

March 17, 2014
6:15 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, Roumagoux, Saelens, Allen, Beemer, Busby, Sawyer, and Swanson were present.

Staff present was City Manager Nebel, City Recorder Hawker, Community Development Director Tokos, Public Works Director Gross, and Police Chief Miranda.

Roumagoux asked for a moment of silence in memory of Eric Eder, a local fisherman recently lost in the Bering Sea.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Jim Shaw, a South Beach resident, reported that the Lincoln County Pilots group hosts a barbecue every Saturday. He presented a certificate of appreciation from the Civil Air Patrol in recognition of outstanding assistance to the CAP, for allowing the group to participate in the Saturday barbecue during a CAP training exercise in July.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the City Council meeting of March 3, 2014;
- B. Confirm the Mayoral appointment of Donald Davis to the Budget Committee for a term expiring December 31, 2014;
- C. Conform the Mayoral appointment of Gretchen Havner to the Library Board for a term expiring December 31, 2017.

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

PUBLIC HEARING

Public Comment and Potential Action on the Approval of a Curbside Compostables Collection Program. Hawker read the title of the agenda item. Nebel reported that in April 2013, the City Council discussed the possibility of recycling food waste along with yard and woody debris in an effort to divert these items from the waste stream. He noted

that Council selected Councilors Allen and Saelens to work with Thompson's Sanitary Service to explore a further reduction of waste entering the landfills from the city. He stated that Allen and Saelens worked closely with Thompson's Sanitary Service to evaluate options for diverting food and yard waste from landfills as part of the city's solid waste management program. Nebel added that in early May, a tour of the Pacific Region Compost facility was conducted, and following that tour, Thompson's Sanitary Service retained the services of Harlan Business Consultants to design the parameters of a curbside compostables collection system. Nebel reported that Dr. Estle Harlan has provided services to this working group in evaluating the feasibility and cost of implementing this service in the city. He added that Lincoln County has also expressed an interest in participating in this same type of program.

Nebel stated that on November 18, 2013, the working group provided a report to the City Council on the status of this effort. He added that there was also a discussion at a joint meeting with the Lincoln County Commissioners regarding the compostables program. He noted that due to the county's smaller population within Thompson's service area, it has opted to wait until after the city makes a decision on the issue before evaluating it as a county program. Nebel reported that on February 3, 2014, the City Council held a work session with Thompson's Sanitary Service to discuss how this program will work in the city, and what the costs would be to city customers utilizing Thompson's Sanitary Service. He noted that the Council considered possible approval of the program at its March 3, 2014 meeting, but due to various questions and concerns from individual Councilors and members of the public, a City Council work session was held on March 11, 2014.

Nebel reported that in preparation for the work session, Councilors agreed to forward any questions they had about the program to the City Manager by March 5, 2014. He added that these questions were then compiled into various categories and forwarded to Thompson's Sanitary Service for their response. He noted that the responses were forwarded to the City Council and posted on the city's website on March 10, 2014 prior to the work session.

Nebel reported that during the work session, the Mayor reviewed each of the general categories of questions and responses to determine what potential modifications should be made to the program, as well as incorporating certain items in the resolution for Council consideration. He added that as a result, the following modifications have been made to the curbside compostables program:

1. The curbside compostables collection program will provide customers receiving residential curbside garbage collection services from Thompson's Sanitary Service a 96-gallon weekly roll cart for the placement of compostable food waste and woody debris. If a customer requests a smaller cart, a 65-gallon unit will be provided.
2. Thompson's Sanitary Service will initiate a 24-gallon weekly roll cart service for customers with limited household garbage. These customers will have the option of not participating in the curbside compostables collection program. Customers opting for the 24-gallon weekly roll cart service without compostables will pay \$19.15 per month while the customers utilizing the 24-gallon weekly roll cart service with compostables will pay \$25.74 per month.
3. All other customers will pay \$26.94 for a 35-gallon weekly roll cart and \$46.84 for a 65-gallon weekly roll cart, per month, which reflects the increase in cost for providing the curbside compostables collection program of \$6.59 per month.

4. Thompson's Sanitary Service has agreed to keep the costs as outlined in paragraph 3 the same through June 30, 2015.
5. Thompson's Sanitary Service has agreed to provide benchmark reports at six-month intervals for the first three years of the program. The program will establish the benchmark for customer participation based on: 85% of the customers receiving the compostables service, placing compostables at curbside at least once per month on average, and 25% to 30% of the total effective waste stream being diverted as mixed compostable waste, if less than 5% of Thompson's Sanitary Service customers utilize the 24-gallon weekly roll cart option and opt out of the curbside compostables collection program.
6. Thompson's Sanitary Service assumes all of the financial risk for the \$6.59 cost increase for this program through June 30, 2015.
7. Thompson's Sanitary Service will meet annually with the city to review the performance of this program to determine whether benchmarks are being met. If costs exceed normal inflationary amounts as a result of the curbside compostables collection program, then Thompson's Sanitary Service would agree to discuss program modifications with the city.

Nebel reported that other issues discussed and agreed to at the work session were that if any Councilor wished to review Thompson's agreements with PRC; this could be done provided that the business financial information is treated confidentially. He added that there was discussion on the type of contract the city has with Thompson's Sanitary Service. He noted that ORS 459A.085 allows a city to recognize an existing collection service and renew a franchise for collection services with or without bids. He added that more than 80 cities and counties utilize a rolling contract similar to the city's contract. Nebel stated that state law provides this option since waste disposal, recycling, and nuisance abatement are standards that are contained in the solid waste management plan for each government that can be easily referenced and implemented. He added that with the capital investment in trucks, equipment, transfer stations, and other components of the solid waste management stream, these types of systems are treated by state law more like a utility than a contractual service.

Nebel reported that the City Council considered the possible adoption of this program at this meeting, including giving residents an opportunity to comment on the revised curbside compostables collection program. He stated that following the public comment session, the City Council could proceed with approval after considering any final comments.

Nebel reported that this has been a very publicly discussed proposal. He added that it is his opinion that the most significant concerns expressed by the public, primarily those who have a very small amount of household garbage and did not want to deal with the third container, have been addressed by the revisions negotiated by the City Council and Thompson's Sanitary Service. He stated that this concern could be addressed by providing an option to any residents that utilize a 24-gallon cart for weekly service to opt out of the curbside compostables collection program. He noted that by offering a 65-gallon alternative container versus the 96-gallon compostable container, those with concerns regarding space will have some relief. He added that in evaluating this proposal there are a number of things that Council needs to keep in mind. He stated that the development of a program to reduce the amount of waste going into landfills is a goal of the City Council, and that Chapter 7.05.005 of the Municipal Code includes the

following provisions: 1) Reduce the amount of solid waste generated; and 4) Resource recover material were possible. Nebel stated that implementing a curbside compostables collection program is consistent with these goals.

Nebel stated that the city does not require residents use curbside household garbage services, and that if someone chooses to opt out of the curbside collection they can dispose of waste at one of the area transfer stations. He noted that this provides a choice of not participating in any of the curbside programs.

Nebel reported that following Tuesday's work session, Allen suggested including a city survey in a future water bill after six months of the curbside compostables collection program service to gauge how residents are using this program. It was noted that the information could be incorporated in Section 8 of the resolution to evaluate the success of the program. Nebel added that the resolution has been reviewed by City Attorney, Rob Connell and Thompson's Sanitary Service.

Nebel noted that a number of questions and comments have been received since the last meeting. He added that questions include: (1.) whether the city makes money from the service, and he noted that there is a five percent franchise fee paid by the hauler; (2.) whether Thompson's makes money from the recyclables, and he noted that the proceeds from the sale of recyclables are factored into the cost that residents are paying for service; (3.) whether it is mandatory, in Salem, to use a 20-gallon cart in order to opt out of the program, and it was noted that this is a requirement; (4.) what percentage of Salem customers participate in the curbside compostables program, and it was noted that the number is greater than 95%; and (5.) whether smaller containers are available, and it was noted that Newport customers could opt out with a 24-gallon container. Nebel recommended that the Mayor take public comment on this issue.

Roumagoux asked for public comment.

Nyla Jebousek stated that she supports composting, but that she favors the status quo service.

Richard Hart stated that he is satisfied with the current service, and that it is the needs of the people that should be served rather than the dreams and hopes of the haulers.

Gary Lahman thanked Council and Thompson's for their time and effort. He suggested a bullet point summary of the issue rather than having to review a 274-page document. He added that he was looking forward to Beemer's comments on this topic.

Nebel noted that staff may analyze whether to place an executive summary at the beginning of the packet. He added that staff is also looking at agenda management software to help with readability. Swanson noted that the packet is also bookmarked.

Busby suggested deleting from the comma forward in Section 3 of the resolution. He suggested adding the words "and implement" to the last line of Section 8 between the words "identify" and "ways."

Allen suggested adding the word "residential" throughout the resolution so it will be consistent with the reference in the title.

Saelens noted that a survey could be utilized for a mid-course correction if necessary. He added that part of the size of the packet is an attempt to be transparent and react to public comment. He spoke regarding the importance of getting materials out of the landfill on a worldwide basis. He added that Newport customers pay some of the least expensive solid waste rates. Saelens noted that in Section 3, he wanted to strike the reference to all customers participating in the compostable program, because

if someone keeps the 35-gallon can along with the compostable program, there is no incentive, and the point is that even someone doing well could make the effort to downsize to the 24-gallon can and save money.

Allen suggested that Section 3 read “opt out of curbside compostables collection program” rather than service. He noted that Section 7 should read “co-mingled.” He recommended adding 96-gallon roll carts to the list of residential rates as some residential customers are using this size cart. Thompson reported that the number of customers using 96-gallon carts is fluid, and currently at three. He added that the monthly rate for the 96-gallon cart, plus the curbside compostables collection program would be \$65.64 monthly.

Allen noted that some of the suggested changes might require some language that has not yet been formalized. Nebel stated that staff needs to know whether to bring a final resolution back to Council. Council concurred that staff should bring a new draft to Council for review and action at the next meeting, and that no more testimony would be taken on the issue.

MOTION was made by Allen, seconded by Beemer, to approve Resolution No. 3665, with the changes as noted tonight by the City Council, with the revised resolution to be brought back to the April 7 meeting for a final vote on the resolution itself, which authorizes the establishment of a curbside compostables collection program in accordance with Section 9 of the solid waste franchise agreement with Thompson’s Sanitary Service with a limited opt out for customers electing to use a 24-gallon weekly roll cart for household garbage with the rates being increased by \$6.59 per month on all other customers upon initiation of the service. It was noted that bringing the resolution to the next meeting will be to approve the revised language. The motion carried unanimously in a voice vote. Sawyer requested additional information from Thompson’s regarding the opt-out provision.

Public Comment and Potential Action on the Approval of the Fiscal Year 2014/2015 City Council Goals. Hawker introduced the agenda item. Nebel reported that on February 24, 2014, the City Council spent the day hearing various departmental goals and identifying City Council goals for the fiscal year beginning July 1, 2014. He noted that the Council identified two community development goals; three infrastructure goals; four water and sewer improvement goals; six operations goals; and three public safety goals as part of the Council’s goals for the coming year. He stated that each of these goals will be reviewed during the budget preparation process and a part of the budget message will discuss the disposition of these items in the recommended budget. Nebel stated that the Budget Committee will be able to review how each goal has been addressed in the upcoming budget and make any changes that it deems appropriate. He added that public comment on the proposed goals was solicited, and none has been received.

Nebel reported that Beemer was unable to participate in the goal setting session and has requested that one item be added to the goals for the coming year. He noted that this request is that the city include work on establishing a South Beach wetlands trail that would tie into an extensive trail system being developed from Corvallis to the coast. Nebel reported that additionally, the goals for information technology were left out of the original goal setting packet, and suggested that Council incorporate these into the departmental goals for the information technology department.

Nebel recommended that the Mayor conduct a public comment session on the proposed goals for the fiscal year 2014/2015 City Council goals.

Roumagoux asked for public comment.

Nyla Jebousek reported that after attending the Infrastructure Task Force meetings and reviewing the goals on the website, that noticeably absent was a priority that she submitted in a letter on January 6, and attached to the letter was information from Portland and Albany about low income assistance programs for water and sewer rates. She stated that she thought that was to be included in the Council goals, but it is not. She added that she is here to advocate for a low income water, stormwater, and wastewater rate program, and expressed hope that Council will act on this issue.

Roumagoux asked for Council deliberation.

Saelens noted that not everything that was suggested as a goal made it to the final selection. He stated that at some point, he would like to see the city build a true SOS fund for a variety of infrastructure fees.

Beemer reported that the trail issue has been discussed in the past, noting that it would connect Chestnut Street to the trail at the Wilder development and ultimately to the Corvallis to Coast Trail. He reviewed progress at the Wilder development.

Allen referenced utility rate increases for the past years. He noted that he would like to review the Infrastructure Task Force recommendations as a part of the 2015/2016 goals, including the adjustment of utility rates and creation of a viable option for people needing assistance with utility bills.

MOTION was made by Allen, seconded by Sawyer, that the City Council established goals for the 2014-2015 fiscal year, as identified in the annual goal setting report from the February 24, 2014 Special City Council meeting, with the addition of the information technology goals being included in the departmental goals and the addition of the South Beach wetlands trail as Council goal 1.3 in the community development goals for the 2014-2015 fiscal year. The motion carried in a voice vote with Swanson abstaining.

COMMUNICATIONS

Presentation by Lorna Davis, Executive Director of the Greater Newport Chamber of Commerce, on the Tourism Promotion, Fulfillment, and Development Program for the 2013/2014 Fiscal Year. Hawker introduced the agenda item. Davis reported that she had made this report in January, and the request for clarification about allocations is included as the last page of the report. Davis reviewed the tourism promotion, fulfillment, and development services for the 2013/2014 fiscal year, including: visitor center; visitor web page - social media; Destination Newport Committee support and participation; tourism development and sales mission collaboration, media support and research; statistics; hospitality training; value season promotion; beautification program; Seafood and Wine Festival; Chamber Ambassador Program; and program allocations. Davis responded to Council questions.

Swanson requested that she receive copies of the Chamber monthly communication, "Communique."

Presentation by Lincoln County Land Trust - Workforce Housing Initiative - Bill Hall. Hawker introduced the agenda item. Bill Hall, Board Chair for the Lincoln County Land Trust, made a PowerPoint presentation and requested that the city support an executive

director's position, for the workforce housing initiative, at a cost of \$30,000 annually for three years. He reported that he will be making the same request to the City of Lincoln City at the end of April.

Allen suggested that language be included in an agreement that would provide for an equal distribution of houses among the participating entities. A discussion ensued regarding whether the position would be fiscally sustainable by the third year, and what might happen if it was not.

Swanson suggested that the LCLT consider the possibility of duplexes.

Sawyer asked whether the LCLT had talked with other cities about paying a lesser amount. Hall reported that the reason this was not done is that Newport, Lincoln City, and Lincoln County are the locations with the majority of the houses; greatest need; and the biggest budget capability to take on the fiscal commitment.

Busby stated that this would give value, land, and housing to a very limited number of people.

Beemer stated that he has a large number of rentals all for workforce housing people, and therefore will not be voting as he has a direct conflict of interest.

Tokos noted that when the concept was considered in September, there were reservations regarding the number of properties and investment, and at that time, it was asked whether the concept could be broadened. He added that this pool concept is in response to that request.

Allen asked whether Wayne Belmont, County Counsel, would be able to draft an intergovernmental agreement for the cities to review. The majority of Council concurred that having a draft IGA would be helpful. Allen recommended that the draft IGA include language that would ensure locations in the city, and protections in the event the fourth year was not sustainable.

Hall reported that Salishan operates as a land trust with individuals owning the houses with a 99-year lease on the property. He noted that the Portland Land Trust has built 133 houses. He agreed to return to Council with a draft IGA with no request for commitment.

Sawyer noted that workforce housing is a big problem, and if something is not done, it will just get worse.

CITY MANAGER REPORT

Approval of a Memorandum of Understanding Regarding the Transfer of Jurisdiction of Big Creek Road from Lincoln County to the City of Newport. Nebel reported that in May 2013, the City Council approved a 358-acre expansion of the urban growth boundary to include lands surrounding the reservoirs that provide drinking water for the city. He stated that one of the issues relates to the jurisdiction of Big Creek Road which is currently a county road. He added that Tokos and Gross have had discussions with Lincoln County regarding Big Creek Road, and that a memorandum of understanding has been drafted regarding the transfer of the road. Nebel stated that this will facilitate county action on the urban growth boundary amendment, legalize the right-of-way, allow the city to proceed with annexation of the property, and future jurisdictional transfer of the road from the county to the city. He added that the proposed agreement also addresses road maintenance responsibilities for Big Creek Road. Nebel stated that while the memorandum of understanding outlines the process that must be utilized to

accomplish this task, further authorization from the governing bodies will be necessary to accomplish each task. Nebel noted that under the terms of this agreement, if the transfer of the road is completed, the city would be responsible for reimbursing the county for ongoing maintenance costs that would be provided by the county on this section of road. He stated that this transfer would not take place until after the property has been annexed, and that the county will have certain responsibilities to make one-time minor improvements such as guard rail repairs and any other actions prior to the transfer of the road to the city. Nebel stated that once the city accepts jurisdiction of the road, the city would be responsible for those costs.

Roumagoux called for Council comment.

Allen noted that at the last work session Council wanted to see the road maintenance issues addressed, and that this draft contains a response to that request. Beemer noted that at the bottom of page seven, the word "except" should be "accept." MOTION was made by Beemer, seconded by Busby, that the City Council enter into an intergovernmental agreement with Lincoln County to establish the procedures and general timelines associated with the future transfer of Big Creek Road (County Rd., #402) from the county to the city and authorize the Mayor to sign said agreement as amended. The motion carried unanimously in a voice vote.

Approval of ODOT Right-of-Way Services Agreement - Highway 101 Pedestrian Safety Improvement Project. Hawker introduced the agenda item. Nebel reported that the city has been in negotiations with ODOT over significant cost escalations for the Highway 101 Pedestrian Safety Improvement Project. He noted that this project was initiated in July 2012 to fund eight pedestrian crossing improvements on Highway 101 between Bayley Street to the south and 15th Street to the north, and that ODOT's initial cost estimate for this project was \$502,000. He stated that since that time, the project cost estimate has increased to \$902,000. Nebel reported that at the February 3, 2014 City Council meeting, the Council agreed to fund an additional \$150,000 for this project provided that ODOT would secure funding for the balance of the increase. He stated that the ODOT Bike and Pedestrian Program has agreed to commit the remaining \$250,000 to complete the funding which is now estimated to complete the project. Nebel stated that as a result of the significant discrepancies between the original estimated costs and the final estimated costs, ODOT has changed its approach on these federally funded projects by engaging the local agencies earlier into the State Transportation Improvement Plan application process. He added that ODOT has conducted a complete review of this program to assure that the current estimate will encompass the necessary elements in order to complete the project. Nebel noted that Gross has had numerous conversations with ODOT to get this issue resolved. He stated that there is potential risk that under the standard ODOT agreements, the city could be responsible for costs over and above the new estimate. He added that while staff feels more confident with the revised cost estimates and the added financial support from ODOT for this project, it is important for the Council to be aware of this possibility. Nebel stated that if the city were to cancel the agreement today, the city would be obligated to reimburse all funds expended on this project to date which amounts to \$130,000. He added that the worst case scenario is that if costs escalated and the City Council canceled the project at the construction phase, the city could be responsible for total reimbursement of \$206,500 which would represent the total project costs, minus construction and construction

administration. Nebel stated that he believes that ODOT is working in good faith with the city to address this significant problem. He added that the safety issues that will be addressed with these crosswalk improvements are significant. He noted that if the city were to walk away from the project today, it would have an obligation to the state for \$130,000 and no improvement to the crosswalks. Nebel stated that he believes that it is in the city's best interest to proceed with this project with the new financial commitment that ODOT has made to the city.

MOTION was made by Busby, seconded by Sawyer, to approve the US Highway 101 Pedestrian Safety Improvement Project intergovernmental agreement for right-of-way services with the Oregon Department of Transportation and authorize the Mayor and City Manager of the City of Newport to execute said agreement. The motion carried unanimously in a voice vote.

Consideration of Resolution No. 3666 Authorizing the Oregon Parks and Recreation Department Grant Application for Updating the Parks Master Plan. Hawker introduced the agenda item. Nebel reported that the State of Oregon Parks and Recreation Department is currently offering local government grants for parks and recreation system master plans and improvements. He added that while funding statewide for planning grants is limited, this would be a timely request to the state based on Council goals. He stated that grant applications are due on May 16, 2014, with awards to successful applicants being made by September 17, 2014. He added that due to the competitiveness of the limited funds, the grant application participation by the city will include a robust public outreach and a comprehensive overhaul of the document and maps. He stated that the cost of the project is estimated at \$85,000, with \$60,000 coming from the city and \$25,000 coming from the state, and added that this will increase the chances of the city getting a portion of the \$90,000 that is available statewide for this purpose. Nebel noted that, if funded, the city would be required to commit \$60,000 in local funds in the proposed 2014/2015 fiscal year budget. He added that staff has recommended that the local share be paid by utilizing \$26,000 from System Development Charge fees; \$10,000 from the Transient Room Tax Fund; and the balance from the General Fund.

Roumagoux asked for Council deliberation.

Allen noted that this update falls in line with recommendations from the City Council and Infrastructure Task Force. MOTION was made by Saelens, seconded by Swanson, to adopt Resolution No. 3666, in support of an Oregon Parks and Recreation Department grant application for the updating of the city's 1993 Parks System Master Plan. The motion carried unanimously in a voice vote.

Discussion and Possible Action Regarding SB1531 Regulating Medical Marijuana Dispensaries. Hawker introduced the agenda item. Nebel reported that on March 7, 2014, SB1531 was approved by the state legislature and forwarded to the Governor for signature. He noted that SB1531 allows a city or county to adopt ordinances that impose reasonable regulations on the operation of medical marijuana dispensaries that are registered or applying for registration under ORS 475.314(12) which are located within that local jurisdiction. He added that these regulations include hours of operation, reasonable limitations on where medical marijuana dispensaries may be located within

a city, and reasonable conditions on the manner in which the medical marijuana dispensaries may dispense medical marijuana.

Nebel reported that this act would allow the governing body of a city or county to adopt an ordinance enacting a moratorium on the operation of medical marijuana dispensaries until May 1, 2015, if the moratorium is enacted no later than May 1, 2014. He stated that prior to March 3, 2014, the city had received two applications for business licenses for medical marijuana dispensaries. He added that the city has received one additional application since that time and there have been other inquiries regarding establishing dispensaries in the city. Nebel reported that with the changes in state law that will occur, barring a veto by the Governor, there are a number of new options that cities and counties can consider in the regulation of medical marijuana dispensaries. He stated that in order to allow for adequate time to evaluate these new regulatory tools, cities and counties may enact a moratorium on the licensing of medical marijuana dispensaries within their jurisdiction. He added that for business entities that have registered their medical marijuana dispensary with the state, the act would allow the proposed dispensary to surrender registration under this subsection if a moratorium is imposed. He stated that it provides that the authority may refund any fee imposed by the authority pursuant to ORS 475.314(12).

Nebel reported that in discussing this matter with City Attorney, Rob Connell, it would make sense for the city to consider imposing a moratorium through May 1, 2015 on medical marijuana dispensaries if the City Council would like to take additional time to review local regulatory options. He stated that this would give the City Council and staff adequate time to review changes in state law and to consider what additional local controls may be appropriate for the city to impose. He added that the City Council could suspend a moratorium at any point prior to May 1, 2015 at the conclusion of the review of any local regulations to address the medical marijuana dispensary regulations for the city.

Roumagoux asked for public comment.

Alisha Kern commented that there are two dispensaries that have applied in Newport that are closer than 1,000 feet to each other, and that state law provides that dispensaries must be more than 1,000 feet apart.

Roumagoux asked for Council deliberation.

Allen noted the provision regarding the placement of marijuana dispensaries within 1,000 feet of a school, and asked whether the proposed dispensaries are within 1,000 feet of Sam Case Elementary School. Sawyer and Swanson agreed to attend an upcoming workshop on marijuana dispensaries.

MOTION was made by Allen, seconded by Beemer, to direct the City Attorney and city administration to develop an ordinance enacting a moratorium on the operation of medical marijuana dispensaries in the City of Newport until May 1, 2015 with the ordinance being and acted upon by the City Council prior to the May 1, 2014 deadline. The motion carried unanimously in a voice vote.

LOCAL CONTRACT REVIEW BOARD

During the course of a regularly scheduled and noticed City Council meeting, Council convened as the Local Contract Review Board. On roll call, Roumagoux, Saelens, Allen, Beemer, Busby, Sawyer, and Swanson were present.

Staff present was City Manager Nebel, City Recorder Hawker, Community Development Director Tokos, Public Works Director Gross, and Police Chief Miranda.

ACTION ITEM

Authorization of Amendments #2 and #3 with Precision Approach Engineering, Inc. for Task Order #6 for Airport Apron Expansion and AGIS Survey. Hawker introduced the agenda item. Nebel reported that on March 18, 2010, the city entered into an engineer of record agreement with Precision Approach Engineering, Inc. for various airport projects. He stated that as part of the Runway Improvement Project, an engineering design cost of \$411,441.54, and construction services cost of \$628,302.02 were executed by the city as part of the \$9 million FAA funded runway rehabilitation project. He noted that since that time, the FAA has agreed to fund two additional components of this project which would include expansion of the apron area; realignment of the fence; and replacement of the lost large tie-down slot that will be removed with the completion of the Runway 2-20 Signage Project. He stated that the task order for design is \$52,968.05, and for construction services the cost will be \$40,941.20.

Nebel reported that the second component added by the FAA for this rehabilitation project at the airport includes the AGIS (Airport Geographic Information System) survey. He stated that this survey will require the consultant to locate all signs, lights, runways, buildings, and other items at the airport and provide that information be transmitted electronically to the FAA. He noted that additionally, the airport will have access to this information including all images for use in future planning. He added that the project will include the improvements that will be done as part of the rehabilitation project that will be accomplished this summer.

Nebel reported that these project costs are being paid for primarily by the FAA out of the significant grant funding for the runway rehabilitation project, and the city has appropriated the local share to match the grant funds. He added that these adjustments will not increase the city's contribution to this project.

Nebel reported that in reviewing this contract issue with City Attorney, Rob Connell, since this change is in excess of \$50,000 limit on the City Manager's authority, it is appropriate for the Council, acting as the Local Contract Review Board, to authorize this change order. He added that this is based on the assumption that there was no previous delegation of authority to the City Manager to act on a request in excess of \$50,000.

Nebel reported that the FAA has provided additional funding for these components.

MOTION was made by Beemer, seconded by Sawyer, that the Local Contract Review Board authorize the City Manager to sign amendment #2 and amendment #3 to task order #6 with Precision Approach Engineering for additional design and construction engineering services for the expansion and realignment of the airport apron that will be required with the completion of Runway 2-20 Signage Project and for the cost of AGIS survey as requested by the FAA. The motion carried unanimously in a voice vote.

CITY COUNCIL MEETING

At the conclusion of the Local Contract Review Board meeting, Council returned to its regular meeting.

REPORT FROM MAYOR AND COUNCIL

Roumagoux reported that she attended the Lincoln County Mayor's meeting on March 7 in Newport.

Roumagoux reported that she, Beemer, and Allen attended the recent Fire Department banquet.

Roumagoux reported that she and Beemer attended Don Mann's retirement party.

Roumagoux reported that she attended a meeting of the Lincoln County Ford Family Project which is a family literacy project for lending libraries.

Roumagoux reported that she will miss office hours tomorrow, and asked whether anyone would man the office in her stead. No one was available.

Sawyer reported that federal project funding is diminishing.

Sawyer reported that he saw two people using the electric car charging station.

Sawyer thanked the local media for distributing information relative to the DEQ approval for the razing of the Salvation Army building.

Sawyer reported that he had heard that O'Reilly's Auto Parts had begun work on its new store on Highway 101. Tokos reported that O'Reilly's is making changes to the sewer and stormwater design and resolving access easement issues.

Saelens reported on a recent meeting of the Bicycle/Pedestrian Advisory Committee. He noted that the meeting went well, and the Committee had asked for an alternate Council liaison when Saelens cannot attend. Roumagoux agreed to serve as alternate.

Swanson reported on a recent meeting of the Senior Center Advisory Board. She noted that items discussed included the Silver Sneaker contract; Wii bowling tournament; tax aid; center accreditation; Social Security Flexibility; and other programs.

Swanson reported that the Library has completed the building assessment and strategic planning, and that this will be the topic of the upcoming Town Hall meeting on March 31.

Busby reported that he had attended the Fire Department banquet.

Busby reported that he attended a recent meeting of the Airport Committee.

Busby reported that the business license work group will meet again on March 25. Allen discussed the noticing of the work group meetings.

Beemer addressed the razing of the Salvation Army building. He reported that a contractor from the valley had done this work, and was recycling wood and concrete.

Allen reported that the Audit Committee had met on March 6 to finalize tonight's presentation.

Allen reported that he had attended the Fire Department awards banquet.

Allen reported that he attended Representative Kurt Schrader's roundtable in Depoe Bay. He reviewed discussion from this event.

Allen reported that he attended ODF&W workshops regarding marine reserves and the implementation of marine reserves. He noted that there will also be a meeting at the Recreation Center regarding the Cascade Head Marine Reserve, and that a number of other workshops will occur before plans are finalized for the two marine reserves

PUBLIC COMMENT

Nyla Jebousek elaborated on the Silver Sneakers program. She suggested that the city consider coordinating a series of holiday events for visitors similar to what occurs at Shore Acres State Park.

Marletta Noe recommended that Council provide notice to Thompson's Sanitary Service that it is changing the franchise agreement to provide for a review every two years.

ADJOURNMENT

Having no further business, the meeting adjourned at 9:17 P.M.

Margaret M. Hawker, City Recorder

Sandra N. Roumagoux, Mayor