

1. 2:00 P.M. Agenda

Documents:

[2023-01-18 City Council Regular Meeting Agenda.pdf](#)

2. Meeting Material

Documents:

[2023-01-16 Religious Freedom Day 1-16-23.Pdf](#)
[2023-203 RES Council Appointment.pdf](#)
[2023-204 RES Parks Commission Appointments.pdf](#)
[Water Task Force Proposal.pdf](#)
[Survey For Recycling Modernization Funding.pdf](#)
[CWACT - OShaughnessey.pdf](#)
[2022 December Public Works Department Report.pdf](#)

2.I. Additional Document Added

Documents:

[Addtl Info CWACT.pdf](#)
[CM Report To Council January 2023.Pdf](#)

2.II. Additional Documents Provided After The Meeting

Documents:

[Cimon Letter To Mayor Berdie Plus Clarifying Images.pdf](#)
[Recycling Modernaization_ RecNASflyer.pdf](#)



**CITY OF YACHATS
CITY COUNCIL REGULAR MEETING & PUBLIC HEARING
441 N. Hwy 101, Civic Meeting Room 1
Yachats OR
Wednesday, January 18, 2023, at 2:00 pm
All Council Meetings are Hybrid (In-Person & Zoom)**

<https://us02web.zoom.us/j/83380335391>

Meeting ID: 833 8033 5391

One tap mobile

+17193594580,,83380335391# US

+12532158782,,83380335391# US (Tacoma)

Find your local number: <https://us02web.zoom.us/j/83380335391>

Regular Council Meeting

- I. Open Regular Meeting to announce Executive Session & Read Rules into the record.

Executive Session Meeting

- I. Executive Session pursuant to ORS 192.660(2)(f)

Regular Council Meeting

- II. Call Meeting to Order
- III. Announcements, and Correspondence
 - a. Budget Committee - One Open Seat
- IV. Public Comment - limited to items not on the agenda (5-minute limitation per person)
- V. Consent Agenda
 - a. Religious Freedom Day January 16th Proclamation
 - b. RES 2023-203 Appoint Mary Ellen O'Shaughnessey - Council President
 - c. RES 2023-204 Parks & Commons Commission Appointments
- VI. Public Hearing (*If any*)
- VII. New Business
 - a. Water Task Force – Discussion
 - b. Needs Assessment Survey for Recycling Modernization Funding
- VIII. Unfinished Business

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. POSTED



- IX. Reports
 - a. City Manager Report
 - b. Public Works Report
 - c. Meeting Summary

- X. Other Business
 - a. From the Mayor
 - b. From Council
 - c. From Staff

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**City of Yachats
PROCLAMATION
City Council**

Proclaiming January 16, 2023, Religious Freedom Day

WHEREAS, Faith inspires hope. Deeply embedded in the heart and soul of our Nation, this transcendent truth has compelled men and women of uncompromising conscience to give glory to God by worshiping both openly and privately, lifting up themselves and others in prayer. On Religious Freedom Day, we pledge to always protect and cherish this fundamental human right, and

WHEREAS, When the Pilgrims first crossed the Atlantic Ocean more than 400 years ago in pursuit of religious freedom, their dedication to this first freedom shaped the character and purpose of our Nation. Later, with the signing of the Declaration of Independence, the Constitution, and the Bill of Rights, their deep desire to practice their religion unfettered from government intrusion was realized. Since then, the United States has set an example for the world in permitting believers to live out their faith in freedom.

WHEREAS, While Americans enjoy the blessings of religious liberty, we must never forget others around the world who are denied this unalienable right. Sadly, millions of people across the globe are persecuted and discriminated against for their faith. My Administration has held foreign governments accountable for trampling—in many cases, egregiously so—on religious liberty. The United States will never waver in these efforts to expand religious liberty around the world and calls on all nations to respect the rights of its citizens to live according to their beliefs and conscience, and

WHEREAS, On Religious Freedom Day, we honor the vision of our Founding Fathers for a Nation made strong and righteous by a people free to exercise their faith and follow their conscience. As Americans united in unparalleled freedom, we recommit to safeguarding and preserving religious freedom across our land and around the world.

NOW, THEREFORE, The Yachats City Council do hereby proclaim January 16, 2023, as Religious Freedom Day.

Dated this 18th day of January 2023

CRAIG BERDIE, MAYOR





**CITY OF YACHATS
RESOLUTION NO. 2023-203
A RESOLUTION FOR CITY COUNCIL APPOINTMENT**

WHEREAS, The City Council members have agreed to accept Mary Ellen O'Shaughnessey as Council President for the year 2023, and

WHEREAS, a Motion was made and after no discussion, the voice vote was taken unanimously to accept Mary Ellen O'Shaughnessey at the January 5, 2023, meeting, and

NOW THEREFORE, the City of Yachats resolves that the following appointment is made.

Passed and adopted January 5, 2021. This Resolution is effective upon adoption.

Attest:

Craig Berdie, Mayor

Heide Lambert, City Manager



**CITY OF YACHATS
RESOLUTION NO. 2023-204
A RESOLUTION APPOINTING MEMBERS TO THE
PARKS & COMMONS COMMISSIONS**

WHEREAS, The following Commission members have agreed to accept appointments if offered, and

WHEREAS, The City Council discussed the appointments at the January 18, 2023, meeting; and

NOW THEREFORE, the City of Yachats resolves that the following appointments are made:

Parks & Commons Commission:

- o Meg Simons, Seat B
- o Ron Simons, Seat C

Passed and adopted January 18, 2023. This Resolution is effective upon adoption.

Attest:

Craig Berdie, Mayor

Heide Lambert, City Manager

Whereas sustainable water supplies are critical to the long-term viability of Yachats given population growth and climate changes, the city council hereby establishes a Water Task Force to achieve the following objectives and tasks. The Task Force will report to the City Council at regular intervals. It is estimated that the task force will take approximately one year to complete its tasks after achieving full membership. At that time, the City Council may extend the timeframe, change the focus, or disband the task force. Following initial meetings, the Task Force may request funding for relevant purposes.

Objectives

- Establish a schedule, operating rules, and operational assignments.
- Provide projections of rainfall over a 20 -30-year timeframe based on academic research.
- Created scenarios of demand based on visitors and residents, current capacity, and viability of existing storage and supply.
- Identify and analyze prospective solutions to long-term water supplies. The analysis may include the strength, weakness, opportunities, and threat of each solution. Additionally, the task force will provide life of service cost estimates, identify potential funding sources, and rank the solutions and/or identify combinations.
- Create communications on the topic for Yachats and regional audiences
- Develop other relevant goals as identified by the task force and approved by the City Council

Possible Solutions (to be expanded or deleted during evaluation)

- Southwest Lincoln Water District Interconnect
- Tridistrict (Waldport, SLWD, Yachats) Interconnect
- Regional Interconnect extending to Newport and/or beyond.
- Raw Water storage from existing sources at or near the current water treatment plant
- Expand treated water storage as part of end-of-life of current storage
- New freshwater sources

Task Force Composition (5 – 7 Members)

- City Staff with water supply expertise
- Public Works Commissioner volunteers
- Yachats citizens with interest and expertise
- 97498 residents with expertise in regional water

Advisor expertise as needed:

- Hydrology
- Geo-technical analysis
- Civil Engineer: Piping, Hydraulics/Pumping/Tank Construction
- Land Acquisition, Siting, Permitting
- Climate and Wildlife
- IT/Data Analysis
- Report Preparation/Graphics, Writing, Research

OPEN NOW: Needs Assessment Survey for Recycling Modernization Funding

The Plastic Pollution and Recycling Modernization Act, which passed in 2021 and took effect January 1, 2022, modernizes Oregon's recycling system by building on local community programs and leveraging the resources of producers to create a system where everyone has the same opportunity to recycle. The law provides new opportunities for Oregon local governments and their service providers to receive funding to expand recycling services starting July 1, 2025.

To be eligible for funding, local governments **must** complete an online needs assessment survey that is now live and available until **April 14**. It asks local governments to broadly identify the types of new or expanded recycling services they want to bring to their communities. Local governments and service providers should have received a link to the electronic survey in early January. If you did not receive the survey or would like a hard copy, please contact RethinkRecycling@deq.oregon.gov. Hard copy versions can also be requested by phone by contacting one of the following regional specialists for the Oregon Department of Environmental Quality:

Eastern Region

- Laurie Gordon, laurie.gordon@deq.oregon.gov, 541-633-2029

Northwest Region

- Lexi Meek, lexi.meek@deq.oregon.gov, 503-229-5790
- Gretchen Sandau, gretchen.sandau@deq.oregon.gov, 503-915-6786

Western Region

- Cathy Brown, cathy.brown@deq.oregon.gov, 541-687-7325
- Cat Rhoades, cathie.rhoades@deq.oregon.gov, 503-378-5089

Check the [DEQ website \(RecyclingAct.Oregon.gov\)](https://www.deq.oregon.gov/RecyclingAct) for updates, and contact RethinkRecycling@deq.oregon.gov with questions.

Contact: Michael Martin, Lobbyist - mmartin@orcities.org

Last Updated 1/13/23

From: Emma Chavez Sosa <EChavez@ocwcog.org>

Sent: Friday, January 13, 2023 8:38 AM

Subject: Full Commission and Technical Advisory Committee - Member Nominations Due Friday, February 3, 2023



CWACT

**Full Commission and Technical Advisory
Committee - Member Nominations
Due Friday, February 3, 2023**

The **Cascades West Area Commission on Transportation (CWACT)** provides a forum for local governments in the Linn, Benton, and Lincoln County Region to collaborate on transportation issues of Regional and Statewide significance. The CWACT is a standing committee of the Oregon Cascades West Council of Governments (OCWCOG), and the OCWCOG Board of Directors will formally appoint Full Commission Membership.

The terms of approximately half the Members of the CWACT Full Commission expired on December 31, 2022, and need to be renewed for another two year terms (2023-2024). Click [HERE](#) to view the Membership list and the date that each Member's term expires.

Nominations only need to be submitted for those with expiring terms, or to nominate a new Member or Alternate for any reason. The CWACT Full Commission primary Member for each jurisdiction must be an elected official. Alternates do not need to be elected officials. Nominations must be made during a legally convened public meeting of the City Council, Commission, or Tribal Council, as appropriate.

The CWACT also has a **Technical Advisory Committee (TAC)**. Each entity that is a voting member of the CWACT is invited to nominate a representative to the TAC. Members of the TAC do not need to be elected officials. The TAC acts in the direction of the CWACT Full Commission and provides technical information, advice, and recommendations. Click [HERE](#) for the current TAC membership roster.

Click [HERE](#) to submit your member nominations for the CWACT Full Commission and TAC.

The CWACT Full Commission meets at least quarterly, on the fourth Thursday of the month from 5:00 pm 7:00 pm. Please click [HERE](#) for the 2023 meetings schedule. Meetings are held both in person and virtually, depending on the meeting topics and need. The CWACT TAC meets on an as needed basis. More information about CWACT is available by clicking [HERE](#).

Let me know if you have any questions.

Kind Regards,

Emma Chavez Sosa

Operations Supervisor

Community and Economic Development

Oregon Cascades West Council of Governments

1400 SE Queen Ave, Suite 205

Albany OR, 97322
541-924-8405 Direct
541-967-4651 fax
www.ocwcog.org



PUBLIC RECORDS LAW DISCLOSURE: This email communication is subject to the State of Oregon Records Retention Schedule and may be made available to the Public. OCWCOG is an equal opportunity employer and provider.

Date: January 3, 2023
To: Heide Lambert, City Manager
From: Public Works Department
Re: December 2022 Public Works Report

Rainfall at Yachats Public Works:

	<u>Inches</u>			
	2022	2021	2020	2019
November	10.58	15.17	9.43	7.26
Rain year to date:	57.64	64.81	60.67	50.43

Total water produced: **3,829,500 gallons**

Total water accounted for: **3,132,445 gallons** Water loss efficiency: **81%**

Total wastewater treated: **8,115,000 gallons**

The following is a list of what was done by Public Works staff in December 2022.

Streets:

- Potholes filled.
- Rocked Shellmidden.

Storm Drainage:

- Storm drainage cleaning.

Water Treatment Plant:

- Water systems operations.
- Plant Maintc.
- Cleaned Reedy Creek screen.
- Lagoon pump maintc.
- Reedy Creek road opened up.
- Raw Res. Back online.

Distribution Sys:

- Meter reading.
- Meter maintc.

Wastewater Treatment Plant:

- Wastewater systems operations.
- Plant maintc. & clean-up.
- Biosolids operations.
- 1 load to Heard Farms.

Collection Sys:

- Lift station inspections.
- Degreased Lift Stations.
- Lift station maintc.
- Emergency Response & Public Notification training.
- CCTV work for City of Waldport.
- Multiple power outages.
- SL-RAT demonstration.
- Pump #4 installed at the Main Lift Station.

Public Works:

- Shop maintc. and clean up.
- Fleet maintc. & repair.
- Equipment maintc. and repair.
- Multiple locates.
- Brush box handling.
- PW administration.
- Piles picked up for Trails crew.
- Christmas lights and banners installed.
- City Hall sign removed.
- Storm clean-up.
- Commons pump replaced.

From: Mary Ellen O'Shaughnessey
Sent: Wednesday, January 18, 2023 10:45 AM
To: City Recorder
Subject: Fwd: Thoughts

Get [Outlook for iOS](#)

From: Mary Ellen O'Shaughnessey
Sent: Wednesday, January 18, 2023 8:33:38 AM
To: Kimmie Jackson <Kimmie@YachatsMail.org>
Subject: Thoughts

Kimmie,

Is there any way we can print this and have copies available at today's meeting? Sorry for my tardiness.

The **Cascades West Area Commission on Transportation** (CWACT) provides a forum for local governments to collaborate on local, regional, and State transportation issues in the Benton, Lincoln, and Linn County Region. The CWACT is chartered by the Oregon Transportation Commission (OTC) and provides input, advice, and recommendations to the OTC and the Oregon Department of Transportation (ODOT) on State transportation plans and policies.

The CWACT typically meets from 5:00 pm to 7:00 pm on the last Thursday of every other month at OCWCOG's building: 1400 Queen Avenue SE, Albany, OR 97322. Meeting agenda packets are available below approximately one week in advance of each meeting.

Among other work items, the CWACT solicits public input on transportation needs and provides recommendations to ODOT and the OTC on project priorities for the *Statewide Transportation Improvement Program (STIP)*.

CWACT Membership: Each of the following entities nominates one representative and one alternate as voting members of the CWACT. Representatives must be elected officials; alternates need not be elected officials. Membership is confirmed annually by the OCWCOG Board of Directors.

- All incorporated Cities in the Cascades West Region
- Benton, Lincoln, and Linn Counties
- All port districts in the Cascades West Region
- All recognized Indian tribes in the Cascades West Region

The Board of Commissioners from each County nominates two private sector members representing business and other transportation interest to be voting members of the CWACT.

The current CWACT Chair is Benton County Commissioner Pat Malone.

Get [Outlook for iOS](#)



CITY OF YACHATS

PO Box 345 (501 N. Highway 101), Yachats OR 97498

Phone (541) 547-3565

Fax (541) 547-3063

Relay Oregon 800-735-2900 (TDD)

City Manager's City Council Report

January 18, 2023

Elected Officials	- Swore in new Mayor and two councilors. Started conducting meetings. - Working on Goal setting - Had a two-hour Ethics training from City Attorney, Ross Williamson
City Hall Operations: ●Finance Committee ●Budget Committee	- Looking at past layout designs for the new City Hall for safety measures - Assigned Finance Committee members fund accounts to report on - Beginning to set Budget Committee Calendar - Expanded the continuity of service from NBS for more data and cyber security - Working with the County to incorporate Oceanview Drive
Personnel	- Continued working with LCOG to update handbook and create job descriptions -Implementing new legislative requirements for staff -The person hired to be the City Event Coordinator, resigned due to not a good fit
Volunteer Groups: ●Polly Plumb Productions ●Food Pantry ●View The Future (VTF) ●Cape Perpetua Collaborative ●Don's Place	- Hosting a Stakeholders event for folks using the Commons regularly; February 9th 5:30 pm at the Commons -Planning public forums into 2023 calendar using community suggestions of topics - Met with Polly Plumb to discuss future event needs ie Lighting, Sound etc
The Commons and Pavilion: ●Yachats Youth and Family Programs (YYFAP) ●Yachats Chamber of Commerce ●Skatepark	- Met with Pacific Smith Locksmith for a controlled access assessment - Received report from Fire Marshall that the Stage Lights can no longer be used in current set up (using extension cords). - Purchased new sub pump for basement after extensive flooding in December - Consulted with Civil West on conducting a building survey of the Commons; structure, m-e-p systems - Met with Skatepark designers for the design and funding for 2023
The Little Log Church Museum: ●Friends of The Little Log Church Museum	- CIP Coordinator is working with LLCM Board on programming and plans - Looking for applicable grants, wanting to partner with local First Peoples - Wanting to contract a curator to design future exhibits - Needing volunteers to help pack up current exhibits
Water/Wastewater Operations	- Purchased Lift Truck, pump for the main station - Fixed major water leak on Greenhill - Working with Engineer and Contractor for Backwash and Earthquake valve
Public Works and Streets Commission: ●Emergency Preparedness Committee	- Cascadia Rises is advising city on evaluation resiliency hazards and risks - Having discussions with SWPUD about interlay IGA to be permanent customer - Issues with Hwy 101 Delineations being placed due to lack of space to accommodate ADA access



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Relay Oregon 800-735-2900 (TDD)

Planning Commission	- Need Housing Study and Parking Study recommendations to come to Council - Signed Wetland Inventory contract
Library Commission: ●Friends of the Yachats Library	- SHPO report is being completed, cleared to proceed - Working on design to accommodate solar - Friends of Yachats Library lost over a 100 books in basement flood
Parks and Trails Commission: ●Walkway Design Group ●Adopt A Sidewalk Garden Group	- Working with Maintenance to repair Wetland Boardwalk - Had a successful Peace Hike with record number participants - Initiating a City Parks and Pathways Masterplan - City Insurance is conducting a parks risk assessment to bring to council in February

CITY MANAGER NOTES:

The city has been very busy gaining traction on many projects that have been delayed due to Covid. We are looking forward to creating more opportunities for community engagement.

***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!

From: [Norm Cimon](#)

Sent: Sunday, January 15, 2023 12:23 PM

To: [Craig](#)

Subject: Your goals

Good afternoon, and thank you for laying out a very comprehensive list of goals for Yachats in the most recent newsletter.

I wanted to address one of those - the source of water for the town and how to support existing residents in the context of growth. Having worked for Forest Service Research for many years, I became all too familiar with [the damage done because of political involvement in the management of our National Forests](#). Thanks to my old friend and co-worker [Jack Thomas](#) that changed. He was eventually made [Chief of the Forest Service](#), and the destruction was stopped but not before significant damage had been done. Yachats had an excellent source of clean water - the Yachats River - until [a headwall blowout](#) resulted in the loss of that resource. That logging should never have been allowed to happen but it did. That sort of wanton destruction was finally brought to a halt and the Siuslaw NF is much better for it. That is at the root of the current water problem.

Backed up as it is against the Coast Range, and the Siuslaw, Yachats will always be limited in its potential for [uncontrolled growth](#), and that's a good thing I believe. We'll be glad to support your efforts to provide clean water, and to make sure that those who actually do the work in Yachats can afford to live there. That's already proved problematic and it needs to be dealt with. Those are the two issues we've involved ourselves with and we'll continue to do so.

Thank you again.

The Siuslaw National Forest Collection

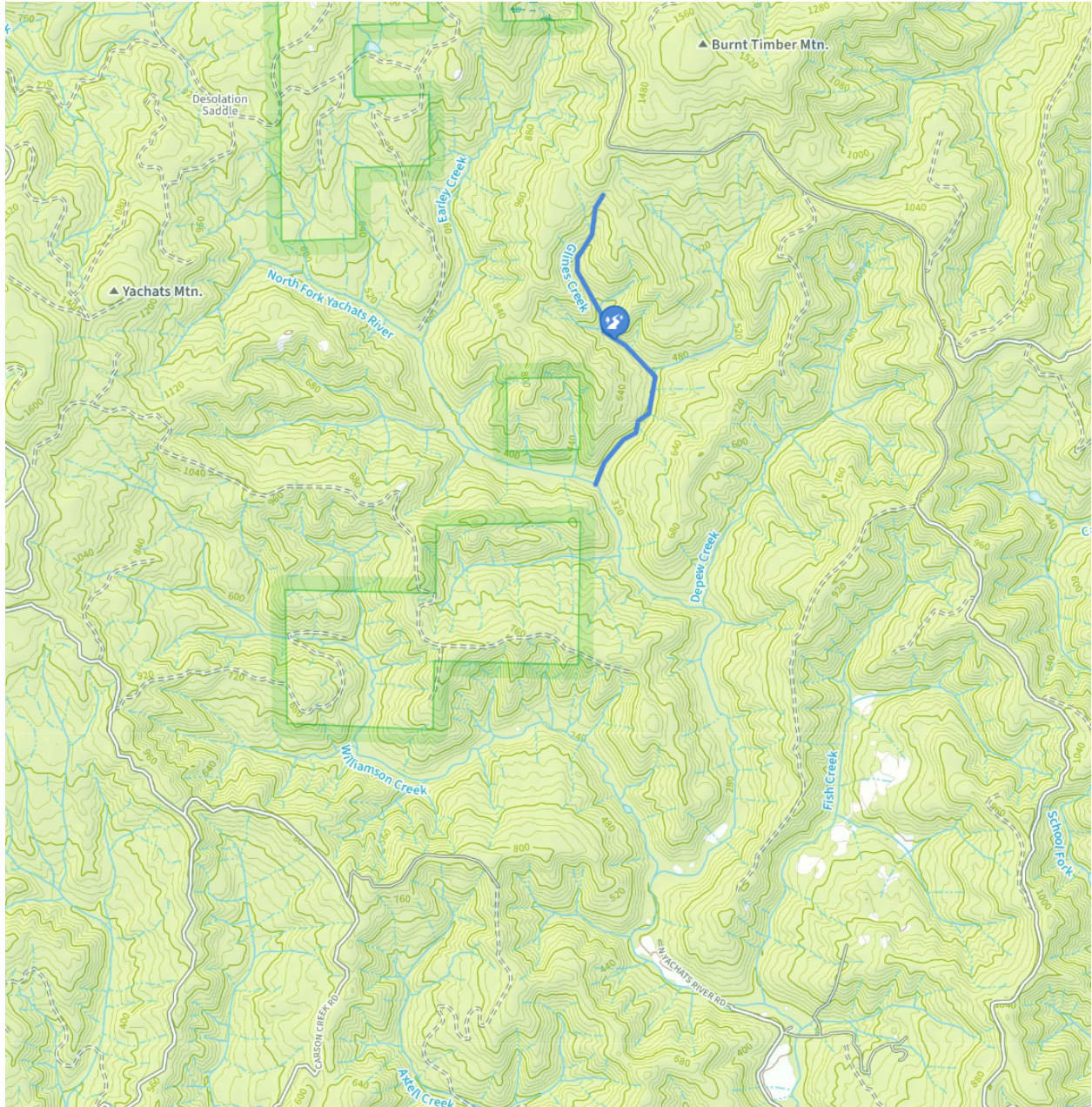
View of the North Fork Yachats River showing a debris dam caused by a headwall failure on Road 1503-E, the Glines-Depew road.



Title View of the North Fork Yachats River showing a debris dam caused by a headwall failure on Road 1503-E, the Glines-Depew road.

LC Subject	Floods
Work Type	color photographs
Location	Yachats River >> Lincoln County >> Oregon >> United States
Date	1970-04-16
Identifier	1991-044
Rights	In Copyright
Rights Holder	Siuslaw National Forest
Type	Image
Format	image/tiff
Physical Extent	3X3
Set	The Siuslaw National Forest Collection
Primary Set	The Siuslaw National Forest Collection
Institution	Oregon State University
Modified	2013-06-17
Submission Date	2013-06-17
Colour Content	Black and White

Map of Glines Creek. Glines-Depew Road not identified but possibly unpaved road between Glines and Depew Creeks



Also referenced by Mayor Berdie: 16 page document available via Web search

Limiting Factors Assessment and Restoration Plan

NF Yachats

A Tributary of the Yachats River

July 12, 2003

Prepared by

Bio-Surveys, LLC

P.O. Box 65

Alsea, OR 97324

541-487-4338

Contact: Steve Trask

Sialis Company

154 SE Rivergreen Ave.

Corvallis, OR 97333

541-753-7348

Contact: Duane Higley

Funded by

Technical Assistance Grant 203-231

Oregon Watershed Enhancement Board

775 Summer Street NE, Suite 360

Salem, OR 97301-1290

Submitted to

Midcoast Watersheds Council

157 NW 15th St

Newport, OR 97324

Plastic Pollution and Recycling Modernization Act



Opportunities for local governments: Needs Assessment Survey

There are changes coming to Oregon's recycling system, with new benefits and opportunities for local governments and their service providers.

The Plastic Pollution and Recycling Modernization Act is creating a new structure to Oregon's recycling system. The act leverages the resources of producers to create new opportunities for local governments starting July 1, 2025. The **Needs Assessment Survey** will gauge interest from all local governments statewide in expanding recycling collection services during the first program plan period from July 2025 through 2027.

Local governments **MUST** complete the survey and register for the types of service expansion they would like to implement to be eligible for funding support and are strongly encouraged to work with their service provider(s) to prepare for and complete the survey.

After the Survey

After the survey, each local government that responded will be contacted by the Producer Responsibility Organizations established to administer statewide management of covered materials. The PROs will work with the local government and its service provider(s) to determine service expansion and implementation.

Receiving the Survey

A link to the survey (hosted on SurveyMonkey) will be sent by email to all counties, all incorporated cities and service providers in early January 2023. Communications will come from DEQ's contractor, Eunomia Research & Consulting. A hardcopy version of the survey can be requested by emailing RethinkRecycling@deq.oregon.gov or by calling your DEQ Regional Specialist below.



Recycling services eligible for funding include (but are not limited to):

- new or expanded curbside collection of covered recyclable materials (roll carts, educational materials, collection trucks, etc.)
- new or expanded depots for covered products (containers, equipment, new staff, etc.)
- new or expanded recycling reload facilities if needed (compactors, containers, other equipment)

Contact us

Email: RethinkRecycling@deq.oregon.gov

Eastern Region:

- Laurie Gordon, 541-633-2029

Northwest Region:

- Lexi Meek, 503-229-5790
- Gretchen Sandau, 503-915-6786

Western Region:

- Cathy Brown, 541-687-7325
- Cat Rhoades, 503-378-5089

Join us

There will be two virtual information sessions on the needs assessment survey:

- Thursday, Jan. 12, 2023, 11 a.m.
- Tuesday, Jan. 24, 2023, 11 a.m.

Register: RecyclingAct.Oregon.gov