

January 5, 2015  
7:00 P.M.  
Newport, Oregon

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

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

### **PUBLIC COMMENT**

Rex Capri reviewed the recommendations that he brought before Council a few months ago, including the resurfacing of NE 3<sup>rd</sup> Street from Harney Street to the entrance to the cemetery, and sidewalk infill on NW Nye Street from Olive Street to 15<sup>th</sup> Street. It was noted that both projects will be looked at as a part of the budgeting process. Allen recommended that Capri address the Budget Committee about these two items.

Roumagoux commended the Police and Fire Departments for heroic and successful efforts on December 26 in averting a possible suicide on the bridge. She also commended the Public Works Department for the speedy removal of the recent landslide on Naterlin Drive.

### **CONSENT CALENDAR**

The consent calendar consisted of:

A. Confirmation of Mayor's re-appointments to various city committees as follows:

#### **Library Board**

(4 year term - ending 12/31/18)  
Evonne Mochon-Collura

#### **\*Parks and Recreation Committee**

(2 year terms - ending 12/31/16)  
Jennie Scarborough  
Karen Smith  
Alisha Kern  
Ed Simon  
Fred Springsteen

**\*Destination Newport**

(1 year terms - ending 12/31/15)

John Clark

Ric Rabourn

Lorna Davis

Carrie Lewis

Judy Kuhl as Lodging

Steve Beck

**\*Senior Advisory Committee**

(1 year terms - ending 12/31/15)

Donna Fogarty

Eldon Miller

Budget Committee - Patricia Patrick 12/31/17

Please note this leaves vacancies on several committees which are as follows:

**\*Budget Committee**

(1 year terms - ending 12/31/17)

1 vacancy

**\*Parks and Recreation Committee**

(2 year terms - ending 12/31/16)

2 vacancies

**\*Destination Newport Committee**

(1 year terms - ending 12/31/15)

1 vacancy-retail

**\*Senior Advisory Committee**

(2 year terms - ending 12/31/16)

2 vacancies

**Wayfinding Committee**

(2 year terms - ending 12/31/15)

1 vacancy - Agate Beach

It was noted that there are four vacancies on the Public Arts Committee, and one vacancy on the Airport Committee.

MOTION was made by Allen, seconded by Swanson, to confirm the Mayor's re-appointments to the Library Board, Parks and Recreation Committee, Destination Newport Committee, and Senior Advisory Committee as outlined in this report contained in the packet. The motion carried unanimously in a voice vote.

**PUBLIC HEARING**

**Public Hearing and Possible Adoption of Ordinance No. 2075 - an Ordinance Amending the Electronic Sign Code on Public Property.** Hawker introduced the agenda item. Nebel reported that the Oregon Coast Council for the Arts has expressed their desire to utilize electronic message signs to promote activities occurring at the Performing Arts Center. He added that the electronic signs would replace existing display panels that are located at the corner of Olive and Coast Streets, which are hand-painted signs that have to be swapped out manually.

Nebel reported that the current zoning for the Performing Arts Center is P-1 "Public Structures," and that the current zoning ordinance does not permit electronic message signs on publicly zoned property. He stated that on September 2, the City Council heard the request from the Oregon Coast Council for the Arts, and elected to initiate amendments to the Municipal Code, by referring this matter to the Planning Commission for consideration. He noted that the Planning Commission has held an initial work session on this matter, and a public hearing on November 10 on this request. He stated that there was no opposition expressed to the proposed zoning change. He added that on November 24, the Planning Commission recommended that the Council approve the legislative change allowing electronic signs on publicly zoned property.

Nebel reported that the amendment includes standards for electronic message signs on publicly zoned properties that are the same as those currently in existence for commercial and industrial areas, with the exception that electronic signs on public property are not prohibited within the Nye Beach Design Review District. He stated that commercial and industrial signs would still be prohibited within the Nye Beach Design Review District. He added that electronic signs must be turned off between the hours of 11 P.M. and 6 A.M.; cannot display animated moving video, flashing, or scrolling messages; and must maintain the imagery for periods of time in excess of five minutes before changes occur. He stated that the Planning Commission recommends consideration of the ordinance by the City Council.

Roumagoux opened the public hearing on Ordinance No. 2075 at 7:03 P.M. She called for public comment.

John Lavrakas spoke in support of the ordinance.

Catherine Rickbone spoke in support of the ordinance.

Bo Harrington spoke in support of the ordinance.

Roumagoux closed the public hearing at 7:10 P.M. for Council deliberation.

Saelens noted that he supports the sign being turned off at night from 11 P.M. until 6 A.M. or at the cessation of an event.

Sawyer expressed support for the ordinance.

Busby expressed support for the ordinance.

Engler expressed support for the ordinance, but noted concern about the five-minute minimum for postings. She suggested revisiting the five-minute time limit.

Allen noted that the five-minute time limit was enacted by a previous Council, but the intent was to revisit the issue and possibly adjust the time limit. Nebel added that the ordinance could be approved and the timing issue discussed at a future meeting.

Allen asked whether Rich had reviewed the ordinance before it was placed in the packet. Rich noted that his major concern was that the ordinance not have a content focus, and that it did not. It was suggested that a signature line for Rich to approve the ordinance as to form be added. Allen noted that Council has yet to resolve what is

meant by “approved as to form.” It was suggested that this issue be addressed separately along with the model of communication with the City Attorney, and that this be done at a future work session.

Swanson stated that she was uncomfortable voting on this as she had not read the packet. MOTION was made by Saelens, seconded by Sawyer, to grant Swanson’s request to abstain from voting at this meeting since she had not had an opportunity to read the packet. The motion carried unanimously in a voice vote with Swanson abstaining.

MOTION was made by Sawyer, seconded by Saelens, to read Ordinance No. 2075, an ordinance amending the Newport Municipal Code relating to electronic message signs, by title only and placed for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2075. Voting aye on the adoption of Ordinance No. 2075 were Engler, Roumagoux, Allen, Busby, Sawyer, and Saelens. Swanson abstained.

**Public Hearing and Possible Adoption of Ordinance No. 2073 - an Ordinance Repealing and Re-Enacting Chapter 4.05 of the Newport Municipal Code Related to the Licensing of Businesses**. Hawker introduced the agenda item. Nebel reported that the City Council held a public hearing on November 17, 2014, to allow for comments to be made on the proposed modifications to the business license code. He stated that no public comments were made at that hearing. He added that the Council delayed action until after the first of the year to allow City Attorney Steve Rich to review the draft ordinance, and any public comments made before having the Council approve any changes. He noted that the City Council established a Business License Work Group more than a year ago to review and modify the city’s business license ordinance. He noted that Busby has chaired this effort, and that the Business License Work Group provided updates to the City Council on efforts to clarify certain provisions of the business license ordinance as part of this process.

Nebel reported that the packet contains the revisions to the city’s business license code. He stated that the changes address a range of issues that can be found in the marked-up version of the code included in the packet. He added that these changes are also reflective of a review of 18 other business license ordinances from across the state. He noted that Tokos will review these changes with the City Council.

Nebel reported that since the November meeting, there has been dialogue with Dennis Bartoldus regarding the impacts of the business licensing ordinance on the Embarcadero. He stated that as a result of these discussions, a modification was made to the language that clarifies the licensing requirement for condominium or townhouse development. He added that in these cases, those units managed by a single entity, pursuant to a covenant or other binding legal instrument, will be treated as a single business unit. He noted that any units not under this level of control by the managing unit would require separate business licenses. He added that this allows the city to treat these units as hotels and motels for purposes of annual health and safety inspections, since these agreements would provide the management firm the right to have access and manage the units similar to a hotel/motel facility. He stated that for those units that do not fall under this type of a management relationship, a separate business license would be required for the rental of that unit.

Nebel reported that Rich has reviewed the business license code revisions and has no objections to the City Council proceeding with approval of this revision.

Roumagoux opened the public hearing on Ordinance No. 2073 at 7:21 P.M. She called for public comment.

Dennis Bartoldus appeared before Council representing the Embarcadero Unit Owners Association. He stated that he is fine with the ordinance language. He added that he has talked with Tokos and Rich, and understands that if owners rent through an agency that has been set up through the Unit Owners Association, that these units would qualify for the exemption. He stated that the Embarcadero has existed since the 1970's, and that the declarations provide that owners can rent through the Unit Owners Association or other association. He added that owners renting through the Unit Owners Association would have a contract stating that they only rent through the Unit Owners Association and no one else, and if renting through the Association, those units would fall under the Association's business license. He noted that he understands that unit owners renting otherwise will obtain their own business license. Rich noted that this is not an exemption, but a provision. Bartoldus added that the Association is working on the inspection requirement. He agreed to continue to try to address the inspection and compliance issues.

Roumagoux closed the public hearing at 7:28 P.M. for Council deliberation.

Allen noted that item G. is not an exemption and asked whether it should be kept under exemption, or another category be created. Rich noted that the record is abundantly clear, and it means just one license. Allen asked whether the Embarcadero will be providing ongoing documentation to the city related to who is renting through the Association, and whether the city would be apprised of updates throughout the year. Bartoldus confirmed that this information would be provided to the city.

Allen recommended consistency among penalty provisions in the code. Nebel reported that staff is developing a comprehensive fee schedule for the city. Allen reiterated that the issue relates to penalty amounts rather than fees.

MOTION was made by Sawyer, seconded by Saelens, to read Ordinance No. 2073, an ordinance repealing and replacing the City of Newport Business License Code, by title only and placed for final passage. Allen stated that he would vote in favor of the ordinance, but voiced concern regarding the penalty provision. The motion carried in a voice vote with Swanson abstaining. Hawker read the title of Ordinance No. 2073. Voting aye on the adoption of Ordinance No. 2073 were Sawyer, Saelens, Allen, Engler, Roumagoux, and Busby. Swanson abstained. Allen reminded staff to add a signature line for the City Attorney's approval as to form.

**Public Hearing and Possible Adoption of Ordinance No. 2058 - an Ordinance Repealing and Re-Enacting Chapter 4.15 of the Newport Municipal Code Related to the Licensing of Taxicabs and Taxicab Drivers.** Hawker introduced the agenda item. Nebel reported that in the fall of 2013, the City Council initiated discussions on modifying the application process for taxicab licensing. He stated that former City Attorney, Rob Connell, had recommended this process not occur at that time since there was a pending application under the old ordinance. He noted that as a result, the revisions were put on hold for a period of time. He stated that after repeated contacts, the applicant did not respond to the city's request regarding the status of their original application. He noted that the taxicab ordinance was reviewed by the Business License

Work Group, and that modifications were made prior to submitting it to the Council. He stated that a public hearing was held in November, by the City Council, on the proposed revisions to the taxicab licensing ordinance. He added that following that public hearing, the Council opted to hold on any action on this ordinance until Rich could review the ordinance. He stated that Rich has since reviewed the ordinance, made several minor changes to the ordinance, and that it was previously reviewed by Speer Hoyt.

Nebel reported that the most significant change to this ordinance is shifting the administration of the issuance of taxicab endorsements from a Council action to an administrative action. He stated that under the existing code after an application is filed, the City Manager is required to complete an investigation of the applicant and submit to the Council a recommendation for allowance or denial of the application. He noted that currently, the City Council is required to conduct a public hearing as to whether to grant the endorsement, and the applicant is responsible for all costs of publishing notice of the hearing. He added that the Council is required to determine the financial responsibility of the applicant; determine that the color scheme of the taxis does not conflict with any currently operating taxis; and other specific issues. He stated that the proposed ordinance deregulates this aspect of the licensing process, and treats a taxicab business license as an administrative function provided the applicant meets the minimum criteria of the ordinance.

Nebel reported that there were also several changes to address temporary taxicabs. He stated that temporary taxicabs go through the same screening process as regular cab license requests. He added that they are required to provide the same dollar amount of insurance on their vehicles, but are exempted from the equipment requirements for permanent taxicab companies. He noted that temporary taxicab driver permit holders are exempted by the requirements that require an inspection by an automobile mechanic to certify the vehicle is in safe operating condition.

Nebel reported that Rich has reviewed the draft ordinance. He stated that one of the issues raised by Speer Hoyt was whether the city wanted to specifically license taxicabs due to the possible exposure to liability should the city not follow through with its requirements under this ordinance. He added that Rich has reviewed this with CIS, and it is his conclusion, that while some risk is created by the city anytime it regulates an activity, but that based on previous litigation in this area, it is his opinion that while there is some risk to the city, the risk is minimal. Rich noted that he talked with Speer Hoyt and Allen. He added that there is minimal risk that can be mitigated with internal administrative procedures.

Roumagoux opened the public hearing at 7:40 P.M. She called for public comment. There was none. She closed the public hearing for Council deliberation at 7:41 P.M. Allen asked whether staff had communicated with Yaquina Cab, and it was noted that Yaquina Cab had been notified of this hearing and had received a copy of the draft ordinance. Allen stated that he could not support the ordinance unless several issues were resolved, including the timeline and process for denial and appeal that appears in various sections, and the penalty provision. It was agreed that the City Attorney will revise the ordinance and bring a revised draft to the next meeting

MOTION was made by Allen, seconded by Sawyer, to refer the draft taxicab ordinance back to city staff, including the City Attorney, to make adjustments consistent with what was discussed tonight, and to look at the vending endorsement ordinance to

make both consistent with the business license ordinance because they are a package under the code. The motion carried with Swanson abstaining.

## COMMUNICATIONS

From Thompson's Sanitary Service on the Curbside Composting Program. Hawker introduced the agenda item. Nebel reported that Thompson's Sanitary Service will present an update on the implementation of the curbside composting program for the city. He noted that this program was implemented in July after a significant amount of public dialogue and debate. He stated that as a result at the public comments, an option was created for residents, who generate minimal solid waste, to opt out of the composting component. He added that this evening, Thompson's will give an update on their experience in initiating this new program.

Nebel reported that at the time of implementation, there was discussion regarding the development of a citizen survey on the program. He stated that this has not been done as of this date, and that Council may want to discuss this and provide further direction to the staff on how to best proceed with this survey.

Rob Thompson, and Ken Riley, from Thompson's Sanitary Service, and Joe Cook (working with Thompson's and other haulers in Lincoln County) appeared before Council. Cook reported that the curbside compostables carts were delivered in July with the first pick-up occurring on July 14. He added that Resolution No. 3665 included two benchmarks to measure success, and that at this time, he has 24 weeks of data to share. He noted that he believes that the program is successful in terms of participation and volume collected. He stated that the first benchmark is for diversion, and the second benchmark was for active participation. He added that the program achieved a 23.1% diversion rate based on the total affected waste stream. He noted that at least 85% of customers are placing the cart at the curb monthly, with the average customer placing the cart at the curb 1.46 times monthly. Cook responded to Council questions and comments. Sawyer asked about the restaurant and commercial component of the program, and Riley noted that Thompson's has begun a pilot program that includes seven or eight restaurants, and that the program is working well. Sawyer asked for commercial statistics when Thompson's reports on the program in the future. Allen asked whether everyone who opted out went with the smaller cart, and whether that would necessitate some adjustments in the rate review next year. Allen raised the issue of the questionnaire that was to be developed jointly by the city and Thompson's. He asked how to proceed, and who from the City Council, if anyone should assist in the questionnaire development. Nebel reported that staff had discussed the questionnaire earlier today, and suggested utilizing MindMixer to develop questions that could solicit responses on the system. He added that if Council thinks this is appropriate, staff could develop the questions and bring them to Council for review. Gross reviewed the MindMixer software program noting that it would be easy to use MindMixer for this questionnaire, and to include information with utility bills. Nebel reported that staff will work on this and bring the questions back to the City Council for review.

## CITY MANAGER REPORT

**Approval of Amendment No. 1 to the Pacific Coast National Scenic Byways - Agate Beach Wayside Contract.** Hawker introduced the agenda item. Nebel reported that in 2011, the city and Lincoln County funded a series of design charrettes to develop a concept for how the Agate Beach Wayside could be improved to better serve tourists, the local community, and the neighborhood. He stated that the information collected was the basis for a Federal Highway Administration Scenic Byways Grant application which was submitted later that year. He noted that the city was informed in 2012 that the project was going to be funded through ODOT, and that it was not until September of this year that ODOT hired the consulting firm, OTAK, to design and prepare the bid documents for this project.

Nebel reported that there have been two meetings with various stakeholders regarding this project in November and December of last year. He stated that at the most recent meeting, property owners and stakeholders were shown several scenarios which could be used as part of the final design for this project, and that attendees were asked to use sticky notes to place their preferences, concerns, and ideas on the various preliminary plans that have been developed for this project. He noted that the most significant issue relates to one-way versus two-way traffic on NW Gilbert Way, and that property owners are divided on this issue. He added that from a logistical standpoint, two-way traffic seems to provide the best scenario to address the various issues in this neighborhood. He added that those not favoring two-way traffic are trying to restrict traffic flow through their neighborhood, and in doing this, vehicles pull into the neighborhood and have no access out of the neighborhood other than trying to execute a turnaround in someone's driveway and pulling back out. He stated that if there was two-way traffic, then traffic would flow both ways through the area. He added that the other significant issue is access to the beach. He noted that there are a number of property owners who would prefer that the current access be eliminated, and that surfers be forced over to the Lucky Gap Trail for access to the beach. He stated that providing safe access is a requirement of this grant and the project proposes to improve the permanent trail that runs to the north of Lucky Gap Trail, since this is the pathway that is used by surfers to access the beach. He noted that an alternate trail was suggested that will also be evaluated; however, based on geological issues at that site, it appears there would be significant challenges in creating a trail at the suggested alternate location.

Nebel reported that while this project will certainly continue to have a variety of conflicting opinions among neighbors, it is critical to improve the wayside, expand parking in the wayside area, construct the restrooms, and create a safe way for surfers to access Agate Beach. He added that it is apparent that better directional signage is needed since many tourists get stuck in this neighborhood thinking they will have either beach access or an ocean view. He noted that there were alternate methods suggested for those who drive through the area to check out the surf to determine whether they want to surf at Agate Beach on that particular day. He added that it was suggested that a livecam and monitor on the wall of the restroom facility could reduce the number of people that try to drive through the neighborhood to get the best view of the conditions at Agate Beach.

Nebel reported that since ODOT did not retain a design professional until September of last year, it is necessary for the Council to consider approving an amendment to the original agreement creating new milestone dates of September 30, 2015, for the obligation of funds with completion by September 15, 2016.

MOTION was made by Saelens, seconded by Sawyer, to approve Amendment No.1 to the Scenic By-Way Program Project Agreement for the Pacific Coast National Scenic By-Way Agate Beach Wayside Project in the City of Newport, and authorize the Mayor to execute the amendment. The motion carried unanimously in a voice vote with Swanson abstaining.

**Approval of Amendment No. 3 (28487) for the Local Agency Agreement, Flexible Funds Program 2011 for the Highway 101 Pedestrian Safety Improvement Project.** Hawker introduced the agenda item. Nebel reported that the Highway 101 Pedestrian Safety Improvement Project continues to move forward. He stated that ODOT has indicated that the total project cost estimate for these crossings will require a \$36,000 increase in project funds. He added that based on the city's significant increase in its local commitment, the ODOT Bicycle and Pedestrian Program is fronting the entire \$36,000 to meet the project cost estimate. He noted that in order to proceed, it is necessary for the City Council to accept an increase in the ODOT funding of \$36,000.

MOTION was made by Engler, seconded by Allen, to approve Amendment No. 3 for the Local Agency Agreement, Flexible Funds Program 2011 for the Highway 101 Pedestrian Safety Improvement Project, and authorize the Mayor and City Manager to sign the amendment on behalf of the City of Newport. The motion carried in a voice vote with Swanson abstaining.

**Consideration of Resolution No. 3701 - Supporting an Application to the Bureau of Reclamation for a SMARTWater Grant for the Automatic Meter Interface (AMI) System.** Hawker introduced the agenda item. Nebel reported that Gross, in conjunction with Chase Park Grants, has been coordinating the development of a grant application for up to one million dollars to fund the city's automated meter reading conversion project. He stated that the cost share on this grant is 50 percent or \$500,000 of the \$1,000,000 requested in the application. He noted that the grant application is due on January 14, 2015.

Nebel reported that he appreciates the efforts of Gross, and Tia Cavender, of Chase Parks Grants, to identify this particular grant program to meet this need as previously identified in the budgeting processes.

Allen noted that there is more detail in the fiscal notes, and asked whether any more money would need to be spent. Gross noted that the city would not spend any more money that it planned to spend.

MOTION was made by Sawyer, seconded by Engler, to adopt Resolution 3701, Requesting Funding for the US Department of Interior, Bureau of Reclamation for a "SMARTWater" grant in the amount of \$1 million for the city's automated meter reading system. The motion carried in a voice vote with Swanson abstaining.

**Approval of a Special Event Permit for the 2015 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 19, 20, 21, and 22, 2015.

He stated that the City Council has developed a process to consider a waiver of a portion of the expenses incurred by the city to host this type of event. He added 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 \$14,101. He noted that a contribution of 35% of this amount would equal \$4,935 being paid for by room tax funds, with the balance of \$9,166 being invoiced to the Chamber of Commerce. He added that this is certainly a major community event, and he expressed appreciation for the time, energy, and resources that the Greater Newport Chamber of Commerce invests in hosting this annual festival.

MOTION was made by Sawyer, seconded by Saelens, to approve a special event fee waiver request for the 2015 Seafood and Wine Festival in the amount of 35% of the estimated total city costs, or \$4,935 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 in a voice vote with Swanson abstaining.

### LOCAL CONTRACT REVIEW BOARD

The City Council met as the Local Contract Review Board, at 8:25 P.M., to consider the following item:

**Approval of Scope of Work with The Automation Group (TAG) for SCADA Integration at the Lakewood Hills and SE 40<sup>th</sup> Street Pump Station.** Hawker introduced the agenda item. Nebel reported that in the past fiscal year, the city implemented the first project of the SCADA System Master Plan that was developed by Civil West Engineering in February of 2012. He noted that a SCADA System (Supervisory Control and Data Acquisition) creates a centralized system to monitor and control various stations and processes within a city's water distribution system. He added that in order to proceed with the next step to implementing the study, Gross is recommending that the city proceed with the new Lakewood Hills water pump station, as well as the pump station located at SE 40<sup>th</sup> Street in South Beach. He stated that both of these stations have fiber optic connectivity and proceeding to include them in the SCADA System will allow for more centralized monitoring and control of these facilities.

MOTION was made by Sawyer, seconded by Engler, to authorize the City Manager to execute the agreements with The Automation Group for SCADA Integration Services for the Lakewood Hills Water Pump Station in the amount of \$24,880 and for the SE 40<sup>th</sup> Street Water Pump Station in the amount of \$24,770. The motion carried in a voice vote with Swanson abstaining.

### CITY COUNCIL MEETING

The City Council returned to its regular meeting at 8:27 P.M.

## REPORT FROM MAYOR AND COUNCIL

Nebel announced that the city had received a letter notifying it that a \$1.5 million grant had been awarded for stabilization and geo-technical work at the fire station.

Roumagoux reported that she attended the employee appreciation dinner at the Aquarium on December 19.

Roumagoux reported that she attended Canine Officer Eyan's retirement party.

Sawyer reported that he attended the COG Board of Directors meeting in early December, at which the executive director received a favorable evaluation. He added that a deputy director position was added.

Sawyer reported that he attended the recent City Employees Committee meeting at which a major topic of discussion was the City Hall toilet paper.

Saelens reported that he attended the employee appreciation dinner at the Aquarium.

Saelens reported that he participated in a radio program on December 23 regarding the VAC steering committee process.

Saelens noted that Newport had particularly attractive holiday decorations.

Swanson reported that she attended the Fire Department's live fire practice burn. She noted that it was an astounding and impressive experience.

Busby reported that he attended the employee appreciation dinner at the Aquarium.

Busby suggested that in support of the University of Oregon Ducks upcoming football game, that all traffic lights in the city be blinking green and yellow.

Nebel reported that Tokos polled the Planning Commissioners regarding their availability to meet at noon on January 12 rather than 6:00 P.M., and they are all available. City Councilors indicated their availability at this time, so the joint work session with the City Council and Planning Commission was changed to noon on Monday, January 12. Go Ducks!!

Engler reported that she attended the employee appreciation dinner.

Allen reported that he attended the employee appreciation dinner.

Allen noted that there are two issues related to the City Attorney: one is the resolution regarding communication with the City Attorney, and the need to update the document based on having an in-house City Attorney; and the other issue is the meaning of "approved as to form." He also suggested including Rich as part of the City Council e-mail distribution list. Staff agreed to follow-up.

Allen asked whether Council wished to establish a timeframe in which a work session on SDCs would occur. Tokos noted that this matter is tentatively scheduled for mid-February.

Allen noted that it would be nice to have an agenda item and report on the potential creation of a URA advisory committee. Nebel noted that this issue can be discussed at the upcoming work session on Monday.

Allen reported that he attended the Retirement Board meeting in early December. He noted that he left the booklet, provided by West Coast Trust, in the Council office for other Councilors to review. He added that the next meeting will be held at the end of this month, and Nebel will have a report in January.

Allen reported that he attended a Port of Newport meeting on December 16. He noted that he is the alternate Council representative to this group.

Allen reported that the Audit Committee will be meeting next week in preparation for presenting the audit report at the next Council meeting. He asked Nebel for an update on the audit. Nebel reported that the chief auditor at the firm had resigned, and that there will be a delay in getting everything filed. He noted that the city worked diligently to provide the information to the auditor's in a timely manner, and the delay this time is external rather than internal.

Miranda asked Council to stay after this meeting for a new group photograph.

### ADJOURNMENT

Having no further business, the meeting adjourned at 8:47 P.M.

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Margaret M. Hawker, City Recorder

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Sandra N. Roumagoux, Mayor