

1. 9:30 A.M. Agenda

Documents:

[2022-12-01 City Council WS And Regular Meeting.pdf](#)

2. Meeting Material

Documents:

[Chapter 2.08 - Public Works And Streets Commission, Parks And Commons Commission And Library Commission.pdf](#)

[Commission Rules Final 2019-12-18.Pdf](#)

[CM Report To Council November 2022.Pdf](#)

[2022-200 Finance Committee Appointments.pdf](#)

[Oregon-Marine-Reserves_Brochure.pdf](#)

[Cape-Perpetua-Marine-Reserve_Overview-Activities_09-29-2020.Pdf](#)

[Tidepool ID Guide And Rules.pdf](#)

[ORD 371 Shell Street Vacation Draft.pdf](#)



CITY OF YACHATS
CITY COUNCIL WORK SESSION AND REGULAR MEETING
Yachats OR
Thursday December 1, 2022, at 9:30 am
To Be Held Via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/84651149572>

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AGENDA

CITY COUNCIL WORK SESSION

- I. Review City Code 2.08 and Commission Rules

Immediately Following Work Session - Regular Council Meeting

- I. Announcements, Proclamations, and Correspondence
 - a. Public Comment - limited to items not on the agenda (5-minute limitation per person)
- II. New Business
 - a. Finance Appointments & Resolution 2022-200
 - b. Perpetua Collaborative
- III. Old Business
 - a. ORD. 371 Shell Street Vacation
- IV. Other Business
 - a. From Mayor
 - b. From Council
 - c. From Staff

The Yachats City Council meetings are open to the public and interested citizens are invited to attend via Zoom. 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.

Chapter 2.08 - Public Works and Streets Commission, Parks and Commons Commission and Library Commission

Section 2.08.010 Continuation of commissions.

Section 2.08.020 Membership—Compensation.

Section 2.08.030 Terms of office—Vacancies.

Section 2.08.040 Powers and duties.

Section 2.08.050 Organization.

Section 2.08.060 Report to the council.

Section 2.08.010 Continuation of commissions.

The following commissions are continued; public works and streets commission, parks and commons commission and library commission; and current commission members shall continue to serve their unexpired terms. (Ord. 177 § 1, 1995)

Section 2.08.020 Membership—Compensation.

A. The commissions shall consist of seven members (except for the library commission which shall consist of five (5) members), appointed by the mayor, with the approval of the City Council.

B. The members of the commissions shall receive no compensation for their services.

C. All commission members must reside in the City. One member of the parks and commons commission may reside outside the City limits. One member of the Library Commission may reside outside the City limits. (Ord. 177 § 2, 1995)(Ord. 249, Amended, 01/20/2005)

Section 2.08.030 Terms of office—Vacancies.

A. Terms of office on the commissions shall be three (3) years and shall expire on December 31st of the third year.

B. Incumbent members at the time of adoption of the ordinance codified in this chapter shall continue in office until the expiration of the term as follows: public works and streets commission shall have three (3) terms expire on December 31, 1996, two (2) terms expire on December 31, 1997, and two (2) terms expire on December 31, 1998; parks and commons commission shall have two (2) terms expire on December 31, 1996, two (2) terms expire on December 31, 1997, and three (3) terms expire on December 31, 1998; library commission shall have two (2) terms expire on December 31, 1996, one term expire on December 31, 1997, and two (2) terms expire on December 31, 1998. After the expiration of the terms as stated the term of office hereinafter for all members shall be three (3) years, or until their successors are appointed or qualified.

C. A member of a commission may be removed by a majority vote of the City Council without cause.

D. A vacancy shall be filled by the mayor with the approval of the council for the unexpired portion of the term. (Ord. 177 § 3, 1995)

Section 2.08.040 Powers and duties.

A. The commissions shall have the powers and duties hereinafter set forth, and such further and additional powers and duties as conferred upon such commissions by laws of the State of Oregon, City Charter, comprehensive plan, ordinances and resolutions of the City Council. All authority of the commissions shall be derived from the City Council.

1. Public Works and Streets Commission.

a. Formulate rules, regulations and standards for the operation and use of the City's public works; recommend such to City Council for adoption.

b. Plan for future growth, development and improvement of the City's public works.

c. Advise the City Director on improvements and maintenance for the City's public works.

d. Recommend improvements or repairs to the City's streets, culverts, drainage and curbing.

e. Review all rates and fees including, but not limited to, water, sewer, and system development yearly and report to the City Council by March 1st of each year and recommend any changes in rates, fees, charges or policy.

f. Serve as the City's Public and Traffic Safety Committee as follows:

i. Hear suggestions and complaints from citizens concerning issues of public and traffic safety;.

ii. Research and develop remedies for public and traffic safety concerns as needed;

iii. Recommend public and traffic safety priorities for the City;

- iv. Review and recommend project application for funding;
- v. Serve as liaison between the City and the Oregon Traffic Safety Commission in developing the statewide highway safety program, and in meeting the National Highway Safety Program Standards;
- vi. Act in an advisory capacity to the Yachats City Council in the implementation of safety activities;
- vii. Foster public knowledge and support of traffic law enforcement and traffic engineering problems and needs;
- viii. Monitor the Village Circulation Plan portion of the Comprehensive Plan, including implementation, funding, and signage; and
- ix. Serve as liaison between the City and Lincoln County in development of the trail system, shoreline access points, and signage as established in the Village Circulation Plan and approved findings vacating portions of County Road 804 South.

g. Serve as a franchise review committee responsible for initially reviewing, negotiating, and recommending to City Council all franchise agreements.

2. Library Commission:

- a. Operate and manage the Yachats Public Library;
- b. Formulate rules, regulations and standards for operation of the library;
- c. Receive gifts, grants, bequests and devises to carry out the purpose of the library;
- d. Prepare and submit to the budget officer an annual budget which will be forwarded to the budget committee.

3. Parks and Commons

- a. Formulate rules, regulations and standards for the operation of the City's Parks and Commons building and grounds in a manner which assures security of the City's assets and encourages use by tenants, residents and visitors alike and recommend them to City Council for adoption;
- b. Establish rental rates for various uses of the Commons; recommend such to City Council for adoption;
- c. Maximize income through promotion or co-promotion of appropriate events;
- d. Work with the Commons Director in development and implementation of a marketing program for tenants and special programs;
- e. Plan for the regulation, development and improvement of the City's parks;

f. Receive gifts, grants, bequests and devises to carry out the purpose of the Commons and parks;

g. Cooperate with volunteer organizations and City groups in the advancement of the Commons and parks planning and programming process; and

h. Work with the Commons Director in the development of the budget for the Commons. Prepare the annual budget for all City parks and submit to the Budget Officer the budget proposals for the parks and the Commons building for forwarding to the Budget Committee.

B. Each commission shall perform such other responsibilities and duties as the City Council, from time to time, may delegate by ordinance, resolution or motion. (Ord. 177 § 4, 1995) (Ord. 264, Amended, 12/18/2006; 209, Amended, 10/09/1998)

Section 2.08.050 Organization.

A. The commission shall, at the first meeting of each calendar year, elect a chair and vice-chair. The vice-chair shall assist the chair and serve in the absence of the chair.

B. Each commission may select a secretary from among its members, who shall serve at the pleasure of the commission or the City Council shall designate a city staff person to act as secretary. The secretary shall keep accurate records of all proceedings of the commission and shall perform such duties as are requested of the secretary by the commission, this chapter or by law.

C. Four (4) members of a commission (library, three (3) members) shall constitute a quorum for the transaction of business.

D. Regular meetings of each commission shall be monthly (except the library commission which shall meet at least quarterly) at the City Council chambers. The chair shall have the power to convene special meetings or cancel regular meetings.

E. The City office shall be the office for transaction of commission business and the keeping of its records. (Ord. 177 § 5, 1995)

Section 2.08.060 Report to the council.

Each commission shall make and file with the council a report of all meetings and transactions of the commission for the preceding month. Copies of the minutes recorded by the secretary at the regular and special meeting of the commission may serve as reports, and shall be filed with the council as expediently as possible, and in no case more than thirty (30) days after the meeting of the commission. Each commission shall, in addition, make other reports as may be requested by the council. (Ord. 177 § 6, 1995)

Contact:

City Recorder: 541-547-3565

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Commission Rules

City of Yachats, Oregon



Initially Adopted and Effective March 1, 2005

Amended April 11, 2005

Amended April 6, 2008

Amended June 11, 2008

Amended November 1,
2008

Amended January 3, 2012

Amended March 5, 2013

Amended July 4, 2015

Amended August 1, 2018

Amended December 18, 2019

Commission Rules - City of Yachats, Oregon

<u>Authority and Purpose Statement</u>	3
<u>1 Meetings of the Council</u>	3
1.1 Minutes of Meeting	3
2.11 General Format	3
2.12 Contents of Minutes	3
2.13 Special Meetings	4
2.14 Notice of Meetings	4
2.15 Agenda Packets	4
2.16 Packet Material	4
<u>3 Commission Membership</u>	5
3.1 Membership	5
3.2 Attendance	5
3.3 Elections	5
3.4 Officers	5
3.41 Duties of the Chair	5
3.42 Duties of the Vice Chair	6
3.5 Commission Vacancies	6
3.51 Procedures and Objectives	6
<u>4 Use of City Staff</u>	6
<u>5 Commissions</u>	6
5.1 Planning Commission	7
5.11 Membership	7
5.12 Terms of Office	7
5.13 Powers and Duties	7
5.14 Organization	8
5.15 Quorum	8
5.2 Parks & Commons Commission	8
5.21 Membership	8
5.22 Terms of Office	8
5.23 Powers and Duties	9
5.24 Quorum	9
5.3 Public Works & Streets Commission	10
5.31 Membership	10
5.32 Terms of Office	10
5.33 Powers and Duties	10
5.34 Quorum	11
5.4 Library Commission	11

5.41	Membership_____	11
5.42	Terms of Office _____	11
5.43	Powers and Duties_____	12
5.44	Quorum _____	12

Authority and Purpose Statement

The Municipal Code of the City of Yachats provides for the City of Yachats to have the following Commissions:

- A: Planning Commission
- B: Parks & Commons Commission
- C: Public Works & Streets Commission
- D: Library Commission

1. Meetings of the Commission

The meetings of the Commissions shall be open to the public.

1.1 Minutes of Meetings

The commission shall make and file with the City a report of all meetings and transactions of the commission for the preceding month. Copies of the minutes recorded at the regular and special meetings of the commission may serve as reports, shall be filed with the City as expediently as possible, and in no case more than thirty (30) days after the meeting of the commission. Each commission shall, in addition, make other reports as may be requested by the Council

2.11 General Format

All official printed minutes of any meetings of all city commissions, boards, and committees shall be fashioned after the minimum as required by State Law with minor additions. Recordings of entire minutes will be kept on file for more detailed references for a period of two years. All minutes shall be published in the City's document library.

2.12 Contents of Minutes

Meeting Particulars. Minutes shall include the date, time and place of all meetings.

Recordings. Agendas shall indicate that all proceedings are being recorded for back-up reference.

Attendance. Minutes shall include the names of all members of the governing body and indicate whether they are present or absent.

Motions. Minutes shall include all motions, proposals, resolutions, ordinances, and measures proposed and their disposition.

Result of Votes. Minutes shall include the result of all votes and the vote of each member by name.

Substance of Topics. Minutes shall include an outline of the substance of the discussion on any matter.

Reference to Documents. Minutes shall include any references to any specific document mentioned in discussion.

Public Participants. Minutes shall include the name of the member of the public who addressed the body.

Emergency Meetings. The minutes shall include, if required, the nature of the emergency for calling an emergency meeting.

Speeches and Statements. Speeches or statements or the exact text of discussions shall not be transcribed verbatim.

2.13 Special Meetings.

The chair shall have the power to convene special meetings.

2.14 Notice of Meetings

All meetings of City Commissions, Committees and Board are public meetings and must be noticed in advance in accordance with Oregon laws.

2.15 Agenda Packets

City staff will make the best effort to post electronic packets to the City's website and the document library before the close of business a week before a commission or committee meeting. An email will be sent to the commission members to let them know that the packets are available for their review.

Packets shall be available at City Hall for public review. Copies may be obtained at the current cost.

2.16 Packet Material

Text exhibits. Packets shall include copies of applications, map locations, and any other pertinent, easily reproducible text exhibits.

Drawings and Reports. Drawings, reports and other materials difficult or expensive to reproduce will be made available in limited quantity at work sessions or scheduled meetings and will be available for inspection at City Hall during regular business hours.

3. Commission Membership

3.1 Membership. Commission members will be appointed by the Mayor with approval of Council. Any person applying for appointment to any commission shall be interviewed by City Council at either a work session or regular meeting. No person shall serve at the same time on more than one commission. All applicants for commission service need to complete a volunteer application on the current form. Commissions should recommend their membership slate for the following year in November so they can be approved by Council in December.

3.2 Attendance. Unless excused by the Chair, any member who has three absences in a twelve month period may be removed from the Commission by City Council action, the position will be declared vacant, and the member will have to reapply to be reconsidered for appointment.

3.3 Elections. The Chair and a Vice-Chair shall be elected by ballot at the **last** meeting of the calendar year, or when a vacancy in either of these offices occurs.

3.4 Officers.

3.41 Duties of the Chair. The Chair is the presiding officer of the meeting. The duties of the Chair are:

- * The Chair serves as the liaison between the Commission and the City Manager and Mayor.
- * Consult with City staff and together formulate an agenda for the meeting.
- * Open the meeting on time and call the meeting to order.
- * Announce in proper sequence the business on the agenda
- * Recognize participants who are entitled to the floor.
- * State the nature of legitimate issues that arise during the meeting, secure consensus on their disposition, and, if a vote is needed, **suggest** the language of the motion. If a motion is out of order or unclear, the Chair should rule it out of order or require clarification. If a motion is in order, the Chair calls for the vote and announces the results of the vote.
- * Protect the commission from frivolous or delaying motions by refusing to recognize them.
- * Enforce order in respect to discussion, deliberation, and decision making.

- * Expedite business in a way compatible with the rights of the members and constituents.
- * Decide all questions of order.
- * Respond to inquiries of members.
- * Declare the meeting adjourned.
- * Ensure that reports and recommendations are forwarded to the Council.
- * With approval of the commission, delegate an alternate spokesman.
- * When appropriate, assist staff with securing the building after a night meeting.

3.42 Duties of the Vice-Chair

The Vice-Chair shall be presiding officer when the Chair is absent or when the Chair wishes to be a stronger, more partisan, participant in deliberation. The Vice-Chair may also assist the Chair as directed by the Chair or Commission.

3.5 Commission Vacancies.

3.51 Procedures and Objectives.

- The City Manager shall retain a working list of all citizens filing an application for service on City commissions, boards, and committees. Applications shall be kept until the person is appointed, becomes ineligible to serve, or withdraws the application.
- The Commission, board or committee shall consider the names of all persons currently on file and any person at the meeting that has expressed an interest in serving on that body.
- Candidates shall be interviewed by the Commission, board or committee to discuss their qualifications and reasons for wanting to serve.
- **Recommendations.** The Commission shall then deliberate and present a recommendation to the Council of qualified candidates for the current vacancy.
- **Prior to an appointment being made,** candidates and any person at the Council meeting who express a willingness to serve shall be interviewed by City Council at either a work session or regular meeting. Incumbents seeking reappointment are not required to interview.

4. **Use of City Staff.** The Chair shall be the liaison between the Commission, board or committee and City staff. Only the City Manager is authorized to request work/time of City Staff or Contract Resources.

5. Commissions:

5.1 Planning Commission.

5.11 Membership. The Planning Commission shall consist of seven members appointed by the Mayor with the approval of Council.

Pursuant to ORS 227.030, no more than two (2) voting members of the commission may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than two (2) members shall be engaged in the same kind of occupation, business, trade or profession.

All commission members must reside in the City.

All commission members must have resided in the City for no less than six months prior to appointment.

The members of the commission shall receive no compensation for their services.

5.12 Terms of Office

Terms of office on the commission shall be four (4) years and shall expire on December 31st of the 4th year.

A member of the commission may be removed by a majority vote of the City Council for cause.

A vacancy shall be filled by the Mayor with the approval of Council for the unexpired portion of the term.

5.13 Powers and Duties.

Shall have the powers and duties provided for by ORS 227.090, other state law, City Charter, comprehensive plan or other city ordinances.

Shall function primarily as a comprehensive planning body proposing policy and legislation to the Council related to the growth and development of the community. In addition to the authority provided in the previous sentence, the commission:

Shall review the comprehensive plan every four (4) years and make recommendations to the council concerning plan amendments which it has determined are necessary based on further study or changed concepts, circumstances, or conditions;

May formulate and recommend legislation to implement the comprehensive plan;

Shall conduct hearings, prepare findings of fact, and take such actions concerning specific land development proposals as required by city ordinance.

Shall perform such other responsibilities and duties as the City Council, from time to time, may delegate by ordinance, resolution or motion.

5.14 Organization

The commission may select a secretary from among its members, who shall serve at the pleasure of the commission or the City Manager shall designate a city staff member to act as secretary. The secretary shall keep accurate records of all proceedings of the commission and shall perform such duties as are requested of the secretary by the commission, this section, or by law.

5.15 Quorum.

Four (4) members of the commission shall constitute a quorum for the transaction of business.

5.2 Parks & Commons Commission

5.21 Membership. The Parks and Commons Commission shall consist of seven (7) members, appointed by the Mayor with consent of the Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

5.22 Terms of Office.

Terms of office shall be three (3) years and shall expire on December 31st of the third year.

A member of the commission may be removed by a majority vote of the Council without cause.

A vacancy shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term

5.23 Powers and Duties

Formulate rules, regulations and standards for the operation of the City's parks and the Commons building and grounds in a manner which assures security of the City's assets and encourages use by tenants, residents and visitors and recommend them to City Council for adoption;

Establish rental rates for various uses of the Commons; recommends such to City Council for adoption;

Enhance income through promotion or co-promotion of appropriate events;

Work with the Facilities Manager in development and implementation of a marketing program for tenants and special programs;

Plan for the regulation, development and improvement of the City's parks;

Receive gifts, grants, bequests and devises to carry out the purpose of the Commons and parks planning and programming process;

Work with the Facilities Manager in the development of the budget for the Commons. Prepare the annual budget for all City parks and submit to the Budget Officer the budget proposals for the parks and the Commons building for forwarding to the Budget Committee;

Perform such other responsibilities and duties as the City Council, from time to time, may delegate by ordinance, resolution or motion;

Monitor the Village Circulation Plan portion of the Comprehensive Plan relating to trails, including implementation, funding, and signage; and

Serve as liaison between the City and Lincoln County in development of the trail system, shoreline access points, and signage as established in the Village Circulation Plan and the 804 Settlement Agreement.

Serves as the sponsoring Commission for the Trails Committee and the Little Log Church and Museum board.

5.24 Quorum

Four (4) members of the commission shall constitute a quorum for the transaction of business.

5.3 Public Works & Streets Commission

5.31 Membership

The Public Works & Streets Commission shall consist of seven (7) members, appointed by the Mayor with consent of the Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

5.32 Terms of Office.

Terms of office shall be three (3) years and shall expire on December 31st of the third year.

A member of the commission may be removed by a majority vote of the Council without cause.

A vacancy shall be filled by the Mayor with approval of the Council for the unexpired portion of the term.

5.33 Powers and Duties.

Formulate rules, regulations and standards for the operation and use of the City's public works, recommend such to City Council for adoption.

Plan for future growth, development and improvement of the City's public works.

Advise the City Manager on improvements and maintenance for public works.

Recommend improvements or repairs to the City's streets, culverts, drainage and curbing.

Review all rates and fees including, but not limited to, water, sewer, and system development and report to the City Council by March 1st of each year and recommend any changes in rates, fees, charges or policy.

Review monthly Budget Reports for all Public Works systems including Capital Improvement Projects.

Serve as liaison to various Lincoln County Committees or Work Groups associated with Public Works systems.

Serve as the sponsoring Commission for the Emergency Preparedness Committee.

Serve as the City's Public and Traffic Safety Committee as follows:

- A. Hear suggestions and complaints from citizens concerning issues of public and traffic safety;
- B. Research and develop remedies for public and traffic safety concerns as needed;
- C. Recommend public and traffic safety priorities for the City;
- D. Review and recommend project application for funding;
- E. Serve as liaison between the City and the Oregon Traffic Safety Commission in developing the statewide highway safety program, and in meeting the National Highway Safety Program Standards;
- F. Act in an advisory capacity to the Yachats City Council in the implementation of safety activities;
- G. Foster public knowledge and support of traffic law enforcement and traffic engineering problems and needs;

Serve as a franchise review committee responsible for initially reviewing, negotiating and recommending to City Council all franchise agreements.

5.34 Quorum

Four (4) members of the commission shall constitute a quorum for the transaction of business.

5.4 Library Commission

5.41 Membership.

The Library Commission shall consist of five (5) members, appointed by the Mayor with consent of Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

5.42 Terms of Office.

Terms of office shall be three (3) years and shall expire on December 31st of the third year.

A member of the commission may be removed by a majority vote of the Council without cause.

A vacancy shall be filled by the Mayor with the approval of the Council or the unexpired portion of the term.

5.43 Powers and Duties

Operate and manage the Yachats Public Library;

Formulate rules, regulations and standards for the operation of the library;

Receive gifts, grants, bequests and devises to carry out the purpose of the library;

Work with the librarians to prepare and submit to the budget officer an annual budget which will be forwarded to the budget committee

5.44 Quorum

Three (3) members of the commission shall constitute a quorum for the transaction of business.



CITY OF YACHATS

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City Manager's City Council Report

November 2022

Elected Officials	-Congratulations to the newly elected Mayor Craig Birdie, Councilor Catherine Carey and reelected Mary Ellen O'Shaughnessy -Council voted to allow the expanded use of the Presbyterian Church for five emergency shelters to be placed, referred to as Don's Place. -Council conducted City Manager's nine month review
City Hall Operations: ●Finance Committee ●Budget Committee	-Met with Mayor Vaaler and Council President Stott to discuss appointments for new members of the Finance Committee at December 1 meeting -Preparing for FY2021/22 Annual Audit to be conducted in December -Met with SHPO (State Archeologist) to discuss plan of site studies that need to take place for the next year's projects for them to schedule with City.
Personnel	-Contracted with LGPS to assist city with Personnel services, to update handbook, policies and job descriptions; Contract will start December 2, 2022 -Conducting weekly progress reporting from all staff -Hired part time Event Coordinator for City facilities -Contracted Josh Newman for regular maintenance on city buildings -Attended CIS Supervisor Training in Coos Bay
Volunteer Groups: ●Polly Plumb Productions ●Food Pantry ●View The Future (VTF) ●Cape Perpetua Collaborative ●Don's Place	-Attended a very successful Celtic Festival hosted by Polly Plumb Productions -Was approached by community group representing the Unhoused people of Yachats with a proposal to allow "Don's Place" in the west parking lot of Presbyterian Church (Council approved in 11/16 meeting) - Attended the informative 10th Annual Land Sea Symposium hosted by the Cape Perpetua Collaborative in the Commons -VTF started grant writing and fundraising for Walkway Project
The Commons and Pavilion: ●Yachats Youth and Family Programs (YYFAP) ●Yachats Chamber of Commerce ●Skatepark	- Working towards conducting hybrid city meetings in the Civic Room at the Commons -Working on amending lease with YYFAP to allow the use of the upstairs kitchen starting January 1, 2023 - Met with Bobbi Price from the Chamber to discuss Fourth of July 2023 - Council approved Project Discovery for Dreamland Skatepark Designs to design a new skatepark. They will host a community input meeting in the Spring 2023
The Little Log Church Museum: ●Friends of The Little Log Church Museum	- Met with LLCM Board Chair, Carl Miller. Discussed St. Frances Statue that was taken from the LLCM garden and was found at the post office. - The building was winterized and secured, until construction takes place



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Water/Wastewater Operations	- CM attended DEQ Water Source Protection Conference, where Rick McClung was guest speaker -Engineering Earthquake Valve on the South Tank and Backwash System -Incorporating Master Plans in the FY23/24 CIP -Working with Waldport and South Lincoln PUD to update agreements -Completing Drinking Water Source Protection Plan Grant
Public Works and Streets Commission: ●Emergency Preparedness Committee ●Water Conservation Group	- Met with Sheriff Landers about City safety and response to a potential violent incident. He made several suggestions of security changes for City Hall -Received ODOT grant for East 2nd street construction. -Exploring completing the 2nd and 3rd phase of ODOT sidewalk project -Working with Attorney, ODOT on contract for Delineations to be placed on Highway 101 in curve before bridge -Working with the County to incorporate Oceanview Drive -Met with new Emergency Preparedness Committee Chair, Alex Cox to discuss need for the city to review, update and approve Emergency Operations Plan
Planning Commission	-Working with City Attorney and Judge to make recommendations to the Commission for the new code amendment, Fences, Walls and Hedges -Assessing Housing Study and Parking Study recommendations -Council approved Commission's recommendation to vacate Shell Street
Library Commission: ●Friends of the Yachats Library	-MOU drafted and approved with the City and Yachats Friends of the Library to jointly fundraise for the expansion project
Parks and Trails Commission: ●Walkway Design Group ●Adopt A Sidewalk Garden Group	-Working on finding a date and ways to host Public Input for the Pocket Parks - Met with SHPO (State Archeologist) to schedule the many projects needing studies before proceeding -The Walkway Design Group fundraising for Walkway project -Identified need for Master Park Plan

CITY MANAGER NOTES:

November is a busy month of Holidays. With the Elections, Native American Heritage Month, Veteran's Day and Thanksgiving the staffing levels at City Hall varied. City Hall is closed for Veteran's Day, Thanksgiving, and the day after. Thank you for your patience and flexibility with the staff as we work to serve you and balance celebrating our holidays. Each of us at the City wishes you all a warm and deliciously, nourishing month!

***If you volunteer for the city or a group that collaborates with the city and do not see your group mentioned, please email me and let me know. There is so much fantastic community support and great work being done, I do not want to leave anyone out!



**CITY OF YACHATS
RESOLUTION NO. 2022-200
A RESOLUTION APPOINTING FINANCE COMMITTEE MEMBERS**

The City of Yachats Resolves as follows:

WHEREAS, Mayor Leslie Vaaler, Council President Ann Stott, and City Manager Heide Lambert discussed the applications received applying for membership to the Finance Committee. The following candidates are nominated for appointment for the Finance Committee *(ORDINANCE NO. 370 (AMENDED ORD. 248 OF 12/10/2004 AND ORD. 355 OF 1/16/2019) AN ORDINANCE AMENDING THE YACHATS MUNICIPAL CODE CHAPTER 3.10):*

Tom Lauritzen	3yr Term	Ending December 31, 2025
Charles Bame-Aldred	3yr Term	Ending December 31, 2025
W. John Moore	2yr Term	Ending December 31, 2024
Viki West	2yr Term	Ending December 31, 2024

WHEREAS, All previous appointments are now terminated, and

WHEREAS, The City Council discussed the appointments and voted at the December 1, 2022, meeting.

VOTE: Mayor Leslie Vaaler	Aye:	Nay:	Absent:
Council President Ann Stott	Aye:	Nay:	Absent:
Councilor Mary Ellen O'Shaughnessy	Aye:	Nay:	Absent:
Councilor Anthony Muirhead	Aye:	Nay:	Absent:
Councilor Greg Scott	Aye:	Nay:	Absent:

NOW THEREFORE, the City of Yachats resolves that the above members be appointed to the Finance Committee.

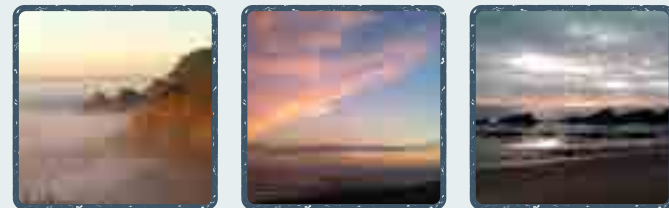
This Resolution is Adopted by the City of Yachats City Council on December 1, 2022.

CITY OF YACHATS

By: _____
Leslie Vaaler, Mayor

Attested By: _____
Heide Lambert, City Manager

OREGON MARINE RESERVES



MORE INFORMATION

www.oregonmarinereserves.com or contact the ODFW Newport office at (541) 867-4741.

WE NEED YOUR HELP

Report Violations to
Oregon State Police: (800) 452-7888



Photos Courtesy of: Gus Gates, Oregon Coast Aquarium,
Scott Groth

AN OCEAN OF AWARENESS AWAITS



**OREGON DEPARTMENT OF FISH AND WILDLIFE
MARINE RESERVES AND PROTECTED AREAS**

THERE'S MORE BENEATH THE SURFACE

The spirit of exploration is alive in Oregon. Only now it's underwater. The Oregon Department of Fish and Wildlife (ODFW) oversees five marine reserves off our coast where scientists are studying and learning how to best maintain our state waters for future generations. There's plenty more to discover about our ocean ecosystems, so let's dive in.

MARINE RESERVES

The marine reserves are areas of Oregon's coastal waters dedicated to conservation and scientific research. All removal of sea life is prohibited here, as is ocean development.



MARINE PROTECTED AREAS

Marine Protected Areas (MPAs) are adjacent to the marine reserves. These areas still prohibit ocean development, but allow for some limited fishing activities.

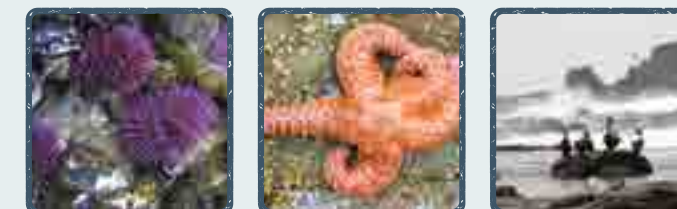


Follow our progress at www.oregonmarinereserves.com



WHERE ARE THEY?

All within 3 nautical miles from shore - Cape Falcon, Cascade Head, Otter Rock, Cape Perpetua, and Redfish Rocks - are each named for local natural landmarks.



VISITING THE RESERVES

Marine reserves and protected areas are open to many recreational activities including SCUBA diving, wildlife viewing, surfing, kayaking, and tidepooling. You may collect small non-living souvenirs, but please leave behind the wildlife and plants for others to enjoy.



OUR LIVING LABORATORIES

For a state famous for exploration, we've only skimmed the surface of our coastal waters. Scientists are studying the reserves to learn more about the ocean environment and how people and coastal communities depend on its bounty. From these living laboratories Oregonians are learning how we can best maintain our seas for future generations.





Photo by Scott Groth



Photo by Gus Gates



Photo by Lois Miller



Photo by Ron LeValley



Photo by South Coast Tours



CAPE FALCON

Located just north of Manzanita, the Cape Falcon Marine Reserve is Oregon's northernmost site. Cape Falcon is the second largest of Oregon's marine reserves, encompassing 12.4 square miles of ocean. The two Marine Protected Areas (MPAs) cover an additional 7.6 square miles.

Adjacent to the popular Oswald West State Park, several trails provide dramatic views of the marine reserve and the Cape's wildlife. Many visitors enjoy surfing, beach combing and wildlife viewing at Short Sand beach. Over 20 seabird colonies with thousands of nesting birds can be found in this area including common murrelets, black oystercatchers, marbled murrelets and bald eagles. The underwater rocky reef, sand and gravel habitats in the marine reserve are home to crab, black rockfish, lingcod, kelp greenling, and buffalo sculpin.

CASCADE HEAD

The Cascade Head Marine Reserve covers 9.6 square miles of ocean and the three MPAs include another 23.1 square miles. Much of the land around Cascade Head and the Salmon River is protected. There are many opportunities for wildlife viewing and other outdoor recreational activities in this area. You can see a breathtaking view of the marine reserve site from the Upper Viewpoint or The Nature Conservancy's hiking trails at Cascade Head.

The marine reserve and MPAs contain a variety of habitats important for marine life. There are 27 seabird nesting sites situated among more than 70 offshore rocks. This site includes a portion of the Siletz Reef, an extensive underwater rocky reef, providing good habitat for a wide variety of groundfish species.

OTTER ROCK

Located just north of Newport, the Otter Rock Marine Reserve can be accessed through Devil's Punchbowl State Park. This is the smallest marine reserve, covering 1.2 square miles of ocean. Visitors can explore tidepools, view seals and sea lions hauled out onto the rocks, or stroll along the beautiful sandy beach at Beverly Beach State Park.

The marine reserve encompasses an array of habitats including rocky reef, kelp beds, sand dollar beds, and several prominent offshore islands. This area is home to nine seabird nesting sites, providing great bird watching from both Devil's Punchbowl and Beverly Beach State Parks.

CAPE PERPETUA

Cape Perpetua hosts Oregon's largest marine reserve, covering 14.1 square miles of ocean. The three MPAs encompass an additional 41 square miles. The land adjacent to the reserve consists of protected old growth coastal rainforest. This is a great place for bird watching and includes the largest mainland breeding colony of Brandt's cormorants at Heceta Head. The area also has Oregon's highest concentration of marbled murrelets, a threatened seabird. The Cape Perpetua Visitor Center offers wonderful views, ranger led shore tours, and a wheelchair accessible deck.

The Cape Perpetua site is home to some of the most biologically diverse tidepools and rocky intertidal areas in the Pacific Northwest. Offshore in the reserve is a unique deep, isolated rocky reef that hosts a wide diversity of rockfish species including copper, vermilion, yelloweye, and quillback rockfish.

REDFISH ROCKS

Located south of Port Orford, the Redfish Rocks Marine Reserve covers 2.6 square miles of ocean. The MPA encompasses another 5.1 square miles. Five dramatic rock formations rise above the surface of the ocean, with great wildlife viewing opportunities of nesting seabirds and seals and sea lions who call the rocks home. The best views of the reserve are from Battle Rock Wayside or Port Orford Heads State Park.

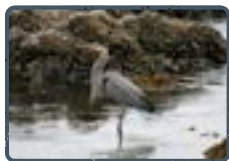
The Redfish Rocks site protects a wide variety of ocean habitats important for marine life including a rocky reef and an extensive kelp forest. The site is home to a variety of rockfish species including black, blue, copper and China rockfish. Other common sea life to find here include lingcod, wolf-eel, kelp greenling, as well as many invertebrates such nudibranchs, sea urchins and crabs.





THERE'S MORE BENEATH THE SURFACE

DISCOVER THE NATURAL WONDERS OF OREGON'S OCEAN



The rocky shores of the marine reserve and North MPA host some of the most biologically diverse rocky intertidal habitats found anywhere in the Pacific Northwest. Underwater, the reserve and MPAs are dominated by sand and gravel habitats. The site also features a deep, isolated rocky reef home to a wide diversity of groundfish and invertebrates. Upwelling, followed by periods of relaxation, create highly productive waters around the Cape Perpetua area.

VISIT CAPE PERPETUA MARINE RESERVE



Visitors have many opportunities for wildlife viewing and other outdoor recreational activities in and around this area. Hike, explore tidepools, or find views overlooking the reserve at the Cape Perpetua Scenic Area. Adjacent to the reserve is protected old growth coastal rainforest. This area also boasts Oregon's highest concentration of marbled murrelets, a threatened seabird that nests in old growth trees on land. Other attractions include Sea Lion Caves, where you can view Steller sea lions, and the Heceta Head Lighthouse.

BEACH ACCESS

[Neptune State Scenic Viewpoint](#)
[Cape Cove Beach](#)

TIDE POOL INFO

[Learn more about Oregon's Tidepools](#)

[Download the etiquette guide](#)

VIEWPOINTS

[Cape Perpetua Stone Shelter](#)
[Heceta Head Lighthouse Viewpoint](#)
[Sea Lion Caves](#)
[Muriel O. Ponser Memorial State Scenic Viewpoint](#)
[Accessible Access Points at Siuslaw National Forest](#)
[Ocean Beach Picnic Area](#)
[Tokatee Kloutchman State Natural Site](#)

TIDE POOL AREAS

[Strawberry Hill](#)
[Bob Creek Wayside](#)
[Smelt Sands](#)
[Cape Cove Beach + Devils Churn](#)
[Yachats Ocean Road State Natural Site](#)

STATS

14.3 SQ MI
Marine Reserve

19 SQ MI
Marine Protected Area



THERE'S MORE BENEATH THE SURFACE



The Cape Perpetua Marine Reserve is Oregon's largest marine reserve. The site is located off the central Oregon coast stretching between the towns of Yachats and Florence. The site includes a marine reserve, two Marine Protected Areas (MPAs), and a Seabird Protection Area.

EVENTS

[Cape Perpetua Marine Reserve Events Listings](#)

PHOTOS

[Cape Perpetua Collaborative Flickr](#)
[Oregon Marine Reserves Flickr](#)
[Oregon State Parks Flickr](#)

GET INVOLVED

[Cape Perpetua Collaborative](#)
[Surfrider Foundation \(Oregon Chapter\)](#)
[Oregon Beach Ambassador Program](#)
[Audubon Society of Portland](#)
[The Nature Conservancy](#)
[Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians](#)
[US Fish & Wildlife: Oregon Coastal Program](#)
[Siuslaw National Forest - Cape Perpetua](#)
[Oregon State Parks](#)

BE A COMMUNITY SCIENTIST

[Sea Star Surveys](#) (June - August)
[Marine Debris Monitoring](#) (Monthly)
[Seabird Monitoring](#) (June - August)
[Marbled Murrelet Survey & Training](#) (July)
[BioBlitz / iNaturalist Monitoring](#)
[Black Oystercatcher Monitoring](#)
[Pelican Monitoring](#) (May & September)
[King Tides Photo Initiative](#) (Winter Minus Tides)



STATS

2012
Monitoring Began

0 - 164 FT
Depth Range



THERE'S MORE BENEATH THE SURFACE

RECOMMENDED HIKES

[Yachats State Recreation Area](#)

[804 Trail](#)

[Neptune State Scenic Viewpoint](#)

[Carl G. Washburne Memorial State Park](#)

[Hobbit Trail](#)

[Cape Perpetua Scenic Area \(USFS\):](#)

[Restless Waters Trail](#)

[Cape Cove Trail](#)

[Devil's Churn, Trail of the Restless Way, Captain Cook Loop](#)

[Amanda Trail](#)

[St. Perpetua Trail](#)

[Oregon Coast Trail](#)

[Ya'Xaik Trail & Gerdemann Preserve Loop](#)

[Heceta Head Lighthouse Trail](#)

ACTIVITIES

[Whale Watching](#)

[Agents of Discovery App \(for kids\)](#)

[Color the Ocean](#)

[Color the Tidepool](#)

[Tidepool Scavenger Hunt](#)

[Heceta Head Lighthouse](#)

[Sea Lion Caves](#)

POINTS OF INTEREST

[Heceta Head Lighthouse](#)

[Sea Lion Caves](#)

[Thors Well / Cooks Chasm](#)

[Cape Perpetua Day Use Area](#)

VIDEO

[Oregon's Ocean Legacy](#)

[Cape Perpetua Collaborative](#)

[YouTube](#)

VISITOR CENTERS

[Cape Perpetua Visitor Center](#)

(541)547-3289

[City of Yachats Visitor Center](#)

(541)547-3530

[City of Florence Visitor Center](#)

(541)997-3128

PARKING / PERMITS

[Oregon State Parks Pass](#)

(offers one-day, 12-month, and 24-month passes)

[Oregon Coast Pacific Passport](#)

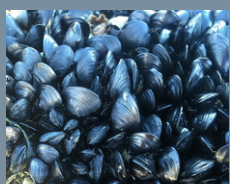
(offers 5-day and 12-month passes)



MORE INFORMATION



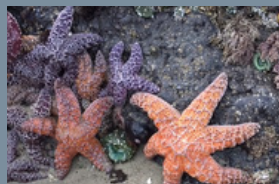
TIDEPOOL ANIMALS



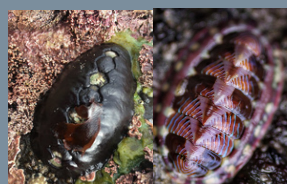
Mussel



Barnacle



Ochre Sea Star



Chiton



Turban Snail



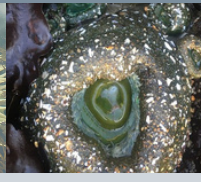
Octopus



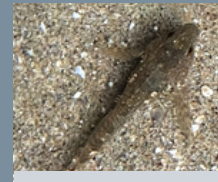
Nudibranch



Giant Green Anemone



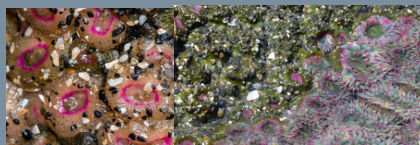
Sea Urchin



**Tidepool
Sculpin**



**Red Trumpet Tube
Worm**



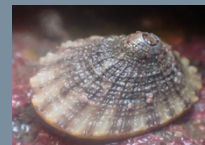
Aggregating Anemone



Sea Cucumber



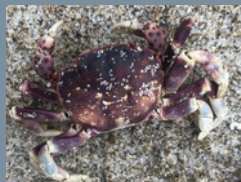
Shield Limpet



**Keyhole
Limpet**



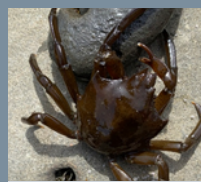
Dungeness Crab



**Purple Shore
Crab**



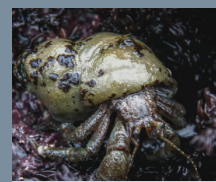
**Striped Shore
Crab**



Kelp Crab



Red Rock Crab



Hermit Crab



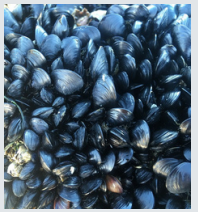
- Never turn your back on the ocean
- Remember, the intertidal is fragile and slippery
- Please go slowly and step lightly
- Try to step on bare spots, not on the plants or animals, or in the pools
- The animals can be easily injured. Please do not remove the animals from the rocks



Donations
make us
happy clams

CAPEPERPETUACOLLABORATIVE.ORG

Mussels: two kinds of mussels, the larger California, and the smaller dark bay mussel. They are filter feeders, and the California can drink approximately 6 glasses of water per hour. They have byssal threads (guy wires) that help them cling to the rocks.



Green sea anemones: these plant-like animals grow to more than 10 inches in diameter, Tiny stinging cells at the tips of tentacles paralyze and trap their prey which includes mussels, crabs, and small fish. They close up when exposed during low tides to conserve moisture, small colonies of aggregating anemones also inhabit the tidepools.



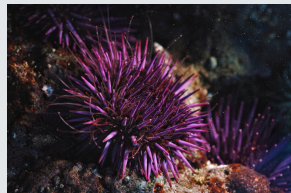
Hermit crabs: live in empty shells left by other animals. They have 4 legs and 2 pincher claws; the eyes look like they're attached to the ends of antennae. It's a scavenger that cleans up the tidepools of unwanted waste such as bits and pieces of dead plants and animals. If you see a snail shell moving around in the pools, it is most likely a hermit crab.



Turban snails: the shell markings whirl and coil on a cone forming a domed spire that looks like a headdress. Like many snails they feed on algae on rocks with a raspy tongue. They cling to the surface with a muscular foot much like a garden variety snail. They may live for 25 years.



Sea urchins: can grow up to 5 inches wide, Urchins hold onto surfaces by means of the suckers at the ends of their numerous tube feet. Most are omnivorous, but they seem to prefer plant material, Look for the larger red urchin that lives in the deeper pools.



Ochre Sea stars: also incorrectly called starfish. With a variety of colors and 10-12 inches wide, the common sea star has 5 rays (legs) with rows of tube feet that are used to force open mussels and cling to rocks, Look for the sunflower sea star that can have more than 20 legs.



Limpets: mollusks with a flat or conical one-piece shell. Some species have a hole on top, while others look like a dunce cap. They feed when the tide rises as they creep around in the pools looking for patches of algae. They can live in some resting place most of their life.



CAPEPERPETUACOLLABORATIVE.ORG



CITY OF YACHATS

ORDINANCE No. 371

AN ORDINANCE VACATING A PORTION OF SHELL STREET IN THE CITY OF
YACHATS, COUNTY OF LINCOLN, STATE OF OREGON

WHEREAS, James Paul and Marilyn Paul and John Aviani and Linda Siegel submitted a petition to vacate a portion of Shell Street in accordance with ORS 271.005 thru 271.230 and Yachats Municipal Code Chapter 7.14, and:

WHEREAS, the Public Works & Streets Commission did hold a meeting on whether or not to vacate said portion of said street on April 13, 2021, and made the following findings and conclusion to vacate Shell Street, and

WHEREAS, the City Council did hold a public hearing on whether or not to vacate said portion of said street on November 3, 2022, and made the following findings and conclusions:

FINDINGS AND CONCLUSIONS

The City Council of the City of Yachats makes the following findings and conclusions:

1. That said portion of Shell Street described below has never been used by the City for general vehicular traffic circulation; nor is any future use contemplated by the City.
2. That the portion of the street proposed to be vacated will not adversely affect the general traffic circulation system of Yachats.
3. That there are no public or private utilities within the subject property, and the City otherwise has no need to retain an interest in the subject property for any purpose including utilities.
4. That all property owners abutting the proposed vacated area supported the vacation.
5. That written consent has been received from at least two-thirds of the property owners within the area affected by the proposed vacation, computed as provided in ORS 271.080
6. That the Yachats City Council considered the petition at a public hearing on November 3, 2022, via virtual electronic City Council meeting.
7. That notice of the consideration of the street vacation petition by the Yachats City Council was published and posted as required and the public was given the right to comment on the proposed street vacation at that public hearing.

NOW, THEREFORE, THE CITY OF YACHATS ORDAINS AS FOLLOWS:

- Section 1. Vacation Legal Description. That portion of Shell Street as described on the attached exhibit, marked "Exhibit A", and by reference incorporated into this ordinance as though fully set forth herein, is declared to be vacated.
- Section 2. Property Owners Agree. The City finds that the adjacent, abutting property owners have agreed and consented to the vacation, and that the vacation will not substantially affect the market value of such property and for this reason no property owner is entitled to damages by reason of said vacation.
- Section 3. Recording. Upon taking effect, the City Recorder is hereby directed to have recorded a certified copy of this ordinance with the Lincoln County Clerk, Lincoln County Assessor, and the Lincoln County Surveyor as provided by law. The applicants shall reimburse unless they have already paid for these costs as part of the application process the City for the costs of recording pursuant to ORS 271.150.

PASSED AND ADOPTED by the City Council on the 3rd day of November 2022
by the following vote:

Ayes: 4

Abstentions: 0

Nays: 1

Absent: 0

CITY OF YACHATS
ATTESTED BY

Leslie Vaaler, Mayor

Heide Lambert, City Manager

LEGAL DESCRIPTION PREPARED FOR:

James Paul and Marilyn Paul and John Aviani and Linda Siegel

PORTION OF SHELL STREET TRACT THAT IS PROPOSED TO BE VACATED