother's Day after losing her battle with pancreatic cancer. Diana, who graduated from BHS with the class of 1968, was here for her 50th class reunion in September, and that's when friends learned of her diagnosis. Her daughter, Tara, posted a beautiful tribute to her on Facebook this week. She is also survived by her husband, Paul (Wayne) Holland, and her siblings, Daniel, Darlene and Russ Fraser.

I also learned that former Bandon postmaster Dave Robinson of Myrtle Point had died on May 17. Pastor Dave was best known for his disaster preparedness columns that he had written for area newspapers for the last few years. He also wrote a book titled "Disaster Prep for the Rest of Us," which was published in 2014. I was editor of The Herald, which was one of the first papers to carry his column. In the copy of the book he gave me, it reads: "Mary, without your support and encouragement, this book would not have been possible. Best to you, Dave Robinson."

Dave was truly one of the good guys, and everyone who knew him, loved and respected him. He served in the Air Force in Viet Nam and had a background in law enforcement.

We also lost long-time Lion Dick O'Grady, who died recently at the age of 97.

* * *

We've had a lot of meetings lately, including five budget meetings and several evaluation sessions, but soon my thoughts will turn to several programs that I have agreed to host at the Bandon Historical Society Museum. The first will be Saturday, July 6, with my first-hand account of

the arson fire that destroyed Bandon High School in 1974, highlighted by the photos that I took that night as well as the next day.

The program will be presented twice that day, at 11 a.m. and at 2 p.m., as our space at the museum is not that large.

On Saturday, Aug. 17, Jim Proehl and I will be sharing photos from my Western World collection, taken during the '50s, '60s and probably some of the '70s. We're also planning to have two programs that day, probably at 11 and 2.

If you like the photos that I've been posting in my column, you won't want to miss the August program.

drussell@cityofbandon.org

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, September 12, 2019 10:30 AM
To: Denise Russell
Subject: Fw: Water and Wastewater Rate Increases...

-----Original Message-----

From: Robert Mawson
Sent: Monday, June 03, 2019 10:50 AM
To: Madeline Seymour
Cc: Brian Vick ; Chris Powell ; Claudine Hundhausen ; Geri Procetto ; Peter Braun ; Mary
Subject: RE: Water and Wastewater Rate Increases...

Hi Madeline

After speaking with Fred about this a couple of weeks ago, and checking with Shala this morning (who spoke with Fred also), we agreed that these declarations do not meet the State's statutory requirements to declare an emergency. However, after our conversation this morning, I am going to amend the water and wastewater ordinances to reference the Utilities Commission recommendation, which spells out the reasons behind the rate increase. Also, because these actions are likely going to be appealed in court, we will not be tied up trying to defend the fact that we declared an emergency, but only that there was a budget shortfall and the City Council had to act expeditiously.

Robert J Mawson
City Manager
City of Bandon
P.O. Box 67
555 Highway 101
Bandon, OR 97411
Phone: (541) 347-2437
Fax: (541) 347-1415
citymanager@cityofbandon.org

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-----Original Message-----

From: Madeline Seymour <councilormadeline@earthlink.net>
Sent: Monday, June 3, 2019 7:26 AM
To: Mary <marys@coosnet.com>
Cc: Robert Mawson <citymanager@ci.bandon.or.us>
Subject: ?

Don't we have to declare a Utility Emergency before we can vote on the rate increases?

I might have missed something, but the agenda doesn't say anything about the declaration to be voted on.

Madeline

drussell@cityofbandon.org

From: Mary Schamehorn <Marys@mycomspan.com>
Sent: Thursday, September 12, 2019 10:33 AM
To: Denise Russell
Subject: Fw: \$53/\$60.28

-----Original Message-----

From: Mary Schamehorn
Sent: Thursday, July 18, 2019 3:16 PM
To: Nancy Evans
Subject: Re: \$53/\$60.28

I was at that meeting; what she was talking about was the total cost of the utility... not the increase. There was never a chance that the increase would be \$60 a month. Period! My guess is that the minute taker misunderstood what she was saying. Anyone can take their own bill and apply the percentages to see exactly what they would be paying, and there is definitely no residential customer that would have an increase anywhere near that. Mary -----Original Message-----

From: Nancy Evans
Sent: Thursday, July 18, 2019 9:25 AM
To: Mary Schamehorn
Cc: Robert Mawson
Subject: \$53/\$60.28

https://www.cityofbandon.org/sites/default/files/fileattachments/general/meeting/5601/2.b_meeting_minutes_-_april_24_2019.pdf

Dear Mary, after a little research regarding your claim I was completely wrong about the \$53 increase to water/sewer rates with the proposed "emergency" resolution I refer you to the Minutes of the Work Session above.

At this April meeting, which you attended, Commissioner O'Dea "does the math" for the Commission based on the purposed hikes of a typical customer using 2000 gals and informs the Commission the proposed rate rise amount will result in an increase of \$60.28 a month for her example customer.

Yes this is not the \$53 I said I recalled, it's more. See O'Dea's comments in attached Meeting Minutes directly above the list of other communities rates in the region.

As you know when the proposed "emergency rate hike" was later discussed and voted in favor of at the City Council meeting two major changes were made. One was the limitation of the word emergency and the other was to lower the actual rate amount. Resulting in a lower amount owed by the typical customer in Commissioner O'Dea's example at the Work Session.

MS 0012

I have concluded from my research that using my personal typical bills and the original proposed emergency rate hike I would be paying an average increase of \$53 on each of my utilities accounts. And this is where I came up with \$53.

As you know from my comments at the meeting yesterday I did not know the city council had passed the rate hike yet...and I also was unaware these two important changes had been made at that Council meeting(I believe that meeting's Minutes have not yet been made available the public to read yet). I apologize for not being aware of these changes until now.

Hopefully you will be satisfied with my explanation above and we can move on to more important matters*.

As I wrote to you after the meeting yesterday(and cc'd to the city manager) I am glad to learn the correct(amended) rate hike is lower than I believed it to be. But again all of this is a moot point with the pending lawsuit and a court recognizing the City Charter does not allow any rate hikes before a vote in favor of a hike by the community. In my opinion the courts have no other option open to them but to rule against the City.

Thank you for your time and patience while I researched this item to this logical conclusion. Please do not hesitate to contact me with your questions or comments.

N.

cc City Manager

* Mary I believe you could have come to exactly the same logical conclusion as I have here yesterday. You were aware that changes had occurred that I possibly was unaware of and been kind enough to have explained these new developments to me as an explanation rather the your approach. Maybe you will remember this for the next time I, or another citizen, shares a thought with you. Thanks!

Sent from my iPad

drussell@cityofbandon.org

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, September 12, 2019 10:32 AM
To: Denise Russell
Subject: Fw: an idea

From: Matt Winkel
Sent: Saturday, July 20, 2019 11:17 AM
To: Mary Schamehorn
Subject: RE: an idea

I know what I would do. I would immediately resign from the Utilities Commission, and I suspect most of all of the other members would do so as well. I would recommend that the Mayor and City Council resign as well. Then let Rob, the judge, the State, and the majority voters take things over.

I am not joking about that. That is my serious answer to what I would do if the lawsuit is upheld and/or the GO bond is not approved.

Power to the people!

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Saturday, July 20, 2019 11:09 AM
To: Matt Winkel <mattwinkel@outlook.com>
Subject: Re: an idea

I certainly had not planned to go public with any idea, but what do you envision we will do if the lawsuit is upheld and the GO bond is not approved. Then what is the answer? M

From: Matt Winkel
Sent: Saturday, July 20, 2019 11:00 AM
To: Mary Schamehorn ; Fred Carleton
Subject: RE: an idea

I looked at the budget documents going back to FY2014-2015, and can't find the bleeding from the General Fund into the utilities. Maybe it was, so perhaps the audits for the last two years will show it when they get done.

Now, back to the ideal of selling the utilities. Who the hell would buy our water and sewer systems, given the political realities in Bandon? Maybe they would be willing to buy the streets as well?

I'd think pretty hard about actually moving forward with that idea or making that idea public. Unless and until you spent quite a bit of money to hire a consultant to do the financial analysis of the impacts on the City (which would become public information), putting that idea out there sounds like a "bluff." Here's just small sample of things that might be done by somebody who wasn't happy with the idea.

The first thing could be for Rob, or Francis, or Tom, or somebody to put a measure on the ballot to require that any utility system sale be subject to voter (owners') approval. (Fred could weigh in regarding whether there are already any statutory requirements for voter approval for the City to sell their utilities or major assets.)

The second thing could be a ballot measure to place deed/sale restrictions on any utility system sales (including electric) requiring that the rates continue to be subject to voter or customer approval.

The third thing could be a ballot measure to eliminate the City's 10% tax on all utility sales (including electric).

The fourth thing could be a ballot measure to eliminate the City's 6% in lieu tax on all utilities (including electric).

The fifth thing could be a ballot measure to eliminate the direct and indirect charges to the utilities that the City uses to support various departments such as administration, finance, public works, planning, etc.

Those last three things would significantly lower utility rates and make more money for the new private owners, so getting voter approval of those measures would probably be pretty easy.

And that's just the few things I came up with before even really studying the idea. Why not just disincorporate or simply let the City go bankrupt? Then we could all go home and not have to deal with all this City stuff!

Power to the people!

Matt

From: Mary Schamehorn <marys@coosnet.com>

Sent: Saturday, July 20, 2019 8:57 AM

To: Matt Winkel <mattwinkel@outlook.com>; Fred Carleton <bandonlaw@gmail.com>

Subject: an idea

Hi guys:

If the courts overturn our emergency rate increase and the voters turn down the GOB, maybe it is time to look at selling the water and sewer utilities, but keeping the electric utility, which is where we get most of our revenues. We could still maintain the 10 percent utility tax, and while it would not bring it as much without the water and sewer departments, if we have been bleeding money from the general fund for years, as Robert seemed to say at the UC meeting, then maybe it is time to stop what we are doing and go in a new direction.

I guess the other alternative is to wait for the state to step in. Either way, our inability to raise rates would not longer be a factor.

MS 0015

If our water and sewer systems were privately owned, the voters would have no say over the rates that they pay. Period.

Give this some thought and let me know the downsides of this.

Mary

drussell@cityofbandon.org

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, September 12, 2019 10:18 AM
To: Denise Russell
Subject: rate increase.doc
Attachments: rate increase.doc

Let's say, for example, you owned a small grocery store, and one day your customers voted not to allow you to ever raise prices. Your merchandise continued to rise in price and other expenses increased, but you could not raise your prices. You kept going back to your customers, explaining your situation, but still they said "no increases." Eventually, you could no longer remain in business, and you were forced to close your doors.

This is essentially the same situation faced by the City of Bandon, but we cannot stop providing clean water and treated sewage ... just because we are not allowed to raise our rates without a vote of the people. This charter amendment was put in place more than 20 years ago by the voters; in the early years we were allowed to raise rates just enough to pay our pre-existing agreements with the state on sewer and water bonds. Those agreements have now been paid off, and we are facing an emergency in our ability to operate and maintain both the sewer and the water utility.

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It is time to bite the bullet and do what we can to preserve our water and sewer systems and keep the state out of our business!

drussell@cityofbandon.org

From: Linda Frick <lindafrick26@gmail.com>
Sent: Thursday, September 12, 2019 1:07 PM
To: drussell@ci.bandon.or.us
Subject: Re: Emergency Water and Sewer Rate Increase Documentation

Denice, I sent you the only email I have on the rate increase, from Mary.

Linda

On Thu, Sep 12, 2019 at 9:16 AM <drussell@ci.bandon.or.us> wrote:

Good Morning to All,

We need to gather up emails and documents related to the emergency rate increase for the water and sewer for the lawsuit that has been filed. Fred has requested that the documentation be sent to me, which will include ***all*** documents, emails, text messages, and recorded audio if any. If some of you do not have any information on the subject, please also respond to this email letting me know that. We have a fairly short window on the compilation of these items, please **respond to me with this information by September 17, 2019**. If you have any questions, please do not hesitate to contact me.

Thank you,

Denise Russell

City Recorder

City of Bandon

541-347-2437

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Linda