

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Tuesday, May 21, 2019 11:59 AM
To: Matt Winkel; Claudine Hundhausen; Madeline Seymour; geri Procetto; Peter braun; brian vick; Chris Powell
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

MW 0101

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

mattwinkel@outlook.com

From: Matt Winkel
Sent: Tuesday, May 21, 2019 12:42 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

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From: Mary Schamehorn
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Subject: Re: the deficits in the water and sewer funds

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From: [R. Ponessa](#)

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

To: marys@coosnet.com

Subject: the deficits in the water and sewer funds

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mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Tuesday, May 21, 2019 4:29 PM
To: Matt Winkel
Subject: Fw: the deficits in the water and sewer funds

this is a pretty nice response. M

From: [R. Ponessa](#)
Sent: Tuesday, May 21, 2019 4:14 PM
To: [Mary Schamehorn](#)
Subject: Re: the deficits in the water and sewer funds

Thank you, Mary, for the very comprehensive explanation. I am sorry I had not read your column and would really appreciate a copy. As you said, thank God, for the systems development charges and it puts a very different spin to the houses going in (despite them scaring off the deer!). Will pass on all your great info to the neighbors and friends with questions and, as I said in my email, the city has definitely two votes for rate increases because we believe in city utilities and the great job you all are doing with very little funds...and that with the newsletters you all are keeping us informed.

Mona

On Tue, May 21, 2019 at 11:54 AM Mary Schamehorn <marys@coosnet.com> wrote:

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Mary

From: [R. Ponessa](#)
Sent: Tuesday, May 21, 2019 11:29 AM
To: [marys@coosnet.com](#)

MW 0105

Subject: the deficits in the water and sewer funds

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Mona Ponessa

mattwinkel@outlook.com

From: Matt Winkel
Sent: Tuesday, May 21, 2019 11:07 PM
To: Mary Schamehorn
Subject: RE: need report

Mary:

I don't have a signed copy. You can get one from either Denise or Beth.

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Tuesday, May 21, 2019 9:56 PM
To: Matt Winkel <mattwinkel@outlook.com>
Subject: need report

I need a copy of the final report, signed by you and Mary O'Dea, to send on to a constituent who is asking about our long-range plan. I should have it, but I am not sure where. I thought it might be on the website, under the utilities commission, but it's not. Can you send it to me so I can forward it on. Thanks, mary

MW 0107

mattwinkel@outlook.com

From: Matt Winkel
Sent: Wednesday, May 22, 2019 11:09 AM
To: Mary Schamehorn
Subject: RE: need report
Attachments: 2019-2020 WATER & SEWER BUDGET EMERGENCY (Rev 5-6-19) FINAL.pdf

Mary:

Here is the latest (unsigned) copy I have.

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Wednesday, May 22, 2019 10:11 AM
To: Matt Winkel <mattwinkel@outlook.com>
Subject: Re: need report

I don't need the signed copy. I just need the wording of what you wrote sent to me, so I can forward it on. M

From: [Matt Winkel](#)
Sent: Tuesday, May 21, 2019 11:06 PM
To: [Mary Schamehorn](#)
Subject: RE: need report

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MW 0108

**FINDINGS BY THE BANDON UTILITIES COMMISSION
THAT AN EMERGENCY EXISTS IN THE PROPOSED
FISCAL YEAR 2019-2020 WATER AND SEWER UTILITY
BUDGETS; AND RECOMMENDATIONS FOR ACTION BY
THE CITY COUNCIL TO ADDRESS THAT EMERGENCY.**

WHEREAS, the Utilities Commission was established by the Mayor and City Council, "to plan for, and advise the mayor and city council, the city manager and the public on the water, wastewater and electric utilities;" and

WHEREAS, the Utilities Commission has reviewed and concurs with the recommendations of City staff, engineers, and consultants that certain water and sewer system expenditures and improvements are necessary to continue properly operating and maintaining those utility systems; and

WHEREAS, the Utilities Commission has reviewed the proposed fiscal year 2019-2020 City of Bandon Budget, and has found that current water and sewer utility rates and revenues are projected to be insufficient to generate the revenue necessary to continue properly operating, maintaining, and improving those utility systems; and

WHEREAS, prior to the proposed 2019-2020 Budget presentation, the Utilities Commission was not aware of the Water (940), Water Plant Improvement Fund (941), and Sewer Fund (950) shortfalls or current cash balances; and

WHEREAS, considering the needs and projected revenues for the water and sewer systems, the Utilities Commission has found that an EMERGENCY exists in the water and sewer utility budgets.

NOW, THEREFORE, THE UTILITIES COMMISSION HEREBY RECOMMENDS that the Mayor and City Council immediately declare that an EMERGENCY exists in the proposed fiscal year 2019-2020 water and sewer utility system budgets;

AND, IT IS FURTHER RECOMMENDED that, to address the EMERGENCY; to help protect the health, safety, economic, and general welfare of existing and future citizens, visitors, and utility customers of the City of Bandon; to help provide an adequate supply of high quality, safe water for drinking, fire protection, commercial, and other domestic uses; to help ensure adequate and safe sewage treatment and effluent discharge; and to help keep future water and sewer and property tax rates as low as possible, the Utilities Commission, hereby recommends that the Mayor and City Council take following actions:

1. Institute one-year EMERGENCY water and sewer rate increases for fiscal year 2019-2020 in amounts necessary to generate sufficient revenues to cover all of the water and sewer system operation and maintenance expenses. The proposed fiscal year 2019-2020 Budget currently projects shortfalls of approximately \$160,000 in the Water Fund (940) and \$222,000 in the Sewer Fund (950). Based on the revenues currently projected in the proposed Budget, plus 5% for contingencies, generating sufficient revenues to cover these shortfalls would require a water rate increase of approximately 21% and a sewer rate increase of approximately 28%.

2. Include in the fiscal year 2019-2020 Budget and Capital Improvement Plan the expenditure of \$250,000 from the Water Plant Improvement Fund (941) for the following capital improvement project:
 - A. 2 million gallon treated water storage tank seismic protection valves.
3. Include in the fiscal year 2019-2020 Budget and Capital Improvement Plan the expenditure of \$1,000,000 from the Water SDC Improvement Fund (721) for the following projects:
 - A. Re-painting and corrosion repair on the 1MG and 2MG treated water storage tanks (\$500,000).
 - B. Emergency back-up generators for the water treatment plant (\$500,000).
4. Initiate negotiations with private and public financial institutions, lenders, and bond counsel to determine the amount, costs, and terms of loans and grants that may be available for providing \$4,400,000 to finance the following water and sewer system capital improvements:
 - A. Wastewater treatment plant headworks upgrade (\$450,000).
 - B. Replacement of the Fillmore Avenue pump station (\$1,600,000).
 - C. Wastewater treatment plant ultraviolet system improvements (\$100,000).
 - D. 2017-2018 I&I Study Projects #4, #5, #9, and #11 (\$1,300,000).
 - E. Water Plant Replacement Clarifier (\$950,000).
5. Include in the fiscal year 2019-2020 Budget and Capital Improvement Plan, and place before the voters at the November 5, 2019, general election (the soonest possible simple-majority tax levy election), the matter of a general obligation bond which, in combination with any grant funds which may be available, will provide \$4,400,000 in net proceeds to finance the water & sewer system improvements listed in Item 4 above. Adding 10% for bond issuance, bond counsel and underwriters costs, contingencies, etc., and assuming no outside grant funding, it is estimated that repayment of a 20-year bond in the amount of \$4,840,000, at a 5% annual interest rate, would require property tax assessments in the range of \$0.79 per \$1,000 assessed valuation, based on the 2018-2019 City assessed valuation of \$490,372,860.

If the proposed general obligation bond for water and sewer system improvements is not approved by the voters, then it is recommended that sewer and water revenue bonds be issued to cover those costs, which would require an additional estimated 20-year EMERGENCY water rate increase in the range of 11%, and sewer rate increase in the range of 37%, to cover the annual payments necessary to service the debt on that revenue bond.

AND, IT IS FURTHER RECOMMENDED that the Mayor and City Council continue to monitor the financial condition and needs of the water, sewer, and electric utilities, and determine annually whether an EMERGENCY exists in those municipal utilities; and determine whether subsequent annual EMERGENCY utility rate increases and actions are necessary to meet the future operation, maintenance, and capital improvement needs of those utilities.

AND, IT IS FURTHER RECOMMENDED that the Mayor and City Council place before Bandon voters at the next possible and appropriate election the matter of amending the Bandon City Charter to restore PERMANENT utility rate setting authority to the Mayor and City Council.

ADOPTED by the Utilities Commission, this 24th day of April, 2019.

Matt Winkel, Chair

ATTEST:

Mary O'Dea, Vice Chair

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Wednesday, May 22, 2019 11:32 AM
To: Matt Winkel
Subject: Re: need report

thanks

From: Matt Winkel
Sent: Wednesday, May 22, 2019 11:08 AM
To: Mary Schamehorn
Subject: RE: need report

Mary:

Here is the latest (unsigned) copy I have.

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Wednesday, May 22, 2019 10:11 AM
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MW 0112

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Monday, June 3, 2019 10:08 AM
To: Matt Winkel
Subject: Fw: ?

Have you see the resolutions? Is this what we need to do? Mary

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

From: Madeline Seymour
Sent: Monday, June 03, 2019 7:26 AM
To: Mary
Cc: Robert Mawson
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

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Monday, June 3, 2019 11:51 AM
To: Matt Winkel
Subject: Fw: an emergency

From: Mary Schamehorn
Sent: Monday, June 03, 2019 11:45 AM
To: Claudine Hundhausen ; Madeline Seymour ; geri Procetto ; brian vick ; Peter braun ; Chris Powell
Cc: Fred Carleton
Subject: Fw: an emergency

Here is what I just sent Robert. I still have not heard anything from Fred. M

From: Mary Schamehorn
Sent: Monday, June 03, 2019 11:43 AM
To: Robert Mawson
Subject: an emergency

Robert. I think the whole basis for going against the charter is because we were declaring an emergency. An emergency would mean that we don't have enough in the budget to adequately operate the utilities, which could result in bad water and sewer on the mudflats. I do not see how it will work if we don't declare an emergency.

The information that Matt presented should have been used as a guideline for the resolution to raise the rates. Period!

It would be a lot easier to uphold that decision since we truly think it is an emergency rather than to just say we decided not to move money out of other funds to balance the budget.

I believe an emergency is the only way to justify this, and we would base our decision on the recommendation of the utilities commission.

I think you need to take the utilities commission recommendation and weave it into a resolution as the roadmap for raising the rates.

Mary

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Monday, June 3, 2019 12:45 PM
To: Matt Winkel
Subject: Fw: an emergency
Attachments: Resolution 19-08 with Utilities Recommendation.pdf

Please read this and let me know what you think. M

From: [Robert Mawson](#)
Sent: Monday, June 03, 2019 12:37 PM
To: [Mary Schamehorn](#)
Subject: RE: an emergency

Mary

Here is the updated Resolution. I sent it to Shala for her review also.

The attorney's don't believe that the Council has to declare an emergency to adopt a Resolution establishing new rates. You just do it and let the courts decide, if you get challenged. The action is really being taken to avoid an emergency with our water and wastewater systems. If a judge reviews the merits of the action and determines that the reason for declaring an emergency did not fall within statutory definitions, we may not get to argue the real merits of the case, which include the authority for Council to set rates.

Hopefully, the new language and incorporation of the Utilities Commission recommendation will be sufficient to address the urgency of the action.

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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PUBLIC RECORDS LAW DISCLOSURE

This email is considered a public document, and as such, it is subject to the State of Oregon Retention Schedule and may be made available to the public upon request.

MW 0115

From: Mary Schamehorn <marys@coosnet.com>
Sent: Monday, June 3, 2019 11:44 AM
To: Robert Mawson <citymanager@cityofbandon.org>
Subject: an emergency

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Mary

RESOLUTION NO. 19-08

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BANDON, OREGON, AMENDING THE WATER RATE SCHEDULE.

WHEREAS, the Utilities Commission has reviewed the proposed fiscal year 2019-2020 City of Bandon Budget, and has found that current water and sewer utility rates and revenues are projected to be insufficient to generate the revenue necessary to continue properly operating, maintaining, and improving those utility systems; and

WHEREAS, considering the needs and projected revenues for the water and sewer systems, the Utilities Commission has found that an emergency exists in the water and sewer utility budgets; and

WHEREAS, the Utilities Commission has recommended that in order to maintain the health, safety and general welfare of the community, the City Council immediately enact a water rate increase to cover budget shortfalls for fiscal year 2019-2020, which recommendation is attached hereto and incorporated by reference; and

WHEREAS, the City Council recognizes that in order to raise sufficient revenue to continue operating and maintaining the water system in a safe and sanitary manner, retail water rates must be increased by twenty-one percent (21%) to provide adequate funds for the FY 2019-2020 maintenance and operation expenses of the water utility; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that in order to continue operating and maintaining the City water system in a safe and sanitary manner water rates shall be raised, for a period of one year, in accordance with the new "City of Bandon Water Utility Rates" schedule, dated "July 3, 2019", attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED that these water rates shall be effective for all water customers, from July 3, 2019 through June 30, 2020; and

BE IT FURTHER RESOLVED that all previous water rates in conflict herewith are hereby suspended for fiscal year 2019-20, and all other water service fees and policies shall remain as existing.

ADOPTED by the City Council of the City of Bandon, this 3rd day of June, 2019.

Mary Schamehorn, Mayor

Attest.

Denise Russell, City Recorder

Resolution 19-08

MW 0117

**CITY OF BANDON
WATER UTILITY RATES
3-Jul-19**

WA 01 Residential, inside city	1st 2000 Gal	\$28.44
		\$1.57
WA 02 Commercial/industrial, inside city	1st 2000 Gal	\$40.54
		\$1.57
WA 03 Residential, outside city	1st 2000 Gal	\$38.88
		\$2.63
WA 04 Commercial/industrial, outside city	1st 2000 Gal	\$50.98
		\$2.63
WA 05 Additional unit rate-inside city-attached/detached residence (Duplex, triplex, etc.), apartment		\$7.91
WA 06 Additional unit rate-inside city, mobile home park, boat slip, berth, or dock space		\$3.96
WA 07 Additional unit rate-inside city-RV park, motel, bed & breakfast		\$1.22
WA 08 Additional unit rate-outside city-attached/detached residence (duplex, triplex, etc.), apartment		\$11.85
WA 09 Additional unit rate-outside city-motel, bed & breakfast, RV Park		\$2.03
WA 10 Additional unit rate-inside city-commercial business, commercial office building, industry, common food service facility, common laundry facility		\$7.91
WA 11 Additional unit rate-outside city-commercial business, commercial office building, industry, common food service facility, common laundry facility		\$11.85
WA 12 Additional unit rate-inside city-health/elderly care facility		\$3.51
WA 13 Additional unit rate-outside city-health/elderly care facility		\$5.86
WA 14 Outside City Water Bond		\$20.18
WA 15 2006 Clarifier & UV System Bonds		\$5.99
WA 58 City use only---no charge		\$0.00
WA 59 City use only-charge-inside/outside city	1st 2000 Gal	\$11.64
		\$1.39
-----Water hauling-inside city use	1st 2000 Gal	\$16.34
		\$1.57
-----Water hauling-outside city use	1st 2000 Gal	\$26.78
		\$2.63

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WHEREAS, the Utilities Commission was established by the Mayor and City Council, "to plan for, and advise the mayor and city council, the city manager and the public on the water, wastewater and electric utilities;" and

WHEREAS, the Utilities Commission has reviewed and concurs with the recommendations of City staff, engineers, and consultants that certain water and sewer system expenditures and improvements are necessary to continue properly operating and maintaining those utility systems; and

WHEREAS, the Utilities Commission has reviewed the proposed fiscal year 2019-2020 City of Bandon Budget, and has found that current water and sewer utility rates and revenues are projected to be insufficient to generate the revenue necessary to continue properly operating, maintaining, and improving those utility systems; and

WHEREAS, prior to the proposed 2019-2020 Budget presentation, the Utilities Commission was not aware of the Water (940), Water Plant Improvement Fund (941), and Sewer Fund (950) shortfalls or current cash balances; and

WHEREAS, considering the needs and projected revenues for the water and sewer systems, the Utilities Commission has found that an EMERGENCY exists in the water and sewer utility budgets.

NOW, THEREFORE, THE UTILITIES COMMISSION HEREBY RECOMMENDS that the Mayor and City Council immediately declare that an EMERGENCY exists in the proposed fiscal year 2019-2020 water and sewer utility system budgets;

AND, IT IS FURTHER RECOMMENDED that, to address the EMERGENCY; to help protect the health, safety, economic, and general welfare of existing and future citizens, visitors, and utility customers of the City of Bandon; to help provide an adequate supply of high quality, safe water for drinking, fire protection, commercial, and other domestic uses; to help ensure adequate and safe sewage treatment and effluent discharge; and to help keep future water and sewer and property tax rates as low as possible, the Utilities Commission, hereby recommends that the Mayor and City Council take following actions:

1. Institute one-year EMERGENCY water and sewer rate increases for fiscal year 2019-2020 in amounts necessary to generate sufficient revenues to cover all of the water and sewer system operation and maintenance expenses. The proposed fiscal year 2019-2020 Budget currently projects shortfalls of approximately \$160,000 in the Water Fund (940) and \$222,000 in the Sewer Fund (950). Based on the revenues currently projected in the proposed Budget, plus 5% for contingencies, generating sufficient revenues to cover these shortfalls would require a water rate increase of approximately 21% and a sewer rate increase of approximately 28%.

2. Include in the fiscal year 2019-2020 Budget and Capital Improvement Plan the expenditure of \$250,000 from the Water Plant Improvement Fund (941) for the following capital improvement project:
 - A. 2 million gallon treated water storage tank seismic protection valves.
3. Include in the fiscal year 2019-2020 Budget and Capital Improvement Plan the expenditure of \$1,000,000 from the Water SDC Improvement Fund (721) for the following projects:
 - A. Re-painting and corrosion repair on the 1MG and 2MG treated water storage tanks (\$500,000).
 - B. Emergency back-up generators for the water treatment plant (\$500,000).
4. Initiate negotiations with private and public financial institutions, lenders, and bond counsel to determine the amount, costs, and terms of loans and grants that may be available for providing \$4,400,000 to finance the following water and sewer system capital improvements:
 - A. Wastewater treatment plant headworks upgrade (\$450,000).
 - B. Replacement of the Fillmore Avenue pump station (\$1,600,000).
 - C. Wastewater treatment plant ultraviolet system improvements (\$100,000).
 - D. 2017-2018 I&I Study Projects #4, #5, #9, and #11 (\$1,300,000).
 - E. Water Plant Replacement Clarifier (\$950,000).
5. Include in the fiscal year 2019-2020 Budget and Capital Improvement Plan, and place before the voters at the November 5, 2019, general election (the soonest possible simple-majority tax levy election), the matter of a general obligation bond which, in combination with any grant funds which may be available, will provide \$4,400,000 in net proceeds to finance the water & sewer system improvements listed in Item 4 above. Adding 10% for bond issuance, bond counsel and underwriters costs, contingencies, etc., and assuming no outside grant funding, it is estimated that repayment of a 20-year bond in the amount of \$4,840,000, at a 5% annual interest rate, would require property tax assessments in the range of \$0.79 per \$1,000 assessed valuation, based on the 2018-2019 City assessed valuation of \$490,372,860.

If the proposed general obligation bond for water and sewer system improvements is not approved by the voters, then it is recommended that sewer and water revenue bonds be issued to cover those costs, which would require an additional estimated 20-year EMERGENCY water rate increase in the range of 11%, and sewer rate increase in the range of 37%, to cover the annual payments necessary to service the debt on that revenue bond.

AND, IT IS FURTHER RECOMMENDED that the Mayor and City Council continue to monitor the financial condition and needs of the water, sewer, and electric utilities, and determine annually whether an EMERGENCY exists in those municipal utilities; and determine whether subsequent annual EMERGENCY utility rate increases and actions are necessary to meet the future operation, maintenance, and capital improvement needs of those utilities.

AND, IT IS FURTHER RECOMMENDED that the Mayor and City Council place before Bandon voters at the next possible and appropriate election the matter of amending the Bandon City Charter to restore PERMANENT utility rate setting authority to the Mayor and City Council.

ADOPTED by the Utilities Commission, this 24th day of April, 2019.



Matt Winkel, Chair

ATTEST:



Mary O'Dea, Vice Chair

mattwinkel@outlook.com

From: Matt Winkel
Sent: Wednesday, June 5, 2019 12:34 PM
To: Beth Hager
Cc: Mary O'Dea; Sheryl Bremmer; Joe Kuehner; Patricia Soltys; Rod Jackson; Madeline Seymour; Peter Braun; Robert Mawson
Subject: Utilities Commission Agenda - June 19, 2019

Beth:

In addition to the normal items, please add the following reports from the City Manager to the agenda for the upcoming June 19, 2019, Utilities Commission meeting.

1. Report on the Status, Revenues, Expenditures, and Cash Balance in the Low Income Energy Assistance Program.
2. Report on the Status, Revenues, Expenditures, and Cash Balance in the Helpful 2 Others Low Income Water Assistance Program.
3. Report on the Cash Balances in each of the City's Funds.
4. Update and Status Report on the Proposed General Obligation Bond for Water and Sewer System Improvements.

Also, could you email me the contact information for our new member, Steve Heine?

Thanks.

Have a great day!

Matt

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Monday, June 10, 2019 10:40 AM
To: Matt Winkel
Subject: Fw: Official Public Record Request

From: [Rob Taylor](#)
Sent: Monday, June 10, 2019 2:05 AM
To: [Robert Mawson](#)
Cc: [Mary Schamehorn](#) ; [Brian Vick](#)
Subject: Official Public Record Request

Sincerely,
Rob Taylor
PO Box 973
Bandon, OR 97411
Phone: 541-347-9942

Hello Robert,

Would you please explain where the city council has the authority to ignore the City Charter and increase the water rate without a vote of the people? Does the city have any documentation to the existence of this authority? Is the city under Marshal Law?

4.3 Resolution No 19-08 Amending the Water Rate Schedule effective July 1, 2019

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Sent: Monday, June 3, 2019 2:16 PM
To: obetewic@msn.com
Subject: [City of Bandon Newsletters and Notices] City Council

Sorry for the delay in sending this out, we were having technical difficulties.

City Council

CALENDAR DATE;

Monday, June 3, 2019 - 7:00pm

BANDON CITY COUNCIL

**REGULAR MEETING
JUNE 3, 2019, 7:00 P.M.**

CITY COUNCIL CHAMBERS, 555 HIGHWAY 101, BANDON 97411

CITY COUNCIL REGULAR MEETING AGENDA

1. CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Pastor Don Conn, Faith Baptist Church

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- Resolution No 19-13 State Revenue Sharing Funds for FY 2019-20

5.2 Public Hearing – Municipal Budget for FY 2019-20

- Resolution No 19-14 Adopting Budget for FY 2019-20

6. PROCEEDINGS

6.1 ACTIONS

6.1.1 Findings of Fact – Bandon Beach Hotel -1090 Portland Ave. Review of Records Appeal Hearing

6.1.2 Accept Bids and Award Contract for Towing and Impound Services

6.2 DISCUSSIONS

6.3 ORDINANCES

6.3.1 Ordinance #1631, Amending Chapter 8.08 of the Bandon Municipal Code to Remove Exemptions for Gorse and other Noxious Vegetation

7. CONSENT AGENDA

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7.1.1 City Council Meetings

- City Council Regular Meeting – May 6, 2019

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(These have not necessarily been approved by the commission or committee they belong to)

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- Steve Heine – Utilities Commission

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- Sheryl Bremmer

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- Randy Hill

Parks and Recreation Commission

- Estelle Womack
- Christine Hall

7.5 EASEMENTS AND RIGHTS-OF-WAY

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9. OTHER: COUNCIL/MAYOR/STAFF REMARKS

10. ADJOURN TO URBAN RENEWAL MEETING

URBAN RENEWAL AGENCY REGULAR MEETING

1. CALL TO ORDER

2. APPROVE MINUTES

2.1 Joint City Council and Urban Renewal Agency – April 1, 2019

3. ACTION & DISCUSSION

3.1 Public Hearing-Urban Renewal Budget for FY 2019-2

- Resolution No UR 19-01 Adopting Urban Renewal Budget for FY 2019-20

4. PUBLIC COMMENT: 3-MINUTE LIMIT

5. BOARD MEMBERS/STAFF COMMENTS

6. ADJOURN

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mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Monday, June 10, 2019 4:27 PM
To: Matt Winkel
Subject: Fw: Official Public Record Request

Do you have any ideas as to how he should handle this? M

From: [Robert Mawson](#)
Sent: Monday, June 10, 2019 2:01 PM
To: [Fred Carleton](#)
Cc: [Mary Schamehorn](#) ; [Brian Vick](#)
Subject: RE: Official Public Record Request

Hi Fred

How would you suggest we answer Mr. Taylor's inquiry about the Council setting rates, despite the Charter restrictions? I think the Resolution speaks for itself, but since this could be challenged in court, do you think it would be prudent for the City to make an official statement to use in responding to these inquiries?

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

.....
PUBLIC RECORDS LAW DISCLOSURE

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From: Rob Taylor <obetewic@msn.com>
Sent: Monday, June 10, 2019 2:05 AM
To: Robert Mawson <citymanager@ci.bandon.or.us>
Cc: Mary Schamehorn <marys@coosnet.com>; Brian Vick <bvick@harborside.com>
Subject: Official Public Record Request

MW 0129

Sincerely,

Rob Taylor

PO Box 973

Bandon, OR 97411

Phone: 541-347-9942

Hello Robert,

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Subject: [City of Bandon Newsletters and Notices] City Council

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City Council

CALENDAR DATE:

Monday, June 3, 2019 - 7:00pm

BANDON CITY COUNCIL

REGULAR MEETING

JUNE 3, 2019, 7:00 P.M.

CITY COUNCIL CHAMBERS, 555 HIGHWAY 101, BANDON 97411

CITY COUNCIL REGULAR MEETING AGENDA

MW 0130

1. CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE

Pastor Don Conn, Faith Baptist Church

2. PUBLIC REQUEST(S)

2.1 Request from VFW to add "Medal of Honor City" to the Welcome to Bandon signs that are located North and South of town

3. PRESENTATIONS

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3.2 Introduction of New Bandon Police Officer

Officer Justin Gray

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Resolution No 19-13 State Revenue Sharing Funds for FY 2019-20

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9. OTHER: COUNCIL/MAYOR/STAFF REMARKS

10. ADJOURN TO URBAN RENEWAL MEETING

MW 0133

URBAN RENEWAL AGENCY REGULAR MEETING

1. CALL TO ORDER

2. APPROVE MINUTES

2.1 Joint City Council and Urban Renewal Agency – April 1, 2019

3. ACTION & DISCUSSION

3.1 Public Hearing-Urban Renewal Budget for FY 2019-2

Resolution No UR 19-01 Adopting Urban Renewal Budget for FY 2019-20

4. PUBLIC COMMENT: 3-MINUTE LIMIT

5. BOARD MEMBERS/STAFF COMMENTS

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Unsubscribe

mattwinkel@outlook.com

From: Matt Winkel
Sent: Monday, June 10, 2019 5:37 PM
To: Mary Schamehorn
Subject: RE: Official Public Record Request

Mary:

I absolutely know how to reply:

DON'T!

If he submits a public records request, then supply the requested public records.

If the City Manager or City Council or anybody else representing the City gets involved in a written back and forth with Rob Taylor or anybody else about it, I will have nothing to do with it!

Matt

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7.2.1 Planning Commission Meeting

April 25, 2019 Regular Meeting

7.2.2 Utilities Commission Meeting

April 24, 2019 Special Meeting/Work Session
May 15, 2019 Regular Meeting

7.2.3 Parks and Recreation Commission Meeting

May 9, 2019 Regular Meeting

7.3 INFORMATION ONLY: DEPARTMENT REPORTS

7.3.1 A/P Report for April 2019

7.3.2 Library Report for April 2019

7.3.3 Public Works Report for May 2019

7.3.4 The Barn/Theater Report for April 2019

7.3.5 Planning Department Report for May 2019

7.3.6 Police Department Report for April 2019

7.3.7 Consolidated Municipal Utility Report

7.4 INFORMATION ONLY: OTHER ITEMS

7.4.1 Accept Resignations

Don Starbuck -Utilities Commission

7.4.2 Appointment to Committees & Commissions

Steve Heine – Utilities Commission

7.4.3 Re-Appointment to Committees & Commissions

Don Starbuck – Planning Commission

7.4.4 Re-Appointment to Committees & Commissions

Budget Committee

Linda Frick
Blythe Tiffany
Sheryl Bremmer

Library Board

Randy Hill

Parks and Recreation Commission

Estelle Womack
Christine Hall

7.5 EASEMENTS AND RIGHTS-OF-WAY

7.6 COMMITTEE/COMMISSION DIRECTION AND REPORTS

7.6.1 Planning Commission

7.6.2 Utilities Commission

7.6.3 Parks and Recreation Commission

8. PUBLIC COMMENT - The City of Bandon offers this time for citizens to comment on municipal issues not already on the agenda. After the Mayor asks for comments, rise or raise your hand for the Mayor to acknowledge you. Come to the podium and state your name and address. Please be sure to speak into the microphone. Comments should be **limited to 3 minutes**. Please supply 16 copies of the material brought to the meeting for distribution.

9. OTHER: COUNCIL/MAYOR/STAFF REMARKS

10. ADJOURN TO URBAN RENEWAL MEETING

URBAN RENEWAL AGENCY REGULAR MEETING

1. CALL TO ORDER

2. APPROVE MINUTES

2.1 Joint City Council and Urban Renewal Agency – April 1, 2019

3. ACTION & DISCUSSION

3.1 Public Hearing-Urban Renewal Budget for FY 2019-2

Resolution No UR 19-01 Adopting Urban Renewal Budget for FY 2019-20

4. PUBLIC COMMENT: 3-MINUTE LIMIT

5. BOARD MEMBERS/STAFF COMMENTS

6. ADJOURN

Council Chambers is accessible to the disabled.
For special services contact City Hall 48 hours in advance at
347-2437, Voice ~ 711 TTR ~
e-mail: citymanager@cityofbandon.org ~
web: www.cityofbandon.org

Supporting Documents

- [2.1 Request from VFW \(775 KB\)](#)
- [4.1 Res # 19-06- Authorizing the Submittal of an Application for the Re-Designation of the Coquille Valley Enterprise Zone \(4 MB\)](#)
- [4.2 Res # 19-07- Amending the Electric Utility Rate Schedule \(569 KB\)](#)
- [4.3 Res # 19-08 Amending the Water Utility Rate Schedule \(354 KB\)](#)
- [4.4 Res # 19-09 Amending the Wastewater Utility Rate Schedule \(362 KB\)](#)
- [4.5 Res # 19-10 Establishing the Water Utility Capital Reserve Fund \(265 KB\)](#)
- [4.6 Res # 19-11 Establishing the Wastewater Utility Capital Reserve Fund \(291 KB\)](#)
- [5.1 Res # 19-13 Electing to Receive State Shared Revenue Funds for FY 19-20 \(242 KB\)](#)
- [5.2 Res # 19-14 Adopting the Municipal Budget for FY 19-20 \(262 KB\)](#)
- [6.1.1 Findings of Fact- Bandon Beach Hotel- 1090 Portland Ave \(2 MB\)](#)
- [6.1.2 Accept Bids and Award Contract for Towing and Impound Services \(2 MB\)](#)
- [6.3.1 Proposed Ordinance #1631 Amending Chapter 8.08 BMC to Remove Exemptions fo Gorse & other Noxious Vegetation \(210 KB\)](#)
- [7.1.1 City Council Minutes - May 6, 2019 \(3 MB\)](#)
- [7.2.1 Planning Commission Minutes - April 25, 2019 \(2 MB\)](#)
- [7.2.2 Utilities Commission Minutes - April 24th Special Meeting & May 15, 2019 Regular Meeting \(3 MB\)](#)
- [7.2.3 Parks and Recreation Commission Minutes - May 9, 2019 \(679 KB\)](#)
- [7.3.1 AP Report \(744 KB\)](#)
- [7.3.2 Library Report \(1 MB\)](#)
- [7.3.3 Public Works Report \(132 KB\)](#)
- [7.3.4 The Barn & Theater Report \(722 KB\)](#)
- [7.3.5 PLanning Department Report \(209 KB\)](#)
- [7.3.6 Police Department Report \(2 MB\)](#)
- [7.3.7 Consolidated Municipal Utility Report \(631 KB\)](#)
- [7.4.1 Accept Resignations from Utilities Commission \(51 KB\)](#)
- [7.4.2 Appointment to Committees & Commissions \(330 KB\)](#)
- [7.4.3 Re-Appointment to Planning Commission \(52 KB\)](#)
- [7.4.4 Re-Appointment to Committees and Commissions \(67 KB\)](#)
- [CC/UR 2.1 Joint City Council and Urban Renewal Minutes - April 1, 2019 \(162 KB\)](#)
- [CC/UR 3.1 Res # UR19-01 Adopting the URban Renewal Agendy Budget for FY 19-20 \(201 KB\)](#)

Unsubscribe

MW 0142

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, June 20, 2019 11:07 AM
To: Matt Winkel
Subject: Fw: Lawsuit on Charter Violation

I have no intention of responding to this email. I guess it will play out in court.
What do you think, should I agree to be interviewed, or just say nothing?
M

From: [Rob Taylor](#)
Sent: Thursday, June 20, 2019 10:45 AM
To: [bandonbakingco](#) ; [braunboy](#) ; [bvick](#) ; [carllaw](#) ; [citymanager](#) ; [geri](#) ; [Press Mary Schamehorn](#) ; [Madeline Seymour](#)
Subject: Lawsuit on Charter Violation

Hello City Councilors of Bandon,

I will be discussing my lawsuit against the city council of Bandon on my radio show this week. All of you are invited to be on the show to discuss your side of the case, or you can call in. If you want to be at the studio in person then you can choose which hour you would like to be on the show. The show is on Mondays from 3 to 5pm.

www.kwro.com

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www.kwro.com

Sincerely,
Rob Taylor
PO Box 973
Bandon, OR 97411
Phone: 541-347-9942

mattwinkel@outlook.com

From: Matt Winkel
Sent: Thursday, June 20, 2019 11:20 AM
To: Mary Schamehorn
Subject: RE: Lawsuit on Charter Violation

Mary:

It's a setup! I would not respond, nor would I appear on the radio show.

The main thing the Utilities Commission wanted me to discuss with the City Council at your next meeting was how to proceed with the whole water and sewer rate, GO bond, and rate setting authority issues. Also, concerns were expressed regarding the legal restrictions against commissioners campaigning for or against ballot measures. Since this gets into the whole legal realm, liability concerns, etc., perhaps there is a way that you could call an executive session for legal advice at the upcoming meeting, so Fred could weigh in regarding those restrictions, potential liabilities, what should and shouldn't be done on these issues, etc., for both the City Council and the Utilities Commission? If so, perhaps I could be invited to attend as Chair of the Utilities Commission?

Matt

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, June 20, 2019 11:07 AM
To: Matt Winkel <mattwinkel@outlook.com>
Subject: Fw: Lawsuit on Charter Violation

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www.kwro.com

MW 0144

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www.kwro.com

Sincerely,

Rob Taylor

PO Box 973

Bandon, OR 97411

Phone: 541-347-9942

mattwinkel@outlook.com

From: Mary Schamehorn <marys@coosnet.com>
Sent: Thursday, June 20, 2019 2:37 PM
To: Matt Winkel
Subject: Re: Lawsuit on Charter Violation

will do. M

From: [Matt Winkel](#)
Sent: Thursday, June 20, 2019 11:20 AM
To: [Mary Schamehorn](#)
Subject: RE: Lawsuit on Charter Violation

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Matt

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To: Matt Winkel <mattwinkel@outlook.com>
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Sent: Thursday, June 20, 2019 10:45 AM
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Subject: Lawsuit on Charter Violation

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MW 0146

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www.kwro.com

Sincerely,

Rob Taylor

PO Box 973

Bandon, OR 97411

Phone: 541-347-9942

mattwinkel@outlook.com

From: M O'Dea <me_odea@hotmail.com>
Sent: Thursday, June 20, 2019 9:26 AM
To: sherbre@frontier.com
Cc: mattwinkel@outlook.com
Subject: Could you, please

Hi Sheryl,

Huge favor to ask. Could you talk to Fred about specifically how to proceed with FOIA and his offer to file? Since you had the discussion with him I thought you would be a better one to approach him rather than me with a cold call.

I am quite serious, and I am hoping that when we start asking for data we get it in a timely manner. And that the FOIA threat will get them in gear. I think that since Matt requested the info too many times to be counted (pre-budget), and the fact that he asked weeks ago that it be available for the Wed. meeting shows that the commission has been reasonable in both the info. they want and the timeline they have asked for it. I don't think everyone (Sherri) has been on vacation for 3 weeks. Also, since Sherri was on the mailing list for our Commission packet she has also been in the loop.

Cheers,
Mary

MW 0148

mattwinkel@outlook.com

From: M O'Dea <me_odea@hotmail.com>
Sent: Friday, June 21, 2019 3:18 PM
To: sherbre@frontier.com; Matt Winkel
Subject: Re: July Utilities Newsletter

Looks good to me.

From: sherbre@frontier.com <sherbre@frontier.com>
Sent: Friday, June 21, 2019 2:29 PM
To: Matt Winkel; M. O'Dea
Subject: July Utilities Newsletter

Hi,
I've amended the newsletter after receiving input from Mary O'Dea. I've attached the edited edition. Hopefully, this version is acceptable because my deadline is today and I'm sending this to Beth soon.

Thanks,
Sheryl