



**CITY COUNCIL MEETING AGENDA
Tuesday, January 19, 2016 -6:00 P.M.
Immediately Following the Urban Renewal Agency Meeting
Council Chambers**

The meeting of the Newport City Council will be held on Tuesday, January 19, 2016, immediately following the Urban Renewal Agency meeting which begins at 6:00 P.M. The meetings will be held in the Council Chambers of the Newport City Hall, located at 169 S.W. Coast Highway, Newport, Oregon 97365. A copy of the agenda follows.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

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Anyone wishing to speak at a Public Hearing or on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the City Council Chambers. Anyone commenting on a subject not on the agenda will be called upon during the Public Comment section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.

- I. Pledge of Allegiance**
- II. Call to Order and Roll Call**

III. Public Comment

This is an opportunity for members of the audience to bring to the Council's attention any item not listed on the agenda. Comments will be limited to three (3) minutes per person with a maximum of 15 minutes for all items. Speakers may not yield their time to others.

IV. Proclamations, Presentations, and Special Recognitions

Any formal proclamations or recognitions by the Mayor and Council can be placed in this section. Brief presentations to the City Council of five minutes or less are also included in this part of the agenda.

- A. Oath of Office- Firefighter - Tommy Walker

V. Consent Calendar

The consent calendar consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately on request.

- A. Approval of City Council Minutes from Regular Meeting of January 4, 2016; (Hawker)
- B. Approval of Recommendation to the Oregon Liquor Control Commission (OLCC) to Pacific Kitchen, LLC for a Full On-Premise Sales Liquor License for a New Outlet to Pacific Kitchen located at 912 N. Coast Hwy
- C. Approval of Recommendation to the Oregon Liquor Control Commission (OLCC) to R Grady Holding Inc. for an Off-Premises Greater Privilege Sales Liquor License for Newport Liquor Store located at 2019 N Coast Highway
- D. Confirmation of Mayor's Re-appointment of Robin Dennis to the Wayfinding Committee for a Term Expiring 12-31-17, and the Appointment of Lance Beck to the Destination Newport Committee for a Term Expiring 12-31-16

VI. Public Hearing

This is an opportunity for members of the audience to provide testimony/comments on the specific issue being considered by the City Council. Comments will be limited to three (3) minutes per person.

- A. Public Hearing and Possible Adoption of Ordinance No. 2090 - An Ordinance Re-Adopting Provisions of Ordinance No. 1992 Related to Sign Code Variances
- B. Public Hearing and Possible Adoption of Ordinance No. 2088 - An Ordinance which Directs and Authorizes the City of Newport Staff, Under the Direction of the City Manager, to Resume Fluoridation of the Water Supply of the City of Newport with the Ordinance Being Referred to Voters

VII. Communications

Any agenda items requested by Mayor, City Council Members, City Attorney, or any presentations by boards or commissions, other government agencies, and general public will be placed on this part of the agenda.

- A. Received From the Ernest Bloch Legacy Project - Request for Support to Name the North Highway 101 Wayside in Newport as the “Ernest Bloch Memorial Wayside” - Mark McConnell
- B. Received From the Sister City Committee - Recognition of the 50th Anniversary of the Mombetsu/Newport Sister City Agreement - Mark McConnell

VIII. City Manager Report

All matters requiring approval of the City Council originating from the City Manager and departments will be included in this section. This section will also include any status reports for the City Council’s information.

- A. Discussion Regarding the Creation of an Advisory Committee for all Parking Districts
- B. Report on the Emergency Declaration
- C. City Manager’s Year End Report For 2015 for the City of Newport

IX. Report from Mayor and Council

This section of the agenda is where the Mayor and Council can report any activities or discuss issues of concern.

X. Public Comment

This is an additional opportunity for members of the audience to provide public comment. Comments will be limited to five (5) minutes per person with a maximum of 15 minutes for all items. Speakers may not yield their time to others.

XI. Adjournment

January 4, 2016
6:12 P.M.
Newport, Oregon

The Newport City Council met on the above date in the Council Chambers of the Newport City Hall. On roll call, Allen, Roumagoux, Engler, Busby, Swanson, Sawyer, and Saelens were present.

Staff present was City Manager Nebel, City Recorder Hawker, City Attorney Rich, Community Development Director Tokos, Public Works Director Gross, Fire Chief Murphy, Parks and Recreation Director Protiva, and Police Chief Miranda.

PLEDGE OF ALLEGIANCE

Council, staff, and the audience participated in the Pledge of Allegiance.

PUBLIC COMMENT

Jenny Stokes addressed Council regarding ocean health. She recommended continued ocean bioaccumulation studies.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the Town Hall meeting of November 30, 2015; regular meeting and work session of December 7, 2015; special meeting and executive session of December 14, 2015; and special meeting of December 22, 2015;
- B. Confirmation of Mayor's reappointments to various city committees;
- C. Confirmation of the Mayor's appointments of Jim Patrick, Al Eames, and Dietmar Goebel to the Board of Appeals for the Uniform Code for the Abatement of Dangerous Buildings;
- D. Acceptance of Resignation of Tim Johnson from the Retirement Board of Trustees.

MOTION was made by Engler, seconded by Sawyer, to approve the consent calendar with the changes to the minutes as noted by Allen. The motion carried unanimously in a voice vote.

PUBLIC HEARING

Public Hearing and Possible Adoption of Ordinance No. 2092, an Ordinance Annexing a Property Owned by Central Lincoln People's Utility District and Withdrawing Some Property from the Newport Rural Fire Protection District and the Lincoln County Library District. Hawker introduced the agenda item. Nebel reported that the Central

Lincoln People's Utility District (PUD) has filed an application to bring additional property into the corporate limits of the city, with an I-1 Light Industrial zoning designation. He stated that the PUD has acquired property in the North Gate Industrial Park subdivision for the construction of a new maintenance facility that will replace the current facility located in South Beach. He added that by acquiring the site and annexing it into the city, the applicant has an opportunity to straighten out easements to free up the land for future development. He noted that there is a residence on the property which the applicant intends to demolish. He stated that the Planning Commission held a public hearing on the proposal, on November 23, 2015, and voted unanimously to recommend approval. He noted that appropriate notice was provided to the Department of Land Conservation and Development, as well as to surrounding property owners, city departments, other public agencies, and utilities. He added that the City Council hearing was noticed in the Newport News Times on December 23 and January 1, and posted at several other public locations.

Roumagoux opened the public hearing on Ordinance No. 2092 at 6:22 P.M. She called for public comment. There was none. She closed the public hearing for Council deliberation at 6:23 P.M.

MOTION was made by Sawyer, seconded by Busby, to reading Ordinance No. 2092, an ordinance annexing approximately .023 acres of property located at 7576 N. Coast Highway, as requested by Central Lincoln People's Utility District, and withdrawing the annexed territory from the Newport Rural Fire Protection District and Lincoln County Library District, and establishing the zoning for the annexed territory of I-1 (light industrial), by title only, and place for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2092. Voting aye on the adoption of Ordinance No. 2092 were Allen, Sawyer, Saelens, Engler, Busby, Swanson, and Roumagoux.

COMMUNICATIONS

From the Port of Newport - Update on International Terminal. Hawker introduced the agenda item. Nebel reported that Kevin Greenwood, General Manager of the Port of Newport, would give an update on efforts to fully develop the International Terminal. He stated that the Newport Urban Renewal Agency has created the McLean Point Urban Renewal District to help extend and improve utility access for the International Terminal as well as adjacent properties. He added that in October of 2015, the Port was awarded a TIGER Grant from the US Department of Transportation to assist in the development of this facility, as it is one of only three deep draft ports on the Oregon coast.

Kevin Greenwood, General Manager of the Port of Newport, and Walter Chuck, Chair of the Port Commission, appeared before Council. Greenwood made a PowerPoint presentation on the progress of the International Terminal project. He reported that the Port of Newport is currently obtaining financing to construct a 9-acre shipping facility on the northeast corner of McLean Point. He stated that this would provide the Port the opportunity to lease the facility to a terminal operator to facilitate agricultural exports and near-shore barging of agricultural products from the mid-Willamette Valley and waste paper material from southern California. He noted that this \$6.5 million project would include removal of 21,000 cubic yards of clean organic material, development of a wetlands mitigation site, wastewater utility extensions, water

redundancy lines, asphaltting, stormwater collection and treatment, fencing, and a small work shack. He added that the site is currently zoned industrial. He noted that the Port received notice on October 27, 2015 that it will receive a U.S. Department of Transportation TIGER grant in the amount of \$2 million toward the project. He stated that the Port's website contains information related to the project including documents that would be utilized in financing efforts.

Rex Capri asked whether there is any chance that any shipping will happen before the project is completed. Greenwood reported that the Port does not have on-site heavy equipment, but added that it could be used if someone brought in a container-sized forklift.

Chuck thanked the city for its support of the Port and this project.

From the Newport Retirement Trust - Approval of Amendment No. 1, Amendment No. 3, and the 2016 Plan Restatement. Hawker introduced the agenda item. Nebel reported that on December 4, 2015, the City of Newport Retirement Board of Trustees met to review Amendments No. 1 and No. 3 to the 2009 Restatement of the City of Newport Employees' Retirement Plan, and the 2016 Restatement of the City of Newport Employees' Retirement Plan.

Nebel reported that Amendment No. 1 was never enacted by the city. He stated that this was a rather significant amendment in that it reflects changes that resulted from the IRS review of the 2009 Restatement of the Plan. He noted that this amendment should have been approved in 2011, and after conducting an extensive review and search for records, Amendment No. 1 could not be found in any city records, in the records of West Coast Trust, or either of the two actuarial services that are used for retirement purposes. He added that a draft copy of Amendment No. 1 was discovered when Rich contacted a law firm that had done work for the city on the retirement plan. He noted that this firm had a copy of an unexecuted document in their files.

Nebel reported that by voluntarily notifying the IRS of this oversight in not acting on this changes, the city will be responsible for an additional fee to the IRS of \$2,500, but that on approval of the amendment and payment of the fee, the city's retirement system will be in good stead with the IRS. He noted that the city's pension attorneys, Saalfeld Griggs, have indicated that the Retirement Plan starts with a clean slate regarding any retroactive issues related to this amendment.

Nebel reported that Amendment No. 3 retroactively catches up the Retirement Plan language to the labor contracts and practices that have taken place for employees who are members of the Newport Employee's Association and the Newport Police Association who are non-sworn officers hired after October 15, 2012. He stated that Amendment No. 2, approved March 5, 2012, previously addressed the non-union employees only. He added that after these provisions were negotiated into the contracts, changes to the retirement plan were not made as should have been done in order to update the plan document, and these provisions are part of both labor contracts. He noted that this amendment will result in a retroactive adjustment to the 2009 Plan Restatement. He added that this is consistent with how the retirement program has been administered to date for post 2012 employees and the change will not impact any practices since 2012.

Nebel reported that Amendment No. 3 addresses two policy issues including employment service time for post-2012 employees, in that if a post-2012 employee is

hired back, the previous service time will count toward vesting for new contributions into the retirement account only. He stated that this helps put the post-2012 employees in line with the pre-2012 employees who can continue in the retirement system where they left off if they did not withdraw Money Purchase Account funds after termination. He added that this was not specifically addressed in Amendment No. 2.

Nebel reported that for post-2012 employees, the language has been amended to require the use of a 457(b) plan for employees wishing to leverage the additional three percent contribution the city will make toward retirement. He stated that the current language would allow the employees to contribute into the City's Retirement Plan, and this will make the plan consistent with current practices. Nebel reported that the Trust does not endorse or object to these policy provisions.

Nebel reported that the packet contains a red-lined copy of the 2016 Retirement Restatement. He stated that this restatement is required to incorporate any IRS changes that have occurred since the last restatement. He added that the restatement must be approved and filed by the end of January 2016, and that it will incorporate the provisions of the three amendments to the 2009 Restatement. He noted that Christine M. Moehl, from Saalfeld Griggs, PC, of Salem, has incorporated these changes into this restatement. He added that the Trust has reviewed the restatement, made several recommendations for clarifications of the document which have been incorporated into the restatement, and recommends approval by the City Council. He noted that there are several specific things that Council should be aware of regarding the restatement, including:

1. IRS Required Changes: These changes were required by the IRS agent who issued the latest determination letter for the 2009 plan and are included in Amendment No. 1 which is included in the packet. These changes have been incorporated into the restated plan document.

2. Legislative and regulatory changes that have occurred since the last restatement: These changes affect section 5.03-1 and 7.01-4. Attorney Moehl has indicated that she has been conservative in her determination about which legislative and regulatory changes must be incorporated into a governmental plan. It is likely that the IRS will disagree with some aspects of the restatement and require the addition of more language before issuing the determination letter. This is standard process for governmental plans. These changes would be similar in nature to Amendment No. 1 of the 2009 Restatement.

3. Discretionary Amendments: The soft freeze of the defined benefit plan to non-union employees hired before March 5, 2012, and the incorporation of the defined contribution program for employees hired after 2012, has changed several provisions throughout the document as incorporated by Amendments No. 2 and 3.

4. Grammar and style changes.

5. A mandatory payment of funds upon termination has been added to the Plan for post-2012 employees. This would occur after 180 days if the terminated employee has not withdrawn funding prior to that time. This will avoid having numerous accounts of former employees being managed by the Retirement Trust. This is a policy decision that the Trust does not object to, however the Council should discuss it.

Nebel reported that overall, as more employees are in the Defined Contribution Plan, it is necessary for the city to be thinking about how it will be administering the plan in the future. He stated that this is a good opportunity to help clean up and define that process.

Nebel reported that the Retirement Board of Trustees has reviewed this plan and the two amendments to the 2009 Restatement and has no objections to the City Council approving these documents and recommends that action be taken prior to the January deadline.

MOTION was made by Swanson, seconded by Engler, to approve Amendment No. 1 to the 2009 Restatement of the City of Newport Employees' Retirement Plan and authorize the City Manager to execute the amendment. The motion carried unanimously in a voice vote.

MOTION was made by Swanson, seconded by Engler, to approve Amendment No. 3 to the 2009 Restatement of the City of Newport Employees' Retirement Plan and authorize the City Manager to execute the amendment. The motion carried unanimously in a voice vote.

MOTION was made by Swanson, seconded by Engler, to approve the 2016 Restatement of the City of Newport Employees' Retirement Plan and authorize the City Manager to execute the restatement. The motion carried unanimously in a voice vote.

From the City Attorney Salary Work Group - Report and Recommendation on City Attorney Salary. Hawker introduced the agenda item. Roumagoux stated that on Monday November 2, 2015, the City Council conducted an evaluation of Rich. She stated that Council indicated that they were very pleased with the City Attorney's performance during his first year of employment with the city. She noted that in the employment agreement between the city and Rich, paragraph 4 provides that "the City Council shall review Rich's performance annually on or about October 1, 2015, and adjustment to Rich's compensation, based on the annual performance review, shall be effective on the following January 1."

Roumagoux reported that a work group consisting of Swanson, Busby, and herself met to review the compensation for Rich. She noted that the City Manager, City Attorney, and Municipal Judge receive the same cost of living increases that are given to non-union employees in the city, but unlike other positions in the city, there are no step increases provided to these positions that are direct hires of Council. She noted that Council will annually review compensation for these positions and establish compensation based on the annual performance review.

Roumagoux reported that the work group from the City Council reviewed compensation structures used in other cities for the City Attorney position, reviewed the compensation paid to previous City Attorneys factoring in a cost of living since that time, and reviewed the relationship of the City Manager salary to the City Attorney salary. She stated that the three work group members each proposed a salary effective January 1, 2016, and recommended the middle amount of \$106,900 for the 2016 calendar year.

Roumagoux reported that Rich as done a superior job in performing the skills of City Attorney during his first year with the city, and that she believes this compensation is appropriate as he begins his second year as City Attorney. She recommended a salary of \$106,900 for Rich for 2016. She noted that each member of the salary committee will deliver a report on this issue. She stated that the group looked at seven different cities and internal comparators. She reviewed the salaries of former in-house counsel noting that with cost of living increases, the salaries would be similar to her recommendation for Rich at this time.

Busby reported that the evaluation group considered lot of things in this process. He noted that salary administration is partly objective and partly subjective, adding that there are many things to think about including the COLA matter that was previously mentioned. He stated that there is no salary administration policy for the positions of City Attorney, City Manager, and Judge. He added that absent this policy, part of the decision must be based on equity with other municipalities, past incumbents, the cost to outsource the service, a part-time cost comparison, and outside perks. He stated that beyond equity is performance, including quality, quantity, and timeliness. He added that Rich is ranked highly by all seven Councilors. He noted that Rich is a good organizational fit; possesses a knowledge base; and is valuable to the organization. He discussed attrition and what would happen if Rich left. He stated that the salary recommended is correct and that Rich is an outstanding individual in this position and has great future potential.

Swanson agreed with Busby's comments, and stated that she would like to see the salary set at \$107,640, or 90% of the City Manager's salary. She added that the responsibility of the City Attorney is heavy, almost as heavy as the City Manager's, and added that she would like to see him compensated accordingly.

Allen noted that this was not a sub-group which is why there is not a unified recommendation. He clarified that the letter from Roumagoux, that was included in the packet, does not reflect the opinion of the group, but is the sole opinion of Roumagoux, and shows that the three did not reach a unified decision.

Allen noted that at the next meeting, a summary of the executive session discussion, regarding the City Manager's evaluation, will be presented to the public. He stated that everyone provided input into the City Attorney's evaluation, but the City Council, as a group did not reach a conclusion because there is no process, like there is with the City Manager's evaluation, to publicly release a summary. He added that Rich has done a very competent job and met expectations, but that he wants to be consistent among employees. He noted that he wants to treat similar employees in similar situations equally. He stated that a COLA is given to the Judge at the discretion of the city rather than as a matter of course. He added that the city provides a COLA to the City Manager and City Attorney, and that if a benefit is given to non-represented employees, it is also given to the City Manager and City Attorney. Allen reported that Rich' salary was \$97,000 annually, but is now \$98,940 with the COLA adjustment. He added that Rich' ending salary at Josephine County, after 20 years, was \$94,000. H stated that step increases for non-represented employees range from step one to step 21, and that the average step increase for employees near the highest range is between \$2,400 and \$3,000 annually if the employee meets expectations. He noted that he prefers internal salary consistency, rather than external salary consistency. Allen stated that the City Manager did not bring up the issue of salary, and that he appreciates that. He added that Roumagoux distributed information at a previous work session in an effort to provide Rich a salary increase before his performance evaluation. He reiterated that he wishes to be consistent. He stated that he is glad that an increase is now being considered after the performance evaluation. He reiterated that his comments are not related to Rich' performance, but reflect an effort to treat all employees consistently.

Busby reiterated that equity adjustments are important, and especially so in this case.

Saelens reported that he appreciates Allen's perspective. He stated that he has focused on the subjective that Busby was talking about. He noted that Rich is a comfortable fit in the City Attorney position, and has done everything possible to keep the city out of legal trouble. He added that he is inclined to agree with the Mayor's recommendation, and noted that he would not like to go through another recruitment process.

Sawyer stated that there is a lot of inequity through all salaries. He noted that when an employee is at the top step, the only increase received is a COLA. He added that if a significant adjustment is made to one employee's salary, and not the others, it is unfair to the other employees. He reported that when he was promoted to sergeant in 1979, there were two steps for the position. He added that the City Manager, at the time, removed the steps, and it took him longer to receive the previous salary. He stated that since the city will be conducting a salary review, it should include the City Attorney in the review. He added that even if Rich' salary is lower, he did get a big increase from his previous salary. He stated that the City Manager has done a great job and has not requested an increase. He added that Allen had a good point about the imbalance between this increase and those of other department heads. He echoed Allen's comments that there should be consistency and fairness among all employees. He praised the work that Rich has done during his tenure with the city.

MOTION was made by Saelens, seconded by Swanson, to compensate Rich at the rate of \$106,900 effective January 1, 2016. Saelens discussed issues in recruiting the City Manager and determining his salary. He noted that the city should have a policy but that it does not have one at this time. Allen suggested thinking about instituting salary ranges and step increases for the City Manager and City Attorney. Sawyer asked whether this type of large adjustment will have to be made in future years. The motion carried in a voice vote with Allen voting no.

CITY MANAGER REPORT

Approval of Special Event Permit for the 2016 Seafood and Wine Festival - Greater Newport Chamber of Commerce. Hawker introduced the agenda item. Nebel reported that the Seafood and Wine Festival will be held on February 25-28, 2016. He stated that Council has developed a process to consider waiver of a portion of the expenses incurred by the city for this type of event. He noted that the costs incurred are from the Police, Public Works, and Fire Departments, with the total expenses, incurred by the city, to support this event being \$14,203. He added that a contribution of 35% of this amount would equal \$4,971 being paid for by room tax funds, with the balance of \$9,232 being invoiced to the Greater Newport Chamber of Commerce.

Lorna Davis, Executive Director of the Greater Newport Chamber of Commerce, appeared before Council on behalf of this application. She reported that there is an "app" for the Seafood and Wine Festival.

MOTION was made by Engler, seconded by Swanson, to approve a Special Event Fee Waiver Request for the 2016 Seafood and Wine Festival in the amount of 35% of the estimated total city costs, or \$4,971 with these funds being transferred from the Transient Room Tax Fund to the General Fund, with the balance of the cost being invoiced to the Greater Newport Chamber of Commerce, subject to the conditions

outlined in the report contained in the packet. The motion carried unanimously in a voice vote.

Approval of Special Event Permit for the 2016 Annual Newport Loyalty Days and Sea Fair Festival. Hawker introduced the agenda item. Nebel reported that the 60th Annual Loyalty Days and Sea Fair Festival will take place from Thursday, April 28 through Sunday, May 1, 2016. He stated that this year's theme is "The Power of Loyalty," and the primary event involving city assistance is the annual parade scheduled for Saturday, April 30, beginning at noon. He noted that the estimated cost to support this event includes \$4,000 from the Police Department; \$140 from the Fire Department; and \$2,355 from the Public Works Department for various policing, establishing of detours, and other similar efforts. He added that Council has opted to waive all fees during previous years due to the fact that this is a free event for the community to enjoy, and that the organization responsible for Loyalty Days is a nonprofit corporation.

MOTION was made by Sawyer, seconded by Saelens, to approve a Special Event Fee Waiver request for the 2016 Newport Loyalty Days and Sea Fair Festival, Inc. in the full amount of \$6,495 with this funding being transferred from the Transient Room Tax Fund to the General Fund since the parade is offered as a free event for the entire community to enjoy by the Newport Loyalty Days and that the Sea Fair Festival Association, Inc. is a nonprofit entity. The motion carried unanimously in a voice vote.

Report on the Fluoride Election Process. Hawker introduced the agenda item. Nebel reported that at the October 19, 2015 Council meeting, Council approved the following motion: "Motion was made by Allen, seconded by Swanson, to direct the City Attorney and city staff to develop an ordinance to resume the addition of Fluoride to the city's drinking water in accordance with Resolution No. 1165-A, which is a current, standing directive approved by the City Council on June 25, 1962, and to bring the ordinance back to the City Council for consideration and eventual adoption and referral to the citizens of Newport for public vote at the May 17, 2016 election."

Nebel reported that draft copies of Resolution No. 3734 calling for an election; Attachment A, Ballot Title; Attachment B, Explanatory Statement; and Attachment C - Ordinance No. 2088, directing the fluoridation of the city water supply are included in the packet. He suggested reviewing the draft documents and listing recommended changes. He stated that no action is recommended.

Carol Feese stated that she is concerned with the language. She reported that the documents do not contain the cost of implementation, and that voters need to understand that they will be responsible for the costs. She stated that mentioning that fluoridation would be at levels determined by the CDC and OHA makes it appear that fluoridation is being endorsed by these two organizations. She reported that her final objection is the use of the word "fluoride." She noted that people will think that this is a pharmaceutical grade of fluoride and it is not. She added that she wants to make sure that it is known as some form of chemical fluoridation, and that the chemicals contain possible arsenic and lead.

Susan Andersen stated that she would not like to see the election delayed because the exact costs of fluoridation are unknown. She suggested using a range of costs in the ballot wording, and urged neutrality in the language. She noted that quoting the CDC and OHA is not necessarily neutral. She added that using the state board of health

would be more appropriate as this agency sets limits. She also stated that she wants to ensure that, rather than fluoride, the term fluoridation chemicals is used in the ballot wording.

Gary Lahman submitted a letter for the record from Bill Wiist.

Lahman stated that he wished to make two points relative to the language posted on the website. He noted that there are a number of references to the CDC, adding that this needs to be verified by someone. He added that, as he reads it, the recommendation is something that was posted in April of 2015, and is the final recommendation and references levels stated by the USPHS. He noted that the EPA sets the maximum level of fluoride in water and has nothing to do with this measure. He added that the ballot language contains the word fluoridate which has nothing to do with the measure. He stated that he prefers to see the reference to "resumption of fluoridation" throughout the materials. He recommended that the election be delayed until November due to the uncertainty of installation and operational costs. He noted that the only way to determine the actual costs is to obtain two proposals. He added that the second issue is the type of compounds, noting that the information previously submitted by the city's engineering firm included three types of compounds and would be confusing to the electorate.

Sawyer noted that comments from both perspectives are accurate, and that making the language neutral is difficult. He stated that he believes that the reference to CDC should be changed to OHA and the USPHS. He also agreed that an explanation of the chemicals is needed, but urged simplicity to the extent possible. He noted that he would like to see an exact figure on the costs. Nebel noted that funds would have to be expended on the design in order to get accurate cost information. He stated that this is the best estimate. Sawyer noted that he prefers not to spend money on design and have the issue voted down, but that it needs to be made clear to the voters that this is an estimate at this time. Gross stated that this should be a reasonable estimate as it is based on four other installations.

Saelens recommended removing the recommended reference to "resumption of fluoridation," as ten years have passed, and the issue should be based on what is currently known.

Swanson agreed with references to "best estimate" on the initial start of the program and the annual operational costs. She agreed with Saelens on removing the reference to "resumption of fluoridation."

Busby stated that he agrees with most of what has been said. He added that the cost needs to be the best number possible without engineering. He noted that chemical names are not simple, and suggested that a conclusion be made on what product will be used, and insert that correct name.

Engler asked what product would be used. Gross reported that any fluoride product would be certified by the vendor and approved by the health department. He noted that the safest product possible would be used, and the city would have to rely on information from the vendor certifying it a safe product. He added that, at this time, better information cannot be obtained without spending money. He reiterated that any fluoride would be designed and certified for drinking water systems. Engler noted that she favors using "resumption of fluoridation."

Allen noted that the May election date will occur at a Presidential primary election which should ensure a good voter turn-out. He asked whether there would be any benefit in changing to the November election date. Nebel stated that May is as good as

November, and the only time issue that could come into play is if the City Council wanted to have a greater analysis or preliminary design prior to taking the matter to the voters. He added that everything, to date, has focused on a May election, and to not confuse people, it may be a good idea to continue on the current course. Allen noted that the draft materials contain some inconsistent language, including “city water system” versus “city water supply.” He recommended consistency in the terminology throughout the documents. Allen stated that he believes there should be a reference to “resumption of fluoridation” in the ballot title. He agreed to the reference to the USPHS, and noted that if there is a comparable state agency that is consistent, he would prefer to use the reference to the state agency. He recommended defining the chemicals and costs based on best estimates so that the voters understand that these items are not set in stone. Allen also recommended including the operational costs in the explanatory statement. He asked about the American Water Works Association and whether it has a different standard for the fluoridation of water. He suggested that this reference could be removed from the documents. Allen noted that the documents should indicate that the full text of the ordinance can be obtained from City Hall or the city’s website.

Engler asked whether Nebel knows the cost and time it would take to obtain additional information. Gross noted that it could be several months to complete a study.

Roumagoux stated that she agrees with the term “resumption of fluoridation.” She also agreed with the reference to USPHS rather than the CDC or OHA, but that if there was a more appropriate state agency, it should be referenced.

Nebel noted that there is common ground, including: identification of the proper agency to determine the appropriate amounts of fluoride; inclusion of estimated costs that were previously obtained; and the removal of references to tooth decay. The Council was polled regarding whether to include a reference to the “resumption of fluoridation,” and it was agreed to leave the reference in a 4-3 split.

Nebel recommended, and Council agreed, to hold a work session on the revised documents on Tuesday, January 19, at noon.

Report on the Lincoln Community Land Trust. Hawker introduced the agenda item. Nebel reported that on December 7, 2015, Council held a work session for the purpose of discussing affordable housing in the city. He stated that in addition to talking to about identifying various strategies promoting the development of affordable housing in the city and Lincoln County, there was discussion regarding the city’s relationship with the Lincoln Community Land Trust (LCLT). He noted that there was specific information requested from the Land Trust, and that he indicated that he would compile a report for Council consideration for the January 4, 2016 Council meeting. He added that following the work session, additional information was requested by Allen, from County Commissioner Bill Hall, regarding the various transactions related to the development of an RFP for an affordable housing development on city-owned land next to Don Davis Park. He stated that this specific issue generated a number of concerns from property owners in the Nye Beach area which were heard by Council at the work session. He added that concerns regarding a lack of transparency by the Land Trust were expressed by members of the Council and general public.

Nebel reported that the LCLT was created in 2008 to promote the development of work force housing for families earning the median family income for Lincoln County. He stated that the composition of the board of the LCLT includes “lessee representatives,”

“general representatives,” and “public representatives.” He added that there are two representatives in each category, and noted that the “public representatives” include a member of the Lincoln County Commission, a member of the Councils of any city in Lincoln County, a member of the board of any special government district in Lincoln County, a member of a board of a 501(c)(3) designated organization or any of these members designees.

Nebel reported that the City of Newport, the City of Lincoln City, Lincoln County, and the LCLT entered into a memorandum of understanding (MOU) in July 2014. He stated that this MOU was amended March 25, 2015 to indicate that the funding from the various entities could be used to support professional staffing for the LCLT and associated administrative support services. He noted that the public partners indicated a willingness to provide up to \$30,000 to LCLT beginning July 1, 2014 and continuing through June 30, 2017 for a total of \$90,000 per partner. He added that to date the City of Newport has paid \$30,000 of this pledge. He stated that in return, the funding would be used to provide a sustainable source of administrative funding to meet the goal of providing permanently affordable home ownership for individuals and working families in Lincoln County. He noted that the MOU is temporary in nature and that the LCLT is to work toward full budgetary self-sufficiency by the end of the funding allocation. He added that the LCLT indicated that annual reports would be provided to the public partners by July 1 of each year with a final report being provided no later than December 2016. He noted that the LCLT tried to recruit an individual with the appropriate background to meet the LCLT obligations regarding affordable housing in Lincoln County, however this proved to be a challenge, and the LCLT ended up entering into an agreement with Proud Ground to provide these administrative services. He added that Proud Ground has a solid background in providing affordable housing in the Portland area, and they bring to the table a significant amount of experience to help facilitate that type of activity in Lincoln County.

Nebel reported that as part of the MOU, the public partners, without a specific commitment of resources or properties, agreed to give a high priority, within the requirements of the law, to provide surplus or foreclosed land held by those units or use revolving funds for facilitating workforce housing in Lincoln County. He stated that Tokos provided to Proud Ground a listing of vacant city-owned land for evaluation purposes in developing workforce housing. He added that Proud Ground evaluated seven sites for possible development. He noted that Bill Hall forwarded a copy of this analysis of the city-owned properties for Council review. He stated that the LCLT initiated an RFP for the development of residential housing on vacant city-owned property adjacent to Don Davis Park in the Nye Beach area. He noted that this effort was done without any notification to the Mayor and City Council or City Manager by the LCLT, with members of the Council hearing of this activity from third parties. He added that this created consternation for city officials who are one of the public partners with the LCLT. He noted that when members of Council sought to understand what was going on with this property, information was not immediately forthcoming.

Nebel reported that as a result of the handling of this matter by the LCLT, Hall has forwarded a letter to Council apologizing on behalf of the LCLT Board of Directors for getting the “cart before the horse” on this property. He stated that the LCLT understands the frustrations that this lack of communication brought to this specific situation and to the ongoing relationship between the city and the LCLT. He noted that in order to

address these valid concerns, the LCLT is proposing that going forward members of Council will be provided with monthly LCLT board packets, including the meeting agenda, minutes of the previous meeting, the Executive Director's Report, and financial reports that are compiled from time to time. He added that the LCLT has indicated that based on the concerns expressed by neighboring property owners and Council members, they no longer intend to look at, or evaluate, the city-owned property located next to Don Davis Park for a workforce housing project.

Nebel reported that he has some specific thoughts on how the issue of vacant land should be dealt with by the LCLT and other organizations involved with providing affordable housing in the city. He stated that modeling a process on how the city proceeded with the Habit for Humanity on that land issue, that he would suggest the following for Council on how to proceed with this type of issue in the future:

1. An organization would be requested to make a general request for possible consideration of use of city property for affordable housing, with the Council indicating whether they are open to discussing that specific parcel for that purpose. This would be done before there are any specific proposals for the use of the site. If the Council is not willing to discuss a proposal for that property, the issue is ended.
2. If the Council is willing to consider a proposal for the development of city property, the organization would be referred to the Planning Commission where a more specific proposal on how the property would be used to meet affordable housing needs would be reviewed and evaluated with the Planning Commission providing a recommendation to Council. If the Planning Commission does not recommend favorable consideration, that recommendation would be forwarded to Council. If the Planning Commission supports the use of that property for that specific purpose, then that recommendation would also be forwarded to Council.
3. If the City Council accepts a favorable recommendation, then the organization would be invited to submit a full proposal to the City Council on the use of city property for affordable housing with the Council then making a decision as to whether to go forward with that proposal after reviewing the detailed proposal for the use of the property.

Nebel reported that this process would provide Council with a preliminary notice that an organization is interested in developing a piece of city property. He stated that Council would be able to determine whether it wishes to pursue that process before there is any detailed effort on how the property would be developed. He added that on each specific parcel, Council could also determine that additional study is needed to determine the property's best or highest use. He noted that this also would create more transparency for the general public well in advance of any development decision.

Nebel reported that Tokos has served as a member of the Board of Directors for the LCLT since 2011, and had been appointed for his expertise in dealing with affordable housing issues in Newport. He added that the LCLT wanted additional representation from the Newport area on the board. He stated that there has been some question as to whether Tokos was an official city representative or was serving due to his professional expertise in working on housing and land use issues. He added that the LCLT has not been very specific regarding the three categories of positions on the board. He noted that there were also some questions as to whether involvement of a city official, on a non-profit board such as the LCLT, constitutes any sort of conflict of interest. He stated

that in response to an inquiry of the Oregon Government Ethics Commission, under ORS Chapter 244, the legislative assembly has recognized that serving on many state and local boards and commissions by state and local officials who have potentially conflicting public responsibilities by virtue of the position as public officials, and also as members of boards and commissions, declare that the holding of such offices does not constitute incompatible offices unless expressly stated in the enabling legislation. He added that the service to the LCLT is uncompensated, noting that a conflict does not exist if the public official is not using, or attempting to use, their official position or office to obtain financial benefits for themselves, relatives, or businesses they are associated with. He noted that the law specifically states that a “business” is not any income producing not-for-profit corporation that is tax exempt under 501(c) of the Internal Revenue Code with which a public official or relative of the public official is associated only as a member or board director or in non-remunerated capacity. He stated that in reviewing this information, there is not a conflict of interest with a city official serving on a non-remunerated non-profit board of directors.

Nebel reported that it should also be noted that the city is now a financial partner in the LCLT, and it would be reasonable to have an elected official serve on the board from each of the financially participating jurisdictions. He stated that Tokos would have no problem stepping down if a member of the City Council was interested in serving on this board. He added that this could strengthen the relationship between the LCLT and its partners.

Nebel reported that in reviewing the options the City Council has in going forward, he believes that the LCLT provides a unique tool to develop affordable housing to address work force housing in Lincoln County to the benefit of the County, Lincoln City, the City of Newport, and surrounding areas. He added that he believes that workforce housing will be a factor that limits economic opportunities for the Newport area, and with the expertise that Proud Ground brings to the LCLT, the trust can be a significant asset in creating a sustainable process for expanding work force housing in Lincoln County. He noted that the approach of Proud Ground is to address home ownership in that part of the population that falls between 60% and a 120% of median family income, and that these truly are the people that work for local government, schools, and other professional jobs in Lincoln County.

Nebel reported that based on the opinion that the LCLT is an important tool for addressing work force housing in the community, he has drafted a number of potential recommendations that Council could consider in redefining its relationship as a partner with the LCLT. These include:

1. The LCLT should be providing timely and detailed annual reports to the member communities regarding the activities and expenses that occurred through the course of the year in accordance with the MOU.
2. Council could request staff to develop a specific protocol as to the consideration of the use of vacant city properties to facilitate the development of affordable housing in the city as mentioned earlier.
3. The offer by the LCLT to provide the local elected officials, who are partners with the LCLT, with copies of board packets, agendas, minutes, and the executive director’s report, as well as periodic financial reports would keep the partners fully aware of the activities of the LCLT.

4. The local government partners of the LCLT should be represented on the board, either as a direct appointment or in a liaison capacity, to share information between the partners and the LCLT.

Nebel reported that Rich has indicated that the MOU between the City of Newport, City of Lincoln City, Lincoln County, and the LCLT is nonbinding as it relates to the funding commitment outlined in the original report. He stated that Council would be free to step aside as a formal partner with the LCLT, but that he has two concerns. He noted that he believes a constructive relationship can begin making a difference in dealing with the work force housing needs of Newport and Lincoln County, and that the LCLT brings a valuable tool to the table in addressing these types of housing issues. He stated that he also believes that it is very important for the city to be an active partner with other local governments that are willing to do the same. He added that stepping out of this partnership, before the three year commitment is completed, may send a message as to Newport's reliability as a collaborative player with other local governments.

Nebel reported that following discussion by Council, he recommends that Council provide direction with a request for reporting, or a recommendation for further action regarding this matter. He noted that he has directed the Finance Department not to process the second payment to the LCLT until these matters are rectified.

Allen stated that he had to make a public records request to obtain minutes and information regarding the RFP that Hall had indicated was not public information. He noted that the information was not forthcoming, and that he had to make specific public records requests to obtain it.

Bill Hall appeared before Council. He stated that Diane Lynn, from Proud Ground, was planning to attend but that road conditions prohibited her attendance. He noted that Allison Robertson and Dick Anderson, from the City of Lincoln City, were in attendance and prepared to respond to questions and provide input.

Sawyer stated that Nebel had done a wonderful job in organizing this report. He stated that he would like to prioritize properties so that it would be easy to see the Don Davis Park property is off the table. He added that it is the city's fault in not making this clear. He noted that he would like to add, if possible, other players such as developers, OSU, federal partners, local businesses, and others to work on addressing this problem. He stated that the city cannot drop the ball on this issue.

Saelens stated that he was glad that Sawyer started the discussion with the inventory of property. He asked what properties might be essential to the visioning process. He added that he agreed that the Planning Commission is the place to start the process, but that he hoped to integrate the properties into the long-term visioning process. He suggested the formation of a group to discuss workforce housing.

Swanson stated that she appreciates Hall's letter, and endorsed the idea of an elected official being part of the LCLT either as a liaison or regular member.

Busby stated that he is not a big proponent of the city being in the housing business. He added that the LCLT has not shown the city that it can produce housing results. He noted that it has proven to be poorly managed and with questionable motivations. He stated that it is a challenge to explain why the city is giving the LCLT \$30,000 annually when the voters read the e-mails and the RFP. He added that at the end of the discussion, he would like to make a motion to get out of the MOU with the LCLT. He noted that the LCLT has produced no results in more than seven years; cannot manage money provided by municipalities; and that the issuance of the RFP is at least ethically

questionable. He stated that he does not know what the motivations were, but decided that an organization operating in that manner is not one the city should pay to undertake this type of project. He added that he thinks there are other ways to obtain affordable housing, and referenced Ms. Boxer's letter outlining alternatives. He added that the city should not be providing that much benefit to few individuals. He stated that past performance is the greatest indicator of future performance.

Engler stated that there are several points that need clarification. She noted that one is whether the relationship with the LCLT should continue considering the lack of transparency. She questioned whether the model for selling homes without land is a good fit for Newport, adding that it might be more economical and efficient to focus on building rental properties. She suggested looking at the big picture and understanding the overall housing needs; developing a plan to address those needs; and forming a group to develop plans and policies moving forward. She reported that a housing discussion will be held in Waldport on January 25, and suggested the city be involved or organize another expert panel. She added that the VRD ordinance has had an impact on rentals.

Allen reported that he submitted two separate public records requests for emails/communications, regarding the RFP that was discussed at the work session, and contained in Hall's county e-mail account. He noted that he received the information and forwarded it to the City Council and City Manager. He added that he made an additional public records request a few weeks later. He stated that he forwarded this information to the City Council and it sheds light on what has occurred especially with the Don Davis land and Proud Ground. He noted that, from his perspective, he understands why they went in that direction from reading the board meeting minutes. He added that what concerns him more, is not the direction, but that when asked about what direction LCLT was taking and the reasons for it, LCLT was less than forthcoming about providing information. He noted that he does not know what other information has not been provided, adding that if there is a partnership; there needs to be transparency. Allen stated that when Hall told Busby that this was private information because it is a matter of real estate transactions, he wished that Hall had read the public records law as this hurts his credibility. Allen added that he hopes that trust and credibility can be regained. He stated that being transparent is a number one priority. He noted that 95% of the LCLT funding comes from public entities even though LCLT claims to be a private nonprofit entity. He stated that this makes LCLT more of a public entity than a private nonprofit, and as such, transparency is important.

Roumagoux agreed with Nebel's comments noting that it is important to be an active partner. She stated that stepping out of the partnership will send a message about Newport's reliability. She recognized attendees from the City of Lincoln City and Lincoln County. She added that she did not see the RFP as nefarious since RFPs are great tools in providing budgets and plans for potential uses other than a million dollar parking lot. She suggested determining what could be done for housing for middle class people, or perhaps developing the Don Davis property into a park for summer theater.

Busby stated that regardless of this incident, there needs to be broader participation in the discussion by other parties. He suggested that Council entertain a motion to form such an organization. He noted that in the meantime, it is in the city's best interest to at least put the MOU with the LCLT on hold. He added that there is no point in continuing

to pay a fee to LCLT to see if they produce something. He recommended looking at the bigger picture and determining how to move forward.

Nebel stated that this item was not set up for action tonight other than to discuss the issue; share concerns; and outline a path forward. He added that the specific issue with the LCLT is to decide whether it is in the city's interest to continue the relationship. He noted that it would be helpful to develop a detailed report to determine whether to go forward. He stated that only one payment has been made to the LCLT under the MOU, and suggested holding additional payments until a future discussion is held on the direction the city should go related to this topic. Engler suggested a standing committee to explore all housing issues, noting that there are many solutions that may not be vested in Habitat for Humanity, LCLT, or city regulations. Nebel noted that he is concerned about supporting a committee so that it would have a meaningful role. He noted that it might mean that funding would need to be appropriated to have a consultant assist with the process. He recommended a detailed report for Council consideration, noting that staff would need time to prepare the report.

Allen noted that the LCLT board minutes from March 23, 2015 include a discussion regarding the \$3,500 annual membership fee the city paid prior to the MOU payments of \$30,000. He stated that the city is a member of the LCLT and is entitled to all this information, under LCLT by-laws, but that he had to obtain it through public records requests. He added that this gets back to the transparency issue, and begs the following questions: what kind of organization is LCLT; and what kind of decisions is it making for its members. He noted that it is an organizational issue if LCLT is not complying with its by-laws, and recommended that LCLT look at this internally. He added that, as a member of the LCLT, the city is entitled to have an elected City Council member on the LCLT board. He stated that things have to change to make this a good relationship.

MOTION was made by Busby, seconded by Engler, to withhold all future payments to LCLT until satisfactory data and planning information is provided to the City Council. The motion carried in a voice vote with Roumagoux and Swanson voting no.

Engler asked whether LCLT provides apartments or rentals. Hall reported that the focus is on home ownership, but did not see a reason why the LCLT could not consider rentals or apartments. He noted that some projects have been mixed use projects that include retail space, and potentially rentals could be part of the mix. Engler asked Hall what other properties have been considered by the LCLT, and Hall noted that the LCLT has primarily looked at city properties. He reviewed other potential private property donations. Engler suggested looking at foreclosures. Engler asked whether the LCLT buys properties, and Hall responded that it could if it penciled out.

Right-of-Way for the Extension of NE 71st Street. Hawker introduced the agenda item. Nebel reported that the city has been working with Newport Memory Care, LLC to facilitate the construction of 48-bed long-term memory care wing adjacent to the existing Ocean View Senior Living Facility. He stated that this process started in 2014 with the extension of the city's urban growth boundary. He added that once this extension was approved by the county and the state, the property was formally annexed into the city in April 2015. He noted that the property that will be dedicated as city right-of-way is currently owned by the city, and once the city formally dedicates this as right-of-way, the public street will be extended as part of the memory care project. He stated that the end of the new right-of-way will terminate at city-owned property.

MOTION was made by Sawyer, seconded by Swanson, to dedicate a 50-foot wide strip of city-owned property to allow for the future extension of NE 71st Street as city right-of-way and authorize the Mayor to sign the legal documents needed to complete the dedication. The motion carried unanimously in a voice vote.

Authorization of a License with the Oregon Department of State Lands for the Abbey Street Pier Public Access Dock. Hawker introduced the agenda item. Nebel reported that the Abbey Street Pier extends over state-owned submerged lands managed by the Oregon Department of State Lands. He noted that the license, included in the packet, will run for 15 years expiring on November 30, 2030. He added that under the terms of the license, the city is required to maintain the pier in good working condition, and must obtain permission from the state for any pier improvements made to the structure. He stated that either party may terminate the agreement by mutual consent.

MOTION was made by Sawyer, seconded by Swanson, that the execution of a license agreement, authorizing the continued use of the Abbey Street Pier as a public access dock, is not contrary to the public interest and authorize the City Manager to execute said agreement as included in the packet. The motion carried unanimously in a voice vote.

Consideration and Possible Adoption of Resolution Nos. 3736 and 3737 Requesting Funding from the U.S. Department of the Interior Bureau of Reclamation for WaterSMART Water Grants. Hawker introduced the agenda item. Nebel reported that staff is working with Chase Park Grants to prepare two grant applications to the U.S. Department of the Interior Bureau of Reclamation for WaterSMART Water Grants to fund the city's Automatic Meter Reading (AMR) conversion project. He stated that last year, the city's million dollar application fell short and was not funded. He added that this year, Chase Park Grants is suggesting that the city apply for both the million dollar grant program and the \$300,000 grant program, and there is no prohibition on applying for both programs.

MOTION was made by Swanson, seconded by Saelens, to adopt Resolution No. 3736 which requests funding from the U.S. Department of the Interior Bureau of Reclamation for a WaterSMART Water Grant in the amount of \$300,000 for the city's automatic Meter reading system. The motion carried unanimously in a voice vote.

MOTION was made by Swanson, seconded by Saelens, to adopt Resolution No. 3737 which requests funding from the U.S. Department of the Interior Bureau of Reclamation for a WaterSMART Water Grant in the amount of \$1,000,000 for the city's automatic Meter reading system. The motion carried unanimously in a voice vote.

Authorization for a Letter to Apply for Re-Designation as a Coast Guard City. Hawker introduced the agenda item. Nebel reported that every five years, Newport is required to submit an application for re-designation as a Coast Guard City. He stated that the letter should describe the city's ongoing relationship with the U.S. Coast Guard with examples of recent programs and projects. He added that if authorized by the Council, staff will draft a letter and report to the Coast Guard that will address the requirements for re-designation of Newport for another five-year period as a Coast Guard City. He noted that the letter and report will include the following collaborations: the Fire Department has joined the Coast Guard in joint training exercises and table top training scenarios;

the Fire Department tests fire hoses and pumps on the motor lifeboat "Victory" at no charge; the Fire Department provides onsite EMTs for the Coast Guard defensive tactics training; the Parks and Recreation Department provides free military day passes to all military personnel including the Coast Guard, with approximately 90% of the military passes being used by the Coast Guard. Nebel reported that during 2015, the free daily passes issued for active military personnel ranged from a low of 69 passes in January to a high of 139 passes in April. He added that the recreation program helps Coast Guard personnel integrate with the local population at the Recreation Center. He noted that the Police Department provides a police escort for Coast Guard members participating in the Special Olympics Torch Run; the Police Department provides back-up to the Coast Guard crew in dealing with occasional belligerent citizens; the Newport Police Association hosted a Christmas Party for Station Yaquina Bay members and their families; the Coast Guard Commanding Officer has an open invitation to attend law enforcement council meetings and the monthly Western States Intelligence Network meetings. He noted that Miranda is a retired Coast Guard (PSCS) and works closely to promote strong relationships with the Coast Guard. He added that the Mayor and City Manager are invited to, and attend, various events on the base. He stated that the Coast Guard is invited to provide the Color Guard for various parades and events in the community. Nebel reported that on August 4, 2015, the city hosted a reception for the issuance of the United States Coast Guard Forever Stamp and invited the Coast Guard Station Yaquina Bay and the Newport Air Facility. He stated that the city, Port of Newport, Lincoln County, Newport Fishermen Wives, and many other interest groups strongly advocated for the continuation of the Air Station at the Newport Municipal Airport. He added that the U.S. Coast Guard has a strong and rich history with the city and it is expected that this relationship will grow even stronger in the future.

MOTION was made by Engler, seconded by Sawyer, to authorize an application for re-designation of the City of Newport, Oregon as a Coast Guard City and authorize the Mayor to sign the letter of application. The motion carried unanimously in a voice vote.

Busby suggested that after the re-designation, a letter be sent to the USCG Commandant thanking the USCG for keeping the air facility in Newport.

Report on the Emergency Declaration for the City of Newport. Hawker introduced the agenda item. Nebel reported that on December 22, 2015, the City Council declared an emergency relating to damage to public lands, infrastructure, and a slide that impacted seven homes on NE 70th Drive created by extreme weather conditions. He stated that a meeting was held with the affected property owners on December 22 outlining the processes for dealing with properties that were tagged with yellow or red tags. He noted that the red tags indicate that the structures cannot be entered, and the yellow tags indicate the properties cannot be occupied until the property owners obtain an evaluation indicating that the structures are not in danger of sliding. He added that there have been signs of ground settlement off 70th Drive since the slide occurred.

Nebel reported that on December 29, he and Gross met with Rotary President Ted Smith and the District Governor Elect for the Lions Club regarding a potential joint effort to raise funds for the property owners that are either yellow or red tagged. He stated that this may be a more effective mechanism to collectively raise funds for homeowners that are struggling with uncertainty over what needs to be done to safeguard their properties

from further sliding. He noted that the city has evaluated the storm sewers in this area and they were not impacted by the slide and are functioning normally.

Nebel reported that Gross has provided a list of the public infrastructure damage assessment field data for the Council consideration. He noted that the city has had challenges with its sanitary sewer pump stations due to the sheer volume of water and debris running through them.

Gross reported that the Big Creek and Schooner Creek pump stations have been operating at such a high level, that they are now falling apart. He stated that pump station repair is in process, and the stations will soon be operating normally. Busby asked whether \$60,000 was an accurate damage estimate. Gross reviewed the costs noting that \$60,000 remains accurate. Allen stated that there was inconsistency in the ending dates of the resolution at the recent work session. He asked whether anyone at Lincoln County was consulted regarding the inconsistencies and the possibility of moving this declaration to a federal level. Nebel stated that when staff met with Jenny Demaris, she indicated that the state declaration had an end date, but more recent information indicated that the state did not have an end date. He added that he will provide Council with an update, if one is available, at the January 19 meeting.

LOCAL CONTRACT REVIEW BOARD MEETING

The City Council, acting as the Local Contract Review Board, met at 9:46 P.M.

Approval of Task Order No. 17 with Brown and Caldwell Engineering for the Agate Beach Wastewater System Improvements. Hawker introduced the agenda item. Nebel reported that in 2014, the city acquired a low interest Clean Water State Revolving Loan Fund (CWSRF) loan from the Oregon Department of Environmental Quality (ORDEQ) to fund wastewater system improvements in the Agate Beach area. He stated that the force main for the Big Creek Pump Station was completed in 2014, and in 2015, construction of the Big Creek Pump Station was initiated and continues. He noted that this task order is for the preliminary engineering on the remaining projects in the Agate Beach Wastewater System Improvements Project including the Schooner Creek Pump Station and Schooner Creek force main projects; the 48th Street Pump Station and the 48th Street force main projects; and the Coast Highway gravity sewer project. He added that this task order will cover project management and preliminary design activities including surveying, geotechnical services, environmental permitting, transient analysis, and a preliminary design report. He stated that final design, bidding, and construction management will be done as separate task orders once the general projects are more definitively scoped. He noted that as part of the preliminary design effort, alternative design and bidding options will be evaluated in an effort to reduce project costs. He stated that once Phase 1 and Phase 2 are completed, future task orders will deal with the specific design of each project to complete the wastewater improvements in the Agate Beach area. He added that the fee for completing Phases 1 and 2 of the task order is \$309,404 through Brown and Caldwell, Inc.

MOTION was made by Allen, seconded by Engler, to approve Task Order No. 17 with Brown and Caldwell, Inc., in the amount of \$309,404, for preliminary design activities and general project management of the Agate Beach Wastewater System

Improvements and authorize the City Manager to execute the contract on behalf of the City of Newport. The motion carried unanimously in a voice vote.

Approval to Purchase a John Deere 444k Wheel Loader for the Wastewater Treatment Plant. Hawker introduced the agenda item. Nebel reported that in the current year budget, \$210,000 has been appropriated for the purchase of a front end loader for the Wastewater Treatment Plant. He stated that this will replace an existing Caterpillar loader which was purchased used from Lincoln County and is near the end of its useful life. He noted that the city is a member of H-GAC BUY which collectively bids equipment for government agencies. He noted that staff compared the John Deere 444K with a Komatsu WA200-7, and that both pieces of equipment were equivalent to the John Deere which was the lowest priced unit at \$136,600.

MOTION was made by Sawyer, seconded by Saelens, to authorize the purchase of a John Deere 444k Wheel Loader for the Wastewater Treatment Plant in the amount of \$136,600 as competitively bid through H-GAC BUY of which the city is a participating member. The motion carried unanimously in a voice vote.

RETURN TO CITY COUNCIL MEETING

The City Council returned to its regular meeting at 9:50 P.M.

REPORT FROM MAYOR AND COUNCIL

Roumagoux reported that now is the time of year when she gets requests from school children for information on the city. She read a letter, which she particularly enjoyed, from a student at Rosedale Elementary School in Beaverton.

Roumagoux suggested that she, Saelens, and Busby meet with Nebel to discuss his salary after he returns from vacation.

Sawyer stated that he appreciated the employee appreciation banquet, and especially enjoyed the location as it promotes interaction.

Sawyer reported that he attended a recent meeting of the Destination Newport Committee at which financial information was discussed. He noted that the DNC would like additional funding for advertising, adding that he expects a recommendation from the DNC to the Budget Committee related to this request.

Sawyer noted that the fishing fleet is pulling crab pots today, adding that he hopes it is a successful season.

Saelens stated that the employee appreciation banquet was in a great and open location.

Saelens reported that Oregon has the greatest rate of people moving into the state than any other state.

Swanson stated that she enjoyed the employee appreciation banquet. She noted that she had a wonderful holiday.

Busby thanked everyone who had participated in union negotiations. Rich noted that the unsung hero is John DuBois, in the Finance Department, who worked tirelessly to enter all the new information for the December 31 payroll.

Engler stated that the employee appreciation dinner was good; that Nebel had done a great job as emcee; and she congratulated the Elton Pier Award winners.

Allen reported that he had attended the employee appreciation banquet.

Allen reported that he, Roumagoux, and Sawyer had met with the homeowners of the properties damaged by the landslide. He noted that this meeting was well-attended; the homeowners appreciated the information; and that he is glad that the fundraising effort is ongoing.

Allen noted that the District Attorney had made a determination on the recent officer-involved shooting. He asked when the internal review would take place. Miranda reported that the Police Department would be launching its internal review, and it will be focused on whether the officers were conforming to the department's use of force policies. He noted that it will take approximately 30 days and will be confidential other than to report whether the officers were in compliance with departmental policies. He added that both officers are back at work.

PUBLIC COMMENT

Walter Chuck read a statement of support for the police officers and city regarding the police officer involved shootings.

Roumagoux reported that Lieutenant Malloy put together a shadow box with information about the department staff. She noted that it is located in the public hallway across from the Police Department.

Gary Lahman thanked Nebel and Hawker for handling the fluoride paper work and assorted duties generated by the subject. He stated that, in the end, the discussion is really about the health of the community.

ADJOURNMENT

Having no further business, the meeting adjourned at 10:04 P.M.

Margaret M. Hawker, City Recorder

Sandra N. Roumagoux, Mayor



Agenda #:V.B.
Meeting Date: 1-19-2016

Agenda Item:

Approval of Recommendation to the Oregon Liquor Control Commission (OLCC) to Pacific Kitchen, LLC for a Full On-Premise Sales Liquor License for a New Outlet to Pacific Kitchen located at 912 N. Coast Hwy.

Background:

Pacific Kitchen, LLC is requesting a new Full On-Premise Sales liquor license from the Oregon Liquor Control Commission (OLCC) for 912 N Coast Hwy. ORS 471.166 requires an applicant to obtain a recommendation from the local governing body in the city where the business is located. The City Council may make a "Favorable Recommendation", or an "Unfavorable Recommendation" to the OLCC. The Newport Police have reviewed the request and recommends favorable action by the City Council on the following application.

Recommendation:

I recommend that the City Council make a favorable recommendation on the issuance of a Full On-Premise Sales liquor license for a new outlet to Pacific Kitchen, LLC to be located at 912 N Coast Hwy.

Fiscal Effects:

None by making this recommendation. The city does receive a fee for processing liquor licenses.

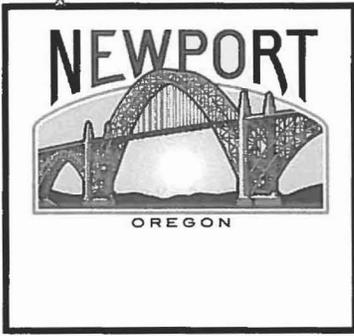
Alternatives:

Issue an unfavorable recommendation to the OLCC or as suggested by the City Council.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "S. Nebel".

Spencer R. Nebel
City Manager



Agenda Item # _____
Meeting Date _____

CITY COUNCIL AGENDA ITEM SUMMARY
City Of Newport, Oregon

Issue/Agenda Title _____ OLCC License Approval _____

Prepared By: Newport Police Dept. Head Approval: Lt. Jason Malloy City Mgr Approval: _____

Issue Before the Council:

Shall the City Council recommend approval of the liquor license application for Pacific Kitchen.

Staff Recommendation:

The Police Department recommends favorable action by the City Council

Proposed Motion:

Handled as a consent calendar item

Key Facts and Information Summary:

Pacific Kitchen, 912 N. Coast Hwy, has made application to the Oregon Liquor Control Commission for a "Full On-Premises Sales" license due to an increase of privileges. Such a license allows for the applicant to sell 'by the drink' wine, malt beverages, cider and distilled liquor. These beverages must be consumed on the premises. Partially consumed bottles of wine that had been served with a meal may also be taken from the premises.

A background check of the applicant revealed no disqualifying information. Pacific Kitchen is located on north Hwy 101, on the east side of Hwy 101 between NE 9th and NE 10th St. There have been previous police calls to this location, however this is a new business. All previous calls were related to prior businesses operating at this location.

ORS 471.166 requires an applicant to obtain a recommendation from the local governing body in the city where the business is located. The City Council may make a "Favorable Recommendation" or an "Unfavorable Recommendation" to OLCC. The Commission will then decide if granting a license is appropriate.

Other Alternatives Considered:

Not applicable.

City Council Goals:

Public Safety related.

Attachment List:
License Application

Fiscal Notes:
There is no fiscal impact on the City other than time to process the application





OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
- Commercial Establishment
- Caterer
- Passenger Carrier
- Other Public Location
- Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

RECEIVED
 JAN - 6 2016
 NEWPORT POLICE

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: 1/5/16

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: dash

Date: 1-5-16

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Pacific Kitchen, LLC ③ _____

② _____ ④ _____

2. Trade Name (dba): Pacific Kitchen

3. Business Location: 912 N. Coast Hwy, Newport, OR (Lincoln County) 97365
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: Same as above
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-272-5272
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: N/A Type of License: _____

8. Former Business Name: _____

9. Will you have a manager? Yes No Name: Veset Chhim
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Newport, OR
(name of city or county)

11. Contact person for this application: Veset Chhim 971-340-3368
(name) (phone number(s))
912 N. Coast Hwy, Newport, OR 97365
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 12/23/15 ③ _____ Date _____

② _____ Date _____ ④ _____ Date _____

CITY MANAGER'S REPORT AND RECOMMENDATIONS



Agenda #:V.C.
Meeting Date: 1-19-2016

Agenda Item:

Approval of Recommendation to the Oregon Liquor Control Commission (OLCC) to R Grady Holding Inc. for an Off-Premises Greater Privilege Sales Liquor License for Newport Liquor Store located at 2019 N Coast Highway.

Background:

R Grady Holding Inc. is requesting a new Off-Premise Greater Privilege Sales liquor license from the Oregon Liquor Control Commission (OLCC) for 2019 N Coast Highway. ORS 471.166 requires an applicant to obtain a recommendation from the local governing body in the city where the business is located. The City Council may make a "Favorable Recommendation", or an "Unfavorable Recommendation" to the OLCC. The Newport Police have reviewed the request and recommends favorable action by the City Council on the following application.

Recommendation:

I recommend that the City Council make a favorable recommendation on the issuance of a Full On-Premise Sales liquor license for a new outlet to R Grady Holding Inc., to be located at 2019 N Coast Highway.

Fiscal Effects:

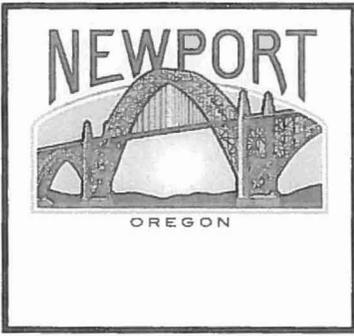
None by making this recommendation. The city does receive a fee for processing liquor licenses.

Alternatives:

Issue an unfavorable recommendation to the OLCC or as suggested by the City Council.

Respectfully Submitted,

Spencer R. Nebel
City Manager



Agenda Item # _____
Meeting Date _____

CITY COUNCIL AGENDA ITEM SUMMARY
City Of Newport, Oregon

Issue/Agenda Title OLCC Liquor License

Prepared By: Newport Police Dept. Head Approval: Lt. Jason Malloy City Mgr Approval: _____

Issue Before the Council:

Shall the City Council recommend approval of the liquor license application for the Newport Liquor Store?

Staff Recommendation:

The Police Department recommends favorable action by the City Council.

Proposed Motion:

Consent Calendar item.

Key Facts and Information Summary:

The Newport Liquor Store, located at 2019 N. Coast Hwy, has made application to the Oregon Liquor Control Commission for an "Off Premises Sales" license, seeking greater privilege. Such a license allows for the applicant to sell factory sealed containers of wine, malt beverages and cider. Containers of malt beverages sold under the license may not hold more than two and one-quarter gallons.

A background check of the applicant revealed no disqualifying information. The Newport Liquor Store is located on the west side of N. Coast Hwy just north of NW 20th St. During the last year there were no police-related calls at the business.

ORS 471.166 requires an applicant to obtain a recommendation from the local governing body in the city where the business is located. The City Council may make a "Favorable Recommendation" or an "Unfavorable Recommendation" to OLCC. The Commission will then decide if granting a license is appropriate.

Other Alternatives Considered:

None applicable

City Council Goals:

Public Safety

Attachment List:
OLCC Application

Fiscal Notes:
The City's license application fee covers the investigation and processing time expended by Staff.





OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES <input type="checkbox"/> Full On-Premises Sales (\$402.60/yr) <input type="checkbox"/> Commercial Establishment <input type="checkbox"/> Caterer <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> Other Public Location <input type="checkbox"/> Private Club <input type="checkbox"/> Limited On-Premises Sales (\$202.60/yr) <input checked="" type="checkbox"/> Off-Premises Sales (\$100/yr) <input type="checkbox"/> with Fuel Pumps <input type="checkbox"/> Brewery Public House (\$252.60) <input type="checkbox"/> Winery (\$250/yr) <input type="checkbox"/> Other: _____	ACTIONS <input type="checkbox"/> Change Ownership <input type="checkbox"/> New Outlet <input checked="" type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____
---	--

90-DAY AUTHORITY
 Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:
 Limited Partnership Corporation Limited Liability Company Individuals

CITY AND COUNTY USE ONLY

Date application received: 1/4/16

The City Council or County Commission:

(name of city or county)

recommends that this license be:

Granted Denied

By: _____ (signature) _____ (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: Jah

Date: 1/4/16

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① R Grady Holdings Inc. ③ _____

② _____ ④ _____

2. Trade Name (dba): Newport Liquor Store

3. Business Location: 2019 N Coast Hwy Newport Lincoln OR 97365
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: P.O. Box 928 Waldport OR 97394
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-863-3727 541-563-5245
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: NA Type of License: NA

8. Former Business Name: NA

9. Will you have a manager? Yes No Name: Ryan Hurt & Chrissie Murry
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Newport Oregon
(name of city or county)

11. Contact person for this application: Chrissie Murry 541-863-3727
(name) (phone number(s))
PO Box 928 541-563-5245 WaldportLiquor@peak.org
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① R Grady Date 12-17-15 ③ _____ Date _____

② K Grady Date 12/17/2015 ④ _____ Date _____

CITY MANAGER'S REPORT AND RECOMMENDATIONS



Agenda#V.D:
MeetingDate: 1/19/16

Agenda Item:

Confirmation of Mayor Re-appointment of Robin Dennis to the Wayfinding Committee for a Term Expiring 12-31-17 and for the Appointment of Lance Beck to the Destination Newport Committee for a Term Expiring 12-31-16.

Background:

Mayor Roumagoux has re-appointed Robin Dennis to the Wayfinding Committee for a term expiring 12-31-17 and appointed Lance Beck to the Destination Newport Committee for a term expiring 12-31-16, subject to confirmation by City Council.

Recommended Action:

I recommend the City Council confirm the re-appointment of Robin Dennis to the Wayfinding Committee for a term expiring 12-31-17 and the appointment of Lance Beck to the Destination Newport Committee for a term expiring 12-31-16 as part of the consent calendar.

Fiscal Effects:

None.

Alternatives:

None recommended.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "S. Nebel".

Spencer R. Nebel
City Manager

Cindy Breves

From: CommitteeApp@newportoregon.gov
Sent: Monday, January 11, 2016 4:18 PM
To: Cindy Breves; Peggy Hawker
Cc:
Subject: Committee Application

Application for City Council - Email Application

Date: 1/11/2016

Commission/Committee of Interest: Discover Newport Committee

Name: Lance Beck

Address:

Newport, OR 97365

Workphone:

Homephone:

Email:

Occupation: Director Of Marketing

Employer: Oregon Coast Aquarium

Why do you want to serve on this committee/commission/board/task force, and how do you believe you can add value? I would be a great asset to the Discover Newport Committee in large part because of my extensive background in marketing campaign development, media buying and strategic planning.

What is a difficult decision you have made concerning issues of bias and/or issues of conflict of interest? I currently work as the Director of Marketing for the Oregon Coast Aquarium and in addition I sit on the Board of Directors for the Oregon Coast Community College Foundation. I have had to walk a very fine line the past two years as these two organizations have a combined fundraising event, the Oyster Cloyster. I have had to ensure that I treated both sides fairly and maintained an unbiased position when working with both on maximizing the return for each organization.

Describe the process of how you make decisions. I think that decision making often tend to vary from one decision to another. That being said I often find myself thinking strategically when making decisions.

Establishing clear criteria and agreeing on goals is most commonly my first step. From there I research the potential options and evaluate the quality of the data I have on those options. This step also involves taking the risk with my decision into account. After a decision has been made I monitor to assess the outcome and evaluate whether not further action is needed.

What do you think about consensus decision making? What does the consensus decision making process mean to you? I like that a consensus decision-making process works creatively to include everyone in the making of the decision. I think it works well to establish a win-win within the group. I think is also ensures that everyone's opinions are taken into account. It is definitely a process that can result in creative solutions. The only real risk I see with this process is the amount of time it can take and the possibility of group-think kicking in.

Describe all other pertinent information/background for this position. I feel that I am a key individual to have on this committee as my primary job is the development creative marketing campaigns that drive tourism to Newport, OR. My knowledge of the advertising market in the state and region with make me an asset when reviewing and negotiating advertising buys for the City of Newport.



Agenda #: VI.A.
Meeting Date: 1/19/16

Agenda Item:

Public Hearing and Possible Adoption of Ordinance No. 2090 - An Ordinance Re-Adopting Provisions of Ordinance No. 1992 Related to Sign Code Variances

Background:

New sign code variance standards were established with Ordinance No. 1992 but were inadvertently left out of the Municipal Code. In 2012 and 2015, the city adopted amendments to other provisions of the sign code relating to electronic message signs. The old (outdated) sign code variance standards that remained in the Municipal Code were replicated in these more recently adopted ordinances, creating a problem.

On November 20, 2015, the city received a sign code variance application for Motel 6. This is the first request for a variance to the sign code standards that the city has received since 2010 and is the reason the omission was caught. The Motel 6 variance application was evaluated under the old rules (i.e. those that are currently contained in the Municipal Code).

Council is being asked to consider whether it is in the public interest to correct an inadvertent omission from the Municipal Code of amendments to City of Newport sign code variance standards that were adopted with Ordinance No. 1992 (January 1, 2010).

Recommended Action:

I recommend that the Mayor conduct a public hearing on Ordinance No. 2090, an ordinance re-adopting provisions of Ordinance No. 1992 related to sign code variances.

Following the public hearing, I recommend the City Council consider the following motion:

I move to read Ordinance No. 2090, an ordinance re-adopting provisions of Ordinance No. 1992 related to sign code variances, by title only, and place for final passage.

The Mayor will then ask for a voice vote on whether or not to read the ordinance by title only and place for final passage.

If the motion is approved, the City Recorder will read the title of the ordinance.

A roll call vote on the final passage of the ordinance will then be requested by the Mayor, and taken by the City Recorder.

Fiscal Effects:
None.

Alternatives:
None.

Respectfully submitted,

Peggy Hawker
City Recorder/Special Projects Director

For Spencer R. Nebel, City Manager



Agenda Item # VI.A
Meeting Date January 19, 2016

CITY COUNCIL
AGENDA ITEM SUMMARY
City of Newport, Oregon

Issue/Agenda Title Ordinance 2090 Re-Adopting Provisions of Ordinance No. 1992 Related to Sign Code Variances
Prepared By: Derrick Tokos Dept Head Approval: DT City Mgr Approval:

ISSUE BEFORE THE COUNCIL: Consideration of whether or not it is in the public interest to correct an inadvertent omission from the Municipal Code of amendments to City of Newport sign code variance standards that were adopted with Ordinance No. 1992 (January 1, 2010).

STAFF RECOMMENDATION: Staff recommends the Council approve the ordinance.

PROPOSED MOTION: I move for reading by title only of Ordinance No. 2090, an ordinance re-adopting the provisions of Ordinance No. 1992 that were inadvertently omitted from the Municipal Code.

KEY FACTS AND INFORMATION SUMMARY: New sign code variance standards were established with Ordinance No. 1992 but were inadvertently left out of the Municipal Code. Later, the City adopted amendments to other provisions of the sign code relating to electronic message signs in 2012 and 2015. The old (outdated) sign code variance standards that remained in the Municipal Code were replicated in these more recently adopted ordinances, compounding the problem.

The City received a sign code variance application for Motel 6 on November 20, 2015. This is the first request for a variance to the sign code standards that the City has received since 2010 and is the reason the omission was caught. That application was evaluated under the old rules (i.e. those that are currently contained in the Municipal Code).

OTHER ALTERNATIVES CONSIDERED: None.

CITY COUNCIL GOALS: None related to this issue.

ATTACHMENT LIST:

- Ordinance No. 2090

FISCAL NOTES: There are no fiscal impacts attributed to this ordinance.

CITY OF NEWPORT

ORDINANCE NO. 2090

AN ORDINANCE RE-ADOPTING THE PROVISIONS
OF ORDINANCE NO. 1992
THAT WERE INADVERTENTLY OMITTED FROM THE
COPY OF ORDINANCE NO. 2037
WHICH WAS ADOPTED ON JUNE 4, 2012

Summary of Findings:

1. The City of Newport adopted Ordinance No. 1992, amending various sections of the Newport Zoning Ordinance (No. 1308, as amended), and sign code provisions contained in the Newport Municipal Code, Section 10.10.140, on November 2, 2009, with an effective date of January 1, 2010.
2. After the adoption of Ordinance No. 1992, the Municipal Code was not amended to reflect the provisions of this ordinance.
3. On June 4, 2012, the City Council adopted Ordinance No. 2037 making changes to Chapter 10.10 of the Newport Municipal Code. These changes were based on the previous, and unchanged by Ordinance No. 1992, language in Chapter 10.10 of the Newport Municipal Code.
4. Subsequently, the City Council adopted Ordinance No. 2075, on January 5, 2015, again based on provisions of the Newport Municipal Code that were not revised as a result of the adoption of Ordinance No. 1992.
5. The City Council of the City of Newport wishes to correct this housekeeping error by re-adopting the provisions of Ordinance No. 1992, in this Ordinance No. 2090.
6. Adoption of Ordinance No. 2090 will also replace the current Chapter 10.10.140 of the Newport Municipal Code with the attached Exhibit A.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Section 10.10.140, of the Newport Municipal Code, is hereby amended by the provisions in Exhibit A to this Ordinance No. 2090.

Section 2. This Ordinance shall take effect 30 days after its adoption.

Date adopted and read by title only: January 4, 2016

Signed by the Mayor on _____, 2016.

Sandra N. Roumagoux, Mayor

ATTEST:

Margaret M. Hawker, City Recorder

Steven E. Rich, City Attorney

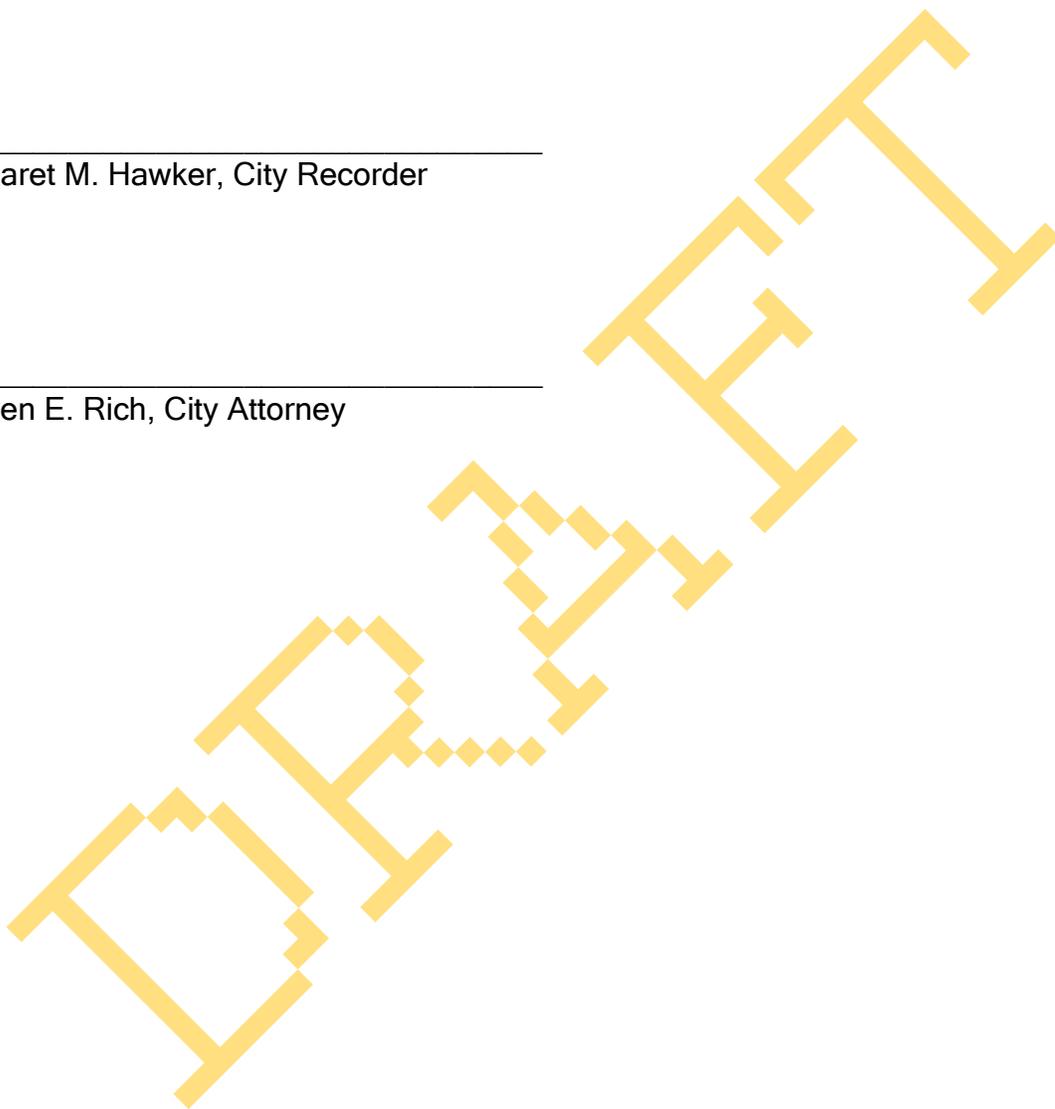


EXHIBIT A

10.10.140 Sign Adjustment and Variance Requirements.

- A. Purpose. Adjustments and Variances to the numerical standards of the sign code are intended to allow flexibility while still fulfilling the purpose of the Code.
- B. Procedure.
1. Any person may seek an Adjustment or Variance to the numerical provisions of this Chapter or of Chapter 10.15 by filing an application with the Community Development Director or designate on a form prescribed for that purpose. Upon receipt of an application, the Director or designee shall determine if the request shall be processed as an Adjustment or as a Variance according to the procedure provided in Section 14.33.030 of the Zoning Ordinance.
 2. The fee shall be the same as for a zoning Adjustment or Variance. No Adjustment or Variance shall be permitted that would negate the provisions of NMC Section 10.10.045, Prohibited Signs.
 3. In addition to the application submittal requirements of Section 14.33.040 of the Zoning Ordinance, the applicant must provide an inventory of all signs including the location, type, and size of each sign on the property.
 4. Approval criteria in (C) below are to be used when evaluating applications for Adjustments or Variances to the sign code, rather than those provided in Section 14.33.050 of the Zoning Ordinance.
- C. Criteria. The approval authority must find that the application for an Adjustment or Variance complies with the following criteria:
1. The Adjustment or Variance is consistent with the purposes of the sign code, as provided in Chapter 10.10.010 or 10.15.005 of the Newport Municipal Code, as applicable; and
 2. The Adjustment or Variance will allow for placement of a sign with exceptional design, style, or circumstance, or will allow a sign that is more consistent with the architecture and development of the site; and
 3. The Adjustment or Variance will not significantly increase or lead to street level sign clutter, or will it create a traffic or safety hazard.

CITY MANAGER'S REPORT AND RECOMMENDATIONS



Agenda#VI.B.
MeetingDate: 1/19/2016

Agenda Item:

Public Hearing and Possible Adoption of Ordinance No. 2088 - An Ordinance which Directs and Authorizes the City of Newport Staff Under the Direction of the City Manager, to Resume Fluoridation of the Water Supply of the City of Newport with the Ordinance Being Referred to Voters.

Background:

At the October 19, 2015, City Council meeting the Council approved the following motion:

Motion was made by Allen, seconded by Swanson, to direct the City Attorney and city staff to develop an ordinance to resume the addition of Fluoride to the city's drinking water in accordance with Resolution No. 1165-A, which is a current, standing directive approved by the City Council on June 25, 1962, and to bring the ordinance back to the City Council for consideration and eventual adoption and referral to the citizens of Newport for public vote at the May 17, 2016 election.

On November 2, 2015, the City Council approved Resolution No. 3729 which suspended Resolution No. 1165-A (which is the current standing directive to add fluoride to the water) until an election is held on May 17, 2016. It also laid out the schedule of actions that will need to be taken in order to place this matter on the ballot for the May election.

City Recorder Peggy Hawker researched the election schedule for the May 17, 2016 election. Please note that this issue will be considered at the same time as the Presidential Primary Election which may ensure more voter turnout than an off cycle election would. Furthermore, the city would not be responsible for the cost of the election since this is a scheduled election. The State of Oregon has specific windows of time in which various actions need to be taken in order to be timely for this election date. Actions must be taken within certain time periods in order to qualify for this ballot.

On January 4, 2016, The Council reviewed drafts of a resolution, ordinance, and ballot language and suggested certain revisions. At this meeting, representatives of Clean Water Newport and Gary Lahman provided comments to the Council on certain modifications to the draft documents. Clean Water Newport also met with me and several Council members. Also Councilor Allen and Mayor Roumagoux have forwarded suggested modifications to City Attorney Steve Rich. In consideration of all of these suggestions, Peggy Hawker, Tim Gross, Steve Rich and I met to try to address the various comments and suggestions made in order to be as accurate as possible regarding the language. We have attempted to use the same terms throughout the documents in a consistent manner.

Clean Water Newport took exception to using the term "fluoride" and suggested using the term "fluoride chemicals" to describe how water would be fluoridated. We agreed that "fluoride" is not a good term. Since the actual fluoride compound to be used for this purpose will not be known until the City proceeds with a design for this effect, we have replaced the term of

“fluoride” with “Fluoridation” throughout the document to address this issue.

Furthermore, both Gary Lahman and Clean Water Newport took exception to the references of various organizations named in the ordinance, resolution, and ballot language. We have replaced most of those references with the term “state and local government”

In addition, Gary Lahman indicated that the term “resume” fluoridation should be used. That has been incorporated as well. Mr. Lahman also requested that the Council delay the election until November 2016. While this would not create any operational issues for the City, I do believe we should maintain the schedule that has been included in previous resolutions.

We have incorporated the preliminary cost estimated for implementing fluoride and initial estimates operation cost for fluoridation of water into the documents.

Any final adjustments to the documents can be made following the work session at noon on Tuesday, January 19, 2016.

City Attorney Steve Rich, City Recorder Peggy Hawker, and I developed a proposed schedule for implementing this action as follows:

On January 19, 2016 - The Council will hold a work session at noon in Conference Room A to finalize the draft language for the ordinance, resolution, and ballot language for the fluoridation of city water.

January 19, 2016 - The Council will consider adoption of a fluoridation ordinance that will be referred to the voters. A draft copy of this ordinance is attached for your review. Please note that this is subject to review at the noon work session.

February 1, 2016 - The Council would adopt a resolution to place a question on the ballot for the May 17, 2016 election. A draft copy of the resolution is attached for your review.

May 17, 2016 - Election day. If voters approve the ordinance then Resolution No. 1165-A will be superseded by the ordinance requiring fluoridation of the city’s water. In the event that voters do not approve the ordinance then Resolution No. 1165-A will be rescinded.

Recommended Action:

I recommend that the Mayor conduct a public hearing on Ordinance No. 2088, an ordinance which directs and authorizes the city of Newport staff under the direction of the City Manager, to resume fluoridation of the water supply of the City of Newport with the ordinance being referred to voters.

Following the public hearing, I recommend the City Council consider the following motion:

I move to adopt Ordinance No. 2088, an ordinance which directs and authorizes the City of Newport staff under the direction of the City Manager, to resume fluoridation of the water supply of the City of Newport with the ordinance being referred to voters.

The Mayor will then ask for a voice vote on whether or not to read the ordinance by title only and placed for final passage.

If the motion is approved, the City Recorder will read the title of the ordinance.

A roll call vote on the final passage of the ordinance will then be requested by the Mayor, and taken by the City Recorder.

Fiscal Effects:

None by referring this issue to the voters. If approved by the voters, the city would need to invest an estimated \$300,000 in implementation costs and \$18,000 per year in initial operation costs which would be supported by water rates.

Alternatives:

None recommended.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "S. R. Nebel".

Spencer R. Nebel City
Manager

ORDINANCE NO. 2088

AN ORDINANCE AMENDING TITLE V OF THE NEWPORT MUNICIPAL CODE BY THE ADDITION OF SECTION 5.10.015 WHICH DIRECTS AND AUTHORIZES THE CITY OF NEWPORT STAFF, UNDER THE DIRECTION OF THE CITY MANAGER, TO RESUME FLUORIDATION OF THE WATER SUPPLY OF THE CITY OF NEWPORT

A. Findings: The Newport City Council finds:

1. That on August 23, 1960, the Council adopted Resolution No. 1154 calling for the submission to voters of the City of Newport the question of introducing fluoride into the city water supply; and
2. That on November 8, 1960, the electors of the City of Newport voted on the following ballot question: FLUORIDATION OF NEWPORT'S WATER SUPPLY. Shall the Common Council of the City of Newport add fluorine to the public water supply, under the supervision of the Oregon State Board of Health. The measure passed with a vote of 1,070 yes; 1,049 no; and
3. That on December 5, 1960, the Council adopted Resolution No. 1165 providing for the fluoride supplementation of the city water supply; and
4. That on May 18, 1962, the electors of the City of Newport voted on the following ballot question: "Shall the Charter of the City of Newport be amended to prohibit fluoridation of the City's public water supply by adding fluorine or fluoride compound thereto?" The question failed by a vote of 704 - yes; and 789 - no; and
5. That on June 25, 1962, the Council readopted Resolution No. 1165 calling the readopted resolution, Resolution No. 1165-A providing for fluoride supplementation of the city water supply ; and
6. That during the week of August 26 - 31, 2005, fluoridation was suspended due to the overflow of the recycle pond into Big Creek. Thereafter, because of physical limitations of the chemical room, staff suspended fluoridation of the city water supply until such time as appropriate changes could be made to the chemical room. When the new water treatment plant was designed, and budgetary constraints were encountered, the fluoridation equipment was eliminated without any specific action being taken by Council; and
7. That on January 28, 2015, members of the Lincoln County Public Health Advisory Committee met with members of the city staff regarding concerns about the city water supply not being fluoridated as provided for by Resolution No. 1165-A. By resolution of the Lincoln County Public Health Advisory

Committee adopted on July 7, 2015, the Committee urged the City Council to resume fluoridation of the city water supply; and

8. That the City Council determined to solicit public comment concerning the possible resumption of fluoridation of the city water supply; and
9. That on September 8, 2015, the City Council held a public hearing on the issue of fluoridation of the city water supply, and at the October 19, 2015 City Council meeting the Council received a report from the City Manager, and additional documentation was received from interested parties; and
10. That after receipt of public testimony and written comments, the City Council finds that it is in the best interests of the City of Newport and its electors that the resumption of fluoridation of the city water supply be directed by Ordinance and that such Ordinance be referred to the electors of the City of Newport at the election of May 17, 2016.

The City of Newport ordains as follows:

- A. **Amendment.** The Newport Municipal Code shall be amended to include the addition of the following:

5.10.015 Fluoridation of City Water Supply

- A. City staff shall keep an accurate record of the type and amount of fluoride introduced into the city water supply, and the quantities of water treated. City staff shall conduct and keep records of tests of the fluoride compound in the water in accordance with state and federal regulations. City staff shall document and monitor the costs for implementing fluoridation of the city water supply.
- B. Funds necessary for fluoridation of the city water supply shall be paid as provided in the city budget and consistent with local budget law.
- C. Fluoridation statistics shall be included in the annual Water Quality Report in accordance with state and federal requirements

B. Implementation Provisions.

1. **Date.** The City Council shall establish, by resolution, a date to resume fluoridation of the city water supply.
2. **Design.** City staff is directed and authorized to design and implement a program to fluoridate the city water supply to the optimal levels to reduce tooth decay and promote good oral health as recommended by state and federal authorities. Any fluoride compound used for this purpose shall be certified by the National Science Foundation

3. **Report.** City staff shall prepare a report and recommendation to the City Council prior to the resumption of fluoridation of the city water supply. The report and recommendation shall include a general outline of a fluoridation program; a preliminary estimate of the financial resources required to design and implement the fluoridation program; and a recommended date to resume fluoridation of the city water supply.

C. **Effective Date.** This ordinance shall be effective immediately upon certification of the election results if approved by the electors of the City of Newport at the election of May 17, 2016.

Adopted by the Newport City Council on January 19, 2016.

Sandra N. Roumagoux, Mayor

ATTEST:

Margaret M. Hawker, City Recorder

APPROVED AS TO FORM:

Steven Rich, City Attorney

Draft of 01/06/16

CITY OF NEWPORT

RESOLUTION NO. 3734

A Resolution Calling for an Election
to Refer to the Voters of the City of Newport, Oregon,
A Measure That Would Resume Fluoridation of the City Water Supply

Finding

On January 19, 2016, the City Council adopted Ordinance No. 2088 directing the resumption of fluoridation of the city water supply, and referring Ordinance No. 2088 to the electors of the City of Newport at the election of May 17, 2016.

Based upon this finding:

THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

Section 1. An election is called in and for the City of Newport for the purpose of submitting to the legal voters of the city the ballot title, Attachment A, with the following question:

Shall the City of Newport resume fluoridation of the city water supply?

Section 2. The explanatory statement for this ballot measure is included as Attachment B.

Section 3. Tuesday, May 17, 2016, is designated as the date for holding the election on the question stated in Section 1 above.

Section 4. The election will be conducted by the Lincoln County Clerk's Office.

Section 5. The precincts for the election shall include all territory within the corporate limits of the City of Newport and no other territory.

Section 6. If the ballot measure is approved by the voters of the City of Newport, the Newport Municipal Code shall be amended as provided in Attachment C.

Adopted by the Newport City Council on February 1, 2016

CITY OF NEWPORT

Sandra N. Roumagoux, Mayor

ATTEST:

Margaret M. Hawker, City Recorder

ATTACHMENT A
TO
CITY OF NEWPORT RESOLUTION NO. 3734

BALLOT TITLE

CAPTION [9 words; 10 max.]

Resumption of Fluoridation of City of Newport Water Supply

QUESTION [12 words; 20 max.]

Shall the City of Newport resume fluoridation of the city water supply?

SUMMARY [163 words; 175 max.]

The City of Newport supplies water to city residents and businesses. In the past the City of Newport fluoridated the city water supply. Currently, the city water supply is not being fluoridated.

This measure requires the City of Newport to resume fluoridation of the water system. The measure requires fluoridation at state or federal recommended levels. The measure is a referral of Ordinance No. 2088, adopted by the City Council on January 19, 2016. The date for resumption of fluoridation of the city water supply will be established by resolution of the City Council. The fluoridation of the city water supply must meet National Science Foundation standards. The measure requires recordkeeping and testing of the city water supply in accordance with state and federal standards. The measure also requires the city to conduct tests for fluoridation levels in city water supply in accordance with the state and federal recommendations. Preliminary costs estimates are \$300,000 for implementation. Initial estimates for operations are \$18,000 annually.

**ATTACHMENT B
TO
CITY OF NEWPORT RESOLUTION NO. 3734**

EXPLANATORY STATEMENT
[365 words; max. 500]

On June 25, 1962, the City of Newport adopted Resolution No. 1165-A which authorized and directed the fluoridation of the city water supply.

Resolution No. 1165-A was adopted following a vote on November 8, 1960, by the electors on a ballot measure containing the following question: "Shall the Common Council of the City of Newport add fluorine to the public water supply, under the supervision of the Oregon State Board of Health." The measure passed.

After the election of November 8, 1960, a citizen's measure was placed on the ballot for May 18, 1962, with the following question: "Shall the Charter of the City of Newport be amended to prohibit fluoridation of the city's public water supply by adding fluorine or fluoride compound thereto." The measure failed.

During the week of August 26 - 31, 2005, fluoridation was suspended due to the overflow of the recycle pond into Big Creek. Thereafter, because of physical limitations of the chemical room, staff suspended fluoridation of the city water supply until such time as appropriate changes could be made to the chemical room. When the new water treatment plant was designed, and budgetary constraints were encountered, the fluoridation equipment was eliminated without any specific action being taken by Council.

In January 2015, members of the Lincoln County Public Health Advisory Committee met with members of the city staff regarding resumption of fluoridation of the city water supply.

Following the initiation of these discussions, the City Council held a series of public meetings and public hearings on the topic of fluoridation of the city water supply. The City Council determined that it is in the best interests of the city and its residents to refer to the electors the question of whether an ordinance directing the resumption of fluoridation of the city water supply should be approved.

Preliminary cost estimates to resume the fluoridation of the city water supply are approximately \$300,000 for implementation. Initial estimates for operations are \$18,000 annually.

Ordinance No. 2088 will become effective, if passed by the vote of the electors, upon certification of the election by the Lincoln County Clerk.

The full text of the ordinance can be obtained at City Hall or at www.newportoregon.gov.

Draft of 1/06/16

DRAFT



Agenda #:VII.A
Meeting Date: 1/19/2016

Agenda Item:

Received From the Ernest Bloch Legacy Project - Request for Support to Name the North Highway 101 Wayside in Newport as the "Ernest Bloch Memorial Wayside"

Background:

The Ernest Bloch Legacy Project has been working in various ways to recognize significant contributions that Ernest Bloch has made as an American classical composer. In 1941, Ernest Bloch and his wife, Marguerite, moved to Agate Beach where they lived until his passing in 1959. The local group is hoping that one day Ernest Bloch's home can be purchased to become a State of Oregon Heritage Site. With the proximity of the wayside to the Ernest Bloch home, and the fact that the wayside is currently unnamed, there is a request for the City Council to support the effort to name the Agate Beach Wayside the "Ernest Bloch Memorial Wayside." A decision on naming this state facility lies with the Oregon Transportation Commission. In order to proceed with naming a facility after an individual, it is important to demonstrate statewide support for the naming of the facility, with the honored individual making a significant contribution and impact to the State of Oregon; the individual shall have been deceased for at least one year; and the facility is significant enough to warrant a name. The formal name of this wayside would be timely with the significant improvements that are proposed to develop this facility to better serve visitors traveling U.S. 101.

Recommendation:

I recommend the City Council consider the following motion:

I move that the Council formally support the naming of the wayside located at Agate Beach, north of Newport, as the "Ernest Bloch Memorial Wayside" and communicate that support to the Oregon Transportation Commission.

Fiscal Effects:

None.

Alternatives:

Do not support the naming of the wayside after Ernest Bloch or as recommended by the City Council.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "S. Nebel".

Spencer R. Nebel
City Manager

• THE ERNEST BLOCH LEGACY PROJECT •

August 28, 2015

City Council
City of Newport

We, the undersigned, request your support for naming the parking wayside in north Newport just south of Lighthouse Drive and adjacent to Lucky Gap Beach Trail. We propose the name "Ernest Bloch Memorial Wayside" be added to the State of Oregon Geographic Names, and be designated in signage and mapping as such. This wayside is significant because of its proximity to the home in which Bloch and his wife lived from 1941 to 1963. There is the hope that one day the home can be purchased and become a State of Oregon Heritage Site.

In conjunction with the naming of the wayside, we propose to move the Ernest Bloch Memorial (large rock with plaque attached) from the Newport Performing Arts Center back to the grassy area at the top of Lucky Gap Beach Trail near the Ernest Bloch Place street sign at NW 49th (which was designated such in 2009, the 50th anniversary of his death). In addition we will be advocating for interpretive signage, which will honor Ernest Bloch and explain the location of the memorial in proximity to his former residence. In addition to the Bloch Memorial rock and interpretive signage, a statue of Bloch in his iconic pose with pipe in hand could be added when funding becomes available. The Lincoln County Historical Society and the Burrows House Museum is also considering developing a permanent display with artifacts and interactive displays about Ernest Bloch and his music and hobbies of photography and agate polishing.

Ernest Bloch gained worldwide recognition after becoming a citizen of the United States in 1924. By that time he had become the Director of the Cleveland School of Music. In 1925 he became the Director of the San Francisco Conservatory of Music. In 1928 Musical America awarded its prize to Ernest Bloch for his composition "America." With that recognition came its presentation by all of the major conductors and orchestras throughout the United States. In the early 30s he returned to his native Switzerland to continue his composing. He returned to the United States in 1939. In 1941 he and his wife, Marguerite, moved to Agate Beach, Oregon. He then continued honoring his commitment to deliver an annual series of lectures at UC Berkeley; which he did until 1952. During his time at Agate Beach, musicians from around the world visited Agate Beach to spend time with Bloch, including world-renowned cellist, Zara Nelsova, and world famous violinist, Sir Yehudi Menuhin. Later, in biographical tributes, Bloch became known as "The Man from Agate Beach." In 1976 Governor Straub joined Bloch's three children in dedicating the Ernest Bloch Memorial in the area now being proposed as the "Ernest Bloch Memorial Wayside." In 2007 the Jewish Music Institute in London presented the Ernest Bloch Conference at Cambridge University. Later this year (2015) Cambridge University Press expects to release a book on the life and times of Ernest Bloch. Today the Ernest Bloch website www.ErnestBloch.org is visited by individuals from around the world.

We appreciate your support for this project.

Name	City
<i>Mark T. McInnell</i> Mark T. McInnell	Newport
<i>Dickie A. Steen</i>	Newport
Bokkington	Newport
<i>Catherine Rickborn</i>	Newport
<i>Stephan</i>	Newport
<i>Michael Dutton</i>	Newport
<i>Craig Haehn</i>	Newport

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• THE ERNEST BLOCH LEGACY PROJECT •

Name

City

Caroline Bauman	Yachats OR
Nancy Steinberg	Newport OR
Kay Moxness	Newport, OR
Ramona Martin	Newport, OR
Laura Hauert	Waldport OR
Denise Johnson	Newport, OR
Paul Nebenzahl	Evanston, Illinois
Jaylah Olson	Newport, OR
Cindy McConnell	Newport OR
Charlotte Dimolt	Newport, OR
Kandy Madlock	SEAL ROCK, OR
Yvonne Britton	South Beach, OR
Debra Bege	Lincoln City, OR
Okia Woods	South Beach OR
Polly Ivers	Seal Rock OR
Maureen	Newport, OR
Fred Schmale	Glendon Beach
Ruth Kier	Talado, OR
Quinn	Bonnie Road Newport, OR
Sandra Straufel	Waldport, OR
Cynthia Barrett	Neal Staufenberg NEWPORT

• THE ERNEST BLOCH LEGACY PROJECT •

August 28, 2015

City Council
City of Newport

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We appreciate your support for this project.

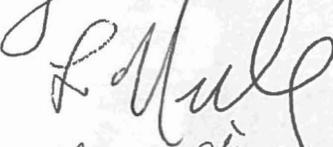
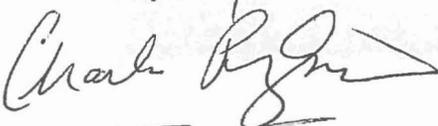
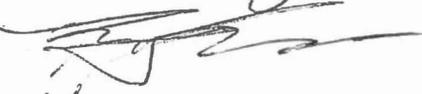
Name	City
FRANK GELTNER	Seal Rock, Oregon
Richard M Beam	Newport Oregon
ROBERT COWEN	" "
Doug Bmsia	Corvallis, OR
Susan Best	Newport, OR
Rennie Ferris	Newport, OR
Guy D. Torrance	Newport, OR
LARIMEE WARD	Newport, OR
Jennifer Simpson	Newport OR

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• THE ERNEST BLOCH LEGACY PROJECT •

Name

City

	James A. Protina	Newport, OR
Sally Bovett	SALLY BOVETT	newport, OR
	Lee Pizman	Newport, OR
Sheryl Eldridge	Sheryl Eldridge	Seal Rock, OR
Kari Mills	Kari Mills	Depee Bay, OR.
Jennifer Saffin	Jennifer Saffin	Philomath, OR
Selma Towne	Selma Towne	Albany OR
	DAVID GOMBERG	GTIS
	John W. Lavrakas	Newport OR
	Leo Newberg	Newport, OR
Helen Williams	HELEN WILLIAMS	Newport, OR
	Laura Neary	Newport Or
Robert J. Britten	ROBERT T. BRITTSAN	NEWPORT, OR
Cheryl Lee	Cheryl Lee	Newport, OR
	Charlie Plybon	the South Beach, OR
	RYAN CROSE	PORTLAND, OR
Karen Dichari	Karen Dichari	NWPT, OR

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V. Pappalardo

V. Pappalardo

Newport, OR

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Name

City

Jinda Bohson
Charlotte Demelt
James Kuroford
Jugala Olson
Julia Sal
Nancy Nelson
Carmen Sigmund

South Beach, OR
Newport, OR
Newport, OR
Newport, OR
South Beach, OR
Newport, OR
OTIS, OR

· THE ERNEST BLOCH LEGACY PROJECT ·

August 20, 2015

City Council

City of Newport

We, the undersigned, request your support for naming the parking wayside in north Newport just south of Lighthouse Drive and adjacent to Lucky Gap Beach Trail. We propose the name "Ernest Bloch Memorial Wayside" be added to the State of Oregon Geographic Names, and be designated in signage and mapping as such. This wayside is significant because of its proximity to the home in which Swiss-American composer Ernest Bloch (1880-1959) and his wife lived from 1941 to 1963. There is the hope that one day the home can be purchased and become a State of Oregon Heritage Site. Learn more by going to the Ernest Bloch website www.ErnestBloch.org. There is no residency requirement to sign the Petition.

We appreciate your support for this project.

NAME

Matt Johnson

M. Schwartz

Becky McDonagh

Terri Scribner

Wendy Howard

Megan Manning

PAUL MORAN

Catherine Moran

CITY/STATE

Newport/OR

Newport OR

South Beach, OR

Portland, OR.

Portland, OR

Houston, TX

HOUSTON, TX

EUGENE, OR

• THE ERNEST BLOCH LEGACY PROJECT •

August 20, 2015

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We appreciate your support for this project.

NAME

CITY/STATE

Janice McCulloch
Janice McCulloch

Beaverton, OR

Bill McCulloch

Beaverton, OR

Bill McCulloch

WALDPORT, OR 97394

MIKE + JOAN MESARCH

David Standley

Lincoln City, OR

KATELINA BROWN

South Beach, OR

Kay Moxness

Toledo, OR

Sandy Rommaguay

Newport, OR

Ross Bondurant

Newport, OR

Catherine Harris

Eugene, OR

Catherine Rickbone

Eugene, OR
Newport, OR

Melody S Larrakas

Newport, OR

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NAME

CITY/STATE

NAME	CITY/STATE
Joyce Milbreath	Newport
Greg A. Steinke	Depoe Bay, OR
Lanum McJannet	Newport
Wall S. Cable	Waldport
Bonnie Stout	NEWPORT
Diane Boone	Newport
Kathy Thomas	Yachats, OR
Jane Kinel	Prinzville OR
Philip Yassenoff	Portland, OR.
FRIEDHELM HAUSER	WALDPART, OR
Susan Balaban	Newport, OR
Barbara Hartman	Toledo, OR
Michelle Gettner	Newport OR
Rose Abel	Newport, OR.
Margol Cunningham	Newport.
Angela Gonci	Portland OR.
HAROLD SNOW	WALDPART, OR.
Jenna Adams	Newport, OR
Richard Clinton	Corvallis, OR
Rosalie Clinton	Corvallis, OR
Rosemarye Valentine	Yachats, OR
Michael Guinness	Yachats, OR
Paula Haglund	Newport, OR

claire werner

Portland, OR

Ly Fredette

Portland, Oregon 97223

~~Janet Surst~~

NEWPORT, OR 97365

Deanna J. Trail
Larry J. Japaneu

Newport
Newport

Wesley B. B...

Depoe Bay

Paul Baersma

Depoe Bay

Sprout Family

Newport, OR

Jim & Elletta Kennison

Newport, OR

JUERGEN ECKSTEIN

South Beach, OR

CRANE FOSTER

PORTLAND, OR

TERRY SCHUMACHER

DEPOE BAY

Maryann Dazza & Paul Tate

Newport

Cyd Cannizzaro

Newport

Lynn Walsen-Clark

Newport, OR 97365

· THE ERNEST BLOCH LEGACY PROJECT ·

August 20, 2015

City Council

City of Newport

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We appreciate your support for this project.

NAME	CITY/STATE
Raymond Martin	Newport OR
Lue Hart	Newport Or.
Nancy Hawley	Newport OR
Aaron Brewer	South Beach OR
I & M A	Newport, OR
Joan Jennifer	Depoe Bay, OR
Patricia Lewis	Newport
Joan Taylor	South Beach
Sharon Bay	Seal Rock
Marilyn Boop	Newport, OR
Margaret Miller	South Beach
Jim Kaehe	Toledo, Ore
Jenise Scherboch	South Beach
M. C. Carley	Toledo, OR
Nancy Mead	Depoe Bay, OR
Jenise Smith	Toledo, OR

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NAME

CITY/STATE

Don May

Newport, OR

Rodney L. B.

Newport, OR

William A. Bean

Newport, OR

M. J. Nelson

Newport, OR

Greg Snider

Newport, Or.

Oregon Transportation Commission  POLICY	NUMBER TRANSPORTATION COMMISSION-05	SUPERSEDES TRANSPORTATION COMMISSION-01
	EFFECTIVE DATE OCT. 15, 1991	PAGE NUMBER 1 OF 1
	REFERENCE OREGON TRANSPORTATION COMMISSION MINUTES – OCTOBER 15, 1991	
SUBJECT NAMING HIGHWAY FACILITIES		

The following guidelines are to be applied on a case-by-case basis:

- I. The Oregon Transportation Commission generally will not name highway facilities after individuals.
- II. The Oregon Transportation Commission may elect to suspend Guideline 1 if a requester can show compliance with the following criteria:
 1. Demonstrated statewide support for naming a facility.
 2. The honored individual shall have made a lasting contribution, with a significant and historic impact on Oregon.
 3. The honored individual shall have been deceased for at least one year.
 4. The facility is long enough to merit a title, such as a bridge or tunnel more than one-half mile long, or a highway section with defined end-points which was completed as a whole.
- III. The comments of the Oregon Geographic Names Board will be solicited prior to naming any highway facility. (Any federal recognition will be contingent upon their approval.)

Oregon Transportation Commission Policy: Naming Highway Facilities
Effective 10/15/1991

The following guidelines are to be applied on a case-by-case basis:

I. The Oregon Transportation Commission generally will not name highway facilities after individuals.

However--

II. The Oregon Transportation Commission may elect to suspend Guideline 1 if a requester can show compliance with the following criteria:

1. Demonstrated statewide support for naming a facility.

2. The honored individual shall have made a lasting contribution, with a significant and historic impact on Oregon.

The composer Ernest Bloch who lived in Oregon from 1939 until his death in 1959 has been recognized over the past century by many organizations. The year 2016 will mark the 100th anniversary of his arrival in New York City. He became a U. S. citizen in 1924. In 1939, owing to his son Ivan living in the Oswego area, Bloch and his wife, Marguerite, moved to Oregon. In 1941 they purchased the only home they ever owned in Agate Beach, Oregon. While Bloch traveled extensively during his lifetime, the major stopping points on his journey were to head up the Cleveland Institute of Music (1920 to 1925), the San Francisco Conservatory of Music (1925 to 1930). He was then given a sabbatical by UC Berkeley, which allowed him to compose in his homeland, Switzerland, from 1930 until returning to the U.S. in 1939. In 1976 Governor Gus Straub, in the presence of Bloch's three children, dedicated the Ernest Bloch Memorial in the wayside, which is located a few hundred feet from the home in which the Bloch's lived. The house was sold in the 1960s and is now under private ownership. The "Man from Agate Beach," as he came to be called, has made and continues to make significant contributions to his adopted state.

*Of Bloch's entire compositional output, nearly one third of his work was created in Agate Beach, Oregon. His work continues to be presented around the world, with requests coming to the website on a regular basis. Interest in Ernest Bloch and his music continues unabated half a century after his passing in 1959. During the past two years the Long Beach Opera and the Chicago Opera Theatre presented back to back productions of Bloch's **Macbeth**. Today, the next major contribution to the history of Ernest Bloch is being readied by Cambridge University Press by its editor, Alexander Knapp, Bloch scholar in London, England. During the next few years a group of Bloch supporters will be pursuing a number of initiatives, including the fifth printing of the Ernest Bloch booklet, the naming of the Ernest Bloch Memorial Wayside, the recasting of the Ernest Bloch Memorial bronze plaque, and the*

rededication of the Ernest Bloch Memorial at the Ernest Bloch Memorial Wayside near Ernest Bloch Place in Newport, Oregon.

<http://www.ernestbloch.org>

https://en.wikipedia.org/wiki/Ernest_Bloch

3. The honored individual shall have been deceased for at least one year.

Ernest Bloch July 24, 1880 – July 15, 1959

4. The facility is long enough to merit a title, such as a bridge or tunnel more than one-half mile long, or a highway section with defined end-points which was completed as a whole.

A physical description of the wayside and the future redevelopment plans will be submitted. The site is adjacent to the historic residence and will be reconstructed in the Spring of 2016 as a result of the City of Newport and ODOT grant.

III. The comments of the Oregon Geographic Names Board will be solicited prior to naming any highway facility. (Any federal recognition will be contingent upon their approval.)

An application has been submitted and approved to the National Register of Historic Places for the The Ernest Bloch House / Ashael Bush House- circa 1914 . At this time it has not been registered since the current owner, the First Baptist Church of Salem, has chosen not to list it on the register. Under new ownership the buildings could be registered immediately.



Agenda #:VII.B
Meeting Date: 1/19/2016

Agenda Item:

From the Sister City Committee - Recognition of the 50th Anniversary of the Mombetsu/Newport Sister City Agreement

Background:

2016 marks the 50th anniversary of the Sister City relationship between Mombetsu and Newport. Because of the anniversary year there are three separate exchanges that will be occurring. The first delegation will be visiting Newport, from Mombetsu, arriving on the May 18 or 19 and leaving on the 21. This visit will include city officials. The second exchange will be a group of adults traveling from Newport to Mombetsu in the second half of July. Finally, there will be a youth group traveling from Mombetsu to Newport somewhere in the first week and half of August. Because of this significant anniversary, and without having had any expenditure in the previous fiscal year, Council appropriated \$10,000 (\$5,000 that was unused from last year and \$5,000 from this year) to help recognize the 50th Anniversary of this important exchange.

Mark McConnell will be making a presentation to Council on the 50th anniversary exchanges between the two cities. Mark and Cindy McConnell are recruiting individuals to make the trip to Japan, so if anyone is interested, there will be a meeting on Tuesday, February 9 at 5:30 P.M. in the Council Chambers. The purpose of the meeting is to discuss the 50th anniversary, including hosting delegates in Newport, and organizing a delegation to travel to Mombetsu.

Recommendation:

None.

Fiscal Effects:

\$10,000 has been appropriated for Sister City activities.

Alternatives:

None recommended.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "S. R. Nebel".

Spencer R. Nebel
City Manager

CITY MANAGER'S REPORT AND RECOMMENDATIONS



**Agenda #: VIII. A.
Meeting Date: 1/19/16**

Agenda Item:

Discussion Regarding the Creation of an Advisory Committee for all Parking Districts.

Background:

A Request for Proposals (RFP) for consulting services to assist in the preparation of a Parking Management Plan is open to potential proposers and it is likely that a consultant will be selected by mid-February. The city has three commercial parking districts, one for each of the study areas. Each of the parking districts has an advisory committee that Council established by resolution. The City Council could empanel these three groups as a single project advisory committee for the parking study. In addition, the Planning Commission would like to have a representative attend the meetings, since the Commission is likely to be asked to help implement recommendations that result from the study. If Council chooses this approach, the policy advisory committee would be as follows:

Cris Torp - Business Owner, Bayfront	Kathy Cleary - Business Owner, Nye Beach
Janet Webster - Business Owner, Bayfront	Wendy Engler - Business Owner, Nye Beach (Council Liaison)
Gary Ripka - Fisherman, Bayfront	Linda Neigebauer - Business Owner, Nye Beach
Sharon Snow - Fish Processing, Bayfront	Frank Geltner - Business Owner, City Center
Laura Anderson - Business Owner, Bayfront	Bill Bain - Citizen Representative, City Center
Kevin Greenwood - Port of Newport, Bayfront	Tom McNamara - Business Owner, City Center
Jody George - Business Owner, Nye Beach	Bill Branigan - Planning Commission Representative

Recommended Action:

None. This is a discussion item. If Council wishes to move forward with the creation of a policy advisory committee, a resolution establishing the advisory committee will be presented to the City Council for consideration at its February 1, 2016 meeting.

Fiscal Effects:

There are no fiscal impacts associated with this agenda item.

Alternatives:

None.

Respectfully submitted,

Peggy Hawker, City Recorder/Special Projects Director

For: Spencer R. Nebel, City Manager



Agenda Item # VIII.A
Meeting Date January 19, 2016

CITY COUNCIL
AGENDA ITEM SUMMARY
City of Newport, Oregon

Issue/Agenda Title Advisory Committee for the Preparation of a Parking Management Plan for the Bay Front, Nye Beach, and City Center Areas

Prepared By: Derrick Tokos Dept Head Approval: DT City Mgr Approval:

ISSUE BEFORE THE COUNCIL: Composition of an advisory committee for the parking management plan that will be prepared for the Bayfront, Nye Beach, and City Center commercial areas.

STAFF RECOMMENDATION: Staff is looking for general consensus as to whether or not the individuals listed below constitutes a representative group of stakeholders or if there are other stakeholders that should be a part of the group.

PROPOSED MOTION: None. This is a discussion item. A resolution establishing the advisory committee will be presented to the City Council for consideration at its February 1, 2016 meeting.

KEY FACTS AND INFORMATION SUMMARY: A Request for Proposals (RFP) for consulting services to assist in the preparation of a Parking Management Plan is open to potential proposers and it is likely that a consultant will be selected by mid-February. The City has three commercial parking districts, one for each of the study areas. The parking districts have advisory committees that the Council established by resolution. The City Council could empanel these three groups as a single project advisory committee for the parking study. In addition, the Planning Commission would like to have a representative attend the meetings, since the Commission is likely to be asked to help implement recommendations that result from the study. Taking this approach, the policy advisory committee would be as follows:

- | | |
|---|--|
| Cris Torp – Business Owner, Bayfront | Kathy Cleary – Business Owner, Nye Beach |
| Janet Webster – Business Owner, Bayfront | Wendy Engler – Business Owner, Nye Beach (Council Liaison) |
| Gary Ripka – Fisherman, Bayfront | Linda Neigebauer – Business Owner, Nye Beach |
| Sharon Snow – Fish Processing, Bayfront | Frank Geltner – Business Owner, City Center |
| Laura Anderson – Business Owner, Bayfront | Bill Bain – Citizen Representative, City Center |
| Kevin Greenwood – Port of Newport, Bayfront | Tom McNamara – Business Owner, City Center |
| Jody George – Business Owner, Nye Beach | Bill Branigan – Planning Commission Representative |

OTHER ALTERNATIVES CONSIDERED: None.

CITY COUNCIL GOALS: Preparation of the Parking Management Plan is a budgeted project.

ATTACHMENT LIST:

RFP for the Parking Management Plan

FISCAL NOTES: There are no fiscal impacts associated with this agenda item.

CITY OF NEWPORT
169 SW COAST HWY
NEWPORT, OREGON 97365

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mombetsu, japan, sister city

CITY OF NEWPORT, OREGON

REQUEST FOR PROPOSALS

for

CONSULTING SERVICES TO PREPARE A PARKING MANAGEMENT PLAN FOR THE BAY FRONT, NYE BEACH AND CITY CENTER AREAS OF NEWPORT

PROPOSALS DUE: January 28, 2016, by 5:00 pm

SUBMIT PROPOSAL TO:

**Derrick I. Tokos, AICP
Community Development Director
City of Newport
169 SW Coast Highway**



Newport, Oregon 97365

CITY OF NEWPORT, OREGON

Request for Proposals

Consulting Services to Prepare a Parking Management Plan for the Bay Front, Nye Beach, and City Center Areas in Newport

1. INTRODUCTION

The City of Newport is seeking proposals from qualified individuals, firms, teams (hereinafter referred to as Consultant), with demonstrated experience in developing effective parking management strategies through a process of active public engagement.

2. PROJECT OVERVIEW

The purpose of this project is to identify strategies that will maximize available parking supply in the Bay Front, Nye Beach, and City Center areas of Newport to support a vibrant working waterfront and retail-oriented, tourist commercial businesses. Each of these commercial areas within the City is densely developed with much of the parking demand being met with on-street spaces and public parking lots. Historically, persons developing commercial property in these areas have been allowed to pay a fee to the City in lieu of providing new off-street parking spaces to address the impacts attributed to their projects. That program proved outdated, and led business owners to petition the City to establish Economic Improvement or “Parking Districts” to fund parking system improvements through a business license surcharge. These Parking Districts will soon expire and the boundaries of those districts define the study area for this project (See Exhibits A, B, and C).

While the Parking Districts have been easier for the City to administer than a “payment in lieu” program with some customized agreements and greater involvement from area business owners, neither approach provides a clear, long term strategy for how parking assets should be managed nor have they generated sufficient funding to make meaningful improvements to the parking system.

This Parking Management Plan is intended to address these shortcomings. Work will include an inventory of existing parking assets and regulatory practices; stakeholder engagement to identify opportunities; constraints to improving the availability of parking; transit and/or van pool services; a parking demand analysis to establish parking utilization and turnover rates; and a capital needs assessment, financial strategies, and policy recommendations.

Characteristics of each of the commercial areas is summarized as follows:

Bay Front: A working waterfront with a mix of tourist oriented businesses, fish processing facilities and infrastructure to support the City’s commercial fishing fleet. The Port of Newport is a major property owner and a boardwalk and fishing piers provide public access to the bay. The area is terrain constrained, with steep slopes rising up from commercial sites situated along Bay Boulevard.

City Center: A “main street” style cluster of commercial buildings oriented along US 101 between the intersection of US 101 and US 20 and the Yaquina Bay Bridge. Many of the City’s public buildings are within this district, including the Lincoln County Courthouse, Newport City Hall, 60+ Center, Recreation Center, and the Samaritan Pacific Hospital. A new aquatic facility is being constructed next to City Hall and is expected to open in December of 2016.

Nye Beach: A mixed-use residential and tourist oriented business district with direct beach access anchored by Performing Arts and Visual Art Centers. Commercial development is concentrated along Beach Drive and Coast Street, both of which include streetscape enhancements that encourage a dense pedestrian friendly atmosphere. This is a mixed use area including retail, dining, lodging, professional services, galleries, single family homes, condominiums, long term and short term rentals.

This plan should consider City off-street parking requirements and provide recommendations for how they might be adjusted within the business districts, including the likely ramifications of lifting such requirements. The plan should further outline financing strategies the City can pursue to maintain existing parking assets, enhance transit services, and provide additional parking to support growth and vitality of area businesses. Each of the business districts experiences significant increases in traffic during summer months, and the analysis and recommendations that result from the plan should factor in seasonal variations in availability and demand for parking spaces.

The City desires to complete the parking management plan, including any recommended changes to City ordinances or agreements, by February 1, 2017 to inform the preparation of the Fiscal Year 2017/2018 budget. City envisions and consultant should anticipate that a citizen advisory committee will be formed, with representation from the business districts, to assist in the preparation of the plan.

3. DRAFT SCOPE OF WORK

This draft scope of work represents the City’s best estimate of the work needed to accomplish the objectives for this project. The City is open to alternative approaches that may deviate from this scope to better meet project objectives.

A. Project Kick-off. Staff will provide Consultant with relevant background information in an electronic format, where available. This may include, but is not limited to:

1. Comprehensive Plan, maps and text
2. Development regulations, zoning maps, and text
3. Transportation System Plan, including draft of current update
4. Bayfront Parking District ordinance and supporting materials
5. Nye Beach Parking District ordinances and supporting materials
6. City Center Parking District ordinance and supporting materials
7. Newport Northside Urban Renewal Plan
8. Nye Beach Design Guidelines
9. Meyer-Reed Wayfinding Study
10. Bay Front Plan
11. Peninsula Urban Design Plan (Glick Report)
12. Vision 2020 and Strategic Action Plan
13. Tax Lot, contour, aerial imagery, natural features, and other GIS data relevant to the project areas

Consultant shall review the background materials and meet with City staff to clarify study objectives and confirm key policies and background information that could inform the work. At this meeting, consultant and staff will also confirm the range of key stakeholders that will need to be engaged, public outreach opportunities that will be pursued, and any other issues necessary to clarify the scope and schedule.

Product: Memo documenting meeting outcomes and final scope of work.

- B. Existing Conditions Maps. Consultant shall prepare scaled maps of the Bay Front, Nye Beach, and City Center areas identifying available parking spaces and depicting relevant existing conditions for use in later tasks. The maps should identify the location of parking assets, transit stops and routes, and areas with regulatory limitations (no parking, accessible spaces, timed parking, etc.). The maps should also include property boundaries, building locations, streets, shorelines, natural features, and/or other information to orient users and provide context.

Product: An electronic copy and two scaled hardcopy drawings (“D” or “E” size) of the maps for each area.

- C. Opportunity and Constraints. Consultant will conduct a site visit to gain familiarity with the project area and take photographs for use in subsequent tasks. Consultant shall conduct meetings with stakeholders in the Bay Front, Nye Beach and City Center areas to solicit input regarding opportunities to improve the availability of parking, transit and/or van pool services as well as “constraints” regarding customer parking, employee parking, parking for tourists/fisherman, delivery vans, and semi-trailers. Any major capital improvements believed to be critical to the success of the business districts (e.g. parking structure, transit funding, etc.) should be identified. City will identify appropriate venues for the outreach meetings and will provide notice to stakeholders and members of the general public. It is the City’s desire that, to the extent possible, outreach meetings occur concurrent with consultant site visits.

Product: Electronic copies of the photographs and materials summarizing the results of the stakeholder meetings.

- D. Parking Demand Analysis. Consultant shall conduct field surveys of parking assets during peak and off-peak periods to establish utilization and turnover rates of the parking spaces in each commercial area. Off-peak analysis should be performed in the March/April or November/December timeframe and should be coordinated with the City to avoid the Seafood and Wine festival or other major events that might skew the results. Peak period analysis should be performed in the July/August timeframe.

Product: Field notes, working drawings, and a graphic memo/maps summarizing the analysis (with supporting data).

- E. Capital Needs Assessment. Consultant, with the assistance of City, shall assess the condition of public parking assets and prepare planning level cost estimates for periodic maintenance and upgrades to these facilities. Planning level estimates shall also be prepared for any new facilities, such as a parking structure, parking lot, or the purchase and installation of parking meters. If enhancements to transit service are recommended then the assessment should identify an appropriate service provider and, in consultation with that provider, identify capital and operational expenses required for the service adjustment.

Projects shall be prioritized, with stakeholder input, for short, medium, and long term periods using a 20-year planning horizon.

Product: Schematic drawings, cost estimate worksheets and a memo summarizing capital needs.

- F. Financial Strategies. Consultant shall assess potential funding tools or a combination thereof needed to implement the capital program. This may include locations where metering could be utilized and how meter charges should be calibrated considering an equipment payback period, capital needs, and the parking demand analysis; whether or not businesses should contribute funding through a business license surcharge or similar funding tool; and whether or not permit parking should be instituted in any of the plan areas. Gap analysis should be performed for large capital projects (e.g. parking structure) with recommendations for how the gap could be filled with alternative funding sources.

Product: Financial strategies memo with supporting maps and tabular data sufficient to convey the concepts to policy makers. The document should include recommendations relative to the strengths and weaknesses of the different strategies.

- G. Final Report. Consultant shall prepare a final report incorporating the analysis from the previous tasks with recommended parking management strategies and implementation measures to put them into effect. The report must summarize the public engagement process, alternatives considered, and the rationale for recommended strategies. Planning level cost estimates shall be refined as needed, such that they are suitable for use in updating City facility plans. The report shall also be formatted such that the graphics and text can be readily incorporated by the City into other planning documents. Consultant shall provide a draft of the report to the City for one round of edits, and shall be available for presentation of the final report to the Newport Planning Commission and City Council.

Product: An electronic copy and six (6) hardcopies of the final report.

Consultant shall coordinate as needed with City staff throughout the process. Unless otherwise specified, it is the City's preference that work product be delivered in an electronic format. Should Consultant develop any GIS data layers in conjunction with this project, such data shall be provided to the City with delivery of the final report. It is the City's expectation that Consultant will be able to utilize technical data from City's existing facility plans, where available, to inform the development of planning level cost estimates.

4. BUDGET AND SOURCE OF FUNDS

A total of \$45,000 is budgeted for this project. Of that amount, \$15,000 is from the City of Newport General Fund, \$15,000 is from the Bay Front Parking District, \$10,000 is from the Nye Beach Parking District and \$5,000 is from the City Center Parking District.

5. PROJECT PROPOSAL REQUIREMENTS

Proposals should be organized in the following format:

- A. Cover Letter. Provide a cover letter, signed by a duly constituted official legally authorized to bind the proposer to both its proposal and cost estimate. The cover letter must include

the name, address, and telephone number of the proposer submitting the proposal and the name, title, address, telephone number, fax number, and email address of the person, or persons, to contact whom are authorized to represent the proposer and to whom correspondence should be directed.

- B. Project Approach and Understanding. Provide a detailed description of the Consultant's proposed approach demonstrating how the City's objectives will be accomplished as outlined in the above draft Scope of Work. Clearly describe and explain the reason for any proposed modifications to the methods, tasks and products identified in the draft Scope of Work outlined in Section 3 of this RFP.
- C. Project Organization and Team Qualifications. Identification of all services to be provided by the principal firm and those proposed to be provided by subcontractors and information regarding the firm(s) assigned to the project including size of firm(s) and overall capabilities of each as considered relevant to this project. Provide information regarding all personnel assigned as team members to this project including names, prior experience, position, role and level of responsibility in the project. The City reserves the right to reject any proposed firm or team member or to request their reassignment. The project manager shall be identified by name and shall not be changed without written approval by the City. The principal consulting firm must assume responsibility for any sub-consultant work and shall be responsible for the day to day management and direction of the project.
- D. Project Timeline. Proposed timeline for accomplishing the project, including critical paths and milestones, and specific consulting staff by task based on the draft Scope of Work.
- E. Project Coordination and Monitoring. Describe the process for ensuring effective communication between the Consultant, Stakeholders, and the City, and for monitoring progress to ensure compliance with approved timeline, budget, staffing and deliverables.
- F. Proposed Cost of Services. Provide a budget summary broken down by task, time, personnel, and hourly rate, number of hours and cost for each team member including those employed by subcontractors. Fee information should be formatted to correspond to tasks identified in this RFP; however, this format may be modified to suit the consultant's approach to this project. The summary shall include a budget for reimbursable expenses. The final cost of consulting services may be based on a negotiated detailed scope of work. The budget summary shall also include all required materials and other direct costs, administrative support, overhead and profit that will apply.
- G. Similar Project Experience. Specific examples of comparable work which best demonstrate the qualifications and ability of the team to accomplish the overall goals of the project under financial and time constraints. Provide names, addresses and telephone numbers of clients associated with each of these projects. Through submission of a proposal, all respondents specifically agree to and release the City of Newport to solicit, secure and confirm information provided.

6. SELECTION OF PROPOSALS

Proposals will be evaluated based on the following criteria:

Thoroughness, quality and conciseness of submittal.	20 pts.
Project understanding and approach for accomplishing the City's objectives.	20 pts.
Qualifications of the project manager and project team, and proven ability to successfully complete projects of similar scope.	20 pts.
Proposed cost of services.	15 pts.
Ability to complete the Scope of Work within twelve (12) months of when the consulting contract is signed.	15 pts.
References from past and present clients.	10 pts.
Total	100 pts.

7. PROPOSAL SUBMITTAL AND SCHEDULE

Parties interested in submitting a proposal should contact Derrick Tokos, Newport Community Development Director, to indicate their interest in submitting a proposal and specify the manner to receive any amendments to the RFP.

Four (4) copies of the proposal shall be submitted to the City of Newport, Attention: Derrick I. Tokos, AICP, Community Development Director, 169 SW Coast Highway, Newport, Oregon 97365, **no later than 5:00 P.M., January 28, 2016**. Envelopes should be marked: "Newport Parking Management Strategy Project."

Proposals must be submitted in a sealed envelope. All proposals must be completed in ink or typewritten. Facsimile proposals will not be accepted. Questions may be addressed to Derrick I. Tokos, AICP, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov.

Any amendments to this RFP will be in writing and will be issued to all persons or businesses that have indicated an interest to receive RFP amendments. No proposal will be considered if it is not responsive to any issued amendments.



City of Newport
Community Development Department
 189 SW Coast Highway
 Newport, OR 97365
 Phone: 541.574.0829
 Fax: 541.574.0644

This map is for informational use only and has not been prepared for, nor is it suitable for, legal, engineering, or surveying purposes. It includes data from multiple sources. The City of Newport assumes no responsibility for its content or use, and users of this information are advised to verify all information with the City of Newport Community Development Department.

Bay Front Special Parking Area

Image Taken July 2013
 4-inch, 4-band Digital Orthophotos
 David Smith & Associates, Inc., Portland, OR

0 250 500 1,000 Feet





Nye Beach Special Parking Area

Image Taken July 2013
 4-inch, 4-band Digital Orthophotos
 Prepared by City of Newport, Newport, OR

CITY MANAGER'S REPORT AND RECOMMENDATIONS



Agenda #:VIII.C
Meeting Date: 1/19/2016

Agenda Item:
Year End Report for 2015 for the City of Newport

Background:

Attached is a report covering the highlights and activities of the 2015 calendar year.

Recommendation:

None.

Fiscal Effects:

None.

Alternatives:

None Recommended.

Respectfully Submitted,

Spencer R. Nebel
City Manager



Spencer Nebel
City Manager
CITY OF NEWPORT
169 S.W. Coast Hwy.
Newport, OR 97365
s.nebel@newportoregon.gov

MEMO

DATE: January 4, 2016
TO: Mayor and City Council
FROM: Spencer Nebel, City Manager
SUBJECT: 2015 Year End Status Report

Traditionally, I have provided a summary of the activities that the City Council and staff have accomplished through the course of the calendar year. I believe it is important to reflect on these past accomplishment as we begin looking forward to new challenges and opportunities that will face the city in the coming year. As part of this report, I have also identify what I thought were the top 20 issues the city dealt with during the course of 2015.

Top 20 Highlights for 2015 for the City of Newport:

The following is a list of what I thought were the top 20 most significant issues for the City of Newport during the 2015 calendar year. Please note that these are not in any order of importance. A more comprehensive list of activities that occurred during the City Councils 2015 follows the top 20 highlights.

Planning/Legislation:

1. Legalization of marijuana. The City Council, Planning Commission and staff were very busy following the ever evolving regulatory framework for dealing with medical and recreational marijuana throughout 2015. In 2014, the City established framework for dealing with medical marijuana dispensaries within the City. In November of that year, the voters approved the legalization of recreational marijuana with the legislature not enacting any laws regarding the regulation of recreational marijuana until the end of the session with the Governor signing the last bills in July of 2015 regarding growing, processing, wholesale and retail sales of recreational marijuana. City Council, Planning Commission, and staff spent a considerable amount of time determining how the State laws overlaid existing land use regulations within the City to determine what modifications were necessary in order to address recreational marijuana. Furthermore,

after public hearings and opportunities for public comment, the City Council authorized medical marijuana dispensaries to begin selling recreational marijuana effective October 1, 2015. Furthermore, after reviewing regulations issued by the Oregon Liquor Control Commission in the fall of 2015, the Council approved amendments to the City Municipal Code and provided administrative direction on processing applications for the growing, processing, wholesaling and retail sales of recreational marijuana in the City of Newport.

2. The issue of adding fluoride to the City's drinking water was on the City Council's agenda on several occasions throughout 2015. The initial discussions on fluoride related to the City's suspension of adding fluoride to the City's water supply that occurred in 2005. This action occurred without any formal action of the City Council, due to employee safety concerns as to how the fluoride had to be added to the water in the old water plant. When the new water plant was designed and bid, there was discussion of including equipment to add fluoride to the drinking water. This system was eliminated during efforts to bring the cost for this project within the available funds to build a new water filtration plant. In 2015, representatives from the Lincoln County Public Health Advisory Board met with City staff on why Resolution No. 1165-A was no longer being followed which directs staff to add fluoride to the City water. This issue was briefly discussed during the budget process for the 2015-16 fiscal year; however a decision was made to separate these discussions from the budgetary process with a report going to the City Council in July of 2015. After considerable input both for and against resuming the addition of fluoride to the drinking water system, the City Council has opted to allow the voters to decide this issue in May of 2016.
3. The City Council authorized the creation of two new Urban Renewal Districts for the City of Newport. The Newport North Side Urban Renewal District encompasses US 101 and US 20 corridors, while the McLean Point Urban Renewal District deals with the extension of utilities to facilitate the future development of the Port of Newport's International Terminal and adjacent industrial land. The districts will capture property tax revenue resulting from the growth of assessed valuations after these districts have been established to fund various improvement projects in the City Center and elsewhere throughout the district. These districts will help shape the face of Newport for the next couple of decades to come.
4. The Nye Beach Overlay – a working group appointed by the City Planning Commission worked with Community Development to review and modify the Nye Beach Design Review Overlay. The original overlay was completed in 2003. The ordinance provided a public hearing be held within ten years of its adoption to determine what changes need to meet design standards. As a result of a public hearing on December 16, 2013, the matter was referred to the Planning Commission for review. The Planning Commission appointed a work group to work through the various issues and concerns to develop modified standards to insure that the character of Nye Beach was preserved. The work group came to a general consensus on the modifications that should be made to the rules and those changes were adopted by ordinance by City Council in September.
5. Significant efforts were initiated in 2015 in regards to the Newport Municipal Airport. This included the Airport Committee recommending to the Council that the City explore the private operation of the Airport through a concessionaire agreement, the creation of a Regional Task Force to evaluate the role the Airport plays and could play in the future to enhance the economy of the Central Coast area, and the initiation of a half million dollar

FAA funded Master Plan 10% local match to outline the types of public investments that will be made in the Airport facility through the FAA and others in the future.

6. In 2015, the City Council established a work group to determine whether it is an appropriate time to pursue a community wide visioning effort for the City of Newport. The committee reported back to the Council in the fall 2015 recommending that the City pursue a visioning process and outlining the perimeters the visioning process will include. City Council decided to go forward with this effort and appointed a group to develop an RFP and made recommendation on a consultant back to the City to facilitate the visioning process, which is anticipated to begin in 2016. This effort intends to stretch beyond the organization of the City of Newport, and include all the various governmental, private sector and non-profit entities that are based in the greater Newport area.

Construction:

7. The single biggest project initiated by the City of Newport in 2015 is the construction of a new Aquatic Center adjacent to the City’s Recreational Center. Ground was broken for this 9.2 million dollar project in late fall with the construction estimated to be completed by the end of 2016. The bids for this project came in higher than anticipated, with the City Council reducing some of the expenditures on the project and identifying additional resources in order address this financial gap for the project. The original bonding for this project was approved by voters in November 2013.
8. In addition to the Aquatic Center, a number of other construction projects were tackled by the Public Works Department. Significant progress continues in addressing infrastructure issues identified by the infrastructure report in 2014. Please note that the dollar amounts reflect the total amount of the projects. Some of these projects were initiated in the previous calendar year and some projects will extend into the next calendar year. 2015 was a very busy year and 2016 will continue to make significant investments in the City’s infrastructure.

Don Davis Bollard Lighting	(\$25,000)
PAC Storage Shed Roof Replacement	(\$20,000)
City Hall Window Replacement	(\$20,000)
Aquatic Center	(\$9,200,000)
2015-16 Street Overlays and Improvements	(\$264,232)
SE Ferry Slip Road Street Improvement Project	(\$1,438,000)
South Beach Tsunami Improvements (Phase II)	(\$492,294)
SW Abalone-Brant Street Improvement Project	(\$2,174,000)
Hwy 101 Pedestrian Crossing Improvements	(\$902,000)
Wastewater System Master Plan	(\$111,651)
2015 Sanitary Sewer Televising Program (50,000 ft)	(\$132,044)
Big Creek Wastewater Lift Station Replacement	(\$2,900,000)
Storm Sewer System Master Plan	(\$147,000)
Big Creek Dams Preliminary Design	(\$451,300)
NE 71st Street Water Tank and Pump Station	(\$2,037,139)
Fixed-base Metering System	(\$1,500,000)
Seal Rock Water District Intertie Project	(\$75,000)
Fixed Based Operation Building	(\$250,000)

Economic Issues:

9. Room Tax:

Below is Room Tax data collected by Finance staff based on collections from the hoteliers and internet hotel sites, what follows is an analysis of the three most recent fiscal years. Using the 2012-13 fiscal year as our base point or data comparisons, the growth of Room Tax between the years 2012-13 and 2013-14 increased by an average monthly percent of 13.846%. The average monthly growth between 2013-14 and 2014-15 was 18.362%. To compare totals received by the three fiscal years, the percentage growth between 2012-13 and 2013-14 was 13.377% and the percentage increase for 2013-14 and 2014-15 fiscal years was 15.329%.

During the slow months, November thru March, the percentage collected increased 13.913% between 2012-13 and 2013-14; for the 2013-14 and 2014-15 years the percentage collected was 26.247%. The average monthly dollar amount collected between the three fiscal years has increased from \$202,175 (2012-13) to \$229,221 (2013-14) to 264,358 (2014-15). Finally, to compare the totals collected for the fiscal year 2012-13 and fiscal year 2014-15, the percentage of total amount collected increased by 30.757%. Suffice it to say, the Room Tax has recovered from the 2007-08 downturn and it shows no signs of retreat at this point in time.

2012/13		2013/14		2014/15	
Month	Amount	Amount	Percent Increase	Amount	Percent Increase
July	358,654.09	444,169.46	23.843%	465,457.39	4.793%
August	397,793.57	456,729.65	14.816%	511,604.77	12.015%
September	291,276.65	295,883.53	1.582%	319,624.95	8.024%
October	176,983.38	191,428.48	8.162%	220,367.99	15.118%
November	103,783.64	123,685.96	19.177%	138,583.98	12.045%
December	85,311.51	96,186.95	12.748%	119,764.20	24.512%
January	83,184.51	112,858.62	35.673%	139,629.92	23.721%
February	141,633.06	139,593.00	-1.440%	197,010.76	41.132%
March	178,064.51	202,016.86	13.452%	256,344.88	26.893%
April	154,503.00	166,678.21	7.880%	203,965.32	22.371%
May	195,365.45	231,989.22	18.746%	262,295.84	13.064%
June	259,548.39	289,428.34	11.512%	337,642.87	16.659%
FY Total	<u>2,426,101.76</u>	<u>2,750,648.28</u>	<u>13.377%</u>	<u>3,172,292.87</u>	<u>15.329%</u>

10. Growth & Permits:

“The City of Newport issued 182 building permits in calendar year 2015 with a total construction value of \$21,957,649. This is on par with pre-recession levels of permit activity (e.g. 2006/2007) and is a 19% increase over the number of permits issued last year. Land use actions, where property owners obtain approvals for new development,

were similarly up over last year's numbers with 67 approvals being issued (a 76% increase). The largest single development in 2015 was the aquatic facility with a construction value of \$7,820,344. Other significant projects include an 18 room addition to the Inn at Nye Beach at \$1,800,000, OMSI's Coastal Discovery Center at \$1,569,498, and the renovation of the Pacific Shrimp's processing facilities on the Bay Front at \$820,000. There were a total of 27 dwelling units constructed in 2015, which is similar to the number built last year (28) and more than twice what was being permitted during the recession. With the exception of one duplex, all of the 2015 units were single family homes. This is also consistent with recent trends, as there have been no multi-family developments in the City since prior to the recession. Many of the 2015 homes were in Phase 1 of the Wilder Planned Development which is now built out. Infrastructure for the next two phases is being installed and should be in place to accommodate construction in 2016. Other new homes were built on infill lots or on properties where older residences were torn down and replaced."

11. The United States Coast Guard Air Facility at the Newport Municipal Airport was in the news in a more positive light in 2016. The City of Newport, Port of Newport, Lincoln County and the Newport Fishermen Wives, along with support from the community and the State, were successful in working with the Oregon Congressional Delegation in order to ultimately secure an appropriation through 2018 for the operation of the air station. This effort truly demonstrates how the greater Newport community can coalesce around an idea and work very constructively to achieve a positive result in the end. We greatly appreciate the efforts of the Oregon Congressional Delegates to secure this critical funding.
12. A number of Newport's governmental and non-profit organizations made major announcements during the year. Port of Newport was successful in obtaining grant from the US Dept. of Transportation to facilitate the development of the International Terminal as an export facility. The Pacific Communities Health District passed a \$57 million dollar general obligation bond issue to construct a new hospital in the City of Newport. President Ed Ray of Oregon State University announced a Marine Science initiative that will include the development a 100,000 square foot Marine Studies building for teaching and research supporting 500 students and associated faculty and staff on the Hatfield Marine Science Center grounds. The Public Utilities District has announced plans to develop an 11 acre site in north Newport with a new operations center to replace their 60 year old facility located in South Beach. Finally, OMSI is completing construction of the Coastal Discovery Center at Camp Gray in Newport, Oregon. This facility will include classrooms, sleeping facilities for 156 students and 20 acre campus, adjacent to South Beach State Park with opening of this facility anticipated in early 2016. It truly is an exciting time in Newport with all of these developments occurring through many of the City's partners in providing services to the people of Newport and the State of Oregon.

Organizational Issues:

13. The Newport City Council entered into three multi-year contracts with the Newport Employee's Association, Newport Police Association and the IAFF, Local 4619 for the Firefighters of the City of Newport. In all cases, negotiations were very thoughtful, professional, and cordial by both sides of the negotiation teams in arriving at these three year contracts. Please note that all three contracts were retroactive to the date of the

expiration of the original contract (six months for the NEA and the NPA and 18 months for the Fire Fighters).

14. Efforts to reorganize job responsibilities within the Finance Department were accomplished by both the Finance Director and Finance staff. The reorganization of the responsibilities will help balance the work load in order to provide accurate and timely reports for the entire organization. With any change, there are always a few bumps in the road, but I believe that staff and the organization have weathered these changes well and there is resulting improvements in the various processes that are the responsibility of the Finance Department. I certainly appreciate everyone's efforts at being very open minded and approaching these changes in a thoughtful way.
15. Another area of significant change within the City organization is the handling of human resources in the City. This includes implementation of consistent city wide processes for hiring, discipline, training and other similar efforts. With the implementation of SafePersonnel, training is being offered on a consistent basis to employees in all departments. There is a lot of work to do in this area; however, significant progress is being made.
16. A significant effort was put forth to sort through various issues relating to the City of Newport Employees' Retirement System. With changes in City Managers, Finance Directors, Personnel Directors, City Attorneys and others, the various retirement plans, trust plans and documents not readily available or compiled in a way for easy reference. Furthermore, it was discovered two amendments to the Retirement Plan should have been made, but never were, in order to make the plan consistent with labor contracts, IRS requirements and other standards. The City Attorney, Finance Director Human Resources and I worked to compile these various documents to determine what documents were missing, and proceed in working with the City of Newport Retirement Trust to bring the pension plans and amendments up to date. Also, the first retirement meetings explaining the Retirement Plans to City employees in many years were held by the Retirement Trust, and updated manuals on the defined benefit program, as well as the 6+3 defined contribution programs were developed and made available to all employees.
17. As part of the improvements to the City's overall budgeting practices implemented in 2014, the development of a comprehensive fee schedule was also planned. In 2015, the Finance Department, working with the City Recorder, former Interim Finance Director, and Department Heads to develop a comprehensive fee schedule that will, from this point on be reviewed as part of the budget process each year. This will greatly facilitate regular review of these rates and should minimize confusion over which rates should be charged for services provided by the City of Newport. Finally the comprehensive fee schedule can be found on the City's website, with all fees located in one document. This is more user friendly for our citizens as well.
18. Throughout the course of the year, staffing turnovers occur in many of the City departments as employees seek other opportunities, other jobs, relocate or retire from the City of Newport. In 2015 four (4) employees retired from the City of Newport. Those employees who retired are as follows: Elwin Hargis, Building Office, 1/3/2015; Steven Kittson, Police Officer, 5/1/2015; Richard Giles, Fire Captain, 7/21/2015; and Jerry Howe, Police Officer, 11/30/2015. Furthermore, during the course of 2015, 10 new full-time employees were hired, along with 30 new part-time employees to fill various positions within the City are outlined as follows:

Name	Job Position	Hire Date	PT or FT
Lease, Joseph	Building Official	1/2/2015	FT
Litchfield, Lindsey	Police Officer	1/26/2015	FT
Godfrey, Charles	Utility Worker I	2/9/2015	FT
Knudson, Richard	Utility Worker I	2/24/2015	FT
Munoz-Valladolid, Carlos A	Lifeguard/Instructor	3/2/2015	PT
Anderson, Jonathan	Firefighter	3/13/2015	FT
Carbone, Sara	Control Desk Reception	3/13/2015	PT
Vidal, Justin	Life Guard/Instructor	3/23/2015	PT
Clark, Samuel	Patrol Officer	4/22/2015	FT
Newman, Gabriella	Recreation Leader	5/11/2015	PT
Lakeman, David	Lifeguard/Instructor	5/15/2015	PT
Sexton, William	Utility Worker I	6/2/2015	FT
Goudy, Orion-John	Recreation Leader	6/4/2015	PT
Fleenor, Brittney	Lifeguard/Instructor	6/17/2015	PT
Butcher, Alyssa	Recreation Leader	6/19/2015	PT
Arnsdorf, Chandler	Lifeguard/Instructor	6/23/2015	PT
Protiva, James (JD)	Recreation Leader	6/30/2015	PT
Petty, Steven	Utility Worker I	7/6/2015	FT
Dodson, Patrick S	Plant Operator I	7/14/2015	FT
Elizalde, Julian	Lifeguard/Instructor	7/17/2015	PT
Linenko, Crystal	Recreation Leader	8/17/2015	PT
Follett, Stuart	Recreation Leader	8/17/2015	PT
Kecy, Dee	60+ Center Office Clerk	8/26/2015	PT
Estrada, Elton	Building Attendant	9/3/2015	PT
McCabe, Raychel	Recreation Leader	9/8/2015	PT
Conopa, Shelly	Water Plant Operator I	9/10/2015	FT
Murray, Kathryn	Recreation Leader	9/29/2015	PT
Bridgeman, Nicole	Life Guard/Instructor	9/30/2015	PT
Randall, Hayden Scott	Police Officer	10/5/2015	FT
Pearsall, Robin	Control Desk Reception	10/12/2015	PT
Dino, Jacqueline	Control Desk	10/27/2015	PT
Kappus, Kaylee	Recreation Leader	11/6/2015	PT
Roberts, Nancy	Lifeguard/Instructor	11/9/2015	PT
Beltran, Maribel	Recreation Leader	11/16/2015	PT
Layton, Justin	Recreation Leader	11/24/2015	PT
Romero-Smith, Miles	Building Attendant	12/3/2015	PT
Butler, Jamie	Lead Fitness Instructor	12/7/2015	PT
Tillotson, Brian	Lifeguard/Instructor	12/10/2015	PT
Franco, Dakotah (Codi)	Recreation Leader	12/14/2015	PT
Steenkolk, Monica	Lead Recreation Leader	12/15/2015	PT

City services are only as good as the quality of the employees who are hired to deliver the services to the citizens of Newport. The City of Newport is very fortunate to have many top notch employees who care very much about their jobs and providing the best services they can to the citizens of this community.

Public Safety:

19. On Tuesday, December 22, 2015, the City Council declared an emergency relating to weather conditions that damaged public lands, infrastructure, as well as causing a slide that impacted seven homes on NE 70th Drive. As of the date of the declaration, 22.05 inches of rain had been measured for the month of December at the Hatfield Marine Science Center, which is over double the monthly norm for this month. The City has been working with the property owners to provide resources and assistance to help and provide those property owners through a very difficult scenario of losing their homes without having insurance for landslide coverage. The City will continue working with these property owners in order to facilitate their efforts in restoring their property resulting from damaging rains throughout the month of December.
20. Also in December, the Newport Police were called to the Agate Beach RV Park to address a complaint of an unwanted person remaining on the property. The situation escalated with a Newport Police Officer using his firearm on the individual when he lunged at the Police Officer with a hammer in an aggressive stance. The individual was hit by two of the shots, injuries to the knee and hip, and was flown to Samaritan Hospital in Corvallis for treatment, where he reportedly refused medical treatment. As is the case with any use of deadly force, there is a protocol for reviewing of these types of actions. District Attorney, Michelle Branham, issued a report finding the officer was justified in using deadly force based on the circumstances. The City will conduct its own internal review of this situation now that the outside review is completed.

Council Activities by the Numbers:

Regular City Council Meetings – 22
Special City Council Meetings – 15
Urban Renewal Agency Meetings – 9
Town Hall Meetings – 3
Work Sessions – 13
Public Hearings – 33
Ordinances Approved – 16
Resolutions Approved – 33
Proclamations/Recognitions and Special Presentations – 26
Appointment of Citizens to Boards & Committees – 72
New Liquor Licenses – 10
Waiver of Special Event Fees (requiring Council action) – 3

(Please note these are the stats I arrived at reviewing the agendas for the past year—while I believe these are reasonably accurate, please note I could have missed or double counted certain activities in compiling the annual activity report for the Council.)

Highlights for Activities Occurring 2015:

1. Recognized the service of Dr. Richard Beemer to the Council for the City of Newport and welcomed Wendy Engler to the Council and swore in Mayor Roumagoux, Councilor Allen and Councilor Saelens for new terms.
2. Council Elected Ralph Busby Council President for 2015.
3. The Urban Renew Agency elected David Allen to be Chair for the next two year period.
4. Approved an ordinance amending the electronic sign code on public property.
5. Approved ordinance amending the city's municipal codes relating to business license.
6. Approved an ordinance relating to the licensing of taxi cabs and taxi cab drivers.
7. Dealt with a number of actions regarding the Pacific Coast National Scenic Byways Grant relating to the redesign of the Agate Beach Wayside.
8. Appropriated additional funding to facilitate the final construction of the 101 crosswalks, a project first funded in 2011.
9. Applied for a 1 million dollar grant from the Bureau of Reclamation for a WaterSMART Water Grant for the automatic meter interface system. This grant was not funded.
10. Approved a contract for SCADA integration with the city's pump stations.
11. Held a joint meeting with the Planning Commission to discuss the development of an Urban Renewal District on the Northside. Throughout the course of the year there were a series of meetings that eventually resulted in the approval of two urban renewal districts (Northside Urban Renewal District and the Mclean Point Urban Renewal District) for the City of Newport.
12. Recognized the Community Emergency Response Team Certificate Receivers.
13. Heard a report from the Audit Committee on the status of the 2013-14 Fiscal Year Audit.
14. Heard several reports on the status of the Big Creek Dam Studies.
15. Adopted amendments to the Council Rules incorporating procedures for the organizational meeting, Urban Renewal Agency, and other procedural modifications.
16. Amended the fees for review of land use actions
17. Awarded a contract to Central Coast Excavating for sanity sewer repairs on Highway 101 at NE 15th Street.
18. Held a joint meeting with the Lincoln County Board of Commissioners.
19. The Council had a presentation from Police Chief Mark Miranda on the use of Deadly Force.
20. Had a presentation from the Oregon State Library to the Newport Library recognizing the outstanding Children's Summer Reading Program in Newport.
21. Approved an ordinance amending the housing element of the Newport Comprehensive Plan
22. Purchased three new high serve pumps and check valves for the raw water intake station.
23. Conducted goals setting for the 2015-16 Fiscal Year,
24. The Urban Renewal Agency adopted a resolution to authorize the issuance and sale of \$5,475,000 in Urban Renewal borrowings.
25. Approved Tourism Facility Grant agreements with three organizations and opted to go through an administrative process to distribute the remaining funds from this program.
26. Approved a revised Memorandum of Understanding with the Lincoln Community Land Trust.
27. Awarded a contract for the construction of the 71st Street Pump Station and Storage Tank.

28. Readopted an ordinance withdrawing territory from the Seal Rock Water District in order to finalize the adjustment in service territories between the city and Seal Rock Water District.
29. The Visual Arts Center Steering Committee presented a management plan for the Visual Arts Center which was accepted by the City Council
30. Approved an Intergovernmental Agreement with the State of Oregon for EPermitting.
31. Established updated fees for the Newport Visual Arts Center
32. Awarded a contract for auditing services with Boldt, Carlisle, and Smith, LLC.
33. Funded a number of Marketing Grants for various organizations bringing events to Newport.
34. Received a grant for seismic rehabilitation for the Main Fire Station.
35. Renewed the agreement with the State of Oregon for collecting fuel tax.
36. Appointed a committee to evaluate proceeding with a community vision process
37. Forwarded a contract for the installation of a granular activated carbon tank at the water treatment facility.
38. The Urban Renewal Agency approved leases for the property acquired in South Beach for future urban renewal development.
39. Recognized Library Director Ted Smith for his selection as Oregon Librarian of the Year.
40. Heard a presentation from the Pacific Communities Health District on its bond issue that was later successfully passed by voters of the district in May 2015.
41. Had discussion regarding the creation of a pump track in the city with several location evaluated during the course of the year.
42. Extended the Nye Beach Parking District by 12 months.
43. Approved an ordinance amending the code provisions relating to smoking in public parks.
44. Authorized a franchise extension with Charter Communication.
45. Approved a task order for the redesign of City Hall parking lot to accommodate parking for the new Aquatic Center.
46. Heard a number of reports relating to the City of Newport Employees' Retirement Plan.
47. Heard a report on the status of fishery's in Newport from the Oregon State Extension Office.
48. Authorized a new tourism promotion video through the city's Destination Newport Committee.
49. Approved an ordinance extending the Nye Beach Commercial Parking District for 12 months.
50. Heard a presentation from Dave Price on the Small Business Development Center at Oregon Coast Community College.
51. Provided letters of supports to the Port of Newport on the development of international terminal.
52. Approved a letter of support to Lincoln County identifying regional significant industrial areas within the County including the City of Newport.
53. Awarded the contract for 2015 Street Overlay program.
54. Established the Regional Airport Review Task Force to take a look at the role the airport plays on a regional basis.
55. Adopted a budget for the Fiscal Year beginning July 1, 2015.
56. Approved a resolution adjusting the sanitary service fees.

57. Adopted an ordinance amending the composition of the Wayfinding Committee.
58. Authorized the Airport Committee to seek proposals for the contractual operation of the Newport Municipal Airport.
59. Approved an Intergovernmental Agreement with the Lincoln County Transportation Service District.
60. Ended additional contributions to the Agate Beach Closure fund including allocation of interest earnings to this fund.
61. The Urban Renewal Agency authorized consideration of including the international terminal as part of the Newport Urban Renewal Northside District.
62. Donated Property to Habit for Humanity for affordable housing in the City of Newport.
63. Heard a presentation from Jenny Demaris and Sue Graves in the County's interest in applying for a Coastal Resilience Grant from NOAA. Please note that the County did not go forward with this application due to lack of a financial commitment from some of the local units of government in Lincoln County. The city was a willing financial participant.
64. Held a Town Hall meeting at the Pacific Maritime and Heritage Center focusing on the Bayfront.
65. Conducted an on-site inspection of the city owned property leased by Bornstein Seafood.
66. Had a number of discussions regarding the history of Fluoridation of the city's drinking water supply which after public hearings and considerable discussion lead the Council to place this issue before the voters in May.
67. Awarded an engineering agreement to WH Pacific for the development of a new Airport Master Plan.
68. Awarded a contract for custodial services for various city facilities.
69. Awarded a contract for the construction for Big Creek Pump Station.
70. Awarded a contract to Chase Park Grants, LLC. to pursue additional funding opportunities for the City of Newport.
71. Authorized a License Agreement with Lincoln County for a Metrological Tower at the decommissioned landfill.
72. Heard updates on the state laws signed by the Governor regarding the implementation of the legalization of recreational marijuana in the State of Oregon and initiated discussion on how to proceed on a local level regarding this matter.
73. Approved emergency sewer repairs at SW 5th and Wood Street.
74. Awarded contracts for various South Beach street and utility projects, including Safe Haven Hill Tsunami project.
75. Had several discussion regarding the Newport Farmers Market including concerns from adjacent property owners, who were concerned the Market was infringing on their business.
76. Approved an ordinance on the early sale of recreation marijuana by medical marijuana dispensaries.
77. Received a grant from the FAA to develop a new Municipal Airport Master Plan.
78. Held a Town Hall meeting at Pacific Communities Health District Foundation Health System focusing on the City Center and specifically the establishment of a new Northside Urban Renewal District.
79. Awarded an engineering contract for water system improvements on Highway 101 and Golf Course Drive.

80. Improved an engineering agreement with Brown and Caldwell Engineering for construction services for the Big Creek Pump Station project.
81. Adopted an ordinance updating the Nye Beach Design Overlay.
82. Adopted the Newport Addendum to the Lincoln County Multijurisdictional Natural Hazards Mitigation Plan.
83. Approved an ordinance creating the Newport Northside Urban Renewal District.
84. Adopted an ordinance creating the Mclean Point Urban Renewal District.
85. Approved a resolution creating a comprehensive fee schedule.
86. Heard report from the Community Visioning Work Group and authorized the city to go forward in creating a committee to develop the RFP and interview perspective professionals to assist the city with this progress.
87. Formally changed the name of the Newport Senior Activity Center to the 60+ Activity Center.
88. Accepted the Big Creek Dam Feasibility Study.
89. Awarded bids for the Newport Aquatic Center, after implementing opportunities to reduce construction costs and identify additional resources in order to award this project.
90. Awarded contract to DSL Builders for repairs to the exterior of the FBO building.
91. Entered into a simulcast radio system maintenance agreement with Lincoln County.
92. Awarded a contract to Fire Mountain Farms Inc. for back wash pond sludge removal at the Water Treatment Plant Facility.
93. Awarded a contract for public art at the Aquatic Center.
94. Vacated certain streets to facilitate the construction of a new hospital by Pacific Community Health District.
95. Applied for funding to construct a sidewalk along U.S. 101 along from NW 25th to NE 36th Street.
96. Requested a report from the Public Arts Committee on the policy were projects have cost overruns from appropriated amounts.
97. Approved Task Order with Brown and Caldwell to conduct sewer televising.
98. Heard a report on the development of a plan to improve capital project reporting.
99. Approved an ordinance amending the Business License Code to include recreational marijuana facilities.
100. Extended the lease with Bornstein Seafoods for the city's seafood processing plan.
101. Agreed to freeze parks and recreation fees to shift the calendar for adjustments to a fiscal year instead of a calendar year, to tie these fees into the comprehensive fee schedule.
102. Held a Town Hall meeting at Nye Beach.
103. Held a work session on affordable housing. This included discussion regarding the Lincoln Community Land Trust seeking proposals on the potential development of vacate property adjacent to Don Davis Park in Nye Beach.
104. Conducted performance evaluation of the City Attorney and City Manager.
105. Adopted an ordinance updating references to the State Building Codes utilized by the City of Newport.
106. Adopted an ordinance establishing business licenses endorsement standards for recreational marijuana facilities.
107. Established business license and business service fees by resolution for recreational marijuana.

108. Suspended inflationary adjustments to the Newport System Development charge rate until that study is completed with the intent of trying this rates in with the fiscal year city wide comprehensive fee schedule.
109. Heard a report on the Willamette Valley Commination Center service.
110. Approve a resolution to proceed with an administrative process for awarding the remaining Tourism Facilities Grant funds.
111. Reviewed the budget calendar that will be utilizes for the 2016-17 fiscal year.
112. Awarded a contract for SCADA System modifications to the Automation Group for upgrade with communication for both the Wastewater and Water Treatment Plant.
113. Approved collective bargaining agreements with Newport Employee' Association, Newport Police Association, and IAFF NO. 4619 (Firefighters Association)
114. Held a special meeting to declare a local emergency as a result weather conditions that have led to slides, road, and utility problems in the City of Newport which included the loss of homes on NE 70th Drive.

Respectfully submitted,

Spencer Nebel
City Manager