



MINUTES

Coburg Urban Renewal Agency

Regular Session

February 10, 2015 - 7:00 P.M.

Coburg City Hall

91136 North Willamette - Coburg

COUNCILORS PRESENT: Sharyl Abbaspour, Jerry Behney, Patrick Kocurek, Don Nelson, Ray Smith

COUNCILORS ABSENT: Jae Pudewell

STAFF PRESENT: Petra Schuetz, Bob Butler, Sammy Egbert, Anne Heath, Larry Larson

RECORDED BY: Dan Lindstrom

I. CALL TO ORDER

Acting Chairperson Director Ray Smith called the meeting of the Coburg Urban Renewal Agency (URA) to order at 6:30 p.m.

Minutes Recorder Dan Lindstrom called the roll, noted the absence of Jae Pudewell and Jerry Behney, and stated that a quorum was present.

II. CITIZEN TESTIMONY

Bill Ledford, 32443 Coburg Bottom Loop, stated that the Oregon State Bar was investigating his allegations of conflict of interest regarding URA counsel Milo Mecham. He said he was appealing the rejection by Bar of his charges because, he claimed, Mr. Mecham had presented untrue statements about the conflicts. He stated that the investigation was ongoing.

Mr. Ledford cited appropriate uses of URA funds and listed what he claimed were ten misuses of the funds. He said a statement of Mr. Mecham that incorrect payments had been made by a former Coburg Finance Director was invalid because, he claimed, most of the payments had been made before that Director was a City employee. He asserted that Mr. Mecham was responsible because he was serving as URA counsel at the time.

Director Jerry Behney joined the meeting at 6:20 p.m.

Director Patrick Kocurek asked Staff to respond to the charges of Mr. Ledford.

Director Smith requested that a report be given of Staff time spent in responding to the charges and investigation by the Oregon State Bar

City Administrator Petra stated that the Finance Director cited by Mr. Ledford was no longer employed with the City as a result of a substantiated personnel issue. She said that there was no pending investigation of the charges made and that it had been certified that there was no reason to believe that any City assets had been compromised in the ways alleged.

Director Kocurek asked if it was true that URA funds had been used in a Coburg Urbanization study. Finance Director Anne Heath said that the URA had transferred the funds used to the City. Ms. Schuetz added that the study was necessary to enable development of plans for the Wastewater Treatment Project and that the transfer was appropriate.

Director Don Nelson said that he believed responses to the claims of Mr. Ledford were inadequate and that the issue “. . . (would) not go away for some time.”

Ms. Schuetz stated that a thorough investigation had shown no proof or staff motivation of bookkeeping errors and that “due diligence” had been undertaken on all matters concerned. She said it was difficult for the City to move forward with the continued re-raising of the issues by Mr. Ledford and others.

Chairperson Smith stated that both the URA Directors and City Council had diligently considered the matters and were satisfied with their resolution.

III. FINANCE

Ms. Heath referred to the Finance Department Report dated February 10, 2015. She reviewed the reconciled cash balances of URA accounts it contained; noting especially information on an attachment entitled “Monthly Local Government Statement of Account Balance and Transactions” from the Office of the State Treasurer Banking System.

Ms. Heath reviewed and explained information contained in the Report regarding a July 31, 2014, loan by the URA to the City Capital Improvement Program account and a June 30, 2012, URA Loan to the City General Fund.

Directors discussed the Report.

Chairperson Smith stated that the Board of Directors would hold a Public Hearing on Resolution U-2015-01, A RESOLUTION APPROVING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2015. He opened the Public Hearing.

Ms. Heath reviewed background information and the Resolution contained in Agenda support material.

Determining that there were no requests to provide testimony, Chairperson Smith closed the Public Hearing.

Directors discussed the Resolution.

Director Sharyl Abbaspour moved, seconded by Director Behney, to approve Resolution U-2015-01, as presented, showing updated changes to Revenues and Transfer accounts. The motion was adopted 3:1, with Director Nelson voting no.

IV. CONSENT AGENDA

Ms. Schuetz directed attention to Agenda support material entitled “Conflict Waiver Letter Process.” She noted that it was a letter from Ross M. Williamson of the Local Government Law Group, giving his opinion regarding a report in the Minutes of the September 9, 2014, meeting of the Board of Directors. She pointed out that the opinion given said that the request of Mr. Mecham for a waiver of any possible conflict of interest in his conducting an investigation into

the use of URA funds for the Wastewater Project was appropriate and a normal operating procedure.

Director Kocurek said that he believed the URA should consider engaging a separate attorney from that used by the City.

Ms. Schuetz reviewed the procedure and cost required to develop and complete a Request for Proposals process for such an investigation.

Director Kocurek moved, seconded by Director Nelson, to direct Staff to prepare and carry out a Request for Proposals to choose a URA Attorney.

Director Behney asked if there was a budget for such a process.

Ms. Schuetz replied that whatever funding was needed would need to be supplied by the URA.

Ms. Heath stated that she did not believe it would be necessary for a Supplemental Budget request to be submitted to cover such an expense.

Director Kocurek asked how such an attorney would be paid.

Ms. Schuetz replied that it was normal for such services to be paid on an hourly basis. She said it was likely that the rate charged would be higher than currently paid. She also said that any respondents would likely be general attorneys, as there were few if any specialized URA attorneys.

Director Behney said he believed there would be little "catch up" work needed to for an attorney hired as URA counsel, since nearly all work involving the URA had been completed with final development of the Wastewater Treatment system.

Ms. Schuetz commented that it was necessary for a description of the duties of a URA counsel to be developed.

The motion was adopted, 3:1, with Director Abbaspour voting no.

Chairperson Smith noted that the Consent Agenda included acceptance of the minutes of the September 9, 2014, meeting of the URA.

Director Behney moved, seconded by Director Abbaspour to approve the Consent Agenda. The motion was adopted unanimously, 4:0.

The meeting adjourned at 7:25 p.m.

ACCEPTANCE

Approved: June 9, 2015

Yes: 6 No: 0 Abstained: --


Ray Smith, Acting Chairperson Date: 6/9/15


Sammy L. Egbert, City Recorder Date: 6/9/15