

**Regular Meeting of the Utilities Commission
at Bandon City Hall
October 16, 2019**

COMMISSION:

- Matt Winkel, Chair
- Mary O’Dea, Vice Chair
- Sheryl Bremmer, Commissioner
- Steve Heine, Commissioner
- Rod Jackson, Commissioner
- Patricia Soltys, Commissioner
- Suzy Thornton, Commissioner

CITY COUNCILORS/MAYOR:

- Peter Braun, Council Liaison
- Madeline Seymour, Council Liaison
- Mary Schamehorn, Mayor

STAFF:

- Beth Hager, Administrative Assistant
- Mark Dornath, Electric Department
- Jim Youravish, Water Plant Operator
- Tim Lakey, Public Works

1. CALL TO ORDER/WELCOME COMMENTS

A. Roll Call

Winkel called the meeting to order at 3:03 p.m., noting that there was a quorum in spite of three Commissioners being absent at the outset. Heine and Soltys were not present at the start of the meeting but arrived later and are included in the Roll Call as indicated above. Jackson was absent.

2. INTRODUCE—SUZY THORNTON, NEW COMMISSIONER

Winkel introduced Suzy Thornton, who was just appointed to the Commission. She and her husband fell in love with Bandon and recently moved here to retire. They have one son who is a ten-year military veteran on medical separation and another who is a University of Oregon graduate, currently studying toward an MBA degree. Thornton said her experience with utilities comes from being Director of Revenue for Pacific Gas and Electric in California.

Winkel told Thornton the other Commissioners will be counting on her expertise and information.

3. MINUTES FOR APPROVAL

A. August 21, 2019 Regular Utilities Commission Meeting

At 3:05 p.m., Winkel observed that Soltys had arrived. O’Dea moved to approve the Minutes and Bremmer seconded the motion. The Minutes were approved by voice vote, 5:0 (Heine and Jackson were not present).

4. GENERAL HOUSEKEEPING

A. Discussion of returning meetings to the second Wednesday of each month.

Winkel asked O’Dea to begin the discussion, and she stated that meeting on the second Wednesday rather than the third would be more convenient for her work schedule. Bremmer said she would approve of moving the meetings to the second Wednesday, because that would take some pressure off

producing the Utilities Newsletter. It would provide Commissioners with time to review the newsletter and allow sufficient time to make additions or changes.

O'Dea moved to change the Commission's meeting dates to the second Wednesday of each month. Bremmer seconded the motion, which passed by a voice vote, 5:0 (Heine and Jackson were not present).

Hager sought and received clarification from Winkel and O'Dea that the new meeting day would begin with the November meeting.

B. Discussion of changing the meeting time to the evening.

Bremmer pointed out that members of the business community are big consumers of the City's utilities. They pay for and depend on the water, sewer, and electric services, she stated, suggesting that a 7:00 p.m. meeting time would be more conducive to hearing from the community and getting businesspeople involved rather than 3:00 in the afternoon. Bremmer said 3:00, the Commission's meeting time since 2016, has been difficult for her, making her rearrange her regular schedule.

Winkel added that evening meetings might prompt more members of the public to attend, and he thought all the other City commissions meet in the evening.

Bremmer moved to change the Commission's meeting time to 7:00 p.m., starting with the next meeting. O'Dea seconded the motion, which was approved by a voice vote, 5:0 (Heine and Jackson were not present).

C. Deadlines for submission of agenda and newsletter items.

Bremmer stated that the current deadlines will be fine since the meeting day had just been changed to earlier in the month. Regarding the agenda deadline, O'Dea checked with Hager, who replied that she needed to have it posted to the website at least 24 hours in advance.

5. PROTOCOL FOR REQUESTING INFORMATION FROM THE CITY OF BANDON FOR COMMISSION BUSINESS

O'Dea asserted that over the last couple of years, the Commission has not always been given all the information it has requested from the City. She wondered if the Commission would have to resort to using FOIA (Freedom of Information Act) requests, or if there would be a way to streamline the procedure. O'Dea would like it not to be a battle if the Commission wanted to get the balances for each City enterprise, for example.

Referring to the requested reports, Schamehorn responded, "When they are available, I hope that they will be...given to the Council and to the other commissions. I know they're working on getting things updated and I don't think they are necessarily just refusing to give the information." She mentioned that former City Manager Robert Mawson, "rather than throw somebody under the bus...just didn't give us the information." Once Staff gets the information, she contended, then it will be available.

Winkel stated that he anticipated when there is a City Manager again—either interim or final—Council and Commissioners can funnel their requests through that City Manager, who will forward them to Staff and then get back to those who made the requests. O'Dea held that the same procedure hadn't worked in the past. Winkel hoped that moving forward there will be a City Manager who will monitor the requests and either get the information or say it's not available.

O'Dea added that her requests went beyond just the balances. She contended that when the Commission was looking at water leaks, it had difficulty getting the data on water sold, and the same

information that had been made available to the Dyer Partnership was not given to the Utilities Commission.

Schamehorn believed the information will be available to the Commission in the future.

Bremmer asked if some amount of lead time would be necessary when requesting information from the City. She also produced a document for the meeting that contained two lists, and copies of the sheet were distributed to the Commissioners, Mayor, and Staff members who were present. One list (“I”) showed the information the Commission had access to at that time; the other (“II”) covered information the Commission needed. Bremmer noted that all of the items under “I” can be found on the Documents page of the City of Bandon’s website, with the exception of the 1937 Master Plan for Bandon.

Under the heading “I. Information we have,” Bremmer listed:

- Bandon Municipal Budget FY 2017-2018, 2018-2019 Enterprise Funds
- 1982 Master Plan for Bandon
- 1937 Master Plan for Bandon
- Bandon Charter, Title 13, Public Services
- Sewer Master Plan, June 2002
- Source Water Assessment Report
- Source Water Protection Plan 2002
- Bandon Water Management and Conservation Plan 2003
- City of Bandon Off-Channel Reservoir Feasibility Study 2016
- City of Bandon Comprehensive Plan
- City of Bandon Municipal Code

Bremmer identified the items above as resources the Commissioners frequently turn to for research and preparation. She said the Water Master Plan under review by the Commission will soon be added to the City’s website.

Under “II. Information we need,” Bremmer listed:

- A monthly total of funds collected to date from the base rate raise
- Actual costs of new and ongoing maintenance projects
- Ongoing information, including financial data, on the Ferry Creek Bridge project, when the project impacts the water and/or wastewater sectors of the City
- Cost of service information
- Projects and costs for wastewater infrastructure repair and replacement
- Regular updated information on Bonneville spill costs to Bandon and/or any additional costs from Bonneville
- Any relevant off-channel reservoir information
- Projects and costs for water infrastructure (Water Plant and storm drain system) repair and replacement

Bremmer referred to the items in “I” as “foundational documents,” and those in “II” were documents that required regular updating.

Soltys suggested the Commission also needs to be informed if the City gets around to buying the emergency power generators needed at the Water Plant. She asserted that nobody informed the

Commission when the pump at the Wastewater Plant was replaced, concluding that Staff becomes busy and doesn't get the information to the Commission.

Youravish responded that usually if he has something like pump repairs, he puts it in the report that goes to the Council, and apparently the Commissioners do not receive the cover sheet that goes to the Councilors. Bremmer underscored that point and stated that the Commissioners would like to receive a duplicate of what is given to the Council. She also echoed Soltys' concern that the Commission was not informed that a backup pump was being used at the Wastewater Plant. Soltys said one pump had been sent away for repairs and its replacement had begun making a horrible noise, causing the backup to be employed. Driving by the Plant, she had noticed a different piece of equipment and had become curious about it.

Youravish clarified that the City has a diesel-powered pump that can operate in an emergency situation or a power outage. Otherwise, there would be overflow into Ferry Creek in a short amount of time.

Asked by Winkel if she had adequate access to the information the Council receives, Bremmer replied she was able to find all the adjunct documentation online prior to Council meetings. That way, she could get a preview of the Consolidated Municipal Utility Report, because what is online is the same information the Commission has been getting.

Hager interjected that the only difference is the updated water amount she receives from Youravish after the Council meeting, which is included in the Water Utility Report given to the Commissioners.

6. REVIEW AND DISCUSSION OF WATER MASTER PLAN

Copies of the Water Master Plan, produced by The Dyer Partnership Engineers & Planners of Coos Bay, were provided to the Commissioners at the meeting. Winkel thought the Commissioners needed more time to look over the Draft Plan and should schedule a review of the Plan at a future session.

O'Dea suggested tabling the review until the Commission's January meeting. Hager asked if Major should be scheduled for that meeting, and O'Dea did not think so, because it would be the first time the Commissioners would have a chance to discuss the Plan as a group. Winkel agreed that it would be more productive for the Commission to consolidate their comments after their discussion. O'Dea proposed sending a copy of those comments to Major before he attends the subsequent meeting, and Hager agreed to do so.

Bremmer moved to table the Water Master Plan review and discussion until January, O'Dea seconded the motion, and the voice vote was 5:0 (Heine and Jackson were not present).

7. DISCUSS OPTIONS REGARDING THE FUTURE OF BANDON'S WATER, SEWER, AND ELECTRICAL UTILITIES

Winkel explained that Items 7 and 8 on the agenda were related to the upcoming vote on a \$5.5 million bond measure, which was designed to fund numerous improvements to the City's Wastewater and Water Treatment Plants. He said the emergency water and sewer rate increases that were phased in this past July and August, recommended to the City Council by the Utilities Commission, were also related to these agenda items. Bandon citizen Rob Taylor has sued the City, challenging the City's right to declare such an increase, based on the City Charter's restrictions on the process of increasing water and sewer rates.

If the bond measure fails, Winkel told the Commissioners the City would be \$5.5 million short of what it has identified as critically needed improvements to the Water and Wastewater Plants. He noted that

the Water Plant was upgraded in 2000 and the Wastewater Plant began operating in 1993, so both of them are either approaching or past their life expectancy.

Winkel commented that although the City has been keeping both plants running through maintenance and lots of minor improvements, some of the pumps and parts and pieces are so old—particularly at the Wastewater Plant—that they have to be specially manufactured because they are no longer in production. He compared it to repairing an old-fashioned dial phone or tube TV. Winkel noted there were posters lining the walls above the public seating in the Council Chambers that identified the necessary repairs and improvements.

According to Winkel, the results of the bond measure vote on November 5 will decide the direction the City takes to make sure the Water Plant and Wastewater Plant keep operating correctly. “Boil water alerts” are the last thing a retirement and tourism community like Bandon needs, he said. That will be devastating for businesses and the economy. Beyond that, if the City has to put bad discharge into the bay, it will not be possible to meet the shellfish standards for those who crab, fish, and clam in the area, and there will be signs telling people to stay away from the water. Winkel emphasized that the Commission has worked hard to avoid those bad outcomes. The City has made a lot of improvements, and he noted that the \$10 surcharge for capital projects was passed a couple of years ago, providing money to build reserves in the 941 Fund.

Regarding the suit by Rob Taylor, Winkel thought it would be heard in the first or second week of January 2020. He said if it turns out that the City does have the right to declare an emergency rate increase when it feels the need to do so, then at least the Council’s rate-setting authority will be affirmed. However, if the ruling goes against the City, its capital needs may still be met if the voters approve the bond measure, but it will have to find another means of funding the operation and maintenance of its wastewater and water systems.

Winkel looked at options the City has if it is unsuccessful in either the challenge to the emergency rates or in the bond measure, or both. He stressed that it would actually be the citizens of Bandon who would be unsuccessful, and he said it would take a lot of time and study to decide what direction the City should take to ensure clean water and adequately treated sewage.

Winkel contended whichever option the City might choose could have tremendous impacts on the operation of the City as a whole, because he has maintained since arriving in 1994 that the City of Bandon is basically a utility company that provides some fringe benefits to its customers in the form of police, fire protection, parks and recreation, public works, and planning. Much of the City’s revenue depends directly or indirectly on the three utilities—Bandon Electric being the largest—through utility taxes and payments in lieu of taxes. The City also takes in transient occupancy taxes and—what Winkel termed relatively meaningless in comparison—property taxes. If the utilities fail, he cautioned, the economy fails, and the City fails.

Heine joined the meeting at 3:32 p.m.

Winkel imagined if the City succeeds in the lawsuit, and the Council is allowed to set rates—as Councils do in most cities that have municipal utilities—then Bandon could continue to operate its municipal utilities. Another option, he said, would be to sell its municipal utilities to other entities that would continue to operate them, possibly without being limited by the City Charter’s restrictions on rates. For example, Winkel suggested the electric utility could be sold to Coos-Curry Electric, Pacific Power, or another interested party. He noted, however, there would be legal implications to such a sale, including whether the voters would have to approve it.

A third option Winkel described would be the model used by the City of Canby, Oregon. The City Council there appoints a governing board as a semi-independent body that operates the utility. Taking the utilities entirely out of the City's hands and forming an independent consumer-owned utility with an elected governing body—similar to the Eugene and Springfield models—would be a fourth option.

Winkel emphasized that any change in the operation of Bandon's utilities would have a far-reaching impact on the City's existence as a municipality and on all of its non-utility public services, and he urged the Commissioners to begin looking at long-term options for maintaining those utilities.

Nancy Evans, 1057 4th Street SW, Bandon, OR 97411

From the audience, Evans asked Winkel how the City would be financed if the utilities were to be operated under one of the alternative models he described. Winkel admitted he did not know and allowed that it could go as far as disincorporation of the City. He stated that the City has to get control of the utilities somehow.

Winkel reminded the Commissioners that when they recommended to the City Council that they adopt a rate increase, they did so because the projections in the budget for this year showed the City was approximately \$200,000 short in the water fund and roughly the same in the sewer fund, with future expenses outweighing revenue.

Winkel pointed out that the utilities are operating with skeleton crews. Currently there is one person staffing the Water Plant, two workers are at the Wastewater Plant, and the Electric utility is staffed and is the one healthy piece of the system, although that could change at some point if its expenses outweigh its revenue.

8. DISCUSS THE POTENTIAL OF PLACING ON THE MAY 19, 2020 BALLOT A MEASURE TO AMEND THE CITY CHARTER TO RESTORE PERMANENT RATE-SETTING AUTHORITY TO THE CITY COUNCIL

When the Commissioners made their recommendation for an emergency rate increase, Winkel observed that there was another piece to that action: A recommendation to place a measure on the ballot to amend the City Charter to restore full rate-setting authority to the City Council. The emergency rate increase lasts a year, ending next July unless the Council extends it, or unless the court says the Council doesn't have the authority to increase rates. In either case, Winkel said the ultimate solution would be to go to the voters and restore the Council's rate-setting authority. It was felt that putting it on the November ballot with the bond measure was not a good idea. Winkel encouraged the Commissioners to have a discussion early next year on getting that measure on the ballot for the next election date—May 19, 2020.

Winkel stated that investigating the options for Bandon's utilities would be expensive and time-consuming. He cited his experience in Williams, Arizona, where he served as City Manager before coming to Bandon. That city had owned its electric system for years but leased it to Arizona Public Service with a clause that Williams could renew the lease or buy back the system with the improvements Arizona Public System had made over the years, at the original cost less depreciation. That turned out to be the lowest possible cost Williams could have incurred to get back to owning its electric system. Williams bought the system back, then leased it back to Arizona Public Service, which staffed and operated the utility and provided revenue for the city. According to Winkel, it took several years and quite a bit of money to study that transaction, and he forecasts the same kind of effort will be needed for Bandon to pursue any of the options he has suggested.

Winkel said although it may appear to some that the City has kicked the utility rate issue down the road over the years, he contended that the City has tried its best to comply with the voters' request when they approved the 1996 Charter Amendment taking rate-setting authority away from the City Council. At that time, the City had already borrowed money to make improvements to the Wastewater Treatment Plant and money for electrical substation reconstruction. The City used revenue from its systems to pay back those bonds. Winkel said there were rate covenants in the bond issues that required the City to operate the utilities and charge rates that would allow them to maintain the system and meet their debt service obligations. By about 2014, those bonds were paid off, and the City tried a couple of times without success to get the rate-setting authority back. Winkel recalled that at one point a citizens' water rate committee looked for places where the City could cut costs, but ended up calling for a major rate increase, which was approved by the voters.

At this point, Winkel paused to announce (for those who didn't already know) that he had resigned his positions on the Utilities Commission and the Budget Committee due to other personal and professional commitments. He expressed confidence in the Commission's current members.

Evans commented that it sounded like something needed to be done urgently, and she wondered what Winkel considered to be the timeline for studying and implementing any of his options. He replied that it will depend on how much the City is able to spend on attorneys, engineers, and experts. She clarified that she was asking how long it would take to decide which option to pursue. Winkel explained that no one on the Commission has the capacity to do the necessary analysis. Legal counsel beyond that of the City Attorney would be required, in addition to experts in the extremely complicated process of converting a municipal utility to a different format.

Thornton asked when the City had lost its rate-setting authority and what was the reason behind it. Winkel told her that in the late 1990s the Council knew the City needed a new water treatment plant. So, the Council planned to float a revenue bond and raise the rates enough to pay off the bond, which they had done previously with the sewage plant. One citizen became unhappy with the rate increase and put a measure on the ballot in 1996 to roll back the rates to what they were before the Council raised them. That stopped the bond from moving forward and precluded the City from doing any increase in rates, fees, charges, or taxes. Subsequently, the City went back to the voters and regained the authority to set fees for copies of documents, planning fees, fees for rental of City equipment, and others—covering practically everything but water, sewer, and electricity.

As a result of the 1996 utility rate restrictions, Winkel remembered the City's Water Plant was the first utility to suffer. The City began taking \$50,000 a year from the General Fund to subsidize its water utility. Because that wasn't enough, some personnel layoffs took place and a vacancy in the Police Department went unfilled, in order to have operating funds for the City.

Winkel noted that the City is able to offset any rate increases that Bonneville Power charges for purchasing wholesale power for Bandon Electric.

9. COMMISSIONERS' QUESTIONS FOR THE CITY OF BANDON, MAYOR, AND CITY COUNCIL, OR GENERAL COMMISSION BUSINESS

Bremmer suggested asking the Council if it wishes to continue having two liaisons assigned to the Utilities Commission, since their participation is infrequent and since the Commission itself provides a report at the Council meetings. If the Council does want to continue with liaisons, Bremmer would like their roles to be more clearly defined.

Next, Bremmer asked to revisit Agenda Item 8, regarding the potential May 19, 2020 ballot measure. She viewed the re-establishment of the Council's rate-setting authority as important, but not more urgent than any other aspect of funding and maintaining the utilities. Bremmer stressed that the Commission has to find out the results of the lawsuit against the Council's emergency declaration, as well as the vote of the people about the general obligation bond, before it can go forward and before discussing the more extreme measures Winkel covered in Agenda Item 7. She said the emergency rate increase was needed to get the City's budget balanced, because municipalities cannot approve a budget that does not balance.

Bremmer commented that a lot of information about the bond issue has been made available—in *Bandon Western World*, at the Cranberry Festival, and in the newsletter mailed with the utility bill. The Commission will have to wait to see how the voters respond. Then, she would like the Commission to discuss the rate-setting authority and what direction Bandon's utilities should take in the future.

Bremmer contended that to be able to convince the public that it's a good idea for the Council to have rate-setting authority, they need to be shown how in representative participatory government it is necessary for their elected representatives to have the authority to keep up with the problems of inflation, system failure due to aging or emergencies, or anything like that. She recommended building on the foundation of that concept and advised making a determination in January at the latest, to have enough time to inform the community before the ballot measure goes before the public in May, and to be less rushed than the run-up to the November bond measure has been.

Soltys observed that O'Dea and Bremmer have spent months trying to get information on how much debt there really is in the water and sewer columns in the City budget. With the City losing so many employees involved in this aspect of City operations, she wondered when the Commission will get that information. Winkel said there are auditors and Staff at work on it.

10. CITY MANAGER/DIRECTOR OF UTILITIES REPORT

A. Consolidated Municipal Utility Report

Winkel noted that there is not currently a City Manager.

A copy of the report was included in the Commissioners' meeting packet.

B. Plans, Projects, and Reports

Soltys inquired about the huge increase in water consumption in Bandon that was documented in the Draft Water Master Plan given to the Commissioners. She couldn't understand how they got the EDU (Equivalent Dwelling Unit) numbers and felt that particular section of the Water Plan was poorly explained.

O'Dea interjected that the Water Master Plan will be discussed at the next meeting.

Youravish offered to clarify how the data was obtained. He said they used the filtered effluent numbers and the raw water going to town. The raw water usage was discounted because he had determined that problems with the raw water meter had begun sometime in 2007 but was never noticed. Youravish

figured out that the City couldn't be losing 300,000 gallons of water a day at the Water Plant. He said the meter is going to be worked on later in October.

Youravish stated that Bandon's consumption has been slowly increasing, but it was greater in 2018. Soltys was still puzzled by the sudden jump, and it looked to her as if a commercial user had been added that uses a lot of water. Youravish agreed, but neither of them knew of such a new user.

O'Dea commented that the replacement of the meter is something the Commissioners would like to be informed about. Youravish remarked that he had mentioned that there was an issue with the meter at a previous Commission meeting. He said it wasn't put on his report to the Council because he doesn't have a finding or a dollar figure, since it hasn't been fixed. In spite of the meter's issues, Youravish said the Water Plant has been working fine.

O'Dea maintained again that the Commissioners would like to be informed that the meter is being replaced. Youravish responded that the meter isn't being replaced yet, because they have to figure out what went wrong with it. He elaborated that every year it is being zero-calibrated as it is supposed to. Somebody has to go into the meter with a computer and adjust it to where it has the right number of gallons going through it.

Bremmer noted that the Commission doesn't really need "granular" information as much as it needs to know after the work is completed what was done and what the cost was. She told Youravish that when he informed the Commission about the increasing costs of the chlorine generator, that information was very useful in communicating with the public.

Youravish stated that when there is ongoing work, he waits until the project is done, or the problem is fixed. Then, he puts the information into the Council packet, which also goes to the Commissioners.

Bremmer indicated the Commissioners would like a heads-up about items that could be breaking in the future, to help anticipate the cost of services.

Thornton added that going to the public with a dollar amount will help them to see what it costs to maintain the system. Youravish said that's exactly what they did when they got the \$10 increase. He reiterated that the raw water data in the Master Plan reflects numbers that were taken off the totalizer filters themselves and the totalizer for the water going to town.

Winkel advised the Commissioners to make note of anything they wish to discuss about the Master Plan and bring it up at the January meeting.

11. COMMISSION MEMBER COMMENTS/REMARKS

Soltys shared that she would be able to attend the November meeting, since it would be on the second Wednesday and not the third, but in December she would only be able to join by telephone.

Given so much was unsettled—with the lawsuit, the general bond, no City Manager, and going into the holidays—O'Dea proposed taking time off from meetings for everyone to examine the Water Master Plan and come up with new ideas. She moved for the Commission to go on hiatus until January 2020. Bremmer seconded the motion. By voice vote, the motion was approved, 6:0 (Jackson was absent). The next meeting of the Utilities Commission will be on Wednesday, January 8, 2020, at 7:00 p.m.

Bremmer said she will have the next newsletter ready before the December 24 deadline, so it will be able to go out with the January utility bills.

12. AGENDA ITEMS FOR NEXT MEETING

O'Dea told the Commissioners to email agenda items to her.

Winkel stressed that electing a chairman and vice-chairman should be put at the top of the agenda.

13. PUBLIC COMMENTS

Karen Donaldson, 736 12th Street SW, Bandon, OR 97411

Donaldson expressed dismay at the deferred maintenance of the City's water and wastewater treatment system. She stated that public health should be paramount in everybody's mind, but she didn't feel the Commission was taking public health seriously. Donaldson speculated that the State oversees public water systems, issues a State license to these systems, has a State engineer, and has standards to be met. Citizens have to have confidence that their water system is healthy and viable, so that if it loses a pump, a duplicate pump can come online. Donaldson contended instrumentation such as a raw water meter should be calibrated once a month and flushed out to meet turbidity standards. The water systems should be "run like a ship," she insisted, adding that they are public common resources, and everybody should be able to have confidence in them, and she restated that public health should be paramount.

Winkel responded that the Commission is trying to figure out what has to be done to keep those systems operating.

Donaldson countered that going on a hiatus isn't doing anything. She questioned how the citizen Rob Taylor has a right to sue the City frivolously if its water systems aren't viable and there is evidence that the population is at risk. She wondered if countersuing was an option.

Winkel explained that the lawsuit is valid, the City will respond to it, the judge will hear both sides, and it will be up to the judge to decide whether or not the City has the authority to set utility rates.

Evans spoke next and thanked the Staff for helping her obtain a rebate from an issue she had with one of her commercial properties. Then, she recalled attending a Commission meeting in the past when an emergency option had been discussed that involved the State coming in to fix a problem that a city could not afford to take care of. In this scenario, the cost of the State's services would take the form of a loan that the city must pay back. Evans suggested this could be another option for the Commissioners to consider, although she admitted it would not provide positive public relations for the community.

Evans asked Winkel how much time he would recommend that the Commission should devote to discussing his suggested options in January, after he has departed from the Commission. Winkel responded that his presentation of potential options was only the opening salvo, that no experts or legal advisors have been approached, and that he would advise the Commission to move as fast as possible if the City loses both the lawsuit and the bond measure.

O'Dea interjected that the Commission is just an advisory group to the City Council, and it is the Council who would have to decide whether there would be funding for experts to be brought in. Evans pressed her question of how long the Commission would need to discuss the matter before making a decision, and O'Dea replied, "Until we've come up with a good idea."

Evans recounted how she had originally become concerned about City water issues a number of years earlier and had attended many meetings. She observed discussions that ended with inaction, and she encouraged the Commissioners to set a time limit for deciding on the direction for the City's utilities.

Evans guessed that Winkel was resigning to become Bandon's Interim City Manager/Utilities Director.

Winkel firmly said no.

Evans told the Commissioners that Winkel has more first-hand knowledge of what they need to know “than any person on the planet,” and she recommended that they call upon his experience and expertise.

Winkel let her know he had already committed to individual members that any time he can do anything to be of assistance he will do so.

14. ADJOURN

Winkel adjourned the meeting at 4:33 p.m.

Utilities Commission Regular Meeting Minutes
Submitted by Richard Taylor, Minutes Clerk