1. 2:00 P.M. Agenda

   Documents:

   Agenda City Council May 18 2022.Pdf

2. 2:00 P.M. Meeting Materials

   Documents:

   Link To Goal 1.Pdf
   Citizens Involvement Committee - Proposal.pdf
   Letter From Newport Regarding TLT.pdf
   Meeting Summary 4.20.22 City Council.pdf
   Meeting Summary 05.05.22 City Council.pdf

CITY OF YACHATS
CITY COUNCIL WORK SESSION AND REGULAR MEETING
Yachats OR
Wednesday May 18, 2022 at 2:00 pm
To Be Held Via Zoom

AGENDA

Join Zoom Meeting
https://us02web.zoom.us/j/83380335391

Meeting ID: 833 8033 5391
One tap mobile
+12532158782,,83380335391# US (Tacoma)
+16699006833,,83380335391# US (San Jose)

Dial by your location
+1 253 215 8782 US (Tacoma)
+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
Meeting ID: 833 8033 5391
Find your local number: https://us02web.zoom.us/u/kdpRaGCaG

Regular Council Meeting

I. Announcements, Correspondence, Proclamation

II. Public Comment: Topics not listed on the agenda (5-minute limitation per person)

The Yachats City Council meetings are open to the public and interested citizens are invited to attend. These are open meetings under Oregon law, but a work session is not a community forum; audience participation is at the discretion of the Council. Meetings are audio-recorded. The meeting are accessible to persons with disabilities. For accommodations, please call (541) 547-3565, or Oregon Relay 1-800-735-2900 TDD) two days in advance. City of Yachats does not discriminate on the basis of race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, sexual orientation, or any other legally protected status. Sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541-547-3565 or Oregon Relay 1-800-735-2900 (TDD) two days in advance.

III. New Business

A. Discussion in regard to the Planning Commission recommendations for the Citizens Involvement Committee (CIC)

B. Discussion regarding push for Legislative changes in Transient Rental Tax use.

C. Councilor Scott's schedule

IV. Old Business

A. Council goal: "Conduct Comprehensive community survey"

B. Report by Councilor Stott on procedures used by other cities relative to possible land purchases

V. Report

A. City Manager reports on Progress with Project Process

VI. Other Business

A. From Mayor

B. From Council

C. From Staff

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https://www.oregon.gov/lcd/OP/Pages/Goal-1.aspx

Public involvement is a required part of land use planning in Oregon. This requirement is one of the things that make Oregon's land use planning program unique. The requirement for public participation is written in the first goal of nineteen in the statewide land use planning system.

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program that addresses:

1. Opportunities for widespread public involvement
2. Effective two-way communication with the public
3. The ability for the public to be involved in all phases of the planning process
4. Making technical information easy to understand
5. Feedback mechanisms for policy-makers to respond to public input, and
6. Adequate financial support for public involvement efforts

The goal also calls for local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

DLCD provides a staff liaison to the Citizen Involvement Advisory Committee (CIAC). The CIAC advises the Land Conservation and Development Commission on matters related to Goal 1. DLCD also provides staff to answer questions about public participation in the land use planning process for local governments and members of the public.

Adopted: 12/27/74; Effective: 1/25/75
Amended: 2/17/88; Effective: 3/31/88

Read full text version of Goal 1

Administrative Rules that implement Goal 1:

none

Related:

Oregon's Citizen Involvement Advisory Committee
Putting the People in Planning

Citizen Involvement Committee

Lance Bloch <lancebloch1@gmail.com>

Mon 4/25/2022 10:35 AM

To: Mayor <Mayor@YachatsMail.org>;Ann@yachatsmail.org <Ann@YachatsMail.org>;Anthony Muirhead <Anthony@YachatsMail.org>;Greg@yachatsmail.org <greg@YachatsMail.org>;Mary Ellen O'Shaughnessey <oshaughn@illinois.edu>

1 attachments (25 KB)

CIC.pdf;

TO: Yachats City Council,

First of all I want to apologize for the slow response time in getting this recommendation back to the City Council. The Planning Commission has had some difficulty in getting a quorum recently. There have been vacations, and required absences for work, and we have had difficulty in agreeing on how to approach this topic.

We have had assistance from some citizen volunteers from the YAA (Yachats Action Alliance), which was formed to give input on the Agate Point Conditional Use permit, and which has been delayed more than once.

The general conclusion that we came to was that "citizen advisors" want to advise the city government. They do not want to "be" the city government. And, they are frequently motivated by individual issues facing the city government. However, we feel that we can get a core of organizers who will stick with the city, and advise on multiple issues over a period of time. They will have others come and go as the issues interest them.

We have also found a preference for "informal" meeting locations and procedures. To put it a different way: they are happy to advise, but they want to do it on their terms...meetings at places and times of their choosing, and procedures that they are comfortable with.

To that end the Planning Commission is making the attached recommendations. We created an "administrative procedural" document, not an ordinance. We felt that we would have difficulty attracting, and keeping volunteers if we made it more structured. We realize that there have been discussions about the need for Public Meetings with Public Records for all committees. This has come up with the Trails Committee and the Water Conservation Committee. Still our recommendation is that the advice be presented formally, but that they can discuss the advice wherever and whenever they choose.

I will attend the City Council whenever this is on the agenda, and I can explain further if needed.

Thank you for your consideration.

Lance Bloch

Planning Commission Chair

Citizen Involvement Committee

Comments by The Planning Commission
4/25/2022

Goals:

1. Increase citizen involvement in land use planning.
2. Improve communication between local government, residents, and businesses.
3. Meet Oregon Goal 1 OAR 660-015-0000(1)

During discussions of the CIC in the January 18th Planning Commission meeting, as well as the February 15th Planning Commission meeting, it was agreed that we should focus on the requirements of Oregon Goal 1, and emphasize getting citizen involvement in the planning process. While it is recognized that an all-issues CIC could be very useful as well, it was felt that we should address the state requirements first. Toward that end we are making the following recommendations.

MEMBERSHIP:

We should advertise for community volunteers to fill up to 5 seats on the CIC. Their only qualifications are that they be Yachats residents with an interest in community involvement. These people will report to the City Planner as a primary contact point.
(John Ayer has indicated that he is in touch with several potential volunteers.)

DUTIES:

1. Identify a Spokesperson to organize their meetings, as well as one or more alternates. The Chair should rotate to provide opportunities for cross training, as well as coverage for absences.
2. Report directly to the Yachats City Planner concerning all active projects. Identify the person to do this report, and rotate the function to provide opportunities for cross training.
3. Outreach and Education are the primary duties of the CIC.
4. Increase citizen input to long range planning. This may include input to Comprehensive Plan updates. It may also include preparation, distribution, and analysis of community surveys as required by any land use planning projects whether they are initiated by the Planning Commission, the City Council, or another Yachats city commission.
5. Have a representative attend Yachats Planning Commission meetings to report any planning related citizen input.
6. Have a representative to attend monthly Commission Chair meetings in order to increase communication between the citizens and the commissions.
7. Write a column for the Yachats monthly newsletter whenever CIC activities provide information to share.
8. Identify community projects which require volunteer help, which may include participation in the CIC and the Commissions, and advertise and recruit this volunteer

help.

9. Inform the public of dates and times of upcoming Planning Commission hearings on land use applications when directed by the City Planner.
10. Direct citizen questions on any pending land use application to the City Planner.

RELATIONSHIP TO THE PLANNING COMMISSION:

Facilitate communication between the Planning Commission and the citizens of Yachats. This is not a policy making committee, or one which advocates a position on any pending land use application permitted by Title 9 of the Municipal Code. Land use applications include, but are not necessarily limited to: partitions, boundary line adjustments, subdivisions, any planned unit development, conditional use, or variance request.

April 8, 2022

Patty Mulvihill
Interim Executive Director
League of Oregon Cities
1201 Court Street NE, Suite 200
Salem, OR 97301-4194

Don Hudson, Chair
Finance and Taxation Policy Committee
League of Oregon Cities
1201 Court Street NE, Suite 200
Salem, OR 97301-4194

RE: Modifications to the Transient Lodging Tax

Dear Patty and Don:

On Monday, April 4, 2022, the Newport City Council unanimously approved a motion to request that the League of Oregon Cities and its Finance and Taxation Policy Committee advocate for a change of how transient lodging tax is used.

The transient lodging tax (TLT) is an important source of revenue for cities and counties that rely on tourism as a significant source of employment and industry for their communities. While a community such as Newport has just over 10,000 residents, the City is required to support infrastructure to accommodate two or three times its population on any given summer day. This means more miles of roads, more law enforcement, and more medical emergencies, than a typical community of our size. The burden of supporting these services falls heavily on our residents.

Under current state law, 70 percent of the taxes collected though TLT must be used for tourism promotion, tourism-related facilities, or to finance or refinance the debt on tourism-related facilities. Local governments can allocate up to 30 percent of the TLT for general city or county services. Prior to 2003, allocation of the TLT was designated by local governments, with some communities like Depoe Bay utilizing 100 percent of the TLT that was put in place for general government services.

The City of Newport is requesting that the League advocate for redefining the eligible expenditures for the tourism portion of the TLT (70 percent) to include spending up to 50 percent of those funds on roads and public safety.

The argument for using a portion of these funds for transportation needs is based, in part, on the way the Oregon Department of Transportation allocates state collected gas tax from local governments. Currently, the allocation is based on population. While the City of Newport, which is heavily impacted by tourism, has a population of just over 10,000 residents, a similar community of 10,000 people would receive the same per capita allocation for transportation funds, even though the City of Newport may have twice the number of miles of roads to service for its heavily-used road system. In our case, 10,000 residents are put in a position where they are required to support a road system that has been developed to service the tourism industry, as well as the residential and commercial needs of our community. This inequity can partially be addressed by allowing the use of the tourism portion of the TLT to pay for roads and transportation.

Unlike water and sewer utility services, which are funded through utility rates, the burden of public safety expenditures is supported through our General Fund, placing a majority of the burden on the local taxpayers. In addition, public safety departments in tourism communities have to be sized not only for the residents and business populations, but also the high number of tourists that visit these communities. The City Council is requesting that the League advocate for using a portion of the TLT for public safety purposes, as well.

The City Council also recognizes that there is a need for marketing tourism to help sustain and build the tourism business in these communities. The City Council is proposing that legislation limit the use of the tourism portion of the TLT to up to 50 percent for roads and public safety. This still leaves a sizeable amount for marketing activities from the TLT to promote tourism.

The City Council believes that roads and public safety are clearly impacted by the tourists that utilize our roads and require services from police and fire, and that these expenditures should be supported, to a greater extent, by the TLT.

We will be sharing this concept with other tourism communities to see if there is additional support for moving forward with this type of legislation for the 2023 session. If we can provide any additional information, please feel free to contact us.

Respectfully submitted,

Dean H Sawyer

Dean H. Sawyer, Mayor

Spencer R. Nebel, City Manager

cc: Newport City Council
Mark Gharst, Lobbyist
Finance and Taxation Committee

City of Yachats
CITY COUNCIL MEETING
April 20, 2022

Meeting called to order at 2:07 pm

Present: Mary Ellen O'Shaughnessey, Greg Scott, Ann Stott, Council President, Leslie Vaaler, Mayor, Heide Lambert, City Manager, Anthony Muirhead (joined at 2:19 pm), Tom Lauritzen, Don Groth

I. ANNOUNCEMENTS, CORRESPONDENCE, PROCLAMATIONS

(1:58) Vaaler presented and read a mayoral proclamation regarding sexual assault.

II. PUBLIC COMMENT

(4:34) Amber Wishoff of "My Sisters' Place" thanked Mayor Vaaler. She went on to say that the stats for 2021 indicate that every 68 seconds an American citizen is sexually assaulted and every nine (9) minutes that victim is a child. Talked about initiatives available. She indicated a new fund raiser, "Safety By The Square Foot" which allows individuals to symbolically purchase a square foot of the shelter. Also discussed the Bottle Drop program which takes bottle/can returns.

III. NEW BUSINESS

A. Consideration of Appointment of Julie Bailey for Possible Appointment to the Planning Commission

(9:12) Vaaler advised that Lance Bloch, Chair of the Planning Commission emailed her that the Commission reviewed Bailey's application and voted to have her join and at the same time accepted the resignation of Ariana Carlson from the Commission.

Stott made the motion **to appoint Julie Bailey to the Yachats Planning Commission.**

Vaaler asked to amend the motion to read: **Appoint Julie Bailey to the Yachats Planning Commission for whichever seat has the longest term.**

Stott agreed.

Vote: Muirhead, yes; O'Shaughnessey, yes; Scott, yes; Stott, yes; Vaaler, yes. **Motion carried unanimously.**

B. Scheduling a Time for Initial City Manager Evaluation Promised in Her contract and discussion of Evaluation Process

(14:33) Vaaler reminded council that in Lambert's contract it indicated there would be an initial evaluation in May and then another in November. She asked Lambert to express what type of evaluation would be helpful to her. Lambert indicated she had reached out to other City Managers for information of their evaluation process and sent that information to O'Shaughnessey and Stott. Lambert said she thought short and to the point is the best and went on to highlight some areas. She continued to say she welcomed evaluations as a way to keep on track but also didn't want it to become a chore for Council.

(17:33) Vaaler asked how the Council Lambert referred to used the evaluation form, whether they wrote a sentence for each item, everything was done verbally, checked off the item…

(17:59) Lambert read off the different topics from the form and then indicated the council members rated each item 1 to 5 and there was a space for comments. She referred to it as a survey monkey so that the councilors could respond anonymously. The responses were sent to the mayor, the mayor would compile the responses and then sit down with the city manager.

(19:33) Stott responded that she and O'Shaughnessey had done some work on an evaluation and then it got put on the "back burner". She advised that she and O'Shaughnessey can review the information from Lambert along with what they have already come up with and make a formal presentation at the May 5th Council meeting. O'Shaughnessey agreed.

(21:10) Discussion held on what should be included in the evaluation form and the timing for the evaluation. Lambert suggested after the budget process, sometime in June and Vaaler reminded her that the contract said May. Discussion was held and Vaaler suggested making the May 5th work session topic the evaluation form.

IV. OLD BUSINESS

A. Approval of CIP

(29:47) Vaaler advised that a lengthy meeting had been held the week before to discuss the CIP. Changes were suggested and the latest draft is in the meeting packet. Vaaler asked for questions or concerns.

(31:08) Stott referred to the conversation at the last meeting about having more requests than funds to cover them. Asked what the $250K was for acquisition, survey and Geotech was for under the Water Master Plan. Lambert responded that this would be for raw water storage and that McClung advised her that there were a couple of possible sites and they would both have to be surveyed and have Geotech done. The $250K is an estimate.

(33:40) Stott stated that she noticed the commons items that were discussed last week had been shifted to future years and felt that was appropriate. She then questioned the Gender Drive Storm Drain being converted to a study for $50K. Lambert responded saying a drain was started, but as they progressed thought that further study needed to be done.

(35:24) Scott explained that the Storm Drain Master Plan needs to be updated to provide the information to revise the SDC rates on storm water.

Vaaler made the motion **to approve the CIP Plan as provided in the council packet, understanding that the Finance Committee will be working on later years, but that the City Manager will be using the 22-23 figures.**

Vote: Muirhead, yes; O'Shaughnessey, yes; Scott, yes; Stott, yes; Vaaler, yes. **Motion carried unanimously.**

(39:35) Stott addressed the Parks and Commons Commission indicating that a lot of work has been done on the Commons north entrance project and she wanted to assure them that Council knows it needs to be done but Council wants to make sure there is a solid plan for the entire Commons structure before money is invested on a remodel. She suggested a community meeting as soon as possible to seek input specifically for the Commons building itself.

B. Terminate the Contract with Community Lending

(42:45) Lambert gave some background as to what the contract entailed and that a "local church" supplied grants to businesses so no one used the loan and this money is sitting there. The company indicated that if the contract was terminated the funds would be returned. She asked council to make a motion to terminate the contract.

(44:26) Lauritzen addressed the issue of the one or two businesses that did take a loan indicating Community Lending Works would continue to administer the funds for the two outstanding loans for $10K each. $80K has been sitting in Community Lending's account since July,2020 and the amortization of those two loans has begun. He went on the discuss the different parts of the agreement. He also stated the written contract is not what was presented or approved by Council.

(51:45) Stott made the motion **to instruct the City Manager to terminate the contract with Community Lending Works.**

Vote: Muirhead, yes; O'Shaughnessey, yes; Scott, yes; Stott, yes; Vaaler, yes. **Motion carried unanimously.**

(53:42) Vaaler asked if this figure would need to be reflected in the supplemental budget. Groth advised no, it would go in as miscellaneous income.

V. REPORTS

A. Financial

(54:31) Lambert advised March financials have been posted on the website. She continued saying funds will continue to look "wonky" while City Hall continues to catch up. She applauded the new staff learning how to do utility billing and working with the new system. She advised SpringBook is used by cities throughout the nation and it is handy, but it is cumbersome to learn.

B. Council

(56:15) Scott indicated the work on the complaint system has been stopped as the developer has been pulled away. He expects it will restart in early May.

C. City Manager

(57:04) Lambert referred to the report in the meeting packet. She is hopeful to include it at the beginning of the month but a look at the report shows how much is going on in Yachats. She addressed the concerns about the houseless population. She wants the community to know that all concerns are taken seriously and further advised there is no warming shelter in town so by law people cannot be removed from public land. The City is doing what it can to provide a safe environment, porta potties have been placed in various areas, the grounds are being cleared of garbage. She stressed that this is a nationwide problem and asking citizens for compassion and understanding. She further indicated that she is open to any and all suggestions on how to solve this issue.

VI. OTHER BUSINESS

A. From Mayor

B. From Council

C. From Staff

(1:03:18) Lambert thanked the Council, the Mayor and the residents. The past two months have been challenging and she feels she is growing as a person and as a manager and appreciates the work the Council has put in to support her and the confidence they have had in her. She has enjoyed the work and looks forward to the future.

Meeting adjourned at 3:11 pm by Mayor Vaaler.

Transcribed by Contractor, L.F. Barrett 04/27/2022

City of Yachats
CITY COUNCIL MEETING
May 5, 2022

Meeting called to order at 9:35 am

Present: Anthony Muirhead, Mary Ellen O'Shaughnessey, Greg Scott, Ann Stott, Council President, Leslie Vaaler, Mayor, Heide Lambert, City Manager, Joanne Kittel. Loren Dickinson, Tom Lauritzen, Bob Langley, Timothy Gross, Civil West Engineering, Michael Hempen, Wally Orchard, Rick McClung

WORK SESSION

(2:00) Stott congratulated Muirhead, indicating he is staying on with the Adobe under the new owners.

I. Discussion of process for initial City Manager Review and Review and November Review Attached: Evaluation Sample

(2:40) Vaaler referred to the evaluation form included in the packet drafted by O'Shaughnessey and Stott. Vaaler asked Lambert's opinion of the document and if she had any input.

(3:38) Lambert advised she was very comfortable with the evaluation form and further stated that O'Shaughnessey and Stott included her in their process. She felt it was short and to the point and covered the aspects of her position.

(4:50) Vaaler had three concerns regarding the document: (1) the comment sections were too small.

(6:19) Muirhead suggested writing "see attached" and then include a separate sheet with comments.

(6:57) Vaaler's second concern was "a wonder"; is a category regarding working with commissions needed?

(8:07) Stott felt commissions fell under administrative duties and commissions could be added as a fifth item.

(8:47) Lambert suggested putting an additional item under the leadership category but felt this would just be the council's perspective on her relationship with the commissions; perhaps that she communicates effectively to commission's needs and concerns.

(9:45) Discussion held regarding where to add the item for commissions or if one is needed at all. Vaaler indicated she felt it was important to have something under leadership – Stott asked for appropriate wording and Vaaler didn't have any and Stott said they'd get back to it.

(11:56) Vaaler's third concern was the rating scale, and she went on to explain her rationale.

(13:17) Stott indicated the majority of this form was borrowed from Waldport. She indicated one of the changes made was to the rating scale and explained her reasons.

(17:04) Discussion held regarding the scale. Summary: (3) Satisfactory, meets Council's expectations; (4) Good, generally exceeds Council's expectations and (5) exceptional/outstanding/superior, substantially exceeds Council's expectations.

(27:09) Scott voiced the concern that in the future a broader base of information would be helpful, and he explained his reasoning.

(29:05) Lambert gave her thoughts on the evaluation process stating she feels the evaluation is between the Council and the City Manager and that the community makes known to the Council what they want or need and how they feel.

(30:36) Scott indicated that with the pandemic he has had little communication with community members and because of that feels he cannot with a high degree of confidence answer the questions on the evaluation form. He went to explain his thoughts.

(32:36) O'Shaughnessey agreed with Scott but cautioned that care needs to be taken when asking for input from the community.

(34:06) Stott suggested using the N/O option with an explanation in the comment section for the time being. Discussion continued.

(35:15) Vaaler then referred to the process of doing the evaluation. She mentioned the "survey monkey" and anonymity but felt hard copies would be better

(36:40) Discussion held regarding being anonymous versus identifying the evaluator and tabulating the results.

(40:02) Lambert requested that the evaluation be delivered to her privately by the Mayor and the Council President and then asked how the evaluation would be delivered, either all five of the evaluations or the tabulation of the evaluations.

(41:03) Scott indicated he felt the City Manager should see all five evaluations and everyone agreed. Discussion continued and how to deliver the evaluation results and timing.

(50:32) Scott asked for clarification of how the data would be delivered. Vaaler confirmed that the City Manager would receive all five evaluations and all councilors agreed with that.

(57:03) After discussion of when councilors were available and Lambert's schedule, it was decided to distribute the evaluations to the Council the last week of May and then forward the completed evaluations to Lambert the first week of June.

(58:02) Vaaler closed the Work Session and moved onto the Regular Meeting.

REGULAR MEETING AND SUPPLEMENTAL BUDGET HEARING

I. ANNOUNCEMENTS, CORRESPONDENCE PROCLAMATIONS

(58:29) Vaaler announced that George Mazeika resigned from the Parks and Commons Commission. Fran Morse for the time being will be taking over the duties of the Chair. Vaaler thanked Mazeika for his service and Morse for stepping up.

(59:53) Vaaler then shared a note she received from Mary Deribreprey regarding the unhoused and use of the pavilion.

II. PUBLIC COMMENT

None.

III. NEW BUSINESS

A. Boardwalk Presentation

Attached Presentation Packet

(1:03:38) Langley began the presentation by introducing the members of the “team”: Loren Dickinson, Joanne Kittel, Michael Hempen of Parks and Commons Commission, Linn West, Chair of Public Works and Streets, Rick McClung and a representative from Civil West Engineering, Timothy Gross. He advised there were three (3) purposes to today’s presentation: (1) update the Council since last meeting in August; (2) explain what has happened since then and answer questions and (3) request Council to authorize the team to execute a contract for engineering and design services.

(1:05:07) Dickinson gave a summary of the project. He indicated that all the information included in the meeting packet is very thorough and further stated reasons for the project are mainly safety issues, having another city amenity and compliance with the mandate to complete the link for the Oregon Coast Trail. Dickinson continued, indicating the change to using composite materials for the project.

(1:08:25) Langley gave some history of the project and research done to determine what configuration and materials would be best suited for the project. Civil West came back with a Preliminary Engineering Report for composite, under rail LED lighting and stainless-steel railing options.

(1:11:10) McClung indicated Gross would be better to discuss the pricing but did say cost would be about $1M and that the team is requesting money in the upcoming budget for engineering for the project.

(1:11:52) Gross shared a cost estimate for the “preferred alternative” and gave the highlights of the categories and costs. He advised these are estimates based on artists renderings, when an actual design is selected that engineer will make estimates based on construction according to a design.

(1:15:30) McClung indicated power should be underground and the estimate for that is below $40K if there is not three-phase at the old Landmark site. Stott questioned what the phases meant, and McClung described them. He advised that the proceeding with the undergrounding of the power ASAP because PUD needs to order the units to be made and that takes times. He advised the team wanted to start the engineering process in the new budget year at approximately $100K. Throughout the year grants and other funding options will be sought before coming to the City for funding.
(1:19:16) Kittel addressed funding of the project referring Council to the three-page document she included in the meeting packet and giving highlights of the possibilities and requirements for grants.
(1:24:49) Dickinson gave a tentative timeline for the project and stressed that the timeline will change many times over the course of the project. Currently an estimated start to construction is July 2023 and completion of the project, January 2024.
(1:26:40) Vaaler thanked the team for supplying an informative packet and coming to thoroughly explain the process.
(1:27:12) Stott asked the difference of the framework being steel framed or wood framed by using the composite material for the boardwalk.
(1:28:28) Langley advised the current plan uses composite framing members as opposed to wood or steel.
(1:29:06) Dickinson referred to the suspension bridge recently constructed on the Amanda Trail and advised the framework for that is made from composite.
(1:29:42) Vaaler questioned the use of stainless steel as opposed to raw steel and the stripping and painting that would be required.
(1:30:18) Langley referred to the PER and that is how they made their decision, indicating the use of composite makes the steel information moot; there will be no decay, rot or insect damage.
(1:32:35) Muirhead asked about the three-phase at the Landmark and if whoever paid to have it put in has to give permission. McClung advised the property has been decommissioned and so permission is not an issue.
(1:33:48) Vaaler had questions regarding the undergrounding of the power re: flooding and repairs after an earthquake. McClung explained the undergrounding coming from Beach Street and across the street to the boardwalk. Further discussion held on undergrounding and street lighting.
(1:37:10) Vaaler asked if there was any advantage to having the two projects together as far as asking for grants. McClung advised they could both be done with a grant but didn't want to proceed any further until Council gave its approval to proceed with the boardwalk.

(1:28:32) Vaaler then asked about the percentages added onto the figures.

(1:39:28) Langley advised he also had that concern and addressed it with Gross. The response was that this is not a firm estimate it is more of a comparison regarding materials. McClung advised that Civil West will be submitting a proposal of costs. Langley continued indicating a relatively small amount in a preliminary engineering report to be fiscally responsible.

(1:41:26) Stott referred the mayor to Civil West's report regarding the percentage contingencies.

(1:44:02) Scott referred to the conversation regarding the light on the pole and mentioned the "dark sky" certification and the fewer lights, the better to qualify for that.

(1:44:37) Dickinson interjected that there is light "spillover" from the businesses there so there won't be a dark hole in that area.

(1:45:15) O'Shaughnessey indicated that those out in the early morning will not have the advantage of the spillover light and indicated that area is quite dark at that time. She then thanked Kittel for her work compiling the grant information and discussion was held as to who would be writing grants. Kittel urged the City to hire a grant writer. The team has all the information a grant writer would need, making their job easier.

(1:46:34) McClung advised that Civil West has offered to write the $750K grant and they have experience doing that. It would be for a small fee. Discussion held regarding grants and the team providing the information and overseeing the grant writing process.

(1:47:27) Lambert agreed that a grant writer should be hired and that is being worked on. Her concern was for the administration for the grant as far as billing and recording and she is working on that process to accurately track funds.

(1:48:47) Vaaler then asked about the timeline and if the "ideal" time for construction has been discussed due to tourist season and discussion ensued.

(1:52:54) Stott made the motion to **authorize City Staff to enter into a contract for engineering design services for the boardwalk.**

Vote: Anthony Muirhead, yes; Mary Ellen O'Shaughnessey, yes; Greg Scott, yes; Ann Stott, yes; Leslie Vaaler, yes. **Motion carried unanimously.**

(1:54:24) Kittel drew attention to Langley, Dickinson and McClung who have put many hours into this project and have done the majority of work on it. She then thanked the Council, Mayor, City Manager and City Planner for the support of the project.

Approval of Audit Findings

Attached Financial Statement, Proposal and Resolution

(1:59:07) Vaaler referred to the resolution in the packet, indicating there was no number and there was a typo in #1, line four stating it should be notes. Lambert advised the resolution number is: 2022-05-01.

(2:00:35) Stott asked about page 8 on the City Audit *"We draw attention to Note 1 of the financial statements, which describe the basis of accounting. The financial statements are prepared on a modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America."* She asked if the City should be moving towards general accounting practices.

(2:01:53) Lauritzen explained the history of the auditing and felt modified cash was perfectly appropriate for a small city like Yachats. The auditor is required to point out when generally accepted accounting principles are not being used.

(2:04:32) Scott felt the important issue is the need for consistency in financial reporting.

(2:06:23) Vaaler made the motion to **approve Resolution #2022-05-01, adopting a plan of action in response to the audit findings of the auditor report for fiscal 2020-2021 statements, correcting the typo as noted.**

Vote: Anthony Muirhead, yes; Mary Ellen O'Shaughnessey, yes; Greg Scott, yes; Ann Stott, yes; Leslie Vaaler, yes. **Motion carried unanimously.**

IV. **OLD BUSINESS**

A. Planning Commission Appointments Memorialization

Attached Resolutions

(2:07:47) Vaaler brought attention to Resolution 2022-05-03. She made the motion to **approve Resolution 2022-05-03, memorializing the appointments of John Theilacker and Julie Bailey to the Planning Commission.**

Vote: Anthony Muirhead, (stepped away); Mary Ellen O'Shaughnessey, yes; Greg Scott, yes; Ann Stott, yes; Leslie Vaaler, yes. **Motion carried with four (4) yeses.**

B. Supplemental Budget

Attached: Supplemental Budget and Resolution

(2:09:06) Vaaler referred to Resolution 2022-05-02 regarding the Supplemental Budget and asked for questions of comments. Lambert advised she will correct the changes. Final paragraph to read "…resolves the attached changes…"

(2:11:17) Stott moved **that Council approve Resolution 2022-05-02 adopting the Supplemental Budget**.

Vote: Anthony Muirhead, yes; Mary Ellen O'Shaughnessey, yes; Greg Scott, yes; Ann Stott, yes; Leslie Vaaler, yes. **Motion carried unanimously.**

V. REPORTS

A. City Manager

(2:12:06) Lambert provided a report in the packet and asked if anyone had questions.

(2:12:56) Stott indicated that Parks and Commons talked about these reports and asked if they could be emailed to the commissioners. Stott suggested having them posted on a visible spot on the website so the community can see what is getting done in City Hall.

VI. OTHER BUSINESS

A. From Mayor

None

B. From Council

(2:14:55) Scott called point of order indicating there is an auditor's report for the Yachats Urban Renewal Agency in the packet and wanted to know how that was being handled. Lambert apologized for not having a resolution to approve the report. Both Groth and Lauritzen advised there weren't resolutions in the past and Lauritzen felt just changing report to reports in the previous motion would cover it. Discussion took place regarding the Urban Renewal Agency and the need to keep it separate. Lauritzen agreed and advised all the members of the agency will be together at the next budget review and that would be an appropriate time. Discussion was held regarding posting the hearing and timing.

C. From Staff

None.

Meeting adjourned at 11:58 am.

Transcribed by Contractor, L.F. Barrett, May 15, 2022