



CITY COUNCIL REGULAR SESSION AGENDA
Monday, October 16, 2023 - 6:00 PM
City Council Chambers

All public meetings of the City of Newport will be held in the City Council Chambers of the Newport City Hall, 169 SW Coast Highway, Newport. The meeting location is accessible to persons with disabilities. A request for an interpreter, or for other accommodations, should be made at least 48 hours in advance of the meeting to Erik Glover, City Recorder at 541.574.0613, or e.glover@newportoregon.gov.

All meetings are live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. Public comment must be received four hours prior to a scheduled meeting. For example, if a meeting is to be held at 3:00 P.M., the deadline to submit written comment is 11:00 A.M. If a meeting is scheduled to occur before noon, the written comment must be submitted by 5:00 P.M. the previous day. To provide virtual public comment during a city meeting, a request must be made to the meeting staff at least 24 hours prior to the start of the meeting. This provision applies only to public comment and presenters outside the area and/or unable to physically attend an in person meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

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

4. PROCLAMATIONS, PRESENTATIONS, AND SPECIAL RECOGNITIONS

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

4.A Oath of Office for Robert Emond to serve as a member of City Council

[City Council Oath of Office.pdf](#)

4.B Proclamation Recognizing Domestic Violence Recognition Month Received by Amber Wishoff-Martin Executive Director My Sisters' Place

[PROCLAMATION.pdf](#)

4.C Report on Great Oregon Shakeout

[Staff Report Great Oregon ShakeOut 10.19.23.pdf](#)

[City Manager's Report](#)

5. CONSENT CALENDAR

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

5.A Ratify the Mayor's Appointment of Natasha (Tasha) Hazdra to the Library Advisory Committee Board as a High School Student Representative for a Term that will Expire August 31, 2024

[City Manager's Report](#)

[Staff Report for LAC Board Recommendation_High School Student Representative.pdf](#)
[Hazdra Library Board Application.pdf](#)

5.B Approval of City Council Meeting and Work Session Minutes

[05-01-2023 City Council Work Session Minutes-final.pdf](#)

[09-05-2023 City Council Work Session Minutes-final.pdf](#)

[09-18-2023 City Council Work Session Minutes-Final.pdf](#)

[09-25-2023 City Council Work Session Minutes-Final.pdf](#)

[09-25-2023 City Council Minutes-Final.pdf](#)

5.C Receipt of Approved Committee Minutes

[Park and Rec Committee Minutes 4-5-23 FINAL.pdf](#)

[Park and Rec Committee Minutes 5-3-23 FINAL.pdf](#)

[Park and Rec Committee Minutes 7-13-23 FINAL.pdf](#)
[Park and Rec Committee Minutes 8-9-23 FINAL.pdf](#)

6. PUBLIC HEARING

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

- 6.A Public Hearing and Potential Adoption of Ordinance No. 2215, Amending Chapter 14.14 of the Newport Municipal Code Related to Off-street Parking Requirements for Development and Redevelopment in Special Parking Areas**
[City Manager's Report](#)
[Staff Report.pdf](#)
[Ordinance No. 2215_draft.pdf](#)
[Special Parking Area Map.pdf](#)
[Draft Planning Commission Regular Session Minutes 09-25-2023.pdf](#)
[Resolution No. 3864.pdf](#)
[Public Hearing Notice.pdf](#)

7. COMMUNICATIONS

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

- 7.A Communication from Lincoln County Historical Society Regarding the Lincoln County Historical Society's Funding Needs**
[City Manager's Report](#)
[Communication from LCHS.pdf](#)
- 7.B From Councilor Hall Regarding Follow-up of Potential City Membership with the National League of Cities**
[City Manager's Report](#)

8. CITY MANAGER'S REPORT

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

- 8.A Consideration and Potential Adoption of Resolution No. 3996, a Resolution in Support of Establishing a Continuum of Care for the Linn, Benton, and Lincoln Counties Region and Registering with the United States Department of Housing and Urban Development in 2024**
[City Manager's Report](#)

[Res. No. 3996 - Support for Tri County Continuum of Care.pdf](#)

8.B Authorization to Execute a Grant Contract for Source Water Protection for the Oregon Health Authority - Drinking Water Services in the Amount of \$30,000.

[City Manager's Report](#)

[Staff Report.pdf](#)

[U24002 Safe Drinking Water Agreement.090523.pdf](#)

8.C Authorization of a Request for Proposals for City Manager Executive Recruitment Services

[City Manager's Report](#)

[City Manager Executive Recruitment RFP 10-2023.pdf](#)

8.D Report and Possible Action on Utilization of Action Minutes for the City Council, Boards and Commissions

[City Manager's Report](#)

[Staff Report.pdf](#)

[Councilor Hall Email Minutes.pdf](#)

[12.10.18 CC Mtg Minutes Draft - Florence.pdf](#)

[Astoria Council Minutes.pdf](#)

[Baker City Minutes.pdf](#)

[Cottage Grove Minutes.pdf](#)

[Independent City Council, July 25, 2023 - Agenda - Pdf.pdf](#)

[Lincoln City Minutes.pdf](#)

[Monmouth Minutes.pdf](#)

[Stayton August 7 2023 Work Session Minutes \(1\).pdf](#)

[Stayton August 21 2023 Minutes.pdf](#)

[Sweet Home Minutes.pdf](#)

[David Allen e-mail - ORS 192.650.pdf](#)

8.E Working Draft of a Climate Action Plan for the City of Newport

[City Manager's Report](#)

[Climate Study.pdf](#)

[Working Draft Climate Plan.pdf](#)

8.F Scheduling a Council Tour of Various City Facilities

[City Manager's Report](#)

8.G Report on Sustainable Northwest's Oregon Coastal Resilience Source Water

Acquisition Project

[City Manager's Report](#)

[Staff Report.pdf](#)

[Sustainable NW Letter of Intent.pdf](#)

[NOAA Notice of Funding Opportunity.pdf](#)

9. REPORT FROM MAYOR AND COUNCIL

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

9.A Council and Mayor Report

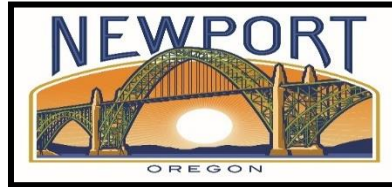
[CM Hall Report.pdf](#)

10. PUBLIC COMMENT

This is an additional opportunity for members of the audience to provide public comment.

Comments will be limited to three (3) minutes per person with a maximum of 15 minutes for all items. Speakers may not yield their time to others.

11. ADJOURNMENT



CITY COUNCIL OATH OF OFFICE

I, _____, do affirm that I will support the Constitutions of the United States of America, and the State of Oregon, and the Charter and ordinances of the City of Newport, and that I will faithfully perform the duties of the Office of City Councilor of the City of Newport, Oregon, to the best of my ability.

_____, City Councilor

ATTEST:

Erik Glover, Assistant City Manager/City Recorder



PROCLAMATION RECOGNIZING DOMESTIC VIOLENCE AWARENESS MONTH IN THE CITY OF NEWPORT

WHEREAS, the crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and

WHEREAS, domestic and sexual violence crosses all social groups; but people who are women, men, LGBTQIA2S+, poor or working class, Native, of color, immigrant, non-English speaking, disabled, young, elderly, or otherwise marginalized not only shoulder the burdens of oppression but also experience high rates of domestic violence; and

WHEREAS, the impact of domestic violence is wide ranging, directly affecting the health and wellness of individuals and society as a whole, here in this community, throughout the United States and the world; and

WHEREAS, preventing interpersonal violence is not only possible but is our collective responsibility, and prevention requires significant changes to our social norms regarding gender roles, strength, sexuality, relationships, and the normalization of violence; and

WHEREAS, a coalition of organizations has emerged to directly confront this crisis, including advocates, law enforcement officials, health care providers, the clergy and other concerned individuals who are helping in the efforts to end domestic violence.

NOW, THEREFORE, I Jan Kaplan Mayor of Newport do hereby proclaim October 2023, as Domestic Violence Awareness month in Newport and urge all residents to work with our invaluable community agencies to help alleviate this problem in our community.

Dated: October 16, 2023

Jan Kaplan, Mayor



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Meeting Date: 10.17.2023

Title: Great Oregon ShakeOut Earthquake Drill, “Drop, Cover, and Hold On”

Prepared by: Del Lockwood

Recommended Motion: Information only.

Background Information: This year’s International ShakeOut Day is October 19, when millions of people worldwide will participate in earthquake drills at work, school, or home.

At 10:19 a.m. on 10/19, you can join millions of people across the world practicing earthquake safety. Registration is voluntary, but there are already 7,324 people registered in Lincoln County as seen at www.shakeout.org/oregon/participants.php. All City of Newport buildings/work areas have been directed to participate in this drill. Each building will make an announcement that the Earthquake “Drop-Cover-Hold” for 1-minute drill and evacuation has started and all staff and public are to evacuate their building through the closest available exit. People in each building/work area will be accounted for via roll call and City Hall will use portable radios to receive their status reports. Staff and the public will be allowed to re-enter the building and then discuss how the evacuation went and recommendations for improvement will be collected by supervisors.

We are reminded that “Safety” is part of everyone’s job and that drills help us to “Be Prepared, Not Scared.”

Fiscal Notes: No fiscal impact.

Alternatives: Information only.

Attachments: Information page from www.ShakeOut.org/oregon



The Great Oregon ShakeOut

Annual Statewide Earthquake Drill

Local Government

At 10:19 a.m. on October 19, 2023, thousands of Oregonians will “Drop, Cover, and Hold On” in The Great Oregon ShakeOut, the state’s largest earthquake drill ever! All local governments and their agencies are encouraged to participate in the drill (or plan a more extensive exercise).

Major earthquakes may happen anywhere you live, work, or travel. The ShakeOut is our chance to practice how to protect ourselves, and for everyone to become prepared. The goal is to prevent a major earthquake from becoming a catastrophe for you, your organization, and your community.

Why is a “Drop, Cover, and Hold On” drill important? To respond quickly you must practice often. You may only have seconds to protect yourself in an earthquake before strong shaking knocks you down, or something falls on you.



Millions of people worldwide have participated in Great ShakeOut Earthquake Drills since 2008. The Great Oregon ShakeOut is held on the third Thursday of October each year.

Everyone can participate! Individuals, families, businesses, schools, colleges, government agencies and organizations are all invited to register.

Register today at ShakeOut.org/oregon

HOW TO PARTICIPATE

Here are a few suggestions for what local governments and agencies can do to participate in the ShakeOut. More information is at ShakeOut.org/oregon/howtoparticipate.

Plan Your Drill:

- Register at ShakeOut.org/oregon/register to be counted as participating, get email updates, and more.
- Download a Drill Broadcast recording from ShakeOut.org/oregon/drill/broadcast.
- Have a “Drop, Cover, and Hold On” drill at 10:19 a.m. on October 19.
- You may also want to coordinate an exercise of your emergency plan.
- Discuss what you learned and make improvements.

Get Prepared for Earthquakes:

- Check your emergency supplies and equipment; make sure they are accessible and functional.
- Inspect your facilities for items that might fall and cause injury, and secure them.
- Encourage employees to prepare at home.
- Provide first aid and response training for employees.

Share the ShakeOut:

- Encourage employees to ask their friends, families, and neighbors to register.
- Agencies with outreach roles can include ShakeOut messaging in their routine activities.
- Find posters, flyers, and other materials for promoting the ShakeOut at ShakeOut.org/oregon/resources.
- Share photos and stories of your drill at Shakeout.org/oregon/share.



DROP!



COVER!



HOLD ON!

As a registered ShakeOut Participant you will:

- Learn what you can do to get prepared
- Receive ShakeOut news and other earthquake information
- Be counted in the largest earthquake drill ever
- Set an example that motivates others to participate

© 2023



CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Report on the Great Oregon Shakeout Earthquake Drill, “Drop, Cover and Hold”

Background:

Del Lockwood will provide an update of the October 19 shakeout day. We will be observing the shakeout in all City of Newport buildings and work areas to practice our drills for our evacuation practice efforts in all of our facilities.

Recommendation:

None.

Fiscal Effects:

None.

Alternatives:

Consider moving any Council meeting dates, or as suggested by City Council.

Respectfully submitted,

Spencer Nebel
City Manager

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Ratify the Mayor's Appointment of Natasha (Tasha) Hazdra to the Library Advisory Committee Board as a High School Student Representative for a Term that will Expire August 31, 2024.

Background:

The Library Advisory Committee Board has recommended to the Mayor the appointment of Natasha (Tasha) Hazdra for a term that will expire on August 31, 2024. Mayor Kaplan would like to proceed with the appointment.

Recommendations:

I recommend, as part of the Consent Calendar, the appointment of Natasha (Tasha) Hazdra to the Library Advisory Committee Board as a high school representative for a term that will expire on August 31, 2024.

Fiscal Effects:

None.

Alternatives:

None recommended.

Respectfully submitted,

Spencer Nebel
City Manager



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Meeting Date: October 16, 2023

Title: Library Advisory Committee Board Recommendation for Appointment

Prepared by: Laura Kimberly, Newport Public Library Director

Recommended Motion: I move to ratify the Mayor's appointment of Natasha (Tasha) Hazdra to the Library Advisory Committee Board as the High School Student Representative.

Background Information:

The Library Advisory Committee Board recommends one person for appointment to the Library Advisory Committee Board as the High School Student Representative: Natasha (Tasha) Hazdra. Tasha Hazdra's term will expire on August 31, 2024.

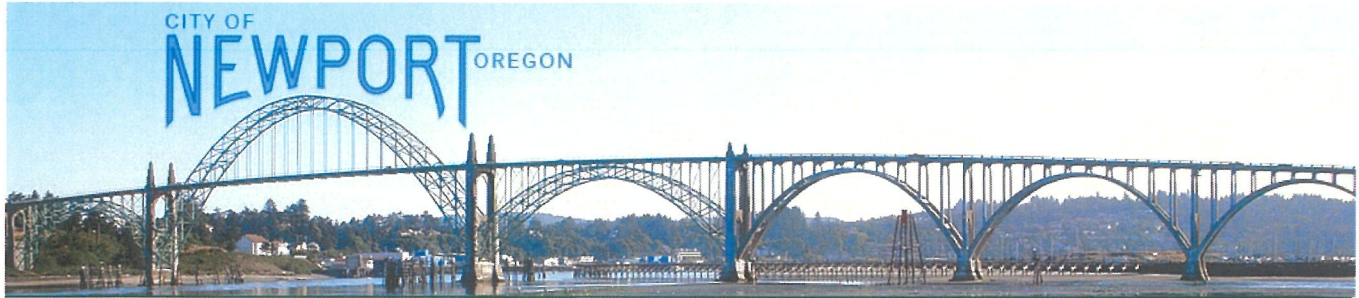
The Library Advisory Committee Board looks for applicants who represent different parts of the community and bring unique talents to the Board. The Library Advisory Committee Board had a High School Student Representative, Maddy Husko. Maddy graduated from high school in June 2023 and resigned from the Library Board in August 2023, which left a vacancy of a high school student representative on the Library Advisory Committee Board. Maddy was the first high school student to serve as the high school student representative on the Library Advisory Committee Board.

Tasha was the Newport Public Library's Summer Teen Intern in the summer of 2023. She is a high school senior at Newport High School. She has spent practically every day at the library since she was in 6th grade. She has been a teen volunteer for the Newport Public Library for over five years. She has a deep understanding and love of our library. Tasha has a valuable prospective to add to the board as a queer youth residing in Lincoln County. She would be honored to be part of the Library Advisory Committee Board. We are pleased to submit this stellar candidate to the Mayor and Council for appointment to the Newport Public Library Advisory Committee Board.

Fiscal Notes: None

Alternatives:

Attachments: Application

[City Home](#)[Business](#)[Contacts](#)[Departments](#)[Emergency Info](#)[Employment](#)[Government](#)[Services](#)[Committees - Home](#)[City Council Meetings](#)[Committees](#)[Committee Members](#)[Committee Application](#)[General Public Meetings](#)

Committee Application

Thank you for your interest in serving on a committee for the City of Newport. Please complete the form below and click the "Submit" button at the bottom of the page. Someone from the City Manager's office will be in touch with you. Submitted applications become a public record of the City of Newport, and may become a part of a committee and/or City Council packet.

Date 8/31/2023

List the Commission/
Committee of interest:

Library Board



Name:*

Natasha Hazdra

398 NW 6th Street, Toledo, OR 97391

Address:

Work Telephone
Number:

Home Telephone
Number:

(702)-720-9598

Email Address:

haznat32@gmail.com

Occupation:

Summer Teen Intern through 8/31/2023

Employer:

City of Newport, Library

(1) Why do you think you
are qualified to be a
Committee member?*

Over the past several years, I've spent practically every day at the library. I began utilizing our library in 6th grade, and I'm now entering my 12th grade year as a 5-year teen volunteer of the library. I have a deep understanding and love of our library and I'd be honored to share my perspective on matters concerning our community.

I'm entering my senior year at Newport high school.

(2) State your educational background.*

Yes, I've served on teen advisory board for several years.

(3) Have you ever served on a community committee? If so, what kind?*

Yes, I believe consensus decision making is absolutely integral to collaborative work.

(4) Do you agree with consensus decision making?*

Yes, if given the opportunity, I will prioritize punctual attendance to library board meetings.

(5) Are you willing to attend regularly scheduled meetings for your term of office?*

(6) Would you make decisions based on the facts and standards even though you may not agree with the ultimate decision?*

Yes, in decision making for the betterment of our community, I understand that objective information absolutely takes priority over personal opinions and will proceed with the utmost respect even if I disagree.

(7) Do you anticipate having many conflicts of interest that may disqualify you in making decisions, due to personal and/or business relationships?*

No, I do not. By the time of filling the board opening, I will no longer be working at the library, as the internship will come to a close, and I will return as a teen volunteer.

(8) List all other pertinent information/background for this position.*

I believe I have a valuable perspective to add to the board as a queer youth residing in Lincoln County. I've lived in several other states across the country, so I believe my experiences prior to living here have really opened my eyes to what makes a community and only emphasizes how beautifully we coexist here. I am a creative individual that is eager to learn, eager to help, and so happy to be involved in serving the public wherever I can.

Thank you in advance for your community spirit in offering to serve!

May 01, 2023
4:00 PM
Newport, Oregon

CITY COUNCIL WORK SESSION

The Newport City Council met on the above date and time in the City Council Chambers of the Newport City Hall. On roll call Jacobi, Parker, Hall, Sawyer, Goebel, Kaplan, and Botello (delayed arrival).

City Staff in attendance were: Spencer Nebel, City Manager; Erik Glover; Assistant City Manager/City Recorder. Also present were; Steve Baugher; Finance Director, and David Allen, City Attorney.

CALL TO ORDER AND ROLL CALL

Sawyer called the meeting to order at 4:03 P.M. and Glover conducted roll call.

DISCUSSION ITEMS

City Manager's Report. Nebel presented the written City Manager Report on Monday, May 1 at 4 PM the City Council will meet in a work session to discuss two finance policies and to schedule an Executive Session for the purposes of discussing negotiations. This will be followed by an urban renewal meeting scheduled for 4:45. This meeting will be to approve minutes and schedule an executive session that will follow the regular City Council meeting. Following the Urban Renewal meeting, we will have an executive session for negotiations. The City Council will start at 6 PM and following the Council meeting will have the Urban Renewal meeting to discuss land transactions. A schedule provided below for times and issues to be discussed during the course of the meetings on May 1. Schedule for Meetings for Monday, May 1, 2023 1.) City Council Work Session at 4 PM. 4:00 Discussion on write-off policies (20 minutes) 4:20 Discussion on utility billing policies (20 minutes) 4:40 Scheduling an Executive Session for labor negotiations (5 minutes) 4:45 Adjournment 2.) Urban Renewal Meeting at 4:45 PM. 4:45 call to order, approval of minutes and scheduling an Executive Session for property transactions (5 minutes) 4:50 Adjournment 3.) Executive Session on labor negotiations 4:50 PM. 4.) Regular Council Meeting at 6 PM. 5.) Executive Session for URA property transactions immediately following adjournment at the Regular Council meeting. Discussion on Draft Write-off Policies for Uncollectable Debt (20 minutes) I have had a number of priorities to clean up various practices and policies for the City of Newport that had been previously identified by me, the Budget Committee or the City Council. This includes water and sewer policies, write-off policies, completing the personnel manual, implementing the purchasing and contracting policies, and other similar efforts that will certainly be of great assistance to future city managers, city councils and staff. This will remain one of my top priorities as we proceed through this year.

I appreciate the efforts of Erik Glover in pulling together a number of these draft policies. Presenting them to the Council as working drafts to get further feedback from Council. City Attorney, David Allen, will also be reviewing this in further detail as we refine this document. We also need to work with the Finance Department to make sure that the provisions included in these policies are appropriate. This has been a challenge, as Steve has been working single-handedly to get through the audit and budget processes. He has had to set aside a number of other things in order to keep those two major efforts moving forward. within the timeframe we need to pull together those efforts. The City Finance Department does not have a written policy on debt to be written off when it is uncollectable. Erik, however, has reviewed a number of municipal policies and pulled together this draft for your review. It provides for regular process of writing- off bad debts. It provides that the City Manager shall provide an annual report to the City Council on outstanding debt. It outlines the situations which may result in writing-off uncollectible receivables. We will review this policy with Council to get any additional input on how to proceed with this policy.

Policy and Code Provisions for Utility Billing (20 minutes) Over the years with the changeover of personnel in Finance, there have been many practices that have been in place for the utility billing system that do not necessarily match up with our Newport Municipal Code provisions. Accounting Technician, Rebecca Morrow, has identified several specific concerns and has asked for guidance in addressing those issues. Rebecca has also been working with Erik Glover on modifications to the Code and modifications to specific policy, on how to handle specific utility billing issues. In December 2022, we reinitiated efforts to revise the billing, collections and administration Code for utility services. Our current Code provisions have separate billing provisions for water, wastewater and storm water, even though they are all collected in the same method. This has certainly created some administrative confusion in the past. We are proposing the addition of section 5.05 which would be a section entitled Billings, Collections and Administration of Utility Services that would consolidate all the billing processes in one section for water, wastewater and stormwater. Erik Glover and Rebecca Morrow have been reviewing this section to address a number of issues. Some of the key concerns are having a uniform method of dealing with late fees and interest on accounts, having a reasonable deposit policy, and incorporating provisions as to how leak adjustments are to be handled.

The Code provisions will need further review prior to scheduling them for a public hearing and Council consideration of approving these revised Code provisions. Of more immediate concern, is an administration policy change that we are planning to make regarding landlord-tenant utility accounts. Most landlords have been very responsible about covering any outstanding balances left by tenants on their properties. One issue that the Finance Department has not been doing, however, is having the owner of the property sign a form indicating that they wish to have the account in their tenant's name, and in return, will guarantee payment of the account if the tenant does not pay. While holding the land owner responsible has been our practice, we have had property owners raise this issue that they did not agree to writing to be responsible for this bill. We are proposing to require all landlords to sign the attached form at the time that a tenant vacates a piece property and a new tenant is moving into the property. If the property owner will not sign the form, and does not pay the bill, we will not provide water service

for any new tenants. I appreciate the efforts of Rebecca Morrow in identifying this problem. I plan to proceed with this change in practice that will make it consistent with our current Code provisions so that there are no questions regarding the property owner's responsibilities for paying any balances left on properties. As an alternative, the property owners could keep the bills in their name, pay the bills, and then collect from their tenants, should they choose not to sign one of these forms.

Scheduling an Executive Session for Purposes of Discussing Labor Negotiations (5 minutes) I would request that City Council consider the following motion: I move to hold an executive session immediately following the Urban Renewal meeting for consultation with labor negotiators for the International Firefighters Association contract discussions. Following the work session there will be a brief Urban Renewal meeting to schedule an executive session, and then the Council will go into executive session to discuss labor negotiations. The regular meeting starts at 6 PM and an executive session for Urban Renewal will be held immediately after adjournment of the regular meeting.

Report on Write-Off Policies for Uncollectable Accounts Receivables including Business Licenses known as Bad Debt. Nebel introduced the item and advised water and sewer policies cleanup is also planned, due to some variances between practices and code. Nebel advised that the practices related to writing off bad debt has not been good, he advised Finance Department reviewed records and it doesn't seem that any bad/uncollectible debt has been written off in ten years. He advised that for example Business Licenses are auto generated by billing software, many of these companies are out of business and the system auto bills yearly.

Nebel reviewed the draft written policy, and advised that this change and regular practices guided by policy, should clean up the financial records of the City. He advised a challenge with these new policies is the Finance Department is having staffing challenges, a new person in Accounts Payable, a staffer with about a year in utility billing. The good aspect is they are evaluating stuff with a critical eye, the bad part is they are still learning what they are doing. Nebel reported he wanted to express his thanks to Steve baugher who has been doing double duty for the last year here in Newport, and implementing new GASB standards and an intensive audit, which was overlaid with budget.

Nebel covered 3.0 of the draft policy, dealing with homeless, deceased or incarcerated folks saying at present they are currently not written off. Parker referenced incarcerated aspect of the policy, and if it pertains to restitutions by incarcerated person, and suggested using parole and probation to collect debts from incarcerated folks instead of writing it off. He advised folks provide cash on the books for folks, so it seems like some of that could be used for payment instead of deleting the debt, as everyone is an adult and subject to the rules.

Nebel reported that Attorney Allen advised it would likely not be worthwhile to sue a debtor. Nebel advised a yearly report would be given to the City Manager who would present the report annually to City Council on debts written off. Nebel advised just because the debt is written off for accounting purposes, it would still be maintained in the event the debt is collected at a later point. Allen referenced statutory interest is simple

rate of interest at 9%, not 12%, and would recommend statutory legal rate of interest as 9% on principle. Nebel advised this is a working draft and can be evaluated.

Parker shared that it would be nice to see a graphical representation of all the debts by category. There have been some property tax collections in the news recently, and it would be important to have a breakdown by category, and trending over time.

Hall asked what someone submits as identification an SSN, Oregon Driver's License, or what number is used for collections purposes as she had a concern with fairness and consistency. Hall referenced a concern with the time spent to track down \$100 after 3 years for example. Nebel advised a threshold for amounts needs to be put into policy.

Goebel advised a deficit of that is that the City will get a reputation as being not likely to collect debt and be taken advantage of. Allen advised that the City has a collections agency.

Baughner reported he believe ODL was obtained for utilities. Hall reported that collecting the information the same from all categories is necessary. She advised treating utility rate payers the same as room tax payers was important.

Allen advised room tax interest is 1% per month, so perhaps 9-12% would be a good interest rate, but he would want to review the code. He suggested referencing using interest rate provided in code, but if one is not there then default/statutory rate of interest.

Parker asked if abatement costs factor into, Nebel advised that is more likely leaning towards Property Liens discussion would be another upcoming discussion.

Goebel asked why is this being done? Nebel said to clean up the books the City has a decade of debt which needs written off, and secondly a clean and clear policy to prevent the accumulation of bad debt in the future. Nebel advised the amounts of bad debt by category would need to be brought back in a future report.

Allen advised abatement costs are in code and interest is 9% per annum, and suggested making consistent with code.

Hall said interest for room tax for 1% per month, and 12% after 30 days would it be an unfair assessment. Allen reported it was important to be tied to the code if there was an interest rate which was different. Hall reported it would be important to know the threshold amounts for write off.

Glover advised that page 4 of the policy details the threshold amounts, section 5.

Hall asked if the City is consistent on identification for what is being requested. Nebel advised probably not as someone checking out a hydrant meter, would be different than airport hangar, which is different than utility billing, which is different than room tax.

Report on Draft Code Revisions and Policies for Utility Billing.

Nebel gave the report and detailed that separate provisions for water, wastewater, and stormwater billing exist, as well as collections protocols, despite being collected on one bill. Nebel detailed deposits. Nebel covered leak adjustments Sawyer inquired about what the City is charging for deposit on water? Baughner reported the amount was \$346.00. Sawyer reported the deposit was \$100 when he first came here. Sawyer reported it seems good to have a deposit refund, instead of keeping it permanent. Nebel advised this is covered in the draft code as discussed tonight. Botello asked if someone is hard up for an account if they can borrow the money from the City to get it turned on, and then get it back? Nebel reported that was not an option. Baughner advised the deposit is kept and refunded at final close out. Nebel advised the purpose of the deposit is to protect the utility, and somewhat the landlord, if there is a open balance left.

Goebel asked about habitability and water service being needed. Kaplan referenced a concern about deposit and homelessness. Nebel detailed landlord tenant responsibility for water bill. Allen detailed the code requiring property owner responsibility, which has not been placed on application forms to date and practice since 2008 has not consistent with existing code.

Allen detailed that as new tenants establish accounts, landlords will have to sign the new form to effect a change.

Parker advised that this change provides some clarity for tenant which is great. Allen advised we don't want to get into landlord tenant agreements/relationship, but there are some notice provisions in the statute which needs to be followed in this process. These will ultimately be outlined in any agreement to provide notice before any action. Parker reported he has experience as a renter in Oregon, and utility increases was always a reason to increase rent.

Sawyer asked what is the process on a rental, Renter A moves out and gets deposit back, and Renter B moves in a month from now. Does the City switch from renter, to landlord, and to new tenant. Baugher reported it transfers back to landlord, then the new tenant upon application. Nebel generally the water bill will remain with the landlord unless they request in writing the City transfer an account to a tenant, with the property owner's understanding of being responsible.

Allen noted concern on landlord tenant to question by Parker.

Nebel detailed that a change to utility billing cycles has already been made, by shifting to only one billing cycle per month. Previously with manual read meters, 4 separate routes were ran by readers, thus four billing cycles. This transition will have some with a longer period of use, some will have a shorter use and from this point forward meters will be read on one day a month which will be closer to billing period.

Hall said she is concerned with landlord having to come in to City Hall sign off on the forms, and had concerns about making the process more difficult for folks. Nebel advised that a signature would need to be obtained electronic or in person. Allen detailed that docu-sign for e-signatures may be an option, as they seem to be commonplace. Baugher reported his ultimate goal is all the forms and processes are online and folks don't have to come in to City Hall to fill out any of them.

Nebel advised this is a year of cleanups, and getting this cleaned up should make things easier for future managers.

EXECUTIVE SESSION

Scheduling an Executive Session Pursuant to ORS 192.660(2)(d) to Discuss Labor Negotiations

MOTION was made by Kaplan, seconded by Parker to hold an executive session immediately following the Urban Renewal meeting in accordance with ORS 192.660(2)(d) for consultation with labor negotiators regarding the current negotiations with the IAFF. The motion carried unanimously in a voice vote.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:03 PM

September 05, 2023
4:02 PM
Newport, Oregon

CITY COUNCIL WORK SESSION

The Newport City Council met on the above date and time in the City Council Chambers of the Newport City Hall. On roll call Jacobi, Hall, Botello, Parker, Goebel, and Kaplan.

City Staff in attendance were: Spencer Nebel, City Manager; Erik Glover; Assistant City Manager/City Recorder, Derrick Tokos, Community Development Director; Lance Vanderbeck; Airport Director, Travis Reeves; Acting IT Director, Jason Malloy, Police Chief.

CALL TO ORDER AND ROLL CALL

Kaplan called the meeting to order at 4:02 P.M. and Glover conducted roll call.

DISCUSSION ITEMS

City Manager's Report. Nebel presented the written City Manager's Report saying The City Council will hold a work session on Tuesday, September 5 at 4 PM to cover a number of issues. Schedule for Meetings for Tuesday, September 5, 2023 1.) City Council Work Session at 4 PM 4:00 Discussion of homeless winter sheltering plan with County Commissioner Kaety Jacobson and Health and Human Services Director Jane Romero (20 minutes) 4:20) Discussion on red light speed cameras (20 minutes) 4:40 Update on public access GIS information (20 minutes 5:00 PM Report on landing fees at the municipal airport (15 minutes) 2.) Regular City Council meeting. Discussion on Homeless Winter Sheltering with Lincoln County Commissioner, Kaety Jacobson and Health and Human Services Director, Jane Romero (20 minutes) A county-wide proposal for winter sheltering was shared with the City Council in a status report earlier this year. The County has hired a coordinator to develop a winter housing program from October 1 through March 31. The shelter will be open from 6 PM to 7 AM each day and will be managed and supervised by paid County employees. The shelter will provide low-barrier or no-barrier access focusing on getting people out of the winter weather. The County is currently working to secure space for group sheltering in Newport with the capacity to support up to 50 people on any given night. This effort has included discussions with churches about providing space on a rotating basis through the course of the winter.

During the past two winters, the City of Newport has kicked in \$30,000 to put people in hotel rooms when weather conditions reached a certain point through Grace Wins. This was an expensive solution and provided shelter only when weather conditions were below 40° and there was precipitation in the forecast. Having a county-run shelter that is available throughout the course of the winter will provide a much safer environment for those seeking shelter indoors. The County is requesting financial assistance from the Cities based on a contribution of \$4.50 per city resident. The County is asking for \$46,152

from the City of Newport to support this program for this winter. Overall, I am a supportive of this proposal and participating in this effort. There are a number of plans that are moving forward to provide a more permanent solution in future years, but having a solution for the 2023 - 2024 winter that is comprehensive is a much better investment of public dollars than what has been done in the recent past. After the presentation, if the Council is supportive of providing financing for this effort, we will bring back an intergovernmental agreement between the City and the County for providing financial support for these services that would be provided by the County. Disclosure: Summit Public Relations owned by my wife, Angela, has provided services to both Lincoln County and the Health and Human Services Department. She is not involved in the winter shelter program.

Red Light/Speed Cameras (20 minutes) The City Council has discussed on a couple of previous occasions the potential use of cameras to enforce traffic signals or speed limits in the city of Newport. We had a study done at the intersection of US 101 and US 20 regarding red light cameras. Red light cameras still appear limited to the 10 largest cities in Oregon. House Bill 2095 did allow all Cities to utilize the photo radar system to enforce speed limits as part of a traffic safety program. Police Chief, Jason Malloy, will provide a brief to Council on the new legislation and potential applications of that legislation for the City of Newport to determine whether there is interest in furthering discussions on this new speed enforcement tool.

GIS Update (20 minutes) Travis Reeves, Acting IT Director, and Ethan Bassett, GIS Coordinator, will provide an update to Council on progress that is been made in providing information to the public through the City's website. To date, this is primarily focused on various planning documents. We are having discussions on providing additional information on the website through GIS, as well. I appreciate the continued progress that is being made by Ethan and Travis with the City's GIS system.

Report on Landing Fees at the Newport Municipal Airport (15 minutes) Lance Vanderbeck, Airport Director, has provided a report on the current fees that are collected at the airport, including the provisions for payment made by FedEx and UPS for use of the airport. This is an item that was suggested by the Budget Committee to be reviewed in preparation for Fiscal Year 2023-2024 schedule and budget. Following the work session, the City Council will meet for a regular meeting at 6 PM.

Discussion on Homeless Winter Sheltering with Lincoln County Commissioner, Kaety Jacobson and Health and Human Services Director, Jane Romero. Jane Romero handed out a paper copy of a business plan to the Council. Jacobson said a letter was submitted requesting funding assistance. Romero advised the goal was two emergency low barrier shelters one in Newport, one in Lincoln City. Two paid staff for oversight and security, and to recruit volunteers who may be interested in cooking etc. Full time shelter coordinator has been hired and funded from county general fund. Jacobi asked about the two churches saying they are facilizing until the shelter is set up, will it be at their churches or elsewhere? Romero said at their facilities. Jacobi said goal is what capacity per night? Romero reported 25-50 per night, but the facility the group was targeting in Newport should be able to accommodate at least 50.

Kaplan asked will county staff the church locations too? Jacobson said that would be correct, with a corresponding lease agreement. Goebel advised he added up the numbers, shows about \$320,000 per year other jurisdictions for, will the county pay the remaining portion. Romero reported county has picked up the coordinator salary, ARPA funds have been contributed, and behavioral health is contributing some. She advised additional requests have been made to Samaritan Health, and a grant proposal to Siletz tribe for funding for supplies, and are continuing to solicit grants. She added the funding goal is \$600,000, but they haven't met it yet.

Nebel advised that in the past few years the City has partnered with Grace Wins Haven when they were doing inclement sheltering. By way of example, last year the City provided \$30,000 to Grace Wins Haven for temperate contingent inclement sheltering. He advised the request today is full 7 day a week services during certain periods, and the requested contribution is \$46,152.

Nebel reported that the effort which has gone into this effort is superior to what has been able to be done over the last few years, as it would be a permanent location from October to March.

Nebel shared his recommendation is the City participate in this program. Jacobson said an IGA would be made for this process. Goebel referenced the temperate component from the previous inclement shelter program, and Nebel reported the county proposal has no temperature restriction and is 7 day a week option during the months of operation.

Botello shared that in her view, the effort needs additional money, and is the City contributing \$16,000 more than previous? Nebel advised that the \$16,000 additional, was over the \$30,000 provided last year to Grace Wins Haven to operate a temperate restricted inclement shelter facility. Nebel reported that the City has ARPA funds for a permanent program, but the terms of that eventual initiative is different than this effort.

Botello asked about how the numbers are calculated? Romero said they calculated operation costs, and allocated it out. Jacobson said the prorated amounts are related to population at \$4.50 per person. Parker added he was in full support of funding, but wondered if we have an accurate count of unhoused in county. Romero said if you look in business plan the housing advisory board hired a consultant, and their estimate is closer to 2,000 homeless. She added discussions were held with harm reduction staff, who estimates homeless counts in the hundreds. Romero advised that the County goal was to provide an attractive setting so solutions of what to do with pets is necessary.

Jacobson reported that if the shelter received more than 50 people, in a severe event such as a snow storm, it would mean sleeping accommodations in places like the floor, or hallway. She added that the Episcopal Church held more than 50 people last year, and is a smaller facility.

Jacobi reported that she supported the proposal and is glad to see it, but has a concern about hours being from 6 pm to 7am, specially what happens to residents at 7 am. Romero advised that day sheltering services with programming is a large necessity in the community.

It was the general consensus of the Council to move it forward for action on the September 18, 2023 meeting. Jacobson reported that she would inquire with Lincoln County Counsel about the status of an IGA for the initiative.

Red Light/Speed Cameras. Elon Kaiserman - Regional Sales Manager - Altumint, Inc. spoke reporting he previously worked in public safety for eleven years, and joined Altumint in 2022. Cory Kuzyk with Altumint spoke and reported he has been in the in public safety sector for 20 years, 13 years as a police officer and with Altumint for the last eight years.

Kaiserman reported the goal is public safety, and it is accomplished by building a host of camera solutions.

Malloy said he met with company previously, with discussions about red light cameras, and pedestrian safety. Previous laws prohibited Newport ability to do either option. Now it becomes a reality where cities can utilize this kind of technology. He added we would have to work with ODOT, but the company offers new technology which does not utilize ODOT infrastructure.

Hall inquired about what are the changes in law. Malloy reported jurisdictions can now regulate speed up to ten MPH above or below, posted limits

Malloy added generally the costs of these program does not necessitate bids, as most of the costs are violator funded.

Nebel reported the goal tonight is to understand the technology.

Kuzyk gave a summary of the speed cameras, reporting no up front costs due from the city. He added Altumint gets paid through violator funds, when it is paid they get paid a portion. Multiple systems available, Blackhawk is one it can be placed on a pole with a radar which detects a vehicle, and the system captures a photo if it breaks a threshold speed set by the city. It can also be in an enclosed box, like a traffic control box. He added that he personally ran a photo enforcement program for 3 years as a police officer in Ohio from this program. He reported the system doesn't tie into red lights, but one camera to watch the lights, second camera watches the vehicle and snaps a picture if it does a violation of red light, or speed depending upon how City sets it.

Parker added his concern is as a driver, as a lot of the red lights catch people on fast yellows. If a driver is in the intersection trapped on yellow it's an expensive ticket. Sherwood, Oregon for example had cases of this on hwy 99. He said in addition the red light tickets are regressive toward lower income people, and he is concerned for non - English speakers on how they interface and mitigate a ticket. Kuzyk reported the cameras don't distinguish who is driving the vehicle, the vehicle action is how it gets captured. We can vet violations before they get to Police Department for their approval. We provide the clip before the intersection, appx 2-3 seconds before the violation. The clip then goes to Police Chief or designee who can then mark as a violator.

Nebel asked if you are driving through and traveling at higher rate of speed. What is process for driver receiving the ticket? Kuzyk said once approved by Police Department it gets mailed to violator, they can be contested in municipal court. There is a way to transfer liability to another person who is driving a vehicle not registered to them. He added the company has many bilingual customer service reps who can take the phone

call from non-English speakers and the company can seek out specialists for any languages they may not have.

Botello reported that she feels like there is a lot of cops in attendance tonight, and would like some data from other cities which show progress in change of behavior. I'd like to see more info and plan on education, important to know about outreach and promotion efforts. She added incomes here in Lincoln County are not as high as other counties in Oregon. Kaiserman reported the company can conduct a speed study at no cost in the areas City identifies as concern. Studies show a 54% reduction in fatal incidents after speed cameras in Portland, Oregon and Scottsdale AZ. There was a 63% reduction in New York school zone speeding after implementation of the system. The main thing is the program goal is not to generate revenue, it is not meant to harm community members who are in financially dire straits, it is designed to prevent deaths. These speed cameras do change behavior, we look at a 90% decay in revenue over time. He added this means over a 5 year period generally you will see a 90% reduction in revenues received. Before a system goes live the company would do a 30 day warning program, with signage and it would result in warnings being mailed. On the back of the warning citation, City can put statistics or whatever is desired, local data from traffic studies etc.

Kaiserman added that with HB 2095 signage is required 100-400 feet ahead of speed enforcement zone and the company can help embark on a public education campaign.

Malloy reported he understands there is a lot of questions, in 2019 there was a lot of staff time spent on reports, and research and the proposal was declined by Council. He shared he didn't mind doing questions or a full 2 hour summary, at a later point. Malloy shared the purpose of tonight is to learn if Council is interested in proceeding, or it was a hard no. He shared statistics won't be available as the law is brand new, and comparisons would be made to Portland or Beaverton who have been authorized to utilize radar cameras before this recent HB was approved. Malloy shared that a traffic team of 3 police officers would likely have the same result, but it would cost \$350,000 more than the program which was discussed tonight.

Hall referenced that the program is paid through violator funds, are they the same prices and fee fines as if an officer pulls someone over? Kuzyk reported that the company does not add fines, Council can keep the same structure on fee fines. He added a community in Iowa for example kept the same fine fee structure, but it doesn't include court costs which add up exponentially.

Malloy said State of Oregon sets fines, Newport however is more expensive than other places in the county because a \$10 traffic safety assessment is added to every violation.

Nebel said no will be made decision tonight. Jacobi requested clarification that these cameras are not just for intersections with red lights they can catch general speed too such as on Oceanview? Kuzyk reported that was correct.

Kaiserman reported that the City sets the speed threshold on the program for violations, it doesn't have to be 10 mph, the City could set at 15 mph or more.

Goebel reported he is not a fan of this idea, or “big brother” in general and is not going to support it. He added that if Newport puts this up we are no longer the friendliest town, and is concerned on the information will be used and doesn't like that a third party from out of the area will be regulating speed here. He shared that the last time Council talked about this item, it was definitely a no.

Nebel added the Council dropped it last time because City legally couldn't do it.

Hall reported the goal is to keep folks safe. Goebel reported there is no safety issue here, there are folks not being killed on roads.

Kaiserman reported the company can do a free speed study to provide the data. Hall advised that the issue with that, is the company would be doing study after the busiest time of year, which is a largely in accurate against customary traffic patterns. If you do the study you have to do a couple of times of year, and it needs to be at peak tourist time.

Parker reported that he emailed details on HB 4105, which talks about passive signage. Potentially City has jurisdiction to lower speeds without 3rd party. He requested a report about passive speed limit change. Nebel advised staff will bring back a report.

Nebel inquired does the City want to pursue radar speed enforcement via a report, or not.

It was the general consensus of Council to proceed with obtaining further information, and a report. Goebel was opposed with proceeding. Kaplan advised that questions will be routed to Chief Malloy. Nebel advised there will be further discussion once things are compiled.

GIS Update. Reeves introduced Ethan Bassett as the new GIS Technician of the City of Newport. Bassett presented the written staff report which said Recommended Motion: NONE: Informational Only Background Information: It has been a while since the IT Department provided an update on our GIS initiatives. Since our last update Carl has moved on back in October 2022, and for the last four months Ethan has been working to complete the projects started by Carl, and to work on some new projects. Today's presentation will highlight some of these projects and provide some insight as to how GIS will be used in the City and how it can possibly be used in the future for better citizen engagement. Some of the Highlights follow: • Started and completed the Transition to ESRI AGOL (Arc GIS Online) at the end of June 2023 • Created an AGOL Viewer for Planning front desk, and soon Public Works front desk • Established a Back-up solution to allow for restoration and open editing capabilities • Created a Pesticide reporting form, map, and database • Finish the Fire run-books, they are basically complete and are ready for test prints • Polished and launched a Community Development Web Map Fiscal Notes: Our licensing for the software underlining these projects and future projects cost the city \$15,500.00/Year and has a 3-year commitment. We purchased this licensing at the end

of June this year (2023) and have commitments with ESRI till June 2026. Alternatives: None. Attachments: The presentation is in person on screen, No attachments.

Nebel spoke saying that the City previously had a GIS staffer who left to take a job in Portland. His departure left a gap in resources, so the City hired a GIS contract firm. He advised Ethan started in May 2023, and strong progress had been made in GIS data at the City.

Reeves reported that Ethan has carried on the good progress the previous staffer had made, and the request was to get more data to the public and displayed in a way which makes sense.

Bassett showed a presentation and detailed the community development web app on website saying it is access from main city website and via rotating banner, or a link on community development page. Bassett noted there was a disclaimer on the maps information, pertaining to full accuracy. Parker advised that it looks very similar to ORMAP tax lot viewer. Bassett detailed various features of the GIS platforms, layers, lines etc.

Parker reported that Lincoln County has an issue with tsunami and earthquake evacs, because many folks don't know where the roads go and GPS isn't always reliable.

Nebel reported that Chief Murphy shared that these GIS maps were the first fire resource maps available in the county, they will serve as a huge help to fire agencies in the future.

Report on Landing Fees at the Newport Municipal Airport.

Vanderbeck presented the written staff report which said airport landing fees have been a long-time revenue generator for airfield operations. Landing fees are usually used to help maintain runway and taxiway (movement area) surfaces to FAA standards. These standards contribute to pilot safety by ensuring landing surfaces are well maintained. Free of cracks, holes, settling issues, and bright visible stripping that will not cause an aircraft to deviate from course during final stages of touch down. During the Fiscal Year 2023-2024 budget cycle inquiries from the budget committee were made about landing fees for aircraft and tenants. Currently landing fees are set at \$20.00 for aircraft over 12,500 pounds. This amount was recommended by the airport committee during the March 14, 2023 meeting.

Currently, aircraft over 12,500 pounds are jet aircraft utilizing the airport, around 120 per year. Estimating annual revenue around \$2,400. Which doesn't have significant impact on movement area maintenance. However, this amount of revenue does help with matching funds for Oregon Department of Aviation Pavement Maintenance Program (ODAV PMP) the airport currently participates in. ODAV published a Pavement Evaluation/ Maintenance Management Program report for Newport in 2018. Attached is 2018 pavement condition drawing form the ODAV report. ODAV PMP report from 2018 reflects an estimated total cost to slurry seal would be around \$261,271.00. If divided by the \$20.00 landing fee, would require 13,064 aircraft over 12,500 pounds to achieve that revenue number. Newport is averaging 120 jet aircraft over 12,500 pounds each year. Currently no airfield land lease or T-hangar tenant flies an aircraft over 12,500 pounds

landing weight. Landing weight for Empire (FedEx) Caravan 208 is 8,035 pounds. Ameriflight (UPS) Beech 99 Landing weight is 11,300 pounds. Currently Ameriflight is paying \$169 per month for a landing fee. This fee was established from an email in 2009 with prior airport administration and Ameriflight.

No contract is in place with Ameriflight and Newport Airport; which is a public use airport, and Ameriflight is not based here. FedEx holds a current agreement, 2591, up for renewal in May 2024. Recitals in agreement 2591 allow for one tie down space the Cessna 208; which does not meet landing weight requirements to be charged. One item that will need to be consider in the next lease is the area of the cargo apron FedEx is currently using and not just the tie down spot. Signatory- lease holders Non-signatory - not lease holders Fee Comparison: 2021 Oregon Airports Statewide Rate and Charges Survey. Newport is a category II urban general aviation airport. There are eleven category II airports in Oregon: Astoria, Aurora, Bend, Corvallis, McMinnville, Portland Downtown Heliport, Hillsboro, Troutdale, Salem, and Scappoose.

Some of 91 airports in Oregon may not charge or reported a landing fee published by ODAV. Category II Airport: Astoria - \$5.00 /1,000 lbs. which can be waived with Fuel purchase. Corvallis - \$0.50 /1,000 lbs. for non-signatory. Newport - Over 12,500 lbs. \$20.00. Troutdale - \$2.76 /1,000 lbs. FBO collects fees and retains 25%. Hillsboro - \$3.68 /1,000 lbs. for signatory FBO collects fees and retains 25%. Salem - \$1.00 - \$1.50 /1,000 lbs. for non-signatory. Category I Airports: K-falls - over 12,500 lbs.- \$2.00 /1000 lbs. for non-signatory \$0.50 - \$1.50 /1,000 lbs. for signatory. Eugene - \$3.41 /1,000 lbs. for non-signatory \$2.73 /1,000 lbs. for signatory. Medford - \$4.24 /1,000 lbs. for non-signatory \$3.26 /1,000 lbs. for signatory. North Bend - Use fee - \$10.00 - \$645 based on rates I - VII for size of aircraft. Pendleton - \$12.00 /1,000 lbs. for non-signatory. PDX- \$4.48 /1,000 lbs. for non-signatory \$3.70 /1,000 lbs. for signatory. Redmond - \$3.08 /1,000 lbs. for non-signatory (part 125, 135, 137 operators only). \$3.08 /1,000 lbs. for signatory. Category III Airports: La Grande - over 12,500 lbs. - \$1.50 /1,000 lbs. for signatory. Category IV: Sun River - \$60.00 Turboprop, \$120.00 small & medium jet, \$180.00 large jet. Fiscal Notes: Estimated current annual landing fee collected at Newport \$2,400. Newport FBO logged 3,019 aircraft for Fiscal Year 2022/2023. That would be \$62,200 in revenue if each aircraft was charged a \$20 fee. However, not all aircraft come to the FBO and a majority of those flights would be USCG, Empire, Ameriflight, Life Flight, and land lease tenants. Alternatives: Changing to rate structure of landing fees or addition of airport usage fees.

Nebel said at the budget committee meeting a question about landing fees came up, and how we charge FedEx and UPS for use of airport. Vanderback reported that landing fees are designed to maintain runways, and taxiways and paint. He reported that he didn't think the cargo apron for FedEx is figured in correctly to lease, which needs to be evaluated at a later point. He suggested adopting a rate structure like North Bends with a chart, also suggested evaluating leases for folks with box hangars who don't pay to use airport may want to evaluate later.

Kaplan advised that he hoped by budget time next year this can be detailed out as possible revenue options. Vanderbeck reported it didn't seem necessary to have the highest fee for all users, but many users with large jets seem to express no concern over the current \$20.00 fee, saying they often paid \$800 or \$1,000 to land elsewhere.

Parker reported that he'd like to see the fee being weight based and classification based, including by who owns the plane. Vanderbeck detailed Boeing 737 and Canadian air regional jets are not at the Newport airport, but North Bend calculated square footage occupied overnight by plane size and it factored into the fee calculation for space occupied overnight.

Nebel reported that the City cannot differentiate fees based upon who owns the plane that lands. Goebel shared that currently the only people who get charged are over 12500 lbs to land there, the rest land there for free? Vanderbeck reported that was correct. Goebel reported that needed to change.

Vanderbeck reported that fees are to ensure the City can maintain taxiway and the majority of citizenry in Newport doesn't use airport on the daily from a fee/user perspective, but City needs to have good runways if Cascadia event ever happens so planes can land.

Vanderbeck reported that 12,500 is a common cited number which appears to be based upon a DC3 aircraft weight, as it was the most widely utilized aircraft back in the day.

Nebel inquired as to how fees are collected. Vanderbeck reported City would have to let people know it was coming, and they could come and pay via card or cash. Vanderbeck reported that Bend, Oregon for example has a large amount of flights, and only 3 staff. They have a device which is located at the end of the runway, it captures tail numbers of landing aircraft and a bill is automatically sent, to help ensure landings while the airport is not staffed such as evenings, or weekends are accounted for on a fee basis. Council was generally in favor of looking into and proceeding with fee changes in the future.

Lance shared the Oregon Airport Manager's Association conference will be in Newport, October 9-11 and would love to have Council attend.

He advised one presenter was Traci Williams from Bend who will be able to talk about that system was generating revenue for them in Bend.

Vanderbeck reported he would register council members to attend, requested they email him if they want to attend.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:30 P.M.

September 18, 2023
4:00 PM
Newport, Oregon

CITY COUNCIL WORK SESSION

The Newport City Council met on the above date and time in the City Council Chambers of the Newport City Hall. On roll call Jacobi, Hall, Parker, Goebel, and Kaplan.

City Staff in attendance were: Spencer Nebel, City Manager; Erik Glover; Assistant City Manager/City Recorder, Steve Baugher, Finance Director; Aaron Collett, City Engineer.

CALL TO ORDER AND ROLL CALL

Kaplan called the meeting to order at 4:04 P.M. and Glover conducted roll call.

DISCUSSION ITEMS

City Manager's Report. Nebel presented the written City Manager's Report saying the City Council will hold a work session on Monday, September 18 at 4 PM to cover two items. Schedule for Meetings for Monday, September 18, 2023 1.) City Council Work Session at 4 PM 4:00 PM Dig Deep presentation 5:00 PM Council applicant Interview preparation 2.) Urban Renewal Meeting at 5:15 PM 3.) Regular City Council meeting at 6:00 PM Presentation by Dig Deep Research (60 minutes) Dig Deep Research will give a presentation on the various grant initiatives they are currently working on for the City of Newport. Dig Deep will present the role they have played in the obtaining funding for the City of Newport, discuss the current pursuits of funding that are currently underway, update Council on Big Creek Dam funding, and discuss the Big Creek Dam public outreach efforts. This session is expected to last 60 minutes.

Preparation of Questions for the City Council Applicants (15 minutes) City Council has scheduled a special work session on Monday, September 25 at 11 AM to conduct interviews for the City Council. I have attached a copy of the questions that the candidates are asked on the applications to avoid duplication of the same types of questions. We have modified questions from the Mayor's interview as a starting point for the questions that Council would like to ask the applicants. The decision to appoint a new member is up to the members of the Council. At this point, we have four applicants for City Council. The deadline for applications is Wednesday, September 20. Council should confirm the start time for the work session so that we can schedule the interviews accordingly.

Presentation by Dig Deep Research. Tia Cavender, Peggy Hawker, and Fernando Garza with Dig Deep Research spoke and did introductions. Peggy Hawker did introductions, said she retired from City on March 1, 2023, and started with Dig Deep on July 1, 23. Hawker advised they traveled to the meeting today on Dig Deep Research cost. Summary of personnel was heard saying Tia Cavender is CEO, Fernando Gonzalez is COO, Peggy Hawker is Project Manager, Cheryl Thomas is grants strategist, James Diana is research/editor. Rachel Gaikan, accounting manager. Brad Cavender is co-

owner of Dig Deep. Hawker detailed that Dig Deep has helped secured \$53 million in grants and low interest loans, 6 to 1 cumulative return on investment for Newport. This has resulting in saving every residential household \$40.12 per month/per year Dig Deep Research has been doing work in Newport over 11 years of service. Hall asked how are saved dollars calculated.

Tia Cavender advised that Dig Deep took total amounts of funding secured on grants, and divided by number of residential connections to get an idea of what kind of impact is being had on a monthly basis. Tia reported low interest loans saved about \$8 million, but the above total does not include any loan savings. Hawker reported \$20 million has been received towards \$80 million Big Creek Dam replacement project so far. Tia reported delays increase cost more. WRDA bill is approved as authorization for \$60million, but it is not money in the bank, it means the City is allowed to ask for money now. The \$60 million is likely to be a few million dollars at a time, not a lump sum, essentially the authorization is permission from fed gov to stand in line for monies. Appropriations is the real dollars exchanged.

Kaplan asked are we only competing against entities with authorization. Tia reported that the City is competing against everyone, but because you have priority status from congress it is deemed a priority, despite it not being in scoring. Tia reported this is the 1st step of many, but is not a check for \$60 million, or a guarantee of money, as the same bill has \$4.5 billion in projects. Fernando spoke said on wastewater project they just got \$3.825 million from DEQ through lottery bond sales, \$625k from water and wastewater funding program, will have \$8 million in financing. This funding finance the next phase on WWTP project. \$4.05 million through Oregon DEQ, clean water state revolving fund loan which has principal forgiveness meaning City will only pay back \$2.05 million, of the \$4.05 million total loan. Goebel asked is that a 20 year loan. Fernando said up to 30 years. Tia shared the loans were given in a presentation in February of 23, after Council approval. Tia reported the loan agreement would clarify the terms. Fernando advised this money was for dichlorination, and influent pump station piping project. Fernando advised there are four pending FEMA grants from 2021, and 2022. Originally they had a 75/25 split between City and fed government, but recently FEMA has announced the cost share is changed to 90/10. Thus the City has to get 10 percent now.

He advised \$11.7 million for main tank project, \$3.3 million for underbay waterline, and \$4.9 million in Fall Street Pacific Communities Health District project and the state will pay the 10% match. 75% is \$3.2million of 54th street project, or fire flow project. Nebel clarified it was Agate Beach water system. Fernando advised FEMA will prioritize disaster declarations in Florida and elsewhere, so requests are still pending with FEMA and timing is unknown. Hall asked would having multiple applications in with FEMA would make it likely to only get one award. Fernando shared they are all through the program with FEMA under the disaster declaration and FEMA will still make decisions on which programs they fund. Tia reported two years ago many of these applications were submitted, and because all have been approved through state, we are confident in the awarding of the funds assuming that nothing devastating which happens elsewhere in the country. She advised the project has approval through state and FEMA as far as it can go, but environmental review/archeological review needs done and project can be awarded after that.

Botello inquired about the timeline to utilize the funds. Nebel reported that from a project standpoint they are not time constrained on when they start, the delay is mostly about waiting for funding to start the projects. Nebel reported wastewater projects were more time sensitive. Goebel asked if the projects are ready to construction when awarded. Nebel advised not shovel ready, as some design work will still need to be done because the project will not be designed until awarded.

Tia advised design and construction can be picked up in grants award cost. Tia shared that projects cannot be started until they get award notification, but can take three years from notification. Tia reported managing \$23 million in projects on top of everything else, is a tall order for current project management staffing at the City level. Fernando reported that much of the work has been working towards getting appropriation from the US government.

Parker shared that the City was told before that Army Corps appropriation was the main work/hurdle. Tia reported that section 2.19 has \$4.5 billion in projects, they will only dole out money on a year to year basis. Tia detailed various grant initiatives Dig Deep was applying for. Parker said he thought that the Army Corps of Engineers CFR had a \$5 million limit for WRDA authorizations per year. Nebel reported that was correct. Tia reported someone can ask for \$60 million, but the max is \$1-2 distributed million per year. Tia reported all options have to be explored because of the timeframe required to pay for a project with max of \$1-2 million distribution per year, but no matter where the money comes from the authorization will always be with the Army Corps.

Tia advised it is possible to be under the Army Corps for the entire duration of this project and not get any money from them whatsoever. Tia reported this request would be in WRDA every 2 years until the City asks them to remove it, but more projects are added every 2 years, thus the \$4.5 billion in project requests will continue to grow. Kaplan asked if City could ask for more money. Tia reported that \$60 million is the max an entity can ask for at one time, but Dig Deep planned to go back to legislative friends in Washington, D.C and ask for an increase, which would be in the next WRDA bill.

Hawker reported that the City has a lot of challenges given current staffing levels to bring projects to fruition, and there was a big question about project management capacity, given the volume and magnitude of critical infrastructure projects the City needs to undertake. She advised that \$23 million was raised in 11 years, and Dig Deep was not sure how the projects load could possibly be managed by existing city staffing. She reported that a lack of current utility rate study for water, sewer, and wastewater is a critical deficit for the City, and suggested that the City needs to look at implementing that process quickly.

Hawker reported that there are options outside of a full rate study, which may not be as robust, but would serve well for calculating repayment ability on debt service the City needs to undertake these projects. She reported that waiting and delaying progression on the projects, cost more than the City can raise. Hall inquired about the rate study process is, is it contracted out and is there an expense or timeline on it. Nebel reported the biggest issue is not the expense, the biggest issue is until master plans are complete for the utilities, the City has no data on other expenses and would be best estimates only. Collett reported that the water master plan is close to release, wastewater is underway. Hawker reported that a full blown rate study could be in \$300k range. Nebel reported last rate

study was FCS Group, and was around \$70,000 five or so years ago. Baugher reported that was correct.

Nebel reported that the City knows revenues in water utility right now, which generates \$6 million a year with \$2 million in debt on an annual basis, rates are going to be about 30% increase to cover added debt service. Hawker asked if wastewater master plan had been approved. Collett reported the wastewater master plan is done, but need to be done by Council and get through the Planning Commission. Nebel reported a number of briefings and summaries on it. Collett reported previous Director of Public Works David Powell brought the plan out before he left, it needed additional staff time, but the project total on completion of the wastewater master plan items has increased above what he previously thought they were.

Tia reported that it is wrap the mind around, but HDR did some analysis and they discovered that escalated costs through covid on the dam project were massive. The delay cost \$416,617 per month. \$96,153 per week, \$13,737 per calendar day. In total it is roughly a \$5 million increase in project cost per year of delay. She advised that a 3-5% escalation is common, but the average escalation through covid went up 8.9% which is very high. She reported that the longer it takes, the more fundraising that will have to be done by the City. Tia reported that information was taken from an HDR memo shown to Council in April 2023. Goebel shared that the delays and escalations were concerning, and has the Council gotten in the way of the schedule. Tia advised that the fact that the large \$14 million scope is still not approved, is concerning. Nebel reported Council hasn't been in the way, the bond funds due to the City haven't been committed more than received in, which was \$4million from the state and \$10 million in additional lottery bond funds. Collett reported that the \$10 million in lottery bond funds, just got confirmed.

Nebel shared that only so much work can be done by HDR at once, and so much that City staff can review at once. Collett reported that reviewing the 144 page scope of work for HDR, took him longer than originally expected, and felt it was important to pass through the \$10 million in manageable chunks, thus building in checks and balances. Tia clarified that the intent of her statement was to merely display the impact of delays. Tia advised that staffing is a challenge, because of wastewater and compliance issues, and only so much for engineering to manage at one time. Tia reported the initial goal was \$80 million before covid, on the Big Creek Dam and now \$100 million is the goal for fundraising. Parker asked if the \$10 million was for design, and in water permitting etc. Nebel said that is correct. Collett reported that was correct, and he wanted to see it officially. Parker requested that staff put together a thank you letter to Gomberg, once City officially gets official confirmation on funding. Nebel reported Gomberg has been a big advocate, and key to the funding.

Goebel said he wanted to check his understanding that \$60 million has not been secured, but the first stage of the process at the federal level. Tia advised that was correct it is permission to stand in lines asking for money. Nebel reported one big issue is a decision about how to keep moving on the project, City is in good shape with \$14 million through the design phase, but the big question is can we move forward before having money in hand. He advised it is impossible to build half a dam, and waiting until funds are in hand to finance those improvements is a challenge. He advised the City may need to move forward before funds are in hand, but the question is what rate

burden would that place on rate payers. Goebel inquired that if the City takes on funds via loan to build dam, we can't go back to get those funds from grant when done. Nebel reported that was correct. Tia shared that fortunately there is new loan through Army Corps of Engineers specifically for dams. The goal would be to secure the money as backup to be able to move forward if you have to take it. You can roll through process, engineering, permitting etc. while trying to secure as many grants as possible thus lowering loan amount. Tia reported Dig Deep is trying to secure funding from every source possible., which may be loans. Goebel asked if City borrows money via loan for Big Creek Dam can City get grants to repay those Tia shared no not exactly, only grants for stuff unspent thus far, impossible to ask for grants for project which has been built. Nebel shared the next 2.5-3 years through design and permitting phase is really going to determine what those costs are going to be, at some point Council will determine if you want to get a loan to begin construction process, challenge will be once you start construction you can't stop.

Botello shared staffing is a challenge and thinks this is the stage to hire folks, it is going to be hard to have someone in place and know what is happening, if they are not hired soon. Nebel reported it is difficult to hire professionals right now, with lots of infrastructure dollars, folks are working for private agencies. He advised that he and Collett have had conversations about it, and the City needs to establish a plan for how it will gear up to handle the project going forward.

Jacobi shared she is very concerned about local rate payers, but we have a high water rate each month and it will go up. Nebel reported rates will go up to pay for the costs we have to pay for the system. Nebel reported grants are direct costs ratepayers don't have to pay in monthly rates, but the project will cost money above what City generates via grants. Nebel reported City had a significant rate increase this year, another one slated next year, but may not have to go as high due to \$4 million in state appropriations. Tia reported this topic is exactly why Dig Deep wanted to highlight how much each household has saved, it is an actual data point which can be messaged to public and shows the City is doing everything it can to keep rates down. Kaplan reported questions from Council could be emailed to Peggy Hawker. Hawker shared Dig Deep would like to know how Council would like to receive info from Dig Deep, written, or to show up and take 1 hour at a meeting each time. Hall shared she would like to know when you have applied to new grants, and dates of application. Fernando advised Dig Deep has a live dashboard which shows agency, and request, and project it would fund. Nebel introduced Cathy Rigby, who was the new grant manager for Newport. Rigby advised she was from Salt Lake City, Utah was working in economic development but was familiar with federal grants, HUD, and affordable housing and her life long dream was to move to Newport.

Preparation of Questions for the City Council Applicants. Nebel spoke on the interviews and said City would likely allow 15 minutes per person for 7 questions, but was contingent upon number of applicants.

Nebel advised Glover put a draft set of questions together which are: 1. Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate. 2. What has been your involvement with the City of Newport, either serving on a City Committee or otherwise?

How have you contributed to the City of Newport in your time as a resident? 3. What unique skills, experiences, perspectives, and relationships would you bring to this leadership position that could support and advance the work of the City? 4. What do you perceive to be the current challenges and opportunities facing Newport? 5. Do you consider yourself to represent a historically underserved or underrepresented population as those terms are informed by the National League and Oregon League of Cities? The City of Newport encourages all applicants to read the City's DEI statement but for ease of reference, please know that underrepresented and underserved populations in City governance, council and committee matters generally includes: Native Americans, BIPOC, immigrants, people with disabilities, LGBTQ+, younger adults and youth, economically-disadvantaged, farm and migrant workers, and people living in rural parts of the state. 6. The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat difficult. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat difficult? 7. The position of City Councilor is a time consuming position. With various community and committee meetings etc. Would you be able to devote the necessary time to adequately fill the position? Expected time commitment: 2 council regular session meetings per month; 2 council work sessions per month • Including meeting materials reading & meeting preparation Potential Additional Commitments: • Committee meeting(s) as Council Liaison • Special Meetings - as needed • Budget Meeting(s) in Spring • Representation as Liaison on boards & committees Meeting days/times: City Council: Regular Sessions: • 1st & 3rd Monday of every month at 6:00 p.m. Work Sessions: • 1st and 3rd Monday at 4:00 p.m. Committee assignments: (Dependent upon appointment)

Parker said he is not a fan of yes or no questions, it allows a short answer. He requested shorter questions, and an environmental question focus was desired. Nebel advised proposed council vacancy questions will be the ones asked. Hall said she understands about question 5 being yes or no. She reported she thinks 5 is still critical, it is about setup which could be tweaked. Hall proposed adding council clarifier, and say how do you consider yourself as a member of this group. Kaplan shared he liked most of the questions, and it was big improvement over what we have been doing. Kaplan advised he would suggest we clarify hours, and prep time for question 7 to clarify what folks are committing to. Goebel shared he could clarify that yes or no answers aren't desired. Hall suggested to get into great detail on the hours required, and requested to clarify liaison for 1.5- 2 hours for each committee, to give all the information. Jacobi shared she would like to add some of the meetings are in the morning, or afternoon, and some evening. Council wanted to add question- do you have any questions for us to the list. Hall said she would wordsmith question 5, and councilors were given instructions to send any revisions to Glover, who would provide to Mayor Kaplan for final approval.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:21 P.M.

September 25, 2023
11:02 AM
Newport, Oregon

CITY COUNCIL WORK SESSION

The Newport City Council met on the above date and time in the City Council Chambers of the Newport City Hall. On roll call Jacobi, Hall, Parker, Goebel, Botello, and Kaplan.

City Staff in attendance were: Spencer Nebel, City Manager; Erik Glover; Assistant City Manager/City Recorder, Jason Malloy, Police Chief.

CALL TO ORDER AND ROLL CALL

Kaplan called the meeting to order at 11:02 A.M. and Glover conducted roll call.

DISCUSSION ITEMS

City Manager's Report. Nebel presented the written City Manager's Report saying A special work session and a special meeting of for City Council has been set up to conduct interviews of applicants to serve the remaining portion of the Council term vacated by Jan Kaplan following his appointment as Mayor. This term which will run to January 4, 2027. The voters of the City of Newport will fill this position at the November 2026 election. A special Council meeting will be held on or after 1 PM to consider appointment to the City Council. The City Recorder received nine applications for this position prior to the September 20 deadline. Chapter VII, Section 28 of the City Charter provides: (a) The Mayor and each Councilor must be a qualified elector under state law, and reside within the City for at least one year immediately before election or appointment to office. One applicant did not meet residency requirements, and three applicants have since withdrawn, so there are five qualified applicants to consider for appointment to serve the remainder of this term. We have invited the applicants to participate in interviews based on the date of their application. Work Session Interviews (11 AM) The work session will begin at 11 AM. The Council will discuss the process outlined for the selection of the new Council member. Questions have been provided to the applicants. Each interview has been allocated 15 minutes. The interview questions have been attached. The applicants are invited to remain in the Council Chambers during the entire interview process.

The work session will be adjourned following the last interview. Special City Council Meeting (1 PM) The Council member will be appointed at a special City Council meeting beginning at 1 PM. The City Council consists of a Mayor and six Councilors nominated and elected from the city at-large. The City Charter provides that Council will appoint a qualified applicant to fill the remainder of a vacated term by majority of the remaining Council members. The City Council is a representative body to address community issues on behalf of the citizens of Newport. As such, Council may wish to consider a variety of factors in filling this vacancy to assure that Council reflects the community being served. These factors can include: 1) Race, including underserved populations. 2) Age

demographics. 3) Income. 4) Professional/Life background. 5) Geographic/Neighborhood Representation. (a map is attached). In addition, it is important that Council consider how the newly appointed member may work with remaining members of the Council and what each applicant may bring to the table to broaden discussions that lead to collaborative decisions to move the community forward. That being said, it is solely up to a majority of Council to decide on who will represent the community for remainder of this Council term. The proposed process for appointing the Council member is suggested as follows: 1) The Mayor will convene the special meeting of the City Council to proceed with the appointment of a new Council member. 2) Council can have a discussion on the various applicants who were interviewed by the City Council. 3) Ballots will be distributed with the names of the five applicants for the vacated Council seat. 4) Council members will select one of the candidates on the ballot and write down their own name on the ballot. (This is not a secret ballot. The ballots will be read aloud along with the name of the Council member casting the ballot.) 5) The City Recorder will count the ballots. Under Chapter VII, Section 33 of the City Charter: "A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining Council members." Since there is one vacancy on the Council, leaving six Council members, four affirmative votes are required before an applicant can be selected as a new Council member. 6) If no applicant receives four votes at the end of the first round of voting, ballots with the names of the five applicants will be redistributed and a second round of voting will occur. Additional rounds of voting would continue until a candidate has four affirmative votes. Should there not be the required four votes for appointing a new Council member at this meeting, the Council could consider continuing the selection at the October 2 meeting. 7) Once an applicant has received four or more votes a motion should be made to formally appoint that candidate as Mayor of the City of Newport. Recommendation: I recommend that the Council consider the following motion: I move to appoint as a member of Council for the City of Newport to fill the balance of a vacated term ending January 4, 2027. The appointed Council member will be sworn in at the October 2, 2023 Council meeting. An orientation will be provided prior to that meeting and the appointed Council member will be provided with an iPad and other materials prior to October 2. We have also maintained a room and registration for the new Council member to participate in the League of Oregon Cities Annual Conference which will take place in Eugene, Oregon, Wednesday, October 11 through Saturday, October 14. We will need to confirm whether they can attend this meeting following their appointment to Council.

The questions for September 25, 2023 Interviews for City Council Vacancy were presented which read: Note: Questions 5 and 7 contain important information that will not be read during the interview. 1. Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate. 2. What has been your involvement with the City of Newport, either serving on a City Committee or otherwise? How have you contributed to the City of Newport in your time as a resident? 3. What unique skills, experiences, perspectives, and relationships would you bring to this leadership

position that could support and advance the work of the City? 4. What do you perceive to be the current challenges and opportunities facing Newport? 5. If appointed to the City Council, what steps would you take to assure opportunities for underserved populations to fully participate in city services and decision-making? How do you see yourself adding to the diverse composition of the council? (Background for #5 above- The role of a member of the City Council is to represent all citizens living within the community. The City of Newport recognizes there are underserved populations that may not have had the same access to services in City governance due to language, cultural, social, or other barriers. Some of these underrepresented and underserved populations include: Native Americans, BIPOC folks, immigrants, people with disabilities, LGBTQ+ individuals, younger adults and youth, economically-disadvantaged folks, farm and migrant workers, and rural residents.) 6. The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

7. The position of City Councilor is a time consuming position. With various community and committee meetings etc. Would you be able to devote the necessary time to adequately fill the position? (Background for #7 above- Meeting days/times: City Council: Regular Sessions: • 1st & 3rd Monday of every month at 6:00 p.m. Work Sessions: • 1st and 3rd Monday at 4:00 p.m. 2 council regular session meetings per month (generally 3 hours twice a month); 2 council work sessions per month (generally from 1.5 hours, twice a month) Meeting materials reading & meeting preparation (generally 10 hours a month) Potential Additional Commitments: • Committee meeting(s) as Council Liaison (generally 1.5-2 hours per committee, per month, generally in the evenings. Generally, a council member is appointed to serve on between 3-5 committees as liaison) • Special Meetings - as needed • Budget Meeting(s) in Spring (Typically one 1.5 hour intro meeting, two four hour budget meetings, one 1 hour final budget meeting) • Representation as Liaison on boards & committees Committee assignments: (Dependent upon appointment)

First Candidate Interview, 11:15, Scout Hockema.

Glover announced that Hockema withdrew from consideration via phone.

Second Candidate Interview, 11:30, Robert Emond

Emond interview was moved up to 11:15 due to cancellation. Council took turns asking the standard interview questions. Emond detailed he wanted to give back to the community, doesn't have a specific focus or goal to accomplish. He detailed he moved here during covid, and joined Nye Neighborhood Association and sits on the board, and is member of the Parking Advisory Committee. Detailed that he was a child actor, and he studied anthropology which teaches you to look at other cultures, evaluate them and how it compares to your own culture. He detailed work as a software engineer, and as an attorney so he has a logical data driven lean mentally. He detailed reading the Vision 2040 and about ecological refugees, and said Newport will be likely nicer climatically in 20 years than many other places. Emond reported that another opportunity which seemed to come out of covid was that it shook up society, brought up inflation, forcing people out of comfort zones which is an opportunity to rebuild society by discarding what doesn't work, and what does work. He advised homelessness and affordable housing as the biggest challenges

which face Newport. Advised he is a good listener, and is Asian American so is used to being in a culturally diverse community. But has been on both sides of the cultural experience. Emond advised he has experience in working in difficult situations as a software engineer, thus is ok with dealing with difficult situations, and carrying out situations or directions he personally didn't agree with. Emond detailed he is retired and can devote the time necessary to fill the vacancy. Jacobi thanked everyone for applying, and reminded everyone there are many openings on boards and commissions with vacancies throughout the City for anyone not appointed to Council.

Lunch 11:45

Lunch was skipped due to having candidates pending/waiting.

Third Candidate Interview, 12:15, Mark C. Phillips

Phillips answered the standard interview questions read by Council.

Phillips advised there is a family history of public service for him, and has been visiting Newport for more than 40 years. He reported he has not stepped forward to serve, because he was working and doing 60-80 hours a week to feed his family. He reported he now has time and opportunity to serve and has served as assistant at his church. He goes by to visit people in their homes, Newport has a lot of housing inequality. Detailed that it may be nice to look into for a City policy. He detailed that the Biden administration created the climate corps, and wondered if Newport could get some of the 20,000 volunteers. They will have awareness and expertise, and climate change is big deal.

Phillips detailed not being on a city committee before due to lack of time, and didn't want to put his name in without ability to follow through. He advised he has been intimately involved with Shriners though, who sponsor the Shriners Children's Hospital who help around 80 kids a year in Lincoln County.

He reported he has spent over 30 years working with city, county and state agencies, and his goal on Council was to listen.

Phillips detailed visiting a family with substandard housing and issues of housing, inequality in jobs and what kind of training and education folks have to have to have a better paying job. Many people bring a job to Newport via remote work, but he questioned how committed are they to this community. Homelessness is an issue, the Big Creek Dam project needs to get going. Detailed concerns of losing the bridge, with a Cascadia event/ earthquake and how vulnerable Newport is, as it will be on its own waiting for FEMA to get here thus local solutions to the issues are needed. Detailed that there is racism in Newport, granddaughter is half Latino half white, his granddaughter gets bullied, she got knocked down and water sprayed on her recently. Building awareness and breaking down barriers, and working on attitudes needs to take place.

Phillips detailed a divide in Newport between English, and Spanish speaking populations during Covid. The group detailed that trying to reach the central Americans who live in Newport and speak a unique language is a concern. Appreciates everything is bilingual in school. He advised that it seems there is a tendency, that an event occurs

once during a year and then it is forgotten. Gay pride for example was in June, and recently celebrated because it needs to be done.

Hall detailed to Phillips/group that Pride is celebrated in September due to it being the shoulder season for tourists.

If you read some of the stuff on social media people are angry, and concerned with why the City Council is not doing anything on various issues. It is important in messaging to clarify that the Council is addressing the myriad of issues and items as best as the can.

He detailed that if an issue is not controversial it may not be that important. Phillips detailed he could devote the time necessary to serve.

Fourth Candidate Interview, 12:30, Steven Hickman

Hickman spoke and detailed working as clinical psychologist and entrepreneur. He shared he missed the opportunity to serve with his career path. Detailed moving to Newport during covid, and has not regretted it. He shared he is an entrepreneur at heart, and has been successful at working within academia as an entrepreneur, but overall brings a fresh experience. Detailed a friend suggested he apply, ideally would have served on a committee before council. Detailed that he didn't want to move to Newport from southern California and start saying this is what the community needs. Detailed having a graphic design and marketing business, and founded a center for mindfulness in California. Detailed being a jack of all trades, and moving to a global compassion coalition a worldwide non-profit. Detailed being a creative thinker, and a good sense of humor and how the job needs to be fun. Detailed not being the most familiar with lower profile, but important challenges such as infrastructure. He saw in a bigger scale in California, a confluence of a tourist destination with lively and thriving business climate. He shared employment and underemployment in Newport is a concern, but affording housing in Newport is a concern. Efforts can be made to make everyone more successful in Newport, without growing it into a metropolis. He detailed not being under privileged, but had to work by necessity all across the globe and a DEI taskforce. Shared it seems necessary to have a DEI committee, or taskforce to advise the Council in Newport his goal would be to pursue that. Detailed having to make difficult decisions as a leader, hasn't had to make a public controversial decision but feels fully confident he could do it. Important to be well educated, and represent those decisions to people. Advised he has plenty of time to serve on Council.

Fifth Candidate Interview, 12:45, Fernando Garza

Garza spoke and detailed being involved in community a lot more in Gresham, or McMinnville once he had kids. He feels his personality gets folks to open up. Wants to start a snowball effect, which changes the attitude of the disenfranchised folks in Newport. Advised he was part of CERT, LISTOS, and recently Newport Police Advisory committee, he reported that he had volunteered at lot of covid events due to being bilingual, doing daily covid updates, updates during Echo Mountain fire, and over radio. Worked with nonprofit resources, and the whole coast. Worked with Oregon food bank out of Eugene. He detailed work for Council of Arts in Newport to translate. He shared he had been

involved with Newport emergency management, and part of translation advisory council. Working for HHS for about 4 years as interpreter. Nominated for Vision 2040 award. Since May has been working with the Newsguard to bring a Spanish newspaper which is community based. Served 25 years in human resources, and administrative duties.

He detailed extensive knowledge in dual language personnel, Spanish and English interpretations. He advised the City needs an individual who is available to all walks of life. He shared he spent the last 8 years in developing translation and interpretation skills, and is a complete DEI candidate. He shared disenfranchised people need to be involved in the City. Detailed that DEI is not a new idea, if you are a breathing soul you count. Love to see county and city using multilanguage releases, and see city leaders at events where English is not a first language. Advised he would love to see city and county using multi language announcements. Hope to encourage other council members to make it happen and join these events. He shared he was comfortable with controversial decisions. Detailed he has the time to serve. Hope in the future council has to run against multiple people due to so much interest.

Kaplan thanked everyone for their interest in serving, their interest today and advised he had learned a lot.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:15 P.M.

September 25, 2023
1:00 PM
Newport, Oregon

CITY COUNCIL SPECIAL MEETING

The Newport City Council met on the above date and time in the City Council Chambers of the Newport City Hall. On roll call Jacobi, Hall, Parker, Goebel, Botello and Kaplan.

City Staff in attendance were: Spencer Nebel, City Manager; Erik Glover; Assistant City Manager/City Recorder, Jason Malloy, Police Chief; David Allen, City Attorney.

CALL TO ORDER AND ROLL CALL

Kaplan called the meeting to order at 1:00 P.M. and Glover conducted roll call.

DISCUSSION ITEMS

City Manager's Report. Nebel presented the written City Manager's Report saying A special work session and a special meeting of for City Council has been set up to conduct interviews of applicants to serve the remaining portion of the Council term vacated by Jan Kaplan following his appointment as Mayor. This term which will run to January 4, 2027. The voters of the City of Newport will fill this position at the November 2026 election. A special Council meeting will be held on or after 1 PM to consider appointment to the City Council. The City Recorder received nine applications for this position prior to the September 20 deadline. Chapter VII, Section 28 of the City Charter provides: (a) The Mayor and each Councilor must be a qualified elector under state law, and reside within the City for at least one year immediately before election or appointment to office. One applicant did not meet residency requirements, and three applicants have since withdrawn, so there are five qualified applicants to consider for appointment to serve the remainder of this term. We have invited the applicants to participate in interviews based on the date of their application. Work Session Interviews (11 AM) The work session will begin at 11 AM. The Council will discuss the process outlined for the selection of the new Council member. Questions have been provided to the applicants. Each interview has been allocated 15 minutes. The interview questions have been attached. The applicants are invited to remain in the Council Chambers during the entire interview process.

The work session will be adjourned following the last interview. Special City Council Meeting (1 PM) The Council member will be appointed at a special City Council meeting beginning at 1 PM. The City Council consists of a Mayor and six Councilors nominated and elected from the city at-large. The City Charter provides that Council will appoint a qualified applicant to fill the remainder of a vacated term by majority of the remaining Council members. The City Council is a representative body to address community issues on behalf of the citizens of Newport. As such, Council may wish to consider a variety of factors in filling this vacancy to assure that Council reflects the community being served. These factors can include: 1) Race, including underserved populations. 2) Age

demographics. 3) Income. 4) Professional/Life background. 5) Geographic/Neighborhood Representation. (a map is attached). In addition, it is important that Council consider how the newly appointed member may work with remaining members of the Council and what each applicant may bring to the table to broaden discussions that lead to collaborative decisions to move the community forward. That being said, it is solely up to a majority of Council to decide on who will represent the community for remainder of this Council term. The proposed process for appointing the Council member is suggested as follows: 1) The Mayor will convene the special meeting of the City Council to proceed with the appointment of a new Council member. 2) Council can have a discussion on the various applicants who were interviewed by the City Council. 3) Ballots will be distributed with the names of the five applicants for the vacated Council seat. 4) Council members will select one of the candidates on the ballot and write down their own name on the ballot. (This is not a secret ballot. The ballots will be read aloud along with the name of the Council member casting the ballot.) 5) The City Recorder will count the ballots. Under Chapter VII, Section 33 of the City Charter: "A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining Council members." Since there is one vacancy on the Council, leaving six Council members, four affirmative votes are required before an applicant can be selected as a new Council member. 6) If no applicant receives four votes at the end of the first round of voting, ballots with the names of the five applicants will be redistributed and a second round of voting will occur. Additional rounds of voting would continue until a candidate has four affirmative votes. Should there not be the required four votes for appointing a new Council member at this meeting, the Council could consider continuing the selection at the October 2 meeting. 7) Once an applicant has received four or more votes a motion should be made to formally appoint that candidate as Mayor of the City of Newport. Recommendation: I recommend that the Council consider the following motion: I move to appoint as a member of Council for the City of Newport to fill the balance of a vacated term ending January 4, 2027.

The appointed Council member will be sworn in at the October 2, 2023 Council meeting. An orientation will be provided prior to that meeting and the appointed Council member will be provided with an iPad and other materials prior to October 2. We have also maintained a room and registration for the new Council member to participate in the League of Oregon Cities Annual Conference which will take place in Eugene, Oregon, Wednesday, October 11 through Saturday, October 14. We will need to confirm whether they can attend this meeting following their appointment to Council.

The questions for September 25, 2023 Interviews for City Council Vacancy were presented which read: Note: Questions 5 and 7 contain important information that will not be read during the interview. 1. Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate. 2. What has been your involvement with the City of Newport, either serving on a City Committee or otherwise? How have you contributed to the City of Newport in your time as a resident? 3. What unique skills,

experiences, perspectives, and relationships would you bring to this leadership position that could support and advance the work of the City? 4. What do you perceive to be the current challenges and opportunities facing Newport? 5. If appointed to the City Council, what steps would you take to assure opportunities for underserved populations to fully participate in city services and decision-making? How do you see yourself adding to the diverse composition of the council? (Background for #5 above- The role of a member of the City Council is to represent all citizens living within the community. The City of Newport recognizes there are underserved populations that may not have had the same access to services in City governance due to language, cultural, social, or other barriers. Some of these underrepresented and underserved populations include: Native Americans, BIPOC folks, immigrants, people with disabilities, LGBTQ+ individuals, younger adults and youth, economically-disadvantaged folks, farm and migrant workers, and rural residents.) 6. The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

7. The position of City Councilor is a time consuming position. With various community and committee meetings etc. Would you be able to devote the necessary time to adequately fill the position? (Background for #7 above- Meeting days/times: City Council: Regular Sessions: • 1st & 3rd Monday of every month at 6:00 p.m. Work Sessions: • 1st and 3rd Monday at 4:00 p.m. 2 council regular session meetings per month (generally 3 hours twice a month); 2 council work sessions per month (generally from 1.5 hours, twice a month) Meeting materials reading & meeting preparation (generally 10 hours a month) Potential Additional Commitments: • Committee meeting(s) as Council Liaison (generally 1.5-2 hours per committee, per month, generally in the evenings. Generally, a council member is appointed to serve on between 3-5 committees as liaison) • Special Meetings - as needed • Budget Meeting(s) in Spring (Typically one 1.5 hour intro meeting, two four hour budget meetings, one 1 hour final budget meeting) • Representation as Liaison on boards & committees Committee assignments: (Dependent upon appointment)

Council Discussion and Appointment of City Councilor

Kaplan spoke and thanked everyone for applying, and advised he wanted to try to figure out how to keep everyone involved due to the talent in the room today. Goebel said he thanked everyone for stepping up. He shared Council is time-consuming and everyone here today is willing to make the commitment which is great, unfortunately we can only choose one. Botello spoke saying thank you for coming and applying, everyone works as a team here. She advised there is a big learning curve on the issues in front of Council. Jacobi shared she would be pleased to serve with any applicant who interviewed today. She shared that she kind of decided to put priorities on candidates who mentioned DEI, and all of them did that in various ways and different degrees. She shared she was looking at other attributes to prioritize, such as ability to work with others, and be a reasonable person and everyone also seemed to fit that.

Parker reported he was impressed to see the distribution of Council members via the GIS map.

Glover issued ballots and Council began the ballot process. Glover tabulated the ballots and read the votes by Council member name and voting choice. During the 1st tabulation it was reported as 2 votes for Garza, 3 votes for Emond and 1 for Hickman. Council was given 2nd ballot. At tabulation of the second round, Emond had 4 votes and Garza has 2 votes.

During the 2nd vote, Botello and Parker voted for Garza. Goebel, Hall, Kaplan and Jacobi voted for Emond.

MOTION by Goebel, seconded by Botello to move to appoint Robert Emond as a member of Council for the City of Newport to fill the balance of a vacated term ending January 4, 2027. The motion carried unanimously in a voice vote.

Kaplan shared that he wants to say that he would like to follow up with the other three, quite excited about what was said during interviews. Hall recommended to other applicants to join the Budget Committee, advised it was her starting point and shared a lot of great insight into the City, and the Budget Committee often struggles with volunteers. Nebel advised swearing in will be on October 16th. Nebel advised an orientation session will take place, to brief Emond on council rules and various activities which go on as a councilor.

Goebel advised the new candidate will be involved with the replacement of City Manager which is a big and critical process.

Kaplan shared he went on tour of FEMA grant projects last week with Dig Deep Research consultants. It was eye opening to look at various things we have talked about in the Council, and physically see where they are.

Nebel advised Emond would be issued a City I-Pad, and council email access would following the swearing in officially to Council when he gets back from Spain.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:24 P.M.



April 5, 2023
5:37pm
Newport, Oregon

Newport Parks and Recreation Committee Meeting

The Newport Parks and Recreation Committee met on the above date and time in the Council Chambers of Newport City Hall.

On roll call, Nancy Steinberg, Charles Mitchell, Charles Brown, Jeff Schrantz, Al Gilhuly, Nyla Jebousek, Shelly Moore, Todd Chandler, and Council Member C.M. Hall were present.

Staff in attendance was Mike Cavanaugh, Parks and Recreation Director, Sonia Graham, 60+ Center Supervisor.

ADDITIONS/DELETIONS TO AGENDA

None.

ACTION ITEMS

Approval of Minutes: March 1, 2023

MOTION was made by Schrantz, seconded by Mitchell, to approve the minutes of the March 1, 2023 meeting with edits. The motion carried in a voice vote.

DISCUSSION ITEMS

Report from the 60+ Center Supervisor - Sonia Graham

Graham reported on the growth of the facility in the last couple years. They have experienced a 20% increase in 60+ membership since reopening from COVID-19. The current membership is 1,172. Programs being offered have also increased since reopening. Currently, the facility is offering an average of 36 programs on a monthly basis.

Graham reported about the accreditation award that was received by the 60+ Activity Center in 2022. Staff was also able to find community partners to restart the Community

Thanksgiving Celebration in 2022. They were able to serve 86 sit-down meals and 100+ meals for delivery to patron's homes. Staff also started in April monthly birthday lunches for patrons to attend at the center. Those with a birthday in that month are invited to the center for a free lunch. Graham mentioned that she has one part-time employee and two Easterseal's volunteers to help with office work and programming. One volunteer has already organized two volunteer fairs and is in the process of organizing a third one for the summer.

Graham is working to improve communication with patrons. She has begun a monthly meeting where patrons can chat with her about the facility. She has also started sending weekly email newsletters to spread the word about programs and other doings at the facility.

Graham reported how the facility operates by utilizing a lot of volunteers. Over the last year, the facility has used 56 volunteers to offer programs. Because of this, staff will be hosting a volunteer appreciation lunch at the 60+ Center. Graham mentioned that she is also bringing back a Veteran's Lunch prior to the Loyalty Day's Celebration.

Steinberg ask what was the range of use for the facility volunteers. Graham responded that volunteers can be instructors, members of the Friends Organization or Advisory Committee, assist with grant writing, office volunteers, speakers, and lounge monitors. There are a wide variety of positions available. Graham mentioned that volunteers have even expressed interest in helping with landscape work around the facility.

Steinberg mentioned that the Parks & Recreation Committee would like to better support the 60+ Center and the 60+ Advisory Committee with goals and objectives. Steinberg asked what ways can they offer support to the 60+ Center. Graham responded that she does not have ideas at the moment, but will discuss ideas with the 60+ Committee. Graham will report back with these ideas.

Discussion on Potential Stakeholders for Current/Future Initiatives

Steinberg explained how the committee have held joint meetings with current/potential community partners to help meet department and committee goals and objectives. Steinberg mentioned that brainstorming and creating these connections is a committee goal in Fiscal Year 2023-2024. Steinberg asked the committee for ideas of potential stakeholders.

Cavanaugh mentioned groups such as Lincoln County School District, all local youth sports associations/clubs, Special Olympics, The Arc of Benton County, outdoor recreation businesses, State Parks, private businesses, community gardens, Lincoln County, OSU Extension Services, childcare organizations, Olalla Center, Newport Rotary Club, Angel Job Corp, Oregon Boaters Association, multi-culture organizations, Oregon Coast Council for the Arts, and the Port of Newport. Moore pointed out possible partnerships with non-Newport communities that would like to utilize our facilities and services. Moore also stressed partnerships in the local eco-tourism industry. Steinberg

brought up other sports groups such as pickleballers, adult soccer, and youth sports clubs.

Discussion on Recreation Fee Schedule Analysis

Cavanaugh provided background on the Fee Schedule process that occurs each year during budget season. He pointed out that the 2019 Recreation Business Plan identified the need to review, analysis, and improve the formula and structure for how the recreation fees are determined. Cavanaugh noted that the Recreation Business Plan main purpose was to help identify ways to reduce recreation subsidies from the General Fund. One way to reduce to this subsidy is by improving the way fees were determined.

Cavanaugh explained that the formula and methodology that was used to determine the new proposed fees came from the LERN Optimal Pricing Formula and the GreenPlay Pyramid Resource Allocation Model. The LERN formula was used to determine the direct costs (loaded salary/wage rates) of providing services and establish thresholds to recover those costs. The GreenPlay pyramid was used to sort category of programs into the 5 tiers of a pyramid. The bottom of the pyramid is Tier 1, which is understood to have the most community benefit and expected to be supported through tax funding. The top of the pyramid is Tier 5, which is understood to have the most individual benefit and expected to receive the least tax dollar support. Tiers 2 through 4 have both community and individual benefits and would be supported by a mix of tax dollars, fees, and other alternative revenue sources. This model serves as the foundation of the resource allocation component.

Cavanaugh reviewed example programs that the pricing formula and allocation model were applied too. Some programs showed a heavy subsidy was being provided while others did not. Cavanaugh also explained that staff also applied these pricing models to membership fees. Cavanaugh also explained the membership/pass fees should also be compared to local and regional pricing with comparable facilities and businesses. Cavanaugh explained that the next step is to applying both pricing models to all recreation fees. Those fees will be presented to City Management for review and possibly moving forward in the FY2023-2024 budget.

Steinberg stressed her concerns over the significant price increases that some programs might see. She pointed out our local communities' needs and that increased pricing might be a barrier for some of the public. She stressed the need for a strong scholarship program to help offset future costs to some patrons. Steinberg also brought up other possible funding sources (i.e. grants, parks and recreation district, etc) to help reduce subsidies without increasing pricing. Steinberg pointed out that she would like to see other options to be reviewed too.

Schrantz asked if it was too late to move programs to different levels of the pyramid model. Cavanaugh explained that staff was using the example pyramid model that is provided by GreenPlay. Moving forward, Cavanaugh clarified that the Newport community will determine where/how each program is subsidized. Cavanaugh explained

that this will take engagement with policymakers, city management, and the public to determine what works for our community.

Director's Report

Cavanaugh reviewed the January 2023 and February 2023 monthly Department reports (attached.)

PUBLIC COMMENTS

None

COMMITTEE COMMENTS

None

Develop Next Agenda

Stakeholder follow-up
Fee Schedule follow-up

Establish Next Meeting Date

The next meeting is tentatively scheduled for May 3, 2023 @ 5:30pm.

Adjournment

Having no further business, the meeting adjourned at 7:47 pm



May 3, 2023
5:33pm
Newport, Oregon

Newport Parks and Recreation Committee Meeting

The Newport Parks and Recreation Committee met on the above date and time in the Council Chambers of Newport City Hall.

On roll call, Nancy Steinberg, Charles Brown, Jeff Schrantz, Eva Gonzalez Munos, Brian Norris, Nyla Jebousek, Shelly Moore, Todd Chandler, and Council Member C.M. Hall were present.

Staff in attendance was Mike Cavanaugh, Parks and Recreation Director.

ADDITIONS/DELETIONS TO AGENDA

ACTION ITEMS

Approval of Minutes: None.

DISCUSSION ITEMS

Follow up Discussion on Potential Stakeholders for Current/Future Initiatives

Steinberg reviewed the previous discussion from the April meeting, where they brainstormed potential stakeholders and partners. Moore suggested adding the Hatfield Marine Science Center and they were added to the list. Steinberg noted that having this list of potential partners would be useful when soliciting public input and it might also be beneficial to have these various groups come in and update the Committee about what they were currently working on. Steinberg asked if there were Committee members who had an interest in a specific group and mentioned that she is interested in the Yakona Nature Preserve. Norris stated he thought the Special Olympics would be a good group to work with. Moore stated that the State Director would be interested in attending one of the Committee meetings. Chandler stated he thought the Yacht Club might be a good organization to work with, adding that high school kids and adults were involved with the group. Steinberg stated that she did not want to set the Parks & Recreation staff up with a bunch of instructions and tasks, but if the Committee wants to partner with these groups or just to be knowledgeable with these groups would be helpful. Norris

commented that the Master Gardeners might be a good partnership and using their clinics and volunteers to maintain one of the City parks. Steinberg noted that the Committee might start with having a group or two from the list attend one of the Committee meetings. Cavanaugh added the Community College to the list.

Discussion on Recreation Fee Schedule Analysis

Steinberg asked Cavanaugh to review the proposed fee schedule that they had discussed at the previous meeting. She hoped the Committee would make a motion on how the City should move forward with this, noting that the Committee did not have the ability to tell the City Manager or Council what to do, but they are looking to the Committee to gauge how the increases would be received by the community. Cavanaugh reviewed the fee schedule and the method used to develop it, noting that they included the cost-of-living increase which had not been done before. Steinberg stated that she felt the process was being rushed a bit without any public input. She stated she was not comfortable with saying yes, let's go with all of these changes. She would like to see a more in-depth presentation. Steinberg added that some of the increases would be hard on the community. Cavanaugh noted that staff were not able to include comparable prices in the current fee schedule, but it would be done for the next fiscal year. He added that the scholarship program would become very important and needed to be sustainable. Hall noted that the fees are already in the FY23-24 budget.

MOTION: Steinberg moved to express to the Budget Committee and City Council that the Parks and Recreation Committee supports the fee schedule method but recommends holding off implementing a new fee schedule until further Committee questions are answered and there is public engagement. Seconded by Moore.

The motion carried in a voice vote.

David's Chair Excursion Update

Steinberg noted that it appears that the City will be getting at least one chair for now. The David's Chair organization has a grant that will cover a large part of the cost and we are almost all set for the rest of it. Cavanaugh noted that the organization had received a large grant that will be spread throughout several cities, and the City would need to cover around \$10,000 for the rest of it. Discover Newport would be covering \$5000 of that cost. Cavanaugh stated that he was working on the Memorandum of Agreement between the City and the David's Chair Organization. Cavanaugh mentioned the excursion event that would be happening in June, with David's Chair staff bringing 5-8 different chairs and trailers, doing an all-day 9-5 event for people to try the chairs. There would also be a fundraising event held at the Elks facility. Cavanaugh stated that he thought the City of Newport would probably have a chair shortly after that event.

Director's Report

Cavanaugh reviewed the March 2023 monthly Department report (attached.)

Jebousek asked about the status of the Lucky Gap Trail. Cavanaugh said there was some erosion on the south side, and they had done some improvements on the railings, and they would be doing more extensive repairs later.

Cavanaugh noted about the BLOOM event that was happening May 20, which was to reduce barriers from various groups of people in the community.

PUBLIC COMMENTS

None

COMMITTEE COMMENTS

Steinberg noted that Al Gilhuly had tendered his resignation after the April meeting. She noted that he had served on the Committee for many years and thanked him for his service.

Develop Next Agenda

Aquatic Center Update - Keeley Naughton
Stakeholder Invites
Community Garden

Establish Next Meeting Date

The next meeting is tentatively scheduled for June 7, 2023 @ 5:30pm.

Adjournment

Having no further business, the meeting adjourned at 7:07 pm



July 13, 2023
5:33pm
Newport, Oregon

Newport Parks and Recreation Committee Meeting

The Newport Parks and Recreation Committee met on the above date and time in the Council Chambers of Newport City Hall.

On roll call, Nancy Steinberg, Charles Mitchell, Cheryl Brown, Charles Brown, Jeff Schrantz, Nyla Jebousek, and Council Member C.M. Hall were present.

Staff in attendance was Mike Cavanaugh, Parks and Recreation Director and Keeley Naughton, Aquatic Center Supervisor.

ADDITIONS/DELETIONS TO AGENDA

ACTION ITEMS

Additions/Deletions to Agenda

None.

Approval of Minutes

MOTION was made by Schrantz to approve the amended minutes of the April 5, 2023 minutes. Seconded by Mitchell. Abstention by Cheryl Brown. The motion carried in a voice vote.

DISCUSSION ITEMS

Discussion with Parks & Recreation Stakeholders - Central Coast Soccer Association (CCSA) - Tom Hurst

Steinberg noted that she had invited Tom Hurst as part of the Committee's discussion with various stakeholders in the community.

Hurst provided a summary sheet about the Association and reviewed it with the Committee. He noted that CCSA is a non-profit, independent organization, not associated with the School District or the Parks & Recreation Department, encompassing communities other than Newport. They offer youth soccer programs to Newport, Waldport, Toledo and Siletz, ages 4-14 years old. Lincoln City Parks and Recreation offers their own program and they do work with them on occasion. They have about 500 kids per year involved in their program. Most of the kids are from Newport and all are welcome to play. All the coaches and board members are volunteers. They use a progressive play model, with

the size of the field increasing as the kids get older and older. Most of the games are played in Newport on Saturdays. They also hold games in Toledo and Waldport. Hurst added that they offer programs for kids that want to play more games and travel to play in other area teams. Hurst noted there has been increased interest in girls' soccer in the last few years. Hurst added that with the shortage of referees, they now train their players as assistance referees so that they learn the game from a different perspective, and their families realize that someone must do the job and sometimes it's their child. The kids enjoy this aspect of the program. Hurst noted that they have a great relationship with the high school teams and with the Newport Parks and Recreation Department. The biggest challenge for the program is the field space issue, which is noted in the Parks Master Plan and is being addressed by the City. Hurst noted that asking volunteer coaches to do 3-hour online training every year is also a challenge, hampering their ability to recruit coaches.

Steinberg asked about the type of training that the coaches received. Hurst noted that there was training for various types of coaches, depending on their experience and what they would be coaching. Cavanaugh noted that part of the issue with training was the number of areas where potential coaches live. Cavanaugh asked Hurst how many kids they turn away each season. Hurst noted that up to 30 additional kids were turned away due to a lack of coaches.

Steinberg asked about the cost of the program and Hurst replied that it was \$60 per season, and the kids purchase their own cleats and shin-guards, but everything else is provided. Hurst added that they get some additional funding from team sponsorships.

Jebousek asked if they offered scholarships. Hurst stated that they have some, but not enough to advertise provide them to everyone, but they try to keep the rates low so everyone can afford it. Jebousek said that she thought \$60 was a lot for low-income families and asked if they were interested in doing other types of fundraising to add to their scholarship funds. Hurst stated that they were careful about fundraising, so they didn't take funds away from other programs or organizations, but it was one of their goals. Jebousek stated that from what she saw, it seemed like the soccer programs are a community building program, multi-cultural and a good thing for Newport.

Steinberg asked what the program needed, or if the Committee could do anything to assist them. Hurst noted that the field space issue is their biggest hurdle, and it is one of the top recognized needs in the Parks Master Plan. He also added that he believes the community needs to come together on a plan for the fairgrounds.

Report from the Aquatic Center Supervisor, Keeley Naughton

Steinberg introduced Keeley Naughton, Aquatic Center Supervisor. Naughton gave an overview and noted they were doing some swim lessons, but they are still short-staffed and could not offer as many as they would like. She noted that they were doing special events every Friday in July and August, called Fun Fridays, featuring various themes. Boot Camp is the only water exercise class they are offering, while looking for additional instructors. Naughton noted that they are working on fall programming, which includes the Spooky Swim and a Dive-In movie in October, and they have offered CPR classes to the community every couple of months. She added that in the previous fiscal year they had fourteen special events compared to the year before when they had six. Naughton noted that they were still short five lifeguard positions before they could reopen on Mondays, and short seven positions if they wanted to reopen on Sundays, too. She added that they have been short-staffed since March of 2020. Naughton reviewed the facility issues they have been dealing with, noting that the center is about six years old and necessary repairs persist. She added that the new

UV system is on its way from the East Coast and will hopefully be installed within the next month. Naughton mentioned that they had purchased a new app that is used to track required documentation and gives recommendations on chemical dosage.

Steinberg noted that she had noticed some complaints about scheduling issues on social media. Naughton explained that due to staffing issues they had been forced to close from noon to three-thirty during the school year but had been able to reopen those hours in the summer. She added that they would probably need to close those hours again once school starts. Cavanaugh noted that Naughton had reviewed attendance numbers for their operating hours and the noon to three-thirty was the lowest. Jebousek stated that she had advised them to post job openings at the community college and asked if that had been done. Naughton noted that they do post there.

Naughton reviewed the various equipment they were looking to purchase, including a climbing wall, Wibits, a zip line, and other items. Cheryl Brown noted that Corvallis had a climbing wall in their pool and there was a company logo emblazoned on it, and the company had sponsored the wall. Hall asked if companies that donated funds to pool equipment would get a tax deduction and if the donation would go directly to the Aquatic Center. Cavanaugh noted that funds could be paid to the city or the Friends of Newport Parks and Recreation Foundation, and it could be set up for the Aquatics equipment.

Cavanaugh noted that Naughton has had to manage many mechanical problems since she has been the supervisor. He added that she had developed a thorough preventative maintenance schedule which had not been set up before.

Cavanaugh went over the current status of the cracks in the pool and the efforts to determine the cause. Jebousek noted that she remembered they had found springs or a sinkhole in the building site during construction. Cavanaugh stated that he did not remember that but would check with the Engineering Department.

Naughton note that they were starting a program to use volunteers as instructors. She said they had one former employee that was an instructor who was going to volunteer to teach swim lessons.

David's Chair Fundraiser & Excursion Follow-Up Report.

Steinberg reminded the Committee that there had been a fundraiser in June in conjunction with the visit from David's Chair organization. Cavanaugh played a video from the events which highlighted many of the people who tried out the chairs at Nye Beach. Cavanaugh stated that the weekend had gone very well, and David's Chair staff commented that it was very well organized. They are now trying to figure out how to place the shed for the chairs and set up electricity to charge them. Cavanaugh stated that over 16 people tried the chairs with others who watched and accompanied them. Cheryl Brown asked if they could set up a QR code on the shed or somewhere that has information about the chairs and ways to donate. Cavanaugh said that they had discussed this and were going to have a sign with information about the chairs and donating. Hall suggested they include information that detailed the annual maintenance cost on the chairs - approximately \$5000, and the cost of obtaining another chair. Jebousek asked if there was a way to partner with BLM to share information regarding the use of chairs and noting that the lighthouse area was obtainable to the beach on wheelchairs, so if the David's chair was in use at Nye Beach they could still go to that area and get to the beach. Cavanaugh stated that they could definitely find a way to share the information.

Director's Report

Cavanaugh reviewed the activities and events in May. He noted that the attendance numbers continued to increase compared to last year. The Teen Room was unofficially opened in May, with a grand opening to happen in the fall. Interviews were held for the Recreation Superintendent position, but they will need to reopen the position. The Department participated in the Loyalty Days parade which went very well. In the Parks Division, memorial benches were installed with the new procedure, including a cement pad. Mombetsu Park was cleaned up before the Sister City event, and part of the wall at the Nye Beach turnaround was painted with anti-graffiti paint. Sonia at the 60+ Activity Center is participating in the Bridge Committee, the collaboration group that works with various entities in the community to share information, create events as a group, and pool resources. Cavanaugh added that the 60+ Center also had a Veteran's lunch during Loyalty Days with about 50 people attending. The Sports division has been wrapping up the track and field season and men's basketball and getting started on adult softball. They are also working on the technology aspect, finding a way to share games live from the Rec Center.

Cheryl Brown stated that she had noticed a lot of new Parks and Recreation activities advertised on social media. Cavanaugh stated that they would also be having free access to the Recreation and Aquatic Centers once a month in July, August and September, which the City Council had suggested.

PUBLIC COMMENTS

None

COMMITTEE COMMENTS

Steinberg noted that she had seen a thread on social media regarding the slide at Coast Park and that it had been closed for quite some time. She added the discussion broadened to parks maintenance in general, and how many of the parks needed updating. Steinberg asked if there was some way the committee could advocate for additional funding for the repairs and maintenance. Cavanaugh noted that the slide was inspected and was found to have a large crack. They were having trouble locating the part that was needed to repair it, and if they couldn't get it, the slide would be closed permanently and need to be replaced. Cavanaugh explained where funding might come from, including grants through State Parks and Recreation.

Hall wondered if the Whaler and Hallmark hotels might want to partner with the city for the repairs at Coast Park since their customers would be using it. Cavanaugh stated that they also wanted to get back to using volunteers and having an adopt-a-park program.

Steinberg stated that she wanted to acknowledge the resignation of the mayor and remind everyone that the Parks and Recreation Committee were not elected officials but were a quasi-public committee that needed to be cognizant of the fact that in some ways they represented the community, and they need to be careful when they are on social media or other public venues.

Jebousek stated that this was the second meeting in a row where the committee had no opportunity for comments or input on the agenda. Steinberg replied that Jebousek could contact her if there was something she wanted to add to the agenda and that she was correct that they needed to leave more

time for committee input. Jebousek asked if they ever had access to the Parks Master Plan and Steinberg noted that it was on the website. Cavanaugh stated he would send her the link.

Develop Next Agenda

Interview potential committee members

Review Tree Manual Revision

Establish Next Meeting Date

The next meeting is tentatively scheduled for August 9, 2023 @ 5:30pm.

Adjournment

Having no further business, the meeting adjourned at 7:08 pm.



August 9, 2023
5:32pm
Newport, Oregon

Newport Parks and Recreation Committee Meeting

The Newport Parks and Recreation Committee met on the above date and time in the Council Chambers of Newport City Hall.

On roll call, Nancy Steinberg, Cheryl Brown, Charles Brown, Jeff Schrantz, Brian Norris, Todd Chandler and Council Member C.M. Hall were present.

Staff in attendance was Mike Cavanaugh, Parks and Recreation Director and Anita Albrecht, City Landscape Specialist.

ADDITIONS/DELETIONS TO AGENDA

ACTION ITEMS

Additions/Deletions to Agenda
None.

Approval of Minutes May 3, 2023

MOTION was made by Norris to approve the corrected minutes of the May 3, 2023 minutes. Seconded by Charlie Brown. Abstention by Cheryl Brown. The motion carried in a voice vote.

DISCUSSION ITEMS

Interview Applicants for Parks & Recreation Advisory Committee - Mike Kloeck and Tammy Moore.

Steinberg introduced Mike Kloeck, applicant for the vacant position on the committee. Committee members each asked the applicant a question from the standard question list. Kloeck gave his reasons for applying, recognizing how important Parks and Recreation are to a community. He stated that it was important that activities be affordable and accessible. Koeck stated that he used the parks for running and cycling. He added that he had experience working on the Visual Arts Center Committee for

several years. Koeck added that he had a very open mindset and is good at communicating with groups as a neutral arbitrator.

Steinberg introduced Tammy Moore, second applicant for the vacant committee position. Committee members each asked the applicant a question from the standard question list. Moore stated that she had moved to Newport in 2019 and her family had been involved with activities offered by the Parks and Recreation Department. Moore added that she had also volunteered for activities within the community through other entities. Moore stated that she had been involved in many groups and committees for fundraising and organizing events and would bring her passion for Parks and Recreation to the committee.

Norris asked if it was possible to have an applicant serve on a subcommittee if there was not a vacancy. Cavanaugh stated he would check on that and thought it would work if they made the person an alternate. He noted that the Bike/Ped committee currently had alternates members.

The committee discussed the two candidates and which one they preferred, then made their decision.

MOTION: Schrantz moved to recommend Mike Koeck to the City Council to fill the vacant position on the committee. Seconded by Chandler. The motion carried in a voice vote.

Steinberg stated that she would speak with Tammy Moore about possibly becoming an alternate on the committee. She also added that she agreed that they should revisit the questions they currently ask applicants and include something about what constituents they would be representing.

MOTION: Cheryl Brown moved to have staff explore the idea of having alternate positions on the committee. Seconded by Norris. The motion carried in a voice vote.

Review of the 2023 Newport Tree Manual.

Steinberg introduced Anita Albrecht, Landscape Specialist who went over the potential revisions to the Tree Manual. Discussions included potential prohibited species, climate change relevance, and ivy removal. The committee requested future changes to rename it the Tree and Landscape Manual, expand the prohibited plant list including bamboo, add more information on ivy and climate change, plants that are most susceptible to wildfire, and adding credits for Jenni Remillard and Anita Albrecht for developing the manual.

MOTION: Cheryl Brown moved to approve the current Tree Manual and to include the suggested additions and revisions in two years. Seconded by Schrantz. The motion carried in a voice vote.

The committee added that they should address the code that states the Parks and Recreation Committee also serves as the Tree Board. Cavanaugh stated that he would look into it.

Director's Report

Steinberg noted that Cavanaugh has suggested the committee read the monthly report that is sent out, saving them time at the meeting. Steinberg noted that the committee could use the time to ask questions of him or he could report on current issues.

Cavanaugh gave an update on the Ocean to Bay trail, noting that they had already ripped out the kiosks at either end of the trail. He stated that this trail was in great need of attention. Cavanaugh listed the various projects they would be working on to improve it.

Hall asked for an update on the David's Chair project. Cavanaugh noted that the shed to house the chair is in place at the Nye Beach turnaround, the chair is in town, and will be stored at the Parks yard until they figure out how to get power to the shed to charge the chair. Cavanaugh added that he is working with Central Lincoln PUD and others to complete the project. There is also some paperwork that must be completed.

Cavanaugh noted that the slide at Coast Park is still closed due to a crack at the top. He stated that they are still trying to get parts for it, which is difficult due to the age of the slide.

PUBLIC COMMENTS

None

COMMITTEE COMMENTS

Chandler announced the bike race that would be held next weekend, sponsored by the Oregon Coast Visitors Association and held at Big Creek Park.

Cheryl Brown mentioned the 48th annual Seahorse Swim Meet that would be held in the Aquatic Center Friday, Saturday and Sunday, with fifteen teams participating.

Hall noted that she had recently fell into a hole at Coast Park and she had heard from three people that there is someone digging holes with a spoon and then covering them up with grass and the holes were about as big as a bucket. She said that she had received a call that there was now jagged glass in one of the holes. The information she had received said that this was happening at Don Davis and Coast Park. Cavanaugh he would have the Parks staff look into it.

Develop Next Agenda

Parks Master Plan

Review Committee Goals (DEI review, events/programs)

Establish Next Meeting Date

The next meeting is tentatively scheduled for September 6, 2023 @ 5:30pm and a possible joint meeting with the Bike/Ped committee on September 12.

Adjournment

Having no further business, the meeting adjourned at 7:08 pm.

DRAFT

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Public Hearing and Potential Adoption of Ordinance No. 2215, Amending Chapter 14.14 of the Newport Municipal Code Related to Off-street Parking Requirements for Development and Redevelopment in Special Parking Areas.

Background:

On September 25, 2023, the Newport Planning Commission held a public hearing to consider public testimony and comment on draft amendments impacting Chapter 14.14 of the Newport Municipal Code relating to off-street parking requirements for development and redevelopment in special parking areas. The Planning Commission passed a motion recommending that the City Council adopt the amendments.

Ordinance No. 2215 addresses parking requirements to reduce minimum off-street parking for new developments or redevelopment of properties located within areas in which public parking is managed with meters or combination of parking meters and permits. These recommendations were part of discussions during the parking study which laid out the proposed plan for addressing public parking in various commercial areas within the city. The proposed amendments allowed new development and redevelopment of property that generates a demand of 20 or fewer off-street parking spaces to move forward without constructing new off-street spaces. These projects would pay a one-time fee based upon parking demand attributed to the project to be set by Council resolution. The ordinance also provides existing businesses that provide private off-street parking the option of developing their existing parking areas, subject to the 20-space parking demand threshold.

These changes will allow development to occur where development could not otherwise practically take place due to topography and other issues related to providing private off-street parking. Furthermore, traditional downtown areas consist of continuous buildings, not typically interrupted with parking lots. By having a properly managed parking system, the parking study commissioned by the City Council indicates that further development can be accommodated without the requirement for additional spaces. These provisions would apply initially to the Bayfront parking area where pay parking is being implemented. A one-time fee would be paid by developers in lieu of constructing off-street parking for new development or redevelopment that generates demand for not more than 20 spaces. These fees will be set in a future Council resolution.

In the Bayfront when metered parking is provided, commercial property owners will not be assessed the parking district annual fee.

Finally, the Code will reflect that historic parking uses can be credited in meeting current requirements, if that old use occurred within the past ten years. This would be consistent with the Council's reasoning on the 47-room Abbey Hotel appeal of the Planning Commission's decision on parking requirements.

Recommendation:

I recommend that the Mayor conduct a public hearing on the potential adoption of Ordinance No. 2215, an ordinance amending Chapter 14.14 of the Newport Municipal Code related to off-street parking requirements for development and redevelopment in special parking areas.

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

I move to place for final passage and read by title only Ordinance No. 2215, an ordinance amending Chapter 14.14 of the Newport Municipal Code related to off-street parking requirements for new development and redevelopment in special parking areas

The Mayor will then ask for a voice vote on whether to adopt the ordinance. If the motion passes, the City Recorder will read the ordinance by title only.

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

Fiscal Effects:

None.

Alternatives:

Do not approve the motion, refer back to City administration for further refinement, or as suggested by City Council. Section 16 - Ordinance Adoption of the City Charter provides that *"at the request of any Council member, the roll call vote shall be at a separate Council meeting. Any amendments from the printed version circulated at the Council meeting shall be read in full at the time of the reading of the ordinance by title, unless Council by unanimous vote waives reading of the amendments."*

Respectfully submitted,



Spencer Nebel
City Manager



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Date: October 16, 2023

Title: Public Hearing and Possible Adoption of Ordinance No. 2215, Amending Chapter 14.14 of the Newport Municipal Code Related to Off-Street Parking Requirements for New Development and Redevelopment in Special Parking Areas

Prepared by: Derrick I. Tokos, AICP, Community Development Director

Recommended Motion: I move to place for final passage, and read by title only, Ordinance No. 2215, an ordinance amending Chapter 14.14 of the Newport Municipal Code related to off-street parking requirements for new development and redevelopment in special parking areas.

Background Information: Draft Ordinance No. 2215 amends the Newport Zoning Ordinance, codified as Title XIV of the Newport Municipal Code, to reduce minimum off-street parking requirements for new development or redevelopment in special parking areas where public parking is managed with meters or a combination of parking meters and permits.

The amendments carry out implementation measures listed in the parking study the City Council adopted in 2020 with Ordinance No. 2163, which reads as follows:

“Implementation Measure 1.3.1: Pursue metered zones, hybrid paid/permit, and hybrid permit/timed zones for high demand areas along the Bayfront; and”

“Implementation Measure 3.2.3: Reduce or eliminate minimum off-street parking requirements for new development or redevelopment in metered and meter/permit zones.”

The City is rolling out a meter and a combination meter and paid parking permit program for the Bayfront, with full implementation anticipated by the end of the year. At that time, the City will shift to demand management, using pricing to influence parking behavior in order to realize better vehicle turnover, reducing congestion and improving safety. In exchange, the City has agreed to reduce or eliminate off-street parking requirements for new development and redevelopment in these high demand areas. Existing off-street parking requirements have been an impediment to economic growth because it is not practical (or in some cases even possible) to construct off-street parking because of terrain constraints.

Most of the changes are to NMC Chapter 14.14.100, Special Parking Areas, which applies to Nye Beach, City Center, and the Bayfront. Only public parking areas along the Bayfront are being metered per the above policy. The proposed amendments allow new development and redevelopment that generates a demand for 20 or fewer off-street parking to move forward without constructing new off-street spaces. Such projects would pay a one-time fee, based upon the parking demand attributed to the project. The fee would be scaled, and set by Council resolution. The ordinance also provides existing businesses that provide private, off-street parking the option of developing their existing parking areas, subject to the 20 space parking demand threshold.

Businesses in the City Center, Nye Beach, and the Bayfront pay an annual business license surcharge as a contribution towards maintenance of public parking that they rely upon. A new subsection 14.14.100(D) provides that uses within these “special parking areas” shall be subject to a “Parking District Business License Annual Fee” in an amount set by Council resolution, unless

the City requires payment for the use of public parking in all or part of the special area. This has the effect of codifying the fees set with Council Resolution No. 3864. It also makes it clear that businesses will be relieved from the annual fee if they have to pay to use public parking. That could be in the form of metering, which is being implemented for the Bayfront, or it could be a paid parking permit program, if implemented at some point in Nye Beach.

Lastly, NMC Section 14.14.030, which states “for reconstruction or change of type of use, credit be given to the old use so that the required parking shall be based on the increase of the new use,” is being amended to clarify that “old use” is any use or structure on a property within the last 10 years. This aligns with the period of time an individual can claim System Development Charge credits for a prior use (NMC 12.15.065). It also comports with the City Council’s decision in Order No. 2023-1, approving a Conditional Use Permit and Adjustment for the 47 room Abbey Hotel.

The one-time fee that is to be paid in lieu of constructing off-street parking for new development or redevelopment that generates a demand for not more than 20 spaces will be included in a future Council resolution. A concept for how it could be structured is included with staff analysis in Exhibit A to Ordinance No. 2215.

The Newport Planning Commission held a public hearing on September 25, 2023 to consider public testimony and comment on the draft amendments and, at the conclusion of the hearing, passed a motion recommending the City Council adopt the amendments.

Fiscal Notes: There are no fiscal impacts associated with this amendment.

Alternatives: Adopt the ordinance, request changes, forgo adoption, or as suggested by Council.

Attachments:

Draft Ordinance No. 2215
Special Parking Area Map
Minutes from the 9/25/23 Planning Commission Hearing
Resolution No. 3864
Notice for the 10/6/23 Public Hearing

CITY OF NEWPORT

ORDINANCE NO. 2215

AN ORDINANCE AMENDING CHAPTER 14.14 OF THE NEWPORT MUNICIPAL CODE RELATED TO OFF-STREET PARKING REQUIREMENTS FOR NEW DEVELOPMENT AND REDEVELOPMENT IN SPECIAL PARKING AREAS

(Newport File No. 3-Z-22)

Findings:

1. On August 14, 2023, the Newport Planning Commission initiated amendments to the Newport Zoning Ordinance, codified as Title XIV of the Newport Municipal Code, to reduce minimum off-street parking requirements for new development or redevelopment in special parking areas where public parking is managed with meters or a combination of parking meters and permits.

2. The amendments carry out implementation measures listed in the parking study the City Council adopted in 2020 with Ordinance No. 2163, which reads as follows:

“Implementation Measure 1.3.1: Pursue metered zones, hybrid paid/permit, and hybrid permit/timed zones for high demand areas along the Bayfront; and”

“Implementation Measure 3.2.3: Reduce or eliminate minimum off-street parking requirements for new development or redevelopment in metered and meter/permit zones.”

3. The City is rolling out a meter and a combination meter and paid parking permit program for the Bayfront, with full implementation anticipated by the end of the year. At that time, the City will shift to demand management, using pricing to influence parking behavior in order to realize better vehicle turnover, reducing congestion and improving safety. In exchange, the City has agreed to reduce or eliminate off-street parking requirements for new development and redevelopment in these high demand areas. Existing off-street parking requirements have been an impediment to economic growth because it is not practical (or in some cases even possible) to construct off-street parking because of terrain constraints.

4. The draft amendments were developed in consultation with the Parking Advisory Committee at its May 17, 2023 and August 16, 2023 meetings, the Planning Commission at work sessions on May 22, 2023 and August 14, 2023, and the City Council at a work session on June 20, 2023. Proposed substantive changes are more specifically described below:

a. Newport Municipal Code (NMC) Section 14.14.100, Special Parking Areas, applies to Nye Beach, City Center, and the Bayfront. It is being amended to include a new subsection 14.14.100(B), which provides that uses within a special area where meters are utilized, in all or part of the special area, may pay a one-time fee in lieu of providing the off-street parking that would otherwise be required, provided the parking demand does not exceed 20 spaces. Such fee shall be in an amount established by Council resolution. Uses with a parking demand in excess of 20 spaces must provide off-street parking sufficient to accommodate the excess demand. Parking ratios in subsection 14.14.030 or a parking demand analysis authorized under subsection 14.14.040 are to be used to determine a use(s) parking demand.

b. A new subsection 14.14.100(C) is created, establishing that existing uses that provide off-street parking in order to comply with the provisions of this section, or prior parking ordinances, shall not be required to retain such parking if they are located within a special area where public parking meters are utilized, in all or part of the special area. This amendment addresses an equity concern where, over the years, some Bayfront users were required to provide off-street parking on valuable real estate whereas others were not. Large users, that generate a demand for more than 20 parking spaces, will not be able to take full advantage of this provision because NMC 14.14.100(B) requires they provide off-street parking.

c. A new subsection 14.14.100(D) provides that uses within a special area shall be subject to a "Parking District Business License Annual Fee" in an amount set by Council resolution, unless the City requires payment for the use of public parking in all or part of the special area. This codifies the fee authorized with Council Resolution No. 3864. Once this language is in place, and metering is operational, then the Bayfront will no longer be subject to a Parking District Business License Annual Fee. Similarly, if Nye Beach implements a paid parking permit program at some point in the future, then it would also no longer be subject to a parking district business license fee.

d. Lastly, NMC Section 14.14.030, which states "for reconstruction or change of type of use, credit be given to the old use so that the required parking shall be based on the increase of the new use," is being amended to clarify that "old use" is any use or structure on a property within the last 10 years. This aligns with the period of time an individual can claim System Development Charge credits for a prior use (NMC 12.15.065).

5. The Newport Planning Commission held a public hearing on September 25, 2023 to consider public testimony and comment on the draft amendments and, at the conclusion of the hearing, passed a motion recommending the City Council adopt the amendments.

6. The City Council held a public hearing on October 16, 2023 regarding the question of the proposed amendments, and, after considering the recommendation of the Planning

Commission and evidence and argument in the record, adopted the ordinance, concluding that it is necessary and furthers the general welfare of the community.

7. Information in the record, including affidavits of mailing and publication, demonstrate that appropriate public notification was provided for both the Planning Commission and City Council public hearings.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Findings. The findings set forth above are hereby adopted in support of the amendments to Title XIV of the Newport Municipal Code adopted by Section 2 of this Ordinance.

Section 2. Municipal Code Amendment. Chapter 14.14 of Title XIV of the Newport Municipal Code is hereby amended as set forth in Exhibit "A".

Section 3. Effective Date. This ordinance shall take effect 30 days after adoption.

Adopted by the Newport City Council on: _____

Signed by the Mayor on _____, 2023.

Jan Kaplan, Mayor

ATTEST:

Erik Glover, Asst. City Manager/City Recorder

(Unless otherwise specified, new language is shown in double underline, and text to be removed is depicted with ~~strikethrough~~. Staff comments, in *italics*, are for context and are not a part of the revisions.)

CHAPTER 14.14 PARKING AND LOADING REQUIREMENTS

14.14.010 Purpose

The purpose of this section is to establish off-street parking and loading requirements, access standards, development standards for off-street parking lots, and to formulate special parking areas for specific areas of the City of Newport. It is also the purpose of this section to implement the Comprehensive Plan, enhance property values, and preserve the health, safety, and welfare of citizens of the City of Newport.

14.14.020 Definitions

For purposes of this section, the following definitions shall apply:

Access. The point of ingress and egress from a public street to an off-street parking lot or loading and unloading area.

Aisle. Lanes providing access to a parking space.

Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Loading Space. A parking space for the loading and unloading of vehicles over 30 feet in length.

Parking Space. An area for the parking of a vehicle.

Site Plan. A map showing the layout of the building, parking, landscaping, setbacks, and any other pertinent information concerning the development of a site.

Use. Any new building, change of occupancy, or addition to an existing building.

14.14.030 Number of Parking Spaces Required

- A. Off-street parking shall be provided and maintained as set forth in this section. Such off-street parking spaces shall be provided prior to issuance of a final building inspection, certificate of occupancy for a building, or occupancy, whichever occurs first.
- B. For any expansion, reconstruction, or change of use, the entire development shall satisfy the requirements of [Section 14.14.050](#), Accessible Parking. Otherwise, for building expansions the additional required parking and access improvements shall be based on the expansion only and for reconstruction or change of type of use, credit shall be given to the old use so that the required parking shall be based on the increase of the new use. For the purpose of this section "old use" is any use or structure on a property within the last 10 years.
- C. Any use requiring any fraction of a space shall provide the entire space. In the case of mixed uses such as a restaurant or gift shop in a hotel, the total requirement shall be the sum of the requirements for the uses computed separately.
- D. Required parking shall be available for the parking of operable automobiles of residents, customers, or employees, and shall not be used for the storage of vehicles or materials or for the sale of merchandise.
- E. A site plan, drawn to scale, shall accompany a request for a land use or building permit. Such plan shall demonstrate how the parking requirements required by this section are met.
- F. Parking shall be required at the following rate. All calculations shall be based on gross floor area unless otherwise stated.

1.	General Office	1 space/600 sf
2.	Post Office	1 space/250 sf
3.	General Retail (e.g. shopping centers, apparel stores, discount stores, grocery stores, video arcade, etc.)	1 space/300 sf

4.	Bulk Retail (e.g. hardware, garden center, car sales, tire stores, wholesale market, furniture stores, etc.)	1 space/600 sf
5.	Building Materials and Lumber Store	1 space/1,000 sf
6.	Nursery – Wholesale Building	1 space/2,000 sf 1 space/1,000 sf
7.	Eating and Drinking Establishments	1 space/150 sf
8.	Service Station	1 space/pump
9.	Service Station with Convenience Store	1 space/pump + 1 space/ 200 sf of store space
10.	Car Wash	1 space/washing module + 2 spaces
11.	Bank	1 space/300 sf
12.	Waterport/Marine Terminal	20 spaces/berth
13.	General Aviation Airport	1 space/hangar + 1 space/300 sf of terminal
14.	Truck Terminal	1 space/berth
15.	Industrial	1.5 spaces/ <u>1,000 sf</u>
16.	Industrial Park	1.5 spaces/5,000 sf
17.	Warehouse	1 space/2,000 sf
18.	Mini-Warehouse	1 space/10 storage units
19.	Single-Family Detached Residence	2 spaces/dwelling
20.	Duplex	1 space/dwelling
21.	Apartment	1 space/unit for first four units + 1.5 spaces/unit for each Additional unit
22.	Condominium (Residential)	1.5 spaces/unit
23.	Townhouse	1.5 spaces/unit
24.	Cottage Cluster	1 space/unit
25.	Elderly Housing Project	0.8 space/unit if over 16 dwelling units
26.	Congregate Care/Nursing Home	1 space/1,000 sq. ft.
27.	Hotel/Motel	1 space/room + 1 space for the manager (if the hotel/motel contains other uses, the other uses Shall be calculated separately
28.	Park	2 spaces/acre
29.	Athletic Field	20 spaces/acre
30.	Recreational Vehicle Park	1 space/RV space +

		1 space/10 RV spaces
31.	Marina	1 space/5 slips or berths
32.	Golf Course	4 spaces/hole
33.	Theater	1 space/4 seats
34.	Bowling alley	4 spaces/alley
35.	Elementary/Middle School	1.6 spaces/classroom
36.	High School	4.5 spaces/classroom
37.	Community College	10 spaces/classroom
38.	Religious/Fraternal Organization	1 space/4 seats in the main auditorium
39.	Day Care Facility	1 space/4 persons of license occupancy
40.	Hospital	1 space/bed
41.	Assembly Occupancy	1 space/8 occupants (based on 1 occupant/15 sf of exposition/meeting/assembly room conference use not elsewhere specified)

Staff: Section 14.14.030 has been broken up into distinct regulatory concepts. The language requiring that “for reconstruction or change of type of use, credit be given to the old use so that the required parking shall be based on the increase of the new use” is silent about whether or not a use that has ceased operation counts as an “old use.” Clarifying language is being added indicating that, for the purpose of this section, “old use” is any use or structure on a property within the last 10 years. That aligns with the period of time an individual can claim System Development Charge Credits for a prior use (NMC 12.15.065). A typo is being corrected for the industrial use parking ratio.

14.14.040 Parking Requirements for Uses Not Specified

The parking space requirements of buildings and uses not set forth above shall be determined by the Planning Director or designate. Such determination shall be based upon requirements for the most comparable building or use specified in [Section 14.14.030](#) or a separate parking demand analysis prepared by the applicant and subject to a Type I decision making procedure as provided in [Section 14.52](#), Procedural Requirements.

14.14.050 Accessible and Electric Vehicle Parking

Parking areas shall meet all applicable accessible parking and electric vehicle charging infrastructure requirements of the Oregon Structural Specialty Code to ensure adequate access for disabled persons, and sufficient electric vehicle parking infrastructure for future users.

14.14.060 Compact Spaces

For parking lots of five vehicles or more, 40% of the spaces may be compact spaces measuring 7.5 feet wide by 15 feet long. Each compact space must be marked with the word "Compact" in letters that are at least six inches high.

14.14.070 Bicycle Parking

Bicycle parking facilities shall be provided as part of new multi-family residential developments of five units or more; new retail, office, and institutional developments; and park-and-ride lots and transit transfer stations.

- A. The required minimum number of bicycle parking spaces is as follows, rounding up to the nearest whole number:

Parking Spaces Required	Bike Spaces Required
1 to 4 ^a	1
5 to 25	1
26 to 50	2
51 to 100	3
Over 100	1/25

a. Residential developments less than 5 units are exempt from bicycle parking requirements.

- B. Bicycle parking for multiple uses (such as commercial shopping centers) may be clustered in one or several locations but must meet all other requirements for bicycle parking.
- C. Each required bicycle parking space shall be at least two and a half by six feet. An access aisle at least five feet wide shall be provided and maintained beside or between each row of bicycle parking.

D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object (e.g., a "rack") upon which a bicycle can be locked.

E. Areas set aside for required bicycle parking must be clearly marked and reserved for bicycle parking only.

14.14.080 Shared Parking

The off-street parking requirements of two or more uses, structures, or parcels may be satisfied by the same parking lot or loading spaces used jointly to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their parking needs do not overlap. If the uses, structures, or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract, or other appropriate written document to establish the joint use.

14.14.090 Parking Lot Standards

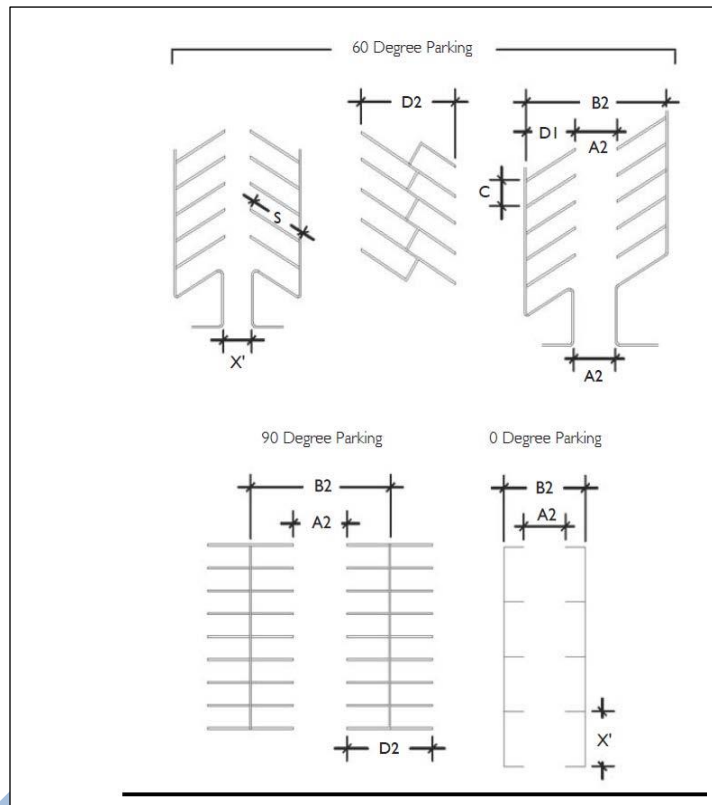
Parking lots shall comply with the following:

A. Parking Lot Minimum Standards. Parking lots shall be designed pursuant to the minimum dimensions provided in Table 14.14.090-A and Figure 14.14.090-A.

Table 14.14.090-A. Parking Lot Minimum Dimensions for Standard Space

<u>PARKING</u> <u>ANGLE</u> <u>≤ °</u>	<u>CURB</u> <u>LENGTH</u>	<u>STALL DEPTH</u>		<u>AISE WIDTH</u>		<u>BAY WIDTH</u>		<u>STRIPE</u> <u>LENGTH</u>
		<u>SINGLE</u> <u>D1</u>	<u>DOUBLE</u> <u>D2</u>	<u>ONE</u> <u>WAY</u> <u>A1</u>	<u>TWO</u> <u>WAY</u> <u>A2</u>	<u>ONE</u> <u>WAY</u> <u>B1</u>	<u>TWO</u> <u>WAY</u> <u>B2</u>	
<u>90°</u>	<u>8'-6"</u>	<u>18'</u>	<u>36'</u>	<u>23'</u>	<u>23'</u>	<u>59'</u>	<u>59'</u>	<u>18'</u>
<u>60°</u>	<u>10'</u>	<u>20'</u>	<u>40'</u>	<u>17'</u>	<u>18'</u>	<u>57'</u>	<u>58'</u>	<u>23'</u>
<u>45°</u>	<u>12'</u>	<u>18'-6"</u>	<u>37'</u>	<u>13'</u>	<u>18'</u>	<u>50'</u>	<u>55'</u>	<u>26'-6"</u>
<u>30°</u>	<u>17'</u>	<u>16'-6"</u>	<u>33'</u>	<u>12'</u>	<u>18'</u>	<u>45'</u>	<u>51'</u>	<u>32'-8"</u>
<u>0°</u>	<u>22'</u>	<u>8'-6"</u>	<u>17'</u>	<u>12'</u>	<u>18'</u>	<u>29'</u>	<u>35'</u>	<u>8'-6"</u>

Figure 14.14.090-A. Parking Lot Minimum Dimensions



B. Surfacing.

1. All parking lots that are required to have more than five parking spaces shall be graded and surfaced with asphalt or concrete. Other material that will provide equivalent protection against potholes, erosion, and dust may be approved by the City Engineer if an equivalent level of stability is achieved.
2. Parking lots having less than five parking spaces are not required to have the type of surface material specified in subsection (1), above. However, such parking lot shall be graded and surfaced with crushed rock, gravel, or other suitable material as approved by the City Engineer. The perimeter of such parking lot shall be defined by brick, stones, railroad ties, or other such similar devices. Whenever such a parking lot abuts a paved street, the driveway leading from such

street to the parking lot shall be paved with concrete from the street to the property line of the parking lot.

3. Parking spaces in areas surfaced in accordance with subsection (1) shall be appropriately demarcated with painted lines or other markings.

C. Joint Use of Required Parking Spaces. One parking lot may contain required spaces for several different uses, but the required spaces assigned to one use may not be credited to any other use.

D. Satellite Parking.

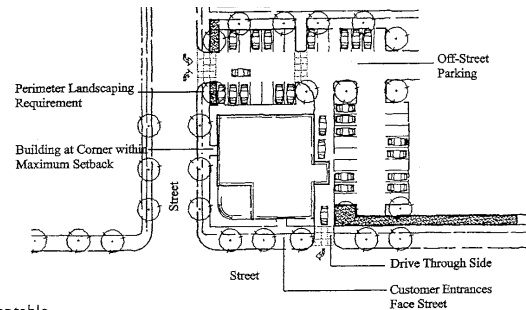
1. If the number of off-street parking spaces required by this chapter cannot be provided on the same lot where the principal use is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to as satellite parking spaces.
2. All such satellite parking spaces shall be located within 200 feet of the principal building or lot associated with such parking.
3. The applicant wishing to take advantage of the provisions of this section must present satisfactory written evidence that the permission of the owner or other person in charge of the satellite parking spaces to use such spaces has been obtained. The applicant must also sign an acknowledgement that the continuing validity of the use depends upon the continued ability to provide the requisite number of parking spaces.
4. Satellite parking spaces allowed in accordance with this subsection shall meet all the requirements contained in this section.

E. Lighting. Lighting from parking lots shall be so designed and located as to not glare onto neighboring residential properties. Such lighting shall be screened, shaded, or designed in such a way as to comply with the requirement contained in this section. This section is not intended to

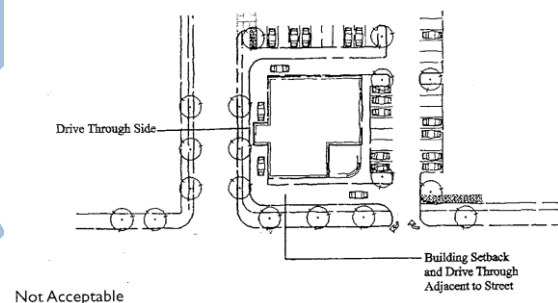
apply to public street lighting or to outdoor recreational uses such as ball fields, playing fields, and tennis courts.

- F. Drive-Up/Drive-In/Drive-Through Uses and Facilities. Drive-up or drive-through uses and facilities shall conform to the following standards, which are intended to calm traffic, and protect pedestrian comfort and safety (Figures 1 and 2).

Figure 1 – Drive-Up and Drive-Through Facilities



1. The drive-up/drive through facility shall orient to an alley, driveway, or interior parking area, and not a street; and
2. None of the drive-up, drive-in or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a street or placed adjacent to a street corner); and
3. Drive-up/in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way.



- G. Driveway Standards. Driveways shall conform to the requirements of Chapter 14.46.
- H. Landscaping and Screening. Parking lot landscaping and screening standards must comply with Section 14.19.050.

- I. Preferential Carpool/Vanpool Parking. Parking areas that have designated employee parking and more than 20 vehicle parking spaces shall provide at least 10% of the employee parking spaces, as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.

14.14.100 Special Area Parking Requirements

A. The boundary of the ~~These~~ special areas are defined as follows:

A1. Nye Beach. That area bounded by SW 2nd Street, NW 12th Street, NW and SW Hurbert Street, and the Pacific Ocean.

B2. Bayfront. That area bounded by Yaquina Bay and the following streets: SE Moore Drive, SE 5th and SE 13th, SW 13th Street, SW Canyon Way, SW 10th, SW Alder, SW 12th, SW Fall, SW 13th, and SW Bay.

C3. City Center. That area bounded by SW Fall Street, SW 7th Street, SW Neff Street, SW Alder Street, SW 2nd Street, SW Nye Street, Olive Street, SE Benton Street, SW 10th Street, SW Angle Street, SW 11th Street, SW Hurbert Street, and SW 10th Street.

B. Uses within a special area where public parking meters are utilized, in all or part of the special area, may pay a fee in lieu of providing the off-street parking required in this section provided the parking demand does not exceed 20 spaces. Such fee shall be in the amount established by Council resolution. Uses with a parking demand in excess of 20 spaces must provide off-street parking sufficient to accommodate the excess demand. Parking ratios in subsection 14.14.030 or a parking demand analysis authorized under subsection 14.14.040 shall be used to determine a use(s) parking demand.

Staff: The proposed language responds to Parking Study Comprehensive Plan Implementation Measure 3.2.3, which calls for the City to reduce or eliminate minimum off-street parking requirements for new development or redevelopment

in metered and meter/permit zones. It is a combination of Options B.2 and B.3, presented to the Parking Advisory Committee on May 17, 2023, the Planning Commission on May 22, 2023, and the City Council on June 20, 2023. Blending the two options was the clear preference coming out of the meetings, with Option B.2 requiring a one-time fee in lieu of a developer constructing off-street parking to serve their project and Option B.3 capping the amount of parking a new development or redevelopment can place on the public parking system before the requirement for new off-street parking is triggered.

The draft code provisions outlined above would allow smaller scale development (i.e. that which generates a demand for less than 20 parking spaces) to occur without requiring they construct new off-street parking. Larger projects that generate a demand for more than 20 parking spaces would have to construct off-street parking to accommodate the additional demand. A one-time fee will be charged for new development or redevelopment that generate a demand for up to 20 parking spaces. This would create a modest amount of funding to help pay for new public parking, transit, etc. in concert with metering revenues. It is justifiable because new development or redevelopment places additional strain on the finite amount of parking available in these areas. The fee would be scaled to disincentivize development that places significant new demand on the public parking spaces. Here is an example of what that could look like:

Additional Demand:

<i>Spaces 1 to 5</i>	<i>\$0 ea.</i>
<i>Spaces 6 to 10</i>	<i>\$5,000 ea.</i>
<i>Spaces 11 to 15</i>	<i>\$7,500 ea.</i>
<i>Spaces 16 to 20</i>	<i>\$10,000 ea.</i>

At the Planning Commission meeting it was suggested that there be no fee for the first 5 required off-street spaces. That is consistent with the existing fee resolution that allows the first 5 spaces to be exempted where a parking business license surcharge is in place. That surcharge will go away though once a meter/permit program is in place.

Here are examples of how the one-time fee would play out:

Example 1: Convert 1,400 sf of retail to restaurant (About the size of the retail building where Noble Estates offered wine tasting (146 SW Bay Blvd)

9.33 spaces (new restaurant) - 4.67 spaces (existing retail) = 4.66 (5 spaces). \$0 fee.

Example 2: 12,000 sq. ft. of waterfront industrial with 4,000 sq. ft. of warehouse space (at old California Shellfish site 411 SW Bay Blvd).

20 spaces (new industrial/warehouse). No existing use credits. \$112,500 fee. While significant, this cost is less than what it would take to construct a lot of this size and could potentially be absorbed as part of the development costs.

Example 3: Construct 47 room hotel, 2,626 sf retail (Abbey Hotel project) on site previously occupied by a nightclub, restaurants, and retail. (836 - 856 SW Bay Blvd).

65 spaces (new hotel/retail use) - 49 spaces (credit for old use) = 16 spaces. Old use provided 20 off-street spaces, so impact of new project is 36 spaces. 43 parking spaces provided off-street. No fee.

Example 4: Construct 47 room hotel, 2,626 sf retail on a site where there was no prior use. 49 space impact. \$112,500 fee for first 20 spaces and developer would be required to construct 29 off-street parking spaces.

This language would only apply in special parking areas where meters are deployed, which is the plan for the Bayfront. It would not apply to Nye Beach or City Center.

C. Existing uses that provide off-street parking in order to comply with the provisions of this section, or prior parking ordinances, shall not be required to retain such parking if they are located within a special area where public parking meters are utilized, in all or part of the special area.

Staff: This language is needed to make it clear that the few businesses currently providing off-street parking in a meter or meter/permit area will no longer be bound to do so, meaning they can develop these properties. Accessible parking

standards, electric vehicle parking requirements, and bicycle parking provisions key off of the number of off-street spaces provided. The City will need to consider accommodating those needs in public rights-of-way. The draft language has been revised to limit its applicability to metered areas, which for the time being is the Bayfront. Such change aligns with Parking Study Comprehensive Plan Implementation Measure 3.2.3, which calls for the City to reduce or eliminate minimum off-street parking requirements for new development or redevelopment in metered and meter/permit zones. Metered parking and meter/permit zones are not currently planned for Nye Beach and City Center.

D. Uses within a special area shall be subject to a “Parking District Business License Annual Fee” in an amount set by Council resolution, unless the City requires payment for the use of public parking in all or part of the special area. The annual business license fee established under this subsection shall exempt new development or redevelopment from having to provide up to five (5) off-street parking spaces. Uses that generate a demand for more than five (5) off-street parking spaces shall provide the additional spaces in accordance with the provisions of this section.

Staff: This subsection is needed for the Nye Beach and City Center special areas, where metered and meter/permit zones are not being implemented. It codifies language that is currently in Council Resolution No. 3864, a resolution that would be repealed if this language is adopted. Once this language is in place, and metering is operational, then the Bayfront will no longer be subject to a Parking District Business License Annual Fee. If Nye Beach implements a paid parking permit program at some point in the future, then it would also no longer be subject to a parking district business license fee.

14.14.110 Loading and Unloading Areas

Off-street loading and unloading areas shall be provided per this section.

A. Whenever the normal operation of any use requires that goods, merchandise, or equipment be routinely delivered

to or shipped from that use, a sufficient off-street loading and unloading area must be provided in accordance with this subsection to accommodate the delivery or shipment operations in a safe and convenient manner.

- B. The loading and unloading area must accommodate the numbers as set forth in Table A. At a minimum, a loading and unloading space must be 35 feet in length, 10 feet in width, and 14 feet in height. The following table indicates the number of spaces that, presumptively, satisfy the standard set forth in this subsection.

Table 14.14.110-A, Required Loading Spaces

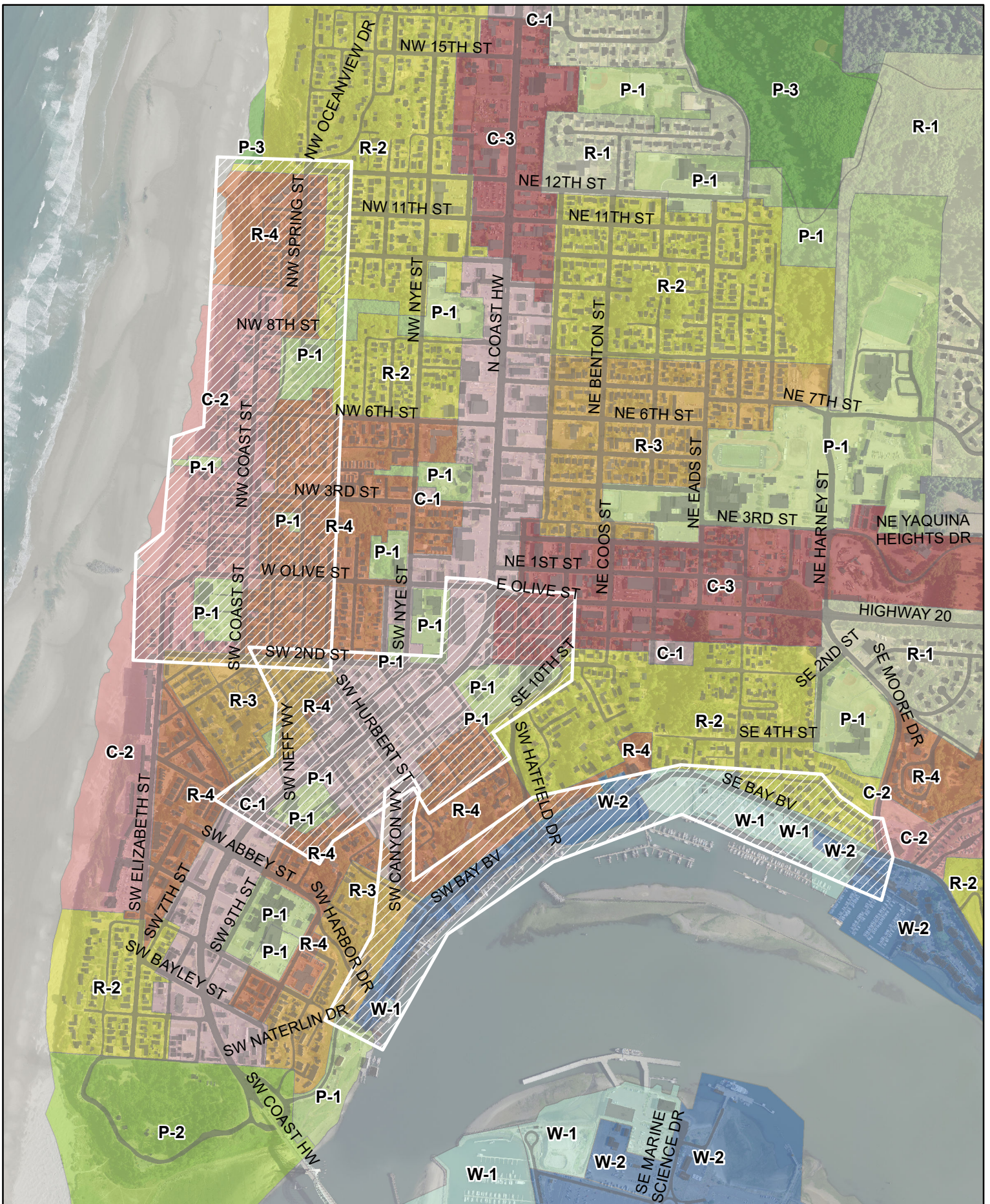
Square footage of Building	Number of Loading Spaces
0-19,999	0
20,000 – 79,999	1
80,000 – 119,999	2
120,000+	3

- C. Loading and unloading areas shall be located and designed so that vehicles intending to use them can maneuver safely and conveniently to and from a public right-of-way or any parking space or parking lot aisle. No space for loading shall be so located that a vehicle using such loading space projects into any public right-of-way.
- D. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.
- E. Whenever a change of use occurs after January 1, 1995, that does not involve any enlargement of a structure, and the loading area requirements of this section cannot be satisfied because there is insufficient area available on the lot that can practicably be used for loading and unloading, then the Planning Commission may waive the requirements of this section.
- F. Whenever a loading and unloading facility is located adjacent to a residential zone, the loading and unloading

facility shall be screened per unloading facility shall be screened per [Section 14.18](#).

14.14.120 Variances

Variances to this section may be approved in accordance with provisions of [Section 14.33](#), Adjustments and Variances, and a Type III Land Use Action decision process consistent with [Section 14.52](#), Procedural Requirements.*



City of Newport
Community Development Department
 169 SW Coast Highway
 Newport, OR 97365
 Phone: 1.541.574.0629
 Fax: 1.541.574.0644

Zoning Map with Bayfront, City Center, & Nye Beach Districts Shown With White Cross-Hatch (NMC 14.14.100)

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

Image Taken July 2018
 4-inch, 4-band Digital Orthophotos
 Quantum Spatial, Inc. Corvallis, OR

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***Draft* MINUTES**
City of Newport Planning Commission
Regular Session Meeting
Newport City Hall Council Chambers
September 25, 2023

Planning Commissioners Present: Bill Branigan, Jim Hanselman, John Updike, Bob Berman, Braulio Escobar, Gary East, and Marjorie Blom (*by phone*).

City Staff Present: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Branigan called the meeting to order in the City Hall Council Chambers at 7:00 p.m. On roll call, Commissioners Branigan, Berman, Escobar, Hanselman, East, Updike, and Blom were present.

2. **Approval of Minutes.**

Branigan reported minor corrections to both sets of the minutes.

A. **Approval of the Planning Commission Work Session Meeting Minutes of September 11, 2023.**

MOTION was made by Commissioner Hanselman, seconded by Commissioner Escobar to approve the Planning Commission Work Session meeting minutes of September 11, 2023, with minor corrections. The motion carried unanimously in a voice vote.

B. **Approval of the Planning Commission Regular Session Meeting Minutes of September 11, 2023.**

MOTION was made by Commissioner Hanselman, seconded by Commissioner Escobar to approve the Planning Commission Regular Session meeting minutes of September 11, 2023, with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Action Items.**

A. **File 1-PD-23 / 3-ADJ-23: Final Order and Findings of Fact for the Final Development Plan and Adjustment Permit for the Oregon State University 77 Apartment-Style Student Housing Residential Units.**

Berman asked why this application didn't have to conform to the trash enclosure ordinance. Tokos explained that the application was submitted before the trash enclosure ordinance came into effective, and it couldn't be subject to the new rules, as per Oregon state law.

MOTION was made by Commissioner Berman, seconded by Commissioner Escobar to approve the Final Order and Findings of Fact for File -PD-23 / 3-ADJ-23. The motion carried unanimously in a voice vote.

5. Public Hearings. At 7:07 p.m. Chair Branigan opened the public hearing portion of the meeting. He asked the Commissioners for declarations of conflicts of interest, ex parte contacts, bias, or site visits. Berman and Branigan reported a drive through the Bayfront. Branigan called for objections to any member of the Planning Commission or the Commission as a whole hearing this matter; and none were heard.

A. File 3-Z-22: Amendments to Chapter 14.14, Parking and Loading Requirements.

Tokos covered the amendments to Chapter 14.14, Parking and Loading Requirements that reduced the minimum off-street parking requirements for new development or redevelopment in areas where public parking was managed with meters or a combination of parking meters and permits. He reported that the package of amendments was reviewed by the Parking Advisory Committee at their meetings, as well as the Commission's review at prior work session meetings. Tokos explained that the Planning Commission would be making a recommendation to the City Council as to whether or not the amendments were necessary and furthered the general welfare of the community.

Berman pointed out the inconsistencies of terminology when referencing metered zones, hybrid paid/permit hybrid, and permits/timed zones. He thought the terminology should be consistent and included in the definitions.

Berman commented as a side note, that drive ins or drive throughs weren't addressed in these amendments. He thought if they did any future street vacations, the city should be able to make the vacation revocable if the development didn't proceed. Tokos would have to look into this, but noted that it was immaterial to what the Commission was reviewing that evening. Berman wanted to see a mechanism for the titled to be transferred back to the city if the proposed use was not followed through on for a vacation. Tokos explained this would require a separate ordinance. The city followed the statues verbatim, and there was nothing in the statue that said vacations were conditional. Berman stated he would pursue this the next time a vacation came up.

Berman asked for clarification on the commentary that said if Nye Beach implemented a paid parking program it would no longer be subject to a business license fee. He thought this only went away if there were meters. Tokos explained the relief of the business license fee would go into effect when meters or paid permit parking was implemented. Berman asked Tokos to take another look at this to make sure that was correct. He questioned if there would be any permit only zones in the city. Tokos reported Nye Beach would be permit only once changed.

Udike pointed out there wasn't any public in attendance for the hearing, and asked what the noticing requirements for these types of hearings was. Tokos explained the city did the required notice for the hearing by publishing it in the local newspaper. If there was a large planning effort like the Transportation System Plan, they would do a city wide post card mailing so the public could find out about future changes. They were not required to do a large outreach for a typical legislative change such as this hearing. Berman asked if the city reached out to Bayfront business owners. Tokos reported they contacted the Bayfront business owners through the Parking Advisory Committee, and the principal focus for the outreach concerned the parking meter program rollout.

Berman asked if once the meters were implemented on the Bayfront, would the new rules apply to all three area districts. Tokos reported the rules would only apply to the Bayfront because it was the only area with meters, and the reduction was keyed off of meters. If Nye Beach did a permit only program, they would only get relief from the fee on their business license, not from the parking requirements. Udike asked if a parking permit program in Nye Beach would have to be

weighed in on by the Parking Advisory Committee. Tokos confirmed it would. He was wasn't sure if the parking permit program for Nye Beach would have to be run by the Commission, but he would want to show it to them so they were aware of the changes. This could also just be done by a fee resolution through the City Council.

Escobar asked when the pricing for the metering would be finalized. Tokos reported they still needed to wrap up the outreach meetings with the fish plants. The Parking Advisory Committee make a change to a couple of the pricing elements at their last meeting. Tokos suspected it would be around the end of October when the fee resolution would be put together.

Berman asked if permits would be available seasonally, or just month to month. Tokos explained the guarantee was subject to permit availability, and they were capping the number of permits. There would be options to have either a monthly permit or a six month permit for peak periods.

Hanselman asked if someone who had a permit could park in a meter spot. Tokos confirmed they could only do this if they were in a meter/permit zone. They couldn't park in the meter only zones with a permit.

Chair Branigan closed the hearing at 7:33 p.m.

MOTION was made by Commissioner Hanselman, seconded by Commissioner Berman to make a favorable recommendation to the City Council for File 3-Z-22. The motion carried unanimously in a voice vote.

6. **New Business.** None were heard.
7. **Unfinished Business.** None were heard.
8. **Director Comments.** None were heard
9. **Adjournment.** Having no further business, the meeting adjourned at 8:26 p.m.

Respectfully submitted,

Sherri Marineau
Executive Assistant

**CITY OF NEWPORT
RESOLUTION NO. 3864**

**RESOLUTION SETTING
PARKING DISTRICT BUSINESS LICENSE FEES**

WHEREAS, at the request of area business owners, the Newport City Council adopted Ordinance Nos. 1993, 2009, and 2020 establishing the Nye Beach, City Center and Bayfront Commercial Parking Districts ("Parking Districts") to generate funding to pay for parking system improvements in the respective commercial areas; and

WHEREAS, each of the Parking Districts is an economic improvement district pursuant to ORS Chapter 223, funded through a business license surcharge and authorized for an initial five year period; and

WHEREAS, the effective period of these economic improvement districts was extended with Ordinance Nos 1993, 2078, 2098, and 2134, with the districts now set to expire June 30, 2019; and

WHEREAS, the latest round of extensions were undertaken to provide an opportunity for a parking study to be performed to establish whether or not the Parking Districts should continue in their current form or whether an alternative approach should be pursued to address each of the areas parking needs; and

WHEREAS, while the parking study is complete, and has been vetted and revised with the assistance of a citizen advisory committee, recommendations on how best to address parking needs, including parking management and funding strategies, have not yet been finalized; and

WHEREAS, it is in the public interest that business license surcharges imposed within the Parking Districts remain in effect until parking management and funding strategies are finalized in order to provide a seamless transition; and

WHEREAS, this can most effectively be accomplished by allowing the economic improvement districts to expire and instead impose business license surcharges under Section 4 of the City Charter and the City's Constitutional Home Rule authority, as implemented through Chapter 4.05 of the Newport Municipal Code; and

WHEREAS, NMC 4.05.030(C) establishes that business license annual fees shall be determined by City Council resolution and the fees set forth herein serve as a portion of the business license annual fee for businesses operating within the Parking Districts.

THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

Section 1. Parking Districts Established. The boundary of the Parking Districts shall be as established with Ordinance No. 1993, 2009, and 2020, as amended, as graphically depicted on Exhibit A.

Section 2. Parking District Business License Annual Fee. The business license annual fee, framed as a business license surcharge in the fee schedule, shall be as follows:

A. Nye Beach Parking District.

Business provides no off-street parking spaces:	\$250.00
Business provides 1-3 off-street parking spaces:	\$150.00

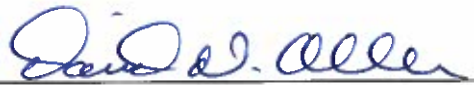
All other businesses:	\$100.00
B. City Center Parking District.	\$35.00
C. Bay Front Parking District.	
Fewer than 5 employees:	\$150.00
5 to 20 employees:	\$300.00
More than 20 employees:	\$600.00

Section 3. Relationship to Other Business License Fees. Fees set forth in Section 2, are in addition to other business license fees collected pursuant to NMC Chapter 4.05.

Section 4. Special Parking Area Requirements. NMC 14.14.100 provides that off-street parking within a Parking District shall be provided as specified by the Parking District. For that purpose, the business license annual fee established herein shall exempt new development or redevelopment from having to provide up to five (5) off-street parking spaces, just as it did when the economic improvement districts were effective. Businesses that require more than five (5) off-street parking spaces shall provide the additional spaces in accordance with applicable provisions of the Newport Zoning Ordinance (NMC Chapter 14).

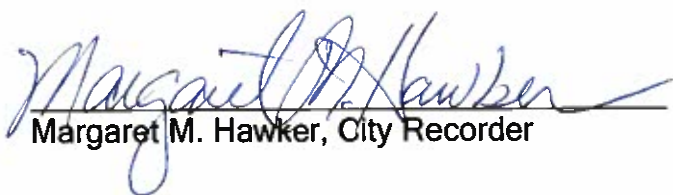
Section 5. Effective Date. This resolution is effective immediately upon adoption.

Adopted by the Newport City Council on June 17, 2019

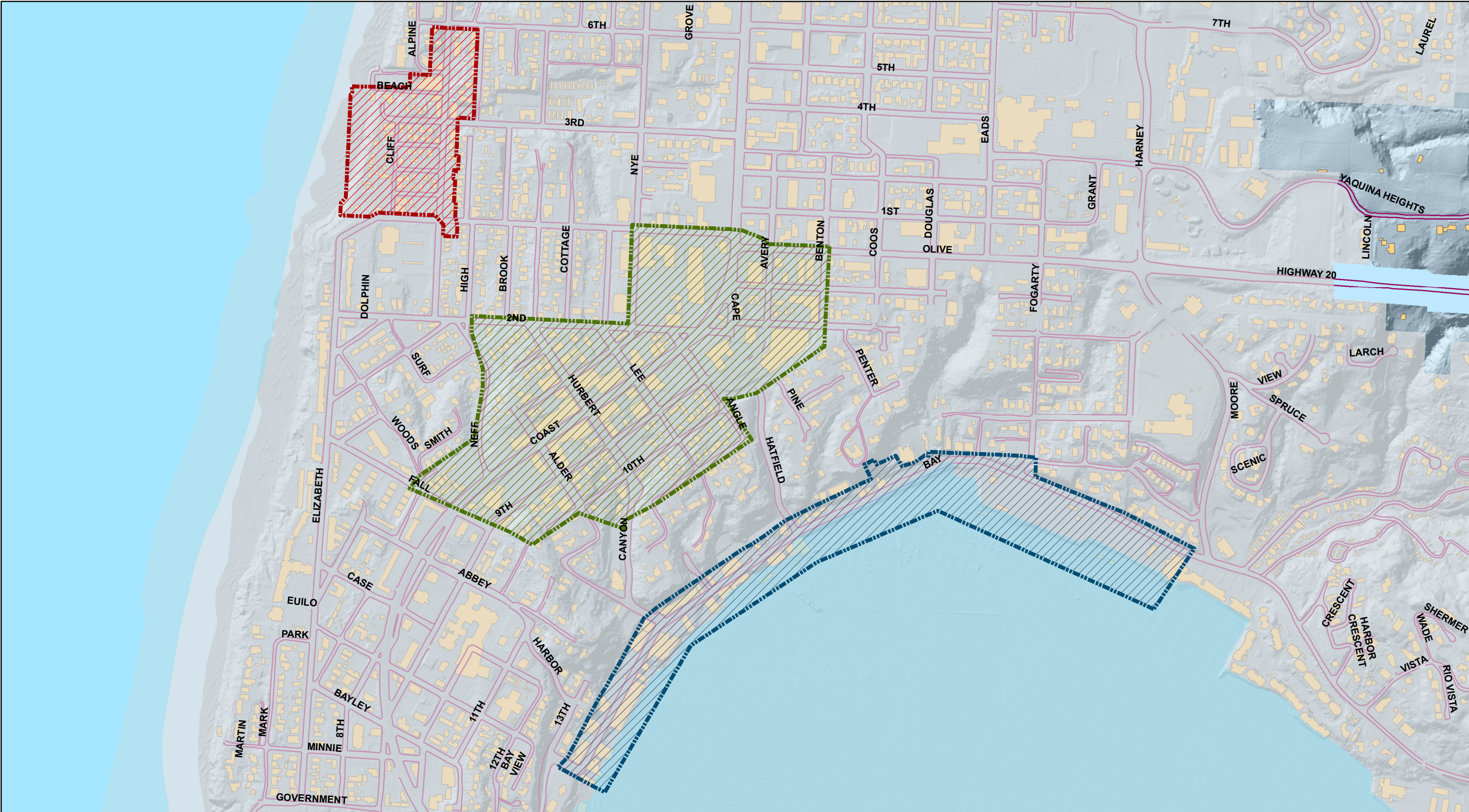



David N. Allen, Council President

ATTEST:



Margaret M. Hawker, City Recorder



 Bay Front Parking District Boundary (Ord. 2020)  City Center Parking District Boundary (Ord. 2009)  Nye Beach Parking District Boundary (Ord. 1993)

CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING

The Newport City Council will hold a public hearing on Monday, October 16, 2023 at 6:00 p.m. in the City Hall Council Chambers to consider File No. 3-Z-22, amending Newport Municipal Code (NMC) Chapter 14.14, Parking and Loading Requirements. The proposed amendments respond to Parking Study Comprehensive Plan Implementation Measure 3.2.3, which calls for the City to reduce or eliminate minimum off-street parking requirements for new development or redevelopment in metered and meter/permit zones. The draft amendments will reduce off-street parking requirements along the Bayfront in line with the Comprehensive Plan policy, once the metering program is launched for the Bayfront. Pursuant to Newport Municipal Code (NMC) Section 14.36.010, the City Council must find that the change is required by public necessity and the general welfare of the community in order for the amendments to be adopted. Testimony and evidence must be directed toward the request above or other criteria, including criteria within the Comprehensive Plan and its implementing ordinances, which the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal, including to the Land Use Board of Appeals, based on that issue. Testimony may be submitted in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. The hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the City Council. Written testimony sent to the Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 2:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The proposed code amendments, additional material for the amendments, and any other material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 or d.tokos@newportoregon.gov (address above).

(FOR PUBLICATION ONCE ON FRIDAY, October 6, 2023)

companied by handbags — were considered the proper attire for garden-ing.

Meetings featured a dessert lunch, often

into three sections and traveled by truck to its current home in Seal Rock in one day.

"The men pushed the building parts off the

Garden club members met for the first time in the clubhouse in July 1950. Membership rose to 47 in 1973 and dues were raised to \$2 per

longer when Plegier fell

to an 11-by-6-foot 8-inch quilt made by Lois Plegier in the image of a coastal garden. It took three

years to complete, made longer when Plegier fell

PUBLIC NOTICES

10/6/2023

ESTATE OF LARSEN

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LINCOLN, Probate Department, In the Matter of the Estate of BONNIE SUE LARSEN, Deceased, No. 23PB07854, NOTICE TO INTERESTED PERSONS. Notice is hereby given that the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the estate are required to present them to the undersigned at the office of Mark F. Bierly, Attorney at Law, 345 NE Sixth St., McMinnville, Oregon 97128, within four months after the date of first publication of this notice or they may be barred. All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the Court, the Personal Representative, or the attorney for the Personal Representative. Dated and first published this 29 day of September, 2023. JAMI MAHLE PLAZZA, Personal Representative, 610 Melody Lane, Newberg, OR 97132. MAARK F. BIERLY, Attorney for Personal Representative, 345 NE Sixth St., McMinnville, OR 97128, (503) 472-9337. NOTICE TO INTERESTED PERSONS. S29, O6, 013 44-13

Project includes the following: **Water Treatment Facility**, including a building, water storage tanks, filters, sodium hypochlorite dosing, plumbing, electrical, water main construction, and other work. Bids are requested for the following Contract: **Trollers Cove Water Treatment Improvements**. The Project has an expected duration of 180 days. **Obtaining the Bidding Documents**. The Issuing Office for the Bidding Documents is: Mackay Spoozio, Prospective Bidders may obtain the Bidding Documents from the Issuing Office on Monday through Friday between the hours of 9:00 A.M. and 5:00 P.M. and may obtain the Bidding Documents as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Bidding Documents may be obtained from the Issuing Office during the hours indicated above via electronic means. Bidders must submit a request via email to cmcmurray@mac-kayspoozio.com. Bidding Documents will be provided within one business day of the request via return email or file sharing service. Bidders receiving Bidding Documents from any other source must notify the Issuing Office of their desire to be on the official Bidders list to be eligible to submit a bid on the project. **Pre-bid Conference**. A pre-bid conference for the Project will be held on **Wednesday, October 11, 2023 at 2:00 P.M.** at the project site: **11225 E Steelhead Place, Tlawalet, Oregon**. Attendance at the pre-bid conference is encouraged but not required. Instructions to Bidders. For all further requirements regarding bid submission, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding

Documents. This Advertisement is issued by: Owner: **Trollers Cove Water Association, By: Jim Sehl, Title: President, Date: September 27, 2023, S29, O6 45-06**

hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the City Council. Written testimony sent to the Community Development Planning Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 2:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The proposed code amendments, additional materials, the amendments, and any other material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 or d.tokos@newportoregon.gov (address above). O6 46-01

2451 Wilamette Street Eugene, Oregon, 97405 Dated and first published or October 6, 2023. /s/ Adam R. Schulz, Personal Representative. O6, 013, 026 47-20

Safe-Lock Storage 3635 SE Ash St. South Beach Oregon 97366, Saturday 10/21/2023 @ 10:00am. C37 Andra Bare, C39 Lawie Napolieon, D14 Sandra Sir-watnarong, K09 Amanda Reeves, L10 Kathleen Vel-neva, Sale Subject to Cancellation. Safe-Lock Storage reserves the Right to refuse any and all bids. O6, 013 48-13

For more information about the Seal Rock Garden Club, visit www.sealrockgardencub.com or the club's Facebook page.

Continued from page 14

AUDUBON

Continued from page 14

be from Boiler Bay to Devil's Punchbowl. Take part in a driving tour of prime rocky habitats, starting at Boiler Bay State Natural Area for excellent seabird watching and possible glimpses of shorebirds. The group will enjoy stops at Depoe Bay and Otter Crest Loop, where it will explore the new Cape Foulweather Marine Conservation Area, as well as the Otter Crest Marine Garden, and the Otter Rock Marine Reserve. Learn more about our protected nearshore habitats and the birds and other wildlife that depend on them. Meet in the Boiler Bay Wayside

parking lot. Note the later start time due to the annular eclipse.

All ASLC bird walks are free, family-friendly, easy to moderately easy, and open to the public; no pre-registration or experience is required. Binoculars and guidebooks are provided. Walks are held rain or shine; dress appropriately for coastal weather and muddy trails. Be sure to carry water. Look for the ASLC sign at the meeting site. For details and any cancellations, check the ASLC website (lincolncityaudubon.org) or Facebook (@audubonlincolncity).

On October 19, 2023, at the hour of 10:00 a.m., at the Lincoln County Courthouse 225 W. Olive St., Room 203 in the City of Newport, Oregon, the defendant's interest will be sold, subject to redemption, in the real property commonly known as 1415 Northwest 31st Place Unit No. 357, Lincoln City, OR 97367. The court case number is 19CV13097, U.S. Bank National Association not in its individual capacity but solely as Trustee for the PMAC Trust, Series 2016-CTT, plaintiff(s) vs. Linda Sarsen, Association of Un-Occupants of Surfides Plaza Inc.; Occupants of the Property, defendant(s). This is a public auction to the highest bidder for cash or cashier's check in hand. For more details go to <http://www.oregonsheriffssales.org> County/Incon S15, S22 S29, O6 36-06

NEWS TIMES

ADVERTISE
In the News Times
203 8571

ADVERTISEMENT FOR BIDS

Trollers Cove Water Association, Tidewater, Or, Trollers Cove Water Treatment Improvements, General Notice, Trollers Cove Water Association (Owner) is requesting Bids for the construction of the following Project: **Trollers Cove Water Treatment Improvements**. Bids for the construction of the Project will be received via email at cmcmurray@mac-kayspoozio.com until **Thursday, October 26, 2023 at 4:00 P.M.** local time. At that time the Bids received will be privately opened and read. The

Project includes the following: **Water Treatment Facility**, including a building, water storage tanks, filters, sodium hypochlorite dosing, plumbing, electrical, water main construction, and other work. Bids are requested for the following Contract: **Trollers Cove Water Treatment Improvements**. The Project has an expected duration of 180 days. **Obtaining the Bidding Documents**. The Issuing Office for the Bidding Documents is: Mackay Spoozio, Prospective Bidders may obtain the Bidding Documents from the Issuing Office on Monday through Friday between the hours of 9:00 A.M. and 5:00 P.M. and may obtain the Bidding Documents as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Bidding Documents may be obtained from the Issuing Office during the hours indicated above via electronic means. Bidders must submit a request via email to cmcmurray@mac-kayspoozio.com. Bidding Documents will be provided within one business day of the request via return email or file sharing service. Bidders receiving Bidding Documents from any other source must notify the Issuing Office of their desire to be on the official Bidders list to be eligible to submit a bid on the project. **Pre-bid Conference**. A pre-bid conference for the Project will be held on **Wednesday, October 11, 2023 at 2:00 P.M.** at the project site: **11225 E Steelhead Place, Tlawalet, Oregon**. Attendance at the pre-bid conference is encouraged but not required. Instructions to Bidders. For all further requirements regarding bid submission, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding

Documents. This Advertisement is issued by: Owner: **Trollers Cove Water Association, By: Jim Sehl, Title: President, Date: September 27, 2023, S29, O6 45-06**

hearing may include a report by staff, testimony from the applicant and proponents, testimony from opponents, rebuttal by the applicant, and questions and deliberation by the City Council. Written testimony sent to the Community Development Planning Department, City Hall, 169 SW Coast Hwy, Newport, OR 97365, must be received by 2:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The proposed code amendments, additional materials, the amendments, and any other material in the file may be reviewed or a copy purchased at the Newport Community Development Department (address above). Contact Derrick Tokos, Community Development Director (541) 574-0626 or d.tokos@newportoregon.gov (address above). O6 46-01

2451 Wilamette Street Eugene, Oregon, 97405 Dated and first published or October 6, 2023. /s/ Adam R. Schulz, Personal Representative. O6, 013, 026 47-20

Safe-Lock Storage 3635 SE Ash St. South Beach Oregon 97366, Saturday 10/21/2023 @ 10:00am. C37 Andra Bare, C39 Lawie Napolieon, D14 Sandra Sir-watnarong, K09 Amanda Reeves, L10 Kathleen Vel-neva, Sale Subject to Cancellation. Safe-Lock Storage reserves the Right to refuse any and all bids. O6, 013 48-13

For more information about the Seal Rock Garden Club, visit www.sealrockgardencub.com or the club's Facebook page.

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CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Communication from Lincoln County Historical Society Regarding the Lincoln County Historical Society's Funding Needs.

Background:

Councilor Parker indicated that the Lincoln County Historical Society has identified a number of major projects that will require funding in the future. As a result, the Assistant City Manager/City Recorder, Erik Glover, reached out to Susan Tissot, Executive Director for Lincoln County Historical Society, to inquire about future projects and financial needs for the historical society. Attached is a communication from Susan regarding these issues. The Lincoln County Historical Society is a 501(c)(3) nonprofit organization that governs two museum locations in public education programs.

Recommendation:

None.

Fiscal Effects:

None.

Alternatives:

Direct staff to look at any potential funding scenarios or as suggested by the City Council.

Respectfully submitted,

Spencer Nebel
City Manager

From: Susan MG Tissot <[REDACTED]>

Sent: Tuesday, October 3, 2023 4:33 PM

To: Erik Glover <E.Glover@NewportOregon.gov>

Cc: Spencer Nebel <S.Nebel@NewportOregon.gov>

Subject: Re: Communication regarding LCHS Funding

[WARNING] This message comes from an external organization. Be careful of embedded links.

Hi Erik & Spencer,

My office is at the PMHC but I am responsible for both locations. You currently just hear about the Maritime because it is what we currently have open on a regular basis.

We are doing a number of maintenance projects over at 9th Street so that we can reopen the Burrows House Museum. The Log Cabin, the Burrows House, and the old City Garage all have multiple issues. I am guessing this is what the Council was referring to.

As you know historic buildings need lots of TLC. Add the coastal environment and The Burrows House was sinking in one of the back corners of the building that does not have basement, repaired & painted walls in the back gallery where the building was sinking, rebuilt the pair of emergency exit stairs that rotted out, secured the garbage & recycling receptacle areas at the Log Cabin in the hopes that homeless people stop trying to move in. The City Garages are in terrible shape. We are installing a new garage door on the 9th street side. The door jam was totally rotted out, and we are rebuilding the exterior wall between us and the radio station adding new drainage concrete to help keep the water away from the building. This is about \$75,000 worth of work that needed to be done before winter. The consensus was that a hard winter might take the garages down. It is money that we pulled out of our very limited reserves. All of the buildings need new roofs and exterior painting.

At the PMHC our retaining wall at the top of our parking lot is in dire need. Jon Holbrook is drawing up plans and consulting with an engineer on what needs to be done. We need help funding this project. We have some drainage issues with the stream that comes off the hill above us.

Also at the PMHC, we have the architectural drawing and renderings for the 1,700 sq ft multipurpose meeting room/classroom space that is directly across the hall from the Doerfler Family Theater. This space is space we will use for classes but also for community workshops and meetings. I have attached the drawing and renderings. The cost estimate is \$223,860. I had a call with the Roundhouse Foundation this morning. They are interested in partially funding this project but want to see us raise at least 25% of the costs before they will step up.

ANYTHING the city can do to help us with these projects would be greatly appreciated.

Please advise.

Best, Susan

Susan MG Tissot

Executive Director

Lincoln County Historical Society

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

From Councilor Hall Regarding Follow-up of Potential City Membership with the National League of Cities.

Background:

Councilor Hall will provide a brief report on potential membership of the City of Newport with the National League of Cities at the October 16, 2023 City Council meeting. The dues for a city whose population is between 10,001 and 20,000 is \$1,701 in 2024. You can read more about the National League of Cities at www.nlc.org.

Recommendation:

None.

Fiscal Effects:

None.

Alternatives:

Direct staff to apply for membership to the National League of Cities, or as suggested by the City Council.

Respectfully submitted,

Spencer Nebel
City Manager

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Consideration and Potential Adoption of Resolution No. 3996, a Resolution in Support of Establishing a Continuum of Care for the Linn, Benton, and Lincoln Counties Region and Registering with the United States Department of Housing and Urban Development in 2024.

Background:

The City Council heard a report from Community Services Consortium Executive Director Pegge McGuire regarding the challenges of these three counties being included in a continuum of care (CoC) that includes all of the counties of the state except for several of the more urbanized regions of the state primarily in the Willamette Valley. This is an issue that had a direct impact on our ability to get funding for homelessness during Governor Kotek's effort to the funnel state funds to various entities. The three counties have much more in common than the balance of rural Oregon in addressing issues such as homelessness and housing. The specific purposes of CoCs are to promote community-wide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and state and local governments to quickly re-house homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to an effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness. This action closely related to the HB 4123 county-wide pilot program that has been occurring in Lincoln County.

Recommendations:

I recommend that Council consider the following motion:

I move to adopt Resolution No. 3996, a resolution in support of establishing a continuum of care for the Linn, Benton, and Lincoln Counties region and registering with United States Department of Housing and Urban Development in 2024.

Fiscal Effects:

None.

Alternatives:

As suggested by the City Council.

Respectfully submitted,

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

Spencer Nebel
City Manager

**CITY OF NEWPORT
RESOLUTION NO. 3996**

A Resolution in Support of Establishing a Continuum of Care for the Linn, Benton, and Lincoln Counties Region and Registering with the United States Department of Housing and Urban Development in 2024

WHEREAS, homelessness is a critical issue in the tri-county region of Linn, Benton, and Lincoln Counties; in Oregon; and across the nation; and

WHEREAS, children, families, veterans, and chronically homeless individuals experiencing mental illness and addictions comprise a large portion of the region's homeless population; and

WHEREAS, the United States Department of Housing and Urban Development created the Continuum of Care program in 1994 as a means for communities across the nation to "engage in multi-year strategic planning for homeless programs and services that are well integrated with planning for mainstream services"; mainstream services denoting public housing, Section 8 housing choice vouchers, and services for runaway and homeless youth, victims of domestic violence, veterans, seniors, and people experiencing addictions and/or mental illness; and

WHEREAS, Linn, Benton, and Lincoln Counties are part of a "balance of state" Rural Oregon Continuum of Care; and

WHEREAS, the City of Newport carefully considered relevant factors and determined that the region could benefit from creating its own Continuum of Care, with enhanced service coordination, local autonomy, and alignment of goals to more effectively reduce homelessness in the region

THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

Section 1. The City of Newport, Oregon strongly supports establishing a Continuum of Care for the Linn, Benton, and Lincoln County region and supports the new Continuum of Care registering with the United States Department of Housing and Urban Development in 2024.

Section 2. Effective Date. This Resolution shall become effective upon adoption.

Adopted by the City Council on October 16, 2023.

Jan Kaplan, Mayor

ATTEST:

Erik Glover, Assistant City Manager/City Recorder

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Authorization to Execute a Grant Contract for Source Water Protection for the Oregon Health Authority - Drinking Water Services in the Amount of \$30,000.

Background:

The City has made application to the Oregon Infrastructure Finance Authority as part of Oregon Business Development Department to update the City of Newport Drinking Water Protection Plan. This plan will provide policy guidance regarding source water protection actions for the City's two main water sources which are Big Creek Dam and the Siletz River. This is a project that has been advocated by the Water Conservation Management and Conservation Work Group.

Recommendations:

I recommend that the City Council consider the following motion:

I move to authorize the city manager to execute contract with the Oregon Health Authority - Drinking Water Services to conduct an update of the city of Newport drinking water protection plan and appropriate the \$30,000 grant to cover the expenses of \$30,000 for this effort.

Fiscal Effects:

This is a 100% grant to conduct this study.

Alternatives:

None recommended.

Respectfully submitted,

Spencer Nebel
City Manager



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Date: October 10, 2023

Title: Authorization to Execute a Grant Contract for Source Water Protection with the Oregon Health Authority-Drinking Water Services. Related to the City of Newport Drinking Water Protection Plan (Project No. U24002)

Prepared by: Cathie Rigby, Grant Manager

Recommended Motion: I move that the Council authorize the City Manager to execute the Grant Contract for Source Water Protection on behalf of the City of Newport, pending legal review.

Background Information: The State of Oregon, acting by and through its Oregon Infrastructure Finance Authority of the Oregon Business Development Department ("OBDD"), is partnering with, Newport to update the City of Newport Drinking Water Protection Plan. This plan will provide policy guidance for the strategic implementation of source water protection actions for the City's two water sources: Big Creek and the Siletz River. The existing plan was last updated in 2016 and is sorely in need of an update. The end product of this planning effort will include an important timeline for the implementation of protection strategies and contingency planning to address potential risks.

The City of Newport draws from two water sources: Big Creek and seasonally from the Siletz River during the late spring and summer months. The Siletz River water has been rated 303(d) for turbidity and temperature; which refers to the condition of the water as too polluted or degraded to meet the state water quality standards. The industrial forests are dominant components of both watersheds and various ages of clear-cut harvest create conditions of high risk of contamination to source streams. This risk of contamination is exacerbated by other factors such as the quantity of soils, rural homesteads, and septic tanks adjacent to the streams in drinking water source areas. In the future, climate change impacts could add additional risks, making contingency planning vital to protecting the City of Newport's drinking water resources.

OBDD is making this \$30,000 grant available to participating jurisdictions to offset their costs in participating in the planning process. Funds will be distributed once the grant agreement is signed, and they must be used to support the project. That can include public outreach, team formation activities, data collection, analyses, and expenses related to updating local plans and regulations. As this grant agreement is drafted as an Intergovernmental Agreement between the State of Oregon and the City of Newport, it must be approved by the City Council, consistent with ORS Chapter 190, before the agreement can be signed and funds accepted. The City must file a closeout report when the project is completed, documenting that the funds were used for permissible purposes.

Fiscal Notes:

Alternatives: Approve the grant agreement, request amendments, forgo an agreement at this time, or as suggested by Council.

Attachments:

Draft SDWRLF Grant Agreement No.

SAFE DRINKING WATER REVOLVING LOAN FUND
GRANT CONTRACT FOR SOURCE WATER PROTECTION

Project Name: Drinking Water Protection Plan

Project Number: U24002

This grant contract (“Contract”), dated as of the date the Contract is fully executed, is made by the State of Oregon, acting by and through its Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“OBDD”), and the City of Newport, Oregon (“Recipient”) for financing of the project referred to above and described in Exhibit B (“Project”). This Contract becomes effective only when fully signed and approved as required by applicable law. Capitalized terms not defined in Section 1 and elsewhere in the body of the Contract have the meanings assigned to them by Exhibit A.

This Contract includes the following exhibits, listed in descending order of precedence for purposes of resolving any conflict between two or more of the parts:

- | | |
|-----------|---|
| Exhibit A | General Definitions |
| Exhibit B | Project Description |
| Exhibit C | Project Budget |
| Exhibit D | Information Required by 2 CFR § 200.332(a)(1) |

SECTION 1 - KEY TERMS

The following capitalized terms have the meanings assigned below.

Estimated Project Cost: \$30,000

Grant Amount: \$30,000

Project Closeout Deadline: 90 days after the earlier of the Project Completion Date or the Project Completion Deadline.

Project Completion Deadline: 24 months after the date of this Contract.

SECTION 2 - FINANCIAL ASSISTANCE

- A. The OBDD shall provide Recipient, and Recipient shall accept from OBDD, financing for the Project as a grant (the “Grant”) in an aggregate amount not to exceed the Grant Amount.
- B. Use of Proceeds. The Recipient shall use the Grant only for the activities described in Exhibit B and according to the budget in Exhibit C. Recipient may not exceed or change line items in the budget except with the prior written consent of OBDD.
- C. Costs of the Project. The Recipient shall apply the Grant to the Costs of the Project in accordance with the Act and Oregon law, as applicable. Grant proceeds cannot be used for costs in excess of one hundred percent (100%) of the total Costs of the Project and cannot be used for pre-Award Costs of the Project, unless permitted by Exhibit B.
- D. Costs Paid for by Others. The Recipient may not use any of the Grant to cover costs to be paid for by other financing for the Project from another State of Oregon agency or any third party.

SECTION 3 - DISBURSEMENTS

- A. Reimbursement Basis. The Grant shall be disbursed to Recipient on an expense reimbursement or costs-incurred basis. The Recipient must submit each disbursement request for the Grant on an OBDD-provided or OBDD-approved disbursement request form (“Disbursement Request”).
- B. Financing Availability. The OBDD’s obligation to make, and Recipient’s right to request, disbursements under this Contract terminates on the Project Closeout Deadline.

SECTION 4 - CONDITIONS PRECEDENT

- A. Conditions Precedent to OBDD’s Obligations. The OBDD’s obligations are subject to the receipt of the following items, in form and substance satisfactory to OBDD and its Counsel:
- (1) This Contract duly signed by an authorized officer of Recipient.
 - (2) Such other certificates, documents, opinions and information as OBDD may reasonably require.
- B. Conditions to Disbursements. As to any disbursement, OBDD has no obligation to disburse funds unless all following conditions are met:
- (1) There is no Event of Default.
 - (2) The representations and warranties made in this Contract are true and correct on the date of disbursement as if made on such date.
 - (3) The OBDD, in the reasonable exercise of its administrative discretion, has sufficient moneys in the Fund for use in the Project and has sufficient funding, appropriations, limitations, allotments and other expenditure authority to make the disbursement.
 - (4) The OBDD (a) has received a completed Disbursement Request, (b) has received any written evidence of materials and labor furnished to or work performed upon the Project, itemized receipts or invoices for payment, and releases, satisfactions or other signed statements or forms as OBDD may require, (c) is satisfied that all items listed in the Disbursement Request are reasonable and that the costs for labor and materials were incurred and are properly included in the Costs of the Project, and (d) has determined that the disbursement is only for costs defined as eligible costs under the Act and any implementing administrative rules and policies.
 - (5) Recipient has delivered documentation satisfactory to OBDD that, in addition to the Grant, Recipient has available or has obtained binding commitments for all funds necessary to complete the Project.
 - (6) Any conditions to disbursement elsewhere in this Contract are met.

SECTION 5 - REPRESENTATIONS AND WARRANTIES OF RECIPIENT

The Recipient represents and warrants to OBDD:

- A. Estimated Project Cost. A reasonable estimate of the Costs of the Project is shown in Section 1, and the Project is fully funded.
- B. Organization and Authority.
- (1) The Recipient is a public body validly organized and existing under Oregon law, and owns a public water system as defined in the Act.

- (2) The Recipient has all necessary right, power and authority under its organizational documents and under Oregon law to (a) execute and deliver this Contract, (b) incur and perform its obligations under this Contract, and (c) receive financing for the Project.
 - (3) This Contract has been duly executed by Recipient, and when executed by OBDD, is legal, valid and binding, and enforceable in accordance with its terms.
- C. Full Disclosure. The Recipient has disclosed in writing to OBDD all facts that materially adversely affect the Project, or the ability of Recipient to perform all obligations required by this Contract. The Recipient has made no false statements of fact, nor has it omitted information necessary to prevent any statements from being misleading. The information contained in this Contract is true and accurate in all respects.
- D. Pending Litigation. The Recipient has disclosed in writing to OBDD all proceedings pending (or to the knowledge of Recipient, threatened) against or affecting Recipient, in any court or before any governmental authority or arbitration board or tribunal, that, if adversely determined, would materially adversely affect the Project or the ability of Recipient to perform all obligations required by this Contract.
- E. No Defaults.
- (1) No Events of Default exist or occur upon authorization, execution or delivery of this Contract.
 - (2) The Recipient has not violated, and has not received notice of any claimed violation of, any agreement or instrument to which it is a party or by which the Project or its property may be bound, that would materially adversely affect the Project or the ability of Recipient to perform all obligations required by this Contract.
- F. Compliance with Existing Agreements and Applicable Law. The authorization and execution of, and the performance of all obligations required by, this Contract will not: (i) violate any provision of the charter or other document pursuant to which Recipient was organized or established; or (ii) violate any laws, regulations, ordinances, resolutions, or court orders related to Recipient, the Project or its properties or operations.
- G. Governmental Consent. The Recipient has obtained or will obtain all permits and approvals, and has made or will make all notifications, declarations, filings or registrations, required for the making and performance of its obligations under this Contract, for the financing and undertaking and completion of the Project.

SECTION 6 - COVENANTS OF RECIPIENT

The Recipient covenants as follows:

- A. Notice of Adverse Change. Recipient shall promptly notify OBDD of any adverse change in the activities, prospects or condition (financial or otherwise) of Recipient or the Project related to the ability of Recipient to perform all obligations required by this Contract.
- B. Compliance with Laws. The Recipient shall comply with all applicable laws, rules, regulations and orders of any court or governmental authority that relate to this Contract, the Project and the operation of the System of which the Project is a component. In particular, but without limitation, Recipient shall comply with the following, as applicable:
 - (1) State procurement regulations found in the Oregon Public Contracting Code, ORS chapters 279A, 279B and 279C. Oregon state procurement regulations will satisfy federal procurement requirements of 2 CFR part 200, subpart D.

- (2) State labor standards and wage rates found in ORS chapter 279C.
- (3) SAFE DRINKING WATER IN OREGON: Program Guidelines & Handbook for the Federally Funded Safe Drinking Water Revolving Fund & Drinking Water Protection Loan Fund (June 2023 update), as amended from time to time (“Safe Drinking Water Handbook”), available at <https://www.oregon.gov/biz/Publications/SDWhandbook.pdf>.
- (4) Federal Crossing-Cutting Authorities. All federal laws, executive orders and government-wide policies that apply by their terms to projects and activities receiving federal financial assistance, regardless of whether the Act makes them applicable (“Cross-Cutting Authorities”). The Safe Drinking Water Handbook contains a link to a list of the Cross-Cutting Authorities.
- (5) Federal Audit Requirements. The Grant is federal financial assistance, and the Catalog of Federal Domestic Assistance (“CFDA”) number and title is “66.468, Capitalization Grants for Drinking Water State Revolving Funds.” Recipient is a sub-recipient.
 - (a) If Recipient receives federal funds in excess of \$750,000 in the Recipient’s fiscal year, it is subject to audit conducted in accordance with the provisions of 2 CFR part 200, subpart F. Recipient, if subject to this requirement, shall at its own expense submit to OBDD a copy of, or electronic link to, its annual audit subject to this requirement covering the funds expended under this Contract and shall submit or cause to be submitted to OBDD the annual audit of any subrecipient(s), contractor(s), or subcontractor(s) of Recipient responsible for the financial management of funds received under this Contract.
 - (b) Audit costs for audits not required in accordance with 2 CFR part 200, subpart F are unallowable. If Recipient did not expend \$750,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, costs for performance of that audit shall not be charged to the funds received under this Contract.
 - (c) Recipient shall save, protect and hold harmless OBDD from the cost of any audits or special investigations performed by the Federal awarding agency or any federal agency with respect to the funds expended under this Contract. Recipient acknowledges and agrees that any audit costs incurred by Recipient as a result of allegations of fraud, waste or abuse are ineligible for reimbursement under this or any other agreement between Recipient and the State of Oregon.
- (6) Disadvantaged Business Enterprises. Recipient will implement the good faith efforts for solicitation and contracting with Disadvantaged Business Enterprises (“DBE”) described in the Safe Drinking Water Handbook. This applies to all solicitation and contracting for construction, equipment, supplies, engineering or other services that constitute the Project financed by this Contract. Recipient will maintain documentation in a Project file and submit the required forms, as described in the Safe Drinking Water Handbook. Recipient will ensure that all prime contractors implement the good faith efforts for solicitation and contracting, and comply with all DBE procurement forms, statements, and reporting requirements.

Recipient will ensure that each procurement contract includes the following term and condition:

“The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract

which may result in the termination of this contract or other legally available remedies.”

- (7) Incorporation by Reference. The above state and federal laws, rules, regulations and orders are incorporated by reference in this Contract to the extent required by law.

C. Project Completion Obligations. Recipient shall:

- (1) When procuring professional consulting services, provide OBDD with copies of all solicitations at least 10 days before advertising, and all contracts at least 10 days before signing.
- (2) Complete the Project using its own fiscal resources or money from other sources to pay for any Costs of the Project in excess of the total amount of financial assistance provided pursuant to this Contract.
- (3) Complete the Project no later than the Project Completion Deadline, unless otherwise permitted by the OBDD in writing.
- (4) No later than the Project Closeout Deadline, Recipient must deliver to OBDD an electronic copy of the final plan.
- (5) Provide OBDD with a copy of all other final plans, reports or other documents prepared as part of the Project before requesting its final Grant disbursement. The OBDD will review the documents and may require reasonable modifications. If OBDD does not suggest modifications within thirty (30) days of its receipt of the documents, they will be deemed approved.

D. Professional Responsibility. All service providers retained for their professional expertise must be certified, licensed, or registered, as appropriate, in the State of Oregon for their specialty.

E. Financial Records. The Recipient shall keep accurate books and records for the Costs of the Project, separate and distinct from its other books and records, and maintain them according to generally accepted accounting principles established by the Government Accounting Standards Board in effect at the time. Recipient shall have these records audited annually by an independent certified public accountant, which may be part of the annual audit of all records of Recipient.

F. Inspections; Information. The Recipient shall permit OBDD and any party designated by OBDD: (i) to inspect, at any reasonable time, the property, if any, constituting the Project; and (ii) at any reasonable time, to inspect and make copies of any accounts, books and records, including, without limitation, its records regarding receipts, disbursements, contracts, investments and any other related matters. The Recipient shall supply any related reports and information as OBDD may reasonably require.

G. Records Maintenance. Recipient shall retain and keep accessible all books, documents, papers, and records that are directly related to this Contract, the Project or the Grant for a minimum of six years, or such longer period as may be required by other provisions of this Contract or applicable law, following the Project Completion Deadline or final completion and satisfaction of all reporting requirements of Recipient under this Contract. If there are unresolved issues at the end of such period, Recipient shall retain the books, documents, papers and records until the issues are resolved.

H. Economic Benefit Data. The OBDD may require Recipient to submit specific data on the economic development benefits of the Project and other information to evaluate the success and economic impact of the Project, from the date of this Contract until six years after the Project Completion date. The Recipient shall, at its own expense, prepare and submit the data within the time specified by OBDD.

- I. Notice of Events of Default. The Recipient shall give OBDD prompt written notice of any Event of Default as soon as Recipient becomes aware of its existence or reasonably believes an Event of Default is likely.
- J. Contributory Liability and Contractor Indemnification.
- (1) If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 (“Third Party Claim”) against a party (the “Notified Party”) with respect to which the other party may have liability, the Notified Party must promptly notify the other party in writing and deliver a copy of the claim, process, and all legal pleadings related to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. The foregoing provisions are conditions precedent for either party’s liability to the other in regards to the Third Party Claim.
- If the parties are jointly liable (or would be if joined in the Third Party Claim), the parties shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable in such proportion as is appropriate to reflect their respective relative fault. The relative fault of the parties shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Each party’s contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if that party had sole liability in the proceeding. This Section shall survive termination of this Contract.
- (2) Recipient shall take all reasonable steps to require its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents (“Indemnitee”) from and against any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys’ fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Recipient’s contractor or any of the officers, agents, employees or subcontractors of the contractor (“Claims”). It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by the contractor from and against any and all Claims. This Section shall survive termination of this Contract.

SECTION 7 - DEFAULTS

Any of the following constitutes an “Event of Default”:

- A. Any false or misleading representation is made by or on behalf of Recipient, in this Contract or in any document provided by Recipient related to this Grant or the Project.
- B. The Recipient fails to perform any obligation required under this Contract, other than those referred to in subsection A of this Section 7, and that failure continues for a period of 30 calendar days after written notice specifying such failure is given to Recipient by OBDD. The OBDD may agree in writing to an extension of time if it determines The Recipient instituted and has diligently pursued corrective action.

SECTION 8 - REMEDIES

- A. Remedies. Upon any Event of Default, OBDD may pursue any or all remedies in this Contract, and any other remedies available at law or in equity to collect amounts due or to become due or to enforce the performance of any obligation of Recipient. Remedies may include, but are not limited to:
- (1) Terminating OBDD's commitment and obligation to make disbursements under the Contract.
 - (2) Barring Recipient from applying for future awards.
 - (3) Exercising any applicable remedy listed in OAR 123-049-0040.
- B. Application of Moneys. Any moneys collected by OBDD pursuant to section 8.A will be applied first, to pay any attorneys' fees and other fees and expenses incurred by OBDD; second, as applicable, to repay any Grant proceeds owed; and third, to pay any other amounts due and payable under this Contract.
- C. No Remedy Exclusive; Waiver; Notice. No remedy available to OBDD is intended to be exclusive, and every remedy will be in addition to every other remedy. No delay or omission to exercise any right or remedy will impair or is to be construed as a waiver of such right or remedy. No single or partial exercise of any right power or privilege under this Contract shall preclude any other or further exercise thereof or the exercise of any other such right, power or privilege. The OBDD is not required to provide any notice in order to exercise any right or remedy, other than notice required in Section 7 of this Contract.
- D. Default by OBDD. In the event OBDD defaults on any obligation in this Contract, Recipient's remedy will be limited to injunction, special action, action for specific performance, or other available equitable remedy for performance of OBDD's obligations.

SECTION 9 - MISCELLANEOUS

- A. Time is of the Essence. Recipient agrees that time is of the essence under this Contract and the other Financing Documents.
- B. Relationship of Parties; Successors and Assigns; No Third Party Beneficiaries.
- (1) The parties agree that their relationship is that of independent contracting parties and that Recipient is not an officer, employee, or agent of the State of Oregon as those terms are used in ORS 30.265.
 - (2) Nothing in this Contract gives, or is to be construed to give, directly or indirectly, to any third persons any rights and benefits greater than those enjoyed by the general public.
 - (3) This Contract will be binding upon and inure to the benefit of OBDD, Recipient, and their respective successors and permitted assigns.
 - (4) Recipient may not assign or transfer any of its rights or obligations or any interest in this Contract without the prior written consent of OBDD. The OBDD may grant, withhold or impose conditions on such consent in its sole discretion. In the event of an assignment, Recipient shall pay, or cause to be paid to OBDD, any fees or costs incurred because of such assignment, including but not limited to attorneys' fees of OBDD's Counsel. Any approved assignment is not to be construed as creating any obligation of OBDD beyond those in this Contract, nor does assignment relieve Recipient of any of its duties or obligations under this Contract.

- (5) Recipient hereby approves and consents to any assignment, sale or transfer of this Contract that OBDD deems to be necessary.

C. Disclaimer of Warranties; Limitation of Liability. The Recipient agrees that:

- (1) The OBDD makes no warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for particular purpose or fitness for any use of the Project or any portion of the Project, or any other warranty or representation.
- (2) In no event are OBDD or its agents liable or responsible for any direct, indirect, incidental, special, consequential or punitive damages in connection with or arising out of this Contract or the existence, furnishing, functioning or use of the Project.

D. Notices and Communication. Except as otherwise expressly provided in this Contract, any communication between the parties or notices required or permitted must be given in writing by personal delivery, email, or by mailing the same, postage prepaid, to Recipient or OBDD at the addresses set forth below, or to such other persons or addresses that either party may subsequently indicate pursuant to this Section.

Any communication or notice by personal delivery will be deemed effective when actually delivered to the addressee. Any communication or notice so addressed and mailed will be deemed to be received and effective five (5) days after mailing. Any communication or notice given by email becomes effective 1) upon the sender's receipt of confirmation generated by the recipient's email system that the notice has been received by the recipient's email system or 2) the recipient's confirmation of receipt, whichever is earlier. Notwithstanding this provision, the following notices may not be given by email: notice of default or notice of termination.

If to OBDD: Deputy Director
Oregon Business Development Department
775 Summer Street NE Suite 200
Salem, OR 97301-1280

If to Recipient: Water Treatment Supervisor
City of Newport
169 SW Coast Hwy
Newport, OR 97365

- E. No Construction against Drafter. This Contract is to be construed as if the parties drafted it jointly.
- F. Severability. If any term or condition of this Contract is declared by a court of competent jurisdiction as illegal, invalid or unenforceable, that holding will not invalidate or otherwise affect any other provision.
- G. Amendments, Waivers. This Contract may not be amended without the prior written consent of OBDD (and when required, the Department of Justice) and Recipient. This Contract may not be amended in a manner that is not in compliance with the Act. No waiver or consent is effective unless in writing and signed by the party against whom such waiver or consent is sought to be enforced. Such waiver or consent will be effective only in the specific instance and for the specific purpose given.
- H. Attorneys' Fees and Other Expenses. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the prevailing party in any dispute arising from this Contract is entitled to recover its reasonable attorneys' fees and costs at trial and on appeal. Reasonable attorneys' fees cannot exceed the rate charged to OBDD by its attorneys.

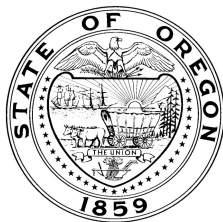
- I. Choice of Law; Designation of Forum; Federal Forum. The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Contract, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

Any party bringing a legal action or proceeding against any other party arising out of or relating to this Contract shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court. This paragraph is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.

- J. Integration. This Contract (including all exhibits, schedules or attachments) constitutes the entire agreement between the parties on the subject matter. There are no unspecified understandings, agreements or representations, oral or written, regarding this Contract.
- K. Execution in Counterparts. This Contract may be signed in several counterparts, each of which is an original and all of which constitute one and the same instrument.

The Recipient, by its signature below, acknowledges that it has read this Contract, understands it, and agrees to be bound by its terms and conditions.



STATE OF OREGON
acting by and through its
Oregon Business Development Department



CITY OF NEWPORT

By: _____
Edward Tabor, Infrastructure and
Program Services Director

By: _____
The Honorable Jan Kaplan, Mayor

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

Not Required as per OAR 137-045-0030

EXHIBIT A - GENERAL DEFINITIONS

As used in this Contract, the following terms have the meanings below.

“Act” means “Safe Drinking Water Act,” 42 U.S.C. Sec. 300f, and all subsequent amendments, including the Amendments of 1996, Public Law 104-182.

“Award” means the award of financial assistance to Recipient by OBDD dated 27 July 2023.

“Costs of the Project” means Recipient’s actual costs (including any financing costs properly allocable to the Project) that are (a) reasonable, necessary and directly related to the Project, (b) permitted by generally accepted accounting principles to be Costs of the Project, and (c) are eligible or permitted uses of the Grant under applicable state or federal statute and rule.

“Counsel” means an attorney at law or firm of attorneys at law duly admitted to practice law before the highest court of any state, who may be of counsel to, or an employee of, OBDD or Recipient.

“ORS” means the Oregon Revised Statutes.

“Project Completion Date” means the date on which Recipient completes the Project.

EXHIBIT B - PROJECT DESCRIPTION

The Recipient will prepare a Drinking Water Protection Plan (“Plan”) by implementing the following source water protection activities:

- Assemble a local Drinking Water Protection Team (“Team”).
- Update and enhance the source water assessment originally drafted by Oregon Department of Environmental Quality (DEQ)/Oregon Health Authority in 2002, and updated in 2016.
- Engage the Team to develop a Plan to protect drinking water sources in both of Recipient’s watersheds. The Plan will include, but is not limited to, prioritizing implementation strategies to address potential sources of contamination in each Drinking Water Source Area; developing a timeline for implementation strategies.
- Engage the Team to develop a contingency plan to address the Recipient’s response to critical infrastructure/system failure or loss of source water access.
- Receive DEQ approval for the Plan.

EXHIBIT C - PROJECT BUDGET

Line Item Activity	OBDD Funds	Other / Matching Funds
Public outreach and Team formation	\$5,000	\$0
Planning/Conducting Team meetings, data collection and analyses	\$12,500	\$0
Planning, preparation, finalization and approval of the Plan	\$12,500	\$0
Total	\$30,000	\$0

EXHIBIT D - INFORMATION REQUIRED BY 2 CFR § 200.332(A)(1)

- (i) Subrecipient* name (which must match registered name in SAM): City of Newport
 - (ii) Subrecipient's Unique Entity Identifier (SAM): GGULMZE6T2F8
 - (iii) Federal Award Identification Number (FAIN): 98009022
 - (iv) Federal Award Date: 21 September 2022
 - (v) Sub-award Period of Performance Start and End Date: 24 months after the date of this Contract
 - (vi) Sub-award budget period start and end dates: 24 months after the date of this Contract
 - (vii) Total Amount of Federal Funds Obligated by this contract action: \$30,000
 - (viii) Total Amount of Federal Funds Obligated by the initial Contract and any amendments: \$30,000
 - (ix) Total Amount of Federal Award committed to the pass-through entity: \$11,064,000
 - (x) Federal award project description: Oregon's Drinking Water State Revolving Fund: This grant increases the capacity of Oregon to ensure that its public water systems continue to provide safe drinking water. This is done by (1) continuing loan financing to public water systems and support for newly proposed priority projects, (2) providing grant support for covering administrative expenses, small public water system technical assistance, State program management and local assistance, and (3) continuation of the loan fund to finance source water protection project initiatives, including acquiring conservation easements.
 - (xi) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity:
 - (a) Name of Federal awarding agency: U.S. Environmental Protection Agency
 - (b) Name of pass-through entity: Oregon Business Development Department
 - (c) Contact information for awarding official of the pass-through entity: Edward Tabor, Infrastructure and Program Services Director, 503-949-3523
 - (xii) CFDA Number, Title, Amount: 66.468 Safe Drinking Water State Revolving Fund, Amount: \$30,000
 - (xiii) Is Award R&D? No
 - (xiv) Indirect cost rate for the Federal award: N/A
- * For the purposes of this Exhibit E, "Subrecipient" refers to Recipient and "pass-through entity" refers to OBDD.

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Authorization of a Request for Proposals for City Manager Executive Recruitment Services.

Background:

As you are aware, it is my intent to retire as City Manager of the City of Newport in 2024 on or around July 1, 2024. As I have indicated previously, I plan to work through the budget process for 2024 so that my successor has a budget in place to facilitate their first year on the job. I will likely wish to continue to work until October 1 in a secondary role to complete a number of efforts that would help facilitate future efforts for the City and its new manager.

At the July 17 work session, the City Council discussed utilization of an executive search firm to assist in the recruitment of a new city manager. There are a number of firms that regularly do work in the Northwest. The suggested schedule for proceeding with consultant selection that was presented to the Council in July is as follows:

- **October 16, 2023**, approve a request for proposals to retain an executive search firm to assist with the hiring of the city manager. This firm would work with the City Council to develop an administrative profile. The executive search firm will likely meet individually and collectively with members of the City Council to do this. In addition, the firm would conduct preliminary review of applicants, complete an initial screening of the candidates, meet with Council to determine which candidates Council wishes to interview, and facilitate the interview process that Council will undertake with each of the candidates.
- **November 6**, Council will interview the executive search firms who submitted proposals by the due date at a work session. Council will then select an executive search firm at the regular meeting on November 6, if they are ready to move in that direction. The executive search firm will meet with Council and develop an administrative profile for this position.
- **December 4**, the City Council will approve the administrative profile for the position, proposed compensation, and develop a final recruitment calendar to fill the position.
- **January 3, 2024** advertising will be initiated for the city manager's position.

It is my recommendation that the Council direct a Request for Proposals to four predominate firms who do work in the Northwest. I think the approach may vary from firm

to firm and it will give the Council an opportunity to select a firm that Council feels will best meet their needs of through this hiring process. These firms regularly do work on the West Coast. A few firms have a more regional presences while SGR does work nationally. I would recommend that a request for proposals be sent to the following executive recruitment firms:

- GMP Consultants, Snoqualmie, WA
- Jensen Strategies, Portland OR
- Prothman, Issaquah, WA
- Strategic Government Resources (SGR), Keller, TX

The actual schedule following November 6 would be developed by the selected executive search firm in consultation with the City Council. The remaining schedule, as reviewed by the Council in July, has been included in the RFP. I have discussed this schedule with several of the search firms listed above and they all feel there is sufficient time to get someone in place by the end of the fiscal year. It should be noted that professional recruitment firms may modify this schedule based on their normal processes, which we have asked them to outline in their proposal to the Council. I believe this schedule allows for some complications and timing setbacks to complete this process to have a new manager in place by the end of the fiscal year. That being said, I am available to work through September should challenges be encountered with this process.

After June 30, I would like to work in a special projects-type position through September once a city manager is hired and has initiated their employment with the City. It is not appropriate to have two individuals working as City Manager. I would likely work from home on these assignments to further reduce any potential interference with my successor. This would be a great opportunity for me to focus on a number of very specific projects that will help facilitate work of the new city manager. In this capacity I would be working for the new city manager. I would ask that my compensation and benefits remain intact through this period of time as part of the transition. I believe that this schedule will provide a smooth, and hopefully, seamless transition for this position.

Please note that there could be a circumstance in which I would retire earlier than October 1 if the City Council has a manager in place at that time. However, I will not leave the City hanging prior to October 1, if there are delays in hiring a new manager. The selection of a city manager is perhaps the most important decision you will make as a City Council. This schedule should provide for a smooth, and hopefully seamless, transition in City Manager leadership for the City of Newport.

Recommendation:

I recommend that the City Council approve the following motion:

I move to approve the Request for Proposals for an Executive Search Firm to assist in the hiring of a city manager, with the proposals being requested from GMP Consultants, Jensen Strategies, Prothman and Strategic Government Resources.

Fiscal Effects:

Cost should run under \$35,000 for the executive search. Proposals will detail the fees and expenses that the City will be responsible for paying. Funding has been appropriated in the City Manager expenses for this search.

Alternatives:

Modify the RFP, utilize the Mayor and Council President to conduct interviews of the consultants submitting proposals, select different executive recruiters, or as suggested by the City Council.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "S. Nebel", is positioned above the typed name.

Spencer Nebel
City Manager



City of Newport

REQUEST FOR PROPOSAL FOR

Executive Recruitment Services for City of Newport City
Manager

City of Newport
City Hall
169 SW Coast Highway Newport, OR 97365

Telephone: 541-574-0603

DUE DATE & TIME

October 30, 2023 at 12:00PM

I. GENERAL INFORMATION:

The City of Newport Oregon is seeking proposals from qualified professional firms with experience in advertisement, solicitation and screening to fill the City Manager position. The current City Manager has announced retirement effective on or about July 1, 2024.

The City of Newport is a prime tourist destination and the population center of the Central Oregon Coast. Newport is the county seat of Lincoln County, and houses the offices of several federal and state agencies, including a major Coast Guard station, Oregon State University's Hatfield Marine Science Center, NOAA's Pacific Marine Operations, the Oregon State Police, Oregon DMV, and Oregon Employment Division offices. The city is home to the Samaritan Pacific Communities Hospital, and the main campus of the Oregon Coast Community College. OCCC is a premier educational institution and unique in its aquarist program. Its aquarist graduates are working in aquarium and research facilities throughout the country. Newport has a population of 10,775.

Newport is a council-manager form of government. The governance of the city is vested with the city council. The council is comprised of seven elected members, which includes the Mayor. Newport is a full-service city providing a wide range of municipal services, including police, fire, finance, engineering, streets, water and sewer utilities, community development, airport, parks and recreation, performing arts center and visual arts center and urban renewal. The city employs 164 employees, and the FY 23-24 budget is \$114,293,353.

**Proposals due to Spencer Nebel, City Manager at
m.nelson@newportoregon.gov
by October 30, 2023 by noon. Only electronic submissions will be accepted. Please do
not submit proposals in hard copy.**

Proposals received after the specified date and time will not be given further consideration. All dates are tentative and subject to change at City's discretion.

Proposals should be prepared simply and economically, providing a straightforward, concise description of proposer's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of the content.

Proposals shall be firm for a period of thirty (30) days after the closing date. Each responding proposer may withdraw their proposal if it has not been accepted within thirty (30) days from the RFP closing date.

The award of this contract will be made by the City Council on the basis of the proposal which, in the City's sole and absolute judgment, will best serve the best interests and needs of the City. The City reserves the right to accept or reject any or all the proposals, and waive any informalities and irregularities in said proposals.

All proposers must provide the information requested in Section V, Proposal Submission Requirements. Failure to respond to any or all requested information may result in disqualification by the City.

Questions, interpretations or clarifications of this RFP must be requested in electronically in writing. All questions should be directed to Spencer Nebel, City Manager, at the following address: m.nelson@newportoregon.gov

II. ANTICIPATED RFP SCHEDULE

ACTION	DATE
Issue RFP	October 16, 2023
Final Questions	October 23, 2023 at noon
Due Proposals	October 30, 2023 at noon
Virtual	
Interviews	November 6, 2023 at 04:00 P.M Pacific
Due Award	On or after, November 6, 2023

III. Scope of Work

The Newport Mayor and City Council will lead all elements of the process, including selecting the recruitment firm, working directly with the selected firm on all of the tasks, and hiring the City Manager.

The City wishes to conduct a search for a new City Manager, and seeks professional assistance with recruitment logistics. The project scope should include: facilitation/ coaching with the city council on the city manager recruitment process; development of the public process, development of recruitment materials; advertisement of the position to be vacated; outreach to potential candidates; screening of received applications; assistance with the interview process; finalist background and reference checks. The city's goal is to provide an open and fair recruitment that will attract top talent while keeping the cost of the recruitment process reasonable.

The scope of the work is to assist them through the entire process beginning with planning and preparing for the process and culminating with the selection and appointment of the new manager that would include at least include at least the following:

- Provide a clear written scope of the projected costs and a detailed recruitment schedule. Meet with the City Council and public to outline the public process, position description and selection criteria
- Review the current job description and compensation and make recommendations.
- Design the recruitment process, schedule, scope of marketing and creative marketing materials.

RFP Executive Recruitment Services for City of Newport City Manager

- Develop a profile for the community and the position that will highlight the opportunities and characteristics of the community as well as a profile of a successful candidate.
- Develop a strategy for marketing the position to reach potential candidates. Track applications and prepare responses to applicants.
- Establish criteria to review and screen applicants.
- Initially screen applicants, in accordance with Oregon's Veterans Preference laws and providing information to the City Council on the qualified candidates.
- Be available to manage and oversee the recruitment process over the duration of the project, including managing and participating in the interviews
- Assist the Council developing the structure and schedule of final interviews, including the debriefing and evaluation process.
- Perform reference and background checks.
- Assist the City Council in decisions, job offer, contract negotiations and employment agreement.

IV. PRELIMINARY RECRUITMENT SCHEDULE

- October 16, 2023- Council approve/issue RFP
- November 6, 2023- Council select executive search firm to facilitate the process
- December 4, 2023- Council and staff will develop the position profile, compensation and final calendar
- January 3, 2024- Advertising will be initiated for the City Manager's position
- February 5, 2024- The job posting will be closed for this position
- February 12, 2024- Candidates will be selected for interviews
- February 29, 2024- Interviews will be conducted by City Council
- March 4, 2024- Council would make an offer and background check process would commence
- April 15, 2024- Negotiation of employment agreement. Targeted start date of July 1, 2024.
-
- Note: The actual schedule following November 6, 2023 would be developed by the executive search firm in consultation with the City Council. Proposals can provide

alternative dates and steps for the recruitment process.

V. PROPOSAL SUBMISSION REQUIREMENTS:

The proposing firm shall be responsible for preparing an effective, clear, and concise proposal. The proposals must include the following information:

1. **Letter of Transmittal:** All Proposals must include a cover letter signed by a person legally authorized to bind the applicant to its proposal. The cover letter must include name of the firm, name of principal recruiter, address, telephone and fax numbers of the firm and email address of the person(s) who are authorized to represent the proposer.
2. **Experience and Qualifications:** List the key personnel and qualifications for those who will be involved in the recruitment, relative to the scope of work of this RFP; including but not limited to a description of education, certificates or licenses, professional background, experience, skills, expertise and training.
3. **Response to Scope of Work:** A description of how the proposer will provide services and address the scope of work of this RFP.
4. **Compensation:** Discussion of proposed fee/compensation/estimated expenses.
5. **Additional Services:** Provide descriptions of any other services the firm would propose to include within the base cost of the proposal.
6. **References:**
Provide a representative listing of municipal governments for whom the Proposer has previously provided executive/City Manager recruitment for, within the last three (3) years. Provide government contact name, phone number, and email address. Oregon references are preferred. The City reserves the right to explore the background, previous experience, training, financial affairs or related matters of any firm of individual under consideration for this contract.
7. **Proposer's Warranty:** Exhibit A
8. **Other:**
 - Indicate the Firms approximate annual recruitment volume in number of recruitments.

VI. MINIMUM QUALIFICATIONS:

1. Demonstrated experience in providing recruitments to entities of equal size, complexity, and scope.
2. City of Newport is an Equal Opportunity Employer. Each service provider must comply with federal, state and local Equal Employment Opportunity requirements.

VII. SELECTION PROCESS:

1. Each proposal received will be evaluated to determine if it meets the stated requirements. Failure to meet these requirements will be cause for eliminating the proposal from further consideration.
2. The City reserves the right to reject any and all proposals, to accept or reject all parts of the proposal, and to be the sole judge of the suitability of the proposals offered.
3. **Proposals will be evaluated the following criteria:**
 - Total fee and cost for the full City Management Recruitment service and identification of estimated costs or rates for extra services. (25 points)
 - Capacity and capability to perform the recruitment timely. (25 points)
 - Successful experience in recruiting City Managers/Executives with great public visibility and participation including information about cost controls, quality of work, coordination with elected officials, ability to meet schedules, and contract administration. (30 points)
 - Availability to meet regularly with the City Council and familiarity with the region. (20 points)
4. All submittals in response to this RFP are public records and available for inspection and copying upon request.
5. The City Council will award the contract for services

VIII. TERMS AND CONDITIONS:

1. of Agreement: The City anticipates selecting the Proposer to commence services sometime after November 6, 2023
2. Withdrawal of RFP: Proposals may be withdrawn before the RFP submittal deadline by submitting a written request to Spencer Nebel, City Manager at m.nelson@newportoregon.gov. Re-submittal before the RFP submittal deadline can be made, however, they may not be re-submitted after the deadline.
3. RFP Costs: All costs incurred in the preparation and presentation of the RFP shall be the responsibility of the responding party to the RFP. All documents submitted as part of the RFP will become property of the City. Requests for specific material to be returned will be considered.
4. City of Newport Contacts: The designated individual responsible for coordination of the RFP is Spencer Nebel, City Manager. Any questions relating to this RFP should be directed to m.nelson@newportoregon.gov in writing only.

**EXHIBIT A
PROPOSER'S WARRANTY**

TO: City of Newport, Oregon

PROPOSAL OF: ____

() an individual () a partnership () a corporation (please mark the appropriate box) organized under the laws of the State of ____.

The undersigned, having carefully read and considered the Request for Proposal to provide services for the City of Newport, Oregon does hereby offer to perform such services on behalf of the City, in the manner described and subject to the terms and conditions set forth in the attached proposal. Services will be performed at the rates set forth in the Proposal.

OFFEROR

Company Name

BY _____
Signature of Authorized Representative

Print name

PRINCIPAL OFFICE ADDRESS

Federal tax ID _____ State ID _____

Street Address _____

City _____

County _____

State _____

Zip Code _____

Telephone _____

Facsimile _____

E-Mail Address _____

THIS FORM MUST ACCOMPANY ALL PROPOSALS

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Report and Possible Action on Utilization of Action Minutes for the City Council, Boards and Commissions.

Background:

At the October 2, 2023 City Council meeting, discussion was held on the current format of minutes for the City Council and various boards and commissions. The City has traditionally used very detailed minutes outlining managers reports, highlights of discussion, other actions, and include actions taken by the City Council and by the various Boards and Committees. Action-based minutes indicate items such as attendance, time the meeting begins and ends, and outlines agenda items and any actions taken on those items. They also include a brief description of any items that are brought up that are off the agenda. Since all City Council, Boards and Committee meetings are recorded. When time stamping is used through Granicus you can go to each agenda item to hear that part of the meeting quickly and efficiently, and detailed packets are on the website. The need to restate that all in the form of minutes is redundant. Originally, we had thought about excluding the Planning and Development Commission from this format for minutes. Upon discussion with Derrick Tokos, it is his opinion that the Planning Commission could use action minutes as well, since transcripts are ordered from a third party contractor when needed for Planning Commission meetings.

Overall, this would be a significant time savings for the City staff and specifically for the Recorder's office that could be spent on other issues. It should also be noted that Newport has a substantially higher number of Boards and Committees than other comparable Cities our size. This further makes the case for simplifying the minute system for the City of Newport. The model that we would utilize for the minutes would be based on the Stayton model. There is a significant advantage of utilizing one format for all minutes being generated for Boards and Committees of the City of Newport. We would work to get this model out and have staff trained to utilize the new format effective November 1, if Council is comfortable moving in this direction.

Recommendation:

I recommend that the City Council consider the following motion:

I move to authorize the implementation of action minutes for the City Council and for Boards and Committees effective November 1, 2023.

Fiscal Effects:

Utilization of action minutes will be a significant time saver for all staff supporting Boards and Commissions of the City of Newport

Alternatives:

Utilize a different model, do not proceed with action minutes at this time, or as suggested by the City Council.

Respectfully submitted,

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

Spencer Nebel
City Manager



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Meeting Date: October 16, 2023

Title: Report on Action Minutes

Prepared by: Erik Glover, Assistant City Manager/City Recorder

Recommended Motion: None, informational only.

Background Information:

At the October 02, 2023 City Council meeting, Staff detailed the possibility of converting Newport to action minutes, and away from transcript type minutes. While Newport, uses a hybrid type of minutes, it leans towards a transcript. This is due to staff time required to process the minutes, the fact that all meetings are audio/video recorded with the recordings maintained from the record. Secondly, many cities are moving to action minutes for various reasons.

At the October 02, 2023 meeting it was the general consensus of most of the Council members present that they desired to move towards a more action-based minutes style, with a specific interest in producing minutes like the Stayton model due to ease of readability. Councilor Hall expressed some concerns with the transition, in some instances. Council requested additional time to discuss this item in greater detail at the next meeting.

Councilor Hall sent an email to the Council group email providing a list of cities and their populations in relation to Newport's size, and expressing some concern with the cities chosen during the first discussion on this item. Some of the cities in staff's initial selection were much larger, some were much smaller than Newport, some were in the ballpark of Newport. Staff performed a review of various cities from the list Councilor Hall provided, and downloaded sets of their minutes for further Council review and discussion.

In the first meeting on the subject, staff indicated that following a review of other communities across the state, it seems that Newport in addition, may potentially have more committees than many other communities even of equivalent size and scope, which increases the amount of time required for minutes preparation and production.

For the preparation of this staff report, staff performed a review of the committees, commissions, agencies and work groups maintained/staffed by the organization, to arrive at an approximate number for Council consideration:

Independence- 10 Committees including Council
Astoria- 10 Committees including Council
Sweet Home- 11 Committees including Council
Cottage Grove- 7 Committees including Council
Baker City- 10 Committees including Council
Monmouth- 9 Committees including Council
Lincoln City- 8 Committees including Council
Newport- 20 Committees including Council

(Not on the City by population list but Council liked the readability/format of their minutes).

Stayton- 6 Committees including Council

(Not on the City by population list, but is similar in scope to Newport.)

Florence- 9 Committees including Council

In the previous staff report on this matter Staff indicated that these changes would not impact Planning Commission, due to their minutes styles being more complex than other groups (the exception being when Council is holding a land use action). Staff held a discussion with CDD Tokos who indicated that in many cases, the Planning Commission has to go out for the preparation of a transcript of their hearings by a third party contractor, anyway. CDD Tokos reported that it would be better to have organizational uniformity, and secondarily to not have his staff have to maintain two distinct types of minutes productions, and have to switch back and forth depending upon the group they are being prepared for, as this would complicate the process.

Staff is requesting Council hold a discussion on their interest in converting to action minutes in Newport, for the Council, URA and all committees, including the Planning Commission which for a trial period and to be reconsidered in 6 months. **Note:** This would also not include City Council involvement in land use processes or decisions, it is expected hybrid minutes would continue to be produced.

Fiscal Notes: None

Alternatives: None recommended

Attachments:

Astoria Minutes

Baker City Minutes

Cottage Grove Minutes

Lincoln City Minutes

Monmouth Minutes

Independence Minutes

Stayton WS Minutes

Stayton Council Minutes

Sweet Home Minutes

Florence Minutes

From: CM Hall <CM.Hall@NewportOregon.gov>
Sent: Wednesday, October 4, 2023 5:00 PM
To: City Council <CityCouncil@NewportOregon.gov>
Subject: Oregon Cities by Population.

In our discussion about action minutes during Monday's work session, I suggested we could adopt it as a pilot with committees but to reserve the Council meetings, work sessions, and Budget meetings as full minutes. I also asked that we do comps for similarly sized cities - what they do. We have a lot of different committees and activities because of our unique demands serving local residents, tourists and industry.

I did a search for the Oregon cities that are similarly sized to Newport.

Newport is the 62nd largest city in Oregon. (Out of 418 cities, towns, hamlets, etc.) 🤖

Our population being ~ 10,400.

We looked at comps from Powers (pop. 713), Florence (pop. 9,376), Sodaville (pop. 361), and Stayton (pop. 8,188).

[Oregon Cities by Population](#)

oregon-demographics.com

Here are cities that are similarly sized.

57	<u>Monmouth</u>	11,274
58	<u>Damascus</u>	10,878
59	<u>Fairview city</u>	10,768
60	<u>Cottage Grove</u>	10,713
61	<u>Silverton</u>	10,443
62	<u>Newport</u>	10,412
63	<u>Independence</u>	10,255
64	<u>Baker City</u>	10,247
65	<u>North Bend</u>	10,218
66	<u>Astoria</u>	10,182
67	<u>Molalla</u>	10,171
68	<u>White City</u>	10,151
69	<u>Sweet Home</u>	10,090
70	<u>Lincoln City</u>	9,966
71	<u>Eagle Point</u>	9,870
72	<u>Rockcreek</u>	9,659

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Regular Session
Held at the Siuslaw Valley Fire & Rescue
2625 Hwy 101, Florence, Oregon
Final Action Minutes
December 10, 2018**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 p.m.

Councilors Present: Mayor Joe Henry, Councilors Joshua Greene, Ron Preisler, Susy Lacer and Woody Woodbury.

Councilors Absent: None

Staff Present: City Manager Erin Reynolds, Public Works Director Mike Miller, Chief of Police Tom Turner, Planning Director Wendy FarleyCampbell, City Recorder / Economic Development Coordinator Kelli Weese, Project Manager Megan Messmer, Human Resources Analyst Alex Ferguson, Associate Planner Glen Southerland and Florence Events Center Director Kevin Rhodes.

PRESENTATIONS & ANNOUNCEMENTS

- Employee Introduction
 - Police Officer – Wade Martin

Start Time: 5:30 p.m.

Action: Mr. Martin was introduced to the City Council.

1. PUBLIC COMMENTS – *Items Not on the Agenda*

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. Speakers Cards are due at least (5) minutes before the meeting. Comments will be limited to three (3) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.

Start Time: 5:32 p.m.

Comments: None

CONSENT AGENDA

2. APPROVAL OF MINUTES

Consider approval of the October 22, 2018 City Council meeting minutes and the October 24, 2018 City Council work session minutes.

3. CERTIFICATION OF ELECTION

Consider approval of **Resolution No. 23, Series 2018**, a resolution certifying the results of the 2018 General Election.

4. TSUNAMI EVACUATION WAYFINDING SIGNAGE GRANT

Consider authorizing staff to submit an application to the Oregon Department of Geology and Mineral Industries (DOGAMI) and the Oregon Office of Emergency Management to assist with the purchasing of additional tsunami evacuation wayfinding signage.

Start Time: 5:33 p.m.
Action: Approval of the consent agenda items as presented.
Motion: Councilor Lacer
Second: Councilor Woodbury
Vote: Unanimous

PUBLIC HEARING & ACTION ITEMS

The public will have an opportunity to offer comments on public hearing items after staff has given their report. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. Speaker's cards are due at least five (5) minutes before the meeting. Comments will be limited to five (5) minutes per person. Speakers may not yield their time to others.

3. PETERSON ANNEXATION & ZONE CHANGE

A. PUBLIC HEARING

Hear and consider written and oral testimony regarding the annexation and zone assignment of the 0.20 acre property located at 87717 Rhododendron Drive, east of North Jetty Drive as applied for by Mr. Gordon Peterson.

Start Time: 5:35 p.m.
Hearing Reading: CR Weese read the Land Use Hearing Script and officiated the public hearing procedures.
Public Hearing: Opened at 5:37 p.m.

Handout: PowerPoint Presentation
Discussion: The City Council discussed...

- Potential stormwater needs for the area

Comments: Councilor Preisler

Comments: None

Public Hearing: Closed at 5:41 p.m.

B. APPROVAL OF ANNEXATION REQUEST

Consider approval of **Ordinance No. 18, Series 2018**, an ordinance approving the annexation of Assessors Map No. 18-12-10-33, Tax Lot 00200.

Action: First Reading of Ordinance No. 18, Series 2018
Vote: Unanimous

Action: Second reading of Ordinance No. 18, Series 2018
Motion: Mayor Henry
Second: Councilor Lacer
Roll Call Vote: Councilor Woodbury – Aye
Councilor Preisler – Aye
Councilor Greene – Aye
Councilor Lacer – Aye
Mayor Henry – Aye
Ordinances passes 5-0

C. APPROVAL OF ZONE ASSIGNMENT

Consider approval of **Ordinance No. 19, Series 2018**, an ordinance establishing Restricted Residential zoning district for the Peterson property, as part of the proposed annexation.

Action: First Reading of Ordinance No. 19, Series 2018
Vote: Unanimous

Action: Second reading of Ordinance No. 19, Series 2018
Motion: Councilor Preisler
Second: Councilor Lacer
Roll Call Vote: Councilor Woodbury – Aye
Councilor Preisler – Aye
Councilor Greene – Aye
Councilor Lacer – Aye
Mayor Henry – Aye
Ordinances passes 5-0

ACTION ITEMS

The public will have an opportunity to offer comments on action items after staff has given their report. Persons wishing to address the Council must complete a Speaker's Card available online at <http://www.ci.florence.or.us/council/request-address-city-council-speakers-card>, or at the meeting. Speaker's cards are due at least five (5) minutes before the meeting. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others.

6. VOLUNTEER POLICY MANUAL

Consider approval of **Resolution No. 24, Series 2018**, a resolution establishing a Volunteer Policy Manual.

Start Time: 5:45 p.m.
Handouts: PowerPoint Presentation
Discussion: The City Council discussed...

- Appreciation for the time tracking elements for volunteers

Comments: Councilor Greene

Action: Approval of Resolution No. 24, Series 2018
Motion: Councilor Woodbury
Second: Councilor Greene
Vote: Unanimous

7. CITY MANAGER EVALUATION

Consider approval of the annual evaluation for City Manager Erin Reynolds and consider salary adjustments beginning January 1, 2019.

Start Time: 5:57 p.m.
Discussion: The City Council discussed...

- Process for the City Manager evaluation
- Appreciation for Ms. Reynolds work and the energy within the staff led by Ms. Reynolds
- Items reviewed during the City Manager evaluation process

Comments: Mayor Henry

Action: Approve the City Manager Employee Evaluation of 3.82 / 4.00 and approve a contract amendment to amend Ms. Reynolds annual base salary by a 2% increase to \$132,451.

Motion: Councilor Lacer
Second: Councilor Greene
Vote: Unanimous

8. 2019 CITY COUNCIL MEETING CALENDAR

Review and consider approval of the 2019 City Council meeting calendar.

Start Time: 6:03 p.m.

Discussion: The City Council discussed...

- City Council work session start times

Comments: Mayor Henry

Action: Approve the 2019 City Council Meeting Calendar dates and consider evaluating City Council work session start times at the January 7th City Council meeting

Motion: Councilor Preisler

Second: Councilor Woodbury

Vote: Unanimous

REPORT & DISCUSSION ITEMS

9. OCTOBER / NOVEMBER BOARD & COMMITTEE REPORTS

Report on the Boards & Committees for the Month of October / November 2018.

Start Time: 6:06 p.m.

Discussion: The City Council discussed...

- Public Art selection of artist design for Central Lincoln PUD Mural

Comments: Councilor Greene

10. CITY MANAGER REPORT & DISCUSSION ITEMS

Start Time: 6:08 p.m.

Discussion: The City Council discussed...

- City Council and other city upcoming meetings
- Upcoming city events

11. CITY COUNCIL REPORTS & DISCUSSION ITEMS

Start Time: 6:12 p.m.

Discussion: The City Council discussed...

- Council activities in the community and community announcements

Meeting adjourned at 6:16 p.m.

ATTEST:

Joe Henry, Mayor

Kelli Weese, City Recorder

DRAFT

CITY OF ASTORIA
City Council Chambers
August 7, 2023

CITY COUNCIL JOURNAL OF PROCEEDINGS
Verbatim Transcript

A regular meeting of the Astoria Common Council was held at the above place at the hour of 6:00 pm.

1. CALL TO ORDER

Mayor Fitzpatrick called to order the August 7, 2023, meeting of the Astoria City Council.

2. PLEDGE OF ALLEGIANCE

Chief Crutchfield led the Pledge of Allegiance.

3. ROLL CALL

Councilors Present: Davis, Brownson, Adams, Hilton, and Mayor Fitzpatrick.

Councilors Excused: None

Staff Present: City Manager Spence, Chief Crutchfield, Director of Public Works Harrington. The meeting was live streamed and recorded, and will be transcribed verbatim by ABC Transcription Services, LLC.

4. PRESENTATIONS

Item 4(a): Presentation about the Astoria Regatta Parade.

Mayor Fitzpatrick: Okay, we have a full agenda this evening with two very important presentations. We got six regular agenda items and then we have a meeting of the Astoria Development Commission afterwards. So, we're going to dive right in. I asked Mr. Leahy to join us this evening for a few reasons. Regatta is Astoria's biggest celebration each year; it's a lot of fun, it takes a lot of work. And Mr. Leahy is on his way up along with—oh, I'm sorry. I asked Mr. Leahy and Mr. Gimre to join us this evening. They are on their way.

Kevin Leahy: Thank you, Mayor.

Mayor Fitzpatrick: So, Mr. Leahy is going to give us a short history of Regatta, a rundown of what we have coming up this week, and I presume a plea for volunteers to help out at the parade.

Mr. Leahy: Yes, Mayor, thank you very much. So, Kevin Leahy, 1759 5th, and thank you for the opportunity to talk about our festival, the Astoria Regatta Festival. Clatsop County's Festival, founded in 1894. This is our 129th year. We are the oldest festival west of the Rockies. We're an Oregon cultural tradition. Many of us, we always say about—like, I grew up here, as did Pete, he'll speak for himself here—but I'm 4th generation Astorian. I grew up going to the Regatta parade with my mother and the Anchor Club, and just has been a part of the life—of my entire life from when I was very young to today. We used to come up from California to visit my dad, who lived in Astoria, when I was in California during my corporate life, and my kids would come to the parades, etcetera. So, just a great, great, great tradition and Pete and I are so honored to be the co-presidents this year, and with the theme being A New Wave. And it really is a new wave; it's honoring the traditions of the past, which of course, they're so important, but looking for the future. And I just want to mention to Council and for the minutes, etcetera, we have a brand-new website: astoriaregatta.com. Please check it out.

And, again, Pete's going to talk about the volunteer side and some other things, but quickly on the events: we kick it off Wednesday with the farewell for the queen, Leah Boles, who's been our queen for this past year at the McTavish Room at the Liberty Theater. That's at 5:30 pm. And then—that's free—and then at 7 pm is the coronation of the new 2023 Regatta Queen. On Thursday, August the 10th, we

have the sailboat races—we, the Yacht Club—but we're partnered with the Yacht Club. There's the Warrenton Family Fun Night and Movie Night at Warrenton City Park and a Kiddie's Parade in Warrenton. Spruce Up Warrenton is sponsoring that. Friday, we have our Scholarship Luncheon. It used to be called the Gathering of the Past Admirals and Presidents. This is a scholarship fundraiser. We have a 501 (c)(3) arm of the Regatta now, so that's a big opportunity to raise funds for our court for their college scholarships at 12 noon, at Patriot Hall, at our beautiful campus up at Clatsop Community College here in Astoria. The Seamen's Memorial at 3 pm at Maritime Memorial Park; that's honoring those who have given their life and those who've also worked on the waterfront, at Maritime Memorial Park. The Mayor is going to say a few words there. Admiral's Reception honoring Craig Hoppes who is our Admiral this year, and Jennifer Holen, the Admiral's Aide, Barbey Maritime Center. You're all welcome at 6 pm.

Saturday Rose Planting, a tradition with the Royal Rosarians. We've been working with them since the 1920s—our festival is a little older, by the way, than the Rose Festival; want to just mention that—9 am at the Flavel House. We have the Regatta Square that is put on by CMH; a lot of hard work and effort and dollars behind that. Please come. Our fun run, the Grand Land Parade at 12 noon downtown, kicking off at 16th and Exchange. We have the U.S. Coast Guard Search and Rescue demonstration at 3 pm off the 17th Street Pier. And so, a new thing this year: we have the mini sailboat races and we thank Will and Pete and, well, Tom and of course, I think Pete's going to make a comment about that. And finally, then I'll turn it over to Mr. Gimre here, the Highwater Boat Parade at 5 pm on the Astoria Riverwalk and all along the waterfront there. So, very, very exciting and I'll turn it over to Pete.

Mayor Fitzpatrick: Great, and before Mr. Gimre speaks, I would just clarify the transcription came up with, 'kitties' as in, 'kittens' when you were talking about the kiddie parade.

Mr. Leahy: Well, my daughters love cats, but this is a kiddie's—children's parade.

Mayor Fitzpatrick: Yeah, yes—

Mr. Leahy: Thank you, Mayor,

Mayor Fitzpatrick: To make it clear, it will be children and not little kitty cats out there on parade in Warrenton.

Mr. Leahy: Okay, yes, Children's Parade, thank you. Kitties are welcome. But, anyway . . .

Mayor Fitzpatrick: Thank you, and Mr. Gimre, was your grandfather at the first Regatta in Astoria?

Pete Gimre: First I gotta introduce myself. Pete Gimre, 89322 Highway 202, and leave it to Kevin to take up all my five minutes. But—it takes so many people to put on a festival of this size, and it's kind of funny 'cause Kevin and I both learned about each other both as little kids. We used to watch the parade across the street from each other where Chris' News was. He watched on one side, and I watched on the other side on 14th and Commercial just up from Gimre Shoes. But anyway, I just want to thank everybody. I want to thank Commissioner Hilton who steered me in the right direction to find someone for our Seamen's Memorial at 3 o'clock on Friday?

Councilor Hilton: Yes.

Mr. Gimre: Yes, and I know Kevin has been working close with the City Manager. I want to thank Mayor Sean Fitzpatrick, who helped me put out lawn signs advertising Regatta. Commissioner Brownson, I know you're instrumental in the sailboat races and actually the new event this year, which are the mini sailboat races at the Maritime Pond. And, even Commissioner Adams, I know you were at the last meeting, so you get credit, too.

But, anyway, I just want to talk just a second about the pins we've got this year. They're for sale for \$10. The \$10 goes to the Regatta Festival Association, also gets you a \$10 discount into the Admiral's

Reception, which is normally \$20—you get it for \$10. But the way it's designed this year, speaking of sailboats, it incorporates all the colors of the area schools—Knappa, Warrenton, Seaside, and Astoria—because even though it's called the Astoria Regatta Festival, we want to incorporate the entire community.

And, yes, we do need volunteers. Mayor Fitzpatrick, he is actually volunteering before the parade and he's in the parade. I'm not sure how that's gonna work. But, if anyone wants to give a couple hours of their time Saturday morning approximately from 10 to 1, you can go on astoriaregatta.com and see the needs that we have, but we have slots for about 13 people to fill up for volunteer help. But I just want to thank the City for all their support, financial support, and all of you are making a great festival happen once again, after 129 years after the first Regatta Festival. So, thank you very much.

Mayor Fitzpatrick: Great. Thank you, Mr. Gimre and Mr. Leahy.

Mr. Leahy: I have some flyers, please pass it down, you guys can take one and thank you for the opportunity, appreciate it.

Mayor Fitzpatrick: Great, and I will point out that I have not been in the parade since 1972, so I'm looking forward to this.

Item 4(b): Presentation from Clatsop Community College Board Members.

Mayor Fitzpatrick: I also invited a couple other community members to be with us this evening. I see Kevin LaCoste is here. Was Trudy able to make it?

Kevin LaCoste: Not yet

Mayor Fitzpatrick: Okay. So, Mr. LaCoste is the Interim President of Clatsop Community College, our community college, and he's here tonight. I've asked him to give us an update on what is going on at the College. I don't know that we've had previous College presidents come and speak with us. The Council has been somewhat in the dark. We would like to know what is going on at Clatsop Community College. Mr. LaCoste.

Mr. LaCoste: Thank you. Hi, I'm Kevin LaCoste. So, I'm in the new president; I've been on the job for a month so I've got a better picture today than I did, you know, several weeks ago. I would say that the College—what I've kind of come to appreciate more so than I—you know, been here for a long time—but how important the College really is to the County and to the City. And there's been some—well there's—we were in the newspaper last week. So, we've got some things going on at the College that I think would be worth sharing.

We do have our set of financial challenges, but we're not unique in that. Most colleges do, most community colleges are seeing enrollment declines and state funding is always a challenge. But we're—let's see how I'm going to say this—we're going to need to make adjustments to the College to kind of get ourselves right sized. We lost a huge chunk of students over Covid, and we were kind of trending downward before then. So, to summarize we—as a banker for most of my career—we're making less than we spend and we've been doing that for a while, and so it comes to a point where you have to really look at it straight in the face and say, 'We gotta do something about it.'

So, that's why I'm the Interim President. We're working on this as we speak. We're taking a deep dive into what's going at the College, where we have room for improvement. And one of the things happened just today, which I'm proud to say—got together with all the superintendents in the County. The College serves as the higher education for the County, very important. And it's unfortunate that Trudy's not here 'cause she had some great slides to share about the multiplying effect of what a college does to our County. We play a big piece in the health and wellness of the whole County. Strictly from a financial perspective, we impact one in I think it was 16 jobs in the County. So, the County's extremely important for the City for every part of this county.

So, the Superintendents that came together, just as an example, and the support and kind of coming together as a County, this is what I'm here to talk about. It's our College; it's here in Astoria, but it's the County College and I just really look to get more support from all corners. We're in a competitive business. There's lots of online options; there's lots of—I'm learning the business of higher education, and it's interesting and I'm learning a lot, but what I do see is that we've kind of lost focus in outreach from the College out to the schools and to the rest of the County.

So, unfortunately, I don't think—these slides I wasn't planning to cover myself—so, I think I won't be needing those. But as far as the College is going, the future will be bright; we have to get through a challenging period of time here. And so, we'll be working on that and happy to take any questions if you have any.

Mayor Fitzpatrick: Do any of the Councilors have questions for Mr. LaCoste at this point? Councilor Brownson?

Councilor Brownson: Thank you, Mayor. Well, I appreciate you stepping up, and I know the College is important. It really serves the community well, I think, when it's working with a lot of the programs that are community based and kind of tailored to what happens in Astoria. The Historical Program is an example; the Maritime Program is another example. The only real question I have, and I know you've as you said just been on the job for a month, but of particular interest to me has been the Maritime Program, and there had been a real push for an expansion there at—what was it five, six, seven, years ago?

Mr. LaCoste: Mm-hmm.

Councilor Brownson: And again, Covid, a lot of things have impacted that. So, do you know if the College is going to continue to pursue the expansion of that program?

Mr. LaCoste: Yeah, you know, that's one of the bright spots. We have something unique. You know, when you look at colleges—I was at a meeting last week with all the college presidents in the state—there's 17 colleges in the state. I think that gives us one of our great advantages—the Maritime and where we're located to such an important river. And so, yeah, that area is doing quite well, probably room for growth. We've got an \$8 million grant from the State that requires us to match it, but we've got—if we're able to—again, we'll probably be looking for more support to that program here later this year. But it will allow to us to expand more programs. But the maritime portion of the College is very significant and unique to us, so it kind of gives us our little niche that I think is quite nice. Yup, thank you.

Mayor Fitzpatrick: Any other questions? Councilor Hilton? Councilor Adams? Councilor Davis? Looks like—thank you, Mr. LaCoste. I appreciate you coming and joining us this evening.

Mr. LaCoste: Thank you, sir.

Mayor Fitzpatrick: If Ms. Van Dusen Čitović shows up, we are happy to have her go through the slides.

Mr. LaCoste: Oh, there we go.

Mayor Fitzpatrick: She's a—she works full time as a business owner of two businesses.

Mr. LaCoste: Yeah.

Mayor Fitzpatrick: She's the College Board President.

Mr. LaCoste: Yes.

Mayor Fitzpatrick: And a mother of two.

Mr. LaCoste: She's a hard worker, yes, for sure. Yeah, so, thank you for the time, appreciate it.

City Manager Spence: She's coming up the steps.

Mayor Fitzpatrick: There she is.

Mr. LaCoste: There she is, yes. We were just talking about you.

Mayor Fitzpatrick: Well, I have just given you an introduction. Ms. Van Dusen Čitović we are ready for you to proceed with the slides, if you are ready.

Trudy Van Dusen Čitović: Wonderful, I am ready. Thank you. I am so sorry; I the wrong time on my calendar. I did bring print outs of the slides just for Councilors, so they can see it.

Mayor Fitzpatrick: Thank you.

Mr. LaCoste: Hi Trudy, good to see you. I'll stand up there with you.

Ms. Van Dusen Čitović: Okay, great. Well, first of all, thank you so much to all of the Council and to Mayor Fitzpatrick for allowing us to come and give an update to the City Council. And before we jump into the couple slides, and it's not many, that we prepared, I wanted to just give you guys a little bit of a background on myself, why I'm involved in the College, and sort of how we got to this spot.

So, quick update on myself: obviously the name Van Dusen, a lot of people know my father was the mayor of Astoria. My family's been here for a long time. But I did not wake up one day thinking, 'Gee, I want to be on the College Board,' at all. I have a lot of other obligations. I have two young kids. I have three businesses and a couple properties that I manage. And Betsy Johnson called me because I owed her a favor, and that favor was she helped to get my daughter's genetic disease on newborn screening list for Oregon. Thirty-eight other states had that on their screening list for newborns and there is a treatment for my daughter's condition, but if you're not diagnosed before symptoms show up it is the number one killer of infants that is genetically caused. So, there is absolutely no reason a baby in Oregon should die when there's a treatment just because it's not on the screening list. Betsy Johnson, after the bill that we presented died in committee in Salem, as the co-chair of the Joint Ways and Means Committee, allocated the funding to make that happen. So, I owed her big time.

So, when she called me and said, 'We need you to run for the Board. We need some good leadership on the Clatsop Community College Board,' I thought about it, and I called her back and I said, 'No, I'm too busy.' And I said, 'That is unless of course you're calling in the favor for the newborn screening.' And she said, 'Well, don't make me say it but, yeah.' So, here I am a member of the College Board, and I'll admit to myself and to you that the College really wasn't on my radar. It wasn't. I just kind of thought, you know, growing up here, every town has elementary schools, and middle schools, and high schools, and a community college. Well, that's not the case. There's only 17 community colleges in Oregon, and Clatsop Community College is the oldest one, the first one. There were community members who got together and put in a huge amount of heart and soul to bring Clatsop Community College to our county. And then we kind of, at some point in the last 65 years—this is the 65th anniversary—I think we all kind

of set it and forget it. And I think we all know that with these special districts that can be very dangerous. There is very little oversight of these special districts as we have seen with the Sunset Empire Transit District. And it was actually seeing the quotes from Liz Adams in the paper, trying to find out what happened with the Transit District that sparked me to want to come here and talk to you because I would much rather get this dialogue going early if there are issues than have you guys wake up one day and be, like, 'Oh, hey, the College shut down.'

That's not where we are right now, but I want to talk to you guys way, way before we get there because if that were to happen, your constituents would be calling you—I'll tell you that right now. Even though you're not calling me to find out what's going on yet, you would be. So, that's why we're here tonight, is I think this is something that is a Clatsop County problem because we all kind of set it and forget it. And it's going to require a Clatsop County solution, not only from Astoria City Council but I've reached out Seaside City Council, Warrenton City Council. We want to talk to Gerhart, Cannon Beach—anyone who will listen—the Clatsop County Commissioners, just to say, 'Guys, we need the whole county thinking about this. And sending people to the College and just, when you hear of opportunity that might work for the College, we need your help.'

So, with that we can jump into the slides. So, if you want to pull up the first one. We've got our update and the first item here: transparency, it's not always pretty. So, I don't have great news to share with you. And I'll tell you what, a lot of people that I told that I was coming here tonight said, 'Oh, keep it positive. We don't want any negative information out there.' And I was, like, you know, if anyone's heard the story of Kevin's favorite, eat the frog: if you know you've got to eat a frog, do it first thing in the morning. Another one is get ugly early. That's what I would rather do is get ugly early and let you guys know that there are some not very pretty things going on at the College right now, and we're going up. We will do better from here. But I'd rather let you know sooner than later.

Go ahead, the next one. So, the financials. Clatsop Community College is in the most precarious position it's been in its 65-year history, and that's just a fact. Kevin can explain it more having been a banker for 32 years, president of US Bank for 22 years in our region, and we are so fortunate to have him take this on. But we are not in good shape, and in fact had the budget just run its course for this year, Kevin's estimation was that we would probably have run out of money in May. Like, it's not like it's a couple years down the road, it was, like, this year.

Go ahead, next one. And the fact that we are here is a disservice. And I'll take it on myself as a member of the Board: the Board has done a disservice to the Clatsop Community College students, to the Clatsop Community College employees who have dedicated their lives, their hearts and souls, to keep that place the vibrant place that it is, and to Clatsop County as a whole. And it's the Board that didn't dig in and find out what was really going on, and I won't—I will respect your time and not give you the laundry list of examples but one that is a microcosm of this whole thing is when I joined the Board, I was really counseled to not talk to employees, to not interact with staff or faculty, to only get information directly from, you know, the required channels. And I thought, you know, 'Betsy told me there was something going on, so I'm gonna start talking to people.' So, I did, and I learned within six months that the College had not billed the students for more than a year and the Board did not know. That is a travesty, and it's not just that, 'Oh, the College didn't collect money.' No, it's so much deeper than that because when the College doesn't bill students, students can't get their financial aid. When students can't get their financial aid, it's not that they can't pay for their tuition and books; that includes stipends for housing and food. Those students literally had to drop out because they couldn't pay their rent and they couldn't buy any food, and the Board literally didn't know about it. I'll just let that sink in for a second. Did any of you know about it? Did Clatsop County know about it? Very few people knew. And it's our responsibility as a team here, as a community, to make sure that we are looking out for these special districts, including the College and the Transportation District.

Here we are. It takes a village. This is what I said at first. It's a Clatsop County Problem that requires a Clatsop County solution. I'm not asking for anything. I'm not here to ask you guys for anything other than to have this in your mind that we are in a tough place at the College. Send students our way. Send grants our way. Send qualified local people who are dedicated and excited about education our way. We

need a team from this community who can bring this College back to the glory of what it was, and something even better than it's ever been.

Next, please. And the future. I don't want to be the Debbie Downer. I really do believe we have a positive future. I'm happy to come in here, hopefully at the lowest moment, so that every time we talk from now on, it's gonna be better news. We have an amazing leader in Kevin LaCoste, and I'm excited about that, and he's already just today met with each and every one of the superintendents in Clatsop County. They're excited to get students into Clatsop Community College. Twenty percent of community college attendees nationwide are high school students, so that is a huge opportunity for us. So, there are low-hanging fruit, there are things that we can do.

I do have a little bit of data, and we don't have to go through it, but I just wanted to mention—go ahead, one more there. So, this is—the chart on the left here shows our full-time equivalent students. And you can see from 2008 to 2022—I believe that's what that said—2006 to 2022, you know, we're at the lowest point that we've been. And that includes a big recession, a big drop off, there in the early teens: 2011, 2012. That was what Pat Keefe likes to call, 'The Night of the Long Knives,' at the College, when there were big layoffs. And even still we're lower and have continued to be way lower. Next one.

And this shows, we have—this is from 1991 to 2021, so it's a 30-year look. We have almost the identical number of employees. It's, like, 100 versus 123. But when you look at that green bar there, that's faculty, which is half, and the yellow bar is administrators, which is double. And that, to me, tells us a lot of the story.

Next. So, and this is just our revenue for the general fund, just to give you an idea. The green bar there at the bottom, that's tuition and fees. So, that really has maintained stable. The blue bar is property tax revenue. Also, those two combined pretty stable. Our reliance has really gone up on state funding and that green bar is timber, so we're going to see that go away.

And then the general fund expenses, you can see that the green bar, that's direct instruction; it's surprisingly flat over time. The cost of instruction really hasn't gone up, but it's all those outside services, administration, etcetera, that are going up. And what you can't see on any of these is the fact that sadly there has been no facilities planning done at any time that I'm aware of, and there is \$10 to \$15 million in deferred maintenance in our facilities right now. So, that facilities line on there should have been much bigger than what you're seeing.

So, I will leave it with that; that was all that I wanted to share with you guys. I'm gonna let Kevin add a few notes but thank you and I'm happy to answer questions when Kevin's done.

Mayor Fitzpatrick: Great. Thank you, Ms. Van Dusen Čitović.

Mr. LaCoste: Yeah. Thank you, Trudy.

Mayor Fitzpatrick: Do you—?

Mr. LaCoste: Well, I've already spoken my piece, so I would just say that I wasn't as specific as Trudy but—the expenditure piece, too, is understated. So, we're missing that deferred maintenance piece, which you certainly need in understanding your costs. So, yeah, we've got work to do; that's for sure. So, any questions or any other—happy to stick around or not.

Councilor Hilton: I don't have any questions, I would just like to say something and that is that I would ask anybody, 'Did any of you go to Clatsop Community College?' I see Tina, you guys. And what did we call it back then? We called it, 'UCLA,' or 'Harvard on the Hill.'

Mr. LaCoste: Harvard on the Hill. Yeah.

Councilor Hilton: University Clatsop Located Astoria. And when I graduated from Astoria High School, I went to Clatsop Community College and there was a lot of students of my generation that went there.

Mr. LaCoste: Mm-hmm.

Councilor Hilton: And I think that we need this. It's very important. Thank you for this information, it's very valuable.

Mr. LaCoste: Yeah.

Councilor Hilton: And I'm sorry so see it.

Mr. LaCoste: Yeah.

Councilor Hilton: Because it is a beautiful school up there with a beautiful library and lots of resources. And I—

Mr. LaCoste: Yeah, we intend to turn it around. We certainly do.

Councilor Hilton: I trust that you can.

Mr. LaCoste: Yeah, yeah.

Councilor Hilton: And with our community help, and I think it's up to all of us to do it.

Mr. LaCoste: That's right.

Councilor Hilton: Students came from all over to came to—

Mr. LaCoste: Yeah.

Councilor Hilton: When I was there.

Mr. LaCoste: Yeah.

Councilor Hilton: They came from everywhere to go to Clatsop, not just Knappa or Long Beach, but they came from eastern Washington.

Mr. LaCoste: Yeah.

Councilor Hilton: And they came to Clatsop. And we didn't have anything but classes. We didn't have a sports team, we didn't have anything like that. So, what we have is Astoria, so—

Mr. LaCoste: Yeah, we need to come together as a County to put this back together. And, you know, the drop off with high school students was dramatic, to the tune of 80/90 percent drop, so it wasn't a little bit. We kind of had some missteps along the way, and I think, like Trudy said, I hope to be here for better reports in the future. So, thank you very much.

Mayor Fitzpatrick: Great. Thank you, Mr. LaCoste. All right, any questions for—

Councilor Brownson: Just one comment.

Mayor Fitzpatrick: Councilor Brownson?

Councilor Brownson: You've raised a lot of questions, so I'm not going to get into all that. It seems like this all needs to play out for a while. So, I hope your new president sticks around for a while to see—

Ms. Van Dusen Čitović: Me, too.

Councilor Brownson: Okay, and I think the one question, and you probably may not have the answer. But it really strikes me, and I've heard this with high schools and grade schools the same way, where the number of instruction versus administration has really shifted a lot, that they're really heavy at that end. So, obviously that's particularly true here. And the corollary to that was that, you know, you've made this note that the number of instructors have halved versus what they were, but also in that half that timeframe, you also pointed out that the cost of instruction stayed the same. So, you have fewer instructions and we're still paying the same. So, I mean, it gets complicated, right? So, anyway, no real question, just unless you want to address the administrative part and is that something that you can actually do something about, or is there State requirements that sort of compel you to have the administration you have versus instruction?

Ms. Van Dusen Čitović: So, as a board member, I do my best to stay in my lane, which is policy and direction to the President. So, that is going to be something that is in the purview of the President to determine how much administration versus faculty, etcetera, we need. So, I really am doing my best to hold the line on that and create direction without micromanaging. I didn't know if you wanted to—

Mr. LaCoste: Oh, we're looking at everything, yeah.

Councilor Brownson: Yeah, thank you.

Mayor Fitzpatrick: Great, thank you. Other Councilors? Councilor Davis? Looks like we're good.

5. REPORTS OF COUNCILORS

Mayor Fitzpatrick: All right, we'll go to Reports of Councilors, and we will go online to Councilor Davis. You are up.

Item 5(a) Councilor Davis: Thank you, Mayor, hope everyone can hear me okay. I apologize for not being in town today. I am in Decorah, Iowa. I will keep my Councilor Report relatively short. I do want to thank Staff and the rest of Council and the Mayor for a productive work session on the 27th. We met and talked about system development charges, and I hope that moving forward we can create a constructive system to implement those for Astoria. I think we got a lot of good information about them, and it seems like a necessity to have them at some level to prop up our infrastructure and be able to expand it where needed.

We had a Columbia Pacific Economic Development District bit of news at least over this last couple of weeks. We needed an executive director; we made an offer. As far as I can tell, they haven't made it public yet, but we had an offer accepted for a new executive director at COL-PAC. And I would say that the Executive Board for COL-PAC was happy with the selection we had and pleased that our offer was accepted. So, hopefully we'll have a good transition to our new executive director, who I think will start in September.

We did have CREST meeting. I think the biggest news out of CREST was—and the Council will be familiar with this—but was the controlled burn that they participated in on West Sand Island across the river. I certainly got questions about it when the burn was going on. That was seemingly a successful project. I think that the exciting things about it for me was there was some cooperation between CREST and ODF and the Chinook Indian Nation to do the burn, and I think they're doing some things with looking at planting indigenous grasses there. You know, a lot of the dune grass that we have in the County is nonindigenous—planted there on purpose, but nonindigenous—and they're able to maybe do some experiments to try and bring back the native grasses on that island because it's relatively isolated. So, an exciting project with lots of cooperation and happy to be learning about CREST and getting sort of my feet wet with their meetings.

But that's all I'll report on today. I am out of town for a couple of weeks, planning to return on the 22nd. So, look forward to seeing you all then. Thank you, Mayor.

Mayor Fitzpatrick: Great. Thank you, Councilor Davis. Next up, we would have Councilor Brownson.

Item 5(b) Councilor Brownson: Thank you, Mayor. Councilor Davis, say, 'hi,' to the family farm. It's just about 20 miles south of you right there. So, that's kind of fun. Just real quickly, met with Clatsop Regional Housing group, which we talked about during our work session last week, so we don't really need to go over anything that went there.

Attended the League of Oregon Cities Small Cities meeting, which was hosted by Warrenton, and heard additional reporting and detail on the last legislative session and the legislation that's most likely to impact our cities. One of the fun things is to hear reports from surrounding cities that were in attendance, and what's going on in their towns and kind of their issues, good and bad.

Just wanted to note that I know Regatta is the weekend, but hidden in there, at 9:30 in the morning, the South Slope Neighborhood Association is meeting at 9:30 am at the Columbia Coffee Roasters. And they're going to have master garden Robin Rogers and veterinary Dannel Davis, who's a South Slope neighbor, to discuss a variety of deer-focused topics from fencing to protecting your garden. So, that's always interesting stuff to see if you can actually do it.

And, other than that, I just wanted to note that I paid my library fine. That's it, thank you.

Mayor Fitzpatrick: Thank you, Councilor Brownson. Councilor Adams?

Item 5(c) Councilor Adams: Good evening. All right, good evening, everyone. I just have a few items as well. I won't cover the LOC meeting, but it was very interesting to be able to hear a lot of the legislation that's going to impact our area, the different legislators that are working on that, and the specifics that will come to us later on.

Also, still working with the Citizens for Astoria, who are working on moving forward with the vision for our public space at Heritage Square. I had a opportunity to sit down with Councilor Brownson and Councilor Hilton and have some meetups, which was nice. I finally have got to have individual time with everyone on the dais. I met with Brett Estes, who is the regional representative for the Department of Land Conversation and Development for our area since I sit on the local advisories committee for the Land and Conversation Development Commission. We had a good talk, sat down and got a good understanding of his support that he can give us as a Council and me directly in that role.

And I also attended the Upper Town Business Association meeting, which I found incredibly helpful even though I'm not an upper town—I'm an Astorian, and I love upper town. So, I was welcomed with open arms and got to review a lot of their conceptual ideas about moving their business association forward in becoming legitimate and recognized and supported the same way that we've supported our other ADHDA and other business associations and other chamber associations. So, I really hope that we are able to really give them the support that they deserve as they move forward in becoming an organized organization. And that's all I have.

Mayor Fitzpatrick: Great. Thank you, Councilor Adams. Councilor Hilton?

Item 5(d) Councilor Hilton: Good evening, Mayor, Citizens of Astoria, Council. I was fortunate enough to have coffee with some neighbors from all parts of Astoria, even Lewis and Clark and Youngs River. And they have a lot of concerns about the next few weeks in our community: traffic, fire—everybody's mind is fire right now, being so dry. So, they were very concerned and we're grateful that Chief Crutchfield is back. You went on a trip, right? Didn't you guys go? Yeah, so, we're glad that you're back and you can fight fires for our community. And thank you for your service down there, appreciate it. So, they're concerned about—especially what has happened up on the pipeline and stuff like that; that would be devastating.

I got a few emails about what happened down—the clearing of Bond and Hume Street. Hopefully I informed those people enough to understand what was going on there—that again, the potential for fire there and the crime that was going on there and just getting it cleaned up was what we really needed to do as a community. It doesn't look pretty right now, but we needed to do that to prevent any potential hazards or dangers to the community.

I had the privilege of walking around Sunday Market yesterday and ran into a lot of local people and a lot of people from outside of Astoria. It wasn't as crowded as I thought it would be. I enjoyed it because it was cloudy. I do not go when it's sunny. I ate some very delicious peaches, and I did frequent some establishments there. It was great.

I want to thank Mr. Pete Gimre, Mr. Kevin Leahy, and I wanted to thank Kevin and Trudy for what they did and those presentations tonight. The Regatta—it's a big thing in our community, and I will be honest: I very rarely go to the Astoria Regatta Parade because I like to watch beach volleyball. So, I'm sorry; I'm Astorian but I like beach volleyball. So, with that being said—I'm thinking. Let's get to work.

Item 5 (e) Mayor Fitzpatrick: Great. Thank you, Councilor Hilton. So, I've had a busy few weeks here. I attended Cliff LaMear's memorial service at the Senior Center on July 24th. And Cliff was married to former Mayor Arline Lemere, and he was a fixture at front-row City Council meetings during her term. And it was great to learn more about him and see his family and the public pay their respects. Cliff, along with Arline, was very generous to our community. He donated his time and invested in purchasing the playground equipment at the park at 6th and Commercial Streets, just a block west of the Post Office. And I would say that Cliff was a quintessential Astorian. He was quirky and generous.

I attended the Clatsop Economic Development Resources meeting on the 25th. And we, the City Council, had our work session on the 27th. Liberty Theater has a program where once a month on Friday nights they show a movie that was filmed in Astoria, and they charge \$1 admission. Last time, on the 28th there, it was Kindergarten Cop, which is one of my favorite Astoria movies. So, I was there, and it was great to see the community turnout there as well.

KMUN had their block party on Saturday the 29th on Exchange Street, between 14th and 15th. And the same weekend was the Open Studios Tour in Astoria, and I'll get back to that in a moment. Last week I had lunch with Councilor Brownson. We had our Downtown Association meeting on Friday, followed by the League of Oregon Cities in Warrenton, which I attended along with Councilors Adam and Brownson. And then we had our County Fair and Livestock Auction, which was held this past week; always fun to go. Good to see a lot of people from the county out there; interesting to see how much work the kids have done in 4-H. Between flowers and vegetables, and artwork, to raising rabbits, turkeys, chickens, goats, swine, and beef. So, a lot of fun there.

Getting back to—oh, and then we had three Sunday Markets since our last meeting, and we've had great weather and a great turnout. People from all the country are there, which is always interesting, meeting the people there and hearing where they're from.

So, getting back to Open Studios; this is a tour that's done on the last weekend in July. I visited 26 artists. I had already seen the work of and/or purchased from 10 of the others who were on the tour, so next near I have to make sure to visit the other 19. And with the Open Studios Tour, there is never enough time to see all of the artists or studios that I would like to see, but I was glad that I had that opportunity. And I see one of the artists in the audience this evening, Blaine Verley. It's good to see you here.

What I found interesting, aside from the art and the artists, were the comments that people both holding the Open Studios open, and those attending, which included locals and tourists, candid comments about Astoria. Of further interest was that many of the artists shared that they came to Astoria in the past 20 to 40 years because Astoria was not Portland, it was not Seattle, and it was not San Francisco. Tourists love Astoria, and while it has become a tourist destination it is not a tourist town. I love hearing that.

Upcoming: We have Regatta coming up as we heard from the co-chairs. We have Second Saturday Art Walk. We have Brew Cup on the 18th and 19th. And then I plan to hold a Meet the Mayor tentatively on August 24th at 3 pm at Carruthers, and I will confirm the time, date, and location at our next meeting, which is on August 21st. And I would just remind people that Astoria is a town run on volunteers, and I see a lot of volunteers here, so I don't need to tell you that, but hopefully it gets out there. When and if you have the opportunity to volunteer, such as at the County Fair or Regatta or the Pacific Northwest Brew Cup, please sign up. These events are a lot of fun, as I said they take a lot of work and if you enjoy being a part of these events, consider the work that the others have put into to make this happen. Please sign up.

6. CHANGES TO AGENDA

Mayor Fitzpatrick: So, are there any members of the Council that would prefer not to make a certain motion or a second this evening? Looks like we're good. With that, Mr. Spence, have we had any changes to the agenda?

City Manager Spence: No.

Mayor Fitzpatrick: Great.

7. CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 7(a) Astoria City Council Draft Wok Session Minutes – June 6, 2023.
- 7(b) Astoria City Council Draft Meeting Minutes – July 3, 2023.
- 7(c) Parks Advisory Board Draft Meeting Minutes – June 6, 2023.
- 7(d) Consideration of Professional Services Contract with Tetra Tech for Design of the Pipeline Road Waterline Resilience Project.
- 7(e) Authorization to Purchase a 2023/2024 Ford F550 and F350 for the Public Works Department.
- 7(e) Consideration of a Liquor License Application from Justin Rush and Courtney Pownall, dba Masquerade, Located at 1004 Marine Drive, Astoria for a Limited On-Premises Sales License.
- 7(g) Consider Authorization of Updated Industrial Discharge Permits for Fort George Brewery, 70 W. Marine Dr., and Buoy Beer Co. Campus.

Mayor Fitzpatrick: So, on the Consent Calendar, the items on the Consent Calendar are considered routine and will be adopted by one motion, unless a member of the City Council requests to have any item considered separately. Members of the community may have an item removed if they contact the City Manager by 5 pm on the day of the meeting. Mr. Spence, has anyone asked to have an item removed?

City Manager Spence: No.

Mayor Fitzpatrick: Would any of the Councilors like to have anything removed? Looks like Councilor Brownson.

Councilor Brownson: Yeah, I'd like to remove 7(g).

Mayor Fitzpatrick: Okay, and that was 7(g)? The last one?

Councilor Brownson: Correct.

Mayor Fitzpatrick: Okay, great. Councilor Davis, if you would like to make a motion, I would have Councilor Brownson second.

Councilor Davis: Sure, Mayor. I will move to accept the Consent Calendar, with the exception of 7(g), as presented.

Councilor Brownson: Second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries. Mr. Brownson?

Councilor Brownson: Yeah, hi. I just want to take this opportunity to check in with Public Works concerning—having to do with the Brewery Discharge Permits. How has compliance been? And I've been curious about what the BOD levels at the wastewater treatment ponds have been now that we've been in the summer and we don't have the same flows and stuff. Just kind of a quick check in. And I did contact Mr. Harrington earlier so he's prepared to answer this question.

Mayor Fitzpatrick: Great.

Director of Public Works Jeff Harrington: Okay, can everybody hear me?

Councilor Brownson: Yes.

Mayor Fitzpatrick: Yes, thank you, Mr. Harrington.

Mr. Harrington: Okay, so to answer the question the breweries and the rest of the fermentation beverage cluster participants are doing very good with their removal, especially BOD. And the treatment plant itself is seeing relatively low BOD influent numbers coming into the plant for this time of year, which is really good news. And then our treatment at the plant is very good. Our, just as an example, for our effluent our daily limit is 2,100 pounds, and we are hitting 73 pounds max and 47 pounds average. So, we're way below our limits, which is really good news. This is all a result of standing up the industrial pretreatment program. Everybody, including Staff and the breweries, put in a lot of work and the breweries put in a lot of expense into their processes, and it's been a very successful program and I think we're just going to see continued success.

Mayor Fitzpatrick: Great. Thank you, Mr. Harrington.

Councilor Brownson: Yeah. Thank you, Mr. Harrington. And I know that we just didn't know going into the summer just how it would impact, you know, it is a concern. I'm really, really glad to hear that it's going as well as it is, so thank you.

Mayor Fitzpatrick: Great.

Mr. Harrington: Those results were from July, our July daily monitoring report. So, we still have, you know, August, September, but that's a good indicator of this time of the year, especially with the warmer temperatures, we're doing really good.

Mayor Fitzpatrick: Great, thank you. I'm going to ask Councilor Davis—I'm sorry, yes—Councilor Davis to make a motion and Brownson to second again on the Consent Agenda Item 7(g).

Councilor Davis: Sure, I would move that the Council authorize Public Works Director Jeff Harrington to execute Industrial Discharge Permit numbers 001-2023 and 002-2023 for Fort George Brewery and Buoy Beer Company, respectively.

Councilor Brownson: Second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries.

8. REGULAR AGENDA ITEMS

Item 8(a): Astoria Public Library Renovation – Authorization to Award Professional Contract for Architectural and Engineering Services.

Mayor Fitzpatrick: The Agenda Items are open for public comment following deliberation by the City Council. The Zoom audience may use the raise hand feature on your screen if you want to speak to the item. You will be asked to unmute to speak. In order to respect everyone's time, comments will be limited to three minutes. Please clearly state your name and address. If you are inside the chambers, please raise your hand and when called upon please approach the lectern and state your name and address. Again, you will have three minutes to make your comments.

Item 8(a) is the Astoria Public Library Renovation authorization to award professional contract for architectural and engineering services. Mr. Spence, if you could introduce the item, please?

City Manager Spence: Thank you, Mayor and City Council. We are recommending City Council approve the attached contract to Hennebery Eddy Architects for architectural and engineering services in the amount of \$968,785 for the renovation of the Public Library. You may recall we used the same architecture firm in 2017 to come up with conceptual designs. We exercised our authority under ORS to extend a contract for offer for the actual construction documents. HEE is the acronym for Hennebery Eddy Architects. They're going to spearhead a public engagement process. We think it's important since we've not had a public engagement process since 2018, roughly, to ensure that we are understanding what the programs and actually the interior changes that are going to happen in Astoria's Public Library. We roughly have about a \$7.5 million construction budget for the interior remodel, any exterior items that need to be done. Overall, the budget is looking about approximately \$10.7 million. We are still trying to secure our NEH grant that would also be added to this mix. We're excited for this project to start off. I think this has been a long time coming. This is a major milestone in this process. We're excited to kick off the public engagement process, which we hope to kick off in early September of this year. So, with that, we are recommending the architectural contract with Hennebery Eddy Architects for \$968,785. And I'd be happy to answer any questions as well as our library director.

Mayor Fitzpatrick: Great, thank you. Do Councilors have questions or comments? Down at this end? Andy?

Councilor Davis: Maybe one quick one, Mayor. Manager Spence—so I wasn't involved with the Council so much in 2018. I noticed one of the RFP proposals said that LEED designation was not a requirement of the contract, maybe explicitly, and I wondered if there's room for us to encourage the contractor to go for some level of LEED designation, some certification on the project.

City Manager Spence: So, I may call on David, the architect that's representing Hennebery Eddy. There's also a requirement in Oregon for green works, if I think I have that category correctly, that I think that would meet the intent of LEED and actually may provide more meaningful impact in regards to making that environmental standard. Is David online?

David Wark: I am, Scott, hi. Can you hear me?

City Manager Spence: Yes.

Mr. Wark: Hello, Council. My name is David Wark, principal with Hennebery Eddy Architects, and I think the question was about LEED certification. And we will certainly design a building that meets Oregon Energy Code, which is much more robust than a lot of jurisdictions in the rest of the country, and there is always an option to pursue LEED certification in whatever level of LEED certification you'd like. There are

additional services that—mainly through energy modeling that's required and mechanical system design, and then the actual administration of the process and managing that process. So, we can actually present that as an additional service as we get farther into the project if that's an option you'd like to pursue.

Councilor Davis: Thank you.

City Manager Spence: David, can you mention the green works requirement for the State of Oregon?

Mr. Wark: Oh, sure. It's a State requirement that all publicly funded projects over \$5 million dedicate 1.5 percent to green energy technology and the most common kind of design element and building element is a solar-panel rooftop array. Your building could do that. There are some drawbacks to it, mainly the building to the east is a fairly tall building, so the efficiency—we'd want to evaluate that, and if in fact it falls under or below a 75 percent solar efficiency fraction, I think is the term, then there's an option to defer that 1.5 percent to the next City's project, and not this one. So, I guess the—to summarize, if in fact, even if you wanted to do a solar array and it proved not to be efficient, that'd be a deciding point right there. And then we could go forward with an appeal that would basically say, 'Hey, the next project that we do as a City, we'll apply the 1.5 percent to that.' Was that fairly clear, I hope?

Councilor Davis: Yeah.

Mayor Fitzpatrick: Great, thank you. Other questions? Councilor Brownson?

Councilor Brownson: Well, I just want to add real quick, at the League of Oregon Cities meeting I was at the other day, Karen Chase, who's the senior outreach manager for Energy Trust of Oregon, reached out and said to make sure that we bring her into the loop and that there's a lot that they have to offer on a project like this. So—

Mayor Fitzpatrick: Great, thank you. I appreciate the architect's comments; hadn't really thought about it but the roof of the library does not get a lot of sun between us and the Elk's Lodge and US Bank and all the trees across the street. So, all right any other comments online from Councilors? Okay, anyone in the audience that would like to speak about this? Anyone online that would like to speak about this? All right. I would ask Councilor Brownson to make a motion and Councilor Adams to second.

Councilor Brownson: Thank you, Mayor. I'd like to move that we approve the Professional Services Contract with Hennebery Eddy Architects in the amount of \$968,785 for architectural and engineering services for the Astoria Public Library renovation.

Mayor Fitzpatrick: Great.

Councilor Adams: Second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries.

Item 8(b): Consideration of Agreement for Professional Services with Astoria Warrenton Chamber of Commerce: Promote Astoria Funds.

Mayor Fitzpatrick: Eight(b) is a consideration of agreement for professional services with Astoria Warrenton Chamber of Commerce through the Promote Astoria funds. Mr. Spence?

City Manager Spence: Thank you, Mayor and City Council. So, you may recall included in this year's budget we have two items for the Astoria Warrenton Chamber of Commerce, and one is to maintain a visitors

center, visitor center services, and also we have a budget amount for the Lower Columbia Tourism Committee in the amount of \$382,950 to promote the area in general. The Visitor Center services budget amount is \$264,820. This is fairly straightforward; this basically memorializes the decision that Council made during the budget process and attached to this report is a contract that would actually provide the necessary funds to Astoria Warrenton Chamber to operate the visitors center as well as to oversee the Lower Columbia Tourism Committee and distribute the dollars as necessary.

Mayor Fitzpatrick: Great. Thank you, Mr. Spence. Council discussion? Looks like we're comfortable. Councilor Davis?

Councilor Hilton: Excuse me. Hello, I'd like the opportunity to speak. This is Councilor Hilton.

Mayor Fitzpatrick: Oh, sorry, Councilor Hilton.

Councilor Hilton: I just want to make sure that the community is aware that this money comes through Travel Oregon funds. Is that correct?

City Manager Spence: Yes, Promote Astoria, correct; tourism dollars.

Councilor Hilton: Yeah, yes.

Mayor Fitzpatrick: That's it?

Councilor Hilton: That's it.

Mayor Fitzpatrick: Great. All right, with that, public comment? Online? Oh, I see a hand in the air. Mr. Verley?

Blaine Verley: Yes.

Mayor Fitzpatrick: Would you like to address the Council on Item 8(b).

Mr. Verley: Does it need to be about items, or can it be about anything at all?

Mayor Fitzpatrick: I'm sorry. I didn't hear what he said.

City Manager Spence: He wants to know if he can do it on general or does it have to be on this item.

Councilor Browns: General is at the end of the meeting.

Mr. Verley: Oh, oh, it is, okay.

City Manager Spence: He wants to do a general comment later.

Mayor Fitzpatrick: Okay, great. Thank you. Okay, so with that, public comment besides that? All right, Councilor Adams, if you could make the motion and Councilor Hilton if you could second.

Councilor Adams: I'd like to make a motion to approve the agreement between the City of Astoria and the Astoria Warrenton Chamber of Commerce for the Visitors Center services for \$264,820, and the Lower Columbia Tourism Committee professional services for \$382,950.

Councilor Hilton: I'll second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries.

Councilor Hilton: I abstain.

Mayor Fitzpatrick: I missed that.

Councilor Hilton: I abstain.

Mayor Fitzpatrick: Okay, thank you, and hopefully the record shows that.

Item 8(c): Consideration of Agreement for Professional Services with Astoria Warrenton Chamber of Commerce: Promote Astoria Funds.

Mayor Fitzpatrick: Okay, 8(c) is a consideration of agreement for professional services with Clatsop Economic Development Resources, aka CEDR. Mr. Spence?

City Manager Spence: So, Mayor and City Council, you have another agreement for CEDR. This is split out in three equal parts. The total amount is \$13,500. A third of that is from the general fund; a third is from the Astoria East Urban Renewal District fund; and then the remaining third is from the Astoria West Urban Renewal District fund. CEDR provides economic development services in support for Astoria, specifically, as well as to the rest of the region. The contract attached to the Staff report basically memorialized the decision that was included within this year's fiscal year budget. So, I'd be happy to answer any questions you may have.

Mayor Fitzpatrick: Council Discussion? Councilor Brownson?

Councilor Brownson: Thanks, Kevin.

Mayor Fitzpatrick: And we do have Mr. Leahy here this evening if any Councilors have questions for him. Councilor Davis? Looks like we're good. Okay, public comment? Online? All right, if I could have Councilor Hilton make a motion and Councilor Davis second.

Councilor Hilton: I move City Council make a motion to approve the agreement for professional services with Clatsop Economic Development Resources.

Councilor Davis: Second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries.

It is 6:59 pm. If we could have the timer set for five minutes, we will recess and we will be back at 7:04.

Recording: Recording stopped.

Recording: Recording in progress.

Mayor Fitzpatrick: And we are back. Thank you, Councilor Brownson.

Item 8(d): Consideration of Agreement for Professional Services with Astoria Downtown Historic District Association (ADHDA): Promote Astoria Funds.

Mayor Fitzpatrick: So, Item 8(d) is a consideration of agreement for professional services with the Astoria Downtown Historic District Association, also known as the ADHDA or the Downtown Association, through the Promote Astoria fund. Mr. Spence?

City Manager Spence: Thank you, Mayor and City Council. We have another contract before you; this was also included in the 2023-2024 budget. This is for the Astoria Downtown Historic District in the amount of \$65,370 for tourism, marketing, and promotional efforts. Also included is another amount for \$35,950 for parking enforcement related to tourist impact. We're recommending that you pass the attached agreement for the total amount of \$65,370 for tourism promotion, and \$35,950 for parking enforcement. This is also funded out of Promote Astoria funds.

Mayor Fitzpatrick: Great. Thank you, Mr. Spence. I would note that we have Jessamyn Grace West with us here this evening. She gave us a full report a few months back, but I appreciate her attending tonight. If the Council has any questions for her, she has made herself available. It looks like she has done such a good time informing us over the time that we just don't have any questions for her. Public comment, is there anybody in the audience that would like to comment this evening? Anybody online? Seeing no hands. I would ask in this case for Councilor Davis to make a motion and Councilor Brownson to second.

Councilor Davis: Mr. Mayor, I would move that we approve the agreement with the Astoria Downtown Historic District Association in the budgeted amount of \$65,370 for tourism, marketing, and promotional efforts, and \$35,950 for parking enforcement and tourist information services.

Councilor Brownson: Second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries.

Item 8(e): Resolution to Increase Appropriations for Specific Use Donations and Transfer Appropriations within the Parks Project Fund #146.

Mayor Fitzpatrick: Eight(e) is a resolution to increase appropriations for specific use donations and transfer appropriations within the Parks Project Fund #146. Mr. Spence?

City Manager Spence: Thank you, Mayor and City Council. So, this is—when we first adopted Parks Project Fund #146, we did not at that time anticipate the donations that we received related to Lindstrom Park. So, this is really a good news amendment where we received \$43,669.19 in the previous fiscal year and an additional \$17,000 this fiscal year, and as a result we need to amend our budget to include those funds that we received in support of that park improvement project. It's really a testament to the community supporting an effort and actually donating to this very worthy project. So, I also want to point out one thing within the resolution: instead of, 'resources,' we should have put, 'beginning fund balance.' So, just want to make sure Council is aware of that. Other than that, the accounting is correct. So, with that we're recommending you make a motion to pass the attached resolution.

Mayor Fitzpatrick: Great. Thank you, Mr. Spence. And again, this item has been discussed at length. I will again say this was a group that came to us with a solution to the problem before they let us know that there was a problem. So, if we have Council discussion—Councilor Brownson, it appears that you would like to speak.

Councilor Brownson: Yeah, thank you, Mayor. I just wanted to note the additional \$17,000. That just came along. I would just ask if Manager Spence could kind of talk a little bit about where that came from and how that came about and, again, really grateful for all the funding that came our way.

Mayor Fitzpatrick: Mr. Spence?

City Manager Spence: So, the—essentially \$60,650 has come from the pickleball folks donating the money for that project. There is another family that has indicated they'd like to also provide some assistance funds, but that's not yet included in this budget.

Councilor Brownson: Oh, okay. I thought that \$17,000 might have been that number, and it was kind of strange.

City Manager Spence: Okay, yeah, right.

Councilor Brownson: Okay, well that's great.

City Manager Spence: Okay.

Councilor Brownson: Okay, thank you.

City Manager Spence: So, they'll be maybe another amendment in our future.

Councilor Brownson: Yeah, maybe later. Okay, thanks.

City Manager Spence: Okay.

Mayor Fitzpatrick: Great, further discussion by Council? Public Comment? Online? Okay, in this case, I would ask Councilor Brownson to make a motion and Councilor Adams to second.

Councilor Brownson: Thank you, Mayor. I move that we adopt the attached resolution to recognize a donation for Lindstrom Park Project received in the prior and current fiscal years, transfer existing appropriation from materials and professional service to capital improvements, and increase capital improvements by the donations received, and the donations total is \$60,650.

Councilor Adams: I second that.

Mayor Fitzpatrick: We have a motion and a second. Mr. Spence, if we could have a roll call vote, please.

City Manager Spence: Councilor Davis?

Councilor Davis: Aye.

City Manager Spence: Councilor Brownson?

Councilor Brownson: Aye.

City Manager Spence: Councilor Adams?

Councilor Adams: Aye.

City Manager Spence: Councilor Hilton?

Councilor Hilton: Aye.

City Manager Spence: Mayor Fitzpatrick:

Mayor Fitzpatrick: Aye.

Item 8(f): Consideration of Term Extension of the Pacific Power Franchise Agreement.

Mayor Fitzpatrick: Eight(f) is a consideration of term extension of the Pacific Power Franchise Agreement. Mr. Spence?

City Manager Spence: Thank you. As City Council knows, we do have a franchise agreement with Pacific Power, and in March we extended that since that franchise was due to expire. We have met several times to go over the finer points of the franchise agreement. We still have some work to do. We're asking for an additional extension to the end of the year of December 31st, 2023. We're at the stage now where I need the assistance of our City Attorney and the lawyers will get involved and start to review the language to make sure both parties are—find that acceptable to finalize this franchise. So, we expect to hopefully get this to you before the end of the year.

Mayor Fitzpatrick: Great. Thank you, Mr. Spence. Council discussion? Looks like Mr. Davis doesn't have anything. Public comment? Anyone in the public want to address us? Do we have anyone online? Seeing none. I would ask Councilor Adams to make a motion and Councilor Hilton to second.

Councilor Adams: I'd like to make a motion that the City Council approve the extension agreement for the purpose of granting additional time to the current Pacific Power Franchise with the City of Astoria.

Councilor Hilton: I'll second.

Mayor Fitzpatrick: We have a motion and a second. All those in favor say, 'aye.'

Council: Aye.

Mayor Fitzpatrick: Opposed? Abstentions? Motion carries.

9. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)

Mayor Fitzpatrick: Nine is New Business and Miscellaneous, Public Comments that are Non-Agenda. Non-agenda items are open for public comment. The Zoom audience may use the raise hand feature on your screen if you want to speak. You will be asked to unmute to speak. In order to respect everyone's time, comments will be limited to three minutes. Please clearly state your name and address. If you are joining us in person this evening in the chambers, please raise your hand and when called upon, please approach the lectern and state your name and address. You will have three minutes to make your comments. Okay, first off, any new items of business from the Council? I will call on you very shortly here.

Mr. Verley: Oh, I see, okay.]

Councilor Hilton: I have one. I would—I want Council to take this under consideration. I would like it that we could make our own motions. I would like to see us be able to make our own motions and our own seconds. And the reason I bring this up is because we operate in wards and each of us has a ward and some of the items that come before us they're specifically in our wards, and I find freedom and liberty in the ability for each of us to make a motion towards our ward or something that impacts our neighborhood because this is a long-term public record. I think that it would be valuable information for those that we represent currently and those that see the future of our community that we had the ability to make those choices ourselves; that we have the freedom to say, 'I make a motion.' I personally feel that I've lost the freedom to make a motion about my neighborhood or if I wanted to make one for Tom or for either one of the Councilors. So, I bring that before Council and before Mayor and—just for consideration.

Mayor Fitzpatrick: Sure, I appreciate that, Councilor Hilton. We had at a previous meeting discussed the reasons that I am asking specific people to make a motion and a second is to streamline the process and also so that I know who is making the motion and the second, because if we have to wait until

someone is ready to do it that takes time that we shouldn't be doing, and also then I'm looking to try and figure out who's speaking because I have no directionality; I can't tell where the sound is coming from. So, we have stated that I will ask certain Councilors to make a motion and a second, and it's pretty clear in advance. One week we start at this end and then at the third week we start at this end. I do ask before the meeting if there's anybody that would prefer—any of the Councilors that would prefer not to make a motion or a second, and I have stated in the past that if there's a specific motion that you would like to make, let me know in advance and I will call on you for that. So, if you feel that it's specific to your ward and want to make a motion on that item, let me know in advance and we'll make sure that you are making that motion.

Councilor Hilton: Again it—I would like to have the freedom to make a motion for any topic in which we have come before Council. I think that's my concern. And I don't know if this falls under Robert's Rules of Order, or how it comes about, but that we operate as a Council and that we should, I believe, have the freedom and the ability to make a motion based on what we feel and what we have going on as opposed to being appointed to or having to ask to be given a motion. I mean, that's the point I'm trying to make here is that—

Mayor Fitzpatrick: And I understand that. I hope you understand what I'm saying.

Councilor Hilton: And if it's in the expedience of time, then we're not here to rush through City business; we're here to take care of business and we're not here to rush through it. If it's expedience of time then we need to take more consideration about what our community expects from us, I think. So, I understand your—I understand and I hear exactly what you're saying. I just—I would like it to be taken under consideration.

Mayor Fitzpatrick: I appreciate that, and again I am trying to consider it and figure how it could work for me as the Mayor and us as the Council. So, you're saying that you would like to have it spontaneous; you don't want to tell me before the meeting or when I ask if there's anybody that would prefer not to make a motion. I guess I could add, 'Is there anybody that would like to make a specific motion'?

Councilor Hilton: I believe we should be able to have the spontaneity of us deciding when or we want to make a motion, or we want to second. And that to me is what defines the freedom of us sitting here is that if I wanted—I shouldn't have to ask for permission or say, 'Oh, I want to make this motion.' If I'm sitting here and Tom creates a powerful argument for something, I want to be able to say, 'I would like to make a motion,' and make that motion. That to me is the power of what we do here. And that's—does that make sense? I mean, I understand—

Mayor Fitzpatrick: It does, I understand it completely, and if I had directionality and could tell who was making the motion or knew that someone was prepared to make a motion, because we've had a lot of—previously had awkward silences while we're waiting for somebody to make a motion, and nobody seems to be prepared. So, the way that I have set it up, and I didn't just throw this on anyone—this was no surprise, I made it clear in advance what we're going to do. And again it's—there's—I think it's very transparent. You know which one is going to be assigned to you in advance when we get this.

Councilor Hilton: No, I don't. I don't know what motion I'm going to make. I have no idea. So—

Mayor Fitzpatrick: And—

Councilor Hilton: Because you work from right to left and I would just say this: tonight, there was a motion for whatever it is, and I think—I just think we should have the freedom of choice to make that decision and we can work within the parameters, what we need to do to accommodate your needs. I mean, that's just—that's what makes us a free decision making here that—

Mayor Fitzpatrick: So, I—

Councilor Hilton: —whatever my gut is I—

Mayor Fitzpatrick: I feel that I understand what you're saying, and I hope that you understand what I am saying. I think that at this point for this evening, we will acknowledge that we will take that under consideration and then move on this evening. I'm happy to have a personal conversation with you about that, if you would like. I understand exactly what you're saying, and this was something that I was concerned about in advance before I suggested that we do this, again, so that I can understand better what's going on in the meeting, who's making the motions and, again, so that we can move forward and have people aware of when they're going to make a motion. So, again, I hear what you've said. I hope you hear what I've said and I'm ready to move forward.

Councilor Hilton: Thank you.

Mayor Fitzpatrick: Great. Is there anything else that the Council would like to bring forward? Okay, at this point we will open for public comment, and I saw Mr. Verley's hand up. Mr. Verley, if you could join us up at the lectern here. I would point out that I was a Planning Commissioner last time I saw you in chambers and it's a number of years, so it's good to see you here this evening.

Mr. Verley: Hello, I'm Blaine Verley, 4798 Cedar Street, Astoria. Actually, I just have a couple of questions 'cause I haven't obviously been here for a while, apparently. I sort of gave up coming at some point. Well, actually I wanted to come in, I think it was Councilor Davis for what he said about bringing back native grasses to that Smoking Island off the coast there that happened the other day. But anyway, talking to natives, I don't know for sure. Has the City every publicly and formally acknowledged the Chinook and classic tribal rights to this land? Has that been—is that a done deal already? Has that been formally put out there? Does anyone know?

Councilor Hilton: I'm willing to field that because the Chinook are not a federally recognized tribe.

Mr. Verley: Uh-huh, yes.

Councilor Hilton: But the City of Astoria has recognized them. We did that—that was last year we did that, and Tony was here and he—

Mr. Verley: Oh, okay.

Councilor Hilton: —and we did that.

Mr. Verley: That's good news.

Councilor Hilton: But because, I mean, this would be—it's a legal question, but they are not a formally legally recognized tribe.

Mr. Verley: I know.

Councilor Hilton: Even though you and I might—

Mr. Verley: Right, well, I happen to know they were here for tens of thousands if not a hundred thousand or more years before anybody else showed up, you know, so, it seems like it would make sense that they would be completely formally recognized. Maybe that would help them get federally recognized. That's my question.

Second question, has the Council or the City done anything to sort of formally address the impending climate changes that are affecting everyone on Earth? Because listen, I see that you're deciding to put another wing to a hotel right on the waterfront. I'm telling you, in 10 years that waterfront might well be under water. I don't think it's a really wise choice, but here we go. Arctic ices are melting at unprecedented rates. They happen to know there are over 100 volcanoes right under Antarctica. That could decide to melt that ice anytime Earth decides to do that. It could absolutely flood the Earth; we'd

have Water World. Anyway, why are we still addressing—or why are you still building on the waterfront? It seems like a dangerous thing to do these days. That's my question. Thanks.

Mayor Fitzpatrick: Great. Thank you, Mr. Verley.

Mr. Verley: All right.

Mayor Fitzpatrick: I see another hand raised in the audience here.

Cheryl Matson: My name's Cheryl Matson, I reside at 5450 Old Highway 30. I'm out by Tongue Point and I've heard the City's rattling around a little bit with Tongue Point development. And I want to thank officers and Fire Department for helping us out there, because Tongue Point has become very convoluted. Nobody really seems to know who owns it or who had it. And I took on a big mudslide and Department of Labor settled with me. So, my understanding now is it's Department of Labor Land out there. But the City is wanting to be out there; they're cleaning my ditches, they're mowing the yard, and they're doing—mowing the grasses and taking care of it, which they've been doing since 1997.

And I gave them an easement in 2000 and that easement for a water right to come across the road to take the water off the hill—so when we were talking about water coming at me. When we took on—we gave them an easement to change the drainage. The drainage used to drain on the right of us, and the City came in and put in a new drainage ditch to the left of us, and that was in 2000 and it never got recorded. Nathan Crater found out about it when we took on the mudslide because when the mudslide came, then the City was saying, 'We have nothing to do out here.' And I go, 'But why for the 20 years that I've lived out here, you've been maintaining the property out here?' But yet they said, 'It's not us.' Then when I called the Police Department to save me from the homeless people out there, I have to call Tongue Point because Tongue Point, it's a Job Corps, and Job Corps has to deal with it. Then they moved them to my end of town, which is towards Alderbrook. And then when they moved them towards me, which even moves them closer to me, now they're in City and now it's my responsibility to work with the City Police Department, not federal.

My question is right now is there was a big fire up there in 2019 that I believe started all of this. That fire burnt all night long. The Fire Department which is new now burnt Mossberg's house and let it control burn, is my understanding. And then the City never went in and mopped it up, cleaned it up. And within three months that slide started to happen, the mountain started to give way, and I really believe it's because that foundation burnt so bad and so deep that it ruined the land, and it was on a hillside. And that hillside, it's now—there's—it sluffed off to the right of me in 1950 and it sluffed off in 2020—2021—February of 2021 is when I took on the slide. But there's one mound in front of me, and what is in front of me is still blue ridge and above me. And there's old, dilapidated houses up above me that people haven't been paying property taxes on. I don't know who owns them, who runs them. Mossberg was—had done a reverse mortgage to his house, and so his reverse mortgage wound up being now the state land. So—

Mayor Fitzpatrick: Thank you, Ms. Matson.

Ms. Matson: who owns it, or who's going to take care of us? That's all.

Mayor Fitzpatrick: I trust that our City Manager will follow up with you. Is there anyone else in chambers tonight? Mr. Overbay?

Ed Overbay: Ed Overbay, 221 South Street, Astoria. I'm here tonight as president of the Citizens for Astoria, Oregon; we are the committee to build the Square. And a short while back we made a rough outline presentation to this body with our vision to build the Square and I believe we were fairly warmly received and how we're approaching this vital project that's in everybody's interest. And in the interest of initiating our own public outreach, we have scheduled an open house conversation about the Square at the Lovell Room this August 31st at 6 o'clock. This is an open house discussion. We're going to have a presentation of what we envision for the square. I'm here to invite you, Mr. Mayor, City Manager, and


Council to participate with us in this public outreach. We want to inform the public of what we're doing, we're seeking public input, we're seeking input from our service organizations, the kinds of infrastructure that we really need specifically at the Square to accommodate our needs as a community. So, we're excited to initiate this public outreach and we would hope to see all of you there. If you have any questions I—give it a shot.

Mayor Fitzpatrick: Thank you, Mr. Overbay. Again, August 31st, 6 pm, the Lovell Showroom.


Mr. Overbay: That's it.

Mayor Fitzpatrick: Great, I'll be there. Anybody else in the audience that would like to address us this evening? Any hands raised online? All right, with that, I will close the City Council meeting and we will reopen as the Astoria Development Commission. For the record, the time is 7:28 pm.

ATTEST:


Finance Director

APPROVED:


City Manager



BAKER CITY, OREGON CITY COUNCIL MEETING MINUTES

REGULAR MEETING
MAY 10, 2022 - 7:00 PM
CITY HALL COUNCIL CHAMBERS

MAYOR

Kerry McQuisten

COUNCILORS

Shane Alderson

Johnny Waggoner Sr.

Joanna Dixon

Jason Spriet

Kenyon Damschen

Dean Guyer

CITY MANAGER

Jonathan Cannon

Meeting Info

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| 1. Call to Order | The meeting was called to order at 7:00pm by Mayor McQuisten in the Baker City Hall Council Chambers. |
| 2. Pledge of Allegiance and Invocation | Mayor McQuisten led the pledge of allegiance and invocation. |
| 3. Roll Call | Roll call was answered by Mayor Kerry McQuisten and Councilors Kenyon Damschen, Dean Guyer, Joanna Dixon, Johnny Waggoner Sr., Jason Spriet, and Shane Alderson. Also present were City Manager Jonathan Cannon, Police Chief Ty Duby, Administrative Services Manager Jennifer Spencer, Kent Bailey, and City Recorder Dallas Brockett. |
| 4. Agenda Additions, Deletions, Modifications | Mayor McQuisten discussed Agenda Additions, Deletions, Modifications. Councilor Damschen suggested allowing the Fire Union speak for 15 minutes during the meeting. During some shouting during the meeting, Chief Ty Duby explained the rules of a public meeting and advised everyone to be respectful. |

MOTION MADE BY: Councilor Dixon

MOTION: moved to amend the agenda to have the new officer presentation after item #6, and to remove items #9 and #10.

SECONDED: Councilor Waggoner Sr.

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed.

5. Consent Agenda

MOTION MADE BY: Councilor Dixon

MOTION: Approve the Consent Agenda

SECONDED: Councilor Spriet

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed.

6. Citizen's Participation

No one signed up besides the ambulance topic, which was an agenda item

7. New Officer Presentation	Chief Ty Duby presented the new officer that was hired, Emily Oller.
8. Ordinance 3383; Camping Ordinance	City Recorder Dallas Brockett read Ordinance 3383 by title only.

MOTION MADE BY: Councilor Waggoner Sr.

MOTION: Motion to pass Ordinance 3383.

SECONDED: Councilor Dixon

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed

9. Ambulance Update and Discussion 27 people signed up to speak regarding this agenda item.

Katie LaFavor discussed having the vote for the people to extend ambulance services. Ms. LaFavor stated that home insurance rates will increase. This is a rash decision.

Robbie Langrell discussed the two-man structure, and they liked it. If we cut the fire dept. now, we are never going to get those people back. We have an amazing department that cares about the community's department. She compared BCFD to the City of Saluda, NC.

Julie Gentry stated she urged to keep an ambulance service. Silence is consent - she stated she must not remain silent. We currently have some amazing folks within our department. What does the city manager have as far as investment in this community? She stated that the fire department gives back to the community.

Sean Peterson talked with the fire department today - with the current changes, they will not be able to enter a property due to the staffing projections.

Marissa Eggers stated: hands down urge council to keep what we have - we have skill here with the current staff. With the 2 in 2 out rule - Chief and Division Chiefs are available, and it has to come to her understanding they are unable to wear the PPE's - so they are still unable to enter burning buildings.

Richard Cockren with Baker Rural Fire District stated "I am here to inform you, this could be detrimental to the community. You got professionals here already, training officers - the best of the best at that office right now. I trust them with my life. Dont let this happen, it is in your hands, you all know, people are here and they are concerned and upset and they want it resolved."

Casey Johnson - Public concern and public safety. Mr. Johnson brought a history of a the fire department. 50% person proposed cut in the safety. He stated the fire department is committed to safety. He stated that City carry over is 30% over from last year. Government does a lot of things and he stated to re-think this decision.

Todd Siddway: Mr. Siddway wanted to stress - what you are trying to do is going to cost lives. We have many accidents that the fire department runs to.

Jesse - I've been in the medical profession for 24 years. You have a top notch crew - proud to work beside them.

Tamara Keller stated "I'm going to go after one of your hearts. Kerry - I see your signs all over town. I come in as an advocate of horrible tragedy. The amount of paramedic care that my husband got was amazing". She stated it was great to see our first responders work so hard for her husband's life.

Robert Hall stated "I come to you as a retired veterinarian - I have a son and his wife and a grandson and my family lives in Baker City. Private companies are going to more considered of money and volume. I do not live in the city, I live in the county. Please if you have to work with the county - I am willing to pay more taxes for ambulance service."

Mayor asked the audience how many of them attended the council meeting - about 7-8 raised their hand in the audience which was less than 1/4 of the total in the room.

Camille Hern stated that she has a lot of children, and moved to Baker City for medical service. She stated that the current service we have is great, and it is disheartening the city is willing to cut. I definitely encourage to keep our current ambulance service.

Mike Davis stated that we can't cut these guys and there is a lot of finger-pointing. At the very least, he said to bring a reasoning bid. He stated he is only 37 years old, if you can ask for addendums and changes you can put in a reasonable bid. Either stand behind your firefighters - and show your ems services you support them.

Samantha Slattery: I get to see the action as a neighbor of the fire department and as a stay at a home mom. She stated that the elderly make up 23% of Baker's population - anything with fire you can count them to be there.

Vanessa Tachencko - Married to Ryan who is with the fire department. I have the privilege to be a hospice nurse and be able to work with the ambulance service in both LaGrande and Baker City. This is more of a billing issue. This is serious and this is something that goes beyond politics.

Penny Reinks stated her concerns about cutting the fire department staff but giving money to

Mr. Watt stated that you are about to make the high-risk, high staff. Part of my problem is that this is something that, the can has just been kicked down the road. I have concerns about this. You have not been creative - hopefully, this is a ploy. I hope you have a plan for that.

Casey Husk spoke on behalf of the fire department and provided his opinion of the financials. He stated that he has looked at the budget and that this is not a crisis.

Mr. Cannon spoke regarding this and provided a summary. Mr. Cannon also provided an update on the RFP.

Councilors had a brief discussion on this agenda item.

MOTION MADE BY: Councilor Damschen

MOTION: Make a response for the RFP

SECONDED: Councilor Spriet

IN FAVOR: Mayor McQuisten, Councilor Damschen, Councilor Spriet,
Councilor Dixon, Councilor Waggoner Sr., Councilor Alderson

OPPOSED: Councilor Guyer

Motion Passed.

10. Wildfire Awareness Month Proclamation	Mayor McQuisten read the Wildfire Awareness Month Proclamation.
11. Mental Health Month Proclamation	New Directions representative spoke before the proclamation was read. Mayor McQuisten read the Mental Health Month Proclamation.
12. Taxi Cab Fare Resolution	Mr. Cannon presented the taxi cab resolution fee proposal, resolution 3906. Stephanie Sanders who owns Elkhorn Taxi explained the reason for the fee proposal.

MOTION MADE BY: Councilor Dixon

MOTION: move to adopt resolution 3906

SECONDED: Councilor Alderson

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed.

13. Baker Sanitary Franchise rate discussion	Mr. Cannon brought a history of Baker Sanitary Franchise Agreement. 5% increase is being brought forward.
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MOTION MADE BY: Councilor Spriet

MOTION: to approve resolution 3908.

SECONDED: Councilor Damschen

IN FAVOR: Unanimous

OPPOSED: None

Motion Passed.

14. Financial Quarterly Report	The Administrative Services Manager brought forward her quarterly financial
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report. She provided an update on the quarterly financials.

15. Council Committee Updates There were no council committee updates.

16. City Manager / Director Updates City Manager Jon Cannon provided some updates.

Mr. Cannon requested an executive session. This was scheduled labor/union negotiations: 6:00pm May 24th 2022.

17. City Council Comments Mr. Guyer asked Jennifer about financials for the record. I went through and the figures do not lie, and liars do not figure. Those numbers reflected an actual \$700,000 on an average loss, for the previous three years operating cycles.

There were other brief city council comments.

18. Upcoming Agenda Items Mr. Cannon presented upcoming agenda items.

19. Adjourn MOTION MADE BY: Councilor Waggoner Sr.
 MOTION: To adjourn the meeting
 SECONDED: Councilor Damschen
 IN FAVOR: Unanimous
 OPPOSED: None
 Motion .

The meeting was adjourned at 8:56 p.m.

Signed:  _____
 Mayor

Attest:  _____
 City Recorder

A link to this City Council meeting can be found www.bakercity.com or upon request to the City Recorder.

**COTTAGE GROVE CITY COUNCIL
MEETING MINUTES
AUGUST 14, 2023**

CALL TO ORDER

Mayor Solesbee called the meeting to order at 7:00 pm in the Council Chambers at City Hall.

ROLL CALL

City Recorder Mindy Roberts called the roll. The following were

PRESENT IN THE COUNCIL CHAMBERS: Mayor Candace Solesbee, Councilors Alex Dreher, Greg Ervin, Mike Fleck, Dana Merryday, Chalice Savage and Jon Stinnett

PRESENT VIA
GOTOMEETING:

COUNCIL ABSENT:

YOUTH
REPRESENTATIVE: Kassidy Poetzl

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Manager Richard Meyers, Assistant City Manager Jake Boone, City Recorder Mindy Roberts, Public Works & Development Director Faye Stewart, Finance Director Roberta Likens, Interim Police Chief Jeff Groth and Captain Marsh.

STAFF PRESENT
VIA GOTOMEETING:

CITY ATTORNEY:

MEDIA PRESENT: KNND

SPECIAL PRESENTATIONS

Interim Police Chief Jeff Groth recognized Officer Colin Walsh with the Life Saving Award for actions he took during an incident that occurred on May 17, 2023.

Interim Police Chief Jeff Groth recognized Officer Derek Carlton and seven responders from South Lane Fire and Rescue Medic No. 201 for actions they took during an incident that

occurred on May 19, 2023. Officer Carlton was joined by responders; Jerry Ogren, Amanda Huckins, Doug Lyda, Aaron Smith and Justin Baird while Chief Groth presented each of them with the Cottage Grove Police Department Life Saving Award. Chief said in addition to their lifesaving efforts; Officer Carlton, Division Chief Smith and Deputy Chief Baird noticed that the patient had been pouring concrete, it was still wet and had not cured. Chief said all three of them stayed at the scene to complete the finish work on the concrete and awarded each of them with the Golden Trowel Award.

Interim Police Chief Jeff Groth introduced Patrol K-9 “Ripp” and handler Officer Derek Carlton. Officer Carlton shared Ripp’s background, how he will be used on the Cottage Grove Police force and gave “Ripp” the Oath of Office.

Police Captain Marsh gave the Oath of Office to Comfort K-9 “Fuji”, shared her background and how she will be used at the City of Cottage Grove.

Fire Chief Wooten recognized Officer Derek Carlton with the Distinguished Service to the Community Award, highlighting Officer Carlton’s outstanding commitment and assistance to the South Lane Fire and Rescue district.

ITEMS ADDED TO THE AGENDA

None

APPEARANCE OF INTERESTED CITIZENS FOR ITEMS NOT ON THE AGENDA

Linda Olson 1305 Girard Avenue, Cottage Grove, Oregon expressed concern that the City has a lack of fiscal frugality with the purchase of 61 acres and operation of the homeless sites.

Mike Borke 310 North Douglas, Cottage Grove, Oregon expressed concern with the increasing costs of water bills.

CONSENT AGENDA

- (a) Approval of May 22, 2023 City Council Meeting Minutes
- (b) Approval of June 12, 2023 City Council Meeting Minutes
- (c) Approval of June 23, 2023 Agenda Session Minutes
- (d) Approval of June 23, 2023 City Council Work Session Minutes
- (e) Approval of June 26, 2023 City Council Meeting Minutes
- (f) Approval of July 7, 2023 Agenda Session Minutes
- (g) Approval of July 10, 2023 City Council Meeting Minutes

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR SAVAGE TO APPROVE THE CONSENT AGENDA.

Mayor Solesbee announced the motion with a second and called the vote.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Motion carried.

RESOLUTIONS AND ORDINANCES

(a) Resolution Authorizing Full Faith and Credit Borrowings and Related Matters

Public Works and Development Director Faye Stewart indicated that this resolution would authorize the borrowing of no more than \$2.9 million in principal to pay for the purchase and associated borrowing costs of the 61.06 acres of property from Grace West Properties LLC. He said it would also pay for the Cottage Grove Water Reclamation Facility's Clarifier #1 reconstruction project and 4 sewer mainline reconstruction projects. He said the projects were approved in the adoption of the 2023-2024 budget and the property purchase and sale agreement was authorized at the July 31, 2023 City Council Meeting. He explained that the associated costs would be covered by the sale of bonds and that the Street, Water, Wastewater, Storm, and Park funds would purchase the needed property for the new infrastructure and the sale of the remaining property would repay the debt. He added that the Wastewater Fees would service the debt for the wastewater improvements.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR SAVAGE TO ADOPT RESOLUTION NO. 2110.

Councilor Merryday encouraged Council to support this project and emphasized that the land purchase will bring industry and much needed housing to the area, including affordable housing.

Councilor Ervin explained his full faith support of the project.

Councilor Fleck said that he supports this project and recounted that the Transportation Plan within the Comprehensive Plan included connecting; Gateway to Cleveland, Cleveland to Hwy 99, and the Industrial Park to Main Street creating a circle to help with traffic with in our community.

Mayor Solesbee said she supports this project primarily for the prospect of high paying jobs and opportunities for additional housing.

Mayor Solesbee called the vote.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Resolution 2110 was adopted.

(b) Resolution Amending the Comprehensive Fee Schedule

Finance Director Roberta Likens indicated that this resolution would amend the fees associated with Municipal Court by removing the payment agreement fee, extended payment fee, extended diversion fee, extended probation fee, probation violation fee, and the docket/citation re-open fee. She added that the expungement fee would be removed to comply with Senate Bill 397 and the other fees are removed as they are no longer imposed by the Court.

IT WAS MOVED BY COUNCILOR ERVIN AND SECONDED BY COUNCILOR FLECK TO ADOPT RESOLUTION NO. 2111.

Mayor Solesbee announced the motion with a second and called for discussion.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Resolution 2111 was adopted.

(c) First Reading of Ordinance Amending Section 2.56.030 Appointed Counsel's Fee of Title 2 of the Cottage Grove Municipal Code

City Manager Richard Meyers explained that this ordinance would increase the hourly rate for court appointed attorneys to \$75 per hour with a maximum of \$750.00 for cases resolved without a trial and \$1,500.00 for cases resolved after trial. He added that the Judge and the Court has requested Council to increase the rate as it has become more difficult to recruit and retain court appointed attorneys.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN TO ADOPT ORDINANCE NO. 3175.

Mayor Solesbee announced the motion with a second and called for discussion.

Seeing none she called the vote.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

First Vote on Ordinance No. 3175 carried.

BUSINESS FROM THE CITY COUNCIL

(a) Approval of Change Order for the Secondary Clarifier 1 Rehabilitation Project

Public Works and Development Director Faye Stewart updated Council with the progress of the Secondary Clarifier 1 Rehabilitation Project and said a change order is needed due to variances discovered in the concrete floor and rebar not being properly placed. He said the change order would allow for the existing concrete floor to be removed and replaced with an 8 inch thick concrete floor and increase the materials in the clarifier tank walls to designed specifications. He added that the Wastewater reserve fund will service the debt and fees would not need to be increased.

Councilor Merryday asked for an explanation of the photo depicting the clarifier wall.

Public Works and Development Director explained that the tubes are used to inject a strengthening material into the crack and a layer of material is applied to smooth the surface.

Councilor Fleck asked how this change will affect the timeline.

Public Works and Development Director explained that this could extend the project into the first week of November and the contractor is working to finish ahead of the winter season.

Councilor Ervin asked how this could be prevented in the future and if change orders are put out for bid.

Public Works and Development Director said he does not know what else could have been done to anticipate that the floor was not originally built to specifications. He said the clarifier had to be

operational and it was not possible to bore holes to do floor depth checks or sand blast the walls to look for cracks. He added that there was only one bidder for the project and the contract locked the price of materials and labor in case there increases in those areas.

Mayor Solesbee called for further discussion.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR SAVAGE TO APPROVE CHANGE ORDER 1 FOR THE SECONDARY CLARIFIER 1 REHABILITATION PROJECT FOR \$406,154.80.

Mayor Solesbee announced the motion with a second and called the vote.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

(b) Ad Hoc Street Improvement and Funding Committee Council Report

Public Works and Development Director Faye Stewart introduced Amber Bahler, Chair of the Committee to give a report and recommendation to Council.

Amber Bahler stated the Vision Statement and Objectives of the Ad Hoc Street Improvement and Funding Committee. She shared that the committee was established in May and has met five times since its creation. She said the committee has become educated on the state of the streets, current potential funding options and the election campaign processes. She outlined the street improvements that have been made this year and the amount of money spent. She said the committee is requesting an extension on the timeline given to the committee so that they can continue meeting and formulate a thorough recommendation.

Councilor Savage thanked Amber for her report and taking the time to chair the committee.

Councilor Merryday thanked the citizens who are members of the committee for taking time to participate.

Public Works and Development Director recognized the participation from Youth Advisory Council member, Cassidy Poetzl.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR SAVAGE TO EXTEND THE DEADLINE FOR THE AD HOC STREET

IMPROVEMENT AND FUNDING COMMITTEE UNTIL A RECOMMENDATION CAN BE DETERMINED.

Mayor Solesbee announced the motion with a second and called the vote.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Motion carried.

(c) City Manager Recruitment Proposals

City Manager Richard Meyers presented to Council proposals from GMP Consultants, Jensen Strategies, Local Government Personnel Services and Prothman. He said it is Council's objective to determine how they would like to move forward in selecting a consultant.

Each Council member took turns expressing their top choices for a recruitment consultant. There was open discussion about the need to interview the consultants in a work session and Council agreed to interview all prospective consultants on August 28th at 5:00 pm.

Councilor Ervin expressed concern that council goals are not in order prior to starting the recruitment.

Councilor Merryday asked if they could have a copy of the current job description.

City Manager replied yes, the current job description is 26 years old and he added that would be part of what a consultant would discuss.

(d) Concerns from Council

Councilor Fleck provided an explanation of the H₂O (Help to Others) program.

Councilor Savage updated Council on her recent and upcoming interactions and events.

Council Dreher encouraged community emergency preparedness and recommended that the City apply for the pre hazard mitigation opportunity through the BRIC grant.

Councilor Ervin informed Council about topics discussed at the recent Lane Economic Committee meeting. He inquired about previous requests to have a presentation by South Lane

Mental Health, to restart the City Tours and requested an update on the Taylor Street sidewalk project.

Public Works and Development Director Faye Stewart replied that two properties still need to complete their concrete work. He said they chose to do it on their own and have until the end of September to do so. He added that they are getting assistance from Mr. Cartwright and they should be poured soon.

Councilor Merryday spoke about the profile of the community and the importance of unity as we start the recruitment process for a new City Manager. He said he understands that there is dissatisfaction with the unhoused situation and it might be time to reevaluation the programs.

Youth Representative Kassidy Poetzl announced that this is her last City Council meeting as she will be leaving for college next week. She thanked all of Council and City Staff for the opportunity and said she is grateful for everything the Youth Advisory Council has provided to her.

Council, Staff and audience members recognized Kassidy's service with applause.

Mayor Solesbee recounted her positive experiences at the recent Mayors Association meeting.

BUSINESS FROM THE CITY MANAGER

(a) Cost of Living Allowance for City Manager

City Manager Richard Meyers requested a 5% Cost of Living Allowance (COLA) to be effective July 1, 2023. He explained that all regular full-time staff and bargaining units have been adjusted with the exception of the City Manager position.

Councilor Fleck said the adjustment is typically done during the City Manager's review in October and made retroactive to July 1, 2023. He said he supports the adjustment and noted that the City Manager is retiring before having the evaluation.

IT WAS MOVED BY COUNCILOR FLECK AND SECONDED BY COUNCILOR ERVIN TO INCREASE THE CITY MANAGER SALARY BY THE COST OF LIVING ALLOWANCE OF 5% EFFECTIVE JULY 1, 2023.

Mayor Solesbee announced the motion with a second and called for discussion.

Councilor Dreher said she supports the increase and it should help in the recruitment process.

Councilor Savage addressed the importance of authorizing the increase so that the City Manager contract is not breached, resulting in a higher cost being paid out.

There was open discussion regarding a potential contract breach if the COLA is not given.

City Manager explained a severance provision in the contract that would activate the termination clause.

Mayor Solesbee announced the motion with a second and called the vote.

The vote on the motion was as follows:

VOTE	Councilor Dreher	Councilor Ervin	Councilor Fleck	Councilor Merryday	Councilor Savage	Councilor Stinnett	Mayor Solesbee
AYES	X	X	X	X	X	X	X
NAYS							
ABSTAIN							

Motion Carried.

(b) Report from City Manager

BUSINESS FROM CITY ATTORNEY

(a) Report from City Attorney

None

ADJOURNMENT

There being no further business, Mayor Solesbee adjourned the regular meeting of the City Council at 8:53 pm.

The next regular City Council Meeting will be held August 28, 2023 at 7:00 pm in the Council Chambers at City Hall.



Mindy Roberts, City Recorder



Candace Solesbee, Mayor



City of Independence

City Council Meeting Tuesday, July 11, 2023 Minutes

1. CALL TO ORDER. The meeting was called to order at 6:30 pm by Mayor John McArdle.

2. ROLL CALL.

Council Present: Shannon Corr
Sarah Jobe
Kathy Martin-Willis
Marilyn Morton
Kate Schwarzler

Council Absent: Dawn Roden (excused)

City Staff Present: Kenna West, City Manager
Karin Johnson, City Recorder
Fred Evander, Planning Manager
Shawn Irvine, Economic Development Director
Lyle Gilbert, Police Sgt.

3. MINUTES. The minutes of the June 27, 2023 Regular Meeting were submitted in the agenda packet.

ACTION:

Councilor Morton moved to approve the minutes as submitted; Councilor Corr seconded. Motion passed 5-0-0:

AYES: Corr, Jobe, Martin-Willis, Morton, Schwarzler

NAYS: None

ABSTENTIONS: None

4. VISITORS / PUBLIC COMMENTS. None.

5. REPORTS / PRESENTATIONS

5.1. Mayor McArdle reported:

- A summary sheet from ODOT regarding the Hwy 22 proposed improvements was distributed; tomorrow ODOT will have an information gathering session at Polk County Fairgrounds. Information sheet briefly reviewed.
- He, Mayor Koontz and Mayor Dalton met with representatives regarding medical providers for our area.
- He was busy during Independence Days: he helped with the Food Bank float; helped set up the Kid's Parade & the starting line; he and Mayor Koontz started the Mini-Marathon; he and Mayor Koontz were in the parade, following the

horses with shovels.

5.2. City Manager West reported:

- a. Shawn Irvine will be presenting information tonight.
- b. Biosolids removal is complete from Lagoon 2; there was more than anticipated. As of July 3rd, they removed approximately 1700 tons of biosolids, equivalent to the weight of 1,043 Honda Accords. Plant to remove biosolids from Lagoon 3. Did not have much in Lagoon 4, will not need to remove any.
- c. We are moving forward on the Sunset Park project, which was grant funded by the Oregon Parks & Recreation Department. Looking at spring to break ground.

5.3. Staff Presentation: Shawn Irvine, Economic Development Director. He presented the following updates.

- Events: July 4th, lots of work went into it and it was well done. Great crowd, great event. It heralded the Summer Series coming up; the first movie will be Jungle Cruise and the first band will be Eagle Eyes.
- Business support: we have some ARPA funds left, looking to identify a few things that will work well. Small business technical assistance program, jointly with Monmouth. 10 local businesses participating; have funding left, we will open a second round. Marketing Mondays program; we bring in experts to visit on business-specific topics and also have workshops to walk businesses through what they just learned. Averaged 30+ people in classes; will bring it back this fall/winter. With this program, we also wanted to build a shared sense of community.
- Working with Willamette Workforce rapid response team to help find employment for those whose jobs will be eliminated with the closure of Marquis Spas.
- Working with IDA on a few things; the Oregon Downtown Main Street program is coming, we will be hosting their conference. 250-300 people will come for three days to our community this fall.
- Also working with IDA on Oregon Main Street grants; we got one for Parallel 45 to help them fully build out their building to make space for more tenants, improving food truck pod. Also just found out that IDA got a grant to help build apartments in the upper floor of the Opera House building.
- Doing a lot with infrastructure – he and Marshall are always looking for money.
- Willamette Workforce Partners will be giving us funding to implement the sidewalk repair program. Hoping to get started a week from Monday; we have reached out to those on the abatement list.

Councilor Corr asked when the Main Street Conference will be, to which he replied the 4th, 5th, and 6th of October.

Councilor Corr asked if there will be more trucks at the pod; Irvine thinks all that are there are what there is room for.

6. UNFINISHED BUSINESS. None

7. NEW BUSINESS.

7.1. Resolution #23-1588, Support for Age-Friendly Community Program Application.
City Manager West introduced Barbara Cronin, Executive Director of the Monmouth Senior Center.

Cronin provided an overview of the Senior Center and its services. She noted that membership is not limited to Monmouth residents; Dallas and Independence residents are also users. She noted they have a senior advisory board. She is here to talk about applying for the AARP Age-Friendly Network. To apply, an adopting resolution is not necessary, but it shows commitment. Membership would require two separate points of contact; Councilor Corr has agreed to be the Independence second point. Looking at 8 domains in the program, which she reviewed. Asking council to support the resolution as presented.

Councilor Corr noted that they have had one of the quorums already, which was well attended.

ACTION:

Councilor Corr moved that the Council adopt Resolution No. 23-1588 Expressing Support of the City's Application for Membership to the AARP Network of Age-Friendly Cities and Communities; Councilor Martin-Willis seconded. Motion passed 5-0-0:

AYES: Corr, Jobe, Martin-Willis, Morton, Schwarzler
NAYS: None
ABSTENTIONS: None

7.2. OLCC License Approval, New Ownership, Sunrise Market.

Sgt Gilbert reviewed information as presented in the council packet.

Mayor John McArdle noted that OLCC provides cities the opportunity to review applications and forward to them with recommendations.

ACTION:

Councilor Morton moved to recommend approval of the liquor license request for Sunrise Market and upon payment of all fees; Councilor Jobe seconded. Motion passed 5-0-0:

AYES: Corr, Jobe, Martin-Willis, Morton, Schwarzler
NAYS: None
ABSTENTIONS: None

7.3. OLCC License Approval, New Owners, The Tap Station.

Councilor Martin-Willis asked if they were already open, Gilbert replied that they are operating under a temporary license and will be open full time in the fall.

Councilor Morton noticed some construction; asked if the business was buying, not just renting; Gilbert said it is under new management and ownership.

ACTION:

Councilor Martin-Willis moved to recommend approval of the liquor license request for The Tap Station; Councilor Corr seconded. Motion passed 5-0-0:

AYES: Corr, Jobe, Martin-Willis, Morton, Roden, Schwarzler
NAYS: None
ABSTENTIONS: None

7.4. Public Hearing: Annexation.

Hearing opened by Mayor McArdle.

Quasi-Judicial Land Use Hearing Script was read aloud by Mayor.

Conflicts of Interest/Ex-Parte Contacts/Bias: None declared. No challenges from audience.

Staff Report: Evander summarized the staff report as provided in the agenda packet. Request pertains to 5.86 acres at 601 Stryker Road. Existing zoning is County Light Industrial; the proposed city zoning is Heavy Industrial. He reviewed the comprehensive plan requirements and IDC zone change criteria. The property has been designated heavy industrial in the comp plan since 1979. He reviewed the county light industrial zone and the uses allowed translate to our heavy industrial, which is slightly more restrictive (setback requirements, for example). The two zones are very similar.

Evander noted this is an annexation and then a zone change. Not an application for development. This is the first step; any future development will require site design review. The question tonight is should this property be annexed, and if so, what should the zoning be. Staff recommends approval of annexation.

Councilor Morton expressed gratitude for the response regarding queries from staff. Councilor Jobe asked if the 20' setback is from Stryker Road, and if there are other setbacks; Evander said there would be a 10' setback from the railroad.

Testimony:

1. Applicant. None

2. In Favor. None

3. Neutral. Bruce Patton, Independence. He noted that 5 residential streets abut the adjacent property and that the staff report ignores the neighborhood. Three-fourths of the site is near residential zones. He believed the staff report to be incomplete as it is missing an analysis of the differences between Polk County Light Industrial and the city's Heavy Industrial allowed uses. He feels a final decision should not be made until the information is available; postpone the vote on this matter until the staff report is amended.

4. Opposed. Mayor John McArdle noted the city received written testimony from Melinda and Michael Short.

4.1. Melinda Short, Independence. She stated she lives across the street from the parcel, and objects to annexation if it is zoned IH. She reaffirms that the property is surrounded by residential property. She spoke to the owner of the property, and was told it would be a storage facility with small manufacturing, very few trucks. She feels there is no need to assume it would need heavy industrial. The neighborhood already gets odors from the spa and cabinet manufacturer. There would be increased traffic and associated noise. There are not enough strong protections for the neighborhood.

4.2. Michael Short, Independence. He noted the city has several zones. The property is primarily bounded by residential properties, HI not appropriate; LI or Commercial should be considered.

5. Applicant Rebuttal. Janet Correa, works for West Coast Metal. They agree with HI, believes the company can be respectful. They will keep a green zone and will keep the property clean and not disturb neighbors. Councilor Jobe asked if it would be a storage unit; Correa said there are warehouses existing and would use them to store materials.

Councilor Corr asked how many jobs would be created; Correa stated none at the moment; perhaps 3-5 on the property. Councilor Schwarzler asked if these were existing employees, to which Correa replied yes.

(Mayor granted additional testimony in opposition):

4.3. Edward Maldonado, Independence. He stated he understands the reason for annexation, but the zoning is not appropriate. If the property is sold down the road, the new owners could put a heavy use in.

City staff summary, response to testimony.

1. Regarding adjacency to residential. There is a transition between the zones; separation with Stryker Road and the railroad, which separates the sites to a certain degree.
2. There will be a setback from the front of the lot. When the site is developed fully, it will require additional right of way to ensure proper road width.
3. We have better standards in our IH zone than Polk County Light Industrial. We have landscaping requirements, the county does not. Our standards include buffering.
4. City Manager West read the list of the current allowed uses in both Polk County IL and city IH zones.

Council questions of staff:

Councilor Jobe asked that if all things are allowed the same, why annex and why change zoning. Evander stated the city cannot provide water and sewer outside the city limits. Brief discussion.

Councilor Martin-Willis asked if the current proposed use fits under light industrial, to which Evander replied yes. Jobe asked if it fits under commercial; Evander stated no, and that it is also not a good site for commercial.

Councilor Martin-Willis asked that under light industrial, would it still be subject to a 20' setback; Evander said 10'.

Councilor Morton reported she sent a question to staff earlier about this; what the city and the county allows. She stated that annexing would improve the property as we would have control with our city standards and it would bring tax income to city.

Councilor Corr asked if there was a benefit to heavy industrial versus light; Evander said it could go either way; he recommended heavy industrial, as there is heavy industrial adjacent to this property.

Councilor Corr asked if a light industry moved in, other than what is proposed in the application, could it have similar things that the residents complained of; Evander said yes, that it comes down to setbacks, height limits.

Councilor Corr asked about meeting the 66' street width standard; how would it be done. Evander noted that when Organic Investments went in, we required a dedication to have the street width to city standard.

Evander noted that after quick research, light industrial height limit is 45'.

City Manager West asked about the comparison of zones; Evander had subchapter 37 displayed and reviewed. Questions regarding uses in city zones were gone over and answered.

Councilor Martin-Willis asked if the city could require access on the north side of property; discussion.

Mayor John McArdle summarized the action needed – do we want this in the city, and if so, what zone should apply.

Councilor Jobe asked that if we go light industrial could we require a 20' setback; Evander said no, it would require a zone change.

No further questions.

Mayor John McArdle stated the applicant has the right to hold the hearing open for 7 days, or they can waive submission. Evander summarized, noting that they can submit any sort of argument and would have 7 days to submit; if they don't want to submit anything further, then the council can make a decision now.

The applicant initially stated they wish to submit, then changed their mind. Stated that they waived submission.

Hearing & Record declared closed.

Council Deliberation:

Councilor Schwarzler noted that moving to LI could have unintentional consequences; Councilor Morton agreed.

Councilor Martin-Willis said that with the impact of reducing setback, should do the IH designation.

Councilor Corr feels staff looked at the best interest of all, took a very exhaustive look. Councilor Jobe stated she doesn't think this should be annexed.

Councilor Schwarzler said she would be more concerned if county keeps control.

Mayor John McArdle noted county rules are pretty open ended and we would have no control.

Evander reported he reviewed Subchapter 38; relooked at setback requirements. There is a 20' setback for front in both heavy and light industrial zones. In the back of the lot, it is 10' heavy industrial, 5' light.

Councilor Morton asked if it was any more stringent regarding ROW in heavy than light; Evander replied no.

ACTION:

Councilor Morton moved to approve File No. AX-2023-01, annexation of 5.86 acres at

601 Stryker Road, adopting findings, conditions and staff recommendations as provided in the Staff Report; Councilor Corr seconded. Motion passed 4-1-0:

AYES: Corr, Jobe, Martin-Willis, Morton, Schwarzler

NAYS: Jobe

ABSTENTIONS: None

7.5. Council Bill #2023-03, Declares Territory Annexed to City.

ACTION:

Councilor Corr moved to read the proposed Ordinance, Council Bill #2023-01 in full as the text is contained in the Council packet, for the first time; Councilor Martin-Willis seconded. Motion passed 4-1-0:

AYES: Corr, Martin-Willis, Morton, Schwarzler

NAYS: Jobe

ABSTENTIONS: None

The Mayor announced the ordinance will be brought to the next meeting for a second reading.

8. GENERAL INFORMATION. Items submitted in the packet are for information only; no action was required by city council.

9. COUNCIL ANNOUNCEMENTS. None.

10. ADJOURNMENT. With no further business to come before the council, moved to adjourn. Motion passed 5-0-0:

AYES: Corr, Jobe, Martin-Willis, Morton, Schwarzler

NAYS: None

ABSTENTIONS: None

Meeting adjourned: 8:06 pm

ATTEST:

Karin Johnson, MMC, City Recorder

MAYOR JOHN McARDLE

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

May 8, 2023, 6:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets, and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE: 5/22/23

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:00 PM.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	
Sydney Kasner	Councilor Ward 2	Present	
Judy Casper	Councilor Ward 3	Present	
Riley Hoagland	Councilor Ward 2	Present	
Rick Mark	Councilor Ward 3	Present	
Mitch Parsons	Councilor Ward 1	Present	

Staff Present: Daphnee Legarza, City Manager; Richard Appicello, City Attorney; Chief Broderick, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Seth Lenaerts, Project Manager; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA ITEMS 1,2 & 4

RESULT: PASSED [UNANIMOUS]
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Kasner, Casper, Hoagland, Mark, Parsons

1. Reappointment to the Library Board

MOTION:	Motion to Reappoint Brittany Anderson and Robert Pfohman to the Library Board with a Term Ending 6/30/2027.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

2. First Amendment to Employment Agreement - Municipal Court Judge

MOTION:	FIRST AMENDMENT TO EMPLOYMENT AGREEMENT - MUNICIPAL COURT JUDGE
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

3. Agreement for Abandoned RV Abatement

MOTION:	Motion to Approve the Agreement for Abandoned RV Abatement
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

Councilor Mark pulled item 3. Councilor Mark reviewed items in the agreement that may need to be changed.

4. Regular Meeting – Minutes of Regular Meeting – April 24, 2023, 6:00 PM

MOTION:	City Council - Regular Meeting - Apr 24, 2023, 6:00 PM
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Sydney Kasner, Councilor Ward 2
RESULT:	Passed

E. COUNCIL DELIBERATIONS

None

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

Stacy Baird of Lincoln City spoke regarding the following agenda items; Ordinance 2023-08, Ordinance 2023-07, Resolution 2023-07, the City's debt, utility rates, a \$20K grant, and the MOU for the Judge.

Ms. Legarza summarized a public comment received regarding marijuana dispensaries and out-of-area Staff.

G. PRESENTATIONS

None

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Public Comment Resolution 2023-08 Proposed Revisions to City Public Works fee schedule

Mr. Appicello explained the resolution. No Citizens were present to comment on the resolution. Council and Staff had a discussion.

J. ORDINANCES

2. ORDINANCE NO. 2023-07 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), AMENDING CHAPTER 2.14 (COMMITTEE FOR CITIZEN INVOLVEMENT), AMENDING SECTION 2.14.030 (POWERS AND DUTIES) TO REFER TO THE OREGON ADMINISTRATIVE RULE GOVERNING THE COMMITTEE

MOTION:	Motion to Approve First Reading Ordinance 2023-07 Amending Authority for Citizen Involvement Committee
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

This is to replace Ordinance 2023-04 which was a duplicate number.

- 3.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2023-07 Amending Authority for Citizen Involvement Committee
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

4. ORDINANCE NO. 2023-08 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 4, (REAL PROPERTY), AMENDING CHAPTER 4.04 (ACCEPTANCE OF REAL PROPERTY INTERESTS, LEASES, AND IGA RENEWALS), SECTION 4.04.010 (CITY MANAGER-DELEGATION), ADDING MOU / MOA TO DELEGATED IGA AUTHORITY

MOTION:	Motion to Approve First Reading of Ordinance 2023-08 - Add MOU MOA to IGA Delegation
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Mr. Appicello said that the delegation reads the City Manager shall report bi-annually to the City Council on the matter executed per this chapter.

5.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2023-08 - Add MOU MOA to IGA Delegation
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

K. RESOLUTIONS

6. RESOLUTION NO. 2023-07 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING STRATEGIC PRIORITIES AND INITIATIVES AS IDENTIFIED AT THE MARCH 1, 2023 COUNCIL RETREAT

MOTION:	Motion to Approve Resolution 2023-07- Adopting Strategic Priorities Identified at Council Retreat
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

7. RESOLUTION 2023-08 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING ADDITIONAL PUBLIC WORKS FEES - IRRIGATION METER

MOTION:	Motion to Approve Resolution 2023-08 Adopting Additional Public Works Fees - Irrigation Meter
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

L. SPECIAL ORDER OF BUSINESS

8. Partnership with the Economic Development Alliance of Lincoln County (EDALC)

MOTION:	Motion to Approve a \$20,000 Grant in FY22-23 to the Economic Development Alliance of Lincoln County to Support Regional Economic Development Activities
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Kasner, Mark, Parsons
NAYS:	Casper
RECUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

Alison Robertson, Economic Development Director, and Paul Schuytema, Executive Director at Economic Development Alliance of Lincoln County spoke about a \$20,000 grant to the Economic Development Alliance of Lincoln County (EDALC) to support regional economic development activities. Council and Staff discussed the details of the program and the grant.

9. Update on Proposed Nelscott Urban Renewal (Tax Increment Finance) Plan

Alison Robertson, Urban Renewal and Economic Development Director gave an update regarding the proposed Nelscott Urban Renewal plan. Council and Staff had a discussion regarding the next steps of the plan.

10. Nelscott Force Main Phase 1 Construction Award

MOTION:	Motion to Award K&E Excavating, Inc. in the Amount of \$1,581,412.50 with a Construction Contingency of \$151,841.25 (10 percent of bid the amount) for a total of \$1,733,253.75 for the Nelscott Force Main Phase 1 Construction Award
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Stephanie Reid, Public Works Director, explained the project. Council and Staff had a discussion regarding the project and future plans.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Legarza spoke about the Spanish copy of The News Guard.

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

None

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

None

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Hoagland spoke about the LOC meeting in Seaside and classes attended, lithium battery drop off at North Lincoln Sanitary, and asked about requirements to be on a committee.

Councilor Mark spoke about the Cascade West meeting he attended; ODOT trying for federal grants to fix the erosion issues and rough road on Highway 101; the open house for Taft Park; Spaghetti fundraiser at B'nai B'rith. Councilor Mark will be absent from the June 12th meeting.

Councilor Casper spoke about attending the Regional Solid Waste meeting and the barrels that will be put out again for the 4th of July beach clean-up. Councilor Casper said the Juno Project will be open to tour again in Toledo.

Mayor Wahlke said that she has received positive comments about the newsletter with the water bills. Mayor Wahlke spoke about the sessions she attended at the LOC in Seaside. Mayor Wahlke spoke about her attendance at the Ways and Means Committee in Newport, wanting to testify before the Capital Construction Subcommittee of Ways and Means on Friday, but there not being enough time for her to speak.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 7:37 PM

//S//

SUSAN WAHLKE, MAYOR

ATTEST:

//S//

JAMIE YOUNG, CITY RECORDER

**MONMOUTH CITY COUNCIL
MEETING MINUTES
March 21, 2023**

**Monmouth Senior Community Center
180 Warren St. S**

Mayor Koontz called the meeting to order at 6:33 pm.

The following were in attendance virtually or in person:

CITY COUNCIL

Roxanne Beltz
Jon Carey
Chris Lopez
Carol McKiel
John Oberst
Rebecca Salinas-Oliveros
Cecelia Koontz

STAFF

Marty Wine, City Manager
Phyllis Bolman, City Recorder
Lane Shetterly, City Attorney
Suzanne Dufner, Ec. & Com. Dev. Dir.

Councilor Carey led the flag salute.

CONSENT CALENDAR - Councilor Oberst moved to approve the consent calendar.
Councilor McKiel seconded.

AYES: Beltz, Carey, Lopez, McKiel, Oberst Salinas-Oliveros

NAY: none

ABSTENTIONS: none

MOTION PASSES 6-0

CITIZEN COMMENTS - none

PRESENTATION - Polk County Operating Levy - Polk County Sheriff Mark Garton was joined by Polk County Commissioner Lyle Mordhorst and District Attorney Aaron Felton.

Sheriff Garton reviewed what the proposed levy includes. He noted that there are no proposed changes in the new levy. Sheriff Garton noted that the current levy is 42.5 cents per thousand and the new levy is asking for 49.5 per thousand.

District Attorney Aaron Felton thanked the Council for their support in the past. He reviewed the District Attorney's office duties and explained how they support the City's police department.

Commissioner Mordhorst asked the Sheriff a few questions about some of the crimes they are encountering and discussed the value of public safety.

Councilor Lopez asked about anti-recidivism programs in the jail. Sheriff Garton and District Attorney Felton discussed the program options available.

Councilor McKiel thanked the Sheriff who wrote the grant to have a mental health professional to ride with the deputies. She asked if there will be another grant for more mental health teams. Sheriff Garton stated that they have two mental health teams. He noted that the need for it has been stable for the past two years but more may be needed in the future.

Councilor Oberst asked if property taxes could be increased. City Attorney Shetterly stated that since Measure 50 was enacted, taxes can only be added by special levies.

Councilor Carey asked for clarification of how many of the employees this levy covers. District Attorney Felton noted that it was half of the employees in the Sheriff's office and half of the employees in the District Attorney's office.

Mayor Koontz noted that the Council does not normally do a resolution but do ask for consensus from the Council on their support for the levy and using the City's name. The Council gave their unanimous support of the levy.

BUSINESS AGENDA

PUBLIC HEARING: LEGISLATIVE AMENDMENT 23-01 CODE UPDATE

City Attorney Shetterly read the hearing language.

CONFLICT OF INTEREST - none declared.

Mayor Koontz opened the hearing at 7:12 pm.

Community Development Director Dufner reviewed the staff report and gave an overview of changes that are addressed in the Legislative Amendment.

Community Development Director Dufner noted the Planning Commission held a public hearing and based upon public testimony made a few changes to the draft. She noted the Council alternatives included approval of the amendments as recommended by the Planning Commission, or to make further revisions based upon Council discussion.

Councilor Carey stated that there are items of a policy standpoint that they might want to consider.

Mayor Koontz noted that this the time for clarifying questions for Community Development Director Dufner.

The Council asked several clarifying questions.

Councilor Oberst asked about the time line and adoption date. Ryan Marquardt, DLCD, stated there is no adoption timeline but there will not be support for Community Development Director Dufner after the April date when the grant ends. Community Development Director Dufner stated that there are builders waiting for the code to pass to start their buildings.

Mayor Koontz closed the hearing at 8:17 pm and recessed the Council briefly.

Mayor Koontz noted that they have discussed this packet and have seen it multiple times over the process of the amendment. She noted that this packet is something that can be amended in the future. Mayor Koontz asked the Council for input on what they would like to see - minor changes, or adopt as is, and amend as needed.

Mayor Koontz asked City Attorney Shetterly for clarification on the process and any changes. City Attorney Shetterly noted that small changes could be made this evening. If there are conceptual changes, then it would need more discussion. She then asked the Council, what three items would each of them change if they could.

The items of concern from the Council were: a variance for the 20 foot setback if someone had a deep lot; a variance for a design change in the corner orientation requirement in the Main Street District; design variance in residential zones; change the square foot of a commercial building in a residential zone; and the requirement of a .5 parking space minimum in a Regulated Affordable Housing area.

Mayor Koontz polled the Council on these items:

1. Change the 20 foot setback to another number or eliminate it. 2 Councilors were interested in changing this.
2. Eliminate the requirement in the Main Street District to have corner entrance of a building on a corner lot. 2 Councilors wanted to keep the requirement and 4 wanted to eliminate the requirement, but encourage or suggest the corner entrance.
3. Leave the maximum size of a commercial space in a residential zone at 2500 square feet or make it more restrictive. No Councilors were interested in making this more restrictive.
4. Allow a design variance in residential zone or make it more obvious what is allow or a different track completely. Mayor Koontz clarified that if Council wanted a different way

to track, then the language would have to be brought back to Council for review. 2 Councilors were interested in another exception process for residential designs.

5. Revise the .5 parking space minimum in Regulated Affordable Housing. 3 Councilors were interested in changing this.

MOTION - Councilor McKiel moved to approve Legislative Amendment 23-01 and direct staff to prepare an ordinance to adopt Legislative Amendment 23-01 as amended to change corner orientation in the MSD to be encouraged instead of required, and correct the errata regarding verification that the conditions of approval have been met for Type II and Type III applications by staff, not the Planning Commission. Councilor Salinas-Oliveros seconded.

AYES: Beltz, Lopez, McKiel, Oberst, Salinas-Oliveros

NAY: Carey

ABSTENTIONS: none

MOTION PASSES 5-1

Councilor Lopez left the meeting at 9:17 pm.

WORK SESSION

CONSIDER NOISE ORDINANCE REVISIONS

City Manager Wine reviewed the staff report and asked the Council for guidance on revisions to the ordinance. She asked if they would like to see the decibel level standards in an ordinance.

Councilor Salinas-Oliveros asked who would use the decibel level devices.

Police Chief Haines stated that they do not have one and a device would have to be custom calibrated.

It was noted that a permit process had been eliminated from the proposed ordinance. City Attorney Shetterly stated he would look at this backwards from the perspective of presenting the evidence in court.

City Manager Wine stated that if the changes look acceptable, they will bring it back for an ordinance. She noted that there is a process with presenting the proposals to the business community.

REPORTS

1. Mayor's Report - Mayor Koontz reported on the MICF on the Bicentennial fund. She stated that there was a market loss; as a result the fund balance is down to \$6500. She stated that the trolley is going to roll. City Manager Wine added that the ribbon cutting will be at the Polk 1 Fire Station on April 2, 2023 from 3 to 5 pm. Mayor Koontz added that swag is being delivered to the students at all of the schools in the district.

Mayor Koontz thanked everyone for coming out to the skate park groundbreaking.

2. Reports of Council Representatives of Boards and Commissions

Arts & Culture Commission - Councilor Salinas-Oliveros reported the Commission met last week and discussed the art show and the Trashion Fashion show. She added that they had discussed how to include the schools. Councilor Salinas-Oliveros noted that the Commission is looking at Artist's Talks at the Library. She added the Commission is always taking volunteers.

Planning Commission - Councilor Carey reported the Commission had approved a sign variance for a Thai restaurant.

Traffic Safety Commission - Councilor Oberst reported that safe route to school design is being planned and will have to go to ODOT for approval, and will probably not be done until next year. He added that the Madrona crossing is in the works as soon as approved by ODOT. Councilor Oberst noted that they are continuing to work on a bike rodeo possibly in conjunction with the beginning of school in the fall. He added that they reviewed a request from resident regarding traffic control at the Maria, Stephanie, Catherine Ct. intersection. Councilor Oberst stated that they are looking at revising the charter for the Commission.

Tree Advisory Board - Councilor Oberst reported there is a tree planting April 15, 2023 at Madrona Park.

Mid-Willamette Valley Council of Governments - Councilor Beltz reported that Chemeketa Community College has begun Applied Baccalaureate degree program with associate degrees in the trades. She added that Chemeketa is the first community college in Oregon offering this kind of program.

3. City Manager's Report - City Manager Wine reported that she has signed the agreement for the Safe Routes to School and she signed revisions to the City Attorney Agreement.

City Manager Wine stated that there will be a beam signing event at the beginning of April to sign a roof beam before it goes up on the new City Hall.

She reminded everyone that Soup and Pie is at the Senior Center on Thursday March 23rd and that it begins at 11:00.

COUNCIL COMMENTS - Councilor Salinas-Oliveros read the land acknowledgement.

Councilor McKiel read the names of the cheerleaders from Central who won the state championship. They were:

Head Coach-Megan Smith
Giada Alessio
Isadora Chavez-Pedraza
Arianna Denn
Julia Ericsson
Simone Gil
Jaxon Holbert
Laudly Ijaz
Haley Knight
Gwendolyn McCannell
Bri Meyer
Eileen Rault
Zeynep Secer
Hannah Stallsworth
Isabel Toledo
Gizelle Trujillo

Assistant-Danielle Dunne
Dafnie Baker
Kaiden Collman
Mariia Dovgan
Brayden Farmer
Chloe Hodney
Sophia Hoover
Moana Jefferson
Kyra Mancini
Jacquelynn McGuyver
Daisy Ortiz Martinez
Maria Isabel Sanchez Barba
Elisa Shinkle
Hannah Steed
Jazmine Toledo
Ariannah Williams

ADJOURN - Councilor Oberst moved to adjourn. The meeting was adjourned at 9:53 pm.

Attest:

Cecelia L. Koontz, Mayor

Phyllis L. Bolman, City Recorder

**Stayton City Council
Work Session
August 7, 2023**

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

Time Start: 6:00 P.M.

Time End: 7:07 P.M.

MEETING ATTENDANCE LOG

	STAYTON STAFF
Mayor Brian Quigley	Julia Hajduk, City Manager
Councilor David Giglio (excused)	Alissa Angelo, Assistant City Manager
Councilor Ben McDonald	James Brand, Finance Director
Councilor Jordan Ohrt	Gwen Johns, Police Chief (excused)
Councilor David Patty (excused)	Lance Ludwick, Public Works Director
Councilor Steve Sims	Janna Moser, Library Director (joined at 6:22 p.m.)
	Tammy Bennett, Office Specialist (excused)

AGENDA	ACTIONS
Santiam Water Control District Water Delivery Contract	Ms. Hajduk provided an update on the City's work with the Santiam Water Control District on the Water Deliver Contract.
Wilderness Park Update	Ms. Hajduk gave an update on meetings with the Santiam Water Control District regarding Wilderness Park. Discussion of funding from Marion County, ongoing costs to the City for annual maintenance, and potential lease costs.
ARPA Fund Use	Ms. Hajduk reviewed the memo on ARPA fund options emailed to Council prior to the meeting. Discussion among Council of recommended projects.
City Attorney Request for Proposals	Ms. Hajduk reviewed the previous City Attorney request for proposals and received input from Council on edits to the document.

APPROVED BY THE STAYTON CITY COUNCIL THIS 21ST DAY OF AUGUST 2023, BY A 5/0 VOTE OF THE STAYTON CITY COUNCIL.

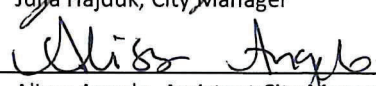
Date: 8-21-2023

By: 
Brian Quigley, Mayor

Date: 8-22-23

Attest: 
Julia Hajduk, City Manager

Date: 8/21/2023

Transcribed by: 
Alissa Angelo, Assistant City Manager

**City of Stayton
City Council Minutes
August 21, 2023**

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA, STAYTON
Time Start: 7:01 P.M. Time End: 8:13 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Brian Quigley	Julia Hajduk, City Manager
Councilor David Giglio (joined @ 7:02 p.m.)	Alissa Angelo, Assistant City Manager
Councilor Ben McDonald	Lance Ludwick, Public Works Director (via Zoom)
Councilor Jordan Ohrt	Gwen Johns, Police Chief
Councilor David Patty	Janna Moser, Library Director
Councilor Stephen Sims	James Brand, Finance Director (excused)
	Tammy Bennett, Office Specialist

AGENDA	ACTIONS
REGULAR MEETING	
Announcements	
a. Additions to the agenda	None.
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None.
Appointments	None.
Public Comment	
a. Christopher Walker, 155 S. Evergreen	Written comment was distributed to Council prior to the meeting and posted to the City Council's page on the City website. Public comment was in opposition to homeless camping in residential areas.
b. Josh Spencer, 213 N. Oak Ave.	
c. Ray Hanna, 237 N. Oak Ave.	
Consent Agenda	
a. July 17, 2023 City Council Regular Session Minutes	Motion from Councilor Ohrt, seconded by Councilor Patty, to approve the consent agenda as presented. Motion passed 5:0.
b. August 7, 2023 City Council Work Session Minutes	
c. Resolution No. 1069, Modification to Teen Center Lease	
Presentations	
a. Summer Reading Program – Janna Moser	Ms. Moser provided a recap of the Summer Reading 2023 program at Stayton Public Library.
Public Hearing	
Ordinance No. 1064 Vacation of Alleyway between N First Ave and N Second Ave	
a. Commencement of Public Hearing	Mayor Quigley read the opening statement and opened the hearing at 7:28 p.m.

b. Staff Introduction & Report c. Applicant Presentation d. Questions from the Council e. Proponents' Testimony f. Opponents' Testimony g. Neutral/Other Testimony h. Questions from the Council i. Applicant Summary j. Staff Summary k. Close of Hearing l. Council Deliberation m. Council Decision on Ordinance No. 1064	Mr. Jacks reviewed the staff report. None. Council asked questions about the application. Mr. Jacks responded. None. None. None. Nothing further. None. Mr. Jacks gave the staff recommendation. Mayor Quigley closed the hearing at 7:38 p.m. Council requested that going forward the value of the vacated land be documented. Motion from Councilor Patty, seconded by Councilor Giglio, to approve Ordinance No. 1064 as presented. Motion passed 5:0.
Presentations b. New Staff Introduction – Gwen Johns	Chief Johns introduced Seargent Bielenberg. Seargent Bielenberg shared her background.
Communications from City Staff	Ms. Hajduk announced there will be a City Council Special Session next week to award the Douglas Avenue Watermain Replacement & Pavement Overlay project contract. Chief Johns provided a Police Department update including the new camping ordinance. Chief Johns shared a joint project with the Stayton Public Library scheduled for next summer, Safety Town. Ms. Hajduk and Chief Johns spoke of the annual International Overdose Awareness Day on August 31 st .
Communications from Mayor and Council	Councilors addressed public comments.

APPROVED BY THE STAYTON CITY COUNCIL THIS 18th DAY OF SEPTEMBER 2023, BY A 5:0 VOTE OF THE STAYTON CITY COUNCIL.

Date: 9/26/2023

By: 
Brian Quigley, Mayor

Date: 9/26/23

Attest: 
Julia Hajduk, City Manager

Date: 9-18-2023

Transcribed by: 
Tammy Bennett, Office Specialist



CITY OF SWEET HOME CITY COUNCIL MINUTES

August 22, 2023, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Meeting Information

The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 541-367-5128, choose option #1 and enter the meeting ID to be logged in to the call. Meeting ID: This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM

Roll Call

PRESENT

Mayor Susan Coleman
President Pro Tem Greg Mahler
Councilor Dave Trask
Councilor Lisa Gourley
Councilor Angelita Sanchez

ABSENT

Councilor Dylan Richards
Councilor Josh Thorstad

STAFF

Kelcey Young, City Manager
Blair Larsen, Community and Economic Development Director
Robert Snyder, City Attorney
Megan Dazey, Library Services Director
Trish Rice, Engineering Technician
Jason Ogden, Police Chief
Adam Leisinger Communications Manager

MEDIA

Benny Westcott, New Era

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

GUESTS

Ryan Vogt, Executive Director, Cascades West Council of Governments, 1400 Queen Ave SE, Suite 201, Albany, OR 97322

Preston Van Meter, West Yost Associates, 5 Centerpointe Dr, Suite 130, Lake Oswego, OR 97035

Matt Wadlington, Civil West Engineering Services, Inc., 200 SW Ferry St, Albany, OR 97321

Motion to excuse Councilor Richards and Councilor Thorstad absence made by Pro Tem Mahler,
Seconded by Councilor Gourley.

Voting Yea: Councilor Gourley, Councilor Trask, Mayor Coleman, Pro Tem Mahler, Councilor Sanchez

Consent Agenda:

Motion to approve the Consent Agenda made by Councilor Gourley, Seconded by Pro Tem Mahler.

Voting Yea: Councilor Gourley, Councilor Trask, Mayor Coleman, Pro Tem Mahler, Councilor Sanchez

Absent: Councilor Thorstad, Councilor Richards

Approval of Minutes: August 8, 2023

- a) 2023-08-08 City Council Meeting Minutes

Recognition of Visitors and Hearing of Petitions:

Ryan Vogt, Executive Director, Cascades West Council of Governments (COG), 1400 Queen Ave SE, Suite 201 Albany, OR 97322. Vogt gave a brief description of COG services throughout the State of Oregon and in Sweet Home. He will provide information to the Council for future discussion. Mayor Coleman, Councilor Trask, and Councilor Gourley asked questions for further details of various COG services.

New Business:

- a) Discussion Only - Water Master Plan

Preston Van Meter, West Yost Associates, provided a presentation regarding the Water Master Plan. City Manager Young described the next steps in the process.

- b) Discussion Only - Stormwater Master Plan

Matt Wadlington, Civil West Engineering Services, Inc. provided a presentation regarding the Stormwater Master Plan.

- c) Willow-Yucca Street Neighborhood Local Improvement District (LID) Financing

Blair Larsen, Community and Economic Development Director provided updates to the Council regarding the Willow-Yucca Street Neighborhood Local Improvement District (LID) Financing.

Motion made to approve Resolution No. 22 for 2023 and sign the Special Public Works Fund Development Project made by Councilor Gourley, seconded by Pro Tem Mahler.

Voting Yea: Councilor Gourley, Councilor Sanchez, Councilor Trask, Pro Tem Mahler, Mayor Coleman

Absent: Councilor Thorstad, Councilor Richards

Old Business:

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

Reports of Committees:

Ad Hoc Committee on Health

Councilor Gourley gave a report on the Community Health Fair.

Ad Hoc Committee on Arts and Culture

Administrative and Finance/Property

Traffic Safety Committee

Area Commission on Transportation

Chamber of Commerce

Charter Review Committee

Council of Governments

Library Advisory Board

Park and Tree Committee

Solid Waste Advisory Council

Youth Advisory Council

Reports of City Officials:

City Manager's Report

City Manager gave a report and thanked everyone for the assistance during the Wiley Fire and the Paint the Town Project.

Mayor's Report

City Manager gave a report and thanked everyone for the assistance during the Wiley Fire.

Department Director's Reports (1st meeting of the Month)

Library Services Director

- a) Library Director Monthly Report

Community and Economic Development Director

- a) Community & Economic Development Department Report for July 2023

Public Works Director

- a) Public Works Monthly Report

Department Director's Reports (2nd meeting of the Month)

Finance Director

Police Chief

- a) Police Department Monthly Report

City Attorney

Council Business for Good of the Order

Councilor Sanchez thanked the Council for the moment of silence for the victims of the fire in Hawaii.

Adjournment

The meeting was adjourned at 7:25 PM

Mayor

ATTEST:

City Manager – Ex Officio City Recorder



CITY OF SWEET HOME CITY COUNCIL MINUTES

September 12, 2023, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

Meeting Information

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Call to Order and Pledge of Allegiance

Meeting called to order at 6:30 PM

Roll Call

PRESENT

Councilor Dylan Richards
Council Lisa Gourley
Councilor Angelita Sanchez
Mayor Susan Coleman
President Pro Tem Greg Mahler
Councilor Josh Thorstad
Councilor Dave Trask

STAFF

Jason Ogden, Police Chief
Greg Springman, Public Works Director
Megan Dazey, Library Services Director
Robert Snyder, City Attorney
Blair Larsen, Community and Economic Development Director
Matt Brown, Finance Director
Kelcey Young, City Manager
Adam Leisinger, Communication Manager
Angela Clegg, Associate Planner

MEDIA

Benny Westcott, New Era

GUESTS

Lagea Mull, Executive Director, Chamber of Commerce, 1575 Main St, Sweet Home, OR 97386

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.

Consent Agenda:

Motion to approve the Consent Agenda was made by Councilor Sanchez, Seconded by Councilor Richards.

Voting Yea: Councilor Sanchez, Councilor Thorstad, Pro Tem Mahler, Mayor Coleman, Councilor Trask, Councilor Gourley, Councilor Richards

- a) Amendment to Intergovernmental Agreement for Transportation System Plan

Recognition of Visitors and Hearing of Petitions:

Keith Sullivan, 5050 Mt. Fir Street, Apt. 104, Sweet Home, OR 97386, concerned about new crosswalks and visibility.

Old Business:**New Business:**

- a) Request for Council Action – Approving Resolution 22 and 23 to forgive Interfund Loans
City Manager Young gave an introduction and explained the Interfund Loans. Finance Director Brown discussed Resolution No. 22 and Resolution No. 23 with the Council.
Motion to approve Resolution No. 22 and Resolution No. 23 was made by Councilor Trask, Seconded by Councilor Richards.
Voting Yea: Mayor Coleman, Pro Tem Mahler, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards, Councilor Thorstad.
- b) Request for Council Action – Approving Resolution 24 to update salary schedules
City Manager Young gave a report on the updated salary schedules.
Motion to approve Resolution No. 24 was made by Councilor Trask, Seconded by Councilor Sanchez.
Voting Yea: Mayor Coleman, Pro Tem Mahler, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Thorstad
Voting Nay: Councilor Richards
- c) Request for Council Action – Reviewing and Approving the Contract for the Visitor's Center
City Manager Young reported on the past contract and the operations and funding moving forward.
Lagea Mull, Executive Director of the Chamber of Commerce, reported on changes to business hours and frequency of Chamber of Commerce reports.
Motion to approve the Contract for the Visitors Center was made by Pro Tem Mahler, Seconded by Councilor Richards.
Voting Yea: Pro Tem Mahler, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards, Councilor Thorstad.
Abstain: Mayor Coleman
- d) Request for Council Action – Approving a Personal Services Contract with the Community Services Consortium
City Manager Young discussed the Services Contract with the Councilors.

Motion to approve the Services Contract with the Community Services Consortium was made by Councilor Sanchez, Seconded by Councilor Richards.
Voting Yea: Mayor Coleman, Pro Tem Mahler, Councilor Trask, Councilor Gourley, Councilor Sanchez, Councilor Richards, Councilor Thorstad.

Ordinance Bills

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

Reports of Committees:

Mayor Coleman gave a brief introduction of committees

Remove richards from Library, mahler appointed

Ad Hoc Committee on Health

Ad Hoc Committee on Arts and Culture

Councilor Gourley gave a report.

Administrative and Finance/Property

Traffic Safety Committee

Councilor Richards and Councilor Thorstad will be liaisons.

Area Commission on Transportation

Chamber of Commerce

Charter Review Committee

Council of Governments

Library Advisory Board

Councilor Richards asked to be removed as the Library Board liaison. Pro Tem Mahler volunteered to be the liaison.

Park and Tree Committee

Solid Waste Advisory Council

Youth Advisory Council

Reports of City Officials:

City Manager's Report

City Manager Young gave a report.

Mayor's Report

Department Director's Reports (1st meeting of the Month)

Library Services Director

Community and Economic Development Director

Public Works Director

Department Director's Reports (2nd meeting of the Month)

Finance Director

Police Chief

City Attorney

Council Business for Good of the Order

Adjournment

Meeting Adjourned 7:35 PM

Mayor

ATTEST:

City Manager – Ex Officio City Recorder

From: David Allen
Sent: Sunday, October 1, 2023 2:27 PM
To: Erik Glover
Cc: Department Heads; City Council; Robert Emond
Subject: Re: October 02. 2023 Work Session and City Council Agenda

For the Oct. 2 work session agenda item 2.C. (discussion on action minutes), include this e-mail in the agenda packet. --David

ORS 192.650 (link below) sets out the requirements for meeting minutes:

https://oregon.public.law/statutes/ors_192.650

These requirements are summarized in the AG's public records/meetings manual (2019) as follows:

A governing body must provide for written minutes of its meetings and executive sessions, or sound, video, or digital recording. The written minutes or recording must include at least the following information:

- members present;
- motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- results of all votes; and, the vote of each member by name, except for public bodies consisting of more than 25 members unless recording by name is requested by a member of that body;
- the substance of any discussion on any matter; and
- a reference to any document discussed at the meeting, unless even a reference to the document is exempt under Public Records Law.

Written minutes need not be a verbatim transcript, and a sound, video, or digital recording is not required to contain a full recording of the meeting, except as otherwise provided by law. However, the minutes or recording must contain the above information and must give "a true reflection of the matters discussed at the meeting and the views of the participants."

* * * * *

192.650 Recording or written minutes required; content; fees. (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- (a) All members of the governing body present;
- (b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- (c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;
- (d) The substance of any discussion on any matter; and
- (e) Subject to ORS 192.311 to 192.478 relating to public records, a reference to any document discussed at the meeting.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. However, the minutes of a hearing held under ORS 332.061 shall contain only the material not excluded under ORS 332.061 (2). Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law. If the disclosure of certain material is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held, that material may be excluded from disclosure. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

(3) A reference in minutes or a recording to a document discussed at a meeting of a governing body of a public body does not affect the status of the document under ORS 192.311 to 192.478.

(4) A public body may charge a person a fee under ORS 192.324 for the preparation of a transcript from a recording. [1973 c.172 §5; 1975 c.664 §1; 1979 c.644 §4; 1999 c.59 §44; 2003 c.803 §14]

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Working Draft of a Climate Action Plan for the City of Newport.

Background:

One of the Council goals for this year is to develop a climate action plan for the City of Newport. Funding was appropriated in the current fiscal year for a community-facilitated development of a climate action plan. In subsequent discussions with the City Council, it was thought that we could pull together various steps that we can take as an organization to utilize this funding to implement various actions to address our own carbon footprint as a City organization instead of doing a larger community involvement plan. Councilor Ryan Parker had pulled together a list of potential items that could be steps taken either by the City or by others, to meet the goal of implementing climate-friendly actions by the City of Newport either directly by policy, or through collaboration with other entities. Staff added other considerations to this mix and this list was then sent to both Department Heads and Council with a request to rank the importance of each item, and whether the item was a near-term, short-term or longer-term goal for the City to try to achieve. I have attached the updated survey results, which include one additional Council member. From the original tally, I utilized these results to prepare an outline of an action plan that the City Council could consider as a basis for addressing these steps. Items that were identified as a medium-to-high priority by both Council and staff, are included in this working draft as an item to pursue. The timeframes were also determined based on the results of the survey as to whether it is an item that should be accomplished within the next two years, a timeframe of two to five years, or beyond five years.

The next section of the draft report indicates items where there was a split opinion on whether we should proceed or not with those items. These are items that the City Council should review and determine whether any of those should move forward into the working plan or not.

This is followed by a list that shows items where there was not widespread support for moving forward with them. People either indicated as a low priority or as an item where we should be taking no action. The final list of those items that either have been or will be completed.

Also, please note that there were several items that were suggested that were not included in the survey. Council should discuss how they would like to address those issues. They can be found at the end of the second section of the report.

If the Council is in general agreement with this framework for a City of Newport climate action plan, it would be my intent to work with staff to refine the verbiage and objectives

that we would try to accomplish on these identified issues to bring back for final review and approval by the City Council. Council may wish to discuss some of the items that are not included in the plan to determine whether it is appropriate for them to be moved up into the plan or not; or Council may choose to drop some items from the existing work plan, as well.

If Council is comfortable with this framework, then it would be appropriate for Council to confirm that by motion and direct staff to finalize the report. If Council wishes to go into a different direction on the climate action plan, then it would be appropriate for Council to share that direction with staff so that we can take appropriate steps.

In reviewing how to proceed with a climate action plan, a great deal of time could be taken to engage the community in these discussions and development a plan that may be more theoretical than practical for City implementation. I think that the items that are identified in this document are things that we can actually work toward implementing and measure our progress in implementing those actions.

Recommendations:

I recommend that the City Council consider the following motion:

I move to direct staff to utilize the working draft of the City of Newport Climate Mitigation Plan as a basis to develop a plan to propose for adoption by the City Council.

Fiscal Effects:

None by this action other than dedication of staff time to develop the report.

Alternatives:

Modify the various provisions, or as suggested by the City Council

Respectfully submitted,

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

Spencer Nebel
City Manager

City of Newport Internal Survey Results of City Climate Mitigation Priorities

At the August 21, 2023 City Council work session, the Council discussed the City's approach to developing a climate action plan for the City. This was identified as City Council Goal B-6 and more specifically Objectives B-6(a) *Develop and implement sustainability information on measures that the City can implement in our day-to-day operations to reduce environmental impacts* and B-6(c) *Prioritize strategies to adapt the city to address conditions created by climate change*. Part of the Council discussion focused on utilization of the \$50,000 appropriated in the current year budget to develop a climate action plan. This discussion included using this funding to actually implement a number of practices that would be ways to reduce the City's impact on climate. Councilor Ryan Parker initially compiled a list of potential action items that the City of Newport could consider taking towards this goal. Current goals that are not part of this list.

On Thursday August 10, Erik Glover and I went through the list that Councilor Parker compiled and ranked the items based on the likelihood of proceeding with the initiative in the next 18 months. One (1) means likely, if approved by the City Council, and five (5) means unlikely based on current situations. This was a quick review to facilitate the discussions for the work session on August 21.

Those items that are currently identified as City Council Goals are identified by goal number.

The survey was sent out to Council members and Department Heads. Respondents were asked to indicate the priority of each item with the number one (1) being the highest priority and number four(4) indicating that no action should be taken. In addition, responses were requested to determine the timeframe for the project to be accomplished with "A" under two years, "B" being 2-5 years, "C" being 5 years and beyond, and "D" being no action taken. Responses from 12 Department Heads and 4 Council members have been compiled. The numbers in black are responses from Department Heads and responses in red are Council members. The results can be used as a basis to develop a City Climate Mitigation plan should Council wish to proceed.

In addition, several other suggestions were made for Council consideration :

1. Conduct an energy audit of all City buildings.
2. Acquire land in the watershed.
3. Prepare for climate-related emergencies.
 - A. Water resilience/dams.
 - B. Emergency planning.
 - C. Strategies to engage the public in preparedness.
 - D. Identify areas in the city that are most vulnerable to natural disasters.

A. City Climate Mitigation Actions

Priority: 1. High; 2. Medium; 3. Low; 4. No action

Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.

		NA	1	2	3	4	A	B	C	D
A.1	Seek funding, issue a request for proposals, and contract for updating the City's Storm Water Master Plan. Goal B-2(a)		6 4	6 1			6 1	6 4		
A.2	Proceed with the first year upgrades as identified in the Wastewater Treatment Plant Master Plan. Goal B-3(a)		9 5	3			11 5	1		
A.3	Develop a plan to finance necessary improvements and capacity upgrades as identified in the Wastewater Treatment Plant Master Plan. Goal B-3(b)		11 4	1 1			10 3	2 2		
A.4	Determine the feasibility of utilizing the energy savings through the use of LED fixtures and more efficient placement of outdoor lighting to help expedite implementation of the dark sky street lighting system for the City. Goal B-5(a)		1 1	5 1	5 3	1	2 2	6 3	4	
A.5	Review model ordinances for the development of dark sky regulations for private outdoor lighting in the city. Goal B-5(b)		1 1	3	6 4	2	2	6 3	5	1
A.6	Utilize the Water Conservation Work Group to review existing ordinances and determine current provisions that would need to be amended to promote gray water diversion and rainwater storage. Goal B-7(a)	1	1 2	5 2	4 1	1	1 4	4 1	6	
A.7	Support the efforts of the Water Conservation Work Group to review methods to reduce drinking water use by residents, commercial and industrial businesses in the City of Newport. Goal B-8(a)	1	2 2	6 2	3 1		3 1	4 3	4 1	
A.8	Biodiesel for equipment use- plant-based blends available from NextGen (4) The City currently farms out maintenance of equipment. We could have discussions with Lincoln County about this.		2 1	3 2	2 2	5	2 1	2 1	4 3	4

A. City Climate Mitigation Actions

Priority: 1. High; 2. Medium; 3. Low; 4. No action Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.										
		NA	1	2	3	4	A	B	C	D
A.9	Airport Solar Farm and Grid-tied inverter/storage facility with plug shed for emergencies (1) We have initiated a preliminary feasibility study for a solar farm at the airport. Goal B-6(b)	1	1 3	6 2	4		1 2	6 3	4	
A.10	Apply for \$0-down solar arrays for city buildings and sited at city owned facilities. (1) We will apply for funding during the next grant round.		1 4	8 1	3		2 4	8 1	2	
A.11	EV purchases as fleet acquisition priorities, especially for a city Vanpool program, high mileage vehicles when available. (This has been a priority. Supply of vehicles has been limited)	1	4 3	2 2	4	1	5 3	2 2	3	1
A.12	Implement EV charge agreement modeled on DAS Charge @ Work program for state agencies. (This has been done)	3 1	2 3	3	2	2 1	3 2	4		2 2
A.13	Repair leaking water valve along Government Street. Reported numerous times. (This has been reported to Public Works and is scheduled to be done)	1 1	7 1	1 1	1	2 2	9 1	1		2 2

A. City Climate Mitigation Actions

Priority: 1. High; 2. Medium; 3. Low; 4. No action Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.										
		NA	1	2	3	4	A	B	C	D
A.14	Consider Hardscaping alternatives to mowed grass fields (in parks). Succulents, etc. Are non-urban heat absorbing ways to beautify but not emit carbon and glare. (4) This could be a longer-term goal. It would take the development of new standards for City parks.		2	6	4 4	1		1 1	6 3	5 1
A.15	Trial semi-permeable paved road segments in areas like Big Creek Road that are currently hard to maintain. Gravel and rock quarrying is extremely energy intensive. (4) Funding would need to be in place for street construction. We would need to evaluate this option when funding is in place to pave gravel streets.			3 1	6 3	4 1		1 2	6 2	5 1
A.16	Remove 2 large tires by the USCG station (Contract is in place)	1 1	4 1	1	1	5 2	5 1	1		5 2
A.17	City should adopt a mile of HWY 20 or 101, especially near the Welcome to Newport signs (there are 3 so many choices for the ODOT program) City department heads should be giving back to the city in this kind of visible way. (We can discuss this with staff)		1	2	3 5	6	2	2 2	2 4	6
A.18	Pre-treat (physically screen) stormwater in retention ponds, with metal grates at the street or other outfall devices (4) This is likely coming down the road in the next 5 to 10 years. We will be updating our storm sewer master plan and can consider steps to move in that direction at that time.		2	8 3	2 2	1	1	1	9 4	2

A. City Climate Mitigation Actions

Priority: 1. High; 2. Medium; 3. Low; 4. No action Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.										
		NA	1	2	3	4	A	B	C	D
A.19	Encourage backflow preventors for new home construction projects to mitigate homeowner expense of cleaning up a spill and limiting city liability. (5) I am not sure that this is a good solution for most homeowners. Home owners in areas subject to backups could benefit. Backflow preventer add additional costs for installation and maintenance of these devises.		1	1	3 2	7 3		2	3 1	7 4
A.20	Expand pollinator boxes to each city park that has significant open spaces (2) This is something that we can continue doing.	1	4 1	3 4	1	3	3 4	4 1	1	3
A.21	Commit to and plant a community orchard, with design assistance from OSU Extension. (1) Funds have been budgeted. The location at Big Creek Dams will need to be used for a staging area during dam construction. We need to find an alternate location for this project.	1	2	4 3	3 1	2 1	3	2 2	3 2	3 1

A. City Climate Mitigation Actions

Priority: 1. High; 2. Medium; 3. Low; 4. No action

Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.

		NA	1	2	3	4	A	B	C	D
A.22	Pave SE 50 th between Wilder Corner and the WWTP as a fire and evacuation egress. (4) This is part of our masterplan, but would likely need to be done as part of a future development. We can see if there are any possibilities with FEMA funding to assist with this project.		1	3 2	6 2	3		5 2	4 2	3 1
A.23	Fire smoke safety supply cache for employees working in smokey conditions (The Fire Department has gear and we have a big inventory of N95 masks should we get into a smoke situation during fire season)	1 1	2 1	2	4 2	3 1	2 1	4 1	2	3 2
A.24	1 additional FTE to clear city sidewalks of weeds, tripping hazards, mark crosswalks and maintain ROWs. (3) This would need to be a budget consideration. Also, we should review the code provisions for adjacent property owners to maintain weeds in sidewalks.	1	1 2	5 1	3 2	2	2 3	5 1	2 1	2
A.25	Request DLCL add a focus for wetland carbon storage in the draft 2023 Yaquina Bay Estuary Management Plan. (1) This plan is reaching its conclusion. You are a member of the Advisory Committee, so you are in a good position to have them consider this request. It is my understanding that they are trying to wrap the draft plan this month, so if you haven't done so, it would be good for you to communicate	3	1 2	1 2	2	5 1		3 3	1	5 2

A. City Climate Mitigation Actions

Priority: 1. High; 2. Medium; 3. Low; 4. No action Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.										
		NA	1	2	3	4	A	B	C	D
A.26	Plant willow and wetland shrubs along city creeks and dam outfalls to improve water quality. (3) Most of our creeks are pretty well vegetated. There are a few sections in parks that are not. What specific areas are you referring to?	1		1 2	6 2	5	1	1 3	4 1	6
A.27	Produce better downloadable fire evacuation route maps for citizens to put on their phones. (2) This is a project that we will have our internal emergency management committee review	3	4 2	1 3	3	1	4 2	2 3	2	1

B. Outside Jurisdiction, City Needs to Lobby or Partner to Enact

B.1	Encourage a northern Lincoln County PUD community solar-at Ops HQ- NE Avery Street. (1) This is an item we can place on the Work Session agenda with PUD)	1 1	2	1 1	7 1	3	3	4 1	4	3
B.2	Request PUD Board request staff do a comprehensive metering and energy use audit from City-billed electric accounts at scale (meter fee consolidation needed) (1) This would be done as part of an Ameresco type project, which we are anticipating moving forward with later this year once staffing is in place to support this effort.	1	2 2	4 3	5		4 3	3 2	4	

B. Outside Jurisdiction, City Needs to Lobby or Partner to Enact

Priority: 1. High; 2. Medium; 3. Low; 4. No action

Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.

		NA	1	2	3	4	A	B	C	D
B.3	Professionally estimate the carbon storage potential of the forest surrounding the boundaries of they yet-to-be constructed Big Creek Dam, and acquire the lands with the highest sequestration as a bioreserve, similar to North Coast Land Conservancy did in 2022. (1) It is a current goal to acquire the watershed and we are working with Sustainable Northwest on a grant application for this purpose. I am not sure of the carbon storage potential. I know that this has been reviewed conceptionally, but I am not aware of a formal estimate of carbon storage.		1 3	6	2 2	3	1	5 1	3 2	4 1
B.4	Have Lincoln County Transit provide Council a list of ways to improve service and green their fleet of large busses. (2) We can have a work session with Lincoln County Transit regarding services. We can suggest that they look at ways to green their fleet, but this would be a decision for Lincoln County.	2 1	1 1	2	4 3	3	1	3 2	3 1	3 1
B.5	Use City Franchise fees to fund community solar projects. (4) This would require a redirection of funds currently used to support the General Fund. This would be a future budget decision for the City on how to replace these funds used for existing City services.	1	1	1	3 4	6 1	1	2	1 4	7 1

B. Outside Jurisdiction, City Needs to Lobby or Partner to Enact

Priority: 1. High; 2. Medium; 3. Low; 4. No action

Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.

		NA	1	2	3	4	A	B	C	D
B.6	Air Quality Index sensor array for city hall. No AQI sensors are officially active in Lincoln County, weather app on iPhone uses AQI in Philomath and isn't accurate for fire weather events. Lane Regional Air Pollution Authority has a toolkit for small cities to add such hardware. (2) This is something we can explore.	2	2 1	1 1	4 2	3 1	2 1	1 2	5 1	2 1
B.7	Countywide Climate pledge, with measurable to-do list signed by all incorporated cities in Lincoln County. (3) This is something that the City or County could initiate. Multijurisdictional pledges do take time and require a champion to see through the process. Possibly related to Goal B-6(c)	2	1 2	3 2	4 1	2	1 1	4 3	3 1	2
B.8	Plant Shade Trees at multi-family housing complexes as a way to clean the air and provide a hedge against asphalt heat islanding. (Partner with LC Housing Authority) (3) A program could be developed where funding would be available for tree planting in these locations, or planting could be suggested, with the development of a plan identifying the correct species to plant in different locations.	1	1	2 3	5 2	3	1	2 4	5 1	3
B.9	Better trash management along School zones and DLCD property lines. Not sure what the best way to deal with this option would be?	2 1	2	2	2 3	4 1	2	1	3 3	4 1

B. Outside Jurisdiction, City Needs to Lobby or Partner to Enact

Priority: 1. High; 2. Medium; 3. Low; 4. No action Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.										
		NA	1	2	3	4	A	B	C	D
B.10	Restaurant Compost Roll-out (Support and collaborate with TSS) (2) TSS has been doing some of this on a trial basis. We can request a report from Thompsons on this initiative.	2	1 2	5 2	2 1	2	1 2	4 3	3	2

C. City Code Changes or Changes Required

C.1	Apply fire fuels standards for landscaping around city buildings, with a preference for natives. This would be something we could develop for City Owned facilities.	1	2	5 4	3 1	1	3 1	5 2	1 2	2
C.2	Update to Stormwater Runoff systems to require swales, screening and other water quality improvements along the existing discharge routes. This would be a significant effort. This could be part of the storm water master plan		2 2	2	5 3	3	2 2	1	5 3	4
C.3	Create and enforce a noxious weeds ordinance. Drafting the Ordinance is doable. Passing the ordinance would take some time. Staffing enforcement would have budgetary impacts.	1	1 2	5 1	4 2	1	1 1	7 2	3 1	1
C.4	Audit vector control at Agate Beach Transfer Station. Take of Western Gulls and Crows is significantly below what's needed. Entry road is in terrible shape. Not sure if we have a role in that beyond the fact that TSS leases the land from the City for the transfer facility.	2		3	2 5	5		2 3	3 1	5 1

C. City Code Changes or Changes Required

Priority: 1. High; 2. Medium; 3. Low; 4. No action

Timing: A. Within two years; B. Two to five years; C. Beyond five years; D. No action.

		NA	1	2	3	4	A	B	C	D
C.5	Connect the fish plants to sanitary sewer-ordinance and DEQ process required. This is something that would need to be led by the DEQ. This would have major implication for the wastewater treatment plant as well which would need to be expanded to handle the additional capacity		1	1 2	5	5 3	1	1 1	5 1	5 3

Working Draft Climate Mitigation Actions

The City of Newport has identified the following items as climate mitigation actions:

A. City Climate Mitigation Actions

Near Term (within two years)

A.2 Proceed with the first year upgrades as identified in the Wastewater Treatment Plant Master Plan. **Goal B-3(a)**

A.3 Develop a plan to finance necessary improvements and capacity upgrades as identified in the Wastewater Treatment Plant Master Plan. **Goal B-3(b)**

A.6 Utilize the Water Conservation Work Group to review existing ordinances and determine current provisions that would need to be amended to promote gray water diversion and rainwater storage. **Goal B-7(a)**

A.7 Support the efforts of the Water Conservation Work Group to review methods to reduce drinking water use by residents, commercial and industrial businesses in the City of Newport. **Goal B-8(a)**

A.20 Expand pollinator boxes to each city park that has significant open spaces **(2) This is something that we can continue doing.**

A.24 One additional FTE to clear city sidewalks of weeds, tripping hazards, mark crosswalks and maintain ROWs. **(3) This would need to be a budget consideration. Also, we should review the code provisions for adjacent property owners to maintain weeds in sidewalks.**

Mid Term (two to five years)

A.1 Seek funding, issue a request for proposals, and contract for updating the City's Storm Water Master Plan. **Goal B-2(a)**

A.9 Airport Solar Farm and Grid-tied inverter/storage facility with plug shed for emergencies **(1) We have initiated a preliminary feasibility study for a solar farm at the airport. Goal B-6(b)**

A.10 Apply for \$0-down solar arrays for city buildings and sited at city owned facilities. **(1) We will apply for funding during the next grant round.**

A.11 EV purchases as fleet acquisition priorities, especially for a city Vanpool program, high mileage vehicles when available. (This has been a priority. Supply of vehicles has been limited)

A.27 Produce better downloadable fire evacuation route maps for citizens to put on their phones. (2) This is a project that we will have our internal emergency management committee review

Long Term (more than five years)

A. 21 Commit to and plant a community orchard, with design assistance from OSU Extension. (1) Funds have been budgeted. The location at Big Creek Dams will need to be used for a staging area during dam construction. We need to find an alternate location for this project.

B. Outside Jurisdiction, City Needs to Lobby or Partner to Enact

Near Term (within two years)

B. 2 Request PUD Board request staff do a comprehensive metering and energy use audit from City-billed electric accounts at scale (meter fee consolidation needed) (1) This would be done as part of an Ameresco type project, which we are anticipating moving forward with later this year once staffing is in place to support this effort.

Mid Term (two to five years)

B.10 Restaurant Compost Roll-out (Support and collaborate with TSS) (2) TSS has been doing some of this on a trial basis. We can request a report from Thompsons on this initiative.

Long Term (more than five years)

B.3 Professionally estimate the carbon storage potential of the forest surrounding the boundaries of they yet-to-be constructed Big Creek Dam, and acquire the lands with the highest sequestration as a bioreserve, similar to North Coast Land Conservancy did in 2022. (1) It is a current goal to acquire the watershed and we are working with Sustainable Northwest on a grant application for this purpose. I am not sure of the carbon storage potential. I know that this has been reviewed conceptionally, but I am not aware of a formal estimate of carbon storage.

C. City Code Changes or Changes Required

Near Term (within two years)

None.

Mid Term (two to five years)

C.1 Apply fire fuels standards for landscaping around city buildings, with a preference for natives. This would be something we could develop for City Owned facilities.

C.3 Create and enforce a noxious weeds ordinance. Drafting the Ordinance is doable. Passing the ordinance would take some time. Staffing enforcement would have budgetary impacts.

Long Term (more than five years)

None.

Actions to be Reviewed for Possible Inclusion in the Plan

A. 4 Determine the feasibility of utilizing the energy savings through the use of LED fixtures and more efficient placement of outdoor lighting to help expedite implementation of the dark sky street lighting system for the City. Goal B-5(a)

A.18 Pre-treat (physically screen) stormwater in retention ponds, with metal grates at the street or other outfall devices (4) This is likely coming down the road in the next 5 to 10 years. We will be updating our storm sewer master plan and can consider steps to move in that direction at that time.

A.22 Pave SE 50th between Wilder Corner and the WWTP as a fire and evacuation egress. (4) This is part of our masterplan, but would likely need to be done as part of a future development. We can see if there are any possibilities with FEMA funding to assist with this project.

A.25 Request DLCL add a focus for wetland carbon storage in the draft 2023 Yaquina Bay Estuary Management Plan. (1) This plan is reaching its conclusion. You are a member of the Advisory Committee, so you are in a good position to have them consider this request. It is my understanding that they are trying to wrap the draft plan this month, so if you haven't done so, it would be good for you to communicate.

A.26 Plant willow and wetland shrubs along city creeks and dam outfalls to improve water quality. (3) Most of our creeks are pretty well vegetated. There are a few sections in parks that are not. What specific areas are you referring to?

B.1 Encourage a northern Lincoln County PUD community solar-at Ops HQ- NE Avery Street. (1) This is an item we can place on the Work Session agenda with PUD)

B.7 Countywide Climate pledge, with measurable to-do list signed by all incorporated cities in Lincoln County. (3) This is something that the City or County could initiate. Multijurisdictional pledges do take time and require a champion to see through the process. Possibly related to Goal B-6(c)

B.8 Plant Shade Trees at multi-family housing complexes as a way to clean the air and provide a hedge against asphalt heat islanding. (Partner with LC Housing Authority) (3) A program could be developed where funding would be available for tree planting in these locations, or planting could be suggested, with the development of a plan identifying the correct species to plant in different locations.

In addition, several other suggestions were made for Council consideration :

1. Conduct an energy audit of all City buildings.
2. Acquire land in the watershed.
3. Prepare for climate-related emergencies.
 - A. Water resilience/dams.
 - B. Emergency planning.
 - C. Strategies to engage the public in preparedness.
 - D. Identify areas in the city that are most vulnerable to natural disasters.

Actions Not Included in the Working Draft

A. 5 Review model ordinances for the development of dark sky regulations for private outdoor lighting in the city. Goal B-5(b)

A.8 Biodiesel for equipment use- plant-based blends available from NextGen (4) The City currently farms out maintenance of equipment. We could have discussions with Lincoln County about this.

A.14 Consider Hardscaping alternatives to mowed grass fields (in parks). Succulents, etc. Are non-urban heat absorbing ways to beautify but not emit carbon and glare. (4) This could be a longer-term goal. It would take the development of new standards for City parks.

A.15 Trial semi-permeable paved road segments in areas like Big Creek Road that are currently hard to maintain. Gravel and rock quarrying is extremely energy intensive. (4) Funding would need to be in place for street construction. We would need to evaluate this option when funding is in place to pave gravel streets.

A.17 City should adopt a mile of HWY 20 or 101, especially near the Welcome to Newport signs (there are 3 so many choices for the ODOT program) City department heads should be giving back to the city in this kind of visible way. (We can discuss this with staff)

A.19 Encourage backflow preventors for new home construction projects to mitigate homeowner expense of cleaning up a spill and limiting city liability. (5) I am not sure that this is a good solution for most homeowners. Home owners in areas subject to backups could benefit. Backflow preventer add additional costs for installation and maintenance of these devices.

A.23 Fire smoke safety supply cache for employees working in smoky conditions (The Fire Department has gear and we have a big inventory of N95 masks should we get into a smoke situation during fire season)

B.4 Have Lincoln County Transit provide Council a list of ways to improve service and green their fleet of large busses. (2) We can have a work session with Lincoln County Transit regarding services. We can suggest that they look at ways to green their fleet, but this would be a decision for Lincoln County.

B.5 Use City Franchise fees to fund community solar projects. (4) This would require a redirection of funds currently used to support the General Fund. This would be a future budget decision for the City on how to replace these funds used for existing City services.

B.6 Air Quality Index sensor array for city hall. No AQI sensors are officially active in Lincoln County, weather app on iPhone uses AQI in Philomath and isn't accurate for fire weather events. Lane Regional Air Pollution Authority has a toolkit for small cities to add such hardware. (2) This is something we can explore.

B.9 Better trash management along School zones and DLCD property lines. Not sure what the best way to deal with this option would be?

C.2 Update to Stormwater Runoff systems to require swales, screening and other water quality improvements along the existing discharge routes. This would be a significant effort. This could be part of the storm water master plan

C.4 Audit vector control at Agate Beach Transfer Station. Take of Western Gulls and Crows is significantly below what's needed. Entry road is in terrible shape. Not sure if we have a role in that beyond the fact that TSS leases the land from the City for the transfer facility.

C.5 Connect the fish plants to sanitary sewer- ordinance and DEQ process required. This is something that would need to be led by the DEQ. This would have major implication for the wastewater treatment plant as well which would need to be expanded to handle the additional capacity

Actions Completed or Under Contract to be Completed and Not Necessary to Include in the Plan

A.12 Implement EV charge agreement modeled on DAS Charge @ Work program for state agencies. (This has been done)

A.13 Repair leaking water valve along Government Street. Reported numerous times. (This has been reported to Public Works and is scheduled to be done)

A.16 Remove 2 large tires by the USCG station (Contract is in place)

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Scheduling a Council Tour of Various City Facilities.

Background:

Over the past year we have attempted to schedule a tour of various city facilities on a couple of occasions and have had to cancel due to conflicts and other issues preventing number of Council members from participating in the tours. It is important for the Council members to have an opportunity to see the various activities going on at facilities like the wastewater treatment plant, water plant, fire station and other facilities that you do not normally visit. I am proposing that we conduct a Council tour on Monday, October 30 beginning at 9 AM and wrapping up around 4 PM on that day. If this date works with the majority of Council members, I would like to proceed with the tours. We can provide a second tour for those that are unable to participate on the 30th at a later time, if requested. If a majority of Council can participate on October 30 I would like to proceed with that tour on that day. Please note that the tour would be in place of a possible town meeting on that date.

Recommendation:

I recommend that the City Council consider the following motion:

I move to schedule a facilities tour on October 30 from 9 AM till 4 PM to review various city facilities.

Fiscal Effects:

None.

Alternatives:

Schedule this on a different date, or suggested by the City Council.

Respectfully submitted,

Spencer Nebel
City Manager

CITY MANAGER REPORT AND RECOMMENDATIONS



Meeting Date: October 16, 2023

Agenda Item:

Report on Sustainable Northwest's Oregon Coastal Resilience Source Water Acquisition Project.

Background:

City staff has been working with Sustainable Northwest on various efforts to seek funding for the purchase of private lands within sensitive watersheds. Sustainable Northwest has included the cities of Newport, Seaside, and Rockaway Beach, the Neskowin Water District, the State of Oregon Department of Environment Quality, and Parks and Recreation to leverage over \$25 million in federal grant funds to purchase private property within these sensitive watersheds, including Big Creek. This is a new program that is an offshoot of the Inflation Reduction Act with the funds being directed through the National Oceanic and Atmospheric Administration (NOAA). Sustainable Northwest is awaiting an indicate invitation to make full application for this funding. If they are invited to submit, then the City Council will need to take formal action to support the proposal. There is no action required at this time.

Recommendation:

None.

Fiscal Effects:

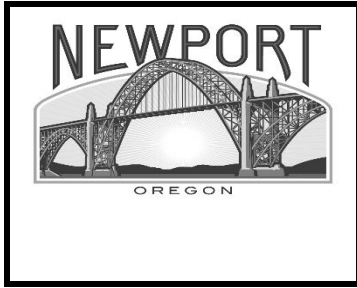
None by providing this report.

Alternatives:

None recommended. .

Respectfully submitted,

Spencer Nebel
City Manager



**STAFF REPORT
CITY COUNCIL AGENDA ITEM**

Meeting Date: October 16, 2023

Title: Sustainable Northwest's Oregon Coastal Resilience Source Water Acquisition Project

Prepared by: Derrick I. Tokos, AICP, Community Development Director

Recommended Motion: None. This is an informational item.

Background Information: Sustainable Northwest, in collaboration with the City of Newport and other coastal communities, has actively sought to expand public ownership of watersheds that citizens rely upon for their drinking water. An opportunity recently presented itself for Sustainable NW to pull together a regional collaboration involving the cities of Newport, Seaside, and Rockaway Beach, the Neskowin Water District, and the State of Oregon Departments of Environmental Quality and Parks and Recreation to leverage over \$25 million in federal grant funds to purchase private land within these sensitive watersheds to prevent them from being further fragmented, developed, or subject to seasonal use pressure that negatively water quality and supply. This particular grant, described in greater detail below, is available by invitation only. Prospective applicants were required to submit their proposals by the end of August, and they will learn whether or not they have the option of applying by mid-October.

This particular grant is new. It is an offshoot of the Inflation Reduction Act, with the funds being directed through the National Oceanic and Atmospheric Administration (NOAA). It is a two track grant program, titled the "NOAA Climate Resilience Regional Challenge," and its purpose is to fund collaborative approaches to achieving resilience in coastal regions with an emphasis on risk reduction, regional collaboration, equity, and building enduring capacity.

The first track of the program has been structured to assist coastal communities with regional initiatives to build capacity, foster collaboration, and develop transformational resilience and adaptation strategies. It is a planning grant to support regional scale coordination that fosters engagement and advance equitable outcomes. Successful applicants will receive between \$500,000 and \$2,000,000. Total track one funding is \$25 million.

The second track supports implementation of transformational regional resilience and adaptation strategies and associated actions for coastal communities anchored in previous planning efforts. Applicants must propose a suite of complementary adaptation actions that together build the resilience of multiple communities within a coastal region, including those that have been marginalized, underserved, or underrepresented. Substantially more funding is available in this track, with applicants applying for not less

than \$15,000,000 and not more than \$75,000,000. Total funding available for all Track Two awards is up to \$550,000,000.

Sustainable Northwest reached out to City staff to confirm that they could include Newport as part of the regional collaboration when they were putting together the letter of intent. If they are invited to apply, then it is likely that the City Council will need to take formal action to support the proposal.

Fiscal Notes: None.

Alternatives: None at this time.

Attachments:

Letter of Intent from Sustainable Northwest
NOAA Notice of Grant Funding Opportunity

NOAA CLIMATE RESILIENCE REGIONAL CHALLENGE

COVER PAGE

To: NOAA Office for Coastal Management

Purpose: NOAA Climate Resilience Regional Challenge (2023)

Project Title: *Oregon Coastal Resilience - Source Water Acquisition*

Funding Track: *Track Two Funding*

Lead Applicant: Daniel Wear, Sustainable Northwest,
Email: dwear@sustainablenorthwest.org
Phone: 206-317-4614
Address: 233 SW Naito Parkway, Suite 200
Portland, OR, 97204
(Include the full name, affiliation, and contact information, including phone number, mailing address, and email address.)

Project Director: *(Same as above: Lead Applicant)*

Federal Funding Request: **\$25,684,193**

Geographic Description: The focus of this project's geographic region is on Oregon's Mid & North Coast, specifically within the counties of Clatsop, Lincoln and Tillamook Counties. This includes five independent forested watershed properties, currently identified for the cities of Newport, Seaside, Rockaway Beach, and Yachats,, as well as the unincorporated community of Neskowin.

Participating Jurisdictions: City of Newport, City of Rockaway Beach, City of Seaside, Neskowin Water District, Oregon Department of Environmental Quality, and Oregon Parks and Recreation Department.

Collaborators:

- Coalition of Oregon Land Trusts
- North Coast Land Conservancy
- Nuveen Natural Capital
- Neskowin Water District
- Weyerhaeuser Company
- The City of Newport
- Manulife/ Hancock Timber
- Springboard Forestry
- City of Rockaway Beach
- City of Seaside
- View the Future
- Oregon Department of Environmental Quality
- Oregon Parks and Recreation Department

Period of Performance: October 2024 - June 2029

Resilience Vision

In Oregon, over 50% of the land area surrounding community drinking water sources is privately owned. Many of these lands face conversion to development, fragmentation, and seasonal use pressures negatively impacting water quality and supply. Increased conservation practices and protections are necessary to increase these lands' resilience to climate change and ensure long-term water quality and security for some of Oregon's most vulnerable communities.

These issues are particularly acute on the Oregon Coast, where 50 communities rely on a supply of surface water,¹ known as source water, to provide clean drinking water. These source water supplies include rivers, streams, reservoirs, and the forested areas which surround them. Source water supplies are continuously threatened due to changing land use, unsustainable land management practices, commercial or residential conversion, and impacts of catastrophic wildfire. Unfortunately, climate change is now dramatically exacerbating threats on the coast to communities and ecosystems due to higher intensity weather patterns and greater periods of water supply uncertainty. During the wet season, water suppliers are vulnerable to increased precipitation events, causing flooding and pulses of sedimentation and runoff that compromise water quality and require expensive chemical treatment options. During the dry season, communities are experiencing extended periods of drought,² which present water supply issues, especially for those reliant on limited stream supplies. The current era of unprecedented climatic challenges and water uncertainty presents major risks to underserved communities and unique ecosystems and habitat on the Oregon Coast.

Recent studies find that healthy, diverse, and intact forests act as effective storage and filtration systems for rainfall, precipitation, and moisture in watersheds (FAO, IUFRO and USDA. 2021).³ With the ongoing decrease in precipitation reaching each source water area, it is vital that coastal Oregon communities have forests capable of storing water later into the dry season, able to resist disease and wildfire, and effectively withstand high intensity weather events to prevent downstream flooding and sediment pulses. Ownership, management, and protection of forests within watersheds is consistently recognized as one of the best tools for local governments to achieve water supply security and climate resiliency. Healthy forests also provide substantial co-benefits beyond clean and abundant drinking water, including habitat for coastal species, cool stream temperatures for migratory salmon, recreational or public access for under-resourced communities, and long term economic opportunity.

This proposed initiative will support five communities and nearly 20,000 residents in predominantly lower income and underserved areas by bundling forestland acquisition into a replicable model to increase the pace and scale of source water and ecosystem protection along the Oregon Coast. This will ensure that forests remain healthy and functional, provide natural buffers against extreme weather, and complement other measures and infrastructure to protect communities and achieve climate resilience. The program will also provide funding and technical assistance to build local capacity, support enduring forest management and conservation, and facilitate acquisition due diligence. This effort will provide a blueprint for future land acquisition efforts in similar coastal communities, and showcase innovative regional coordination among industrial timber landowners, conservation organizations, local governments, and state agency partners to capitalize on growing momentum to achieve coastal resilience in a changing climate.

This program will help communities, water suppliers, and conservation organizations achieve the following outcomes:

- Secure plentiful and high quality drinking water in vulnerable Oregon coastal communities.

¹ Drinking Water Data for Coastal Communities. Ecotrust. Portland. <https://ecotrust.org/drinking-water-data-for-coastal-communities/>

² As of August 8, 2023, the U.S. Drought Monitor shows Clatsop, Lincoln and Tillamook County all experiencing moderate to severe drought conditions, with 97% of Tillamook County experiencing drought conditions, 40% of which residing in severe drought conditions. Meanwhile, 100% of Lincoln County is experiencing drought conditions, with 97% of the county in severe drought conditions.

³ A guide to forest-water management. FAO Forestry Paper No. 185. Rome. <https://doi.org/10.4060/cb6473en>.

- Improve forest health to maintain functionality and increase resilience to climate change.
- Protect critical ecosystems and habitats experiencing increased climate related threats.
- Leverage state and private funding to protect water resources and public health.
- Maintain working forests and drive economic benefit in tourism dependent communities.

Regional Context

In recent years, land use on the Oregon Coast has undergone a significant transition. A rapid expansion of short-term rentals and record tourism has increased pressure on previously undeveloped areas, such as intact and diverse forestland, and is contributing to dwindling water supplies. As more land is acquired and converted into residential or commercial properties, motivation grows for development within watersheds. Meanwhile, the need for more consistent and protected water supplies expands alongside population pressures. Any reduction of forestland within source water areas has a direct impact on the retention and filtration capacity of forests, and the resulting “green infrastructure” support for coastal water systems. Coupled with the rising impacts of climate change, including unpredictable precipitation events and extended periods of drought, coastal water suppliers, communities, and ecosystems are experiencing unprecedented strain.

The State of Oregon recently addressed these compounding challenges and recognized that a reliable supply of drinking water is a top concern and priority to ensure resilience for communities in Oregon’s Mid and North Coast. Numerous risks were identified by the Oregon Department of Environmental Quality (DEQ)⁴, such as climate change, highly erodible soils, recently managed forestlands, and residential land and infrastructure development. These concerns have generated significant public and political interest, including discussion of the need for mechanisms to support community acquisition and protection of lands around drinking water sources. Consequently, the Oregon Legislature established a new program at the Oregon Watershed Enhancement Board (OWEB) in the 2023 session, and \$5 million was appropriated statewide for the biennium to protect source drinking water areas. OWEB and SNW are working in close partnership to ensure this fund aligns with the intention of the State-wide source water challenges.

This proposal is also timely given Oregon’s decade-long difficulties meeting the conditions of the Coastal Zone Management Plan and Clean Water Act, in part due to concerns regarding forest and road management from NOAA and EPA.⁵ These concerns have led to the withholding of a portion of funds under Section 306 of the Coastal Zone Management Act and Section 319 of the Clean Water Act. Since then, progress has been made by negotiation between timber interests and conservation groups, leading to creation of the Oregon Private Forest Accords⁶ and subsequent support from the Oregon Governor and Legislature for a private Oregon forestland Habitat Conservation Plan.

These positive developments and shifting political alignment provide important precedents for a collaborative federal, state, and private initiative to aggregate several coastal communities and watersheds to achieve climate resilience and water security. However, state resources and recent policy changes provide just a fraction of the necessary resources to meet the scope of need identified by state agencies and local governments. Funding from NOAA will achieve a scaled impact in some of Oregon’s largest and most vulnerable coastal communities, improving public health, ecosystem function, and climate resilience. Doing so will provide a template for similarly situated coastal communities across the Pacific Northwest to pursue and realize the economic, ecological, and social benefits of intact forestlands and resilient watersheds.

⁴Oregon Public Water Systems Surface Water Resource Guide. Oregon Department of Environmental Quality. Portland.

<https://www.oregon.gov/deq/FilterDocs/SurfaceWaterResourceGuide.pdf>

⁵ NOAA AND EPA RESPONSE TO COMMENTS REGARDING THE AGENCIES’ PROPOSED FINDING THAT OREGON HAS NOT SUBMITTED A FULLY APPROVABLE COASTAL NONPOINT PROGRAM. NOAA. WASHINGTON DC.:

<https://coast.noaa.gov/data/czm/pollutioncontrol/media/ORCZARARtC.pdf>

⁶ <https://www.oregon.gov/odf/pages/private-forest-accord.aspx>

Partnership and Collaboration

Spanning communities and water suppliers in Clatsop, Lincoln, and Tillamook Counties, this project will support land acquisition, property ownership and management, and ensure clean, reliable water in five coastal communities, three of which have been identified as disadvantaged by the State of Oregon.

- The City of Newport, for acquiring 1,500 acres of priority property and dam design.
- The City of Rockaway Beach, for the acquisition or land use easement of 559 acres of priority forestland.
- View the Future and Oregon Parks and Recreation Department, for the acquisition of 953 acres of priority forestland within the Yachats River Watershed.
- The City of Seaside, for the acquisition of 1,890 acres of priority forestland.
- Neskowin Water District, for acquisition of 1,300 acres of priority forestland.

Over the past decade, Sustainable Northwest has partnered with numerous coastal municipalities, organizations, and local stakeholders to balance forest ownership with the protection of community drinking water supplies. These partnerships seek to maintain forests as green infrastructure to complement existing gray infrastructure, establish permanent source water protection, and mitigate the risks posed by drought conditions, flooding, and other severe weather events. In addition to land acquisition and conservation, these collaborations have focused on building durable local capacity for water suppliers and community-based organizations, and advancing coastal conservation priorities.

Recent successes have included the acquisition of 1,500 acres of forestland containing the community of Arch Cape's source drinking water supply, acquisition of a 160 acre parcel in the City of Port Orford's watershed, and additional forest management planning and due diligence with the Cities of Coquille, Newport, and Rockaway Beach. Our work in these communities, as well as collaboration with local government, water districts, landowners, and conservation organizations has highlighted the increasing demand for local ownership, management, and conservation of individual community water supplies.

Sustainable Northwest has also proven itself as an effective facilitator of federal funding to partners and communities. Our organization is currently sub-awarding and contracting \$40 million in federal funds to communities pursuing wildfire recovery, climate-resilient forestry, and regenerative ranching and agriculture. We also manage and facilitate the Northwest Community Forest Coalition, providing technical assistance, financial, and consulting services to diverse communities, landowners, and conservation organizations across the region.

This project's established network of local governments, community partners, landowners, and conservation organizations provides an unprecedented opportunity for regional collaboration to achieve scaled source water protection and improved climate resilience for communities and ecosystems. Each of the identified communities will be provided resources to both acquire properties and establish a sustainable management plan. This will ensure enduring capacity for long-term success and adaptive management, local economic benefit, and ecological resilience. This collaborative capacity building model will also support replication for additional under-resourced communities and partners seeking source water protection and enhanced climate resilience across the Pacific Northwest.

Proposed Activities and Outcomes

This proposal includes the acquisition of over 6,000 acres of priority property within DEQ identified Source Water Areas on Oregon's Mid and North Coast, and development of corresponding local capacity for enduring forest management to achieve climate resilience. Each of these acquisitions will require different levels of funding, capacity support, and technical assistance. In addition to resources for forestland acquisition, each community will receive customized technical assistance from expert consultants to develop a long-term forest management and conservation plan, and establish strategies for implementation and adaptive management. As a result of this effort, the Mid and North Coast of Oregon will see a transition towards drinking water security for over 20,000 year-round residents,

achieving an equitable distribution of resources and resiliency for lower-income, under-resourced, and rurally designated communities. These communities include:

Neskowin: The Neskowin Regional Water District is working to protect the 1,500 acre Hawk Creek source water area that supplies drinking water to residents. The water district has a productive relationship with the largest landowner in the watershed, Weyerhaeuser, who owns 1,300 acres in the upper watershed. The district has been working on title review, appraisals, and consulting with forestland managers to determine acquisition and management challenges, as well as property values in the watershed. The water district is now ready to acquire 1,300 acres from Weyerhaeuser at an estimated cost of \$5.4 million. Beyond pursuing water security in a changing climate, the water district seeks to protect water for ESA listed Coho salmon that return to Hawk Creek every year, and 21 other species identified for protection by the Oregon Department of Fish and Wildlife in the Oregon Conservation Strategy. This rurally designated 300 person community is highly reliant on a single source to provide its drinking water supply, and over 87% of properties are located in vulnerable flood risk zones, as identified by the EPA's Environmental Justice Screener and Mapping Tool.

Newport: The City of Newport has identified the acquisition of forest property to pair with replacement of the community's earthen dam. Newport has established a relationship with the local landowner, Hancock Timber, enabling a potential acquisition of 1,500 acres within the Big Creek Watershed, at an estimated cost of \$6 million. This acquisition will enhance the earthen dam replacement effort, also located within Newport's Big Creek Watershed, at an estimated cost of more than \$80 million (2020 dollars). The city has already obtained \$14 million in state lottery funds, and used that commitment to leverage a \$60 million authorization from the federal government. However, current funding secured for the Newport Dam will not cover funding needed for forestland acquisition. NOAA funding for green infrastructure (forestland acquisition) will pair with this gray infrastructure (earthen dam renovation) project to provide assurances for the long-term protection of the communities' drinking water supply. The EPA's Environmental Justice Screening and Mapping Tool lists Newport as a low-income community, with a majority of its 10,000 residents receiving water from the Big Creek Water Supply falling between the 60th and 90th percentile in the low-income tool of the screener. The tool also shows that over 2,000 residents are vulnerable to flooding based on the seismic risks associated with the current earthen dam.

Seaside: The City of Seaside has prioritized ownership of forestlands within their source water area, and is seeking additional acquisitions. A 1,890 acre parcel is currently in consideration for conservation easement or sale from North Coast landowner Nuveen Natural Capital at an estimated cost of \$8 million. This property lies within the Source Drinking Water Area of Seaside within the Necanicum River Watershed, adjacent to Seaside's current 960 acres of ownership. This provides a showcase opportunity to maintain working forest lands with increased conservation protections for reliable drinking water and sustainable supply to support seasonal tourism. This acquisition will also serve as an assurance to Seaside's water security and reliability to the community's year-round residents. Seaside is listed as a low-income community according to the EPA's Environmental Justice Screener and Mapping Tool. Over half of the City's residents fall within the 72nd and 94th percentile in the low-income tool of the screener, with 93% of properties located in vulnerable flood risk zones.

Rockaway Beach: Conservation partners on the North Coast, including Sustainable Northwest, North Coast Land Conservancy, Nuveen Natural Capital, and the City of Rockaway Beach, have been working closely with community members on cooperative management of a 559 acre forested area within the Jetty Creek Watershed at an estimated cost of \$3 million. Funding would ensure that over half of the water supply of Jetty Creek to the City of Rockaway Beach would be managed with the primary goal of sustaining water quality and quantity. Rockaway Beach is listed as a low-income community according to the EPA's Environmental Justice Screener and Mapping Tool. The portions of the city and the community receiving water from Jetty Creek fall between the 56th and 72nd percentile within the low-income tool of the screener, with 89% of properties located in vulnerable flood risk zones.

Yachats: Conservation partners on Oregon's Mid-Coast, including Oregon State Parks and Recreation Department and View the Future, are working to acquire 953 acres of priority forestland at an estimated cost of \$4 million outside of Yachats, Oregon. This property lies within the Source Drinking Water Area of the Yachats River, and is currently the communities' backup water supply. If acquired, the Yachats Ridge Property will secure a critical forest buffer and watershed protection area for residents, while also providing an accessible tsunami evacuation area and increased recreation opportunities. According to the EPA's Environmental Justice Screening Tool, over half the Yachats community is listed as low-income, at the 51st percentile, with 90% of these properties located in vulnerable flood risk zones.

Collectively, these strategic project areas will acquire over 6,000 acres of critical drinking water source areas in the at-risk forested watersheds of five communities, including two of the largest coastal communities in Oregon. By strengthening relationships between local municipalities, water authorities, conservation organizations, community members, and industrial landowners, this initiative will aggregate a cohort of coastal watersheds, providing a powerful template for similarly situated communities along the Oregon Coast and across the Pacific Northwest. This effort will leverage federal, state, and private funding, build durable local capacity and collaborative partnerships, and protect drinking water source areas and ecosystems to achieve climate resilience and broad socioeconomic benefit along the Oregon Coast.

Budget Summary

The preliminary budget for this project is **\$25,684,193**, broken into five distinct categories.

Sustainable Northwest Personnel: **\$500,000** will support Sustainable Northwest staff time for the project period. SNW will serve as administrator of project funds and lead all monitoring and reporting activities necessary to comply with federal requirements. Sustainable Northwest will also serve as a project manager in partnership with individual water systems. Staff will provide capacity to local partners to finalize acquisitions, support forest management plan development, and identify and facilitate additional water quality protection activities over the five year project period.

Contracts: Contract funding will include due diligence, legal fees, local capacity building, and costs for expert consultation to ensure capacity for long-term forest management planning and implementation, with the priority of water quality protection and climate resilience. A total of **\$1,125,000** for these activities includes an estimated \$750,000 in due diligence costs and an estimated \$375,000 for legal review for the suite of projects. All contracting costs will be distributed on an as needed basis. Given the complexity of each project and variance of each acquisition timeline, contracts will be executed with partnering water districts, conservation partners, and other project participants throughout the five year project period.

Sub-Awards: Subaward funding covers the estimated cost of acquisition for each of the identified properties. A total of five sites are currently under consideration, bringing the preliminary acquisition cost to **\$23,576,023**.

Travel: Travel costs during the project period consist of **\$75,000** for staff and contractors. This includes a budget for 15 site visits per year over five years, at a cost of \$1,000 per visit.

Indirect: Sustainable Northwest's negotiated NIRCA Rate is 24.01%. When applied to \$1,700,000 of contracting, personnel, and travel expenses, this indirect expense comes to **\$408,170**.

Technical assistance from NOAA: No technical assistance from NOAA is requested within this scope.

Inflation Reduction Act: NOAA Climate Resilience Regional Challenge

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce

Funding Opportunity Title: Inflation Reduction Act: NOAA Climate Resilience Regional Challenge

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCM-2023-2008068

Federal Assistance Listings Number: 11.473, Office for Coastal Management

Dates: Letter of Intent Date: Letters of Intent are required and must be postmarked, provided to a delivery service, or received by electronic mail by 11:59 PM Eastern Time on August 21, 2023. Use of a delivery service must be documented with a receipt. No facsimile applications will be accepted. Electronic mail must be sent to resiliencechallenge@noaa.gov.

Full Application Date: Invited full applications must be postmarked, provided to a delivery service, or received by www.Grants.gov by 11:59 PM Eastern Time on February 13, 2024. Use of a delivery service must be documented with a receipt. No facsimile or electronic mail applications will be accepted.

Funding Opportunity Description: The NOAA Climate Resilience Regional Challenge (Challenge) will support collaborative approaches to achieving resilience in coastal regions with an emphasis on risk reduction, regional collaboration, equity, and building enduring capacity. The Challenge is a \$575 million competition with a Letter of Intent phase and two exclusive funding tracks designed to meet the needs of coastal communities wherever they are in the resilience and adaptation process.

Regional Collaborative Building and Strategy Development (Track One) supports building capacity for, development of, and collaboration on transformational resilience and adaptation strategies for coastal communities. Successful applicants will receive \$500,000 to \$2,000,000 to support regional scale coordination, engagement, planning, advancement of equitable outcomes, and capacity building for resilience and adaptation. Total funding for all Track One awards may be up to \$25 million.

Implementation of Resilience and Adaptation Actions (Track Two) supports implementation of transformational resilience and adaptation strategies and associated actions for coastal

communities anchored in previous planning efforts. Applicants must propose a suite of complementary adaptation actions that together build the resilience of multiple communities within a coastal region, including those that have been marginalized, underserved, or underrepresented. Applicants can apply for not less than \$15,000,000 and not more than \$75,000,000, with most awards being between \$25,000,000 and \$50,000,000. Total funding available for all Track Two awards is up to \$550,000,000.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

1. Background

U.S. coastal counties are home to 40% of the nation's population, employ 54.6 million people, and produce \$9.6 trillion in goods and services. These counties and their communities are experiencing not just rapid but accelerating change and increased risks from the combined effects of storms, precipitation, sea level rise, and other physical stressors. The Fourth National Climate Assessment (NCA4, 2018) highlighted the significant risk to coastal property and public infrastructure from increases in the frequency, depth, and extent of tidal flooding due to sea level rise, with cascading impacts to the Nation's economy. Higher storm surges due to sea level rise and the increased probability of heavy precipitation events increase the risk. By the latter part of this century, many more coastal communities will suffer financial impacts as chronic high tide flooding leads to increased infrastructure damage. As the pace and extent of coastal flooding and erosion accelerates, climate change impacts along our coasts are compounding pre-existing social inequities and communities are facing difficult questions about the costs and tradeoffs associated with adaptation strategies, including if, how, or when to relocate infrastructure.

Coastal communities also face additional threats from the changing climate, including extreme heat, wildfire, drought, and ocean acidification. These stressors also impact coastal economies, social systems, and important coastal ecosystems. In response to these climate threats, the "Executive Order on Tackling the Climate Crisis at Home and Abroad", (E.O. 14008 at <https://www.govinfo.gov/content/pkg/DCPD-202100095/pdf/DCPD-202100095.pdf>) lays out a range of responsibilities for federal agencies to tackle the climate crisis, including a directive to align Federal financial programs to support robust climate action and deliver environmental justice in communities across America. The order also calls upon federal agencies to align the creativity, courage, and capital necessary to make our Nation resilient and points to the essential role of coastal communities in improving our resilience to weather and climate impacts.

Climate change does not respect jurisdictional boundaries and poses a challenge that surpasses the capacity of any single organization or government agency to resolve, necessitating cross-jurisdictional and cross-sectoral adaptation solutions. While many coastal communities have begun to identify their climate risks, mechanisms are needed to effectively coordinate and execute resilience and adaptation actions across jurisdictions and

sectors in a way that will meaningfully engage marginalized, underserved, or underrepresented communities. Regional collaboration can dramatically improve how we achieve coastal resilience by aligning adaptation strategies across jurisdictions and sectors to achieve co-benefits. Co-benefits are the supplemental positive impacts (e.g., job creation, habitat conservation, recreation, etc.) that can result from adaptation actions in addition to the direct risk reduction benefits (e.g., reduced cost of flooding). Regional collaboration on climate adaptation also promotes the leveraging of resources, enables collective action that includes input from and benefits to marginalized, underserved and underrepresented populations, and allows for development of more durable solutions that multiply the value of individual efforts.

Entire segments of our society have been marginalized, underserved, or underrepresented in efforts to prepare for, respond to, recover from, and adapt to weather and climate impacts, despite being at greater risk due to lack of resources, accessibility constraints, and systemic institutional barriers. This includes Tribes and Indigenous People who are disproportionately affected by climate change and face additional institutional barriers in order to adapt to the most severe impacts (Fourth National Climate Assessment). Executive Order 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All* (<https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>), and its predecessor E.O. 13985 (<https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>), emphasize the need for Federal agencies to take actions to redress unfair disparities and remove barriers to government programs and services. E.O. 14096 places even greater urgency on the Federal Government to “. . . build upon and strengthen its commitment to deliver environmental justice to all communities across America. Our Nation needs . . .”. Executive Order 14008 also established the Justice40 Initiative, directing that 40% of the overall benefits from federal climate and clean energy investments flow to disadvantaged communities and that such communities accrue the benefits of those investments.

With funding from the Inflation Reduction Act (P.L. 117-169, Section 40001), NOAA has designed the Climate Resilience Regional Challenge to catalyze equitable adaptation through regional scale collaboration and implementation of adaptation actions that will reduce future damage from weather and climate impacts. The Federal investments being made through NOAA's Climate Resilience Regional Challenge also provide a unique opportunity to build enduring capacity for adaptation in coastal areas, including marginalized, underserved, and underrepresented communities. This investment further supports the directive in Executive Order 14008 (referenced above) to secure environmental justice and spur economic opportunity for disadvantaged communities. Adaptation actions

supported by this funding will contribute to the Interagency Memorandum of Understanding (MOU) on Promoting Equitable Access to Nature in Nature-Deprived Communities, which seeks to support locally led conservation and park projects in nature-deprived communities. NOAA will partner with award recipients to provide technical assistance (e.g., scientific expertise, knowledge of coastal resource management, technical and training capabilities) in support of these regional efforts and to help ensure lasting progress toward equitable resilience and adaptation. For more information on the Climate Resilience Regional Challenge and to learn about technical assistance from NOAA, visit: <https://coast.noaa.gov/funding/ira/resilience-challenge/>

In recognition that some communities are just beginning to address climate challenges, while others have been planning for many years, this funding opportunity includes two distinct and exclusive tracks:

- Regional Collaborative Building and Strategy Development (Track One): Funding under Track One supports the development and operation of regional collaboratives to generate transformational resilience and adaptation strategies for coastal communities, including those that have been marginalized, underserved, or underrepresented. This funding track will meet communities where they are in the adaptation process, advance equitable resilience, adaptation planning and partnership building, and establish more entities with local capacity for implementing future on-the-ground resilience and adaptation actions. Track One funding, combined with technical assistance from NOAA, will allow successful applicants to plan for holistic resilience and adaptation investments, initiatives and policies, and build enduring capacity for future adaptation efforts.
- Implementation of Resilience and Adaptation Actions (Track Two): Funding under Track Two supports transformational resilience and adaptation actions that are ready for implementation and will greatly and measurably reduce risk and vulnerability in coastal areas while advancing equity. This funding track supports implementation of a suite of complementary resilience and adaptation actions that:
 - extend benefits beyond the boundaries of one town and avoid detrimental consequences for others (e.g. stormwater improvements that reduce coastal erosion in one community but increase flooding in another);
 - are holistic and provide co-benefits (e.g., a system of nature-based installations that protect multiple communities and provide open space and access to nature); and
 - provide equitable outcomes that benefit the entire community, including marginalized, underserved, or underrepresented residents.

This funding, combined with technical assistance from NOAA, will enable successful applicants to implement resilience and adaptation actions that provide measurable risk reduction outcomes and support related initiatives and policies, while building enduring capacity for future adaptation efforts.

2. Program Overview

The Climate Resilience Regional Challenge is a two-track competition. Applicants must clearly identify in their application the track that should be used to evaluate their proposal (Regional Collaborative Building and Strategy Development, or Implementation of Resilience and Adaptation Actions). Applicants should select a category based on the evaluation criteria in Section V.A. If a category is not identified by the applicant within the proposal, NOAA will identify a category for the applicant. No appeals regarding placement will be considered.

All applicants must identify the geographic region that they propose to serve for the purposes of this competition. The geographic region must be located within one or more coastal states or territories as defined in the Coastal Zone Management Act (See Section III.A Eligibility), and should be of a size and scope to be able to demonstrate, with the amount of funding available from NOAA, significant, tangible resilience and adaptation outcomes that benefit the identified region and local coastal communities. NOAA encourages applications that benefit tribal lands and/or tribal priorities, and a region may be made up of or include tribal lands. A region may include lands governed by multiple Tribes within a single compact area, such as a watershed. Alternatively, a region may include multiple parts of geographically connected states or tribal lands facing similar weather and climate impacts. Specified regions should be of a size and scope to facilitate the implementation of resilience and adaptation actions and ensure benefits at the community level.

All proposals should focus on regional efforts that:

- 1) provide local and regional co-benefits (e.g., reducing risk and improving public health, advancing equitable adaptation actions and increasing access to open space);
- 2) advance equity through meaningful community involvement in the identification and implementation of holistic resilience and adaptation strategies and actions; and
- 3) contribute to enduring capacity for adaptation in the region.

All proposals should demonstrate collaboration between relevant entities in the specified region and build upon previous and ongoing efforts related to achieving resilience within the specified region, where such activities exist. Successful proposals will leverage scientific information, indigenous knowledge, and local knowledge and technical skills that are distributed across a diverse group of organizations and sectors, including NOAA and other federal, state, tribal and local government agencies. These leveraging opportunities include previous or ongoing investments in resilience and adaptation, such as information sources (e.g., assessments, studies, plans, tools, training, technical assistance), and mechanisms (e.g., funding, programs, partnerships). Applicants can review the Guidance for Federal Departments and Agencies on Indigenous Knowledge (at <https://www.whitehouse.gov/wp-content/uploads/2022/12/OSTP-CEQ-IK-Guidance.pdf>) for ways to improve the recognition and inclusion of Indigenous Knowledge.

Track One - Regional Collaborative Building and Strategy Development

Through Track One, NOAA will award \$500,000 to \$2,000,000 to successful applicants to support regional scale collaborative efforts focused on building resilience for coastal areas and communities. NOAA expects to select between 20-25 winning collaboratives but may select more or less based on the merits of the applications. Total funding for all Track One awards may be up to \$25 million. Funding amounts listed here are approximate. Typical award amount is anticipated to be \$1,000,000.

For the purposes of this program, regional collaboratives are defined as groups comprised of collaborators and partners (see Section I.A.3 for definitions) that are unified by a common vision for how to significantly increase the resilience of their region, are led by or include locally-oriented institutions and governments, and share adjacent and/or overlapping geographical interests or administrative boundaries or benefit from the same natural, social, economic, and/or infrastructure systems. The collaborators and partners that comprise the regional collaborative should have a clear, shared sense of the need for action and willingness to engage in a collaborative process that links diverse interests to achieve shared goals in a regional setting. This shared vision should align with the “NOAA 2022-26 Strategic Plan (<https://www.noaa.gov/organization/budget-finance-performance/value-to-society/noaa-fy22-26-strategic-plan>), and reflect the interests of relevant coastal Tribes and jurisdictions, such as states, territories, counties, parishes, cities, towns, villages, tribal lands and culturally significant areas. Collaboratives should include and/or engage with representatives from the relevant jurisdictions and sectors to collectively address weather and climate impacts.

Entities applying to Track One should come together as a regional collaborative with a unified vision for increasing resilience at a regional scale. This vision and the preliminary strategies and activities needed to advance towards that vision should be clearly articulated in Letters of Intent and full applications. Track One funding can be used to support further development of the vision and strategy, including necessary coordination, engagement, and planning. Engagement must include convening multiple stakeholders from the public and private sectors (e.g., federal, state, and/or local agencies; Tribes, and tribal organizations; non-governmental organizations; community-based organizations; and business and industry) and include- marginalized, underserved, or underrepresented communities.

Track One funding will support the building of new and strengthening of existing collaboratives toward identifying joint actions to advance climate resilience and adaptation in the respective region. Applicants to Track One should include a clear strategy for making significant progress toward implementation of adaptation actions within two years of the start of the award. Milestones that reflect progress of a collaborative include the following: articulation of shared priorities; identification of a collaborative leadership structure, and the roles and responsibilities for each position; formulation of operating norms and practices, including decision-making processes; establishment of routine communication mechanisms, both within the collaborative and with stakeholders; initiation of strategic planning activities; and pursuit of training and capacity-building events. Other activities that reflect progress toward implementation of adaptation actions include: identification and assessment of the most significant weather and climate risks and potential impacts; engagement of those most impacted by weather and climate impacts for co-development of solutions; initiation and/or completion of vulnerability assessment(s); collection of necessary data to evaluate options (e.g., economic data, modeling results); development and sharing of policy, program and technical advice; identification and evaluation of adaptation options and potential pathways to implementation; pursuit of activities that position the collaborative to undertake future implementation activities (e.g., design and engineering plans); and identification and evaluation of funding and financing sources.

Track One funding can be used for the following:

- Establishing and expanding durable regional partnerships, including organizational development of a regional collaborative, identification of strategies and actions, and strategic planning;
- Conducting outreach and communication activities related to regional resilience and adaptation;
- Convening inclusive and accessible engagement activities to enhance the breadth of the collaborative teams, especially with marginalized, underserved, and

- underrepresented communities;
- Analyzing risk, vulnerability and adaptation actions for the region and conducting related assessments;
- Planning for the implementation of equitable resilience and adaptation actions, including integration with other planning efforts;
- Undertaking environmental and engineering reviews needed to support future resilience and adaptation actions;
- Developing and implementing laws, regulations, and policies related to resilience and adaptation actions;
- Identifying and pursuing funding and financing options for resilience and adaptation actions;
- Identifying the workforce requirements to implement resilience and adaptation actions into the future;
- Developing and implementing training and capacity building for resilience and adaptation in coastal communities, especially for marginalized, underserved, and underrepresented communities;
- Designing, planning and implementing performance management and evaluation activities related to the collaborative partnerships; and
- Pursuing other activities essential to moving forward with regional coastal resilience and adaptation activities.

NOAA strongly encourages new collaboratives to form and apply to this Challenge. Existing collaboratives are also encouraged to apply and build upon their current efforts and expand involvement to new collaborators and partners. Each collaborative must identify an eligible entity that will apply for and receive federal funds if the application is selected for funding (See Section III.A Eligible Applicants). The regional collaborative itself is not required to be a legal entity, nor will there be any competitive advantage for being a legal entity. For new and existing collaboratives that wish to establish themselves as a new legal entity, Track One funding may be used for that purpose.

Track Two - Implementation of Resilience and Adaptation Actions

Through Track Two, NOAA anticipates awards for no less than \$15,000,000 to no more than \$75,000,000, and anticipates that most awards will be between \$25,000,000 and \$50,000,000. Successful applicants will use the funding to support implementation of complementary adaptation actions (approximately three to eight), including construction and non-construction activities. NOAA expects to award no more than 15 Track Two awards but may select more based on the merits of the applications. Total funding available for all Track Two awards is up to \$550,000,000. Funding amounts listed here are approximate.

Track Two funding is intended to support the implementation of a complementary suite of ambitious and achievable actions (approximately three to eight) that are grounded in existing plans and/or strategies aimed at addressing the resilience and adaptation challenges within a specified region. Applicants for Track Two funding may be, but are not required to be, a regional collaborative as defined for Track One (i.e. they can be a single entity). However, all entities interested in applying to Track Two should be committed to working closely with relevant partners, including representatives of underserved communities, on their applications and in potential implementation of funding under a collective vision for increasing resilience within their specified geographic region. The adaptation actions proposed for funding should have been developed through engagement with multiple stakeholders (e.g., federal, state, and/or local agencies; Tribes and tribal organizations; and non-governmental organizations), especially those that have been marginalized, underserved, and underrepresented, and aligned with the overall climate resilience and adaptation vision being proposed for the region. The collective vision and a list of collaborators and/or partners (see Section I.A.3) for the regional effort should be clearly identified in the Letter of Intent and full application. The proposed suite of actions to achieve the vision should measurably reduce risk and build resilience in the identified region, and provide benefit to those that are most at risk due to social and economic factors.

Applicants to Track Two should also propose efforts to build enduring capacity for continued pursuit of equitable adaptation within the region and include activities to transfer knowledge and experience gained from the implementation of adaptation actions to other jurisdictions and sectors within and beyond the geographic region. Applicants should also consider the workforce requirements for successful implementation of the proposed and future adaptation actions and include development of training programs or other capacity building services that strengthen or build the region's talent pool, emphasize in-demand skills, connect workers with quality jobs, and develop accessible career pathways for professionals within the region (if relevant). Proposals including workforce development activities should follow Department of Commerce (DOC) best practices that can be found at <https://www.commerce.gov/issues/workforce-development>.

Example activities for Track Two include:

- Planning (including design and permitting) and construction of natural infrastructure that reduces weather and climate impacts;
- Acquiring land to reduce the impacts of weather and climate and to protect coastal habitats and human communities;
- Strengthening or protecting public access to ocean and coastal resources and

- related activities, including working waterfronts;
- Pursuing new or updated outreach and risk communication efforts;
- Planning, designing, or preparing for implementation of community-led relocation efforts;
- Advancing state/tribal/local standards, policies, and codes to build resilience;
- Acquiring coastal data and developing decision support tools to inform resilience and adaptation measures;
- Pursuing hybrid green (natural) and gray (structural) projects, including modifying public infrastructure to deliver multiple benefits and significant positive impact for the long-term;
- Establishing resilience hub(s) that use pre-existing facilities to support residents and coordinate resource distribution and services before, during, or after a natural hazard event;
- Development and implementation of performance measurement, monitoring, evaluation, and/or reporting mechanisms;
- Efforts that support relevant workforce needs, in line with Department of Commerce (DOC) best practices (<https://www.commerce.gov/issues/workforce-development>); and
- Activities under Track One that support the implementation of adaptation actions.

Any proposed construction activities are required to, at a minimum, be in conformance with the highest Federal standards available, unless higher local and state standards are available, and specifications that incorporate the latest hazard-resistant designs. Proposals should clearly describe how the construction activities, including construction of natural infrastructure, will measurably reduce exposure, vulnerability, or risk to known weather and climate impacts and/or decrease recovery time for future extreme weather events. This includes natural infrastructure projects that use existing or rebuilt natural landscapes (i.e., forests, floodplains, and wetlands) to increase resilience to climate impacts, often resulting in environmental, economic, and social co-benefits. It also includes hybrid green and gray projects that combine gray infrastructure with nature-based solutions to create systems that improve resilience to climate impacts, while also often resulting in environmental, economic, and social co-benefits. For more information on potential nature-based solutions, please see U.S. Army Corps of Engineers, Engineering with Nature Initiative; EPA's Green Infrastructure website; and NOAA's Natural Infrastructure for Coastal Hazards website.

Proposals for large scale actions that provide significant impact are encouraged; however, 'demonstration' or 'pilots' are also eligible. If a 'demonstration' or 'pilot' scale effort is proposed, applicants should describe the need for the effort, expected positive benefits, and the steps to be taken to transfer knowledge and experience within and outside

the region. All construction activities must be located on publicly owned land, tribal land, or land where a public entity holds a lease or easement which shall, at a minimum, be for the expected life of the project (as defined by the project applicant and NOAA, but for a minimum of 20 years). NOAA will review leases and easements conveying property to public entities to ensure that the public interest is adequate and consistent with competition requirements. All construction activities must be able to be completed within the period of performance. For additional information on application requirements for construction activities, see Section IV.B PDF 4 Supplemental Materials/Appendices.

All proposed land acquisitions must provide resilience and adaptation benefits to a coastal community. Resilience and adaptation benefits include reducing damages from weather and climate impacts or avoiding future losses caused by conversion of land from its natural, undeveloped, or recreational state to other uses. To be eligible, grantees and sub-awardees must acquire property or permanent conservation easements from willing sellers within eligible States and provide for non-Federal public or tribal ownership or ownership by a private entity whose organizational purpose or goal is conservation, restoration or preservation of land and natural resources. Interest in land must be held for conservation in perpetuity. If the grant recipient is a State agency that does not have authority to hold title to lands, the property may be held by another eligible non-Federal public entity if there is an appropriate Memorandum of Understanding, subaward agreement or other legal agreement in place with the State agency to ensure conservation and resilience benefits. Applications requesting funding for land acquisition should describe the proposed strategy for long-term stewardship of the site once acquired, including ongoing monitoring and management, and, if restoration of ecosystem services is proposed, how that will be accomplished. Land acquisitions must also provide for passive public access or other public benefit on some portion of the property, as appropriate and consistent with resource protection, or clearly describe why passive public access would be detrimental. For additional information on application requirements for land acquisitions, see Section IV.B PDF 4 Supplemental Materials/Appendices.

3. Definitions.

For the purposes of this competition:

- “Resilience” is defined as the ability of a coastal community to prepare and plan for, absorb impacts of, recover from, and more successfully adapt to weather and climate impacts.
- “Adaptation” refers to adjustments in ecological, social or economic systems in response to actual or expected climatic changes and their effects.

- “Regional collaborative” or “collaborative” or “collaborative teams” are interchangeable and are defined as a group of individuals or entities with a unified vision for resilience that choose to apply to this Challenge together. Collaboratives are comprised of collaborators with a unified vision for resilience that are led by or include locally-oriented institutions and governments, and that share adjacent and/or overlapping geographical interests or administrative boundaries, or benefit from the same natural, social, economic, and infrastructure systems. Applicants to Track One must be collaboratives. Applicants to Track Two may be collaboratives.
- “Collaborator” is defined as an eligible entity who contributes substantially to the regional team’s overall strategic direction and decision-making, and is committed to long-term interactions based on shared missions and goals. Collaborators may receive federal funds as the lead recipient or through subawards and contracts, or may participate without federal funding. Collaborative teams in Track One must have collaborators and regional implementation efforts under Track Two may have collaborators.
- “Partners” are individuals and entities that are supportive of the proposed effort but do not participate in overall decision-making and do not commit to regular and sustained engagement in collaborative activities. Applicants to both Track One and Track Two may have partners. If the applicant to Track Two is not a collaborative, it must have strong partners. In both Track One and Track Two, partners may receive funds through subawards or contracts from the applicant or may participate without federal funding.
- “Equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment (E.O. 13985).
- “Underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life (E.O. 13985).
- “Marginalized” refers to populations excluded from mainstream social, economic, educational, and/or cultural life. Examples of marginalized populations include, but are not limited to, groups excluded due to race, gender identity, sexual orientation, age, physical ability, language, and/or immigration status (National Institutes of Health).
- “Underrepresented” means a population that is typically underrepresented in service provision, and includes populations such as persons who are minorities, poor persons, persons with limited English proficiency, older individuals, or persons from rural areas (see 29 U.S.C. § 3002(18)).

- “Environmental justice” means the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment.
- “Disadvantaged communities” is defined by the Council on Environmental Quality as those communities that are marginalized, underserved and overburdened by pollution and they are identified by the Climate and Economic Justice Screen Tool.

NOAA uses the phrase ‘marginalized, underserved and underrepresented’ throughout the NOFO, which encompasses the concepts of environmental justice and disadvantaged communities.

B. Program Priorities

The NOAA Climate Resilience Regional Challenge seeks to transform the resilience of U.S. coastal communities, ecosystems, and associated economies to weather and climate impacts. Applications submitted for both Track One and Track Two should consider the following program priorities in the development of their proposals:

- Risk Reduction. Building resilience requires implementing adaptation actions that reduce risk to coastal populations, infrastructure, economies, and ecosystems from the impacts of drought, extreme heat, sea level rise, floods, and wildfires, and/or other future weather and climate impacts. For Track One, applicants should assess weather and climate risks and apply risk information to identity, plan and design future adaptation actions. For Track Two, applicants should propose a complementary set of adaptation actions (approximately three to eight) that collectively reduce risk by increasing community preparedness, decreasing community exposure, and/or improving community recovery. Proposed adaptation actions can include nature-based and hybrid green and gray actions. Those adaptation actions should provide co-benefits and alleviate multiple stressors within communities, such as improving public health, achieving reductions in pollution burden, enhancing habitat or other environmental benefits, and providing access to safe parks, natural areas, and waterways. Applicants must include metrics for risk reduction in their applications.
- Regional Coordination and Collaboration. Regional coordination and collaboration, driven by an integrated, achievable, and ambitious vision for how to improve the resilience of the region, is critical to addressing weather and climate impacts. All applicants to both tracks should focus on ensuring that relevant entities are engaged as collaborators and/or partners in building resilience across states, counties, cities, and Tribes within the region. Applicants should focus on the identification of shared

needs, priorities, challenges, and strategies that can be addressed by actions at the local and regional scales. Successful applicants will support public engagement to inform planning efforts and build effective relationships between government entities and communities.

- **Equity and Inclusion.** Inclusive and equitable adaptation strategies and actions require co-development with members of marginalized, underserved, and underrepresented communities to ensure that benefits flow to them. These adaptation strategies and actions should include Tribes, tribal priorities, and indigenous knowledge.
- **Enduring Capacity.** Enduring capacity refers to sustaining a level of community readiness that promotes continuous adaptation to the impacts of weather and climate, including developing and maintaining specific workforce capabilities and capacities. All applicants to both tracks should focus on building capacity for adaptation that can be sustained into the future within the region (post-award period) including with community-based organizations and for marginalized, underserved, and underrepresented communities. Successful applicants will also propose efforts to extend anticipated benefits beyond their region through information sharing and transfer of knowledge to other regions.

In addition to these program priorities, NOAA will consider other standard factors in evaluating the extent to which applications address these program priorities including: technical merit; qualifications of the applicant(s); project costs; and outreach and engagement (See Section V.A. for the Evaluation Criteria and weighting for Track One and Track Two).

For additional information on the NOAA Climate Resilience Regional Challenge program, visit: <https://coast.noaa.gov/funding/ira/resilience-challenge/>.

C. Program Authority

The Secretary of Commerce is authorized under the following statutes to provide grants and cooperative agreements for the purposes described in this announcement, including Section 40001 of the Inflation Reduction Act (Public Law 117-169), Section 310 of the Coastal Zone Management Act (16 U.S.C. § 1456c) (titled “Technical Assistance”), the Digital Coast Act (Public Law 116-223), the National Climate Program Act (Public Law 95-367), and the Infrastructure Investment and Jobs Act (IIJA, Public Law 117-58).

II. Award Information

A. Funding Availability

Total funding for all Track One awards is anticipated to be up to \$25 million. NOAA will not accept applications requesting less than \$500,000 or more than \$2,000,000 in federal funds from Track One under this solicitation. Total funding for all Track Two awards is up to approximately \$550 million. NOAA anticipates receiving applications requesting not less than \$15,000,000 and not more than \$75,000,000 in federal funds for investments that will result in significant resilience and adaptation actions in the region. The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA. At its discretion, NOAA may reduce the scope and budget of a proposed award or provide separate awards for individual adaptation actions that are proposed as part of a Track Two proposal that may require additional oversight by or collaboration with NOAA.

Any funds provided to successful applicants will be at the discretion of NOAA Office for Coastal Management and the NOAA Grants Management Division (GMD). NOAA or the Department of Commerce are not responsible for the direct costs of application preparation if the applicant fails to receive funding or efforts in their proposal are canceled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. There is no guarantee that sufficient funds will be available to make awards for all top-ranked applications. The number of awards to be made as a result of this solicitation will depend on the number of eligible applications received, the amount of funds requested, and the merit and ranking of the applications. Applicants should be in compliance with requirements in any existing NOAA grants. Top ranked proposals not initially funded may be considered for funding subsequently if additional funds become available, without NOAA repeating the competitive process outlined in this announcement.

B. Project/Award Period

Applicants may submit applications covering up to a 60-month period with an anticipated start date of October 1, 2024. Pre-award costs and advance payments may be considered during pre-award negotiations between the applicant and NOAA. Incurring pre-award costs before the NOAA GMD provides an award document is at the applicant's own risk. An award may be funded in full for all years, or in increments (usually annually) at NOAA's discretion. More information on pre-award costs can be found in Section IV.F Funding Restrictions.

C. Type of Funding Instrument

Selected applications will be funded through cooperative agreements, as described in 31 U.S.C. 6305 and 2 C.F.R. § 200.1, meaning that NOAA expects to be substantially involved in many aspects of the awards, which may include the provision of NOAA technical assistance and other activities. NOAA's involvement is intended to support the success of award recipients by complementing regional and local knowledge and expertise with additional science and services. NOAA's specific involvement will be negotiated with successful applicants and specific roles and responsibilities will be formalized as part of the final cooperative agreement. NOAA's involvement may also include other roles described in OMB Guidelines at 43 Fed. Reg. 36860 (Aug. 18, 1978), including but not limited to further collaboration on the scope of work, training of recipient personnel, review of procurement materials to the extent authorized by 2 C.F.R. § 200.325, tracking progress towards the successful completion of the project, providing Federal personnel to work on the effort, and specifying direction or redirection of the scope of work due to inter-relationships with other efforts, such as requiring recipients to achieve a specific level of cooperation with other efforts.

Collectively, NOAA's programs and partnerships encompass a significant amount of climate science as well as resilience and adaptation expertise. Applicants are encouraged to connect with relevant NOAA programs and partnerships as part of the application development process, however NOAA employees are not permitted to assist with writing applications for Federal funding. For more information on NOAA technical assistance and relevant NOAA programs and partnerships, visit:
<https://coast.noaa.gov/funding/ira/resilience-challenge/>.

If an applicant requests technical assistance and/or other involvement with current NOAA programs or staff as part of an application, the applicant should describe the nature and extent of the desired roles and responsibilities within the application. The specific roles and responsibilities for NOAA involvement will be negotiated with successful applicants and included as part of the final cooperative agreement. Letters of support from NOAA employees are not allowable and will not be included among the application materials considered by merit reviewers.

Applicants are strongly encouraged to work with other relevant Federal and state agencies, non-governmental organizations, and municipal and county governments. Planned involvement of other federal agencies should be clearly described in the project proposal. Federal agencies and employees are not allowed to receive funds under this announcement but may serve as collaborative project partners. If federal agencies are partners, applicants

are expected to provide detail on the planned level of federal engagement in the application.

III. Eligibility Information

A. Eligible Applicants

Eligible entities who may apply include:

- coastal States, territories, or Tribes;
- counties, cities, or other political subdivisions of a coastal State or territory, including special purpose units of government engaged in economic or infrastructure development activities;
- the District of Columbia;
- institutions of higher education; and
- non-profit organizations or associations, including those acting in cooperation with a State, tribal, local or territorial government; regional councils of government and regional planning councils.

Coastal states are defined in the Coastal Zone Management Act (16 U.S.C. § 1453(4)) as any state of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes, including the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and former Trust Territories of the Pacific Islands including Federated States of Micronesia, Republic of the Marshall Islands, and Republic of Palau.

The term “Tribe” is synonymous with “tribal government” and means any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this subsection pursuant to 25 U.S.C. 5131. The term “tribal organization” means the recognized governing body of any Indian tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities (25 U.S.C 5304). While tribal organizations are eligible to apply on behalf of one or more Tribes, they must document tribal approval prior to commencing proposed activities (per 25 U.S.C. 5304). Non-profit organizations are eligible to apply, including state-recognized tribes, Native Hawaiian entities or other non-profit organizations serving the needs of indigenous peoples. Institutions of higher education (as defined in subsection (a) of section 101 of the Higher

Education Act of 1965 (20 U.S.C. 1001(a)) are eligible.

For the purposes of this competition, a group of entities who are applying together are considered a regional collaborative (also referred to as a collaborative or a collaborative team). Collaborative teams must identify a lead entity to submit an application (i.e., the funding recipient, who is the non-federal entity that receives a Federal award directly from a Federal awarding agency, per 2 CFR 200.1). The lead entity is responsible for the award as a whole, including monitoring, reporting, and communicating progress to NOAA. The lead entity should work with other collaborators and partners through subawards and contracts under 2 CFR 200.1 and other arrangements pertinent to the collaborative's activities that do not involve the transfer of funds. In addition, the lead entity must identify a Project Director (PD), who is the individual with the appropriate level of authority and responsibility to direct the activities supported by the grant. Applicants should be aware that the terms Project Director (PD) and Principal Investigator (PI) are used interchangeably. Existing collaboratives that are legal entities and may receive and expend Federal funds are eligible. Regional collaboratives must identify the geography that they represent for the purposes of this competition and the identified geography must be exclusively in coastal states and territories or otherwise enable U.S. coastal communities to prepare for weather and climate impacts, consistent with the Inflation Reduction Act (e.g., in the District of Columbia or in areas impacting coastal waters). It is not required that all collaborators and partners be physically located in coastal states.

Foreign governments are not eligible to apply for funding under this announcement. However, international non-governmental organizations are eligible to participate as funded or unfunded partners in the collaborative if they are conducting projects in one or more of the eligible coastal states and territories.

For-profit organizations may participate as contractors, subrecipients if applicable, or through other arrangements pertinent to the project that do not involve the transfer of funds.

B. Cost Sharing or Matching Requirement

Pursuant to the Inflation Reduction Act, Public Law: 117-169, Section 40001, there is no non-federal matching requirement for this funding. However, applicants are encouraged to leverage NOAA funding with other funds or in-kind contributions from a broad range of other public and private funding sources. Leveraged funds are funds that contribute to an effort funded through this program in addition to the requested federal funds from NOAA. NOAA understands that applicants may face challenges in identifying resources to leverage. The budget narrative should describe any sources of leveraged funds, and in-kind services or efforts to identify leveraging opportunities and any associated challenges. Efforts to leverage

resources will be considered as part of the evaluation criteria as described in Section V.A.

Applicants may choose to designate part or all their Federally negotiated indirect costs as leveraged funds (Refer to Section IV.B PDF 4 Supplemental Materials/Appendices which includes additional information about Indirect Costs). Other federal funds can be included and described in the budget narrative as leveraged funds.

C. Other Criteria that Affect Eligibility

NOAA will not accept applications requesting less than \$500,000 or more than \$2,000,000 in federal funds for Track One, or less than \$15,000,000 or more than \$75,000,000 in federal funds for Track Two under this solicitation.

Applicants should also note that the following activities will not be considered for federal funding:

- 1) activities that alleviate the liability associated with legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state, or federal law;
- 2) activities that constitute compensatory restoration for natural resource damages under federal, state, or local law; and
- 3) activities that are required by a separate consent decree, court order, statute, or regulation.

IV. Application and Submission Information

A. Address to Request Application Package

Complete application packages, including required federal forms and instructions, can be found on www.Grants.gov. If a prospective applicant is having difficulty downloading the application forms from www.grants.gov, or using the Grants.gov Workspace feature, contact www.grants.gov Customer Support at 1-800-518-4726 or support@grants.gov.

If an applicant does not have effective access to Grants.gov, application packages shall be requested by emailing resiliencechallenge@noaa.gov. Additional resources to support applicants with the application process can be found at: <https://coast.noaa.gov/funding/ira/resilience-challenge/>

B. Content and Form of Application

1. Letter of Intent (LOI)

For this funding competition, a LOI is required before submitting a full proposal. The LOI should provide a concise description of the proposed work and its relevance to program priorities. NOAA will invite applicants to submit a full proposal if their LOI strongly aligns with the program priorities and includes the required components listed below. An applicant may not submit a full proposal unless they receive an invitation from NOAA after review of a submitted LOI. NOAA anticipates that proposed activities may change between the LOI and the full application. Any full proposal submitted without having received such an invitation will not be reviewed.

Applicants are required to designate a Project Director (PD) within the Letter of Intent and the full application. The Project Director is the individual identified by the lead entity with the appropriate level of authority and responsibility to direct all activities supported by a grant. The PD will serve as the primary point of contact between NOAA and the regional collaborative during the competition and throughout the period of performance for any awards.

The required LOIs shall be sent via electronic mail to resiliencechallenge@noaa.gov with “NOAA Climate Resilience Regional Challenge - Letter of Intent” as the subject line. Letters of Intent must be received by electronic mail by 11:59 p.m. Eastern Time on August 21, 2023. Refer to Section IV.D. below for additional information about LOI submission. Applicants submitting multiple LOIs must use a unique project title for each LOI and may send all LOIs in one email or in multiple emails.

If for any reason applicants are unable to submit their application by email, or if you do not receive an automated response that your application was received by NOAA, send an email to resiliencechallenge@noaa.gov to make alternative arrangements. If necessary, applicants may provide an original paper copy of their LOI by mail. See Section IV.D. below for instruction on submitting a paper application.

The Office for Coastal Management (OCM) will respond to each LOI by electronic mail informing the applicant and their Project Director (PD) whether they are invited to submit a proposal. Applicants who submit an LOI through paper mail will be notified via paper mail at the return address contained within the LOI. NOAA anticipates sending responses by October 11, 2023. If the applicant and the PD does not receive notification by October 12, 2023, the applicant must contact the OCM Grants Coordinator via resiliencechallenge@noaa.gov and request the status of their LOI. The results of the LOI review will be released only to the applicant and the PD unless there are extenuating circumstances. The proposal submission deadlines in this announcement will apply to all

applicants. The LOI should include the following information on a cover page:

- Identification of the NOAA Office for Coastal Management as the intended recipient of the LOI.
- Funding Track applying for: Regional Collaborative Building and Strategy Development (Track One) or Implementation of Resilience and Adaptation Actions (Track Two).
- Project title.
- Applicant name and name and affiliation of their Project Director along with contact information.
- Brief description of the geographic region.
- List of collaborators and/or partners.
- Proposed project start and end dates.
- Total anticipated funding request.

The body of the LOI should be no more than 5 pages, single-spaced, 11 or 12-point font, and must include the following components:

- Description of the geographic region and the resilience vision.
- High-level description of the proposed activities and the intended outcomes.
- Summary of the relationship of proposed activities to ongoing efforts.
- Description of how the activities align to the Program Priorities in 1.B, including description of involvement or engagement of, as well as what benefits will be provided to marginalized, underserved, or underrepresented communities.
- Description of involvement of or engagement with other federal, tribal, state, territorial and/or local agencies, activities, or programs.
- Summary description of anticipated costs including any sub-awards and contracts. For Track Two, include preliminary estimates for each of the proposed adaptation actions.
- Description of any technical assistance needed from NOAA, if known. Please refer to Section II.C. above, and note that NOAA employees are not permitted to assist with writing applications for Federal funding.

A template is available that organizes the information NOAA is requesting in the LOI at: <https://coast.noaa.gov/funding/ira/resilience-challenge/>

2. Full Application

Applicants should submit full applications through the www.Grants.gov website as described in Sections IV.D. and G. below. If for any reason applicants are unable to submit

their application through Grants.gov or are concerned about possible problems associated with the Grants.gov system, send an email to resiliencechallenge@noaa.gov to make alternative arrangements. If necessary, applicants may provide an original paper copy of their full application by mail (see Section IV.D. below for instruction on submitting a paper application).

A complete standard NOAA financial assistance application package should be submitted in accordance with the guidelines in this document. Each full application must include the application forms from the SF-424 form family relevant to what is being proposed:

- Application for Federal Assistance: Form SF-424.
- Budget Information for Non-construction Programs: Form SF-424A
- The non-federal entity must submit a line-item budget (SF-424A) and corresponding budget narrative for each of the funding periods anticipated when applying for a multi-year award.
- Assurances for Non-construction Programs: Form SF-424B.
- Budget Information for Construction Programs: Form SF-424C.
- Assurances for Non-construction Programs: Form SF-424D.
- Certification Regarding Lobbying: Form CD-511.
- Disclosure of Lobbying Activities: Form SF-LLL (if applicable).

In addition to the Federal application forms listed above, applications submitted through the www.Grants.gov website should include a maximum of five files (PDF files only) in addition to the Federal application forms. Page limits assume an 11- or 12-point font and 1-inch margins and may use single spacing. Applicants should number pages in their full proposal and any appendices. There is a 100 megabyte file size limit on individual files. Applicants can upload multiple files to avoid exceeding the 100 megabyte file size limit. The following files are required:

- PDF 1. Project Summary (3 page limit).
- PDF 2. Project Narrative (25 page limit).
- PDF 3. Budget Narrative (no page limit).
- PDF 4. Supplemental Materials/Appendices (50 page limit recommended).
- PDF 5. Letters of Support and Collaboration (no page limit).

PDF 1. Project Summary (3 page limit).

All proposals must briefly describe the activities to be implemented with the requested

funds including:

- Project title.
- Funding Track applying for: Regional Collaborative Building and Strategy Development (Track One) or Implementation of Resilience and Adaptation Actions (Track Two).
- Requested NOAA funding amount.
- Proposed project start and end dates.
- Applicant name and the name and affiliation of their Project Director with contact information.
- Brief description of the geographic region.
- Brief description of the resilience vision, the proposed activities, and the intended outcomes, including equity components.
- List of collaborators and/or partners.
- Brief description of proposed engagement with marginalized, underserved, or underrepresented communities.
- For Track Two, include a list of each adaptation action (approximately three to eight) and the entity that will implement the activity.
- Summary budget table for major project activities, including sub-awards and contracts.
- Brief description of the leveraging of resources from NOAA and other federal, state, territorial and/or local activities or programs (including, if known, brief description of anticipated needs for technical assistance that NOAA may provide).

PDF 2. Project Narrative (25 page limit).

The project narrative should be responsive to the evaluation criteria (see Section V. A. Evaluation Criteria) to receive a consistent review against competing applications. Sufficient detail should be provided to:

- enable reviewers to evaluate the relevance and applicability of proposed work to program priorities described in Section I.B of this announcement;
- determine the technical/scientific merit of the proposed work;
- adequately review the qualifications of the applicants; determine if costs are realistic and commensurate with the project needs and timeframe;
- assess whether the proposal includes a strategy to engage other organizations, groups, and individuals; and
- assess whether the proposed scope of work raises any concerns with regard to federal policy considerations, such as those related to the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act, and Marine Mammal

Protection Act.

The project narrative should contain the following:

- i. Background. Provide sufficient background information for NOAA and non-NOAA reviewers to independently assess the significance of the proposed project. Describe the geographic scope of the region, including a map showing participating jurisdictions and location of proposed efforts as applicable. Describe the rationale for this geographic scope based on specific threats from weather and climate impacts, enlisting those with capacities to address those threats, and pursuing and implementing adaptation strategies and actions that increase the resilience of a region. Describe the climate risk, vulnerability, or resilience and adaptation challenge(s) to be addressed, the specific problems, gaps, or needs to be addressed, and the status of and relationship to ongoing efforts to address them.
- ii. Overall Resilience Vision, Strategies, and Activities. Describe the vision for resilience and the adaptation strategies and activities to accomplish this vision. The described strategies should address the overarching program priorities described in Section I.B including: risk reduction; regional collaboration and coordination; equity; and enduring capacity. Describe the significant benefits that will be derived from a regional approach. In cases where funding is being requested for a component of work that is part of a larger design or effort, applicants should clearly identify what portion will be implemented with the requested funding. Applicants should provide supporting documentation in PDF 4 (Supplemental Materials/Appendices) that is sufficient to allow reviewers to understand work that has been completed and work that is being proposed for funding.
 - For Track One, describe the proposed activities to build the collaborative as well as specific strategies and associated milestones for progressing the collaborative toward implementation. See Program Overview/Track One (Section I.A.2) for more information on the types of activities that could be undertaken in Track One.
 - For Track Two, describe the adaptation actions (approximately three to eight) and the connection to the overall resilience vision. For each of the proposed adaptation activities, describe the specific activities to be undertaken, the expected outcomes (including but not limited to risk reduction), and the relationship to the program priorities. Describe timelines for major tasks, target milestones for important intermediate

and final activities, and clearly state key project outcomes. Describe how the expected outcomes address program priorities described in Section I.B and any potential obstacles to successful completion of proposed activities. See the description for PDF 4 Supplemental Materials/Appendices for additional information to include in the application for construction activities and land acquisitions.

- iii. Framework for Collaboration. Describe the general approach of the collaborative team, if relevant, including the organizational structure and function. Describe efforts by collaborators and/or partners to engage and provide benefits to marginalized, underserved, or underrepresented communities, and Tribes. This should clearly identify both efforts completed during the application development process and those that are proposed for funding related to establishing or supporting the regional collaborators. Describe the roles of collaborators, if relevant, including their experience and capacity in completing similar efforts. Describe how collaborators will interact with each other and with partners to accomplish the proposed efforts, including specific communication mechanisms to be used, and how they will contribute to the outcome or results of the project. Describe whether collaborators and/or partners are proposed to receive funding under the award as subrecipients or contractors. Note that subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award, including a portion of the scope of work or objectives. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. See 2 C.F.R. § 200.1.

Also, describe how other federal, state, tribal, territorial, and local government agencies will be connected to, integrated, and leveraged in the project, including connections to other federally-supported resilience and adaptation efforts and investments. Describe resources to be leveraged by the applicant, including information sources, assessments, studies, plans, programs, and partnerships, and previous or ongoing efforts to marry technical and scientific capacity with local knowledge and values. Describe efforts to develop a plan for sustaining coordination and collaboration following the period of performance of the federal award. Letters of collaboration from identified collaborators, partners, and any letters of support from communities, or other interested parties should be included in a separate PDF.

For applicants that are collaboratives, the application should include a letter or letters identifying the Project Director/lead for the collaborative team and evidence that each collaborative team member has read the application and is committed to executing its roles, responsibilities, or commitments related to the collaborative team. NOAA discourages form letters of support and encourages letters describing concrete engagement and commitments from all identified collaborators and partners.

- iv. Engagement, Workforce Development, and Knowledge Transfer. Describe how the public and other stakeholders will be engaged in the development of the desired outcomes, how information generated by the applicant will reach its target audience(s) and have a positive impact within and outside the region, and how the proposal uses best practices for communicating risk to target audiences. Describe activities to support the transfer of knowledge within and outside of the region by organizing, creating, capturing, and/or distributing knowledge to ensure its availability for future use. Appropriate activities for knowledge transfer may include but are not limited to the development of information products, tools, training, or risk communication and outreach. It also could include improving access to data and information related to current and future environmental, economic, and social conditions, and building capacity to integrate this information into sound planning and decision making. Describe efforts, if any, to identify workforce needs that will be required to implement resilience and adaptation actions into the future. For Track Two, describe workforce requirements needed to implement identified projects, including types and levels of positions related to: resilience or adaptation planning; coastal restoration design, permitting, engineering; risk modeling; land and natural resources valuation; applied social science; geospatial analysis; and other expertise as required.
- v. Strategy for Advancing Equity and Support for Underserved Communities. NOAA is committed to advancing equity for all, including people of color and others who have been marginalized, underserved, and underrepresented, and adversely affected by persistent poverty and inequality. Applicants should address these factors in the design of their proposed projects. The NOAA Climate Resilience Regional Challenge program will advance the Justice40 Initiative requiring that 40 percent of the overall benefits of this effort flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution. NOAA encourages all applicants to use the information available through the following tools to assist them in identifying and

assessing the marginalized, underserved and underrepresented communities that are connected to their proposed adaptation actions. Applicants should use the Climate & Economic Justice Screening Tool (CEJST) as the primary tool to identify disadvantaged communities. Applicants are encouraged to use the information available through any of the following tools to assist in assessing how the benefits of a project will reverse or mitigate the burdens of disadvantaged:

- Climate and Economic Justice Screening Tool
(at <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>);
- the National Risk Index
(at <https://www.fema.gov/flood-maps/products-tools/national-risk-index>);
- the Environmental Justice Index
(at <https://www.atsdr.cdc.gov/placeandhealth/eji/index.html>);
- EJScreen (at <https://www.epa.gov/ejscreen>);
- US Census Community Resilience Estimates
(at <https://www.census.gov/programs-surveys/community-resilience-estimates/data/tools.html>); and other relevant tools.

In this section, applicants should describe how engagement and benefits to marginalized, underserved and underrepresented communities and tribes will be supported in the proposal. Tribes and other lead entities who are themselves, or who represent the interests of, marginalized, underserved, or underrepresented communities, should describe how the proposed efforts expand participation and meet the needs of these populations and the role of marginalized, underserved and underrepresented communities in decision-making. All applicants should describe ways in which the collaborative team will foster an inclusive environment and recruit from, engage with, and collaborate with members of marginalized, underserved, and underrepresented communities, or other organizations or institutions serving the needs of these populations. Applicants should describe the provision of financial resources to enable engagement and collaboration with marginalized, underserved, and underrepresented communities, or other organizations or institutions serving the needs of these populations. Applicants are encouraged to highlight previous efforts and relationships that add value to the proposed activities. Applicants should also describe opportunities for individuals in underserved communities through educational opportunities, job training, job creation, workforce development, leadership development, and training programs structured toward long-term careers and not limited to entry-level skill building.

vi. Evaluation. Describe the approach for evaluating performance and results using

clear measure(s) of success. For both tracks, this includes monitoring the effectiveness of proposed activities and reporting the impact of associated outcomes during the period of performance. For Track Two, this should also include plans to monitor longer-term effectiveness of proposed strategies and adaptation actions beyond the period of performance where appropriate, including collecting quantitative and qualitative data on outcomes and impacts. NOAA may request modifications to proposed evaluation activities during the negotiation process for selected awards to support federal performance measurement and reporting activities. Costs associated with evaluation and the collection of additional data or information for monitoring effectiveness are eligible for funding; however, only for the duration of the award's period of performance. If data collection is proposed, applicants are encouraged to plan for longer-term data management needs in coordination with NOAA, as described in Section VI.B.6 of this announcement.

PDF 3. Budget Narrative (no page limit).

Provide a budget narrative that follows the categories and formats in the NOAA grants package (see object classes on Form SF-424A). The budget narrative should clearly identify and justify the cost of separable elements of the proposed work. For Track One proposals, clearly identify the costs associated with the activities intended to build the collaborative and progress towards implementation. For Track Two proposals, the budget narrative should include a detailed breakdown by category of cost (object class) for each of the adaptation actions (approximately three to eight).

The budget narrative should be sufficiently detailed to enable a clear understanding of the cost breakdown and calculations used to derive the line item subtotals in each object class of the SF-424A budget. All budget forms (i.e., SF-424, SF424-A (or SF424-C for construction awards) must match the budget narrative. Each identified non-construction subaward should include form SF-424A. Each identified construction subaward can include form SF-424A, but must include form SF-424C. NOAA may require awards to comply with additional statutes, standards, or regulations such as the Americans with Disabilities Act. NOAA may request additional information for any awards (construction or non-construction projects) selected for funding during the award negotiation process to ensure compliance.

An award or subaward requires use of the SF424-C when it is considered a construction award. An award or subaward is considered a construction award when the primary purpose of the financial assistance is to support construction activities and the primary purpose of the project is construction, such as renovation or rehabilitation of existing buildings, and

construction or development of real property infrastructure improvements (e.g., site preparation, utilities, streets, curbs, sidewalks, parking lots, other streetscaping improvements, etc.). In contrast, alteration activities incidental to the primary purpose of an award are generally not considered to constitute a construction award. For example, if the primary purpose of an award or subaward is to allow a recipient to conduct educational or business seminars, the renovation of an educational exhibit or staging area would not be considered construction.

NOAA staff will review budget information to determine if costs are allowable, allocable, reasonable, and realistic. Applicants should include detailed budget information regarding all known contracts and subawards, including funding to regional collaborators beyond the applicant, and indicate the basis for the cost and price estimates in the narrative. Describe activities to occur or products or services to be obtained and indicate the applicability or necessity of each to the project. Detailed budget information includes:

- Name of identified qualified subrecipient or contractor, affiliation, contact information, and method of selection. For “to be determined,” describe plans for selection.
- Period of Performance. Include the dates for the performance period. If it involves several tasks, include the performance period for each task.
- Scope of Work. List and describe the specific activities or tasks to be performed.
- Criteria for Measuring Accountability. Include an itemized line-item breakdown as well as total contract/award amount. If applicable, include any indirect costs paid under the contract/award and the indirect cost rate used.
- Itemized Budget. Include categories used in the program budget for subrecipients or cost-based contractors. If applicable, include any direct cost paid under the subaward or contract, and the indirect cost rate used.

All subawards and contracts must be made consistent with the requirements of 2 C.F.R. §§ 200.331-200.333 for subawards, and 200.317-200.327 for procurements.

Any proposed geospatial data acquisitions should use the NOAA Coastal Geospatial Services Contract (more information at <https://coast.noaa.gov/idiq/geospatial.html>). If an applicant intends to acquire geospatial data but does not intend to use the NOAA Coastal Geospatial Services Contract, they should contact resiliencechallenge@noaa.gov to discuss the rationale and alternative data collection and management options before completing the application. Applicants proposing geospatial data acquisitions should include information about the type, timing, location, and of the data to be collected within the Project Narrative and estimated cost within the Budget Narrative. Estimated costs should not be included in the standard NOAA budget forms (SF424, SF424-A/B, SF424-C/D) given the proposed

acquisition will take place outside of the grant award if the proposal is selected for funding. Once selected for funding, NOAA will coordinate the acquisition process with the applicant during the award negotiation process. NOAA will work with tribal agencies and tribal organizations on appropriate data sovereignty and sharing agreements on any tribally collected data within the constraints of applicable federal laws. Data approved for public access by the Tribes and all other data collected through the Coastal Geospatial Services Contract will be made available via the Digital Coast.

For any equipment, a description of the item and associated costs or price is required, including a description of how it will be used in the project. Note that equipment is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000. See 2 C.F.R. § 200.1 Equipment, 2 C.F.R. § 200.313, and 2 C.F.R. §§ 200.317-327.

The cost or price, purpose, and method of selection for identified and planned acquisition contracts should be thoroughly justified in the Budget Narrative. Describe products or services to be obtained and indicate the applicability or necessity of each to the project. Procurements are subject to policies described in 2 C.F.R. §§ 200.317-.327. For “to be determined,” describe plans for selection.

The budget narrative should describe any sources of leveraged funds or in-kind services. Leveraged funds are funds that are spent on a funded project in addition to the requested federal funds from NOAA. NOAA understands that applicants may face challenges in identifying resources to leverage. In these circumstances, NOAA encourages applicants to describe the challenges they have encountered.

The budget narrative should also provide, to the extent possible, detailed information on travel, including costs, a description of anticipated travel, destinations, the number of travelers, and a justification of how the requested travel is directly relevant to the successful completion of the project. If actual trip details are unknown, applicants should state the basis for the proposed travel charges. Applicants should allocate travel funds for any necessary coordination meetings at regional or national levels. Applicants are encouraged to factor in travel costs for up to two representatives of each collaborative to participate in three national meetings in the Washington, D.C. area for recipients of awards from this program during the period of performance. Applicants may also factor in travel costs for participation in a bi-annual NOAA Grants Management Division workshop, located in Silver Spring, Maryland or potentially the U.S. west coast.

If a foreign air carrier is anticipated to be used for any portion of travel, prior approval is required under the DOC Financial Assistance Standard Terms and Conditions, Section G.05.d., and therefore, such travel should be included in the proposal to avoid having to request prior approval after the project starts. See Department of Commerce Financial Assistance Standard Terms and Conditions at:
https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%202012%20November%202020%20PDF_0.pdf.

Applicants should also include costs for signage in proposed budgets for construction and non-construction land acquisition activities. Signage which is visible to the public is required for projects that exceed \$5,000,000 in federal funds or result in 6 months of on the ground construction activity, provided the signage does not involve great administrative burden to the recipient. The costs to procure, distribute, and install signage should be included in proposed budgets. Signs shall meet the specific design requirements in the Building A Better America Brand Guide and no alterations and/or modifications shall be made. The sign must be placed in a visible location that can be directly linked to the work taking place and must be maintained in good condition throughout the work period. If work is taking place in communities where English is not the predominant language, applicants are encouraged to translate the language on the signs. Applicants are encouraged to use recycled or recovered materials when procuring signs.

Detailed guidance for budget justification from NOAA's Grants Management Division is available: https://coast.noaa.gov/data/coasthome/funding/_pdf/forms/budget-narrative-guidance-for-NOAA-grants.pdf.

PDF 4. Supplemental Materials/Appendices (50 page limit recommended).

Supplemental materials and appendices should be limited to materials that directly support the main body of the proposal and should not exceed a maximum of 50 pages. All supplemental materials should be combined into a single PDF as appendices, including a cover page that lists all of the documents and associated page numbers. The compiled PDF should be uploaded under the "Other Attachments Form" in Grants.gov. Only material that is submitted as a single package will be reviewed by merit reviewers. The following documents should be included in the Supplemental Materials:

- i. Resumes. Provide resumes for the Project Director and other key personnel critical to the success of the proposed efforts. Ensure that all resumes address the

- qualifications relevant to conducting the proposed work. Please limit each resume to a maximum of two pages.
- ii. Data Management Plan. Provide a Data Management Plan as described in Section VI.B.6. of this Announcement.
 - iii. National Environmental Policy Act (NEPA). Refer to Section VI.B.4. of this Announcement for information about the types of environmental information that should be described in the application.
 - iv. Negotiated Indirect Cost Rate Agreement (if applicable). The proposed budget may include an amount for indirect or “Facilities and Administrative” costs if the applicant has an established indirect cost rate with the federal government. Indirect costs are essentially overhead costs for basic operational functions (e.g., utilities, rent, and insurance) that are incurred for common or joint objectives and, therefore, cannot be identified specifically within a particular project. See 2 CFR 200.1 and 200.412-415.

A copy of the current approved negotiated indirect cost agreement with the federal Government should be included with the application package. If an award recipient does not have a current negotiated (including provisional) rate, it may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC) unless subject to an exception in 2 C.F.R. § 200.414(f). Non-federal entities may use this rate indefinitely but may choose to negotiate an indirect (F&A) cost rate at any time. This de minimis rate option is not available to state and local governments, and Tribes.

Alternatively, the negotiation and approval of a new rate is subject to the procedures required by NOAA and the DOC. If an applicant proposes establishing a new rate, the U.S. Department of Commerce, Financial Assistance Standard Terms and Conditions require that recipients within 90 days of the award start date, submit to the address listed below documentation (indirect cost proposal, cost allocation plan, etc.) necessary to perform the review.

Raishan Adams, Grants Officer
NOAA Grants Management Division
1325 East West Highway, 9th Floor
Silver Spring, Maryland 20910
Raishan.Adams@noaa.gov

Indirect-cost-rate-agreement documentation is not required for sub-awardees;

however, indirect cost rates at the negotiated levels should be paid by the primary awardee. Costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both pursuant to 2 C.F.R. § 200.403 “Factors affecting allowability of costs.”

- v. **Supporting Documentation.** For all construction activities proposed under Track Two, including construction of natural or green, and hybrid, infrastructure, applicants should provide details regarding the current status of proposed activities including whether the project is in conceptual stage, preliminary design, final design and permitting, or construction ready. Applicants should provide information that is sufficient to allow reviewers to understand work that has been completed and work that is being proposed for funding. This may include project designs, maps, permitting information, and other compliance related documentation. Applicants are encouraged to demonstrate how current and future coastal hazard risks, including flood risks, inundation, erosion, and sea level rise, have been considered in the planning and design of construction activities.

To ensure compliance with Executive Order 13690, the Federal Flood Risk Management Standard (FFRMS), applicants must, at a minimum, identify the current 100-year floodplain in relation to any proposed construction activity. The FFRMS requires federal agencies to use best-available information in identifying the floodplain and to reduce risks and costs associated with future flood disasters for federal investments in and affecting floodplains to meet higher flood risk standards. NOAA may request additional information to ensure compliance during the negotiation

process for awards that are selected for funding. Applicants should also describe how the project design conforms with the latest published editions of additional relevant codes, specifications, and standards that incorporate the latest hazard-resistant designs.

Proposals including construction activities should include a comprehensive project schedule describing all activities from the start of the award, including when the project will commence and demonstrating that the project will be able to complete construction within the period of performance. Proposals should clearly state the month and year in which the project’s final design was or will be completed, all permits needed to begin construction, and information on the status of permitting (e.g., date when permit applications were submitted or date when permits were issued). In cases where funding is being requested for a component of work that is part of a larger design or effort, applicants should clearly identify what portion will

be implemented with the requested funding.

For all land acquisitions proposed under Track Two, applicants should provide details regarding the current status of the proposed acquisition and information that is sufficient to allow reviewers to understand work that has been completed and activities that are being proposed for funding. Proposals with land acquisitions must include a complete and self-contained appraisal prepared by an independent State-approved appraiser. The negotiated price of the property or conservation easement should be based on the fair market value as established by the appraisal. Appraisals must reflect nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition (the Yellow Book). If an appraisal has not been completed at the time a proposal is submitted, the applicant may propose a good faith estimate of the cost for the acquisition based on market value or agreement with the willing seller. However, if the acquisition is selected for funding, an appraisal will be required before funds can be released. The cost of the acquisition cannot exceed the estimated cost in the application. If the appraised value of the property is higher than the estimated cost in the proposal, the applicant must make up the difference. If the appraised value is lower than the estimated cost, NOAA may reduce the Federal share of the acquisition as appropriate.

PDF 5. Letters of Support and Collaboration (no page limit).

Letters of support and collaboration should be combined into a single PDF. The compiled PDF should be uploaded under the “Other Attachments Form” in Grants.gov. Only material that is submitted as a single package will be reviewed by merit reviewers, including letters of support. Letters of support received by NOAA after the application has been submitted will not be considered in the merit review process.

- i. Letters of Collaboration. Include a letter of commitment from each collaborator (including letters signed by multiple collaborators) that documents review of the application and includes a statement of commitment to supporting and executing the activities proposed in the application. Letters of collaboration do not need original signatures.
- ii. Letters of Support. Letters from partners, including individuals, agencies, organizations, or institutions that cooperate with or are supportive of the project should be included in the application package. Letters of support from NOAA employees are not allowed and will not be included among the application materials considered by merit reviewers. Letters of support do not need original signatures. If

a regional collaborative does not include at least one unit of local, tribal, or state government as a collaborator, the applicant must include at least one letter of support from a unit of local, tribal, or state government.

C. Unique Entity Identifier and System for Award Management (SAM)

Applicants should:

- 1) be registered in the federal System for Award Management (SAM.gov) before submitting an application;
- 2) provide a valid Unique Entity Identifier (UEI) on an application; and
- 3) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency.

NOAA may not make a federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time NOAA is ready to make a federal award, NOAA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Applicants should allow a minimum of two weeks to complete the SAM registration; registration is required only once but must be periodically renewed. On April 4, 2022, the federal government began using a new Unique Entity Identifier (UEI) number provided by SAM. Your organization's Employer Identification Number (EIN) will be needed to receive a UEI, which is provided by SAM. If your entity is already registered in SAM.gov, your new UEI has already been assigned and is viewable in SAM.gov. This includes inactive registrations.

Applicants are strongly encouraged not to wait until the application deadline date to begin the application process through www.grants.gov. An entity potentially interested in applying should immediately register for SAM or check to assure that their previous registration is up to date and any necessary renewal has been processed.

D. Submission Dates and Times

The deadline for receipt of Letters of Intent (LOI) is August 21, 2023 at 11:59 p.m. Eastern Time. For LOIs submitted by email, the date and time indication of the receiving server will be the basis of determining timeliness. Note that receipt may be delayed if email servers are not functioning efficiently. Applicants submitting multiple LOIs must use a unique project title for each LOI and may send all LOIs in one email or in multiple emails. If

an applicant does not receive acknowledgement that its LOI was received by NOAA, it should send an email to resiliencechallenge@noaa.gov. For paper copy submission of LOIs, see below.

Full applications must be submitted by February 13, 2024 at 11:59 p.m. Late applications will not be considered for funding. Submission time will be documented by electronic submission to Grants.gov, a U.S. Postal Service postmark, or a delivery service receipt. Information regarding electronic submission through Grants.gov and the address for paper applications is contained below and in Section IV.G. No facsimile or electronic mail applications will be accepted. All applications must contain all required forms signed by an authorized organization representative. Digital signatures are allowed.

If for any reason applicants are unable to submit their application through Grants.gov or are concerned about possible problems associated with the Grants.gov system, send an email to resiliencechallenge@noaa.gov to make alternative arrangements. If necessary, applicants may provide an original paper copy of their LOI or full application by mail. Applications submitted by mail must include all relevant application elements described above, a SF-424 form with original ink or valid electronic signature and date from an authorized recipient organization representative and the entire package should be stamped with an official U.S. Postal Service postmark or provided to a commercial carrier with tracking number and receipt on or before 11:59 pm Eastern on February 13, 2024. Private metered postmarks are unacceptable. Address all mailed applications to:

Grant Coordinator, Business Operations Division
ATTN: Climate Resilience Regional Challenge
NOAA Office for Coastal Management
2234 South Hobson Avenue
Charleston, SC 29405-2413
resiliencechallenge@noaa.gov

Paper applications received more than seven calendar days after the deadline will not be reviewed, and applicants submitting by paper are responsible for tracking their applications. Proposal application packages, including all letters of collaboration and letters of support, shall be submitted together in one package. Failure to submit forms may result in disqualification from this competition. In addition, email resiliencechallenge@noaa.gov to inform NOAA that a paper application is forthcoming. Applicants should consider the possibility of unforeseen events that could affect their Internet access and use of Grants.gov on or before application due dates. Applicants should be aware that localized hazardous weather or other situations beyond their control affecting their ability to submit packages

before deadlines may not result in changes to the application deadline.

E. Intergovernmental Review

Applications submitted under this notice are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 19 on Form SF-424 regarding clearance by the State Single Point of Contact (SPOC). To find out about and comply with a State's process under Executive Order 12372, the names, addresses, and phone numbers of participating SPOCs are listed on the Office of Management and Budget's home page at: <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>.

F. Funding Restrictions

The placement of sand on beaches for renourishment is not eligible for funding under this announcement. In addition, the construction of shoreline stabilization structures are not eligible for funding under this announcement, unless they are part of a hybrid green and gray adaptation action. Shoreline stabilization structures are hard structures used to create rigidity and include breakwaters, riprap, jetties, breakwaters, seawalls, and revetments.

Per 2 C.F.R. § 200.458, NOAA authorizes award recipients to expend pre-award costs up to 90 days before the period of performance start date at the applicant's own risk without approval from NOAA and in accordance with the applicant's internal policies and procedures. As such, pre-award costs may be incurred up to 90 days prior to the effective date of and in anticipation of the award, if such costs are necessary for efficient and timely performance of the scope of work. Pre-award costs incurred after the publication of this Funding Opportunity but more than 90 days before the state of the award may also be considered, but require prior approval from NOAA. This does not change the period of performance start date. Pre-award costs and advance payments should be considered and discussed during pre-award negotiations between the applicant and NOAA representatives. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency. This could include proposal preparation costs (as defined at 2 C.F.R. § 200.460) that are not covered in indirect costs. Pre-award costs will be a portion of, not in addition to, the approved total budget of the award. All costs incurred before NOAA makes the award are at the recipient's risk (i.e., NOAA is not required to reimburse such costs if for any reason the recipient does not receive a Federal award or if the Federal award is less than anticipated and inadequate to cover such costs).

Pre-award costs eligible for land acquisitions include costs necessary for conducting appraisals, title work, and environmental assessments. The cost of land acquisition may also

be reimbursed as a pre-award cost if the acquisition occurred between the date this Notice of Funding Opportunity is published and the start date for an approved grant award. Reimbursement of funds is subject to NOAA's approval of due diligence documents; closing on a property prior to the award start date is at the applicant's risk. For land acquisitions, funds may not be used for:

- funding operations, maintenance, and management of the land beyond the period of performance (above those costs allowed for initial land stewardship);
- acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community);
- acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals;
- enforcing fish, wildlife, or other regulations, either solely or primarily, except when necessary for the accomplishment of approved project purposes; or
- reimbursement of expenses that have been incurred prior to the start of a grant award, except those approved as pre-award costs.

G. Other Submission Requirements

Applicants should submit full applications electronically through www.Grants.gov. Users of Grants.gov will be able to download a copy of the application package, complete it off line, and then upload and submit the application via the Grants.gov site. If an applicant has problems downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@grants.gov.

NOAA highly recommends that applicants do not wait until the application deadline to begin the application process through Grants.gov, as registration with SAM is required, as described in Section IV.C. After electronic submission of the application, applicants will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. Applications submitted through Grants.gov will be accompanied by THREE automated responses (the first confirms receipt by Grants.gov, not NOAA; the second confirms that the submission is acceptable and timely; and the third validates that the application has been forwarded to NOAA for further processing).

If all notifications are not received, applicants should follow up with the Grants.gov help desk to confirm NOAA receipt of the complete submission. Applicants should document communications with the Grants.gov help desk in the event technical issues arise. Applicants are strongly encouraged to submit applications early in the event technical issues arise.

NOTE: It may take Grants.gov up to two business days to validate or reject the application. Keep this in mind in developing your submission timeline. Applicants should allow themselves sufficient time to submit their application to Grants.gov in advance of the deadline to ensure applications have been submitted successfully, as waivers of the submission deadline will not be granted. Late applications will not be accepted. If an applicant is unable to use the preferred submission method (Grants.gov) or is unsure about the success of their submission to Grants.gov, a signed paper copy application must be postmarked, or provided to a delivery service and documented with a receipt, by the deadline under “Submission Dates and Times” in Section IV.D and sent to:

Grant Coordinator, Business Operations Division
ATTN: Climate Resilience Regional Challenge
NOAA Office for Coastal Management
2234 South Hobson Avenue
Charleston, SC 29405-2413
resiliencechallenge@noaa.gov

Mandatory requirements regarding signatures and the format of paper copy applications are described in Section IV.D. Paper applications submitted by the deadline must be received by NOAA within seven business days. While email applications will not be accepted, applicants should notify resiliencechallenge@noaa.gov that a paper application was submitted by the deadline and request confirmation when the application is received.

Grant Coordinator, Business Operations Division
ATTN: Climate Resilience Regional Challenge
NOAA Office for Coastal Management
2234 South Hobson Avenue
Charleston, SC 29405-2413

V. Application Review Information

A. Evaluation Criteria

LETTER OF INTENT EVALUATION CRITERIA

The Letter of Intent (LOI) evaluation criteria in this program and weights for each criterion are below. Track One and Track Two LOIs will be evaluated separately. NOAA anticipates that highly ranked LOIs will satisfy most or all of the criteria listed in this section.

1. Program Priorities (60 Points). Questions relevant to this criterion include the extent the application addresses the program priorities listed in Section 1.B.

- Risk Reduction (15 points) - For Track One LOIs, to what extent does the proposed effort prepare the region for implementation of future actions that will reduce risk to coastal communities, infrastructure, economies, and ecosystems from weather and climate impacts? For track Two LOIs, to what extent will the proposed effort reduce risk to coastal communities, infrastructure, economies, and ecosystems from weather and climate impacts?

- Regional Coordination and Collaboration (15 points) - To what extent does the proposed effort promote regional coordination and collaboration through a shared vision for how to improve resilience within the specific geography or region? To what extent is the size and location of the specified region likely to facilitate implementation of resilience and adaptation actions that ensure benefits flow to coastal communities?

- Equity and Inclusion (15 points) - To what extent does the proposed effort support development, identification, or implementation of equitable adaptation strategies and actions led by or with members of marginalized, underserved, and underrepresented communities and/or Tribes? Does the proposed effort advance environmental justice and provide opportunity for disadvantaged communities?

- Enduring Capacity (15 points) - To what extent does the proposed effort aim to build capacity for adaptation that can be sustained into the future beyond the period of award, including for Tribes and/or marginalized, underserved, and underrepresented populations?

2. Technical Merit (10 points). Questions relevant to this criterion include: To what extent are the vision, strategies, activities, and outcomes of the proposed efforts clear? To what extent are the proposed activities appropriate for accomplishing the stated vision and outcomes?

3. Project Costs (10 points). Questions relevant to this criterion include: To what extent are the estimated costs realistic and commensurate with the project needs and time frame?

4. Outreach and Engagement (20 points). Questions relevant to this criterion include:

To what extent do the proposed effort include specific activities for involving or engaging a wide range of agencies and organizations, including marginalized, underserved, and underrepresented communities, and Tribes? Does the LOI reflect connections with or intent to connect with NOAA's partnerships?

LOIs will undergo a technical review (with at least three reviewers), ranking, and selection process to determine eligibility to submit a full application. The LOI Evaluation Criteria will be scored as follows:

- 0 – Poor: LOI does not address Evaluation Criterion;
- 1 – Fair: LOI marginally addresses Evaluation Criterion;
- 2 – Good: LOI adequately addresses Evaluation Criterion; or
- 3 – Excellent: LOI exceptionally addresses Evaluation Criterion.

The Letter of Intent's average score is then calculated using the weights and ratings for each criterion, as follows:

$$\begin{aligned}
 &(\text{Rating for "Risk Reduction"} \times 0.15) + \\
 &(\text{Rating for "Regional Coordination and Collaboration"} \times 0.15) + \\
 &(\text{Rating for "Equity"} \times 0.15) + \\
 &(\text{Rating for "Enduring Capacity"} \times 0.15) + \\
 &(\text{Rating for "Technical Merit"} \times 0.20) + \\
 &(\text{Rating for "Project Costs"} \times 0.05) + \\
 &(\text{Rating for "Outreach and Engagement"} \times 0.15) + \\
 &\text{Sum of all review scores} / \text{\# of reviewers} = \text{Total Score (Range: 0.00 - 3.00)}
 \end{aligned}$$

FULL APPLICATION REVIEW CRITERIA

Reviewers will assign scores to full applications ranging from 0 to 100 points based on the following five standard NOAA evaluation criteria. Criteria and sub-criteria will be evaluated holistically up to the number of points specified.

1. Importance/Relevance and Applicability. These criteria are related to the program priorities.

Risk Reduction: This factor evaluates the extent to which the proposed approach, strategies, and actions reduce risk to coastal communities, infrastructure, economies, and ecosystems from weather and climate impacts.

For Track One (10 points), does the proposal:

1. Describe the risk from weather and climate impacts within the project area?
If not, does the proposal include activities to assess risk and vulnerability within the project area?
2. Articulate a regional resilience vision and propose development of strategies, approaches or plans to support implementation of future adaptation actions?
3. Describe specific needs or gaps within the region that will be addressed by the collaborative's activities? If not, does the proposal describe a process to identify them?
4. Describe how the benefits of a regional approach will flow to coastal communities?
5. Describe the impact the strategy will have when implemented and how the collaborative will pursue implementation?

For Track Two (15 points), does the proposal:

1. Articulate a vision, specific resilience and adaptation actions with co-benefits, and associated outcomes based on the needs, issues, or gaps within the region?
2. Describe a suite of complementary adaptation actions, grounded in existing plans or strategies, that are achievable within the proposed period of performance?
3. Provide a description of each proposed implementation action and specific plans for implementing each action (e.g., timeline, mechanism, etc.)?
4. Describe how the suite of proposed adaptation actions will measurably increase resilience of the region?

Regional Coordination and Collaboration. This factor evaluates the extent to which the applicant includes the appropriate entities for a specific geography in the collaborative team and proposes activities that are likely to advance specified goals.

For Track One (20 points), does the proposal:

1. Describe the geographic scope of the regional collaborative and how the size facilitates collaboration?
2. Include the necessary collaborators and partners to accomplish stated goals (including appropriate government entities) and how each of the collaborators are connected to the priorities?
3. Articulate steps and actions to create and sustain the collaborative team?
Include activities to incorporate indigenous knowledge, local and community knowledge and values related to climate adaptation within the region?

4. Describe the leadership, organizational, and administrative framework for the collaborative team, or propose activities that will result in an organizational and administrative framework?

For Track Two (10 points), does the proposal:

1. Describe the geographic scope of the suite of adaptation actions and how that size facilitates implementation?
2. Articulate a governance approach for the proposed suite of adaptation actions that ensure they complement each other and collectively contribute to regional adaptation objectives and actions that have been identified?
3. Demonstrate that it has enlisted the expertise and entities required to address the identified climate change threats holistically and collaboratively, including engagement and commitment from any relevant collaborators and/or partners?
4. Demonstrate integration and leveraging of federal, state, and local entities, as well as Tribes, tribal organizations, and non-governmental organizations?

Equity and Inclusion (15 points). This factor evaluates the extent to which the proposed activities are co-developed with Tribes or marginalized, underserved, and underrepresented communities and support development and implementation of equitable adaptation strategies and actions.

For Track One (15 points), does the proposal:

1. Identify, or propose to identify as an action, those who are most vulnerable to weather and climate impacts within the geography of interest, including Tribes or marginalized, underserved, and underrepresented populations, as well as disadvantaged communities?
2. Include both short-term and long-term activities that are led by or engage with, and provide resources to, Tribes or marginalized, underserved, and underrepresented communities? This should include resources for these communities to lead projects or engage in the process (e.g., attend meetings, provide expertise, etc.).
3. Describe how those Tribes or marginalized, underserved and underrepresented communities have co-developed or will be integrated into project activities? Does it clearly explain what inclusion looks like?
4. Describe activities to overcome known barriers to engagement of Tribes or marginalized, underserved, and underrepresented communities, or propose activities to identify barriers?

For Track Two (15 points), does the proposal:

1. Identify, or propose to identify as an action, those who are most vulnerable to weather and climate impacts within the geography of interest, including Tribes or marginalized, underserved, and underrepresented populations, as well as disadvantaged communities?
2. Describe the outreach that was done with Tribes or marginalized, underserved and underrepresented communities in developing and identifying the proposed adaptation actions? Or include plans for doing so (or continuing to do so) prior to and during implementation of these adaptation actions?
3. Identify the benefits that will accrue to Tribes or marginalized, underserved and underrepresented communities from the implementation of the proposed adaptation actions?
4. Identify the potential mitigation for any burdens that could be placed on these communities from the actions?
5. Describe activities, including staff time and dedicated funding, to ensure continued engagement of Tribes or marginalized, underserved, and underrepresented communities and incorporation of those communities into decision making processes?

Enduring Capacity (10 points). This factor evaluates the extent to which the proposed activities will build enduring capacity for adaptation within specified regions, including Tribes or marginalized, underserved, and underrepresented communities.

For Track One (10 points), does the proposal:

1. Include activities to improve planners', decision makers' and coastal stakeholders' access to and capacity to apply data and information related to current and future environmental, economic, and social conditions and integrate information into sound, planning and decision making?
2. Include a plan to sustain regional collaboration beyond the period of performance or propose to develop a plan for long term, sustained collaboration?
3. Invest in capacity building of those involved in the collaborative team and relevant communities by providing training? Support activities that will ensure sharing the lessons learned with other regions and communities?

For Track Two (10 points), does the proposal:

1. Identify the workforce requirements, including numbers, that would need to be hired to implement identified adaptation actions, including types and levels of positions related to: resilience or adaptation planning; coastal restoration

design; permitting; engineering; risk modeling; land and natural resources valuation; applied social science; geospatial analysis; and other expertise as required?

2. Identify opportunities to share the lessons learned during implementation more broadly and transfer knowledge within and outside the region?
3. Include a plan to sustain regional collaboration and adaptation actions beyond the period of performance or propose to develop a plan for long term, sustained collaboration?

2. Technical and Scientific Merit. This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear goals and objectives for the activities.

For Track One, does the proposal: (15 points)

1. Have a clearly defined, focused, and realistic vision? Include activities that are appropriate for accomplishing the stated vision and are achievable within the proposed time frame?
2. Incorporate current guidance, authoritative data and science, and/or technical advancements in the design and implementation of the proposed work?
3. Reference scientific sources from federal and non-federal sources, and/or Indigenous Knowledge related to weather and climate risk?
4. Include activities for evaluating and reporting performance of the overall effort and specific adaptation actions?

For Track Two, does the proposal: (20 points)

1. Have a clearly defined, focused, and realistic vision? Include activities that are appropriate for accomplishing the stated vision and are achievable within the proposed time frame?
2. Completely describe the proposed adaptation actions, including a realistic timeline, key milestones and outcomes to be achieved, and the status of permitting and environmental compliance? Include sufficient detail about each of the adaptation actions to assess the merit of the planned activities?
3. Provide support for the feasibility of the methods, including whether the approach is technically sound and safe for the public? Does the proposal provide support for the sustainability of the approach?
4. Reference scientific sources from federal and non-federal sources, and/or Indigenous Knowledge related to weather and climate risk?
5. Include activities for evaluating and reporting performance of the overall effort and specific adaptation actions including the anticipated social and economic

benefits? Include plans to support longer-term monitoring beyond the period of performance?

3. Overall Qualifications of the Funding Applicants (15 points). These criteria assess whether the funding applicant and any sub-applicants possess the necessary education, experience, training, facilities, and administrative resources to accomplish the project.

For Track One, does the proposal:

1. Include a lead entity with the capability and/or experience in successfully administering a federal award, or propose activities for the lead entity to gain the knowledge and skills necessary to successfully administer a federal award?
2. Clearly describe the roles of collaborators? Does the application include letters of collaboration that describe the scale and scope of involvement for the collaborators?
3. Identify a team of collaborators who have knowledge of and experience working in the specified geographic region? Does the team of collaborators have broad support for the proposed effort as reflected in letters of cooperation and/or letters of support?

For Track Two, does the proposal:

1. Involve a lead entity with the capability and/or experience in successfully administering a federal award and/or similar funding of a similar scope and scale? Include activities to gain the knowledge and skills necessary to successfully administer a federal award?
2. Involve collaborators and/or partners with sufficient expertise and capacity to implement the proposed suite of adaptation actions?

4. Project Costs (10 points). These criteria evaluate the budget to determine if it is realistic and commensurate with the project needs and time frame.

For Track One, does the proposal:

1. Include a budget request that is reasonable and does the applicant justify the proposed budget request? Are requested funds for salaries and fringe benefits only for those personnel who are directly involved in implementing the proposed regional collaborative and/or are directly related to specific products or outcomes of the proposed regional collaborative?
2. Describe how the proposed activities include strategic partnerships with collaborating institutions, agencies, foundations, community organizations, or private-sector partners? Do the proposed activities leverage resources from

other organizations or funding sources? Or describe efforts and associated challenges in identifying leveraging opportunities?

3. Have administrative costs been minimized to the greatest extent possible? This includes, but is not limited to, an assessment of effective direct/indirect costs across all categories in the proposed budget according to the type, size and duration of project and project objectives.

For Track Two, does the proposal:

1. Include a budget request that is reasonable and does the applicant justify the proposed budget request? Are requested funds for salaries and fringe benefits only for those personnel who are directly involved in implementing the proposed effort and/or are directly related to specific products or outcomes?
2. Demonstrate that the proposed activities leverage resources, and to what extent, from other organizations or funding sources? Or describe efforts and associated challenges in identifying leveraging opportunities?
3. Demonstrate that the proposed approach is the most efficient way to meet project objectives? Have administrative costs been minimized to the greatest extent possible? This includes, but is not limited to, an assessment of effective direct/indirect costs across all categories in the proposed budget according to the type, size and duration of project and project objectives.

5. Outreach and Engagement (5 points). These criteria assess whether the proposal includes a strategy to engage stakeholders beyond the collaborative team in improving resilience of the region.

For Track One, does the proposal:

1. Reflect outreach to one or more of NOAA's partnerships (see Section II.C)?
2. Outline a strategy that will improve and sustain dialogue and information sharing with supporters and other stakeholders, particularly marginalized, underserved, and underrepresented communities, and Tribes?

For Track Two, does the proposal:

1. Reflect outreach to one or more of NOAA's partnerships (see Section II.C)?
2. Outline a strategy that will improve and sustain dialogue and information sharing with stakeholders, particularly marginalized, underserved, and underrepresented communities, and Tribes?

B. Review and Selection Process

LETTER OF INTENT REVIEW AND SELECTION PROCESS

All LOIs received consistent with the deadline and procedures in Section IV. above will be evaluated by NOAA in accordance with the evaluation criteria in Section V.A. NOAA, in its sole discretion, may continue the review process for LOIs with non-substantive issues that may be easily rectified or cured. Each LOI will be reviewed by at least three objective reviewers, and a rank order will be established based on the scoring in Section IV. The goal of this review is to select the projects that are most strongly aligned with and most likely to advance the program priorities of the Climate Resilience Regional Challenge. Highly ranked LOIs will be invited to develop a full application. The number of LOIs invited to submit full proposals will be based on the rank order and available funding, and may take into account the Selection Factors in Section V.C. below. Proposals receiving lower scores that do not strongly align with program priorities will not be invited to submit full proposals.

Appropriate mechanisms will be established to avoid conflicts of interest. The Office for Coastal Management (OCM) will respond to each LOI by email informing the applicant and the PD as to whether they are invited to submit a proposal. OCM anticipates sending responses by October 11, 2023. If the applicant and the PD does not receive an email by October 12, 2023, they both must contact resiliencechallenge@noaa.gov and request the status of their LOI. The proposal submission deadline in this announcement will apply to everyone. The results of the LOI review will be released only to the applicant and the PD unless there are extenuating circumstances. Feedback on the LOI will be provided upon request. Applicants may not submit a full proposal unless they receive an invitation from NOAA to do so after submitting an LOI. Any proposal that is submitted without having received an invitation will not be reviewed.

FULL APPLICATION REVIEW AND SELECTION PROCESS

An initial administrative review is conducted on each application to assure that it is timely, responsive, and complete. NOAA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured. NOAA is not required to screen applications before the submission deadline, to identify deficiencies that would cause the application to be rejected or receive a poor evaluation (for example, a missing component). However, if deficiencies are identified by NOAA or the applicant before the deadline, the applicant may correct any deficiencies by submitting a revised application.

Applications that meet the minimum requirements will be reviewed by at least three independent peer reviewers during a merit-based review and ranking process. Appropriate mechanisms will be implemented to avoid potential conflicts of interest during the proposal

review process. Each reviewer will be asked to individually evaluate and rank proposals using the weighted evaluation criteria above. Proposal evaluations will be based primarily on information included in the application. Merit reviewer ratings will be used to produce a rank order of the proposals.

Following the merit review, one or more panels may meet to make final recommendations to the Selecting Official regarding which of the top ranked proposals best meet the program objectives and priorities. The panel may be composed of federal employees and non-federal experts and may convene in person or by teleconference, video conference, or other electronic means to discuss applications. The panel will be presented with the top-ranked applications, per the results of the merit review, merit review scores, and comments for each application.

The panel will rate all top-ranked proposals on the following scale:

- 3- Excellent--Application exceptionally addresses program priorities and was highly responsive to evaluation criteria;
- 2- Good--Application partially addresses program priorities and was strongly responsive to evaluation criteria; or
- 1- Fair--Application marginally addresses program priorities and was moderately responsive to evaluation criteria.

The final rating will be presented to the Selection Official and will be the primary consideration for deciding which applications will be recommended for funding. The Selecting Official, or their designee, may negotiate the funding level or other major aspects of the proposal, and based on the rank order and selection factors in Section V. C. below, the Selecting Official will make the final recommendation for award to the Grants Officer, who is authorized to obligate Federal funding and execute the award.

NOAA may select all, some, or none of the applications, or part of any application, may ask applicants to work together or combine proposals, may defer applications to the future, or may reallocate funds to different funding categories, to the extent authorized. Proposals not initially selected for funding may be considered for funding subsequent to the initial review and selection if additional funds become available without NOAA repeating the competitive process outlined in this announcement.

Please note that not all activities submitted under a single proposal may be deemed appropriate for funding, and the Selecting Official may recommend alternate activities as appropriate or only partial funding, based on the selection factors and the merit and/or panel

review written evaluations. For a proposal to be selected for funding, the applicant may be asked to modify objectives and activities, work plans, and budgets, and to provide supplemental information required by the agency prior to the award. This includes review of any proposed cost sharing, which is not required, and which may be removed or changed to leverage if more appropriate. This may result in submission of a revised application before final funding decisions are made. The exact amount of funds to be awarded, the final scope of activities, the project duration, specific NOAA cooperative involvement with activities of each project, and other relevant application details will be determined in pre-award negotiations among the applicant, NOAA GMD, and Office for Coastal Management officials. Applicants should also note that modifications to proposals may be necessary due to NOAA's efforts to comply with NEPA and other legislation.

C. Selection Factors

The Selecting Official, a senior official within the National Oceanic and Atmospheric Administration or their designee, shall recommend applications for funding in rank order unless an application is justified to be selected out of rank order based upon one or more of the following selection factors:

- availability of funding;
- balance/distribution of funds:
 - a) by geographic area,
 - b) by type of institutions,
 - c) by type of partners,
 - d) by research areas, or
 - e) by project types;
- whether this project duplicates other efforts funded or considered for funding by NOAA or other federal agencies;
- program priorities and policy factors set out in Sections I.A. and I.B.;
- an applicant's prior award performance;
- partnerships and/or participation of targeted groups (including the extent to which projects benefit Tribes, underserved, marginalized, underrepresented, environmental justice, and/or disadvantaged communities); and
- adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA GMD.

Hence, awards may not necessarily be made to the highest-scored applications. The Selecting Official or designee may negotiate the funding level of the proposal.

D. Anticipated Announcement and Award Dates

Applicants with the highest ranked proposals will be notified in Spring 2024 that they have been recommended for funding. Applicants must undergo reviews by NOAA's Grants Management Division as described in Sections V.B. and VI.B.9., and successfully complete all NOAA/applicant negotiations including providing the information required for NOAA to comply with NEPA and permit requirements, and the provision of other supporting documentation as requested prior to funding being awarded. The anticipated start date for cooperative agreement awards made under this competition is October 1, 2024, dependent on funding availability.

Unsuccessful applicants will be notified by e-mail that their application was not recommended for funding after the final selection package has been approved by the NOAA Grants Management Division, which is expected to be approximately June 2024. Unsuccessful applications submitted to this competition will be retained for three years and then destroyed.

VI. Award Administration Information

A. Award Notices

Applications recommended for funding by the Selecting Official will be forwarded to the NOAA Grants Management Division (GMD) by the Program Office. The applicant will be notified by the program office by email that their application was recommended for funding and remains under consideration. The applicant should be aware that the notification by the program office is not the official award notice and funding is not assured. Official notification happens only when the applicant receives an award notice from the Grants Officer electronically.

The official notice of award is the Commerce Form 450 (CD-450), Financial Assistance Award, issued by the NOAA Grants Officer electronically through NOAA's electronic grants management system, Grants Online, and must be accepted by the non-federal entity.

In addition, award documents provided by NOAA may contain specific award conditions as necessary, such as a limitation on the use of funds for activities that have outstanding environmental compliance requirements, which may lead to modification of the project's scope of work. These specific award conditions may also include other compliance requirements for the award and will be applied on a case-by-case basis. Applicants are strongly encouraged to review award documents carefully before accepting a Federal award to ensure they are fully aware of the relevant terms that have been placed on the award.

B. Administrative and National Policy Requirements

1. Pre-Award Notice. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79 FR 78390) are applicable to this solicitation. Refer to <http://go.usa.gov/cXC7A>.

2. Uniform Administrative Requirements. Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. § 200, implemented by the Department of Commerce at 2 C.F.R. § 1327.101, apply to awards in this program. Refer to <http://go.usa.gov/cXCJQ>.

3. Terms and Conditions. The Department of Commerce Financial Assistance Standard Terms and Conditions will apply to awards in this program. These terms will be provided in the award package in Grants Online. A current version is available for review at https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%202012%20November%202020%20PDF_0.pdf. Also, NOAA will apply administrative terms, and a current version is at <https://www.noaa.gov/sites/default/files/legacy/document/2021/Mar/Administrative%20Standard%20Award%20Conditions%20for%20NOAA%20Financial%20Assistance%20Awards%2002.18.2021.pdf>. In addition, award documents provided by NOAA may contain special award conditions, including those limiting the use of funds for compliance activities such as outstanding environmental compliance requirements, which will be applied on a case-by-case basis, requirements for physical signage attributing the project to its funding source, and requirements for submitting progress reports.

4. National Environmental Policy Act (NEPA) Requirements. NOAA must analyze the potential environmental impacts, as required by NEPA, for applicant projects or proposals that are seeking NOAA funding. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov>, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6.pdf, and the Council on Environmental Quality implementation regulations, http://energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf. Council on Environmental Quality implementation regulations are also accessible under <https://www.ecfr.gov/cgi-bin/text-idx?SID=30655823cf5f0dcb1c5ee59d01883b89&mc=true&tpl=/ecfrbrowse/Title40/40chapterV.tpl>.

Applicants should review the Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Notice of Federal Funding Opportunity Applicants at <https://www.noaa.gov/sites/default/files/2021-11/NOAA-Grants-Questionnaire-final.pdf>. This form addresses information requirements specific to compliance with the National Environmental Policy Act (“NEPA”), 42 U.S.C. §§ 4321- 4370. Under the description of program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non- indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). At a minimum, applicants should provide the proposed activity location, maps and graphics of the proposed location, if available (at a scale that clearly shows site location(s) relative to the surrounding area and nearby features), and whether there are pre-existing or ongoing uses at the location of the proposed activity. Applicants recommended for funding must complete questions 1 - 19 of the Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Federal Financial Assistance Applicants (accessible at: <https://www.nepa.noaa.gov/docs/NOAA-Grants-Questionnaire-final.pdf>) prior to NOAA review and approval of the funding award.

After the application is submitted, NOAA may require additional information to fulfill NEPA and other compliance requirements. If NOAA determines that an environmental assessment (EA) or environmental impact statement (EIS) is required, applicants may also be requested to assist in drafting the EA or EIS. Applicants may also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an application. If NOAA cannot evaluate the environmental impacts of the award due to the nature of the application (e.g., the funding will support the selection, design and implementation of a project but cannot evaluate a project that has not yet been selected), NOAA may require the applicant to submit additional information to fulfill NEPA and other compliance requirements once that information becomes available. Funds cannot be expended until NEPA and other compliance requirements are fulfilled.

5. Freedom of Information Act (FOIA). Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Federal Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains

information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

6. Data Sharing Requirements. If the applicant intends to collect or create environmental data or information, and if the applicant receives funding under this competition, they will be required to make the data or information collected or created under the NOAA award discoverable by and accessible to the public in a timely fashion (typically within two years), free of charge or at no more than the cost of reproduction, unless an exemption is granted by the NOAA Office for Coastal Management. Data should be available in at least one machine-readable format, preferably a widely used or open-standard format, and should be accompanied by machine-readable documentation (metadata), preferably based on widely used or international standards.

For the purposes of this announcement, environmental data includes: 1) observations and measurements of physical, chemical, biological, geological, and geophysical properties of the oceans, atmosphere, space, sun, and solid earth; 2) correlative data, such as socioeconomic data, related documentation, and metadata; 3) digital audio or video recordings of environmental phenomena (such as animal sounds or undersea video); 4) numerical model outputs, particularly if supporting a peer-reviewed publication; and 5) data collected in a lab or other controlled environment, such as measurements of animals and chemical processes.

Applications that involve the collection or creation of environmental data should include a general Data Management Plan of up to two pages describing how the following requirements will be satisfied. A typical plan should include:

- 1) descriptions of the types of environmental data and information expected to be created during the course of the project (including geographic and temporary coverage, anticipated quantity, volume or size of data collected, and the collection and/or generation methods that will be used);
- 2) the tentative date by which data will be shared;
- 3) information on data quality assurance/quality control procedures, document and metadata requirements;
- 4) methods for providing data access, sharing and preservation; and
- 5) prior experience in making such data accessible. If the proposal is selected for

funding, the applicant will need to provide a data management plan that addresses all the listed plan elements in detail.

The costs of data preparation, accessibility, or archiving may be included in the proposal budget. Accepted submission of data to the NOAA National Centers for Environmental Information (NCEI) is one way to satisfy data sharing requirements; however, NCEI is not obligated to accept all submissions and may charge a fee, particularly for large or unusual datasets. Proposals are to describe their proposed approach. Use of open-standard formats and methods is encouraged. NOAA may, at its own discretion, make publicly visible the Data Management Plan from funded proposals, or use information from the Data Management Plan to produce a formal metadata record and include that metadata in a Catalog to indicate the pending availability of new data.

Proposal submitters are hereby advised that the final pre-publication manuscripts of scholarly articles produced entirely or primarily with NOAA funding will be required to be submitted to NOAA Institutional Repository after acceptance, and no later than upon publication. Such manuscripts shall be made publicly available by NOAA one year after publication by the journal.

Responsible NOAA Official for questions regarding this guidance and for verifying accessibility of data produced by funding recipients:

Randy Warren
Data Manager
NOAA Office for Coastal Management
Randy.Warren@noaa.gov

7. Limitation of Liability. Funding for programs listed in this notice is contingent upon the availability of appropriations. Applicants are hereby given notice that funds may not have been appropriated yet for the programs listed in this notice. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

NOAA reserves the right to halt activity under the award through enforcement procedures under 2 C.F.R. §§ 200.339-.343, Remedies for Non-compliance, if the recipient is not fulfilling the requirements of the project as outlined in the grant award. Non-compliance with a federally approved project may result in termination of the award as described in 2 C.F.R. § 200.340.

8. Paperwork Reduction Act. This collection of information contains requirements subject to the Paperwork Reduction Act. The use of Forms SF- 424, SF- 424A, SF-424B, and SF-LLL has been approved by the Office of Management and Budget (OMB) under control numbers found at <https://www.reginfo.gov/public/do/PRASearch>. Form CD-511 and CD-512 are also required by the DOC. Applicants shall not submit form CD-512 with their application package; this form must remain on file with the applicant only. Form SF-LLL is required only if lobbying activities are being reported; otherwise, this form shall remain on file with the applicant only and not with the federal program office.

9. Review of Risk. The NOAA Grants Officer will review financial and grants administration aspects of a proposed award, including conducting an assessment of the risk posed by the applicant in accordance with 2 C.F.R. § 200.206. NOAA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM. An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. NOAA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206 Federal awarding agency review of risk posed by applicants.

In addition to reviewing repositories of government-wide eligibility, qualifications or financial integrity information, the risk assessment conducted by NOAA may consider items such as the financial stability of an applicant, quality of the applicant's management systems, an applicant's history of performance, previous audit reports and audit findings concerning the applicant and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. Applicants should be in compliance with the terms of any existing NOAA grants or cooperative agreements and otherwise eligible to receive federal awards, or make arrangements satisfactory to the Grants Officer, to be considered for funding under this competition. All reports due should be received and any concerns raised by the agency should be addressed in a timely fashion in order to receive a new award. Upon review of these factors, if appropriate, specific award conditions that respond to the degree of risk may be applied by the NOAA Grants Officer pursuant to 2 C.F.R. § 200.208. In addition, NOAA reserves the right to reject an application in its entirety where information is uncovered that raises a significant risk with respect to the responsibility or suitability of an applicant. The final approval of selected applications and issuance of awards will be by the NOAA Grants Officer.

10. Minority Serving Institutions. The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to increasing the participation of Minority Serving Institutions (MSIs), i.e., Historically Black Colleges and Universities, Hispanic-serving institutions, tribal colleges and universities, Alaskan Native and Native Hawaiian institutions, and institutions that work in marginalized, underserved or underrepresented communities.

11. NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards. NOAA requires organizations receiving federal assistance to report findings of sexual harassment, or any other kind of harassment, regarding an applicant, Project Director (PD), co-PD, Principal Investigator (PI), co-PI, or any other key personnel in the award. The recipient must report to the NOAA Grants Officer and Program Officer if the PI, co-PI, or other key personnel are placed on administrative leave relating to a harassment finding or investigation. NOAA may take unilateral action as necessary to protect the safety of all personnel on a project supported by financial assistance, to include suspending or terminating an award or requiring a recipient to replace or remove personnel. If the award involves the use of NOAA-operated facilities and/or vessels, the recipient must adhere to the following specific requirements:

- Financial assistance awards involving the use of NOAA operated-facilities: NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards Involving NOAA-Operated Facilities (May 2018).
- Financial assistance awards involving the use of vessels: NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards Involving the Use of a Vessel(s) under NOAA Contract, Order, Grant, or Cooperative Agreement (May 2018).

Direct links to the requirements for awards involving the use of NOAA operated-facilities and/or vessels may be found at <https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial>. Note that these policies include required training.

12. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials.

If applicable, and pursuant to the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. No. 117-58, which includes the Build American, Buy American (BABA) Act, Pub. L. No. 117-58, §§ 70901-52, and OMB M-22-11, recipients of an award of Federal financial assistance from the Department of Commerce (DOC) are hereby notified that none of the

funds provided under any award in this program may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

To help federal agencies and recipients meet BABA requirements, the U.S. Department of Commerce, National Institute for Standards and Technology (NIST), Hollings Manufacturing Extension Partnership (MEP) National Network™ provides a service to connect stakeholders, including recipients, to U.S. manufacturers that have relevant production capabilities and capacities to help fulfill current market and supply chain needs. Recipients considering a BABA nonavailability waiver are strongly encouraged to contact the NIST/MEP for assistance with supplier scouting services prior to seeking a BABA non-availability waiver. Further information on the NIST/MEP supplier scouting services is available at: <https://www.nist.gov/mep/supplier-scouting>.

Waivers: When necessary, recipients may apply for, and DOC may grant, a waiver from these requirements. DOC will notify the recipient for information on the process for requesting a waiver from these requirements. When DOC has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which DOC determines that: a. applying the domestic content procurement preference would be inconsistent with the public

interest; b. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or c. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. DOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the U.S. Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at whitehouse.gov/omb/management/made-in-america.

Definitions:

- “Construction materials” includes: an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinyl chloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall.
- “Domestic content procurement preference” means: all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.
- “Infrastructure” includes, at a minimum: the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.
- “Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States. -- 1 Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives. 2 IIA, § 70917(c)(1).

Implementation of Domestic Sourcing Requirements: Prior to initiation of any construction that may arise in any award under this program, the Recipient will be required to inform the NOAA Grants Officer and the Federal Program Officer whether it is using iron, steel, manufactured products, or construction materials as described in the above policy

on Required Use of American Iron, Steel, Manufactured Products, and Construction Materials. In addition, the Recipient will be required to inform the NOAA Grants Officer and the Federal Program Officer whether those materials are produced or manufactured in the United States, or alternatively, it is requesting one or more waivers, as described in this announcement. The Recipient will be required to coordinate with NOAA regarding its compliance with this policy.

C. Reporting

Award recipients will be required to submit financial and performance (technical) progress reports consistent with 2 CFR 200.328 - .330 and DOC Standard Terms and Conditions electronically through NOAA's electronic grants management system, Grants Online. Performance reports must be submitted on a semi-annual schedule no later than 30 days following the end of each 6-month period from the start date of the award. Financial reports must be submitted every 6 months by the end of April and October during the period of the award in accordance with the DOC Financial Assistance Standard Terms and Conditions. NOAA will provide instructions for submitting financial and progress reports upon request.

A comprehensive final report is due 120 days after the award expiration date along with copies of all products developed under the award. Copies of all materials (including but not limited to brochures, posters, videos, DVDs, publications, reports, management plans, public service announcements, workshop proceedings, etc.) produced through the award, along with copies of any reports submitted by contractors as part of the award, must be provided to the program office within 120 days of the end of the award. Except where limited by law, regulation, policy or security, recipients are requested to include a statement on the front page of all products to indicate the material is "Approved for public release; distribution is unlimited". Journal publications must be made available to the public free of charge if the applicant has requested publication costs or when consistent with an award's approved data management plan. Additional data policies may arise prior to award pursuant to the federal-wide directive found at <https://www.whitehouse.gov/wp-content/uploads/2022/08/08-2022-OSTP-Public-Access-Memo.pdf>.

Successful applicants will be requested to ensure that all interim progress reports indicate whether financial reports have been submitted to NOAA's GMD and are up to date. In their final progress report, applicants will be asked to:

- (a) clearly state the resulting overall impact of their project; and
- (b) certify that "Final financial reports have been submitted to NOAAs GMD and a final funding draw-down has been made through the Automated Standard

Application for Payments (ASAP).”

If equipment or tangible personal property is purchased with grant funds, applicants shall submit an inventory to the extent required by the Office of Management and Budget Uniform Guidance set out at 2 C.F.R. Part 200.313. Recipients must inventory tangible property at least once every two years and at award closeout. As necessary, SF-428 forms may be attached as an appendix to progress reports or submitted directly to the NOAA program officer.

Recipients must submit reports at least annually and at award closeout on the status of real property in which the federal government retains an interest, unless the federal interest in the real property extends 15 years or more. As necessary, SF-429 forms may be attached as an appendix to progress reports or submitted directly to the NOAA program officer.

The program office recommends that if the equipment is no longer needed, recipients are encouraged to request disposition instructions for equipment approximately 150 days before the project period ends to allow sufficient time to have equipment disposition requests addressed before a project ends. Equipment disposition instructions typically require that recipients “Submit Additional Closeout Documents” as an award action request in Grants Online. NOAA will provide instructions for disposition in accordance with OMB requirements.

The Federal Funding Accountability and Transparency Act, 31 U.S.C. § 6101, includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards over \$25,000. See 2 C.F.R. § 170 at http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl.

VII. Agency Contacts

For administrative or technical questions regarding this announcement, contact the OCM Grants Coordinator: resiliencechallenge@noaa.gov

VIII. Other Information

Additional information on the NOAA Climate Resilience Regional Challenge, including the dates and times of informational webinars, can be found here:

<https://coast.noaa.gov/funding/ira/resilience-challenge/>

Funds awarded cannot necessarily pay for all the costs that the recipient might incur while carrying out an award. Generally, costs that are allowable include salaries, equipment, and supplies, as long as these are “necessary and reasonable” specifically for the purpose of the award. Allowable costs are determined by reference to the OMB Uniform Guidance at 2 C.F.R. Part 200, codified by the Department of Commerce at 1327.101. All cost reimbursement sub-awards (e.g., subgrants, subcontracts) are subject to those federal cost principles applicable to the particular type of organization concerned.

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed, and evaluated by Department of Commerce employees, other Federal employees, Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflicts of interest and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with the Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

CM Hall's City Council Report, 9/30 - 10/15, 2023

9/30/23: Attended Art Installation Ceremony at Don & Ann Davis Park

10/2/23: City Council Work Session

10/2/23: City Council Meeting

10/9/23: Attended Welcome Remarks at Oregon Airport Managers Association conference

10/10/23: Joint Meeting of Parks and Bike/Ped Committees

10/12/23: League of Oregon Cities Conference

Attended Sessions:

Building a Successful Organization By Building Healthy Relationships

Unhoused Shelter and Affordable Housing Tour

Welcome & Keynote - Bill Strickland

10/12/23: Attended dinner with City Council members and staff

10/13/23: League of Oregon Cities Conference

Attended Sessions:

Creating Inclusive and Deliberative Local Democracies

Increasing Community & Civic Engagement in Both Urban and Rural Areas

Women's Caucus Business Meeting

Council Compensation: "You Make How Much?"

Making Equity Stick: City Charter Revisions and Other Systemic Changes

Top Three Legal Issues Facing Cities

10/14/23: League of Oregon Cities Conference

Attended Session:

Addressing Oregon's Homeless Crisis – Where Are We?