



OFFICE OF THE CITY MANAGER
City of Newport, Oregon
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MEMO

DATE: August 24, 2015
TO: Mayor and City Council
FROM: Spencer Nebel, City Manager
SUBJECT: Status Report for the two week period ending Friday, August 28, 2015

HIGHLIGHTS OF ACTIVITIES:

Highlights and activities over the past two weeks include the following:

- Met with Mark Felter regarding various concerns about the Safe Haven Hill project and SW Abalone and Brant project. Mark has made a number of improvements within the public right-of-way without any necessary permits. Part of the Safe Haven Hill project includes a pedestrian walkway from 27th Street to Abalone, and then follows a new walkway that will be located along the edge of Abalone to Safe Haven Hill. In order to address the steep topography of this area, the design places the trail in the middle of the right-of-way, and will require some areas to be filled that Mark had previously excavated dirt within the city's right-of-way. He suggests that the walkway should be pushed all the way to the southerly edge of the right-of-way. In order to accommodate this, it will require excavating on private property outside the right-of-way. It is my belief that the right-of-way has been pushed as far to the south as is practical for this project. With regards to a new driveway off of Abalone, it appears Mark was given a verbal okay by Jim Salisbury to begin work on the driveway, which he did immediately. By the time the actual permit was reviewed and issued, there were changes that impacted the work Mark had already done. I am following up with staff, and will get back to Mr. Felter on this issue.
- Participated in the Urban Renewal Advisory Committee meeting on August 17th. The Urban Renewal Committee has finalized its review of the draft report in preparation of the August 31st Town Hall meeting. At this meeting the Committee will solicit written comments from participants following a presentation and individual discussions on various aspects of the project that will occur at different stations during the Open House portion of the Town Hall meeting. The Committee anticipates meeting a final time on the

following day (Tuesday) to review the comments and make final recommendations to the Urban Renewal Agency and City Council.

- Tim Gross, Jim Protiva, Mike Murzynsky, Derrick Tokos, and I met to review various aspects of the Aquatic Center project. We will be developing a report for review by the City Council at the September 8th meeting on the various options that the Council could pursue regarding this project. These options could include potential revenues to supplement the bond issue, reduction of expenses to reduce the project costs; as well as discussion of options for redesigning, rebidding, and finally defeasance of the bond, and not proceeding with the project. We anticipate having a recommendation for the Council at the second meeting in September for the project, including possible bid award.
- Met with Major Roumagoux to review the Council agenda for the August 17th meeting.
- Derrick Tokos and I met with Caroline Bauman regarding a potential grant application for EPA funding to create an inventory of brown field sites within Lincoln County, and identifying the potential for redevelopment on those sites. This could potentially open the door for future brown field site redevelopment funding. There would be no cost match by the city to be a collaborator in this effort. We would provide some support in collecting information for the grant, which would be written by the COG. We indicated that the city would be glad to be part of this effort, if the decision is made to go forward with this application.
- Held a regular staff meeting with Lance Vanderbeck on airport issues. We are preparing for the Regional Airport Task Force meeting, which will be held Tuesday August 25th at the airport.
- Mike Murzynsky, Barb James, and I met to initiate the development of a retirement handbook for those employees covered by either the defined benefit program (2012 and earlier) or the defined contribution program (for recent hirers). It is our intent to have these handbooks completed in time for the annual meetings with employees to review the status of the retirement system.
- Tim Gross and I met with Mark McConnell, who was representing OCCA, regarding the expansion of the Performing Arts Center lobby project. OCCA has raised enough funds to proceed with that project, as well as the reconfiguration of the women's restroom in the lobby of the Performing Arts Center during this current fiscal year. Since this is a city facility the contracting for this work will need to go through the city bidding process.
- Met with Melissa Román regarding the creation of a Public Advisory Committee that is required for the airport master planning process. These appointments will be made by the Mayor and confirmed by the City Council.
- Mike Murzynsky and I met to review results of a survey by communities that recently conducted water and sewer rate studies to determine which consultant they used. We will be following up with a couple of these cities to see if we can obtain an RFP or request for quotation documents to help draft our request.
- I was off on my routine Wednesday afternoon schedule.
- Met with Tim Gross to discuss a developing problem under 6th and 7th Streets east of Highway 101. Over time, several sink holes have appeared above this particular sewer line, with the current one in 6th Street. Crews encountered problems when they

attempted to televise this line. It was discovered that several large boulders were in the large concrete sewer blocking the camera, and other debris from passing through the line. Public Work crews removed the boulders and the televising was able to be carried out. There are a couple of blocked lengths of storm sewer under streets and structures that are showing significant signs of deterioration. However, the storm sewer line remains intact making it eligible to be relined. The storm sewer was relined from the Federal Credit Union under Highway 101, when similar problems were encountered in this section. This procedure has helped prevent further damage to the bank's property, and televising has shown that the relining work is holding up very well. This line is 30 to 40 feet underground in places and follows an old ravine that was filled over the years. If we proceed with this relining, we will need to shift resources from another project to complete this work this year. It would be advisable to get the work done prior to entering the rainy season, since water continually flows through this pipe. However, it is much lower during a dry year. This will likely be on the next Council agenda for authorization.

- Derrick Tokos and I met with the district staff from ODOT to review the status of a number of projects. We shared a number of issues that have resulted with the placement of the crosswalks on U.S. Highway 101. I have attached a copy of a memo from Police Chief Mark Miranda suggesting ODOT place no left turn signs at various locations on U.S. Highway 101. These locations have been problematic with people maneuvering to make turns where there is not room for them to be safely made. I have also had the same suggestion from the owner of Subway regarding the northern drive in the southern parking lot that serves Subway. We also shared with ODOT concerns that had been expressed to us regarding a potential tripping hazard on a couple of crosswalks, where there is a curb located in the sidewalk area. In addition, we discussed the funding shortfall for the Agate Beach restroom/shower facility and parking lot improvement project. This was a project requested by the city with ODOT funding, matched by local funds. This project was applied for five years ago, and for whatever reason, ODOT was not able to pull together the design for this project until this past year. We are working with ODOT, and the Surfriders Foundation, as well as looking at any local options to address the potential funding shortfall for this project. In addition, Amy Ramsdell, ODOT District Supervisor, indicated that she has been contacted by Nyla Jebousek on two specific issues. One, is the possibility of getting a signal at U.S. Highway 101 and San-Bayo Circle. Secondly, she requested ODOT review the city administrative decision not to post a 15 mile per hour speed limit on the backside of the loop. The State's response to Nyla Jebousek was that the posting of this road does not meet any official warrants, and would not be enforceable based on their review. This concurs with the opinion of Public Works Director Tim Gross, as well as Police Chief Mark Miranda. As you recall, Ms. Jebousek petitioned the city in order to post this stretch of roadway at 15 miles per hour.
- Prepared a report for the Regional Airport Review Task Force for Tuesday, August 25th meeting. This meeting will include a tour of the airport, as well as planning out the next three meetings of the Task Force.
- Mayor Roumagoux, Councilor Engler, and I participated in the U.S. Coast Guard Open House at the Yaquina Bay Station. The open house was attended by Rear Admiral Richard T. Gromlich, Commander, Coast Guard 13th District, Captain Michael T. Trimpert, North

Bend Sector Commander, and Chief Warrant Officer Ryan O'Meara, Coast Guard Station Yaquina Bay Commanding Officer. Earlier in that week, Peggy Hawker and I had talked about the possibility of framing the first issuance of the U. S. Coast Guard Stamp with the commemorative Newport cancellation for presentation for both the Yaquina Bay Station and the Air Facility. The Coast Guard did not get back to us until Friday (the day before the presentation) with a date and time for doing the presentation. So I apologize for the short notice. Mayor Roumagoux presented a framed and matted first day cancellation of the U.S.C.G. commemorative strategy to Captain Trimpert for the air station and the same framed and matted first day cancellation to Chief Warrant Officer O'Meara for the Yaquina Bay Station. In addition, first day issued stamp post cards were given to the Admiral, Captain Trimpert, a captain in charge of Search and Rescue for the Seattle District, and Chief Executive Officer Don Rudnickas for U.S. Coast Guard vessel Orca. All in all, it was a nice impromptu event.

We had an opportunity to talk with the Admiral regarding the Air Station, and he indicated that the Coast Guard made a number of mistakes on how they proceeded with this issue. He indicated this decision was made outside of the U.S. Coast Guard 13th District. He appreciated the strong support shown to the local U.S. Coast Guard personnel during this controversy.

I also had a chance to talk to U.S.C.G. personnel regarding the decision on locating the U.S. Coast Guard fast response cutters, which will replace the class of vessels that includes the Orca. He indicated that the decision for locating these vessels is still in the hands of the consultants hired by the U.S. Coast Guard. He said the only decision that has been made to date is that both vessels need to be berthed in the same port. There was some early discussion that one vessel could be berthed in one port and another vessel could be berthed in a different port. In my informal discussions with U.S.C.G. members, it was indicated that staff members for the fast cutters would reside in either Coast Guard housing or rental housing in the community in which they are stationed. It was indicated that Newport is an ideal location for these facilities, based on the area that they cover. He indicated that these boats typically remain out to sea for a period of a week, which is quite different than the current Coast Guard vessels based in Newport that are primarily search and rescue. These vessels are patrolling the U.S. waters further offshore, and are available for search and rescue when issues occur further offshore. It was indicated that Newport is ideal because of the quick speed that a fast response cutter could get from the bay to the open ocean. Furthermore, with some modifications, including a lower floating pier, the NOAA docks could be easily modified to accommodate these vessels. In various discussions, it was indicated that the NOAA site would be a very appropriate site for the placement of these vessels. The final decision will be up to consultants and Coast Guard planners as to where these two vessels will be located. Once this decision is made, the Port will play a key role, as they will need to agree to accommodate this facility on Port property.

- The Buccaneer Rampage was held on Saturday August 22nd at the airport. Unfortunately, I did not get a chance to see this year's Buccaneer Rampage. However, reports are that it was a well-attended fun event.
- Barb James, Steve Rich, Peggy Hawker and I met to continue our efforts to develop an outline for a city administrative manual. Peggy Hawker has put together a comprehensive draft outline of an index for this manual. The index roughly follows the sections and chapters for the city code. We are also going to develop a uniform template that would be used as policies are either revised or developed in the future. Our goal is to create a single document for departmental, administrative, and Council actions, which establishes ongoing policies for the City of Newport. As part of this effort, we will likely develop a city ordinance that clearly defines the responsibilities of Council, administration, and departments in creating rules for the City of Newport. This is a timely effort, with Barb James current progress on rewriting the city's personnel manual. These policies will likely be the first that will be done and included in this new format.
- Steve Rich, Derrick Tokos, and I met regarding the lease with Bornstein, which expires at the end of this year. We will be updating the Council on options for the future of this expiring lease.
- Steve Rich, Barb James, Rob Murphy, and I met in negotiations with the fire fighters. There still is a fair gap in the economic issues between the association and the city. We will be initiating steps to go to mediation to discuss these issues.
- Met with Barb James to discuss several personnel issues along with other city staff members.
- Participated in an Emergency Management Committee meeting.
- Met with Lance Vanderbeck in our weekly airport meetings.
- Peggy Hawker, Cindy Breves, Richard Dutton and I met to discuss the agenda software packages. Richard has initiated a questionnaire to use with the strongest vendors for this program. This will help sort through the options that each vendor brings to help us determine the best fit for the City of Newport.
- Mayor Roumagoux, Council President Busby and I participated in an Airport Regional Task Force meeting. This included a tour of the airport facilities that was conducted by Lance Vanderbeck. Following the tour, the Task Force met to review various areas to focus on for future meetings. The Committee elected Council President Busby as the Chair of the Regional Airport Review Task Force, and selected Susan Painter to serve as a representative of the Regional Airport Review Task Force with the Airport Master Plan Planning Advisory Committee that will be set-up as part of the airport master planning process.
- Met with Mike Murzynsky, Tim Gross, and Derrick Tokos to discuss funding for the Agate Beach Wayside Project. This information was compiled in a report and was considered by the City Council during the Special Council meeting at noon on August 31st.
- Mayor Roumagoux, Councilor Allen, Parks and Recreation Director Jim Protiva (attending for the Chamber of Commerce), and I participated in the 2015 Oregon Coast Economic Summit held at Spirit Mountain. Overall, this is a pretty exceptional opportunity to gain a better understanding of specific issues effecting the coastal communities and having an

opportunity to talk to various State and Federal officials. In addition to the eight coastal caucus members, participants included Governor Brown, U.S. Senator, Ron Wyden, U.S. Congressman Peter Defazio, U.S. Congresswoman Suzanne Bonamici, as well as Secretary of State Jeanne Atkins, President Ray from Oregon State University, and President Schill from University of Oregon, and many of the State department directors as well. Over 450 attended this year's caucus. Several issues impacting the City of Newport are as follows:

- Congressman DeFazio indicated that his committee is working on a new transportation package. The last transportation package approved by Congress was in 1995 and was a six year bill. Transportation has been handle on an annual resolution since that time. The transportation fund is exhausting all of its proceeds. Federal Gas Tax has been fixed at 18.3 cents per gallon since 1993. There are discussion about indexing the gas tax, however there is significant opposition from legislators who have committed to not raising taxes. Congressman DeFazio indicated that the Newport Air Facility is protected from closure in a bill that has been accepted by the House. The Senate will be taking up the Coast Guard bill this fall. Congressman DeFazio indicated that it is important to continue to shore up support with U.S. Senators for keeping the air facilities open (Newport and Charleston). Congressman DeFazio was also successful in obtaining funding for technology to provide early earthquake detection. Japan has a system in place that will provide three to five minutes early warning in the event of a major earthquake. The technology funding is providing for a sea based detection system for the Cascadia Subduction Zone.
- U.S. Senator Wyden also indicted that transportation is a high priority in the Senate. He spent some time speaking towards his support on the trade agreement. He indicated that one out of five Oregon jobs rely on trade, and with a billion middle class world citizens projected by 2020-2025, it is critical that the U.S. maintain an open door to trade, provided that trading is fair on both sides. Senator Wyden indicated that seafood is on an upswing by all experts. He believes that the trade agreement will foster an environment that will allow that to continue.
- Mark McMullen, Oregon State Economist and Paul Warner, Legislative Revenue Officer provided an update on Oregon's economy. Oregon revenues have reached the point where the State will be returning \$400 million to tax payers in the form of a credit for the 2015 tax year. The average refund will be \$124 per filer based on the state average income. The forecast for the economy going forward is stable, but a number of potential issues could modify this forecast. The two primary risks are the U.S. Stock Market, which can have a volatile impact on the tax revenues from capital gains, and the overall global economy which impacts trade for Oregon business. They indicated that the coastal economy is starting to catch-up with the other parts of the State. They indicated that in Bend, many of the new residents are retirees who brought new wealth to that area. They see some of this occurring on the coast. From a taxation standpoint, Oregon has a high income tax, midrange property tax, and a low commodities tax when compared to the other 50 states.

- There was a session on global trade and how it impacts coastal and rural Oregon. The State continues to reel from the labor issues that lead to the departure of Hanjin and Hapag-Lloyd Container Service at the Port of Portland Terminal Six. This is critical since 90% of the state's agriculture production goes out of state with 50% going out of the country. For example, half of Oregon's hazel nuts go to China. Approximately 600 shipping containers originate from coastal businesses and are part of this trade. It is important to reduce trucking to three hours or less in order to compete from a transportation cost standpoint from other regions. This allows one driver to make one round trip during the course of a work day. It is also very important to eliminate dead head truck runs. There was a question as to whether coastal communities such as Coos Bay could capitalize on this issue. Unfortunately, from a shipping standpoint, even the Port of Portland is considered relatively minor. International shippers consider our closest major international port to be Vancouver, British Columbia. For smaller ports to succeed, they need expressway access, a first class railroad, and deep water for container shipping. Exceptions to this include moving bulk goods, such as lumber, steel, and other similar items. Other ports may be able to compete under these circumstances.
- Regional Solutions: I attended a session on regional solutions. Lincoln County Commissioner Doug Hunt was on this panel and spoke of the collaboration between OSU and University of Oregon to work with business development to properly prepare those businesses to compete in a program called RAIN.
- Transportation: There was a session with State Senators and State Representatives that were involved in the "Gang of 8" who tried to broker a transportation deal for the State of Oregon in the last legislative session. They were successful in coming to an agreement, but not selling it to the rest of the legislature. The general consensus was that if this group had initiated these discussions at the beginning of the session, instead of being pulled together towards the end, they may have been successful in getting the support necessary to get this plan approved. They are encouraging the Governor to pull back together this bipartisan bi-panel coalition in order to try to get a bill together for the Governor's consideration. However, it would be unlikely this would be something to happen in the short 35 day short session that will occur in 2016.
- Mitch Swecker, Director of the Department of Aviation, gave an update on small airports, and the role that the State has been playing to help those small airports meet the local 10% match that is required for many projects. They will be rolling this out in the coming months. Governor Kate Brown gave a brief presentation to the group. She focused on the role the State needs to play in seismic resilience. She also spoke about funding for the schools, indicating that Oregon lags behind the rest of the country on funding K-12.
- Avoiding a California Water Crisis: Tom Byler, Director of Oregon Water Resources Department, indicated that lack of spring rains and limited snow pack later in the season has created crisis situations for many locations in the State. This, coupled with statewide, record high June temperatures, and record high July temperatures on the coast, has led to massive forest fires. The State has spent \$50 million to

date to fight these fires. Over a half a million acres have burned this year. The lack of fresh water has significantly stressed fish populations. Fortunately the young fish likely exited the small river systems earlier in the year. However, there are potentially major problems when the adults come back to spawn. Dick Pedersen, Director of the Oregon Department of Environmental Quality, indicated that the State will need to allocate resources to address capacity issues for local water systems. The State needs to develop a strategy to deal with growing population, as it relates to the limited water resources. There were rumors that the State was considering restricting hunting due to fire dangers. This created quite the stir and it is unlikely that this would be implemented unless an area is totally closed off to all activity.

- Congresswomen Suzanne Bonamici: Congresswomen Bonamici served on the U.S. House Education and the Workforce Committee. She has been working to secure funding for education programs regarding tsunamis such as “Raise the Wave” in Canyon Beach. She has also been at the forefront increasing the educational budget at the Federal level.
- Local Economic Development: This was a panel discussion on how economic development can be fostered along the coast. Mayor Mark Kujala of the City of Warrenton indicated that the role of government is to create a local environment that allows development, and then get out of the way. The Bureau of Labor and Industries is working to restore shop classes in K through 12. This can develop skills that translate to employment opportunities for those that may not be headed to college. County Commissioner, Tony Hyde of Columbia County, indicated that successful EDC’s are made up of more than half private industrial individuals at the table, and with these groups participating in the funding. If there is not this kind of buy in, then economic development commissions do not work as well.
- Attended a session on Tsunami Preparedness: Two new positions were created in the current fiscal year budget to focus on resilience effort within the State of Oregon. In addition, during the last legislative session a Senate Bill was passed that provides for retrofitting historic buildings in the State for seismic activity. Chris Goldfinger, from Oregon State University, indicated that Japan was extremely well prepared for a major seismic event; however, the maximum event was expected to be an 8.4 event and the actual event was a 9.0 earthquake. Despite this preparedness, Japan experienced a loss of approximately 20,000 people. This compares to the Indonesia event where over a half million people perished, since they were not prepared to deal with earthquake/tsunami issues. Dr. Goldfinger indicated that Oregon is much closer to Indonesia in preparedness than Japan. Dr. Goldfinger indicated the Central and North Oregon Coast have a 21% to 25% chance of having a major Cascadia seismic event of 8, or greater, in the next 50 years. Looking at the date differently, he indicated that the Cascadia events occur in a sequence, and if the next event is part of the current sequence of earthquake events, then the odds of the earthquake occurring would actually increase to 40% in the next 50 years. However, the Cascadia Subduction Zone takes a break after completing a series of sequential earthquakes with an average of 1000 years

coming between these groupings of earthquakes. If it is in between these long cycles, then there would be a 5% chance of this earthquake occurring in the next 50 years. Dr. Goldfinger restated his contention that the sand spit where the Hatfield Marine Science Center is located would be wiped clean by a tsunami. Unfortunately, I had to leave prior to hearing Scott Ashford, Dean of the College of Engineering at OSU, provide his response on this matter. Mayor Roumagoux indicated that Ashford stated that buildings could be designed to survive the earthquake, which would allow people to escape prior to the tsunami.

- Marijuana Legislation: The final session I attended was on marijuana legalization. Ranee Niedermeyer, Director, Communications and Government for the Oregon Liquor Control Commission, indicated that the OLCC has been reaching out to individuals regarding the rule making effects. To date they have 22,000 subscribers on their rule making site. The OLCC is balancing rule making with the concern that they do not want to foster a black market. This was emphasized by State Senator Jeff Kruse as well. It was indicated that four counties have opted out of any type of sales or production for recreational marijuana with eleven cities having done the same.

With the Federal issues creating complications, and that marijuana businesses are not generally accommodated by the banking industry, the State is prepared to accept cash payments in Salem for the various taxes that will be paid to the State. Currently, the OLCC is planning to have draft rules by October 2015, and these will be considered by the Liquor Control Commission in late October or early November of 2015. There will be public outreach on these proposed goals in November/December of 2015, which will include a business readiness guide. In addition, Liquor Control will begin accepting applications in January 2016, with permanent rules being made by the end of 2016. The OLCC will be focusing on regulations regarding growing and producing first, with the rules on retail sales being developed in early fall 2016.

Again it was a very good conference and I believe the Oregon Coast Caucus truly elevates issues occurring along the coast in a very constructive way to State and Federal officials.

- Prepared agenda materials for the Special meeting on August 31st, as well as for the Town Hall meeting.
 - Prepared materials for the Visioning Work Group for an August 31st meeting.
 - Participated in the Annual City Employee Barbeque on Friday, August 28th.
 - Met with Barb James in our weekly departmental meeting on HR issues.
- I hope everyone enjoys the last week before the Labor Day holiday.

UPCOMING EVENTS:

- On Monday August 31st, there will be a Special Council meeting at noon and Town Hall meeting that will also focus on the establishment of a North Side Urban Renewal District. We are holding this meeting at the new education building at Samaritan Pacific Hospital.

- Parks & Recreation is celebrating the 50th birthday of the Newport Pool from noon to 3:00 P.M. on Wednesday, September 2nd at the swimming pool.
- City Hall will be closed Monday, September 7, 2015 in observance of Labor Day.
- The first City Council meeting for September will be held on Tuesday, September 8th due to the Labor Day Holiday. Please note that we will have a noon Council work session, URA meeting at 5:15 P.M., and regular City Council meeting at 6 P.M.
- September 24-26, 2015, the 90th annual League of Oregon Cities Conference will be held at the River House Hotel and Convention Center in Bend. If you have not done so already, please let Peggy know if you are considering attending the Fall Conference this September. To date, Mayor Roumagoux, Councilors Engler, Sawyer and Allen have indicated they will be attending along with our City Attorney, City Recorder and myself.
- The International City/County Manager's Association Annual Conference will be in Seattle beginning on Saturday, September 26th through Wednesday, September 30th. I am planning to attend. Please note that this conference will immediately follow the LOC Conference. Between the League of Oregon Cities Conference and the ICMA conference, I will be out of the office from Wednesday, September 23rd, in the afternoon, until Wednesday, September 30th. I will complete agenda reports on the afternoon and evening of September 30th and plan to take two vacation days on Thursday October 1st and Friday October 2nd (we have friends coming out to ICMA that will be spending a few days with us in Newport following the conference).

ATTACHMENTS:

- ❖ Attached is a memo from Mark Miranda regarding signage recommendations on U.S. Highway 101 relating to the traffic islands that were constructed earlier this year. This information was shared with ODOT during a regular ODOT/City Quarterly meeting.
- ❖ Attached is a letter to the Newport City Council recommending the city consider joining the www.eclipse2017.org website to help promote various aspects of the total solar eclipse that will occur Monday, August 21, 2017 at about 10:15 A. M. here in Newport. Newport and Lincoln City are both in the direct path of totality for the eclipse. The Chamber has already indicated that they have had calls from Europe trying to secure rooms for this event. We will share this with Destination Newport Committee for their review.
- ❖ Attached is an article from the New York Times which outlines standard prohibitions on limiting free speech. This is an issue that directly impacts efforts relating to soliciting personal donations by individuals on the street.

I hope everyone has a great last week of summer before Labor Day.

Respectfully submitted.



Spencer R. Nebel
 City Manager
 Cc: Department Heads



Noble
Professional
Dedicated

Newport Police Department Memorandum

One Team - One Future

Date: August 17, 2015
To: Tim Gross, Public Works Director
From: Mark J. Miranda, Chief of Police *MJM*
Subject: Signage Recommendations for Coast Highway (US 101)

The new center traffic island for pedestrian crosswalks on Coast Highway have been in place for several months. During that time I have observed that they cause conflict with traffic. Traffic coming off some side streets do not have a safe refuge and end up blocking traffic. My observations have caused me concern, but, we've also had several crashes involving the islands. I am recommending that "Right Turn Only" (RTO) signs be installed at the following locations:

- | | |
|---|--------------------------------|
| NW 15 th Street – RTO at Subway Driveway | NE 10 th Street RTO |
| South Catholic Church driveway RTO | NW 3 rd Street RTO |
| Verizon Store driveway RTO | SE Abbey RTO |
| SW Bayley RTO | |

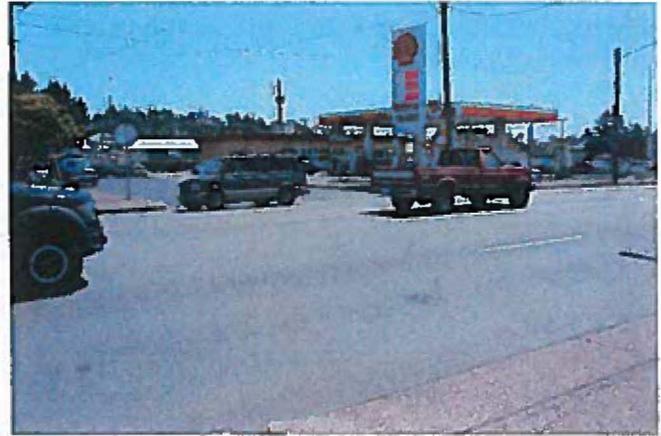


In addition, we have pedestrians conflicting with traffic at NE First Street and NE Second Street. I recommend that "Crosswalk Closed" signs be installed at those intersections. Olive Street on the south and NW 3rd Street on the north are not far away.

Integrity – Excellence – Community – Employees – Teamwork – Commitment



NE 2nd Avenue & N. Coast Hwy



NE 1st Street & N. Coast Hwy



Signs used at other closed crosswalks

Cc: Spencer Nebel, City Manager



- 10:16 Lincoln City OR
- 10:17 Salem OR
- 10:17 Lebanon OR
- 10:19 Madras OR
- 10:21 Fossil OR
- 10:22 Dayville OR
- 10:23 Prairie City OR
- 10:24 Baker City OR
- 10:25 Lene OR
- 11:25 Weiser ID
- 11:26 Ontario OR
- 11:26 Smiths Ferry ID
- 11:27 Cascade ID
- 11:27 Timpan ID
- 11:29 Stanley ID
- 11:29 Ketchum ID
- 11:30 Mackay ID
- 11:33 Dubois ID
- 11:33 Idaho Falls ID
- 11:34 Rexburg ID
- 11:34 Driggs ID
- 11:36 Grand Teton NP
- 11:36 Jackson WY
- 11:37 Burns WY
- 11:39 Riverton WY
- 11:42 Casper WY
- 11:45 Douglas WY
- 11:46 Lusk WY
- 11:47 Torrington WY
- 11:49 Scottsbluff NE
- 11:50 Alliance NE
- 12:55 North Platte NE
- 12:56 Broken Bow NE
- 12:57 Kearney NE
- 12:59 Grand Island NE
- 12:59 Hastings NE
- 1:02 Lincoln NE
- 1:02 Beatrice NE
- 1:04 Falls City NE
- 1:04 Elkhart NE
- 1:05 Haverhill KS
- 1:06 Atchison KS
- 1:08 Leavenworth KS
- 1:08 Cameron MO
- 1:08 Kansas City MO
- 1:10 Marshall MO
- 1:12 Columbia MO
- 1:14 Jefferson City MO
- 1:15 Washington MO
- 1:15 Cuba MO
- 1:15 Union MO
- 1:17 DeSoto MO
- 1:18 St. Louis MO
- 1:18 Ste. Genevieve MO
- 1:18 Chester IL
- 1:21 Cape Girardeau MO
- 1:21 Carbondale IL
- 1:21 Mazon IL
- 1:23 Paducah KY
- 1:24 Eddyville KY
- 1:24 Madisonville KY
- 1:25 Hopkinsville KY
- 1:26 Clarksville TN
- 1:27 Bowling Green KY
- 1:28 Nashville TN
- 1:30 Cookeville TN
- 1:31 Crossville TN
- 2:33 Athens TN
- 2:33 Cleveland TN
- 2:34 Maryville TN
- 2:35 Great Smoky Mtns. NP
- 2:35 Bryson City NC
- 2:35 Andrews NC
- 2:35 Franklin NC
- 2:35 Blainsville GA
- 2:36 Toccoa GA
- 2:37 Clayton GA
- 2:39 Greenville SC
- 2:39 Greenwood SC
- 2:43 Orangeburg SC
- 2:43 Columbia SC
- 2:46 Georgetown SC
- 2:47 Charleston SC

Newport City Council
169 SW Coast Hwy
Newport OR 97365

24 May 2014

Newport City Council:

A total solar eclipse is coming to Newport! That's right - nature's most amazing spectacle is coming to our back yard, bringing with it thousands of eclipse chasers who will once again satisfy their insatiable appetite for this most beautiful gift from the skies! This magnificent phenomenon will not have been seen on mainland American soil for over 38 years, and you have to go way back to 1918 to find a total eclipse track that graced the United States from coast to coast! No doubt about it - we are in for a treat that is *not* to be missed!

Eclipse2017.org is a *non-commercial, non-profit* organization that has been founded by veteran eclipse observers to assist local governments, the media, schools, civic organizations, and individual eclipse chasers in making sure that everyone has a chance to take part in this celestial event on **Monday, August 21, 2017**. We know that may seem like a long way off, but there are many careful preparations to be made if we want to invite as many people as possible to safely view this wholly incomparable celestial masterpiece.

We have written to you because of your unique position to be able to assist eclipse-seekers on a local level. **Newport is in the path of totality**, and can therefore host prime viewing areas for hundreds or thousands of eclipse chasers as they converge in this thin strip of darkness on eclipse day. There will of course also be an economic side to the event, as this throng of humanity floods the best-prepared communities for the day or the weekend! Your efforts *now* in preparing to welcome this onslaught will be rewarded not only financially, but also with the assurance that your community has played a major role in giving its guests a spectacular show!

We've put together a web site that will give you all the background information you need to gain an understanding of this amazing event. Please visit www.eclipse2017.org at your earliest opportunity - to find maps, viewing details, educational information on eclipses, and (eventually) links to your community's plans for hosting the official viewing sites that will make this eclipse the event of a lifetime for everyone! We also ask that you please pass along this information to anyone and everyone in and around your area, so that no one at all misses out on the party!

On our site, www.eclipse2017.org, we will gladly receive your thoughts, plans, and questions - assisting in any way possible to help you help your citizens safely take part in this majestic and awe-inspiring heavenly ballet. Our goal is to become a clearing house for information, photographs, viewing materials, and official viewing site locations and instructions for everyone who comes from near or far to join in this otherworldly experience!

Please visit the site, and sign up on our e-mailing list so we can stay in contact as the time draws closer. Meanwhile, please feel free to contact us directly (e-mail is our preferred method of contact). **Eclipse2017.org** will always be available to entertain eclipse-related questions, provide interviews or educational information - all for the asking! We are at your disposal in every way to help you organize and plan a day and a weekend that will be remembered for decades to come! Please don't hesitate to call on us, and start your community's countdown to The Great American Total Eclipse!

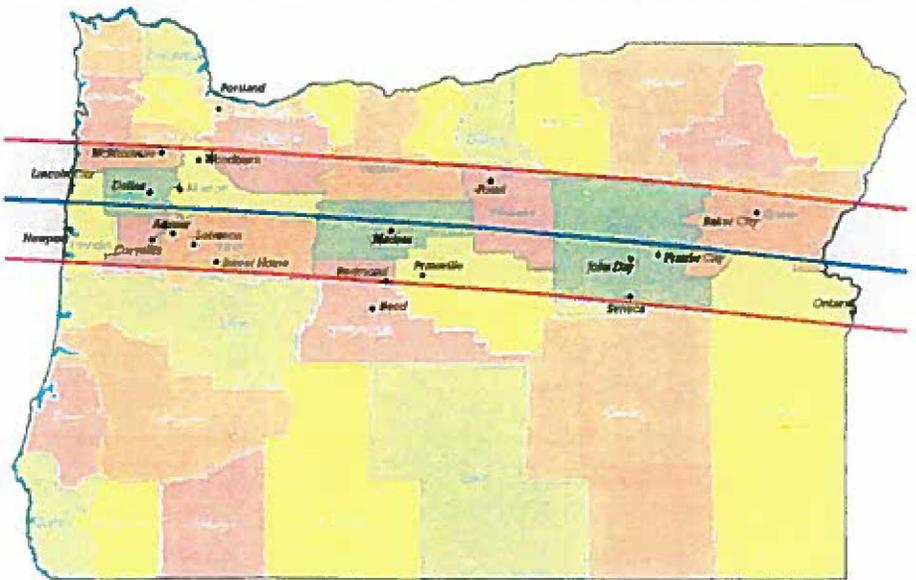
Sincerely,

Dan McGlaun
dan@eclipse2017.org

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THE ECLIPSE PATH THROUGH OREGON

Monday, August 21, 2017



You must be in the dark band to see totality!

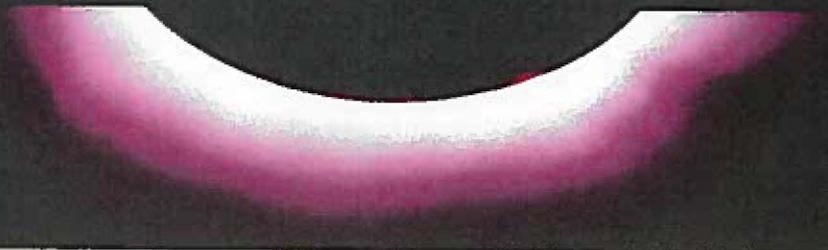
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Eclipse2017.org • PO Box 31511 • Indianapolis IN 46251

www.eclipse2017.org

The Great American Total Eclipse!



Monday, August 21, 2017



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What is a total solar eclipse?

Essentially, it's when the moon moves right in front of the sun, covering it completely for a very short time. It darkens the whole sky, lets you look right at the blackened sun (only when it's *completely* covered, though), and shows you the beautiful corona that surrounds the sun. Stars come out, the horizon glows, the temperature drops, and day turns into night. It's one of the most beautiful things you can ever see on earth.

Aren't these pretty common?

Well, one happens about every year or every other year, somewhere on earth. However, you have to be situated in a very narrow strip of land (the "path of totality") if you want to see the total phase of the eclipse. Otherwise, all you see is a pretty boring partial eclipse. Very few people (as a percentage of the overall population) have ever seen a total solar eclipse.

Wasn't there just an eclipse of the sun in America not too many years ago?

The only total eclipses that have happened in the last 40 years in America were in 1979 (in the NW part of the country only) and 1991 (Hawaii only). Anything else you saw was a partial or an annular eclipse, and those are NOTHING compared to the absolutely amazing spectacle of a total eclipse!!

Where do I need to be to watch it?

For the 2017 eclipse, there is a strip of land about 100 miles wide or so (the path of totality) that stretches from central Oregon through South Carolina. There are maps on www.eclipse2017.org that will show you exactly where you need to be to see the total eclipse.

When will it happen?

Monday, August 21, 2017. Clear your calendar.

That's a long time from now.

You can never start planning too early for these things. Total eclipses happen somewhere on earth about once a year, but they're usually in very out-of-the-way places. There are groups of die-hard eclipse chasers who are so caught up in the spectacle, they travel to the far corners of the earth to see them. Their planning begins years in advance, and usually entails difficult travel to the remotest parts of the earth. For the 2017 eclipse, we get to see one right smack dab in the middle of good old American soil! Check on www.eclipse2017.org for the actual times of totality from your location.

What cities are in the path?

There is a complete listing on www.eclipse2017.org, but here are some of the bigger ones: Salem OR, Ontario OR, Rexburg ID, Grand Teton NP, Jackson Hole, Casper, North Platte, Lincoln (barely!), Leavenworth, the north side of Kansas City, Jefferson City, the south side of St. Louis, Cape Girardeau, Carbondale IL, Paducah KY, Bowling Green KY (barely!), Nashville, Cleveland TN (barely!), Smokey Mtns NP (southern part only), Greenville, Columbia SC, Charleston (barely!).

What cities are close, but not in the path?

A better question. You will NOT see totality from any of these places, though they are very close to the path. Move into the path, and see totality! Bend, Portland OR, Boise, Yellowstone NP, Cheyenne, Denver, Ogallala, Omaha, Topeka, the south side of Kansas City, the north side of St. Louis, Louisville, Evansville IN, Murray KY, Chattanooga, Knoxville, Gatlinburg, Atlanta, Augusta GA, Charlotte, Spartanburg, Myrtle Beach.

How do you know this far in advance where the eclipse is going to be visible - in much detail?

A lot of math. No, seriously, astronomers know the equations that model the motion of the earth and moon extraordinarily accurately. People have predicted eclipses for thousands of years, but with computers, those predictions are now very simple and VERY accurate. We can predict eclipses thousands of years from now with astounding accuracy - in fact, the only thing that prevents our long-range predictions from being perfect is that we don't know exactly how much longer the day will get as the earth's spin gradually slows down over thousands of years! Just little things like that...

I'm very close to the path of totality. Won't I see anything where I am?

NO!!! You have to be IN the path of totality, or you'll only see a partial eclipse! Those are pretty common, and are absolutely nothing to see, compared with the beauty of totality. If you get nothing from this at all, please get this: You MUST be IN the path of totality to experience the glory of a total eclipse! If you are not in the path of totality, then move yourself into it on eclipse day, and you will come away understanding what we were talking about! Miss it, and you'll have no idea what all the people who WERE in the path are raving about the next day, and you will have missed it! The pictures you'll see in the newspaper and on TV will be NOTHING compared to the experience of having been there! Do NOT miss out!

I have to drive a long way to be in the path. Why should I go to all that trouble?

If you go, you will understand. It is simply the most unbelievable thing you can ever experience in your life. If you stay home, then nothing we can say will convince you that you should've gone. Please trust people like us who have seen dozens of these, on all continents - don't miss it!

I live in the path! Can I watch it from my house?

Absolutely!! You are incredibly lucky, and you should invite lots of friends over. Please see www.eclipse2017.org for viewing tips, and get enough pairs of solar viewing glasses for all the people who will experience it with you. An eclipse is even better if shared with a few hundred of your closest friends!

I'm not in the path. Where exactly should I go to watch it?

At www.eclipse2017.org, we will have the locations of all the official viewing areas that have been set up by the local communities in the path. Hopefully there will be a lot of these, and they will be set up with security and eclipse viewing glasses so you can safely enjoy the event.

So a lot of people will show up for this?

Thousands will. There are literally thousands of people from all over the world who chase these things, every eclipse, no matter where. They go to the deserts of Mongolia, to cruise ships in the South Pacific, to remote areas of Indonesia, Angola, Australia and even the Antarctic to catch a fleeting glimpse of the eclipsed sun. And we get to see this one right in our back yards. You can expect there to be thousands of people from near and far who converge on the USA for this amazing spectacle. Regarding "official" viewing areas: rules will be set up by each community's security officials and governments, and you may even need to sign up beforehand. But if you want to get into an official viewing area, you should be able to.

Can I bring my kids? They'll be in school that day!

Get them out of school. The school will probably not let them watch it anyway, due to liability concerns, and you as their parent are their first and best teacher. Get yourself out of work, and get them out of school. Get to the path, make a long weekend of it, and go see something together that they will

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tell their grandchildren about. We're talking World Series, Super Bowl, Moon Landing-type stuff here. They will remember it for the rest of their lives, and you will be their supreme hero for having shown them that something this beautiful exists on the earth we all share. Even with kids who have been completely desensitized by video games, a total eclipse will drop their jaws! Make sure you have enough viewing glasses for everyone, though!

Maybe they'll watch the eclipse at school.

Don't count on it. While schools are fantastic for giving lesson plans and teaching the mechanics of eclipses, it is an unfortunate truth that schools have to be completely focused on liability these days. They simply can't allow kids to watch these types of phenomena, because of the off chance that one kid will stare at the sun without filters and blind himself. YOU are your children's best teacher, so get them out of school, get them a pair of solar viewing glasses (and teach them the importance of using them safely!), and get them and yourself to the path. You'll understand why after it's over. They can report to their class afterwards, and try to explain how cool it was to all the kids whose parents didn't take them. They won't be able to.

Should I bring my animals?

NO! Animals will be scared senseless by the eclipse, and you will want to be enjoying yourself instead of calming crazed critters. Everyone around you will not want to be bothered by your pets either, so please leave them at home. Again, you have to take the word of someone who's seen many of these - the dogs and cats will NOT like it! In fact, you'll find that, even though you understand 100% what is going on, you'll still feel a little of the fear that prehistoric people must have felt in seeing the sun get swallowed up as day turns into night. Please don't subject your trusting pets to that fear!

Can't I just drive to somewhere in the path, get out and watch it wherever I end up?

Technically, you'll be able to see totality from anywhere in the path. The closer you are to the center of the path, the longer totality will be for you. If this is your first eclipse, it's a good plan to try and get as close to that center line as possible. But you should also be respectful of where you set up. The side of the road is not good for safety, and people's yards and parking lots belong to them! Rest areas may be very crowded, but parks and other open public areas are wonderful. Official viewing areas will be listed at www.eclipse2017.org, so visit early and often to keep up to date!

How do I look at the sun without going blind?

This is a biggie. You CANNOT look at the sun while ANY PART of its bright disk is still visible. The moon does cover quite a bit of it during the partial phases leading up to totality, but you HAVE to use special solar viewing glasses (that you can get at cost on eclipse2017.org) to look at it during the partial phases. You MUST use these glasses to look at the sun during this time, and if you use them correctly, it's 100% safe. During the brief period of totality ONLY, you can look directly at the totally eclipsed sun without any kind of filters, and you will not believe the sight. In fact, during totality ONLY, you can even look with binoculars if you want. The view is simply stunning. After totality, though, the glasses have to go back on. To repeat: You MUST use special solar viewing glasses whenever the sun is not TOTALLY eclipsed. And you CAN look directly at the sun without the glasses ONLY during the very brief time when the sun is in total eclipse. It's only a minute or two, but the memory of it will last your lifetime. If you're not in the path of totality, you have to use the filters for the ENTIRE eclipse, and you will not see any of the cool things during totality that will amaze you. You might as well stay at work, see the pictures in the paper the next day, and go away wondering what all the fuss was about. (Please visit www.eclipse2017.org for more information about safely viewing the eclipse. Responsibility for your eyes belongs solely to you!)

How do I take pictures of the eclipse?

Unless you have special solar filters for your camera and telescope, you can't even set up for pictures like this - the heat of the sun will melt your lenses! If you want to pull out a point-and-shoot during totality, be advised that your pictures will NOT be very good. First of all, you need a huge telephoto lens to take pictures of something the size of the sun. If you don't believe it, go out and take a picture of the full moon the next time you see one. It's about the same size and brightness as the totally eclipsed sun, and it will show you the kind of results you'll get. Leave picture-taking to the astronomers and the folks with filters and huge telephoto lenses, and simply enjoy the view with your eyes. Whatever you do, do NOT use any type of flash! Not only will you not get pictures that are any good (see above), but you'll ruin the experience of the eclipse for everyone around you when your flash goes off! Put the camera up, and watch the thing! No picture ever did justice to a total eclipse anyway!

So a telescope is out, too?

Yup, unless you have a special solar filter that fits over the end of the scope (not at the eyepiece!) Those are about \$200 each, so you should know whether you have one or not! Ditto for binoculars - if you bring them, you can ONLY use them during the brief period of totality. You may see professionals at the viewing areas who do have the right setup - some will even have their scopes hooked up to TV monitors. ASK NICELY, and they will probably let you grab a peek. Keep your kids clear of their stuff, though! :-)

What if it's cloudy that day?

Eclipse chasers don't like to use the C-word, but they do have to consider the possibility. If it's cloudy, you won't see anything. So veteran eclipse chasers plan for a viewing location that historically has given signs of having as few clouds as possible on eclipse day. But we're still subject to the whims of weather, and so mobility is very important. It's not unusual for die-hard eclipse chasers to keep airplanes on standby, in case they have to make a last-minute run for it to escape clouds! With mobility as easy as it is in America, though, we should be able to look at forecasts a day or two before, and move accordingly to try and get into a path location that promises to be cloud-free. Remember that most eclipse chasers think nothing of going to the remotest parts of the world - a little diversion such as having to relocate to Wyoming from North Carolina is NOTHING compared to the wonder of seeing a total eclipse! Again, after you see it, you will understand why.

Can't I just watch the whole thing on TV?

Uh huh, you can - the same way you can watch a wonderful meal being eaten on TV, a live shot of a huge pile of hundred-dollar bills on TV, or a guy having a great date with a wonderful woman - on TV. It's not the same as being there by a long shot! You cannot rely on any picture in any newspaper or on TV as being even remotely equivalent to the experience of having been there and seen the eclipse yourself. So if you think that watching on TV is a good enough substitute, again you'll find yourself wondering what all the fuss is about the next day from those people who were there. Please don't be left out. Watch the pictures on TV only enough to laugh at how lame they are compared to your memory of having seen the real thing!

After the eclipse - then what?

You will be asking yourself within about a half second when the next one is. The answer is that there isn't another one on land until 2020 (in southern South America ONLY). After that the next "easy" one is again in America (as well as Mexico), in 2024. But why wait that long? Get to this one!

Seriously - why all this excitement over an eclipse?

If I have to explain, you wouldn't understand. If you already understand, nothing I can say will matter. It's like having kids, or riding a Harley, or being in love. It is a spiritual experience for some, an intellectual and emotional unraveling for others. But truly, it just is - and you just have to believe.

Can you speak to our group / give an interview / consult on eclipse setups and viewing areas / just generally help us out?

Absolutely! All we ask is that you cover our expenses, and plan ahead to avoid the last-minute rush! Just contact dan@eclipse2017.org.

For more information, go to www.eclipse2017.org!

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The New York Times | <http://nyti.ms/1NAPcQd>

POLITICS

Court's Free-Speech Expansion Has Far-Reaching Consequences

AUG. 17, 2015

Sidebar

By **ADAM LIPTAK**

WASHINGTON — It is not too early to identify the sleeper case of the last Supreme Court term. In an otherwise minor decision about a municipal sign ordinance, the court in June transformed the First Amendment.

Robert Post, the dean of Yale Law School and an authority on free speech, said the decision was so bold and so sweeping that the Supreme Court could not have thought through its consequences. The decision's logic, he said, endangered all sorts of laws, including ones that regulate misleading advertising and professional malpractice.

"Effectively," he said, "this would roll consumer protection back to the 19th century."

Floyd Abrams, the prominent constitutional lawyer, called the decision a blockbuster and welcomed its expansion of First Amendment rights. The ruling, he said, "provides significantly enhanced protection for free speech while requiring a second look at the constitutionality of aspects of federal and state securities laws, the federal Communications Act and many others."

Whether viewed with disbelief, alarm or triumph, there is little question that the decision, *Reed v. Town of Gilbert*, marks an important shift toward treating countless laws that regulate speech with exceptional skepticism.

Though just two months old, the decision has already required lower courts to strike down laws barring panhandling, automated phone calls and “ballot selfies.”

The ordinance in the Reed case discriminated against signs announcing church services in favor of ones promoting political candidates. That distinction was so offensive and so silly that all nine justices agreed that it violated the First Amendment.

It would have been easy to strike down the ordinance under existing First Amendment principles. In a concurrence, Justice Elena Kagan said the ordinance failed even “the laugh test.”

But Justice Clarence Thomas, writing for six justices, used the occasion to announce that lots of laws are now subject to the most searching form of First Amendment review, called strict scrutiny.

Strict scrutiny requires the government to prove that the challenged law is “narrowly tailored to serve compelling state interests.” You can stare at those words as long as you like, but here is what you need to know: Strict scrutiny, like a Civil War stomach wound, is generally fatal.

“When a court applies strict scrutiny in determining whether a law is consistent with the First Amendment,” said Mr. Abrams, who has represented The New York Times, “only the rarest statute survives the examination.”

Laws based on the content of speech, the Supreme Court has long held, must face such scrutiny.

The key move in Justice Thomas’s opinion was the vast expansion of what counts as content-based. The court used to say laws were content-based if they were adopted to suppress speech with which the government disagreed.

Justice Thomas took a different approach. Any law that singles out a topic for regulation, he said, discriminates based on content and is therefore presumptively unconstitutional.

Securities regulation is a topic. Drug labeling is a topic. Consumer protection is a topic.

A recent case illustrates the distinction between the old understanding of content neutrality and the new one.

Last year, the federal appeals court in Chicago upheld an ordinance barring panhandling in parts of Springfield, Ill. The ordinance was not content-based, Judge Frank H. Easterbrook wrote, because it was not concerned with the ideas panhandling conveys. "Springfield," Judge Easterbrook wrote, "has not meddled with the marketplace of ideas."

This month, after the Reed decision, the appeals court reversed course and struck down the ordinance.

"The majority opinion in Reed effectively abolishes any distinction between content regulation and subject-matter regulation," Judge Easterbrook wrote. "Any law distinguishing one kind of speech from another by reference to its meaning now requires a compelling justification."

That same week, the federal appeals court in Richmond, Va., agreed that Reed had revised the meaning of content neutrality. "Reed has made clear," the court said, that "the government's justification or purpose in enacting the law is irrelevant" if it singles out topics for regulation. The court struck down a South Carolina law that barred robocalls on political and commercial topics but not on others.

Last week, a federal judge in New Hampshire relied on Reed to strike down a law that made it illegal to take a picture of a completed election ballot and show it to others. "As in Reed," Judge Paul Barbadoro wrote, "the law under review is content-based on its face because it restricts speech on the basis of its subject matter."

In a concurrence in the Reed decision, Justice Stephen G. Breyer suggested that many other laws could be at risk under the majority's reasoning, including ones

concerning exceptions to the confidentiality of medical forms, disclosures on tax returns and signs at petting zoos.

Professor Post said the majority opinion, read literally, would so destabilize First Amendment law that courts might have to start looking for alternative approaches. Perhaps courts will rethink what counts as speech, he said, or perhaps they will water down the potency of strict scrutiny.

“One or the other will have to give,” he said, “or else the scope of Reed’s application would have to be limited.”

In her concurrence, Justice Kagan scratched her head about how a little dispute about church signs could have gotten so big. “I see no reason,” she wrote, “why such an easy case calls for us to cast a constitutional pall on reasonable regulations quite unlike the law before us.”

A version of this article appears in print on August 18, 2015, on page A15 of the New York edition with the headline: Consequences Ripple After Court Expands Free Speech .