1. 2:00 P.M. Agenda

Documents:

2023-04-19 City Council Regular Meeting Agenda.pdf

2. Meeting Material

2023-02-Financial-Report-Council

2023-02-Fund-Balances-And-Contract-Exp

Documents:

PC Memo Re. City Planner .Pdf
2023-03-15 Council WS-Reg Meeting Summary.pdf
2023-03-29 Council Special Meeting Summary.pdf
2023-03-03 Finance Meeting Summary.pdf
2023-03-17 Finance Meeting Summary.pdf
2023-03-31 Finance Meeting Summary.pdf
2023-03-07 Parks And Commons Meeting Summary.pdf
2023-03-14 Meeting Summary Public Works.pdf
2023-03-14 Planning WS Summary.pdf
2023-03-28 Planning Summary.pdf
2023-03-13 EP Meeting Summary.pdf
Yachats PW Report March 2023.Pdf
Water Report March 2023.Pdf
Sterling - Volunteer Application.pdf
Giroux - Volunteer Application.pdf
2023-208 RES Parks Commission Appointments.pdf
Information Regarding Pioneer Telephone Cooperative.pdf
Pioneer Sample Letter Of Support.pdf
Current City Manager Openings.pdf
CITY MANAGER TRANSITION.pdf
HB4123 HOMELESSNESS IGA - Final.pdf
Homelessness IGA EXAMPLE STAFF REPORT.pdf
CM Exit Plan.pdf

**CITY OF YACHATS**
**CITY COUNCIL REGULAR MEETING & PUBLIC HEARING**
Yachats OR
**Wednesday, April 19, 2023, at 2:00 pm**
**To Be Held In Person & Zoom**

Join Zoom Meeting
https://us02web.zoom.us/j/83380335391
Meeting ID: 833 8033 5391
One tap mobile
+17193594580,,83380335391# US
+12532158782,,83380335391# US (Tacoma)

**Regular Council Meeting**

I. Announcements, Proclamations, and Correspondence
II. Public Comment - limited to items not on the agenda
(5-minute limitation per person)
III. Consent Agenda
   a. Finance Report
   b. Meeting Summary's
      1. City Council
      2. Finance Committee
      3. Parks & Commons Commission
      4. Public Works & Streets Commission
      5. Planning Commission
      6. Emergency Preparedness Committee
      7. Public Works & Water Report
IV. New Business
   a. Parks & Commons Commission Volunteer Recommendations
      i. Resolution 2023-2008 - Vote
   b. County Commissioner Jacobsen re. county HHS services and housing initiatives
   c. Staffing plans and supervision for the next six weeks
   d. Interim / Assistant manager status
   e. Transition planning:
      i. SWLPUD water discussion
      ii. Projects (Public Works, LLCM, Library, Pocket Parks, Oceanview Drive)
      iii. Pending and ongoing business relationships
   f. Permanent Replacement discussion

*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 4/14/23 By: Kimmie Jackson*

V. Old Business
   a. Budget Meeting homework / preparation
   b. Urban Renewal Extension timing
   c. Commons building engineering report
   d. Agreement with City Manager Lambert re. the remainder of her tenure

VI. Reports
   c. City Manager Report

VII. Other Business
   a. From the Mayor
   b. From Council
   c. From Staff

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# MEMORANDUM

**TO:** Heide Lambert, City Manager
Mayor Berdie and Yachats City Council

**FROM:** Yachats City Planning Commission

**DATE:** April 18, 2023

**SUBJECT:** Request for Full-Time Status for Yachats City Planner

The Planning Commission wishes to express its serious concern with the recent and significant reduction in weekly hours authorized for the City Planner position and the risk to the City by failing to meet state-mandated deadlines for actions on pending and future land use applications. This reduction by the City Manager appears to walk back a decision of the former Mayor and City Council at its September 15th , 2021 meeting to increase the hours of the City Planner to provide for at least a four-day work week. A review of this Council meeting recording shows that 16 hours per week was found to be insufficient for the City Planner to process land use applications and building permit reviews in a timely manner, let alone conduct important long-range planning efforts for conscious city growth.

The Planning Commission would like to know Ms. Lambert's reasoning for reducing the City Planner's weekly hours by one half, and any plans she may have to fill the significant void. The Planning Commission strongly believes that our growing city needs at least one full-time professional planning position.

As Manager Lambert and Council are keenly aware, Yachats, like all Oregon municipalities, is mandated by Oregon planning law to have an adopted Comprehensive Plan and ordinances which help implement the Plan that are consistent with 19 statewide planning goals. In addition, our Planning Commission is tasked with both quasi-judicial (conditional use and variance) and legislative (comprehensive planning, regulatory ordinances, special projects) functions. And, the Planning Commission (and, in some cases, the City Council) is required by law to act on all quasi-judicial and some legislative matters within a specified period of time. Failure to act within that time, unless voluntarily extended by an applicant, results in automatic approval of the application. Both quasi-judicial and legislative decisions can be appealed to the State's Land Use Board of Appeals, with potential financial consequences to the City. For these reasons alone, the City requires the technical assistance of a full-time professional city planner to help the Planning Commission, and City Council, reach timely, informed decisions on land use matters.

At our Planning Commission's April 18th regular meeting, we conducted public hearings on two conditional use requests as provided for by the Yachats Municipal Code. For us to conduct these

hearings in accordance with City and Oregon planning laws, the City Planner must publicly advertise these hearings and research and notify by certified mail any surrounding property owners of the application as well as the scheduled date and time of the Planning Commission hearing. To help us make informed decisions, the City Planner also typically conducts a site visit, and a technical analysis of each application by reviewing the applicable provisions of the City's Comprehensive Plan and the standards and criteria specified by the Yachats Municipal Code for evaluating the proposal. The City Planner may also need to converse with the applicant and respond to email and phone inquiries from property owners who receive formal notice. No later than one week in advance of the advertised hearing, the City Planner prepares and publishes a written report which presents the facts of the application, a summary of the technical analysis, and one or more recommended conditions of approval. During our public hearings, the City Planner is present to review the published staff report, answer Planning Commission, applicant, and other hearing attendee questions, and help guide the Commission with its decision. Upon conclusion of the hearing and Commission decision, the City Planner draws up the formal action of the Commission, including establishing the findings of fact and listing any conditions of approval. That written record of action is then transmitted to the applicant within so many days of the hearing and decision.

All of the work mentioned above, i.e., land use applications, building permit reviews, telephone, electronic, and walk-in inquiries of the public is considered *reactive* planning and is <u>the bare minimum</u> required for the City to meet the demands of Oregon law and members of our community. But that work should make up only a portion, and not the majority, of a professional City Planner's time and efforts. Sound planning, as the name "planning" implies, is about being *proactive*, i.e., preparing for and guiding the City's future. To properly plan for Yachats' future based on a moderate rate of growth, long-range planning efforts are an essential part of a professional planner's responsibilities. Examples of recently completed long-range planning projects include the Yachats Downtown Parking Management Plan and the City of Yachats Housing Needs Assessment. Other long-range projects pending completion include the Yachats Local Wetland Inventory and the City of Yachats Housing Implementation Plan. The City's Comprehensive Plan, originally prepared in 2003 and last amended in 2021, is also in need of major revisions. Our Commission has identified numerous problematic sections of Title 9 of the Yachats Municipal Code. These long-term planning projects and needed regulatory changes are complex and cannot succeed without being actively managed by a full time professional City Planner.

While our Commission would like to hear the current City Manager's reasoning for the reduction in weekly assigned hours to the City Planner and any related staffing plans, we urge the Mayor and City Council to select a new City Manager who sees the value of a full-time professional city planner position in serving the City's needs, and establishes such as one of their early actions. We also ask that the Mayor and Council ensure that the approved 2023-2024 City budget includes sufficient funds to establish such a position as full-time.

# CITY OF YACHATS
# CITY COUNCIL
# March 15, 2023

## Meeting Summary

Mayor Craig Berdie called meeting to order on this March 15, 2023, at 2:00pm via Zoom and in-person meeting. Members present: Mary Ellen O'Shaughnessy, Council President, Catherine Whitten-Carey, and Ann Stott. Absent: Greg Scott. A Quorum was present. Staff: Heide Lambert, City Manager, Kimmie Jackson, Recorder, Katherine Guenther, Asst. CM & Planner.

## REGULAR MEETING

Audience/Guests: 33

1. (0:01:17) Announcements: Don's Place update was given by Pastor Bob. The season has been a success and was open 18 nights. Hot meals were provided and had eleven volunteers with no incidents.

2. (0:14:39) Chamber report is attached to the online packet. digital ads are working on Google Ad's and is building up the photo album; the Sip & See event will be using the Sea Aire bus to transport from the north and south and will highlight how walkable the city is on the 804 Trail. Discussion continued regarding the upcoming 4th of July, and how the allotted $25,000 is to be spent.

   (0:30:04) Motion was made for the Chamber to use the funding of $25,000 for some type of fireworks show:

   Aye: Whitten-Carey, Stott and Berdie
   Nay: O'Shaughnessey
   Absent: Scott

3. (0:30:40) Dahl HB 3220 and Update on Recycling by Dave Larmouth: The attached documents in the packet cover the changes to the E-Cycles program and looking for the City to support the initiative. Discussion continued regarding glass bottle deposit system and the possibility of a deposit container in Yachats. Councilor Whitten-Carey will attend a meeting with the City Manager and Mr. Larmouth for further discussion and possible solutions.

   (0:47:25) Motion for Council to write a letter in support of HB 3220: The vote was called for and passed. All are in favor and passed unanimously. Councilor Scott was absent.

4. (0:48:32)Budget Committee applicant Rick Sant review: After Council questions, the Motion was made to appoint Mr. Sant to Seat C expiring 12/2024. The vote was called for and passed unanimously. Councilor Scott was absent.

5. (0:59:11) OLCC application from Bread & Roses applying for an off-premises liquor license. After Council discussion, the Motion was made to approve the application:

   Aye: Whitten-Carey, Stott, O'Shaughnessey and Berdie

Absent: Scott

6. (1:07:54) Public Comment: Betty Johnston, W. 6th Street – would like to see the area spruced up with plantings, painting around the boardwalk, fence by the wastewater plant, and buildings.

7. (1:15:50) Consent agenda: Motion was made to accept the Consent agenda with changes to the meeting summary dated February 2nd and 15th on the 2nd page of each. All are in favor and accept unanimously. Councilor Scott was absent.

8. (1:21:47) Ethics reports were received by Councilors and Planning Commission members that were sent to their emails to complete.

9. (1:22:41) CIP Report - Closure of the fiscal year 22/23 CIP and will be forwarded the Finance Committee. Discussed projects and procedures moving forward.

10. (1:32:02) Oregon Coast Community College has requested a letter to support the bond initiative at the college at five cents per thousand. The motion was made to support the Mayor writing the letter of support. All are in favor and passed unanimously. Councilor Scott was absent.

11. (1:36:12) Angel Job corps is looking for teachers and tutors. They house about 100/110 young adults offering trade trainings.

***Close meeting for Executive Session from 3:37p to 4:30p***
******The votes below in regular session after the executive session were recorded to the executive session portion of the tape if need to refer back.***

12. Motion was made to allow the City Manager to begin discussion/negotiation to purchase the Edmunds property.
    Aye: O'Shaughnessey, Stott, Whitten-Carey and Berdie
    Absent: Scott

13. Motion was made for the Planner/Interim-City Manager contract to end on March 31, 2023:
    Aye: Whitten-Carey, Stott, O'Shaughnessey and Berdie
    Absent: Scott

Mayor Berdie adjourned the meeting at 4:35pm
Prepared by Kimmie Jackson on March 20, 2023

**CITY OF YACHATS**
**CITY COUNCIL**
**March 29, 2023**
**Meeting Summary**

Audience/Guests: 27

Mayor Craig Berdie called meeting to order on this March 29, 2023, at 1:00pm via Zoom and in person meeting. Members present: Mary Ellen O'Shaughnessy, Council President, Greg Scott, Ann Stott, and Catherine Whitten-Carey. A Quorum was present. Staff: Kimmie Jackson, Recorder, Katherine Guenther, Planner. City Manager was not present.

SPECIAL MEETING

1. Rules are read into the record and that the only business to be discussed is the Planner contract

2. Point of order was called for clarification as to why the meeting was called.

3. Council discussed the contract and reviewed. The motion was made to rescind the motion that was made on March 15, 2023, to terminate the Pro-Tem / Planner Contract. The vote was called:
   Aye: O'Shaughnessey, Mayor & Carey
   Nay: Stott
   Abstain: Scott, due to not being at the March 15th meeting for the vote.

4. Motion was made to terminate the duties of Katherine Guenther as City Manager Pro Tem and as her employment contract states this termination is effective 14 days after notice is given by the Mayor. Additionally, per Section 2 Item c of the Pro Tem City Manager / Planner agreement "following termination City Manager Pro Tem / Planner will resume her position and duties as Part-time Planner.
   Aye: O'Shaughnessey, Whitten Carey, Stott and Scott
   Nay:

Mayor Berdie adjourned the meeting at 1:20pm

Prepared by Kimmie Jackson on March 29, 2023

# CITY OF YACHATS

## Finance Committee

March 3, 2023

**In-Person & Zoom Meeting**

## REGULAR MEETING

Attendance/Guests: 16

1. Meeting called to order by City Manager Heide Lambert, on this March 3, 2023, at 10:03am. Attendance: Tom Lauritzen, Charles Bame-Aldred, Viki West. Staff: Kimmie Jackson, Deputy City Recorder, Dave Buckwald, Wastewater Lead and Holly Hamilton, CIP Coordinator.

2. Announcement & Correspondence: Received correspondence from John Purcell, who congratulated the City on voting to approve moving forward in discussions with Southwest Lincoln Water District.

3. Citizens' Concerns: None

4. (0:03:03) Update on all changes to date for the current CIP List: Bame-Aldred reported that after the meeting with Lauritzen and Hamilton, he they made sure they had an understanding how the original appropriations were put together for 2022-23, and the four reclassifications in two in September, one in December and one just recently in January. There are additional columns in the spreadsheets show what the council has approved, the appropriation and the classification on any of the project as you get new information and then can see what has happened before and changes moving forward. At the March 17th meeting will have a more accurate details for the meeting. Discussion continued on steps taken to gather this information for reporting and priority purposes.

   Hoping to take the current fiscal 2022-23 to council in where the finance committee is at. But needs the spend amounts from Springbrook March 10th and will work with accounting to get the information and getting the commitments is also important. Could do a CIP Report for 2023-24 on April 6th and the 2022-23 could present a executive summary for council at the March 15th meeting and get feedback from council. CM will send out a schedule of dates to present to council. On April 6th council meeting will propose the next fiscal year. There is also a finance committee meeting on March 31st will come up with the recommended list for the CIP to Council.

5. (0:27:4) Update TRT and F & B (spreadsheet available upon request): Nothing to report at this time on Food & Beverage; This report show quarterly amounts received from TRT compared to the same quarter, previous year. The last year, the City collected, $1,408,842.15 as of January.

   Discussion continued regarding licensed rentals that are not using the license nor generating tax dollars; proposing how long you can have a license and not use it until it would have to be forfeited; could consider changes to the code. This is an asset that the city is not generating revenue from if the licenses are not being used.

6. (0:43:15) URD Extension and possible amendment: Reviewed the contribution amounts(spreadsheet available upon request) – The URD financial planning for 2023 shows the actuals. The city filed the last urd plan in 2016 for $5,945,725. All the interfund loans have all been paid. Is recommending to the finance committed doing a final amendment to the urban renewal project and present to the URD Board (Council).

7. (1:03:30) Update General Fund capital planning & projects

8. Update Enterprise Funds capital planning & projects

9. Set dates for FY 23-24 CIP review and project management

10. Supplemental budget prep

Spreadsheets available upon request.

City Manager adjourned the meeting at 11:45am.

Prepared by Kimmie Jackson on March 3, 2023

# CITY OF YACHATS

## Finance Committee
March 17, 2022
**Meeting Summary**

Heide Lambert, City Manager on this March 17, 2023, 10:00am meeting of the Finance Committee. Members present: Charles Bame-Aldred, Tom Lauritzen, and Viki West. Staff: Kimmie Jackson, Deputy Recorder, Holly Hamilton, CIP Coordinator

1. (0:0040) No correspondence or citizens' concerns.
2. (0:01:00) CIP Update was given on changes to date - The next meeting will be on March 31st. Discussed how to get things done from March 17th to June 30th; pull budget sheets together; will have a meeting on April 6th to prepare and be able to present to Council, taking into account the bandwidth of staff.

3. (0:31:40) Update TRT and F & B Taxes: Collections are positive; this is a good start on addressing budgeting around $1.3-$1.4 million split between TRT and Visitor Amenities.

4. (0:44:00) URD – This expires when all the taxes have been received. Two more years will hit the twenty-year end date; will put this item on the April 6th agenda and to include all of CIP revised classification to get Council approval. Mr. Lauritzen has the worksheets and will include a narrative.

5. (0:48:15) Reviewed the General Fund and Capital Planning.

6. (0:50:03) Enterprise Funds: The items marked new on the schedule, compared to the Master Plan. Need to look into the Water Treatment Plant Clarifier Rehabilitation is in priority two – but the money is in priority one; and there is no money allocated for the link up with South Lincoln Water. There will be more discussion on these items to come.

7. (0:54:43) CIP Preparation and set Dates for FY 23/24: prep on April 6th is the goal, then take to Council the CIP Proposal 23-24, supplemental and amendments on April 13th will schedule the first Budget Committee Meeting; confirmed the 31st for Finance Committee.

8. (0:58:38) April 15th to May 3rd Mrs. West will be out of town.

9. Starting May 5th will schedule the monthly Finance Meeting on the first Friday each month at 10am.

City Manager adjourned the meeting at 11:05 am.

Prepared by Kimmie Jackson on March 27, 2023

# CITY OF YACHATS

## Finance Committee
March 31, 2022
**Meeting Summary**

Audience/Guests: 15

1. (0:00:20) Motion was made to have Tom Lauritzen Chair today's meeting in the absence of City Manager Heide Lambert, the vote was called and all are in favor.

   The Finance Committee meeting is called to order on this March 31, 2023 at 10:07am. Present: Tom Lauritzen, Charles Bame-Aldred and Viki West. Staff: Holly Hamilton, CIP Coordinator, Lead Wastewater, Dave Buckwald and Deputy City Recorder Kimmie Jackson.

2. (0:00:31) The purpose of the meeting is to establish the project list and estimated costs for Capital Improvement Projects - the CIP Plan. Oregon requires the City to submit a five-year plan & budget. The first year is incorporated into the proposed budget offered by the budget officer, and will be recommending to Council the number of dollars that the City is willing to spend in fiscal 2023/24 and to reappropriate the dollars that didn't get spent. Last year's appropriations is transferred into the reserve account quarterly, and on the financial statements through February 28th will include two transfers, and two more in March and June, then will have all the transfers done. This meeting will go through the CIP spreadsheets that were presented by Holly Hamilton by shared screen (documents not forwarded to Recorder). Discussion amongst the member and audience, question and answer session for the remainder of the meeting. The spreadsheets will be updated and disbursed for review.

3. (1:50:09) Recap – Some cleanup work to do on the spreadsheets and on the enterprise funds; long term revenue plan is working; Food & Beverage and Transient Rental taxes - we have an amendment to the Urban Renewal District; the City has an expiring loan that will be paid for; convert the sales tax on Food & Beverage into the Enterprise Funds Reserves and then can afford to pay for these Master Plan Projects and enough money coming out of Visitors Amenities to pay for the main expenses for the Parks and the Boardwalks.

4. (1:53:00) Next Finance meeting will be May 6th, and to invite Public works & Streets to bring their project list

Lauritzen adjourned the meeting at 12:06pm.
Prepared by Kimmie Jackson on March 31, 2023

CITY OF YACHATS
PARKS AND COMMONS COMMISSION
March 7, 2023

Meeting Summary

Guests/Audience: 16

1. Chair Adam Altson called this meeting to order on this March 7, 2023, of the Parks and Commons Commission at 2:00 pm. Members present: Michael Hempen, Meg Simans, Ron Simans, and Dean Shrock. Trails - Joanne Kittel and Bob Langley. Staff: Kimmie Jackson, Recorder, Holly Hamilton (CIP Coordinator)

2. (0:00:50) No Correspondence.

3. (0:00:59) No Citizens Concerns

4. (0:01:20) Update from the monthly Chair Meeting with the City Manager February 22nd – discussed the City needing a Child Protective Policy for insurance purposes. The City Manager will forward a sample policy. Members that are around kids may need to undergo background checks; charge letters from the City are coming to the Commissions that will give direction; Skate Park Update is having a second meeting set for April 14th from 6:00pm to 7:30pm at the Commons to discuss design plans and offering free pizza; and adding the Walkway to the Master Plan and that will make it easier to apply for grants.

   The Commissioners discussed naming the walkway “Bayside Walkway” to make it distinct from the Wetlands Walkway.

5. (0:08:00) Goals – Topics completed and discussed at prior meetings were to complete Pocket Parks, Sunset Park North 6th Street and South 4th Street, and the need to get the plants in the ground. The project is on hold until the road is turned over to the City. Still waiting on two easements to be completed; need to get information on grants; the bids for contractors have been received to scrape gravel and lay down the soil, move rocks and benches; plan on purchasing a few more benches, moving a bench on 6th Street back 4-6 feet and include signage. Commission with work with CIP Coordinator for placement locations. Generate plant list for Wally Orchard, who is an expert to identify where the plants should be placed; to move Bayside Walkway further along in the process, it has been brought to Council and was approved back on May 5th.

   Commission continued discussion as to how the CIP process is working moving forward for the projects that are already in progress and the Chair will work with the City Manager and CIP Coordinator. There is a concern if the two residents don’t sign the easements, what’s the alternative – the Chair will confer with the

City Manager to get some direction from the city attorney on how to move forward if the easements are not signed. Will keep the Green Space on the list and identify some steps to get this project moving. There was already public engagement on September 9th, 2021, with a presentation and there was an extensive survey done as well.

The bike rack installation placements: one at City Hall, one by the Pavilion and the other on the corner of Hwy 101 N. & 4th Street by the Seal statue; keep the Green Space and Commons North Entrance on the goal list. The last concern to address is to know if the Parks & Commons will continue on as both or just Parks. As for the Master Plan, the CIP Coordinator would like to get started and plan for community engagement withing the next 4/6 months; can try to get some grant funding in the process.

6. (1:21:33) Possible Memorial on Prospect Trail request by Benjamin Moore, Resident. Mr. Moore would like to have rock memorial with Laird's name on it, something low profile, about 17 inches by 20 inches. After committee discuss request they were all in favor, but the City needs a policy moving forward.

   The Motion was made to approve the placement of a memorial rock as discussed located at Prospect Park. The vote was called and passed unanimously.

7. (1:38:15) Community Garden Request by Carita Edson, Radar Road Resident, Master Gardener announced that the Community Garden has to be relocated. The Presbyterian Church will be using the property for housing. The Community Garden would like to use some of the Green Space, approximately .3 of an acres possibly. The CIP Coordinator stated she will speak to the City Manager about the presentation request.

8. (2:08:26) Trails report is attached to the inline packet.

9. (2:09:14) Dark Sky Initiative – Ms. Stott is holding a meeting on March 18th at the Commons. This commission would like further information and defer this item to the next meeting.

Chair Altson adjourned the meeting at 2:47pm.

Prepared by Kimmie Jackson on March 15, 2023

# City of Yachats
# Public Works and Streets Commission
# Summary Minutes
# March 14, 2023

Audience/Guests: 14

1. Chair, Linn West called the meeting to order at 2:00 pm. Present: Kevin Erdahl, Alex Cox, Linn West, Bob Bennett, Don Groth and Don Phipps. Staff: Kimmie Jackson, Recorder and Katherine Guenther, Planner

2. (0:00:46) No correspondence.

3. (0:01:19) No citizens' concerns.

4. (0:02:33) Public Works report attached to the online packet; the bid opening is on March 21st and have received three to date; the valve project is on hold due to weather.

5. (0:12:55)The Finance Report is attached to online packet for January 2023.

6. (0:23:40) Emergency Preparedness Report: Revised goals; put in a request to spend $1,360 to even out the contents in both Conex's.

   Motion was made to allocate $1,364 to resupply and amplify the contents of the two Conex's from the account number 205209 City Hall. The vote was called for and all are in favor and passed unanimously.

7. (0:27:07) No Fire Department report.

8. (0:27:27) Hwy 101 Delineators: the agreement is ready to be signed between ODOT and the City; need to come up with a solution for the path from Ocean View drive to the bridge is not wide enough to meet ODOT Standards to put delineators; needed is six inches for about one hundred sixty feet of walkway. Phase II & III projects are not being eliminated, only moved forward.

9. Public Works Goals: this Commission has not heard anything from the City on direction yet. The members will come up with goals that support what the Council has decided are their goals.

10. (0:44:20) Water Conservation Study and the Stream Monitoring is the result of the Drinking Water Protection plan #2. The report is the end product and is attached to the online packet for review.

11. (0:50:05) Parking Study Project recommendations was presented by the Planning Commission and is requesting support and implementation.

12. (0:51:06) Transportation Plan: In 1999 the City created a Village Circulation Plan. ODOT has a Transportation System Master Plan for streets, parking, trails, and sidewalks. Commission members were advised to look at the Waldport's plan. The parking study can be added to the City's Master Plan, and Public Work is applying for $150,00 grant that would cover all the engineering and the cost of the plan; Citizen input will be needed; would like to move forward after the commission reviews the plans. Will discuss at the next meeting.

13. (1:04:19) Parking Study continued: the City received a grant from DLCD to hire a consultant to provide a parking study. Presentation and discussion continued on the 2022 Management Plan is online in the packet materials identifying the activity, category, priority, cost, benefit, responsible part and timeline for completion. Public Works & Streets will review and refer back to Planning Commission for further review.

14. (1:47:25) Chair West will request a conversation with the City Manager regarding the parking study matrix of recommendations from the consultant and discuss a pilot project on some of the items to try out new ideas.

15. (1:47:51) There were several motions that were presented and the following were passed:

    Motion made to request that the City start the CIP process for Phase II multi use path, on the south side Hwy 101 from 2nd Street up to the bridge on Hwy 101. Ayes: West, Phipps, Bennett and Groth. Nays: Cox and Erdahl

    Motion to request the City to reach out to ODOT to consider a standard speed limit for all standard streets in the city limits to 20mph, excluding Hwy 101: Aye: Cox, Phipps, Groth, Bennett Erdahl and West.

No further business to discuss, meeting adjourned by Chair West at 4:33pm.

Prepared by Kimmie Jackson Deputy Recorder March 20, 2023.

# CITY OF YACHATS
# PLANNING COMMISSION WORK SESSION MEETING
# MEETING SUMMARY
# March 14, 2023

Audience/Guest: 11

(00) Meeting called to order by Jacqueline Danos, Co-Chair at 10:am. In attendance, John Theilacker, Chair John Theilacker, Lance Bloch, Loren Dickinson, and Tod Davies. STAFF: Kimmie Jackson, Deputy City Recorder and Katherine Guenther, Planner.

1. Announcement: Received Marc Sakamoto volunteer application and will be interviewed at the regular meeting on March 21st.
2. (0:00:10) The Work Session discussion regarding the goals to forward to the City Manager/Council for consideration. The following goals are 1. To complete Fences, Walls, and Hedges Amendment to Title 9; 2. Complete/Adopt the Local Wetlands Inventory; 3. The City Center Parking Management Plan and to send recommendations for action with support of Public Works & Streets Commission, then on to Council by May 2023; 4. To complete the second phase Housing Study in June 2023 and then to pass on to Council as a recommendation.

The goals will be revised and brought back to the next regular meeting for recommendation to Council on March 21st.

Bloch adjourned the Regular Commission meeting adjourned at 11:05am.

Prepared by Kimmie Jackson March 15, 2023

# CITY OF YACHATS
# PLANNING COMMISSION
# PUBLIC HEARING & REGULAR MEETING
# MEETING SUMMARY
# March 28, 2023

Audience/Guests: 11

1. John Theilacker, Chair of the Planning Commission called this meeting to order at 10:30am: Jacqueline Danos, Loren Dickinson, and Tod Davies. Absent: Lance Bloch. STAFF: Kimmie Jackson, Deputy City Recorder, Katherine Guenther, Planner

2. (0:01:41) No announcements, correspondence or Citizens concerns.

3. (0:02:18) Public Hearing for Kraus B & B File 2-CU-PC-23 has been rescheduled to April 18th so that the applicant can attend.

4. (0:08:39) Public Hearing for Church Conditional Use Permit File 1-CU-PC-23 was heard and after Commission discussion and no public testimony, the Motion was made to approve the application with the addendum that the building owner and business owner have an agreement for parking. The vote was called and passed unanimously. Then the Commission authorizes the Planner to sign and accept the application of Mr. Church.

   *Addendum: Establishment of the residential portion of the mix (upper-level apartment) is subject to a valid shared parking agreement between the owner of the residential portion and owner of the commercial portion of the building complex, where any apartment tenant shall be employed by a business contained in the complex. Otherwise, occupancy of the residential portion of the mix is subject to compliance with the Yachats Municipal Code's off-street parking requirements for a single-family dwelling."*

   Close Public Hearing

5. (0:42:03) Parking update – The parking spaces on 4th Street are being used. This study is ready to be presented to Council, and the Chair will let the City Manager know it is ready to be presented to Council.

6. (0:48:23) Housing – Today is the 3rd project management plan review meeting. Still need to have public engagement meeting (TBD), an In-person meeting, then present to Council.

7. (0:53:25) Local Wetlands – Pacific Habitat and State Lands resubmitted to DSL and should hear back in April , then will need public input.

8. (1:02:41) Volunteer Application – Marc Sakamoto – After Commission discussion and Q & A, the Motion was made to approve and forward for City Council's approval. The vote was called and passed unanimously.

9. (1:16:33) Goals – Compared Planning objectives and projects to Council goals. Revised and suggested the goals to forward to Council for consideration. The Motion was made to forward to Council. The vote was called for and passed unanimously.

10. (1:20:15) Transportation – Public Works submitted the preapplication to ODOT to revise the Village Circulation Plan and Transportation.

Chair Theilacker adjourned the meeting at 12:05pm.

Prepared by Kimmie Jackson March 29, 2023

CITY OF YACHATS
EMERGENCY PLANNING COMMITTEE
March 13, 2023
Zoom Meeting Summary

Audience/Guests: 6

1. Alex Cox, Chair called the meeting to order at 2:00 pm. Attendance: Don Groth, James Sanders, Linn West. Absent: Drew Roslund, Jill Asch and Mary Beth Selby. Staff: Kimmie Jackson, Recorder

2. (0:01:54) Repots: It was reported that the No-Mad Water system should be demonstrated and tried at possibly Agency Creek (9th & King) this summer for training. Discussed what should go into the Conex at the Fire Department, such items as water purifies and go bags.

3. (0:06:10) No Public Comment

4. (0:06:13) Goals: The Committee discussed and settled on the following goals to pass on to the City Manager/Council. 1. Finish the process for the fire station Conex (Mr. Roslund offered $6,000 towards the project), funds have been allocated and there still needs to be an MOU signed. 2. Tabletop Meeting to be scheduled for a disaster (landslide, small earthquake) and to test the communication devises, this is to include a complete walkthrough of actions to involve the Mayor, City Manager, possibly Jenny Damaris, Lincoln County Emergency. 3. The additional supplies needed for the Conex has been budgeted and will pass on this information to the City Manager and Council and the Committee is ready to expend the monies. 4. Emergency Preparedness Fair to be held in August.

5. (0:25:25) Article for the newsletter: will include CPR Training, CERT Training, Earthquake Training schedules and will send it to City Hall.

6. (0:29:30) Conex List of Supplies: Chair West of Public Works & Streets was forwarded the Emergency Preparedness shopping list to move this goal to the next step. Discussion continued regarding starting the conversation in June to address the existing Conex's being moved and having to add items and replace expired items. The Recorder will try and locate the past tabletop documents and provide at the next meeting. In June/July agendas will address the Fair and additional tabletops.

7. Cox adjourned the meeting at 2:50pm.
8. Transcribed by Kimmie Jackson March 15, 2023

**Date:** April 5, 2023

**To:** Heide Lambert, City Manager

**From:** Public Works Department

**Re:** March 2023 Public Works Report

Rainfall at Yachats Public Works:

| | Inches | | | |
|---|---|---|---|---|
| | **2023** | **2022** | **2021** | **2020** |
| **March** | 9.50 | 5.21 | 4.56 | 4.09 |
| **Rain year to date:** | 24.57 | 15.12 | 24.53 | 25.90 |

Total water produced: **3,961,800 gallons**

Total water accounted for: **3,364,983 gallons** Water loss efficiency: **85%**

Total wastewater treated**:** **8,247,000 gallons**

The following is a list of what was done by Public Works staff in March 2023.

## Streets:

- Rocked Crestview Drive.
- Picked up two loads of rock.

## Storm Drainage:

- Cleared brush from culvert entryway on Crestview.

## Water Treatment Plant:

- Water systems operations.
- Plant Maintc.
- Cleaned Reedy Creek screen.
- Samples to Newport.

## Distribution Sys:

- Meter reading.
- Meter maintc.
- Water service repair.
- Meter box replacement on King St.
- Door hangers.
- Water leak repaired on Ocean View Drive.
- Pressure complaint in Koho.

## Wastewater Treatment Plant:

- Wastewater systems operations.
- Plant maintc. & clean-up.
- Biosolids operations.
- One load of cake to Heard Farms.
- U.V. system repair.
- Working on Biosolids Management Plan.

## Collection Sys:

- Lift station inspections.
- Electrician to Riverside Lift Station.
- Degrease lift stations.
- #2 pump at Pontiac Lift Station had to be pulled and cleaned.
- New generator training.
- Staff member to CEU training.

## 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.
- Repaired Commons sump pump.
- Staff meeting.
- Garbage removal at the Commons.
- PW yard clean-up.
- Assisted contractor with issues at the WTP.

| | 7.2022 | 8.2022 | 9.2022 | 10.2022 | 11.2022 | 12.2022 | 1.2023 | 2.2023 | 3.2023 |
|---|---|---|---|---|---|---|---|---|---|
| **Gallons of Water Produced** | | | | | | | | | |
| Water Plant | 4,981,200 | 5,983,000 | 5,468,700 | 4,517,000 | 4,198,200 | 3,829,500 | 4,462,900 | 3,488,800 | 3,961,800 |
| **Total** | **4,981,200** | **5,983,000** | **5,468,700** | **4,517,000** | **4,198,200** | **3,829,500** | **4,462,900** | **3,488,800** | **3,961,800** |
| **Gallons of Accounted for Water** | | | | | | | | | |
| Reservoir Level Feet | 31.5 | 26.5 | 28.2 | 27.8 | 29.7 | 29 | 24.3 | 30 | 29.5 |
| Reservoir +/- Gallons 41,666 per Foot | 579,157 | 208,330 | 70,832 | 16,666 | 83,332 | 29,166 | 195,830 | 237,496 | 20,833 |
| Waterline Flushing Gallons | 610,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gallons Sold | 3,502,419 | 5,267,797 | 4,206,601 | 4,327,576 | 2,554,239 | 3,103,279 | 3,671,984 | 3,030,641 | 3,344,150 |
| **Total Water Accouinted for** | **4,691,576** | **5,059,467** | **4,277,433** | **4,310,910** | **2,637,571** | **3,132,445** | **3,867,814** | **3,268,137** | **3,364,983** |
| **Final Water Report** | | | | | | | | | |
| Water Loss Efficiency | 94% | 85% | 78% | 95% | 63% | 81% | 87% | 93% | 85% |
| Unaccounted Gallons per Month | 289,624 | 923,533 | 1,191,267 | 206,090 | 1,560,629 | 697,045 | 595,086 | 220,663 | 596,817 |
| Unaccounted Gallons per Minute | 6.7 | 21.3 | 27.6 | 4.7 | 36 | 16 | 13 | 5.1 | 13 |

## City Recorder

**From:** noreply@civicplus.com
**Sent:** Wednesday, March 22, 2023 12:36 PM
**To:** City Hall; City Recorder
**Subject:** Online Form Submission #192 for City of Yachats Volunteer Agreement

# City of Yachats Volunteer Agreement

City of Yachats

501 Highway 101 N

PO Box 345

Yachats, OR 97498

*Phone: 541-547-3565*
*Fax: 541-547-3063*

Thank you for your interest in volunteering for City of Yachats. We look forward to partnerships with volunteers to enable us to effectively serve the citizens of our community. In order to ensure the safety of our volunteers and protect the interests of City of Yachats, we require potential volunteers to complete this questionnaire form and participate in a background check. Thank you for volunteering.

| | |
|---|---|
| First Name | dan |
| Last Name | sterling |
| Address | [redacted] |
| City | Yachats |
| State | OR |
| Zip Code | 97498 |
| Daytime Phone | [redacted] |
| Evening Phone | *Field not completed.* |
| Email | [redacted] |

(Section Break)

Volunteer Activity

| | |
|---|---|
| Please describe the type of volunteer work you are interested in performing or activity/event you wish to volunteer for. | Parks and Commons Commission |
| Please list the date(s) or range of dates for which you would like to volunteer | Anytime |
| Statement of Interest or Related Experience for Commissions & Committees | As a retired public school teacher and administrator in the South Coast Educational Service District, Eugene 4J School District, Portland Public Schools, and Lake Oswego School District with 25 years of experience, I am interested in serving the city. It is my desire to support the use, maintenance, improvement, and creation of parks and public places for the purpose of connecting and improving the health of all members of our community. I'm energized by challenges that involve collaborating, envisioning, planning & organizing, and managing projects. My communication style is: thoughtful, honest, and considerate. My values include commitment, transparency, fairness, win-win solutions, collaboration, and using time wisely. |
| Upload document, if needed | *Field not completed.* |

(Section Break)

## References

*Please list two references that are **not related to you** and that have knowledge of your relevant experience for the type of volunteer activity you are interested in.*

### Reference 1

| | |
|---|---|
| First Name | Rob |
| Last Name | Pell |
| Address | [redacted] |
| City | Grants Pass |
| State | OR |
| Zip Code | 97526 |
| Phone Number | [redacted] |
| Relationship | Friend |

| | |
|---|---|
| Years Known | 43 |

Reference 2

| | |
|---|---|
| First Name | Steve |
| Last Name | Sherrell |
| Address | [redacted] |
| City | Lake Oswego |
| State | OR |
| Zip Code | 97034 |
| Phone Number | [redacted] |
| Relationship | Friend, former supervisor |
| Years Known | 18 |

Emergency Information
*Name and contact information for the person(s) to reach in the event of an emergency.*

| | |
|---|---|
| Name | LeeAnn McKenna |
| Phone Number | [redacted] |
| Relationship | friend |
| Name | Rob Pell |
| Phone Number | [redacted] |
| Relationship | friend |

I understand and agree to the following:

- I will keep all issues pertaining to city business confidential
- I may be subject to background and motor vehicle record checks.
- I will adhere by Oregon Occupational Safety and Health Division (OR-OSHA) safety standards and training I am provided.
- I have read and understand the Volunteer Policy.

I hereby certify that the facts set forth in this volunteer registration are true to the best of my knowledge. I agree that if the information given in my registration, resume, or any other materials, or during any interview, is found to be false in any way, it shall be considered sufficient cause for denial of volunteer status.

I understand that City of Yachats is not obligated to appoint me to a volunteer position and that nothing contained in the volunteer registration form is intended to create a contract between City of Yachats and me. In addition to the above items, I agree to comply with the policies, rules, regulations, and procedures of City of Yachats, which I understand may change at any time and I understand that my volunteer status can be terminated with or without cause or notice, at any time, at the option of either me or City of Yachats.

| | |
|---|---|
| Signature | Dan Sterling |
| Date | 3/22/2023 |

Required for all Minors: Parent or Guardian's Authorization for Medical Care & Consent to Agreement

*I PARENT/GUARDIAN as parent or legal guardian, hereby grant permission for MINOR to do volunteer work for City of Yachats. In the event of an emergency, accident, or illness, I authorize City of Yachats and its employees to administer emergency medical care to my child and/or, if deemed necessary, to secure emergency medical services and incur expenses for which I will be responsible for payment. My signature in the following hereby represents that I have read, understand, and to this agreement.*

| | |
|---|---|
| Parent/Guardian | *Field not completed.* |
| Minor | *Field not completed.* |
| Signature | *Field not completed.* |
| Date | *Field not completed.* |

Version 2022-10-01

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## City Recorder

**From:** noreply@civicplus.com
**Sent:** Tuesday, March 28, 2023 11:34 AM
**To:** City Hall; City Recorder
**Subject:** Online Form Submission #193 for City of Yachats Volunteer Agreement

# City of Yachats Volunteer Agreement

City of Yachats

501 Highway 101 N

PO Box 345

Yachats, OR 97498

*Phone: 541-547-3565*
*Fax: 541-547-3063*

Thank you for your interest in volunteering for City of Yachats. We look forward to partnerships with volunteers to enable us to effectively serve the citizens of our community. In order to ensure the safety of our volunteers and protect the interests of City of Yachats, we require potential volunteers to complete this questionnaire form and participate in a background check. Thank you for volunteering.

| | |
|---|---|
| First Name | George |
| Last Name | Giroux |
| Address | [redacted] |
| City | Yachats |
| State | OR |
| Zip Code | 97498-0892 |
| Daytime Phone | [redacted] |
| Evening Phone | *Field not completed.* |
| Email | [redacted] |

(Section Break)

Volunteer Activity

| | |
|---|---|
| Please describe the type of volunteer work you are interested in performing or activity/event you wish to volunteer for. | I am applying for one of the open seats on the Parks and Commons Commission |
| Please list the date(s) or range of dates for which you would like to volunteer | I can start serving on the Commission immediately, though technically I will not have lived in Yachats full-time for 6 months until the end of April 2023. That said, I have resided here part-time since mid-September 2023. |
| Statement of Interest or Related Experience for Commissions & Committees | Please see attached Statement of Interest |
| Upload document, if needed | City of Yachats Volunteer Agreement.pdf |

(Section Break)

## References

*Please list two references that are **not related to you** and that have knowledge of your relevant experience for the type of volunteer activity you are interested in.*

### Reference 1

| | |
|---|---|
| First Name | James |
| Last Name | Aschliman |
| Address | [redacted] |
| City | Hailey |
| State | ID |
| Zip Code | 83333 |
| Phone Number | [redacted] |
| Relationship | Professional |
| Years Known | 7 |

### Reference 2

| | |
|---|---|
| First Name | Mike |
| Last Name | Gray |
| Address | [redacted] |

| | |
|---|---|
| City | Rescue |
| State | CA |
| Zip Code | 95672 |
| Phone Number | [redacted] |
| Relationship | Friend |
| Years Known | 50 |

Emergency Information
*Name and contact information for the person(s) to reach in the event of an emergency.*

| | |
|---|---|
| Name | Linda Anderson |
| Phone Number | [redacted] |
| Relationship | Wife |
| Name | *Field not completed.* |
| Phone Number | *Field not completed.* |
| Relationship | *Field not completed.* |

I understand and agree to the following:

- I will keep all issues pertaining to city business confidential
- I may be subject to background and motor vehicle record checks.
- I will adhere by Oregon Occupational Safety and Health Division (OR-OSHA) safety standards and training I am provided.
- I have read and understand the Volunteer Policy.

I hereby certify that the facts set forth in this volunteer registration are true to the best of my knowledge. I agree that if the information given in my registration, resume, or any other materials, or during any interview, is found to be false in any way, it shall be considered sufficient cause for denial of volunteer status.

I understand that City of Yachats is not obligated to appoint me to a volunteer position and that nothing contained in the volunteer registration form is intended to create a contract between City of Yachats and me. In addition to the above items, I agree to comply with the policies, rules, regulations, and procedures of City of Yachats, which I understand may change at any time and I understand that my volunteer status can be terminated with or without cause or notice, at any time, at the option of either me or City of Yachats.

| | |
|---|---|
| Signature | George Giroux |

| | |
|---|---|
| Date | 3/28/2023 |

Required for all Minors: Parent or Guardian's Authorization for Medical Care & Consent to Agreement

*I PARENT/GUARDIAN as parent or legal guardian, hereby grant permission for MINOR to do volunteer work for City of Yachats. In the event of an emergency, accident, or illness, I authorize City of Yachats and its employees to administer emergency medical care to my child and/or, if deemed necessary, to secure emergency medical services and incur expenses for which I will be responsible for payment. My signature in the following hereby represents that I have read, understand, and to this agreement.*

| | |
|---|---|
| Parent/Guardian | *Field not completed.* |
| Minor | *Field not completed.* |
| Signature | *Field not completed.* |
| Date | *Field not completed.* |

Version 2022-10-01

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**CITY OF YACHATS**
**RESOLUTION NO. 2023-208**
**A RESOLUTION APPOINTING MEMBERS TO THE PARKS & COMMONS COMMISSIONS**

**WHEREAS,** The following Commission members have agreed to accept appointments of said applicants, if offered, and

**WHEREAS,** The City Council discussed the appointments at the April 19, 2023, meeting; and

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

Parks & Commons Commission:

- Dan Sterling, Seat A, Expiring 12/23
- George Giroux, Seat D, Expiring 12/23

**Passed and adopted April 19, 2023. This Resolution is effective upon adoption.**

Attest:

| | |
|---|---|
| _____ | _____ |
| Craig Berdie, Mayor | Heide Lambert, City Manager |

**Information Regarding Pioneer Telephone Cooperative's Community Connect Application**

Address Support Letter To:

Laurel Leverrier, Assistant Administrator
Telecommunications Program, Rural Utilities Service
U.S. Department of Agriculture (USDA), Stop 1510, Rm 4212-S
1400 Independence Ave., SW Washington, DC 20250-1510

Project Name: Lincoln County Coastal FTTH Project

Executive Summary: The project will provide fiber-to-the-home (FTTH) to 60 unserved locations along and connecting to a 12-mile stretch of the Oregon coast between Yachats and Florence. The project will cost about $3.8 million with 85% of the project being funded by the grant and Pioneer providing a 15% match. Pioneer plans to leverage this investment with internal supplemental funding to bring FTTH to another 120 locations.

Preliminary List of Community Outreach Supporters: Yachats Chamber Director, Waldport HS, Yachats Youth and Family Activities, Yachats City Manager, Yachats Fire Department, Yachats Chamber President (as a business owner), Yachats Health Care, Yachats Community Presbyterian Church. We already have several of these groups on board in support of our outreach efforts to help us put together a strong and successful application. We will be also reaching out to various government officials, including all our Congressional representatives, as well as other groups we have worked with historically. We are not aware of any organization or individual opposed to the project.

Project Benefits: This will help close the digital divide and provide these Oregonians with affordable high-speed Internet access. COVID has revealed how critical this infrastructure is for educational, economic development, health care, and full participation in society. It will also provide a Community Center for at least two years where citizens can access the Internet free of charge with up to 10 workstations. It will also provide free Internet to any anchor institutions in the proposed funded service area. We do not expect this project to create any new jobs as Pioneer as we are planning on contracting the construction. However, if we were to undertake with internal staff, the project would probably create four to eight new jobs for the duration of the construction (18-24 months).

December 8, 2020

XXX writes this letter in support of Pioneer Connect's ~~Triangle Lake Charter School Community Center FTTH Initiative~~ application for funding under the USDA's Community Connect Grant Program.

This project will bring fiber-to-the-home to the rural unincorporated ~~Lane~~ County, Oregon communities of ~~Deadwood and Triangle Lake~~. These rural communities have long suffered the impact of the logging industry's decline. The USDA grant would fund a community center with up to 10 computers and FTTH connections for ~~50~~ homes. This project focuses on an area that has significant economic challenges with below average income and higher than average poverty. The problem is almost certainly understated, as the data includes populations in less rural and relatively more affluent areas than the ~~Deadwood and~~ Triangle Lake communities.

Pioneer Connect is the only facilities-based broadband provider in this area. Their commitment to serving the area runs deep as they began serving customers here almost 70 years ago when there were no other options. A copper wire-based DSL network currently serves this area, but copper wire internet speeds are limited, particularly in sparsely populated rural areas like this due to the technology's distance limitations. The coronavirus pandemic has underscored how critical high-speed internet is, especially to rural communities. The fiber-to-the-home network in the ~~Triangle Lake Charter School Community Center FTTH Initiative~~ solves this problem and provides customers virtually unlimited speed to connect to the internet. Given that Pioneer Connect is the only entity prepared to provide the latest technology to this area, it is highly likely that without this grant these Oregon communities will indefinitely be left behind.

According to the community members themselves, this project will: enable distance learning, support small businesses, enable residents to work from home, facilitate non-profit and economic development work in the region, and provide access to telehealth medical care, among other things.

A unique aspect of this project is its true collaboration with the ~~Triangle Lake Charter School~~. strongly advocates for and encourages collaborations between the public and private sectors. There is an extraordinary creativity and vision between the applicant and the school far beyond simply bringing high speed internet to the community.

XXX believes that the ~~Triangle Lake Charter School Community Center FTTH Initiative~~ directly XXX addresses the objectives of the Community Connect Grant Program. We fully endorse this application and believe that it is worthy of funding.

Respectfully,

DRAFT

# City Manager

**Group:** City of Bay City

**Location:** Bay City, Oregon

**Salary Range:** $93,439-$125,220

**Deadline Information:** 4:00 pm to PO Box 3309, Bay City, OR 97107 or lwelch@ci.bay-city.or.us

**Deadline Date:** 05/10/2023

**Posted Date:** 04/06/2023

**Website:** http://www.ci.bay-city.or.us

**Contact Information for Applicants**
Liane Welch
lwelch@ci.bay-city.or.us
5033772288

The City of Bay City is accepting applications for a full-time City Manager. This position requires a bachelor's degree in public or business administration, engineering, finance, or closely related field. At least 7 years of progressively responsible municipal administrative or management experience and at least 5 years of previous experience as a City Manager, Chief Executive Officer, or closely related position. The City Manager serves as the Chief Executive Officer of the City, accountable to the City Council and responsible for enforcement of all City codes and regulations, the conduct of all financial activities and the efficient and economical performance of the City's operation. The ideal candidate has good customer service skills, ability to write and manage grants, familiar with municipal budgeting, understand design, operation, and contracting of infrastructure projects, understands Oregon Land Use goals, and human resource functions. This candidate should have a history of leading teams to success. The salary range for this position is $93,439 - $125,220.

The job description and application are available online at www.ci.bay-city.or.us or can be picked up at Bay City Hall at 5525 B Street, Bay City, OR 97107. This position closes on May 10, 2023 at 4:00 pm. All applications, resume and supplemental questions must be submitted to Bay City by the position close date and time at 5525 B Street, Bay City, OR 97107 or emailed to Liane Welch at lwelch@ci.bay-city.or.us by May 10, 2023, by 4:00 pm.

This institution is an equal opportunity provider and employer. In accordance with Federal law and the U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the base of race, color, national origin, religion, sex, age, disability, or familial status.

# City Manager

**Group:** City of Boardman

**Location:** Boardman, OR

**Salary Range:** $135,000. - $150,000.

**Deadline Date:** 04/11/2023

**Posted Date:** 03/29/2023

**Website:** http://www.cityofboardman.com/

**Contact Information for Applicants**
Rick Stokoe
stokoer@cityofboardman.com
541-481-9252

GENERAL POSITION SUMMARY:
The City Manager develops and issues administrative rules and procedures necessary to ensure proper functions of all departments and all duties and responsibilities granted by Federal and State law, and the City Charter. The City Manager is the chief administrative officer for the City and is responsible for implementation of City Council direction.
ESSENTIAL FUNCTIONS:
Unless otherwise specified as non-essential, the information contained herein, including referenced supplemental documents, is considered essential. Temporary modifications to provide reasonable accommodations, or transitional work assignments, do not waive any of the essential functions for this position. The following information is not all-inclusive.
1) Serve City Council
a) Manage and coordinate projects to accomplish the goals and objectives of the City Council and where appropriate, maintain accountability for delegated tasks
b) Effectively communicate, develop, and prepare accurate and complete correspondence and administrative reports
(1) Inform Council of all City affairs and needs
(2) Develop annual reports, and/or as requested by City Council
(3) Provide guidance to City Council directly or through staff
c) Speak effectively and present before a variety of audiences
d) Attend all City Council meetings and represent the City at such meetings
e) Recommends for adoption by the Council such measures as may be deemed necessary or expedient; prepares and submits to the Council such studies and reports as may be required by that body or as may be advisable for decision-making purposes.
2) Management
a) Coordinate and oversee all aspects of City operations

# City Administrator - Amity, OR

**Group:** City of Amity

**Location:** Amity, OR

**Salary Range:** Hiring Salary Range: $78,000 to $84,000

**Deadline Information:** Position open until filled. First review of applications will be conducted on or after April 14, 2023.

**Deadline Date:** 04/14/2023

**Posted Date:** 03/20/2023

**Website:** https://www.governmentjobs.com/careers/mwvcog/

**Contact Information for Applicants**
Scott Dadson
sdadson@mwvcog.org
503-540-1600

Pop 1809. Seeking qualified applicants for the position of City Administrator. Appointed by and serving at the pleasure of the Mayor and six-member City Council. The City is looking for someone experienced in local government, with an emphasis on community development, public service, and public infrastructure and facility planning. Due to the high number of on-going large infrastructure projects, the preferred candidate will have experience with infrastructure projects (water, wastewater, streets, and parks).

Experience/Education: A Bachelor's degree from an accredited college or university in public/business administration or related field is required. Seeking someone with 5-7 years of organizational work experience and 2-4 years of progressive management experience, either as a manager, assistant city manager or department head. A background in financial management, public works project financing, personnel management, and budget is required. Experience desired in Oregon land use, Oregon Budget law, and Utilities to include water, sewer, and stormwater. Any satisfactory equivalent combination of education, training, and experience that shows the knowledge, skills, and abilities to perform the job duties proficiently may be considered. All candidates are subject to a background check. Veterans Preference.

How to Apply: For a complete job description and to apply, please go to https://www.governmentjobs.com/careers/mwvcog/. The application includes a Veteran's Preference form. MWVCOG provides qualifying veterans and disabled veterans with employment preference in accordance with Oregon law. To claim veteran's preference, you must submit a Veteran's Preference Form and the required documentation with your application material.

# CITY MANAGER-TRANSITION PLANNING

***STATUS of Current Year CIPs and Plans to move forward.***

- Public Works
- LLCM
- Library
- Oceanview Drive
- Pocket Parks

***MANAGEMENT STATUS / HANDOVER PLANNING***

- Plan to meet essential City services.
- Contact information relationships developed for City business.
- SWLPUD – IGA status
- Edmund's property
- Skatepark
- Commons building engineering report and remediation of oil tank
- Community Engagement Master Plan Development Project - resiliency report
- Wetland Inventory
- Ford Foundation Grant – library
- Liability – documentation from attorney and Katie Dufree
- Written communication re: handover of Ocean View Drive
- Legal issues

# Intergovernmental Agreement
# Coordinated Office on Homelessness

This Agreement is entered into by and between Lincoln County, a political subdivision of the State of Oregon ("County"), the Cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport, and Yachats, and the Community Services Consortium.

## RECITALS

A. ORS 190.010 authorizes units of local government to enter into Intergovernmental Agreements ("IGA") for the performance of any or all functions which a Party to the IGA has the authority to perform.

B. The County has signed a grant agreement with the State of Oregon for $1,000,000 to establish a coordinated homeless response system. Lincoln County will administer the funding and consulting agreements necessary to meet the requirements of this grant. The grant agreement is entered pursuant to the terms of HB 4123.

C. Lincoln County, the Cities of Depoe Bay, Lincoln City, Newport, Siletz, Toledo, Waldport and Yachats and the Confederated Tribes of the Siletz Indians (Parties) have entered into a Declaration of Cooperation to implement preliminary steps to develop a Homeless Response System for Lincoln County.

D. The Declaration of Cooperation established an advisory committee to develop a Coordinated Homeless Response Agreement and advise the County on initial steps to develop a homeless response system for Lincoln County in accordance with HB 4123.

E. The Parties to this IGA wish to further implement HB 4123 and establish a coordinated homeless response system. The System shall, at a minimum, consist of a homeless response office (the "Office") and a Homeless Response Advisory Board (the " Board") charged with developing a five- year strategic plan for the County on creating pathways to permanent and supportive housing. The Parties wish to create a System that will fulfill all requirements set forth in Exhibit A – Grant Agreement, attached hereto and incorporated by this reference herein.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **RECITALS.** The recitals set forth above are true and correct and are incorporated herein by this reference.

2. **DURATION/ TERM.** [ORS 190.020(1)(e)]. The term of this Agreement shall commence after execution by all nine Parties and shall expire on June 30, 2027, unless extended or earlier terminated in accordance with Section 7.

3. **REAL OR PERSONAL PROPERTY.** [ORS 190.020(1)(d)]. Lincoln County shall physically locate and establish a Homeless Response Office and provide such office space and meeting room space as is needed for Homeless Response Office operations

and Homeless Response Advisory Board meetings as contemplated in this Agreement. Other parties may provide satellite office space for Homeless Response Office operations or may offer meeting rooms for meetings. The Parties may donate personal property to the County for purposes of establishing the office.

4. **FUNCTIONS OR ACTIVITIES.** [ORS 190.020(1)].

A. The Parties jointly agree to the establishment and operation of a Lincoln County Homeless Response Advisory Board (the "Board") which shall be organized as follows and perform the following functions:

1. A Board, consisting of one representative and an alternate from each Party to this IGA, shall be formed for the purposes of providing advice and general policy guidance to the Parties and to the Office. In addition, the Confederated Tribes of Siletz Indians and the local Continuum of Care will be requested to designate a representative to serve as non-voting members of the Board. The Board is not a separate independent Intergovernmental Entity with contracting powers but is intended to be advisory and function as a liaison between the Office and the individual Parties in this coordinated response. The Board is not intended to manage the Office. Board members shall serve as a liaison between their elected body the Board and the Office.

2. As an entity authorized by statute and governed by this IGA with the authority to make formal advice and recommendations, the Board is considered a public body for the purposes of Oregon Public Meetings law. The Board shall hold noticed meetings open to the public, and otherwise act in accordance with Oregon Public Meetings Law, Oregon Public Records law and applicable conflict of interest statutes. The Board shall adopt formal Bylaws sufficient to ensure compliance with Oregon Public Meetings Law and the orderly functioning of the Board that are substantially similar to the Bylaws set forth in Exhibit B, attached hereto and incorporated by this reference herein.

3. Administrative support for the Board shall be provided by the Office who shall provide staff support to ensure that public meeting notices for the Advisory Board meetings are properly made.

4. The Board may make recommendations to the County on the hiring of a consultant by Lincoln County to establish and operate a coordinated homeless response office.

5. The Board may make recommendations to the County on the hiring of any consultants to develop a five-year strategic plan that identifies goals and strategies to provide a sustainable partnership to reduce homelessness in Lincoln County.

6. With recommendations from the Office, the Board shall appoint two groups to engage in outreach and provide advice on the operation of a Homeless Response Office and the development of a five-year strategic plan.

    a. A Homeless Practitioners Panel ("Panel") shall be compromised of homelessness experts drawn from the community to include representatives with knowledge and experiences in areas of youth services, lived experiences, accessibility, housing, homelessness, land use, public education, public health,

law enforcement and philanthropy. The Panel shall advise the Office on establishing a coordinated regional response to address homelessness in the County and provide input to the Board on the development of a five-year strategic plan to reduce homelessness in the County.

b. A Lived Experience Homelessness Work Group ("Work Group") shall advise the Panel on aspects of homelessness relating to the operation of the Office and the development of the five-year Strategic Plan.

7. The Board shall guide, make recommendations, review, approve, and adopt a strategic plan that identifies and sets goals as set forth in HB 4123. Each member Party shall review, approve, and adopt the strategic plan that identifies and sets goals as set forth in HB 4123 in accordance with timetables established by the State of Oregon.

8. The Board is not the supervisor or Project Manager of the Office staff or consultant. The County shall manage any consultant contract or Office personnel and the Board may only make recommendations to the County regarding such personnel.

9. The Parties to this Agreement require that the Board members report to their respective jurisdictions on the progress of mandated tasks. Board members have no individual authority and shall make recommendations and communicate with the Office only as a group, that is, through motions adopted at notice public meetings. Board members shall not coerce or attempt to coerce Office staff or consultants.

B. The Parties jointly agree to the establishment and operation of a Homeless Response Office (the "Office") which shall perform the following functions:

1. The Office will be operated through a professional services agreement with a consultant contracted by Lincoln County. The consultant will be any individual or entity duly qualified and willing to serve in the role.

2. The Office will coordinate with and develop partnerships with local and regional stakeholders as specified in House Bill 4123, including plans for coordination with the local Continuum of Care receiving funding under 24 C.F.R. part 578, and the Confederated Tribes of the Siletz Indians.

3. The Office will designate a Director who will be charged with the general operation of the office. The Board shall receive progress reports from the Office and shall provide general policy guidance and recommendations to the Office.

4. The Office shall work to coordinate tasks with the Board to develop a five-year strategic plan conducted under an agreement with a separate consultant.

5. The Office shall coordinate all meetings of the Panel and Work Group identified in Section 4(A)-(6)(a)(b) of this agreement.

C. All Parties to this IGA agree to cooperate in good faith to ensure that the goals of the Homeless Response System are achieved. The Parties shall work in good faith to amend this IGA when necessary to achieve the System goals set forth in Exhibit A.

D. The County shall serve as the fiscal agent responsible for funding the operations of the Office created under this IGA. The County shall be responsible for all contracting, procurement, or other activities necessary to retain consultants with a recommendation from the Advisory Board. The County will retain fiscal and contractual oversight of the Office and shall retain the authority to terminate the contract with the consultants as necessary. In such an event, the County shall seek a new consultant with recommendations from the Advisory Board. This IGA does not create any employment or contractual relationship between the Parties to this IGA or the Office.

E. The Lincoln County Office of Legal Counsel may be called upon to provide legal advice to the Board and the Office as necessary. Such advice may include, but is not limited to, advice on public meetings law, the requirements of HB 4123, and the formulation of necessary bylaws.

F. Access to Records/Record Retention. The County shall maintain fiscal records and all other records pertinent to this IGA.

1. All fiscal records shall be maintained pursuant to generally accepted accounting standards, and other records shall be maintained to the extent necessary to clearly reflect actions taken.

2. All records shall be retained and kept accessible for at least three years, or as otherwise required to be retained by Oregon law or as may be required by any grant contract terms.

3. If an audit, litigation, or other action involving this IGA is started before the end of the three-year period, the records shall be retained until all issues arising out of the action are resolved or until the end of the three-year period, whichever is later.

4. All Parties to this IGA and their authorized representatives shall have the right to direct access to all associated books, documents, papers and records related to this IGA for the purpose of conducting audits and examinations and making copies, excerpts and transcripts.

**5. PAYMENTS / REVENUE.** [ORS 190.020(1)(a)(b)].

A. The Parties agree that for the first two years, the Office will be funded with a portion of $1,000,000 grant provided by the State of Oregon.

B. The Parties do not anticipate any revenues will be derived pursuant to this Agreement. If any unexpected revenues are received, the Parties stipulate and agree that such revenues shall be utilized to run the Office.

C. The Parties further agree to work together and use best efforts to seek out and obtain grant funding. The Office shall seek funding from other sources. The Board will propose a budget for years three through five of the agreement to operate the Office. Should additional grant or outside funding not be available to fully fund the

Office, any proportionate shares of funding from the Parties shall be mutually agreed upon by all Parties and reflected in an amendment to this Agreement. The following disclaimer applies to all future funding derived from the Parties: All obligations of the Parties pursuant to this Agreement which require the expenditure of funds not yet identified are contingent upon future appropriations by the Parties as part of the Parties local budget processes. The Parties are entering into this Agreement voluntarily in the spirit of cooperation and coordination to facilitate a coordinated homeless response system, including establishment of a Homeless Response Office for Lincoln County. However, nothing in this Agreement makes the individual Parties responsible for the contracts or commitments of the Office. Reimbursement of personnel costs is not contemplated by the County for administering these agreements.

6. **PERSONNEL.** [ORS 190.020(1)(c)]. No employees will be transferred pursuant to this Agreement.

7. **TERMINATION.** [ORS 190.020(1)(f)].

   A. Unless extended or earlier terminated in writing signed by a majority of the Parties, this IGA automatically terminates on June 30, 2027.

   B. This Agreement may be terminated by mutual consent of a majority of the Parties, provided one hundred eighty (180) days written notice is delivered by certified mail or personal service to every party. Such termination shall be without prejudice to any obligations or liabilities of the Parties accrued prior to such termination.

8. **CONTRIBUTION.**

   **A.** If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 (a "Third Party Claim") against a Party (the "Notified Party") with respect to which the other Parties (the "Others") may have liability, the Notified Party shall promptly notify the Others in writing of the Third Party Claim and deliver to the Others, along with the written notice, a copy of the claim, process and all legal pleadings with respect to the Third Party Claim that have been received by the Notified Party. Each Party is entitled to participate in the defense of a Third-Party Claim, and to defend a Third-Party Claim with counsel of its own choosing. Receipt by the Others of the notice and copies required in this Section and a meaningful opportunity for the Others to participate in the investigation, defense and settlement of the Third-Party Claim with counsel of its own choosing are conditions precedent to the Others' contribution obligation under this Section with respect to the Third-Party Claim.

   **B.** With respect to a Third Party Claim for which Party is jointly liable with Other Parties (or would be if joined in the Third Party Claim ), the Parties shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement and actually and reasonably incurred and paid or payable by Parties in such proportion as is appropriate to reflect the relative fault of Party on the one hand, and of Other Parties on the other hand, in connection with the events that resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Party on the one hand, and of Other Parties on the other hand, shall be determined by reference to, among other things, the Party's relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Contribution amount in any

instance is capped to the same extent it would have been capped under Oregon law if the Party had sole liability in the proceeding.

9. **METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS, AND MAKING PAYMENTS.** Notices and requests required by and given in connection with this Agreement and all other communications related to this agreement shall be in writing or email and deemed given as of the day they are received by (a) personal delivery, (b) electronic, (c) overnight delivery service, (d) United States mail, certified and return receipt requested, and addressed as follows:

   i. Lincoln County
      Tim Johnson, County Administration
      Phone: 541-265-4100
      Email: tjohnson@co.lincoln.or.us

   ii. City of Depoe Bay
      Kimberly Wollenberg, City Recorder
      Phone:541-765-2361
      Email: recorder@cityofdepoe.org

   iii. City of Lincoln City
      Daphnee Legarza, City Manager
      Phone: 541-996-1200
      Email: dlegarza@lincolncity.org

   iv. City of Newport
      Spencer Nebel, City Manager
      Phone: 541-574-0603
      Email: s.nebel@newportoregon.gov

   v. City of Siletz
      Mayor Will Worman
      Phone: 541-444-2521
      Email: mayor@cityofsiletz.org

   vi. City of Toledo
      Judy Richter, City Manager
      Phone: 541-635-2003
      Email: judy.richter@cityoftoledo.org

   vii. City of Waldport
      Dann Cutter, City Manager
      Phone: 541-563-3561 X7
      Email: dann.cutter@waldport.org

   viii. City of Yachats
      Heide Lambert, City Manager
      Phone: 541-547-3565
      Email: citymanager@yachatsmail.org

ix Community Services Consortium
Pegge McGuire, Executive Director
Phone: 541-704-7627
Email: pmcguire@communityservices.us

x. Confederated Tribes of the Siletz Indians
Sami Jo Difuntorum, Housing Executive Director
Phone: 541-444-2532 X1312
Email: SamiJoD@ctsi.nsn.us

Changes may be made to the names and addresses of the person to whom notices, bills, and payments are to be given by providing notice pursuant to this paragraph.

10. **SEVERABILITY**. In the event that any part of this IGA is found to be illegal, or in violation of public policy, or for any other reason unenforceable, such finding shall in no event invalidate or render unenforceable the other parts of this agreement.

11. **MERGER.** This writing is intended both as the final expression of the Agreement between the Parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement. No modification of this Agreement shall be effective unless it is made in writing and signed by those Parties agreeing to said modification. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.

12. **COUNTERPARTS.** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The Parties hereby approve and authorize the terms of this IGA as set forth herein.

**SIGNATURES:**

Lincoln County: Signature_____ Date_____
Claire Hall, County Commissioner

City of Depoe Bay: Signature_____ Date_____
Mayor

City of Lincoln City: Signature_____ Date_____
Mayor

City of Newport: Signature_____ Date_____
Mayor

City of Siletz: Signature_____ Date_____
Mayor

City of Toledo: Signature_____ Date_____
Mayor

City of Waldport: Signature_____ Date_____
Mayor

City of Yachats: Signature_____ Date_____
Mayor

Community Services Consortium: Signature_____ Date_____
Executive Director

**EXHIBIT A**

**PROJECT DESCRIPTION**

Pursuant to the Authorization, Recipient shall use Grant funds for the Project as follows:

(1) Within 90 days of receiving the Grant funds, Recipient shall enter into an agreement among Recipient, the City of Lincoln City, the City of Newport, the City of Toledo and any other parties to the agreement to create a coordinated homeless response system (the "System") that consists of, at a minimum:

(a) The establishment of a coordinated homeless response office;

(b) An advisory board with representation from the governing body of each member government;

(c) Specific roles of each member to support the advisory board and office;

(d) Plans for coordination with any local continuum of care receiving funding under 24 C.F.R. part 578; and

(e) The establishment of a centralized point of contact for the office.

(2) The System, with Recipient's oversight, shall use the Grant funds to:

(a) Hire necessary staff for the office;

(b) Support coordinated communications and public engagement;

(c) Support community outreach and policy development, including stipends for people with current or recent lived experience of homelessness;

(d) Acquire technical assistance and capacity building, including contracting with consultants; and

(e) Pay for other expenses reasonably necessary to meet the requirements in this Exhibit A.

(3) Within one year of receiving the Grant funds, the System, through the advisory board or each member government to the agreement, shall adopt a five-year strategic plan that will identify and set goals for addressing:

(a) Funding to support the ongoing operations of the System;

(b) Increasing or streamlining resources and services to people at risk of or experiencing homelessness within the participating cities and counties;

(c) Incorporating national best practices for ending homelessness;

(d) Eliminating racial disparities within homeless services within the service area; and

(e) Creating pathways to permanent and supportive housing that is affordable to local populations experiencing or at risk of homelessness.

(4) No later than November 15, 2023, and September 15, 2024, the System shall provide a report to the Housing and Community Services Department, Oregon Housing Stability Council and one or more appropriate interim committees of the Legislative Assembly in the manner provided in ORS 192.245 on:

(a) The goals adopted in the five-year strategic plan and the progress made in implementing the plan;

(b) Other changes in homelessness services, ordinances of member governments relating to homelessness and partnerships or programs established that are specifically related to member government actions arising out of the agreement; and

(c) Identified challenges and opportunities relating to:

(A) Regional coordination of homelessness services and planning;

(B) Needs for technical assistance regarding program development or other programs from the Housing and Community Services Department; and

(C) Addressing racial disparities through partnerships with culturally specific and responsive organizations serving populations overrepresented in experiencing homelessness, including Black, Indigenous, People of Color, federally recognized tribes and tribal members and outreach and engagement with these populations.

(5) In performing the Project tasks identified in this Exhibit A, the System shall coordinate with and develop partnerships with local and regional stakeholders, including, but not limited to:

(a) Advocates for people experiencing homelessness and for people with lived experience of homelessness;

(b) Community action agencies;

(c) Housing authorities;

(d) Affordable housing providers;

(e) Behavioral health providers;

(f) Law enforcement;

(g) Educational agency liaisons for homeless children as described in 42 U.S.C. 11432;

(h) Local Department of Human Services offices;

(i) Courts;

(j) Legal aid;

(k) Coordinated care organizations, as described in ORS 414.572;

(l) Emergency shelter providers;

(m) Homeless service providers;

(n) Organizations serving and advocating for veterans, homeless youth, youth exiting the foster care system, individuals exiting the criminal justice system, people with disabilities and aging adults, health care systems, domestic violence and sexual assault survivors, members of lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ) communities, people experiencing behavioral health and substance use disorders, faith communities and business communities; and

(o) The Housing and Community Services Department.

(6) In performing its duties under this section, the System shall coordinate with law enforcement, service providers and governing bodies to implement safe and humane processes to maintain public and environmental health and safety, balancing important individual and community rights.

(7) The System may use Grant funds in excess of those funds needed by the System to accomplish the requirements of the System under sections (1) to (6) of this Exhibit A to support the delivery of homeless services and shelter consistent with the five-year strategic plan, including through contracts with service providers.

**EXHIBIT B**

# LINCOLN COUNTY HOMELESS RESPONSE ADVISORY BOARD BYLAWS

## SECTION 1. ADVISORY BOARD NAME

**1.1 Name.** The Advisory Board will be called the Lincoln County Homeless Response Advisory Board, hereinafter referred to as the "Board".

**1.2 Bylaws.** The Board has adopted the following bylaws to act in accordance with the Oregon Public Meetings, Oregon Public Records Law, and applicable conflict of interest statutes.

## SECTION 2. PURPOSE.

**2.1 The Purpose of the Board.** Purpose and objectives of the Board is to advise the parties to the Intergovernmental Agreement – Coordinated Office on Homelessness, approved by the parties in 2023, on various aspects of utilizing a grant funds pursuant to the terms of HB 4123 to reduce homelessness in Lincoln County. This advisory role includes review of the establishment and operation of Homeless Response Office "Office" that will coordinate with and develop partnerships with local and regional stakeholders as specified in House Bill 4123, and to make recommendations, review and recommend approval of a strategic plan that identifies the set goals as set forth in HB 4123.

**2.2 Relationship with the Parties to the Intergovernmental Agreement**.

The Intergovernmental Agreement is between Lincoln County, the Cities of Lincoln County and the Community Services Consortium as outlined in the Intergovernmental Agreement – Coordinated Office on Homeless signed by the parties. The Advisory Board will provide recommendations to parties of the agreement on various issues relating to reducing homelessness in Lincoln County, including the creation of a county wide five-year strategic plan to address the homeless populations, including creating pathways to permanent and supportive housing to address homelessness on a regional basis in Lincoln County.

## SECTION 3 AUTHORITY.

**3.1 Advisory Function.** The Board is not a separate independent governmental entity with contracting powers, but is intended to be advisory and function as a liaison between the Homeless Response Office and the individual parties to the agreement in a coordinated response to homelessness. The goal is not intended to manage the office. Board members shall serve as a liaison between their elected body, the Board and the Office.

**3.2 Advisory Role for Lincoln County**. The Board may make recommendations to the County on hiring a consultant to establish and operate a Coordinated Homeless Response Office, the hiring of any consultants to develop a five-year strategic plan that identifies goals and strategies to create sustainable partnerships to reduce homelessness in Lincoln County.

**3.3 Committee Appointments**. The Board is tasked with appointing members to two groups, after consultation with the Office, to engage in outreach and provide advice on the operation of the Office in the development of a five-year strategic plan.

**3.4 Homeless Response Office.** The Office shall provide support services to the Board as provided in the agreement and bylaws. The Board does not manage the Office, but provides advise to the Office and County on services and operations of the Office. The Board shall offer advice to the County on contracting for services to create and maintain a Homeless Response Office.

**SECTION 4 MEMBERSHIP**.

**4.1 Appointments to the Board.** The governing body of the County and Cities shall each appoint one representative and an alternate from their elected body to serve on the Board. The Community Services Consortium will elect a representative and an alternate representative from the Consortium to serve on the Board. Notification of the appointments will be provided to the Office upon action of each of the parties.

**4.2 Term**. All members will serve at the pleasure of their appointed Commission/Council/Board during the duration of the intergovernmental agreement.

**4.3 Change of Representatives**. The parties Commission/Councils/Board shall notify the Office when a change in representatives is made by that body. The parties shall forward the name and contact information to the Office and the new representative will be seated immediately upon notification by that party.

**SECTION 5 Meetings.**

**5.1 Public Meetings.** The Board is a public body subject to the public meetings laws as stated in ORS 192.640. All meetings, other than executive sessions allowed by law, will be open to the public.

**5.2 Administrative Support for Public Meetings**. The Office shall establish a venue for the meetings, provide proper notice to members of the public, and prepare appropriate agenda background materials for the Board.

**5.3 Notice.** In addition to Board members and alternate Board members, the Office will give notice of any meetings to interested persons and news media that have requested notice and general public notice, of the time and place for holding meetings.

**5.4 Regular Meetings.** The Board will meet monthly. Regular meetings may be canceled or changed to another specific place, date and time as provided in the notices given for the meeting.

**5.5 Special Meetings**. Special Board meetings may be called by the Chair or any three members to the intergovernmental agreement when business needs to be transacted outside of the regular meeting schedule. Special meetings require public notice of not less than 24 hours prior to the commencement of the meeting.

**5.6 Voting Members**. The Chair will ask for the roll call of each party to the agreement at the beginning of the meeting to determine whether the representative, or alternate representative, will be a voting member for that party. In the event that both the representative and alternate representative are present, the representative will be the voting member.

**5.7 Quorum**. The majority of members to the Board will constitute a quorum for the transaction of all business at meetings.

**5.8 Minutes.** The Office will cause minutes to be prepared and distributed to the members for review and approval. Minutes will include the voting members present, other parties present, and will include motions, resolutions, and orders acted on by the Board during that meeting. The results of all votes shall be listed by each member of voting.

**5.9 Agendas**. Items may be placed on a meeting agenda by the Chair or any Board member. The agenda will be distributed by the Office to members 72 hours in advance of a regular meeting.

**5.10. Public Comment.** Each regular meeting will end with an opportunity for public comment, discussion, and input by guests and the general public.

**SECTION 6 OFFICERS.**

**6.1 Chair.** The Board Chair will act as the leader of the convened meeting and as a parliamentarian. The Chair will enforce Board directives, guidelines and ensure that the meetings are held in accordance with the bylaws adopted by the Board.

**6.2 Vice Chair.** In the absence of the Chair the Vice Chair will assume the Chair's responsibilities. If neither the Chair nor Vice Chair is available for a publicly convened meeting, then the assembled quorum of the meeting shall select a temporary person to conduct the meeting.

**6.3 Secretary.** The Office shall serve as the Secretary for the Board.

**6.4 Election of Officers**. The Chair and Vice Chair shall be elected by the Board to serve in that capacity upon approval of the bylaws and serve until the last meeting of the calendar year. At the first meeting of each subsequent calendar year, the Chair and Vice

Chair will be elected by the Board to serve in those capacities. The Office holds the responsibility of Secretary based on their role as a contractor for Lincoln County to provide services to the Board.

## SECTION 7 PANELS and WORK GROUPS.

**7.1 Homeless Practitioner's Panel**. A panel of individuals involved in various aspects of homelessness will be appointed by the Board, after consultation with the Office, to work as subgroups on various aspects of the development of a five-year strategic plan to establish a coordinated regional response to homelessness in Lincoln County.

**7.2 Lived Experience Homelessness Work Group.** This work group shall be appointed by the Board, after consultation with the Office, to advise the panel on aspects of homelessness relating to the operation of the Office and the development of a five-year strategic plan. This group is to be made up of individuals who have, or, experiencing homelessness. A stipend may be paid to these members as determined by the Board.

**7.3 Meetings**. The Office will coordinate all meetings of either of these groups. These meetings are informal and the groups will not vote on issues, but will provide their expertise related to the development of the plan and operation of the Office through the term of the Intergovernmental Agreement.

**7.4. Quorum.**, A quorum of the Board shall be 50% of the appointed members. When a quorum is expected to be present, at a Panel or work group, the meeting will be posted in accordance with the rules of the Board outlined in Section 5.3 Notice. Members to the Panel and work group will be appointed for terms that will expire at the end of the calendar year. Members may be reappointed for subsequent one-year terms.

## SECTION 8 FISCAL RESPONSIBILITIES.

**8.1 Funds Granted through House Bill 4123.**These funds will be managed by Lincoln County**.**

**8.2 Budget.** The Board will recommend to the County a budget for the consultants to the Strategic Plan and to stand up an Office. It will also recommend a budget to continue to operate the Office and provide funding for various projects in accordance with the five-year plan adopted by the Board.

**8.3 Recommendations for Financial Support**. The Board may make recommendations to the members of this agreement for continued financial support of various initiatives identified in the five-year plan beyond the state provided funding. This may include additional grants, direct support from local units of government, or other financial ways to support homelessness initiatives in Lincoln County. The Board cannot bind any parties to any financial obligations.

**8.4 Contractual Relationships.** The Board is not empowered to make any contractual relationships with any parties. Lincoln County will manage the contractual relationship between the Office and any consultants utilized to develop the five-year strategic plan. The Board may recommend to the parties, any future agreements for services to meet the needs to reduce homelessness in Lincoln County.

**8.5 Fiscal Responsibility.** The Board is not responsible for any personnel, contracts or any fiscal responsibilities related to the Board's purpose.

**SECTION 9 CONFLICT of INTEREST.**

**9.1 Statutory Authority.** The Board, Panel, and work group members will adhere to ORS 244.020, 244.040(1), and 244.120-130 defining conflict of interest and establishing protocols for members of public bodies in Oregon. Board, Panel and work group members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.

**9.2 Potential Conflict Definition.** As defined in Oregon law, a potential conflict of interest exists when a member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member's relative is associated.

**9.3 Actual Conflict Definition**. As defined in Oregon law, an actual conflict of interest when an action is reasonably certain to result in a special benefit or detriment to the member, a relative, or a business with which the member or the member's relative is associated.

**9.4 Potential Conflict Protocol.** With a potential conflict, the member may participate in an action after declaring the conflict and announcing its nature.

**9.5 Actual Conflict Protocol.** With an actual conflict, the member will declare the conflict and announce its nature. The member must then refrain from taking any official action, except when the member's vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

**SECTION 10. APPROVAL OF THE BYLAWS**.

**10.1 Bylaw Amendments**. The bylaws will be provided to the parties for any comments 45 days prior to adoption by the Board. These bylaws may be adopted, amended, or new bylaws may be adopted by the Board after written notice of the proposed amendments are made to each of the parties 30 days prior to the date of the meeting in which the amendments are to be considered for approval.

**SECTION 11 TERMINATION.**

11.1 Termination. These bylaws will terminate upon the conclusion or termination of the Intergovernmental Agreement – Coordinated Office on Homelessness.

Adopted by the Lincoln County Homeless Response Advisory Board this _____(day) of _____(month), 2023.

# EXAMPLE STAFF REPORT

**DATE:**
**TO:** Board of Commissioners, Mayor/Council, Board
**FROM:** County Administrator, City Manager, Executive Director
**SUBJECT:** Adoption of Intergovernmental Agreement for 5-Year Strategic Plan on Homelessness

**RECOMMENDATION**
Approve the participation in the Intergovernmental Agreement under HB 4123 in an effort to create a 5-year strategic plan on addressing homelessness countywide.

**FISCAL IMPLICATIONS**
There are no direct expenses or costs associated with this effort. Lincoln County is acting as the grant coordinator addressing issues of consultants contracts, and grant reports.

**BACKGROUND**
A countywide effort was successful in being awarded one of eight counties statewide to receive a grant for $1 million to assist in the formulation of a 5-year strategic plan and standing up an office to assist in the effort to address homelessness across the county.

The state program requires the formulation of an entity comprised of the county, cities, tribe and the counties, community services provider to enter into a formal agreement to oversee the year-long process in the completion of a strategy and then its subsequent implementation over the remaining period of
the strategic plan.

**DISCUSSION**
Attached is the Intergovernmental Agreement formulated by the initial efforts of the representatives of local governments across the county in conjunction with the Tribe and service providers such as the Community Service Consortium. It includes two attachments: Attachment A is the scope of work identified in the State contract. Attachment B is the bylaws.

The Intergovernmental Agreement has been also reviewed by the attorneys of the nine parties to the agreement.

The effort has currently been following an agreed upon "Declaration of Cooperation." This has enabled the effort to have the entities appoint participants including alternates to the Advisory Board and to direct the issuing of Request for Proposals and subsequent selection of consultants to perform the work. Additionally, as required by the state contract, the formal agreement, the Intergovernmental Agreement has been completed for signature by the Parties. It formalizes the functions, bylaws, and timeframe for the Advisory Board.

The Tribe identified that it intends to participate, but not as a Party to the Intergovernmental Agreement.

**POLICY IMPLICATIONS**

SAMPLE

The strategy should help address individual policies of the Parties, specifically local governments to the Intergovernmental Agreement. NOTE: Staff may want to identify examples of their policies in this section.

SAMPLE

# EXIT PLAN

| | | | |
|---|---|---|---|
| **EMPLOYEE** | Heide Lambert | | |
| **RESIGNATION DATE** | 4/1/2023 | | |
| **LAST WORKING DATE** | 5/31/2023 | | |

| TIMELINE | |
|---|---|
| 04/24-<br>04/28 | **GOALS**<br>Continue work on Budget for FY24<br>Onboard new temp staff and coordinate essential tasks between staff<br>Work with attorneys on pending cases<br>Maintain operational compliance |
| 05/01-<br>05/5 | **GOALS**<br>Continue to onboard new temp staff and coordinated needed tasks between staff<br>Prepare for and attend the city council meeting<br>Organize and update any outstanding electronic and hardcopy files<br>Prepare for Budget meeting<br>Prepare and host Skatepark Design Reveal and Fundraiser at the Commons May 6 |
| 05/8-<br>05/12 | **GOALS**<br>Prepare for Budget meeting and attend<br>Continue to organize and update any outstanding electronic and hardcopy files<br>Prepare transitional materials, prepare office for next city manager<br>Finalize pending grant applications<br>Consult with Interim Manager/City Council |
| 05/15-<br>05/19 | **GOALS**<br>Prepare for and attend the City Council meeting<br>Prepare for and attend Budget meeting<br>Prepare for mediation with city attorneys<br>Prepare transitional materials, prepare office for next city manager<br>Consult with Interim Manager/City Council |
| 05/22-<br>05/26 | **GOALS**<br>Attend Mediation<br>Work with attorneys on pending cases<br>Update any Standards and Procedures documentation<br>Consult with Interim Manager/City Council<br>Finalize Separation: return City property, clean office space of personal items |
| 05/29-<br>05/31 | **GOALS**<br>Be available for questions |
| GENERAL NOTES<br>**I already have these pre planned days off: 4/21, 4/28, 5/1, 5/8, 5/19 and 5/26* | |