

1. Agenda

Documents:

[2019-04-17 City Council Agenda.pdf](#)

2. Meeting Materials

Documents:

[2019-02-06 DRAFT City Council Minutes.pdf](#)
[2019-02-20 DRAFT City Council Minutes.pdf](#)
[2019-03-06 DRAFT City Council Minutes.pdf](#)
[2019-03-20 DRAFT City Council Joint County Minutes.pdf](#)
[2019-04-17 Proclamation Child Abuse Awareness Month.pdf](#)
[2019-04-17 Proclamation Sexual Assault Awareness Month.pdf](#)
[RES 2019-71 Springbrook Software Authorization.pdf](#)
[2019-04-17 Report YYFAP.pdf](#)
[2019-04-17 Visitors Center Report.pdf](#)
[2019-04-17 City Manager Report.pdf](#)
[2019-04-17 Financial Report.pdf](#)
[2019-04-17 Article From Trails.pdf](#)
[2019-04-17 Letter Kemp Ocean View Dr.pdf](#)
[2019-04-17 Letter Urbanski Ocean View Dr.pdf](#)

Yachats City Council Vision

Our village is a place where natural resources are valued and protected, where diversity is celebrated, and where a vibrant economy and sense of community pride create and recreate a living spirit. Yachats cares not just for its citizens' basic needs but also supports them in their efforts to excel mentally, physically, artistically, and spiritually. It is a community with an enduring sense of itself.



CITY OF YACHATS

CITY COUNCIL MEETING

441 Hwy 101N, Multipurpose Room

Wednesday, April 17, 2019 at 6:00pm

AGENDA

- I. Announcements, Correspondence and Proclamations
 - A. Child Abuse/Prevention Month
 - B. Sexual Assault Awareness Month
- II. Public Comment **(topics not listed on the agenda:** 5-minute **limitation per person)**
- III. Consent Agenda
 - A. March Minutes
 - B. Resolutions Memorializing Council Action
- IV. New Business:
 - A. Public Input on Oceanview Drive
- V. Reports
 - A. Yachats Visitors Center Quarterly Report
 - B. Financial Report
 - C. Council Reports
 - D. City Manager Report
- VI. Other Business
 - A. From Mayor
 - B. From Council
 - C. From Staff

This meeting is open to the public and all interested persons are invited to attend. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. Minutes of all public meetings are available for review at City Hall, or on the City website at www.yachatsoregon.org. In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a 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 April 9, 2019

CITY OF YACHATS
CITY COUNCIL WORK SESSION & REGULAR MEETING
February 6, 2019

Draft Minutes

WORK SESSION

I. Meeting Call to Order

Mayor W. John Moore called the February 6, 2019 work session and regular meeting of the City Council to order at 9:30 am in Room 1 of the Yachats Commons. Council members present: W. John Moore, Max Glenn, James Kerti, Jim Tooke, and Leslie Vaaler. Absent: none. Staff present: City Manager Shannon Beaucaire, Clerk Kimmie Jackson, and Water Plant Lead Rick McClung. Audience: 15.

II. Work Session Discussion Topics

A. Finalization of Amendments to the Charter

Manager Beaucaire called City Attorney Ross Williamson to set up teleconferencing. Williamson reported he has been through Charter amendments with numerous cities and has litigation experience with Charter interpretations. He emphasized he was only voicing his opinions on legal issues, not suggesting or making policy decisions. He explained the Charter they were working from should be the 2015 edition. He suggested they stay as close as possible to the model charter as opposed to wordsmithing the current Charter, as the model version provides the most useful basis for potential court hearings. He noted a court would want to know why the City chose something different from the model and could ascribe some meaning to that change, such as the City wanting to not follow what was in the model charter. He stressed any changes should be made to change the meaning or effect of the provision, not to simply to alter the grammar or readability. Williamson reiterated the durability and applicability of the model charter in various applications and courts and suggested changes only be made where a definitive different outcome was warranted.

Regarding the Municipal Court, Williamson recommended allowing the City to hold hearings outside of the City of Yachats, noting this change benefits smaller Cities such as Yachats where they can share court expenses with other cities.

Williamson also noted that the City will have to educate the public on what the changes are, adding that his experience has been that a more targeted approach would be more acceptable to the public.

Mayor Moore asked if some of the changes in the draft that was sent to Williamson could be address in the Council Rules. Williamson believe most would be better in the Council Rules, noting specifically how appointments were made. Williamson noted Council Rules were about procedures, which many of the suggested changes focused on.

1 Mayor Moore stated the model charter stipulates a seven member council and a four year
2 mayoral term, and the City has a five member council with two year mayoral terms. Williamson
3 indicated this change would not be problematic as it was clear why Yachats' structure was
4 different from the model charter. Glenn clarified that Williams was recommending adding the
5 sections for the City Manager and Municipal Court into the existing City Charter.

6
7 Vaaler concurred with Williamson on not including the process for filling vacancies in the
8 charter, and asked whether the issue of whether an appointment lasts until the end of the term or
9 until the next general election was appropriate for the charter. Williamson noted this change
10 might create some problems, especially around how many positions could be up for vote in a
11 give election year.

12
13 Vaaler noted that the model charter stated that filling a vacancy in the City Manager position
14 should be done "as soon as was practicable." Williamson stated that the City Manager position
15 often becomes vacant often. He interpreted the language in the model chart to be very flexible in
16 how the position was filled. He referred to Section H where the vacancy could be filled with a
17 pro tem manager, noting this pro tem position could be a staff manager, two staff members, or
18 some outside manager. Vaaler asked if the language would allow for the City appointing two
19 people to fulfill the duties of the City Manager. Williamson had never heard of this situation
20 occurring and wondered if a person would want to serve under these conditions. Williamson
21 noted they could have a City Manager and Assistant City Manager.

22
23 Vaaler asked Williamson if adding, "unless council declares by resolution to do otherwise" after
24 the as soon as practicable sentence would present a problem. Williamson speculated that it could
25 be problematic in the adding a layer of procedural requirement. He suggested a court might
26 wonder why the City wanted this additional layer when the current language was already
27 flexible, and perhaps the court might wonder if the City was trying to be less flexible.
28 Williamson could not imagine a case where someone would take legal action over the "as soon
29 as practicable" statement and cited many reasons that would be acceptable to a court for delaying
30 an appointment.

31
32 Vaaler asked if the duties of a manager in Section e needed to be spelled out and if those
33 stipulations could simply be included in the manager's contract. Williamson believed it was
34 important to be included in the charter as it indicates that the position was a charter-level
35 appointment and not something that a Council could change at whim.

36
37 Mayor Moore thanked Williamson for his advice and ended his call.

38
39 Glenn favored adding the two sections on the City Manager and Municipal Court as the attorney
40 suggested.

41
42 Kerti clarified that the May 2015 election measure on the City's Charter eliminated the section
43 on not allowing the City to purchase real estate. Tooke noted the Model Charter document was
44 in the document library.

1 Mayor Moore indicated Council could ask the City Manager to include the sections from the
2 model Charter on the Municipal Court and the City Manager and bring the document back for a
3 vote at the February 20, 2019 meeting. Vaaler suggested they should change the language on
4 quorums to be exactly what was in Section 3.6 of the model charter, adding the second sentence
5 to read:

6
7 A majority of the Council members is a quorum to conduct business. In the event of a
8 vacancy due to resignation or other events, the quorum is reduced accordingly. In the
9 event of an absence, a smaller number may meet and compel attendance of absent
10 members as prescribed by Council Rules.

11
12 Council agreed to make this addition.

13 14 **B. Discussion of Administrative Policies**

15 Mayor Moore explained there has been a suggestion to reorganize the policies to cluster around
16 the body they apply to, noting he had to look at the Administrative Policies, the Council Rules
17 and other documents to find out what was required of a Commissioner. Mayor Moore explained
18 Policies 1, 2, 3, 6, 7, and 8 apply to the Council and could be included in Council Rules. Policies
19 6, 7, 8, 9, 18 and language from the Yachats Municipal Code 2.04 and 2.08 all apply to
20 Commissions and could be formed into a Commission Rules document. The remaining policies
21 apply to the City. Councilors agreed to this approach.

22
23 Mayor Moore handed out a document that could be used as Commission Rules. He indicated he
24 added in Section 4 on Use of City Staff, "The Chair shall be the liaison between the commission,
25 board, or committee and City Staff." Mayor Moore also modified in the Library section 5.4 that
26 the Library Commission is to work with the librarians to formulate the budget.

27
28 Vaaler added there was information she had recommended for the charter that should now be
29 included in the Council Rules.

30
31 Mayor Moore indicated he would prepare draft documents. Kerti clarified they would get
32 agreement on each of the three documents and pass them together as a replacement of the
33 existing Council Rules.

34 35 **C. Proposed Finance Committee Ordinance 355**

36 Mayor Moore noted there was language in Ordinance 355 that Councilors wanted to revisit.

- 37
38 1. Section 3.10.010: Council agreed to change the first sentence of the second paragraph
39 to read, "The representative from the City Manager's Office shall serve as the Chair of
40 the committee and will be a voting member."
41 2. Section 3.10.010 second sentence of second paragraph: Change "Commissions" to
42 "bodies"
43 3. Section 3.10.020 Item 4.c: Change "development" to "developments are paying"
44 4. Section 3.10.020 Item 4.d: Move "can" to read, "Advise how the City can organize..."

1 5. Section 3.10.030: Add “possible amendment” to the sentence, “The report shall be
2 submitted to the City Council for its consideration, possible amendment, and
3 approval.”
4

5 Mayor Moore indicated the approval of Ordinance 355 would be added as Item E under New
6 Business to the agenda for February 20, 2019.
7

8 **REGULAR MEETING**

9 **I. Announcements, Correspondence and Proclamations - none**
10

11 **II. Public Comment – none**
12

13 **III. Consent Agenda**

14 **A. Resolution 2019-55 Appointing a Council Member to the Finance Committee**

15 Vaaler moved to approve the consent agenda: Aye – 5; No – 0.
16

17 **IV. Unfinished Business**

18 **A. Ordinance 358: Adoption of Comprehensive Plan Updates**

19 Glenn moved to approve Resolution 358 adopting the Comprehensive Plan Updates: Aye – 5; No
20 – 0.
21

22 **V. New Business**

23 **A. Resolution 2019-57 Appointments to Planning & Parks and Commons**
24 **Commissions**

25 1. Loren Dickenson, Planning Commission: Dickenson explained he wanted to use his
26 40-year history of working with Planning Commissions, boards, and other groups as an architect.
27 Planning Commission Chair Helen Anderson stated the Planning Commission was very excited
28 to have Loren work with them.
29

30 Glenn moved to appoint Loren Dickenson to Seat A of the Planning Commission: Aye – 5; No –
31 0.
32

33 2. Craig Berdie, Parks and Commons Commission: Berdie stated he wanted to serve on
34 this Commission because of his deep appreciation and love of the natural world, the importance
35 of parks and trails to the City, and his seeing the Commons as great asset to the City. Vaaler
36 clarified that Berdie did not want to serve on the Public Works and Streets Commission. Vaaler
37 asked Berdie if would be willing to encourage women to serve on the Commission.
38

39 Tooke moved to appoint Craig Berdie to seat C of the Parks and Commons Commission: Aye –
40 5; No – 0.
41

42 **B. Resolutions 2019-58 and 2019-59 Financial & Planning IGA with OCWCOG**

43 Manager Beaucaire reported she learned at a recent Oregon Cascades West Council of
44 Governments meeting (OCWCOG or COG) that COG could provide planning and financial
45 services to the City. She indicated approving this agreement would allow the City to use these
46 services as needed and would not cost the City anything if services were not used. Mayor Moore

1 clarified cost would be per hour not to exceed \$3,000 per quarter. Glenn expressed excitement
2 with this possibility. Kerti asked for clarification on whether this action was about a recent
3 departure of staff and a temporary City Planner or whether these services would be ongoing.
4 Manager Beaucaire indicated this agreement would be an ongoing resource. Tooke clarified this
5 arrangement would be in addition to the plan to hire a full-time Planner/Code Enforcer. Vaaler
6 clarified the “to be determined” hourly rates in the contract were not specified as COG was in the
7 process of negotiating their collective bargaining agreements and setting those amounts. Vaaler
8 clarified that the City Manager would both be deciding to use this resource as part of her ongoing
9 administrative work and involving Council in some decisions around using the services.

10
11 Glenn moved to adopt resolution 2019-58 authorizing the City Manager to enter into an
12 agreement with OCWCOG to provide Planning Services to the City: Aye – 5; No – 0.

13
14 Manager Beaucaire reported Clerk Judy Richter has left the City for an opportunity for
15 advancement. Manager Beaucaire indicates she has negotiated with COG to provide financial
16 services for two to two and a half days each week during the transition time, including time from
17 the directors. Manager Beaucaire indicated this would be a cost savings from the previous
18 finance staff position. Manager Beaucaire explained the amount COG would charge was less
19 than the salary, benefits, and PERS for the finance City’s staff position. Manager Beaucaire
20 added that the person serving Yachats would serve several cities, thus splitting the cost of the
21 position. Vaaler asked if the two-year term of the contract was a provision required by COG.
22 Manager Beaucaire indicated the City has an option for a 60-day termination if the City was not
23 satisfied and the two years contract gives COG a foundation upon which to hire someone. Kerti
24 clarified that COG would have full access to City systems via the City’s technology.

25
26 Tooke moved to approve Resolution 2019-59 authorizing the City Manager to enter into an
27 agreement with OCWCOG to provide Financial Services to the City: Aye – 5; No – 0.

28 29 **C. Resolution 2019-60 Procurement IGA**

30 Manager Beaucaire reported she had asked Facilities Manager Hoen to work with Public Works
31 to develop RFPs for the upcoming improvements to the Library, Little Log Church and Museum,
32 and the 501 Building. She noted Hoen found an organization that helps develop RFPs, provides
33 RFP templates, and allows the City to post RFP’s on their network thus expanding the visibility
34 of the RPF. She added the organization also provides training opportunities for staff to get
35 certifications. The service cost \$450 for the remainder of this year for an annual membership
36 (not a per RFP amount). Vaaler clarified Yachats fell under the \$7,500,001 to \$21,000,000 level
37 with a \$900 annual fee. Manager Beaucaire indicated the budget resolution passed by Council
38 was for just over eight million.

39
40 Glenn moved to approve 2019-60 authorizing the City Manager to enter into agreement with the
41 Oregon Cooperative Procurement Program to provide procurement and contracting services to
42 the City: Aye – 5; No – 0.

43 44 **D. Appointment of City Representative(s) to Policy Committee for Lincoln County** 45 **Housing Project**

1 Mayor Moore recalled at the last meeting the Council agreed to appoint Dave Mattison to serve
2 as the technical representative to this committee and they still needed a Council representative.
3 Glenn volunteered to serve.

4 Vaaler moved to appoint Councilor Glenn to serve on the Lincoln County Housing Project: Aye
5 – 5; No – 0.

6 7 **E. Appointment of Council Representative to OCOG Area Commission of** 8 **Transportation**

9 Mayor Moore reported this commission meets on the fourth Thursday every other month in
10 Albany, but a Councilor could participate via video conferencing in Toledo. Glenn noted most
11 of the other Lincoln County representatives attend the meeting in Toledo. Manager Beaucaire
12 added that this group discusses other issues from transportation such as grants, low interest rates
13 loans, what other communities are doing, and what will be upcoming from ODOT. Tooke
14 agreed to volunteer on an interim basis. Moore agreed to serve as secondary.

15
16 Vaaler moved to appoint Councilor Tooke as primary and Mayor Moore as secondary
17 representatives to the OCOG Transportation Commission: Aye – 4; No – 1 (Tooke).

18 19 **F. Approve agenda for February 20, 2019 Council meeting**

20 Manager Beaucaire added an item for a \$30,000 grant for updating the watershed protection plan
21 as Item F under New Business.

22
23 Manager Beaucaire asked Council if they wished to review an OLCC liquor application for a
24 new restaurant that would be going into the old Heidi's Italian Restaurant space on Beach Street.
25 Glenn favored having the City Manager and Mayor handling these applications. Vaaler asked
26 about the procedure for revoking a liquor license. Manager Beaucaire indicated that the City
27 reviews licenses annually and could contact the OLCC should problems arise. Tooke asked
28 Manager Beaucaire to get clarification on whether posting of the license was required by OLCC.

29
30 Tooke moved to proceed with approving the OLCC liquor license for Beach Street Kitchen: Aye
31 – 5; No – 0.

32
33 Tooke moved to approve the February 20, 2019 Council agenda as amended: Aye – 5; No – 0.

34 35 **IV. Other Business**

36 **A. From Mayor - none**

37 38 **B. From Council**

39 Kerti noted that they spent a substantial amount of time working on the charter only to have
40 those changes be revised by the attorney. He asked if the Council could get input from the
41 attorney prior to discussing significant changes to legal documents. Council concurred with this
42 suggestion. Glenn noted the City Attorney came to every Council meeting when he first was
43 attending Council meetings. Glenn believed hearing from the attorney today was very helpful.

44 45 **C. From Staff**

1 Manager Beaucaire noted the City was currently open from 8:30 am to 4:30 pm with no lunch
2 closure. She has investigated what other cities do, and noted they have shorter hours and are
3 often closed all day on Fridays. She asked if Council would consider altering the City Hall hours
4 to 9:00 am to 4:00 pm with an hour for lunch. Manager Beaucaire noted the importance of
5 having all staff meetings and giving staff uninterrupted work time. Vaaler asked if reducing
6 hours would decrease the availability of the City Planner. Manager Beaucaire reported the
7 Planner could work by appointment during these times and that the Planner was now available
8 by phone and email during times when he was not present in the office. Vaaler asked that they
9 take into consideration the lunch hour by the Post Office (1:00 – 2:00 pm) when setting the lunch
10 closure.

11
12 Moved to allow the City to be open to the public from 9:00 am to 4:00 pm with a one hour lunch
13 period contingent upon providing reasonable notice to the public: Aye – 4; No – 1 (Vaaler).

14
15 Mayor Moore adjourned the meeting at 11:40 am.

16
17
18
19
20 _____
W. JOHN MOORE, Mayor

21
22 ATTEST:

23
24
25 _____
Shannon Beaucaire, City Manager

26 _____
Date



CITY OF YACHATS

CITY COUNCIL

February 20, 2019

Draft Minutes

I. Meeting Call to Order

Mayor W. John Moore called the February 20, 2019 work session and regular meeting of the City Council to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: W. John Moore, James Kerti, Jim Tooke, Max Glenn, and Leslie Vaaler. Absent: none. Staff present: City Manager Shannon Beaucaire and Clerk Kimmie Jackson. Audience: 30.

II. Announcements, Correspondence, and Proclamations - none

III. Citizen's Concerns

Tom Lauritzen (204 Shell Street) expressed concern about the south water tank. He read about a leak that was managed, but the event gave him concern that the City was not getting what they thought they were getting in terms of design. Mayor Moore indicated Manager Beaucaire would have a response to Lauritzen's concerns at next the meeting.

IV. Consent Agenda

A. January 2, 2019 Minutes

B. Resolutions Memorializing Council Actions

1. Resolution 2019-61 Appointing Dave Mattison and Max Glenn to serve on Lincoln County Housing Project

2. Resolution 2019-62 Appointing Jim Tooke and W. John Moore to Oregon Cascades West Commission on Transportation

Councilor Vaaler moved to approve the consent agenda: Aye – 5; No – 0.

January Minutes for Approval

1. January 9, 2019 Minutes

A suggested correction to remove “just to make people happy” from a statement about the lodging tax was not favored by Council.

2. January 16, 2019 Minutes

Page 5, Line 25: Council agreed to change “Vaaler suggested adding the clause” to “Vaaler and Kerti suggested adding the clause”

Councilor Kerti moved to approve the January 9, 2019 and January 16, 2019 minutes as revised: Aye – 5; No – 0.

V. New Business

A. OCWCOG Finance Introduction

Manager Beaucaire introduced Sue Forty, the Finance Director from Oregon Cascades West Council of Governments. Forty indicated she had been with COG for 19 years and had a staff of 5 people. Forty reported recent issues that she and her team experience during the previous week, including spending 12 hours trying to cut 40 checks because of problems with printers, not

1 being able to have multiple people working on the system at the same time, and simply using the
2 antiquated software. Forty recommended that Yachats switch to an accounting software package
3 from Springbrook. She reported she had been negotiating with Springbrook to provide an
4 affordable product to smaller cities. Manager Beaucaire discussed the personnel and timesavings
5 that could come from the Springbrook accounting product.
6

7 Vaaler clarified with Forty that the City could keep the software even if COG was not supporting
8 it. Forty added that they have a very thorough manual of standard operating procedures (SOPs)
9 for every process. Forty reported there is an annual maintenance fee for the product. Mayor
10 Moore added that he was part of a presentation with Springbrook, and he was very impressed
11 with the features and ease of use. Clerk Kimmie Jackson stated the City needed to move to a
12 better product. Forty noted her negotiations would also benefit other small cities on the coast.
13

14 Forty explained Springbrook would be cloud based and that it would have menu security. She
15 added the program very easily allows for internal checks and everything is maintained for the
16 audit trail.
17

18 **B. Resolution 2019-63 Proposed Amendments to the City Charter**

19 Mayor Moore explained Council agreed their February 6, 2019 meeting to make three changes to
20 the Charter: to add a section for the City Manager position, to establish a Municipal Court that
21 could be held in a location outside of Yachats, and to establish that a quorum could be
22 established based on members present in the event of an emergency situation. Councilor Glenn
23 recalled these changes arise from the work of a Committee that studied the organization structure
24 of the City 2 ½ years ago and recommended the change to the City Manager form of
25 government.
26

27 Exhibit B – Ballot Title

28 Council did not agree to the suggested change for:

- 29 1. Changing the question from “Shall amendments” to “Shall the proposed amendments”
30

31 Council agreed to change:

- 32 2. Paragraph 2, Sentence 2: change “a vacancy” to “vacancies”
33 3. Paragraph 3, Sentence 1: change “The Council unanimously approved” to “The
34 Council approved” in the event the vote was not unanimous
35 4. Paragraph 4, Last Sentence: change “review at City of Yachats City Hall: to “review at
36 the City of Yachats City Hall”
37 5. Paragraph 3, Sentence 2: change “intent is...to modernize” to “intent is...to update”
38

39 Exhibit C – Pamphlet Statement

40 Council agreed to change:

- 41 6. Line 8: change “is a vacancy” to “are vacancies”
42 7. Line 30: change “modernize” to “update”
43

44 Council did not agree to suggested changes of:

- 45 8. Line 9: using “main purpose” instead of “purpose”
46 9. Not including the City Manager section

1 10. Line 22: changing “charter will enable” to “charter would

2
3 Glenn moved to adopt Resolution 2019-63 referring to the voters of the City of Yachats a
4 measure for adopting amendments to the City Charter: Aye – 5; No – 0.

5
6 **C. Resolution 2019-53 Appointment of Budget Officer**

7 Glenn moved to approve Resolution 2019-53 appointing the City Manager as the Budget Officer
8 per ORS 294.331: Aye -5; No – 0.

9
10 **D. Resolution to Appointment of Public Works & Streets Members**

11 1. Ron Urban (30 8th Street) stated he looked at all the Commission and thought his
12 background would best fit with Public Works & Streets. Urban indicated he learned from his
13 time on the Planning Commission the importance of preparing for meetings. Glenn highlighted
14 that Urban wrote in his application that he did his homework and completed his assignments on
15 time. Glenn could attest to that behavior.

16 Vaaler moved to appoint Ron Urban to the Public Works and Streets Commission: Aye – 5; No
17 – 0.

18 2. Tom Fisher (Shell Street) indicated he and his wife moved to Yachats in April 2018.
19 He stated he wanted to get more involved in the community and had much interest in learning
20 about Public Works & Streets. He noted he had joined the Emergency Preparedness Committee
21 and believed that committee dovetailed with Public Works and Streets. Moore recalled he was
22 appointed as chair of Public Works and Streets with the same knowledge-level at Fisher, and
23 believed Fisher would do fine.

24 Glenn moved to appointed Tom Fisher to the Public Works and Streets Commission: Aye – 5;
25 No – 0.

26
27 Vaaler asked that Council consider Ann Stott for the third open seat on Public Works and Streets
28 Commission, noting she was present at the meeting and willing to serve.

29 3. Ann Stott (Driftwood Lane) stated she wanted to bring a female perspective to Public
30 Works and Streets. She indicated she wanted to serve the City of Yachats and she had an interest
31 in water security.

32 Glenn moved to appoint Ann Stott to the Public Works and Streets Commission: Aye – 5; No –
33 0.

34
35 **E. Ordinance 355 Updates on the Finance Committee**

36 Vaaler moved to approve Ordinance 355 amending the Yachats Municipal Code Chapter 3.10:
37 Aye – 5; No – 0.

38
39 Moore added an agenda item of appointing a Budget Committee representative to the Finance
40 Committee.

41
42 Glenn moved to appoint Jim Tooke as the Budget Committee representative to the Finance
43 Committee: Aye – 5; No – 0.

44
45 **F. Citizen Appointments to the Budget Committee**

1 1. Lance Bloch stated he looked at the Budget Committee responsibilities and thought it
2 was wonderful that the City included citizens on the Committee. He reported he has been in
3 Yachats full-time for three years, served on the Planning Commission, volunteered with Trails,
4 and delivered for Meals on Wheels in Waldport. Vaaler asked if he had attended a Finance or
5 Budget meeting. Bloch noted there had not been a budget meeting since he became interested.
6 Bloch stated he would be willing to spend ample time to familiarize himself with the materials.
7

8 2. Dawn Keller stated she has been coming to Yachats longer than being a full time
9 resident. She indicated she was an executive officer in the Evangelical Lutheran Church and has
10 worked with City Councils and reviewed many budgets. She believed the Budget Committee
11 works to make the budget understandable to the general public. Glenn noted he had worked with
12 the ELC and found them to be extremely well organized. Manager Beaucaire asked Keller if she
13 would be willing to thoroughly review the documents and be prepared at the meeting. Keller
14 indicated if she did not prepare, the meetings would be even longer.
15

16 3. John Purcell stated he oversaw a land conservation organization with a budget of just
17 over \$1.2 million per year. Prior to that he ran a commercial electrical contracting company. He
18 indicated he was now Chair of the Parks and Commons Commission and a member of the
19 Finance Committee. He believed the more information he could acquire and understand, the
20 better he could serve all his Commissions and Committees. Vaaler noted that Purcell was co-
21 chair of View the Future, which makes financial requests of the City. Purcell noted View the
22 Future was a 501(c)3 focused on land conservation. Purcell did not think he would need to
23 recuse himself on VTF issues as there was no personal gain in his relationship with the
24 organization. He was also willing to take the advice of the Mayor and Councilors on the recusal
25 issue. He indicated he would prepare for all meetings.
26

27 4. Ann Stott stated she has been attending City meetings, including Finance, and she had
28 a concern that average citizens need to better understand what is going on with the City finances.
29 She noted she lives on a budget and has learned the importance of setting priorities and
30 differentiating between wants and needs. She reported she was a teacher for 30 years and was
31 the advisor to the Yearbook where she had to manage finances and make decisions. Stott stated
32 she was excited to be able to prepare for meetings.
33

34 Mayor Moore explained each Councilor would get three votes and asked if members were ready
35 to vote. All Councilors indicated readiness to vote.
36

37 Vote Count

Candidates

COUNCILORS	Ann Stott	Lance Bloch	John Purcell	Dawn Keller	TOTALS
L Vaaler	1	1		1	3
M Glenn		1	1	1	3
M Moore		1	1	1	3
J Tooke		1	1	1	3
J Kerti	1	1	1		3
TOTAL	2	5	4	4	15

1
2 Bloch, Purcell, and Keller were elected and appointed to the Budget Committee.
3

4 **G. Update on Grant Opportunities**

5 Manager Beaucaire stated there was a grant opportunity from the Oregon Health Authority for
6 \$30,000. She indicated the grant would help identify properties that are important to the City's
7 watershed. Vaaler asked how this work would tie into the Water Master Plan. Manager
8 Beaucaire noted this grant focuses solely on water security. Vaaler clarified that the City would
9 not need to match funds. Manager Beaucaire explained a water security plan would cost around
10 \$30,000, and if the grantor does not come through with the full amount, the City would either
11 need to contribute something or to refund the grant and not proceed with the work. Manager
12 Beaucaire indicated she would bring that to Council for a vote if it additional funding was
13 required. Vaaler asked Manager Beaucaire about administrative and staff time and costs.
14 Manager Beaucaire indicated it would take a few hours to prepare and proofread the application.
15 Glenn moved to have the City Manager proceed with a grant application up to \$30,000: Aye – 5;
16 No – 0.
17

18 **H. Public Input on Increase in Transient Lodging Tax**

19 Mayor Moore recalled that the Finance Committee had been looking for ways to increase
20 revenues and, in that process, noted Yachats currently charges 9% plus 1.8% for the state for a
21 total of 10.8% for the Transient Lodging Tax. Moore reported the areas surrounding Yachats
22 were at 11.8%. The Finance Committee suggested Yachats could increase its tax to be on par
23 with surrounding areas.
24

25 1. Drew Roslund (280 Overleaf Lodge Lane) stated he wanted to represent the people who pay
26 the tax. Roslund noted while the Yachats Transient Lodging Tax (TLT) was slightly lower than
27 nearby areas, Yachats was at a disadvantage due to the 5% Food and Beverage Tax that these
28 other jurisdictions do not have. He provided a handout on rate and cost comparisons, TLT
29 increase history, and what visitors pay in taxes. He suggested he pays 21 cents each day for his
30 home in property taxes while a visitor pays \$18 per day in TLT and Food and Beverage Taxes.
31 He believed the City was already relying on the tourists as much as could be reasonable.
32 Roslund introduced five members of his staff and explained the difficulties in keeping them
33 employed year round. He would rather see TLT money going to fund winter activities that would
34 bring in visitors rather than going to what the Council had recommended. Roslund argued the
35 39% of the TLT that was restricted by ORS 320.300 in Visitors Amenities was being used for
36 uses that did not fall under this state statute. Using data from YELP, Roslund asserted the
37 covered bridge, Thor's Well, Cape Perpetua, and other attractions were more relevant to visitors
38 than the Little Log Church. Roslund asked that the City provide a thorough analysis of the TLT
39 funds, develop strategic plan identifying objectives for this 39%, and create a committee oversee
40 to these funds that would be comprised of representatives from the motels and hotels.
41

42 2. Anthony Muirhead (777 Aqua Vista, Adobe) noted TLT rates in Florence (9%), Reedsport
43 96%), Coos Bay (7%), and other cities to the south of Yachats being in the 6-7% range. He noted
44 while communities to the north were charging rates of 10-11% or more, they drew visitors from
45 a much larger population from the greater Portland area. He stated the central coast mostly pulls
46 visitors from Eugene/Bend/Corvallis. He did not think Yachats could compete with the northern

1 Cities and that people would shift their coast visits 30 miles south to save \$15. He explained he
2 position his rates to be a little lower than Newport due to Yachats having fewer attractions. He
3 noted due to the small number of available rooms, Waldport could fill their rooms from cars
4 passing through. Muirhead argued that raising the TLT by 1% would not be a “deal breaker” but
5 would make a hard task harder. He also noted the economy has been in a boom phase and
6 speculated that when it slows, customers would get much more economically minded.
7

8 3. Linda Hetzler (Drift Inn) stated the Chamber, the businesses, the city, and visitors were a team
9 and should be managed accordingly. She believed adding taxes was unfriendly and did not
10 support the system. She reported she hears customers in her restaurant question the Food and
11 Beverage Tax and challenge her wait staff. She argued there were many other creative ways to
12 bring money to the town, noting they could work together to bring more visitors in the off-
13 season. She believed the City was not collecting all the lodging taxes that they were due. She
14 estimated \$70,000 in taxes was not being paid and suggested the City create a tracking system to
15 oversee this revenue. She also believed the volunteers play a crucial role in the operations of the
16 town and suggested they City better recognize volunteers. She encouraged creativity rather than
17 pursuing an easy solution such as a tax.
18

19 4. Steve Davis (92 Highway 101) stated he had been coming to Yachats for 35 years. He agreed
20 with Roslund about how the City misuses the restricted portion of the TLT. He disagreed with
21 the notion of raising a tax by 1% and thought 10% was an outrageous tax on visitors. He argued
22 the need in Yachats was for permanent employment. He suggested the City have a noise
23 ordinance that would automatically charge vacation rental renters if they violated the ordinance
24 twice. He noted how Yachats would suffer when a recession comes and Yachats costs more than
25 the communities to the south.
26

27 5. Jamie Michelle (Sweet Homes) asserted that the former Mayor told her that the City did not
28 value the money that comes in from Vacation Rentals. She asked the City to consider opening
29 up the vacation rental limitations and that Sweet Homes would be ok with paying the additional
30 1%. She noted that she served on a committee called Destination Newport to plan for tourism
31 and that she attended professional vacation rental conferences. She believed that Yachats is the
32 only City that requires tax payment on vacation rental amenities, such as hot tubs and cleaning
33 rates. She argued the City was “double taxing” cleaning fees as Sweets Homes pays a tax on the
34 fee charge and pays employment taxes for the cleaning staff. She stated manages properties
35 from Ten Mile to Glen Eden Beach and noted she deflects tourists to other areas when they are
36 on really tight budgets.
37

38 Moore thanked everyone for their valuable input. He indicated that Council would review all of
39 the materials and discuss it at the first Council meeting in March 2019.
40

41 **VI. Reports**

42 **A. Financial Report**

43 Manager Beaucaire indicated the financial report in the packet was for a limited number of funds
44 as the full printout was 76 pages.
45

1 Vaaler noted there was \$40,000 budgeted for the City Planner but there was \$3,854 was paid to
2 date. Moore noted the amount paid to date was for a month and a half.

3
4 Lauritzen stated the organizational committee did not recommend transferring the Mayor's
5 duties to the City Manager position. He stated the committee's recommendation was to have a
6 second phase to study staffing and organization.

7
8 Lauritzen noted he only saw three funds in the packet. He asked how the current collections
9 compared to the budget. Lauritzen stated he had not heard anyone tell the Council that they are
10 over 100% of budget in terms of revenues. He asked the City Manager to project the revenues
11 for the current fiscal year based on patterns from the past.

12 13 **B. Council Reports**

14 Mayor Moore reported he:

- 15 1. He attended an information session with Springbrook
- 16 2. H was contacted by Jeff Merkley and got to meet with him when Merkley came to see
17 the mural on the Pioneer building
- 18 3. He attended City Day at the State Capital and met with Caddy McKewon and David
19 Gomberg.
- 20 4. He met with the Marketing Committee.

21 22 **G. City Manager Report**

23 Manager Beaucaire highlighted the following from her report in the meeting packet:

24
25 1. South Water Storage Tank: \$700,000 has been forgiven from the principal amount of
26 \$1,703,000 and that the qualified for a reduction from 2.2% to 1% over a 30 year term. She
27 stated she was able to reduce costs in negotiations, and noted total cost compared to the
28 projection after the change orders were added was \$1,730,000, a \$50,255 savings from
29 \$1,780,255.

30
31 2. Ocean View Drive: Manager Beaucaire the City now has the property easement
32 language that has been approved by the city attorney. The county will cover cost of recording
33 these easements. She noted the archeological study has been delayed because the state
34 archeologist has not been able to schedule the inspections. She added that the county was still
35 planning on putting inserts on the culverts to prolong their useful life.

36
37 3. Website Redesign: The website redesign was in implementation mode. She noted two
38 teams were working on the two concurring processes with CivicRec for the facilities and
39 CivicEngage is for the main site. There will be an opportunity for public involvement when the
40 consultant is on site in March. Vaaler suggested putting this meeting notice on the marquis.

41
42 Vaaler asked if there were plans for getting public input on the 804 improvements. Manager
43 Beaucaire stated the plan was to have a public meeting in late March on the Ocean View Drive
44 transfer.

1 4. Library Expansion: Manager Beaucaire reported the City was still waiting on the
2 architect to get drawings to create the RFP for the remodel.
3

4 5. Little Log Church and Museum Repairs: Manager Beaucaire reported the City was
5 waiting on analysis to determine the best way to proceed with the repairs.
6

7 6. City Entrance Signs: All approvals have been obtained to proceed with the sign
8 installation.
9

10 7. City Hall Proposal: Manager Beaucaire reported that initial drawings have been
11 received and she working to get clarification on a few matters.
12

13 8. Multipurpose Room Flooring: Manager Beaucaire reported the state's analysis
14 indicated there was no asbestos in the subfloor tiles. She reported floor installation would
15 resume March 4 and continue through March 20, 2019.
16

17 9. Coordination with State Parks & Sheriff's Office: Manager Beaucaire indicated she,
18 Planner Mattison, and others met with State Parks and the Sheriff's Office to better coordinate
19 their efforts. She expected the City would soon be receiving MOUs for the collaboration.
20

21 10. FY20 Budget: Manager Beaucaire reported she gave the Finance Committee a very
22 rough initial draft of the budget and the Committee/Commission representatives have been asked
23 to get input from their respective Committees and Commissions.
24

25 11. Farmer's Market: Manager Beaucaire reported Facilities Manager Hoen was
26 working with the Market group as they organize their oversight board.
27

28 12. Energy Audit: Manager Beaucaire reported Hoen has had a representative from
29 Central Lincoln PUD visit the City's facilities to conduct an energy audit. This representative
30 was now preparing the report. Vaaler clarified that the City was not paying for this audit.
31

32 13. Public Works: Manager Beaucaire reported that Public Works had some issues with
33 the sewer pumps during the recent power outage. She noted the crew responded quickly and
34 were able to get online the backup pump the City had purchased. She noted Public Works was
35 very of the City having the foresight to be prepared and the action likely saved the City money in
36 issues that could have arisen had there been no backup pump.
37

38 Lauritzen noted the original South Tank loan was for 20 years and was selected to plan for
39 repayment of the URD. He noted that with a 30-year loan, the City would need to refigure the
40 repayments to the URD.
41

42 Purcell wanted to point out that the City was remarkable in managing the risk and coming in
43 under projected budget on South Tank Project.
44

1 Glenn asked if they could factor in some of what was presented tonight in response to the TLT in
2 their upcoming plans, especially in terms of how the Little Log Church repairs and design would
3 be made.

4
5 **VIII. Other Business**

6 **A. From Mayor** - none

7 **B. From Council** - none

8 **C. From Staff** - none

9
10 Mayor Moore adjourned the meeting at 8:40 pm.
11
12
13
14

15 _____
16 W. JOHN MOORE, Mayor

17
18 ATTEST:
19
20

21 _____
22 Shannon Beaucaire, City Manager

_____ Date
23

CITY OF YACHATS

CITY COUNCIL WORK SESSION & REGULAR MEETING

March 6, 2019

Draft Minutes

WORK SESSION

I. Meeting Call to Order

Mayor W. John Moore called the March 6, 2019 work session and regular meeting of the City Council to order at 9:30 am in Room 1 of the Yachats Commons. Council members present: W. John Moore, Max Glenn, James Kerti, Jim Tooke, and Leslie Vaaler. Absent: none. Staff present: City Manager Shannon Beaucaire and Water Plant Lead Rick McClung. Audience: 11.

II. Work Session Discussion Topics

A. South Tank Reservoir Earthquake Valve

Rick McClung reported that on December 10, 2018 around 4:00 am, Public Works received an alarm for low water level on the south reservoir. McClung indicated the water level was dropping at a rate for which the earthquake valve should have shutoff, so he called the engineer. McClung suggested the pressure from the million-gallon tank was keeping the pressure in the south tank system high enough so earthquake valve did not close. He and the engineer discussed setting the shutoff pressure level to at a more sensitive level so it would operate sooner, which raised a concern about water availability for fire protection. McClung decided to set the SCADA system to send an alarm when the water was depleting at high rates (SCADA is Supervisory Control And Data Acquisition). Upon receiving the notice, the crew would need to manually shut off the valve.

McClung noted plans were to install another earthquake valve by the bridge. He explained the engineers would have to establish a way to keep the system flowing as needed. McClung stated one option was to use a mercury switch valve that shut off upon shaking. He stated he was continuing to work with the engineering and operations.

Commissioner Kerti asked what part of the design and implementation did not go according to plan. McClung speculated it was a design issue where the designer failed to consider the backpressure from the north tank.

McClung indicated the warranty was for one year. He added that if the decision were to set the valve to a lower pressure, he would want a third party to analyze the pressures and systems. Commissioner Tooke clarified that Civil West designed the project and that Westech was the current engineer.

McClung noted the second earthquake valve by the bridge was included in the budget for next year and he would hire Westech to do a thorough analysis on the pressures in the system before proceeding with that work. McClung reviewed the losses from the December 18, 2018 event:

- 1 - 250,000 gallon tank lost 157,000 gallons (south tank)
- 2 It was set to alert at 14 feet and now would alert at more than 1 foot per hour drop
- 3 - 1,000,000 gallon tank lost 104,000 gallons
- 4 - Overall loss was at 17,000 gallons per minute.

5
6 McClung indicated the new SCADA alarm should be in place within a week. Tooke clarified
7 that the leak was caused by an old fire hydrant that blew off its base. McClung noted the crew
8 got everything under control within two hours. McClung stated he was not satisfied with the
9 current situation.

10 11 **B. Increase in Transient Lodging Tax**

12 Kerti noted one presenter used Trip Advisor to rank various amenities so he researched the Trip
13 Advisor data. He disagreed with the conclusion that the Little Log Church was not important to
14 visitors as he found the Little Log Church was the highest rated attraction that was not part of
15 State amenities. Kerti thought there were many valid arguments presented and wished some
16 people would provide the other side of the argument. He recommended tabling the increase for
17 now.

18
19 Tooke noted one company had already printed all of their materials. He also noted the areas to
20 the south with lower transient lodging taxes also have casinos to generate income, making the
21 comparison to Coos Bay and Florence like comparing apples and oranges. Tooke added that the
22 Food and Beverage Tax was passed through a public vote and that local residents pay that tax,
23 too. Tooke agreed the increase should not be made at this time. Kerti clarified that the food and
24 beverage task passed by a 280 to 111 vote. Mayor Moore noted Coos Bay increased their
25 lodging tax from 7% to 9.5% in January 2019.

26
27 Commissioner Vaaler believed Hetzler's comments about symbiotic relationships fit with the
28 Council Goals. She noted Muirhead's comment about the current healthy market, and she
29 argued this fact could be a reason to act now. She noted this tax could help the City when there
30 was a downturn in the economy. Vaaler raised the idea of decreasing the tax when there was a
31 downturn. She wanted to pursue communication with the businesses for coming up with ideas to
32 generate revenues. Vaaler also noted numbers could be used to present whatever angle you
33 want, so she was not convinced by the presentations. Referring to Roslund's suggestion that the
34 City might be violating state laws governing Visitors Amenities Funds, she looked at the League
35 of Oregon Cities Legal Guide for Collecting Transient Lodging Tax, and noted the laws had gray
36 areas and were subject to interpretation, such as what constitutes "other improved real property
37 that has a useful life of ten or more years."

38
39 Commissioner Glenn did not want to rush into the increase and suggested a more productive
40 course of action would be to focus on the business community's desire to work with the City.
41 He wanted to put together a strategic planning group involving the businesses to focus on the
42 generating offseason activities to attract visitors.

43
44 Mayor Moore agreed they should not proceed with an increase and should take advantage of the
45 interest of the businesses.

1 Mayor Moore indicated he wanted to appoint a citizens committee to examine:

- 2 1. Communities goals for how to use the Visitors Amenities Funds
- 3 2. Ideas for bringing groups to Yachats in the offseason
- 4 3. Thoughts on how to revitalize the Chamber of Commerce

5
6 Mayor Moore suggested members include Drew Roslund or his designee, Anthony Muirhead or
7 his designee, Linda Hetzler or Bev Wilson (or someone from the Chamber), and someone from
8 property a management company.

9
10 Vaaler asked if there should be an equal number of citizens on the committee. Mayor Moore
11 agreed citizens should participate but wanted to keep the total group size small. Vaaler wanted
12 to require that there be an equal number of citizens and business representatives. Glenn
13 suggested involving local people who are not within the city limits.

14
15 Glenn suggested having a small group look at other city Chamber's to determine what works
16 well.

17
18 Kerti asked why the City needed to organize this group. Mayor Moore indicated this approach
19 was a way for the City to invite the businesses to participate to give the City input. Kerti
20 suggested Council further discuss the membership of this committee. He noted they should have
21 some business owners who were not hotel owners.

22
23 Vaaler suggested that they send a note to the people who testified summarizing the discussion
24 today. She also suggested including some lower level staff on the committee.

25
26 Council discussed how they would let people know this opportunity was there.

27
28 Tooke suggested they communicate with the committee about the financial situation of the City
29 so that they understand the City did not have extra money.

30
31 The Council agreed to look at this issue again in April 2019.

32 33 **C. Council and Commission Rules**

34 Mayor Moore noted only Vaaler sent comments and he had incorporated the typos and
35 corrections into the document Councilors had.

36 37 1. Commission Rules

38 Section 3.41: Should they include a statement that a certain number of members can overrule the
39 chair? Council did not agree to this suggestion

40 Section 5.11: Suggestion to keep records of all occupations, businesses, trades, or professions of
41 members of the Planning Commission. Helen Anderson, Chair of the Planning
42 Commission, indicated they Commission does compare an applicant's background to the
43 existing members in order to comply with the regulation. Anderson added that this was
44 another reason why it was important to have applicants interview with Commissions before
45 getting appointed by Council. Vaaler asked Anderson if this approach was a custom or a

1 rule. Anderson stated the requirement was a rule that they follow. Council did not agree to
2 this suggestion.

3 Section 5.23, first paragraph: Strike “alike” in last sentence and adjust capitalization and
4 wording of the first sentence to read, “...for the operation of the City’s parks and the
5 Commons building...”

6 Suggested including Yachats Municipal Code sections 2.04.060 and 2.08.060 about
7 Commissions reporting to Council. Council agreed to this inclusion. Vaaler wondered if
8 there was something stating the minutes had to be completed within 30 days. Glenn
9 suggested adding these parts to section 1.1 in the draft document.

10 Council agreed to have the numbering system match the format of Council Rules.

11
12 Mayor Moore indicated he would incorporate these adjustments and send the document to the
13 Commission for their input and then review. Bob Bennett, Chair of Public Works, believed that
14 it should be a requirement that each Commission should review their budget at every meeting.

15 16 2. Council Rules

17 Vaaler recalled items Council was considering including in the Charter that needed to go into
18 Council Rules. Mayor Moore clarified that Vaaler was asking to include the two paragraphs in
19 the document she prepared.

20
21 Section 2.3: Should the stipulation for “in writing” be clarified or removed? Councilors
22 discussed what the suggestion actually was asking and whether “in writing” was actually a
23 confusing option. Kerti suggested the issue was how to ensure everyone was notified within a
24 reasonable amount of time.

25
26 Council agreed to continue this discussion at the next work session.

27 28 **REGULAR MEETING**

29 **I. Announcements, Correspondence and Proclamations - none**

30
31 **II. Public Comment – none**

32
33 **III. Consent Agenda**

34 Mayor Moore stated the minutes were pulled from the consent agenda and would be discussed
35 separately.

36 **A. Minutes February 6 and 20, 2019**

37 **B. Resolutions Memorializing Council Action**

38 1. Resolution 2019-67 Appointing Budget Committee Members

39 2. Resolution 2019-66 Budget Committee Member to Finance Committee

40
41 **Vaaler moved to approve the Consent Agenda: Aye – 5; No – 0.**

42 43 1. February 6, 2019 Minutes

44 a. Page 2, Line 19: insert “jointly” to read, “appointing two people to jointly fulfill the
45 duties”

1 b. Page 2, Line 21: Add the sentence, “Williamson said that the city was establishing the
2 office of city manager and would have flexibility as to how it would be filled or not
3 filled.”
4

5 Minute Taker Helen Anderson explained corrections to the minutes were to correct mistakes, not
6 to make stylistic changes. She indicated she could make stylistic adjustments but needed to be
7 told that was appropriate. Mayor Moore indicated she proceed with the status quo. He suggested
8 that they might be overthinking the detail of and allocating too much time to the minutes when
9 the minutes were not widely read.
10

11 Councilors discussed whether to include an additional statement by the City Attorney or whether
12 that statement was covered in Page 2, Lines 23-30. Councilors decided there were no needed
13 changes to Page 5, Line 8.
14

15 Tooke read from Anderson’s email, “Council should not be changing minutes to simply make
16 things sound better. Suggested changes should be corrections to the minutes. Corrections mean
17 changing something that is incorrect. Changing the style does not fall under corrections.
18 Council should not be changing minutes to simply make things sound better. Corrections should
19 be made for mistakes only, either of omission or commission.” Tooke did not think the Minute
20 Taker should be making stylistic changes. Kerti suggested they could discuss this issue at a
21 future meeting. Anderson added that typos were errors.
22

23 Vaaler moved to approve the February 6, 2019 City Council minutes as revised: Aye – 5; No –
24 0.
25

26 2. February 20, 2016 Minutes

27 Vaaler asked that the record reflect that while Mayor Moore had stated the quorum could be
28 adjusted based on members present in the event of an emergency, but the Charter language did
29 not include the condition of “in the event of an emergency situation.”
30

31 Page 2, Line 46: “Not including the City Manager section” to “Revising the City
32 Manager section.”

33 Page 3, Lines 27-28: Replace Lines 27-28 with, “Vaaler noted there was a citizen present
34 who wished to be considered for the remaining open seat on Public Works and Streets. Ann
35 Stott said that she was interested in serving, and Council agreed to interview her.”

36 Page 7, Line 40: Change marquis to marquee

37 Page 5, Line 43: Tax should be 6% instead of 96%.
38

39 Glenn moved to approve the February 20, 2019 City Council minutes as amended: Aye – 5; No
40 – 0.
41

42 IV. Continuing Business

43 A. Ordinance 355 on Finance Committee Composition, 2nd Vote

44 Glenn moved to approve Ordinance 355 amending the Yachats Municipal Code Chapter 3.10:
45 Aye – 5; No – 0.
46

1
2 **V. New Business**

3 **A. Public Works & Streets Commission**

4 **i. Emergency Operations Plan**

5 Bob Bennett, Chair of Public Works and Streets Commission, reported he received the City
6 Manager's comments on the Emergency Operations Plan (EOP) last week and would be meeting
7 with her this week. He explained the EOP establishes the chain of command in emergency
8 operations so that the City's plan is consistent the hierarchy from the City to the county to the
9 state and finally to FEMA's infrastructure. He noted the Committee modified Newport's plan to
10 reflect the functionality of the City, such as not having police or fire department. He reported
11 Chief Petrick had provided her input on the revisions to reflect the role of Yachats Rural Fire
12 Protection District (YRFPD).
13

14 Bennett pointed out that while Yachats does have a City Manager, it does not have an
15 Emergency Operations Coordinator. He noted the maintenance and planning aspects of the
16 Emergency Operations Coordinator falls on the Emergency Preparedness Committee and Public
17 Works and Streets, while the operations management tasks fall on the City. He indicated he
18 would be working with the City Manager on the language to make clear the divided duties.
19 Bennett reported he received comments from former Mayor Stanley but no other Councilors.
20

21 Bennett stressed a major issue with this document was to ensure Yachats maintains its Storm
22 Ready/Tsunami Ready status, which was partly achieved by this plan.
23

24 Jacqueline Danos asked for clarification on the plans for toilets. Bennett noted the EOP was
25 more about the operational structure rather than details of local preparations. He stated they add
26 appendices to reflect the local activity. McClung stated the City does have emergency containers
27 that have supplies and tools. He noted they do not have bathroom. McClung added that the
28 Emergency Preparedness Committee has a goal to establish a local CERT team that would
29 consider issues like what Danos was suggesting. Glenn clarified that Bennett was presenting the
30 EOP to Council for their information and approval and not for editing or commenting. Mayor
31 Moore clarified Council would have a revision by the next meeting.
32

33 **ii. ODOT Model Signs for Evacuation Routes**

34 Bennett reported the Emergency Preparedness Committee had a work session with YRFPD to
35 review signage and assembly areas. He summarized that the City has signage for the assembly
36 areas but had yet to install them. The joint group identified the assembly areas. He added that
37 the Diversity Drive area was problematic in that there was not easy access to the east from
38 Diversity Drive. He indicated that the route for that area would eventually run through the new
39 fire station.
40

41 Bennett also noted that the round evacuation signs at intersections along Highway 101 and side
42 streets to the east were noncompliant with international standards. International standards
43 stipulated that round signs were for railroads. He reported that ODOT now has rectangular-style
44 signs and recommended that the City proceed with acquiring and posting these signs. He stated
45 they did not have a cost estimate at this time and that the signs would come from ODOT or the
46 County.

1
2
3 **B. March 20, 2019 Joint Work Session and Lincoln County Board of**
4 **Commissioners, 6:00 – 7:00 pm**

5 Glenn explained the process was to have the Council recommend an agenda to the County, and
6 these items would be discussed during the first hour of this meeting. Mayor Moore suggested
7 the following topics:

- 8 1. County opinion on state/count single use plastic bag ban
- 9 2. Homeless and mental health
- 10 3. Low Cost Housing
- 11 4. Biosolids disposal and DEQ requirements
- 12 5. Vacation Rentals - sharing what information the county has
- 13 6. County Services available to Yachats
- 14 7. Ocean View Drive update
- 15 8. Transient Lodging Tax as it pertains to how cities within the county compare

16
17 Steve Davies (91 Highway 101 N) suggested that rather than having an open-ended question,
18 they should have a specific question about when or how the county would deal with something.
19

20 Jacqueline Danos (Spring Hill) suggested they ask about plans for public transportation
21 improvements.
22

23 Glenn suggested it might be courteous for Councilors to stay for the remainder of the County
24 meeting.
25

26 **VI. Other Business**

27 **A. From the Mayor**

28 Mayor Moore reported he:

- 29 1. Attended the bimonthly county mayors' meeting.
- 30 2. Attended the Area 5 League of Oregon Cities small cities meeting in Newport and
31 volunteered to have Yachats host the August meeting. He added he wanted to take
32 one of the new Councilors to the April 2019 meeting.
33

34 **B. From the Council**

35 Tooke reported he:

- 36 1. Attended the Cascades West Transportation meeting where the state infrastructure fund
37 was discussed. He stressed the importance of the Florence –Yachats connector, which
38 was funded by Lane County.
- 39 2. Sent a letter to the State Senate regarding SB621, a bill to preempt City's ability to
40 regulate vacation rentals. He stated he explained in his letter the rationale behind the
41 City's approach to establishing its regulations.
- 42 3. Will be going to legislature in Salem for a hearing regarding the continued funding for
43 Mid-Coast Water Partnership.
44

45 Tooke indicated he would be absent at the April 3, 2019 Council meeting.
46

1 Glenn suggested adding the Yachats-Florence transportation to the County Agenda.

2
3 **C. From Staff**

4 Manager Beaucaire reported she attended the CIS annual conference, noting that CIS
5 (City/County Insurance Services) was the City's insurance provider. She explained that while
6 larger cities have the ability to self-insure, CIS enables smaller cities to pool their risk. The
7 major topics included cyber security, the homeless population, financial fraud, and succession
8 planning with human resources.

9
10 4. The Martin vs. Boise 9th Circuit court case has impacted how cities can regulate homelessness
11 issues. Roseburg, OR presented data about homelessness increase 9% annually. One claim
12 about property removed (\$1,000 value) settled for \$30,000 to include a claim of loss of dignity
13 and attorney fees. Manager Beaucaire stated she had talked to the city attorney about these
14 issues and was preparing a memo to Council on the matter.

15
16 The biggest risks in cyber security were human factors and phishing emails. She noted that
17 anything digital could be hacked. She summarized some of the analysis that has been done to
18 identify weak points and highlighted the annual member surveys that help to identify what was
19 working well and what was not. She added that the Council of Governments was working with
20 Yachats to identify potential security risks, and CIS could assist in conducting free trainings and
21 resources for staff.

22
23 Manager Beaucaire explained CIS was changing to an enterprise risk management system using
24 ISO 31000 guidelines, a consistent international standard. She noted CIS would visit Yachats in
25 the spring to evaluate the City's facilities and also working on updating volunteer manuals and
26 incorporating changes about workers compensation for volunteers. She indicated there was a list
27 of online courses for staff and volunteers.

28
29 With no further business before Council, Mayor Moore adjourned the meeting at 11:42 am.
30
31
32

33
34 _____
35 W. JOHN MOORE, Mayor

36 ATTEST:
37
38
39

40 _____
41 Shannon Beaucaire, City Manager

Date



CITY OF YACHATS

**JOINT CITY COUNCIL
and LINCOLN COUNTY COMMISSION**

March 20, 2019

Draft Minutes

I. Meeting Call to Order

Mayor W. John Moore called the March 20, 2019 joint meeting of the of the Yachats City Council and Lincoln County Commission to order at 6:00 pm in Room 1 of the Yachats Commons. Council members present: W. John Moore, Max Glenn, James Kerti, and Leslie Vaaler. Absent: Jim Tooke. Lincoln County Commissioners: Claire Hall, Kaety Jacobson, and Doug Hunt. Staff present: City Manager Shannon Beaucaire. Also present: Lincoln County Counsel Wayne Belmont, Lincoln County Sheriff Curtis Landers, and Public Works Director Roy Kinon. Audience: 18.

II. Introduction

County Commission Chair Claire Hall recalled the County has been having joint meetings with City Councils for around 25 years and this policy has made relationships more accessible.

III. Single Use Plastics Ban

Mayor Moore explained many Yachats residents have asked the Council to enact a ban on single use plastics and wanted to know what the County was doing in this area.

County Counsel Wayne Belmont explained the issue of recycling was related to the larger issue of management of solid waste. He noted the County could not impose a county-wide ban as they are a general law county, meaning they need the cities to consent to a policy or to have the voters approve it. Belmont stated the matter was a city issue. He noted Newport was considering a plastics ban and Lincoln City was looking at the broader issues of solid waste management. He referred to the "wishful recycling" concept where people place dirty items in the recycling bin and think it will be recycled. He recalled reuse-reduce-recycle slogan and suggested the focus now be on reducing. He stated Lincoln City was now focusing on education around reduction.

IV. Homeless & Mental Health

Mayor Moore reported Yachats had seen a recent increase in homeless travelers and local homeless persons and wanted to know what the county has been doing with policing and providing mental health assistance. Belmont explained that there has been tremendous change in

1 the law around homelessness, noting several significant court cases in the Ninth Circuit, and in
2 particular the City of Boise. He summarized that a municipality cannot make homelessness a
3 crime as that violates Constitutional rights. He stated the County was looking at amending
4 ordinances to increase housing options. Hall stated they were focusing on providing more
5 support for treatment and more affordable housing. She noted 30% of persons in jail have been
6 diagnosed with mental illness and the County was about to open a housing unit for indicted
7 persons in the pretrial phase. The State was planning to launch a \$32.5 million program for pilot
8 projects around affordable housing, and the County was hoping to be awarded some of that
9 money due to their proactive work in trying to get housing. Commissioner Jacobson County has
10 set aside \$60,000 to cost-share with cities on projects around homelessness. She added that the
11 County and Newport had been examining tax foreclosures and odd lots to see if those spaces
12 could be converted to some type of affordable housing, possibly by having nonprofits manage
13 the properties.

14
15 Commissioner Hunt noted the court decided in the Boise case that people have a right to sleep.
16 He provided an example of Portland banning sleeping in parks but allowing camping in the
17 streets/sidewalks. He explained the County was launching programs using mobile crisis
18 counselors who could intervene with populations to prevent them from reaching encounters with
19 law enforcement.

20
21 Hunt noted the private partnerships in the county with Discovery Counseling Rehab,
22 Reconnections Alcohol and Drug Abuse counseling, CHANCE Recovery (Communities Helping
23 Addicts Negotiate Change Effectively), and Powerhouse Detox.

24 25 **V. Affordable Housing**

26 Hall reported governor appointed her to Oregon Housing Stability Council. The government has
27 proposed \$400 million in new money for housing. She noted the Fistera project in Yachats was
28 funded in part through the LIFT bond program. She referred to a study that estimated that
29 155,000 housing units would have been needed to be built since 2000 to keep up with housing
30 demand. She emphasized there was no “silver bullet” solution to affordable housing.

31
32 Councilor Vaaler asked if the County had considered housing for seasonal workers. Vaaler
33 explained seasonal workers might not want to commit to a full year lease and chose to live in
34 their cars instead. Belmont stated these issues have been examined.

35
36 Belmont reported Newport had changed some building code provisions to allow for converting
37 not-used properties for seasonal housing. Hunt suggested they stay aware of this need, especially
38 in the area of multifamily housing. Hall suggested revisiting the Single Room Occupancy
39 housing and dorm style housing models. Hunt noted the benefits of increasing housing in
40 general.

41 42 **VI. Vacation Rentals and Transient Lodging Tax**

43 Mayor Moore indicated there had been many discussions with the Council about vacation rentals
44 and asked if the county was planning any actions in this area. Hall indicated they have been
45 approached by a group to discuss vacation rental policies. Moore asked how the County
46 approached its transient lodging tax (TLT). Hall indicated the County has historically had the

1 public vote on TLT rates. He recalled that the last increase was three years ago and that they try
2 to stay within the TLT range of cities within the county. Commissioner Jacobson asked what the
3 City had done. Hunt noted there were significant differences in what the county versus a city
4 could do. He added their program has been effective in terms of not having large increases in
5 noise, parking, and garbage. Hunt added that some areas have complained about the eroding of
6 character in certain neighborhoods.

7 8 **VII. Biosolids Update**

9 Mayor Moore asked if the Count was considering a change in where biosolids could be spread.
10 Newport was producing Class A Biosolids but were not spreading them within the County.
11 Mayor Moore asked if anything was in the works to lower the City's biosolids disposal costs.
12 Belmont indicated there has been some effort to look at regional processing facilities.

13 14 **VIII. Partnership Development**

15 Manager Beaucaire explained Vaaler has raised the issue of whether the City could share
16 resources with the County to save on costs, such as the City was working with the Council of
17 Governments Planning people and working to get a greater Sheriff's presence. She noted
18 Council has been supported to have a safe, warm place for Deputies to stop in or do reporting
19 when they expand City Hall. Another area was contracts where the City did not have much
20 purchasing power.

21
22 Vaaler explained there were citizens who feel the City does not get much benefit from the
23 County programs. Manager Beaucaire stated that the City recognizes that everyone has tight
24 budgets. Belmont explained they create their contracts so that other entities could piggyback on
25 their contracts. Lincoln County does partner with other counties. Belmont explained the
26 Council of Governments was getting more staff in the area of Planning. Hunt noted the County
27 had gotten the Florence-Yachats transit route operational. He noted they were continuing to
28 push for funding for transit. He also recalled they were still considering some healthcare for
29 Yachats and he had recently talked to healthcare management about creating a mobile health care
30 program. Jacobson indicated she was open to hearing more from the community.

31
32 Commissioners reported their assigned areas:

33 Jacobson: Public Works, Transit, Surveyors Office, Front Office

34 Hall: Planning, Community Corrections, veterans Services

35 Hunt: Health and Human Services, Human Resources, Finance, and IT

36
37 Sheriff Landers reported the Sheriff's Office now has a code enforcement officer, has a contract
38 to provide services in Waldport, and was having discussions about having a code enforcement
39 person support the surrounding cities. He was supportive of this cooperation in the future.

40 41 **IX. Ocean View Drive**

42 Public Works Director Roy Kinon explained they were waiting for the final scope of work from
43 the State Parks archeologist. He had hoped to pay for the asphalt out of the budget for this fiscal
44 year, but he was not certain the archeologist's work would be completed that soon. He was now
45 thinking of repaving first, then installing the guardrails and other items later. This approach
46 would allow for paving in May-June 2019. The county would need to know traffic flow before

1 they did the street striping. The plans were to pave the existing width which would allow for
2 one-way traffic and a wide bike lane. Mayor Moore asked about work on the culverts. Kinon
3 reported his supervisor did not see that as an issue. Kinon stated he has asked his supervisor
4 about re-rocking and compacting for the trail.

5
6 Vaaler asked about the safest and most attractive barrier between pedestrian and traffic. Kinon
7 suggested a wide stripe and possibly epoxy “turtles.” He added the turtles would add to
8 maintenance cost. Kinon stated Autocrest Loop north of Newport was an example of this
9 approach. He did not think the pedestrian-vehicle interaction would be problematic, especially
10 given the width of the lanes. Mayor Moore asked about using a curb. Kinon believed curbs
11 ended up being more of a trip hazard. Vaaler asked about using plantings. Kinon noted
12 plantings require maintenance and people also run over stuff very easily. He added that Lincoln
13 City has been replacing their plantings in their dividers with rock.

14
15 Hunt stated he was part of the Oregon Trail Committee to identify gaps in the Oregon Coast
16 Trail. Approximately 40 miles along coast have been identified, and Lincoln County has about
17 10-12 miles of that total. He noted the area by the old Landmark was one of the areas that
18 needed to be completed. He reported Joanne Kittel had agreed to serve on a subcommittee to
19 look at this issue. He added they also want to provide information along the Trail about other
20 activities in the area.

21
22 Vaaler stated a citizen asked her about the decision to establish easements on properties rather
23 than deeding it in the areas of encroachment. Belmont recalled they were going to do
24 legalization of the road where the County would assume ownership of areas where the road
25 existed. However, legalization would create some nonconforming lots and structures. In order to
26 ensure there was enough room to do maintenance and to not place property owners in jeopardy
27 of land use violations, they came up with easements as a way to keep the area legal for setbacks
28 and future building. Vaaler suggested the City could pass an ordinance to allow those affected
29 lots to have an exception. Belmont indicated this approach was not typical. He stated property
30 owners were in support of the easements.

31
32 **X. Adjournment**

33
34 **VI. Other Business**

35 **A. From the Mayor** - none

36 **B. From the Council** - none

37 **C. From Staff** - none
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40 With no further business before Council, Mayor Moore adjourned the meeting at 7:02 pm.
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W. JOHN MOORE, Mayor

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ATTEST:

Shannon Beaucaire, City Manager	Date

DRAFT



**PROCLAIMING APRIL 2019 AS
CHILD ABUSE AWARENESS AND PREVENTION MONTH
IN YACHATS, OREGON**

WHEREAS, it is critical to the future of Yachats that our children be safe, protected and nurtured; and

WHEREAS, the incidence of physical, emotional and sexual abuse of children, as well as neglect of children, continues at an alarming level; and

WHEREAS, effects of child abuse and neglect are felt by the entire community and need to be addressed by the entire community; and

WHEREAS, it is essential that every citizen in Yachats become involved in supporting the efforts of parents and guardians to raise their children in a safe, nurturing environment; and

WHEREAS, everyone must make a personal commitment to create and support the value that raising our children and supporting families is the responsibility of all citizens.

NOW, THEREFORE, we, the Mayor and City Council, do hereby proclaim April 2019 as "Child Abuse Awareness and Prevention Month" in Yachats and encourage all citizens to join in the observance.

Dated this 17th day of April 2019.

JOHN MOORE, Mayor



**PROCLAIMING APRIL 2019 AS
SEXUAL ASSAULT AWARENESS MONTH
IN YACHATS, OREGON**

WHEREAS: Sexual assault affects every Oregonian, whether as a victim or survivor, or as a family member, friend, partner, neighbor, employer or coworker; and

WHEREAS: About one in four adult women in Oregon has been the victim of rape, and nearly one in five men in Oregon has experienced sexual violence in their lifetime; and

WHEREAS: Compassionate, courageous and dedicated individuals, local organizations and other partners have provided services and support for victims and survivors and worked to prevent sexual violence for decades; and

WHEREAS: Sexual violence is preventable, and all communities are strengthened when we promote healthy and safe attitudes, beliefs and behaviors, while also working to eliminate tolerance for violence; and

WHEREAS: Every individual and community in Oregon has a role to play to help eliminate sexual violence by promoting social change.

NOW, THEREFORE, in recognition of the important work done by My Sisters' Place and Lincoln County Sexual Assault Task Force, the Yachats City Council hereby proclaims the month of April 2019 as **Sexual Assault Awareness Month** in Yachats, and urges all citizens to work with these invaluable community agencies to help alleviate this problem in Lincoln County.

Date this 17th day of April, 2019.

Dated this 17th day of April 2019.

W. JOHN MOORE, Mayor



**CITY OF YACHATS
RESOLUTION NO. 2019-71
A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT WITH SPRINGBROOK**

The City of Yachats Resolves as follows:

WHEREAS, The Yachats City Council discussed entering into a contract with Springbrook for financial services software at its April 3, 2019 meeting;

NOW THEREFORE, The City of Yachats resolves to authorize the City Manager to enter into a contract with Springbrook for financial services software.

This Resolution is memorializing an action taken by City Council at the April 3, 2019 meeting and was effective as of that date.

W. JOHN MOORE, Mayor

Attest by:

SHANNON BEAUCAIRE, City Manager

Get Involved!

There are many ways to contribute to the lives of children and youth in our community. You can share a hobby or skill, help supervise youth, volunteer for special events and fundraising activities, and much more. Give us a call!

www.yachatsyouth.org
541-547-4599

Staff

Alice Beck — Executive Director

Patricia Hettinger — Lead Preschool Teacher

Dayna Capron — Rec+ Youth Leader

Shelly Dillon — Assistant Preschool Teacher

Rikki Hoen — Indoor Park/LIFT Facilitator

Cicely Bernard — Cook

USDA and this institution are equal opportunity providers and employers



**Yachats Youth
and Family Activities Program, Inc.**

PO Box 151
441 Hwy 101 N.
Yachats, OR 97498

Located in the Yachats Commons
541-547-4599
yyfapkids@gmail.com

**Yachats Youth
and Family Activities Program, Inc.**



Youth ♦ Families ♦ Community

www.yachatsyouth.org
541-547-4599

Preschool

Our Preschool is open to all children ages 3-5. Our objective is to meet the needs of the total child: physical, emotional, social and intellectual. Children are provided with learning opportunities that encourage growth and development in a fun, warm, secure and educational environment.



Indoor Park – LIFT

Learning Is Fun Together! Indoor Park is a play group for children ages 0-6 and their caregivers, where they can take advantage of educational and stimulating activities and have fun and play together.

www.yachatsyouth.org
541-547-4599

Families Together

Our early literacy night is fun for the whole family and happens once a month. These evenings are meant as an opportunity for families and community members to eat dinner together and support the importance of early literacy. Dinner is free, and books go home free with every child. Most children opt for the featured story of the night, but older siblings can choose other, more age-appropriate options.



Recreation PLUS

Our after-school activities program takes place every school day. "PLUS" stands for Passages to Learning, Understanding, and Success. Rec+ is a traditional after-school program offering USDA snack

through the Oregon Department of Education Child and Adult Care Meal Program. In addition, we offer a variety of fun indoor and outdoor activities, homework help, arts and crafts, and other educational and learning experiences.



Other Programs and Events

We also have summer camps and water safety and swimming courses. And we host various events throughout the year, such as our famous Breakfast with Santa.

yachats youth and family activities program

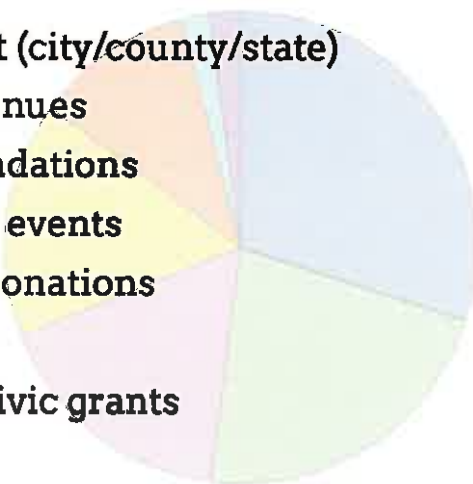
po box 151 • yachats, or 97498 • 541.547.4599 • yachatsyouth.org



61 % live in Yachats
21 % live in Waldport
18 % live elsewhere (Seal Rock, Tidewater, Ten Mile, etc.)

our income:

- 30** % government (city/county/state)
- 22** % earned revenues
- 17** % private foundations
- 16** % fundraising events
- 11** % individual donations
- 2** % United Way
- 2** % corporate/civic grants



we served:

We are a certified childcare program and a USDA Food and Nutrition Program through the Oregon Department of Education.

We are proud of our summer water safety/swimming program, which we can offer thanks to Ken and Mary Aebi and the Quiet Water Homeowners' Association.

This institution is an equal opportunity provider and employer.

854 meals at Families Together to

86 different families

36 children at Rec+

30 preschool children from September to June

19 school-aged children during summer camp

15 preschool summer campers

14 swimmers and water safety learners

34 children plus caregivers at Indoor Park

YACHATS VISITORS CENTER
FY 2018/2019 QUARTERLY BUDGET REPORT
submitted 4/5/2019

BUDGET ITEM	2018/2019 BUDGET	FY 2018 Quarter 1 July-Sept 2018	FY 2018 Quarter 2 Oct-Dec 2018	FY 2019 Quarter 3 Jan-Mar 2019	FY 2019 Quarter 4 Apr-June 2019	YEAR TO DATE
FACILITY						
Rent	6,600.00	1,675.00	1,725.00	1,725.00		5,125.00
Repair & Maintenance	575.00	0.00				0.00
Restroom - cleaning and supplies	750.00	200.00	387.41	251.31		838.72
Supplies - Office/Misc	1,250.00	123.18	107.30	302.20		532.68
Accounting	500.00	0.00	200.00			200.00
PERSONNEL						
Contract Director	37,850.00	6,308.32	9,462.48	9,462.48		25,233.28
Administrative Assistant						
History Walking Tour Dev	7,590.00	160.00	80.00	240.00		480.00
Volunteer Training	500.00	0.00				0.00
PROMOTION						
Yachats Brochure/2-year surplus	1,750.00	0.00				0.00
Printing Costs - Lists, Postcards, Attractions Map	2,550.00	1,668.53		1,871.15		3,539.68
Postage: Information/Mail-outs	1,750.00	0.00				0.00
Telecommunications - Phone/800#	2,250.00	484.74	829.86	631.57		1,946.17
Memberships - OLA, OCVA	600.00	400.00				400.00
Travel OR Brochure Dist	250.00	0.00		600.44		600.44
Oregon Coast Magazine	0.00					
OCVA and Travel Oregon	0.00					
Willamette Living (& Portland Monthly & Salem editions)	0.00					
Radio	0.00					
Social Media and Video	0.00					
TOTAL	64,765.00	11,019.77	12,792.05	15,084.15	0.00	38,895.97
Advertising with City Manager approval. Outside of the City/Chamber Contract						



City Manager's Report April 17, 2019

Dear Mayor Moore and Councilors,

It is my pleasure to update you on some of our current project highlights.

- **Lincoln County Housing Strategy Implementation Plans:**

- **Background:** The signed MOU is in the document library attached to the December 12, 2018 City Manager Report & January 16, 2019 Council Packet. The MOU memorializes a no-cost working relationship between the Oregon Department of Land Conservation and Development and Lincoln County. The goal is to develop a regional housing implementation strategy for Lincoln County. The final report is to be completed on or before June 30, 2019.

On January 16, 2019 Wayne Belmont spoke to Council to discuss 2 opportunities for Yachats to participate. Planner Dave Mattison has been appointed to the technical advisory committee (TAC), which will identify existing reports, data, codes, fees, and similar housing related materials that will be analyzed to see what gaps exist.

Councilor Max Glenn has been appointed to the policy advisory committee (PAC) which will review the gap analysis, and the goals and strategies and implementation of the regional plan.

- Planner Dave Mattison participated in the TAC Committee meeting on April 9, 2019. The meeting was facilitated by the Angelo Planning Group, was broken down into a number of different pieces.

The Facilitators began by discussing the progress which includes:

- 1) Telephone interviews were conducted with over a dozen different organizations and stakeholders that provided an understanding of affordable housing and rehabilitation Loan programs and future steps for the County.
- 2) Advice for steps to revive City partnerships with the Home Rehab Loan program.
- 3) The need to speak to the Community Services Consortium.
- 4) Completion of a memo in a couple weeks addressing the rehab loan program.

A list of the stakeholders was presented to the Committee. It identified the key themes such as a need for all types and prices of housing in the County; and a response to each stakeholder's interest in and/or experience with housing within the County and its communities. A list of programs to support affordable housing and struggles with the programs was discussed. Once the consultants have completed the interviews, they will be able to draft a preliminary set of recommendations related to resuming the home loan rehab program in a couple weeks.



City Manager's Report April 17, 2019

- **Coastal Managers Meeting:**

- Planner Dave Mattison attended the Coastal Manager's meeting on April 11. He reported that there was a presentation by the State on landslides. The data hasn't been completed for Lincoln County yet, but will enhance the location of steep slopes and potential landslide in the community. In addition, coming soon, will be the 2019 Landslide Guide which may be able to assist residents in preparing and preventing landslides.
- In a discussion with other communities, the idea of requiring further geo-hazard reports if any steep slope is on a piece of property might be a safer route to take to prevent possible slides. Right now the City only requires a geo-hazard report if the location of construction is at 12% slope or greater. Under new code if any portion was located on a site with 12% slope or greater we could require a geo-hazard report. In addition, there will be a State Goal 18 (Beaches and Dunes) Meeting on April 29th in Newport which the Planner will attend.

- **Website Redesign:**

- **Background:** In July 2017 the City issued an RFP for a website re-design. The background leading up to the issuance of the RFP is in the document library labeled *Council IT Memo*. Throughout an extensive process, the City decided to sign a contract with Civic Plus to redesign the City's website and provide a robust integrated reservation system. Civic Plus (www.civicplus.com) specializes in municipal web design and software. The Civic Plus contract is in the document library. The goal is to complete the redesign and reservation system on, or around, June 30, 2019.
- Implementation will require 2 processes. First for the Reservation system *CivicRec*. The second for the remainder of the website redesign *CivicEngage*. CivicRec has a launch date of May 10, 2019 and CivicEngage has a launch date of June 24, 2019. Timelines were attached to the February City Manager Report.
- Please review the 2 attached memos from Project Coordinator Helen Anderson regarding website updates. We have worked with Mark Clements to download the existing document library onto a hard drive. Mark indicated that the document library currently stores all its documents as "blobs" in the database, so there was no backend file structure. Mark wrote a script to extract all files to a simple category structure and it is now stored on a hard drive.

- **Library Expansion/Remodel:**

- We were able to obtain a much more economical way to get designs that we can go out to RFP with. We have completed those and we are working with the Commission to move forward with a funding plan and expansion of the library.

- **Little Log Church and Museum Repairs:**

- **Background:** The Little Log Church walls are made from natural logs, setting on a post and beam foundation system. The original log structure was completed in 1930. Modifications to the exterior church walls were made in the mid 1990's, which consisted of replacing selected wall logs with new peeled logs. The attached museum structure has



City Manager's Report April 17, 2019

walls made from log siding material. The museum foundation has a concrete stem wall and footing around the perimeter, and interior post and beam floor support. There is a crawl space access on one side of the building, with a narrow opening for access. The full engineer's analysis is in the document library labeled *LLC&M Engineers Analysis*. We had been utilizing Red Hat Construction to narrow down options for the LLC&M, but due to the demands of the Contractor and concerns about the continued deterioration of the LLC&M, we moved forward with the Engineer's Analysis.

- We utilized the same firm as the library to produce work that is sufficient to go out to RFP on. We have received information that the rot may be more extensive than even previously contemplated. We are working with Parks & Commons and the Little Log Church & Museum Board to develop funding plans and a strategy for the preservation of our historical property.
- **City Entrance Signs:**
 - Updates to the North and South City entrance signs have been approved in the FY19 City capital improvement plan. The artwork, and \$5,375.00 quote (which is less than the budgeted figure), have been approved by the Parks & Commons Commission and City Council. The quote is attached to the December 12, 2018 City Manager report.
 - Sanding and priming has been completed and they are starting to add the color. Please see attached photos. The second photo shows the background image that insets in the carved piece. All the metal for the internal structure of the stone work and will be starting the welding.
- **Multi-Purpose Room Flooring:**
 - Monday, January 7, 2019 the Contractor discovered that the tile under the old laminate flooring is not stable enough to glue the new flooring to and must be removed – otherwise our new flooring would fail.

Due to a State Law that went into effect January 1, 2019, all building materials that are removed from a building - that were installed prior to 2008 - must be tested for asbestos before they can be removed. The laminate flooring - that had been laid on top of the tile and had been separating - was installed in 2012-13 so it doesn't need to be tested.

The tests revealed that there is no asbestos in the tiles. Installation is now complete. They did find additional dry rot under the floor. That has been remedied through this process.
- **FY20 Budget:**
 - The budget is being refined with the great work of the Finance Committee. Representatives from the Community and each Commission have been reviewing and working on the budget.
 - The City is in good shape financially and that was prioritized by the Committee as we looked for ways to cut down on wish lists to be responsible financial stewards for Yachats sustainability.



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- **Farmer's Market:**

- Parks & Commons will review proposals for a Vendor run Farmers Market at their next meeting. Upon review they will bring their recommendation to the Council at the May 1 meeting.

- **Ocean View Drive:**

- **Background:** In October 2001, the City of Yachats entered into a settlement agreement. One of the items in the settlement agreement was for the County to transfer Marine and Ocean View Drive, and the trail to the City for transportation and pedestrian usage and to implement the Village Circulation Plan adopted by the City. This agreement is in the document library.

Work on this project paused around April 2017 due to attention required on other City and County projects. However, at the City Manager's request, monthly meetings to resume progress on this project began in October 2017. If weather conditions permit, it is the goal to complete this long outstanding project by June 30, 2019.

- **Summary of January's Monthly Meeting:**
 - **Property Easements:** Easement language has been drafted and approved by the City Attorney. The Planner will be working with the 5 impacted property owners to finalize the easements. The County has offered to cover the costs of recording the easements.
 - **Archeologist:** The State Archeologist was supposed to deliver a scope of work for the identified areas for the City and County to review by February 15, 2019. This did not occur. Upon acceptance of the scope of work, the archeological study will begin. Delays here will impact the goal date to complete this project.
 - **Guardrails:** Subsequent to the Archeological Study findings, new guardrails will be installed before the overlay is completed. The original Mid-March timeline is delayed until the archeological study can be completed.
 - **Culverts:** Yachats PWD identified 9 culverts running under Oceanview Drive. One of the culverts runs underneath Highway 101. The City and County have identified culverts that have the most wear and will work on placing inserts in those culverts to extend the life of the culverts. These inserts can be installed around the end of March.
 - **804 Trail Improvements:**
 - The County, City, and Trails Committee discussed, and agreed, to find and compact a better material to provide greater stability on the Trail.
 - The County, City, and Trails Committee discussed improving signage along the trail and including educational, wayfinding, and distance signage. Additional meetings are occurring to discuss these items and develop a signage plan.
 - The County, City, and Trails Committee discussed the Boardwalk that was taken to Council in 2018. The archeological study noted above will review this area.
 - The County, City, and Trails Committee discussed the possibility of having viewing decks at the park at 7th and Oceanview Drive and the property towards the end of



City Manager's Report April 17, 2019

Oceanview Drive where the pump house is located. A member of the Trails Committee will draw a rendering of the decks and the City and County will work together utilizing mitigation funds.

- Property Connection between Marine Drive: The 804 Trail is connected from Aqua Vista to Marine/Oceanview Drive through a property that links the 2 streets. The County has asked the City for input on ideas for the Property. The trail easement would be maintained; however, the question is what ideas would look like for the remainder of the property. Ideas ranged from affordable housing to selling the properties (retaining the trail easement) for development and placing those funds into the mitigation account.
 - City Planner, Larry Lewis provided renderings about what could be built on each lot with current code setback requirements. The lot on Marine Drive could do a footprint of approximately 1800 square foot building footprint and the lot on Aqua Vista could hold a 2450 square foot building footprint (document located in the December 12, 2018 City Manager's Report)
- Street Condition/Paving:
 - On December 13, 2018 the City's Engineer of Record (Westech), County, and City Representatives met to discuss the condition of Oceanview/Marine upon transfer. These discussions will continue as we develop more information from the archeological studies and warmer paving conditions develop.
- City Hall Proposal:
 - Background: At the direction of Council, the City Manager presented a proposal for architectural work to develop a conceptual design for City Hall at the 501 Building. The City Manager eliminated the multiple designs and 2 in-person trips by the architect, reducing the initial proposal by \$3400. The proposal includes only 1 in-person trip with multiple teleconferences about special needs and desires for multiple uses within the 501 building. The architect also stated if the City wanted him to come to a Council meeting and/or do a Charette with the public, those would be at additional costs.
 - The last meeting with the architect was January 11, 2019. Given the architect's current pricing structure with the Library, we will look for more economical options to implement the work following progress on the Library and Little Log Church & Museum.
- FY19 Financial Accomplishments:
 - The City was awarded \$100,000 ODOT Small City Allotment grant towards the East 2nd Street Improvement Project. A copy of the grant is in the document library attached to the December 12, 2018 City Manager Report.
 - The City was awarded a \$20,000 grant for our Water Master Plan update by the Oregon Infrastructure Finance Authority.



City Manager's Report April 17, 2019

Public Works Report:

Date: April 1, 2019

To: Shannon Beaucaire, City Manager

From: Public Works Department

Re: March 2019 Public Works Report

Rain fall at Yachats Public Works:

	<u>Inches</u>			
Year	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
March	3.06	7.12	13.85	8.49
Rain year to date:	21.50	25.82	38.38	24.50

Total water production: 3,720,600 gallons Water loss efficiency: 90.4%

Total wastewater treated: 7,880,000 gallons

The following is a list of what was done by Public Works staff outside of normal operations:

Streets:

- Bladed and rocked Shell Midden Way.
- Filled eight potholes and street cuts on King St. and 4th St.
- Contracted to have a leaning tree on Horizon Hill removed.

Drainage:

- Cleaning a silted in culvert on W. 6th.

Water:

- Plant maintenance.
- Cleaned Reedy Creek headworks.



City Manager's Report April 17, 2019

Distribution Sys:

- Working on fire hydrant at the Adobe.
- Meters read.
- Meter maintc.
- Prepped for water system flushing.
- Repaired water leaks on W.3rd and on Hwy 101 N.
- Installed water meters on Village Lane and Driftwood Lane.

Sewer:

- Updating DEQ required lab Quality Assurance Program.

Collection Sys:

- Inflow & Infiltration inspection.
- Main pump station pump #3 repaired and reinstalled.
- CCTV'd 180 feet of sewer main on Aqua Vista.
- Service line tracing on Blackstone.
- Pontiac pump control issues, electrician called.
- Degreased Riverside, Pontiac and Main P.S.

Public Works:

- Fleet maintc.
- Ford Ranger back online with new clutch system replaced.
- Leads working on budget process.
- Repaired hydraulic leak on bucket truck.
- Shop cleaning and facility yard clean up.

Commons & City Hall

- Nothing to report.

Parks & Trails:

- Picked up piles of debris.

Sewer & Water CIP:

- Working on the Ocean View Drive Project.
- Working on pole bldg. at the WWTP.

TO: City Council, City Manager
DATE: March 28, 2019
FROM: Helen Anderson
Project Coordinator for website redesign
RE: Documents on website and Admin Policy 14

During the Civic Plus Consultant's onsite visit from March 19-March 21, 2019, Natalie informed us that ADA accessibility/compliance has become a major issue for municipal websites. Most of the 6,300 documents in our document library are non-compliant.

Natalie indicated her next three weeks were with clients who have been sued over ADA accessibility. She explained it has become profitable for advocacy groups and companies to file suits on behalf of the disabled without having any interaction with the cities themselves. She added that the current Federal Department of Justice has been instructed to not pursue ADA accessibility issues that has resulted in a surge of nonprofits, advocacy groups, and other companies filing cases against municipalities.

It would be extremely costly for the City to get all of the documents in the existing document library to be compliant. All hard copies would need rescanning on a copier that could be set for ADA compliance or editing to be graphically compliant.

The consultant explained that best practices for government sites is to only keep dated documents going back three or four years. The State has requirements on document retention based on the type of document. Our plan for the new site is to follow the State retention requirements. Of course, any document that had ongoing usefulness will be migrated to the new site.

I noticed in Admin Policy 14, there is a stipulation that all public records, plans, studies, reports and such since 2004 shall be put in the online document library. According to best practices and the ADA compliance issue, this requirement is a truly bad idea. These documents will be kept digitally or in hard copy form so as to be available through public records requests.

Admin Policy also states that final versions of a document must be stamped "Final Version." This requirement presents clerical problems, including but not limited to:

- Stamping requires a paper copy
- Stamping might cause a document to become ADA inaccessible
- Most documents are continually revised so a "Final Version" draft would likely become a draft
- There is no need to identify final versions when only the most recent documents will be posted online.

The City has not been adhering to this policy, and it would be ideal if it could be updated to reflect best practices of the new website before it goes live in late June 2019.

Admin Policy 14 is copied below and I've highlighted in yellow the section pertaining to the Document Library.

ADMINISTRATIVE POLICY NO. 14 PUBLIC ACCESS TO DOCUMENTS

OBJECTIVE

Defines conditions by which an individual may obtain, through public access laws, documents and/or copies of documents.

Record Classification

- All records shall be considered public unless they are listed as exempt.
- All new correspondence or testimony related to City, Council or Commission business shall be delivered to the main office at city hall so they can be classified and scanned if the documents are to be added to the document library.
- Documents exempted from the document library include the following:
 - e-mail
 - phone calls
 - bills, invoices, advertisements, magazines, catalogs
 - utility billing records
 - payroll data
 - draft staff records including preliminary budgets and CIP work papers (capital improvement planning)
 - audit work papers
 - personnel records
 - large format documents like engineering plans, maps, as-built diagrams may be excluded when the City lacks the ability to scan documents and digital version are not available.

All organizations performing work for the city that results in a written document shall submit a digital copy to the City Recorder along with the print version. This requirement shall be included in all future contract documents.

Public Access:

- All public records since July 1st 2004 shall be available in the on-line Document Library.
 - All active plans, studies, reports related to plans or projects shall be available in the Document Library.
 - The final version of draft documents shall be marked as "Final Version"
-
- Documents with confidential information may be exempted or sensitive information shall be redacted.
-
- The public can obtain printed copies from computers at the Yachats Library if they do not have a printer at home. The cost per page shall be the prescribed amount for using the library public printer.
-
- Original documents shall be retained in the archive of printed public records stored at the sewer plant
-
1. The City shall provide a copy of this Policy as a written procedure for public records requests. Requests for information shall be in writing on a form provided by the City Recorder. The form shall also serve as the City's response as required in Section 11.
 2. Any single document, which is easy to access, to which the public has access must be shown upon request.
 3. Copies of up to five pages in length will be copied immediately at a cost of 15 cents per page upon request.
 4. A request for more than 5 pages will be supplied at a cost of 15 cents per page as time constraints on the staff allow.
 5. The person requesting the documents has the option of paying the staff overtime for the requested documents, or paying for the time of a part time person, hired by the City, to do the copying. The 15 cents per page charge shall also apply.
 6. Persons with requests for documents which will require extensive research and copying may apply to City Council, or their designee for authorization to conduct the research, and make the copies themselves. All research will be conducted at the City Hall office, and all copies will be made on-site. City staff will assist in, and supervise all original document review, and equipment operations. The 15 cents per page charge shall apply.
 7. All documents that will assist citizens in effectively participating in the planning process will be made available to the public, if the Council determines they are consistent with State and local laws for the protection of personal privacy, confidentiality, and exempt records law.

8. The Citizen Involvement Program, as adopted by City Council will be followed concerning public access to all planning and land-use documents.

9. The City Recorder may obtain legal advice from the City Attorney before releasing any documents if there is a question regarding exemption status.

10. The City Council may establish fees that are reasonably calculated to reimburse the City for its actual cost in making such records available. This fee may include the costs for summarizing, compiling, or tailoring a record, either in organization or media, to meet the person's request; a charge for time spent by the City staff in locating the requested records, reviewing the records in order to delete exempt material, supervising a person's inspection of original documents in order to protect the records, copying records, certifying documents as true copies, or sending records by special methods such as express mail; and, a charge for attorney time reviewing and segregating records.

11. A written response must formally acknowledge the receipt of the request and include at least one of the following:

- A statement that the public body is not in possession of the requested records;
- A request from the public body clarifying the request;
- Copies of the requested records;
- A statement that the public body is in possession of at least some of the requested records, the amount of time the public body needs before the records will be available to the requestor and a cost estimate for providing the records;
- A statement that the public body is uncertain if it is in possession of the records and the amount of time the public body needs to search for the records; or
- A statement that the public records are exempted from public disclosure under state and federal law.

When appropriate citizens shall be informed about the document library.

Fees as established by Resolution No. 2005-04-03

Research Fee

A fee of \$25 per hour shall be charged for any public document request that requires more than minimal time for City Hall staff to locate the requested documents and/or produce copies. If the estimated time will exceed one hour, the individual making the request shall pre-pay up to \$100 of the estimated fee before the research is initiated. When the deposit has been used staff will contact applicant for authorization to continue the research. Upon completion of the research the individual shall pay any additional costs based on the actual time at the hourly rate. The City will refund any un-used portion of the pre-payment. Copy charges shall apply to any copies made.

Photocopies

Photocopies

Single-side, letter or legal size Double side, letter or legal size Over-Size (11 x 14)

Color Copies

15¢
10¢ per side 50¢
\$1.00

\$2.50 50¢

Actual Cost - (hourly wage x hours)

FAX Transcription

1-5 pages
each additional page

TO: City Council, City Manager
DATE: March 28, 2019
FROM: Helen Anderson
Project Coordinator for website redesign
RE: Civic Plus Consultant Visit

Natalie Blair, Civic Plus consultant, was here for three days last week (March 19-21, 2019). We had a very productive time and were able to generate the site map and identify the content that needs migrating or uploading to the new site. The City has a deadline of April 12, 2019 to get information to Civic Plus that is not currently on the website.

I will be working with staff to get their respective areas updated and uploaded. I will be going through the critical documents on the current site to ensure they are the most current version. In preparing for this consultation, I noted most of the forms on the website were not the current version and was reminded that there are many versions of a given document attached to the site.

Best Practices

1. **Single Document Version:** Ms. Blair explained the best practices for a site and emphasized there should be only one version of a document online. When that document is replaced or modified, all links to it are consequently updated. There are currently around 6,000 documents in the document library. I estimate at least half of those are duplicates. We will be getting a download of all documents in the document library, and we will be able to eliminate the duplicates and ensure no documents are lost in the content migration.
2. **ADA Compliance:** Ms. Blair stressed the importance of ADA accessibility in website materials. The requirements enable screen readers and translators to function effectively. Staff are beginning the process of learning the formatting and content issues that must be followed with in all documents. I am sending a separate memo regarding this issue and existing documents and Admin Policies. In short, non-compliance has become an issue for which municipalities are being sued.
3. **Less Is Better:** Ms. Blair explained that websites previously strived to be a “one stop shop” for everything related to their topic. However, with advances in internet usage and internet searchability, consumers are becoming more adept at finding what they need. This phenomenon is evident in the trend that people will not stay on a website for more than two or three clicks. This trend means that a website is more useful when it has simple and intuitive navigation and focuses on the primary reasons for its existence. For Yachats, this approach means the focus of the City’s website should be on the services the City provides and not on information provided by other websites. For example, a Chamber of Commerce typically has information on shopping and lodging, so the City does not need to provide that information, only to link to the Chamber’s site.
4. **Search Engine Optimization:** Search Engine Optimization (SEO) is a coding technique that maximizes interactions with various website search engines (e.g., Google) so that keywords better filter to results that the user wants. Our current site has never been SEO optimized, which is why you will see our yachatsoregon.org site far down the list when you type “Yachats Oregon” into Google. Having websites stay focused on their primary purpose also helps search engines work more effectively.

Input on Design and Content

We held twelve meetings with various groups during Ms. Blair's visit. Our goal was to hear from each group that would be involved with a page or pages on the site (e.g., Public Works, the Library, Planning, Emergency Preparedness, etc.). We went through what was on the existing site and what was desired. Participants were extremely helpful in identifying their needs. We had a presentation for the Council, Commissions, and Committees where Ms. Blair provided information on the goals, best practices, responsibilities and deadlines. The Mayor and Councilor Kerti attended, as did six others. We had a meeting targeted to the business community in which two people participated. And we set aside two hours to take input from the community and general public. Three people came to that session and had very useful comments and suggestions. Additionally, Ms. Blair met with the primary team working on the website project multiple times.

Going Forward

Our task now is focused on gathering documents or drafting information on what will be on the new site. I am checking the last three years of minutes for ADA compliance. We are working with our coder, Mark Clements, to get the document library loaded onto a hard drive so we can ensure we do not lose any documents in the conversion.

CivicRec

We continue to make great progress on setting up the CivicRec reservations software. This software is very powerful in terms of tracking and reporting. It also increases our transparency in having renters read and agree to the use policies. This part of the website should be ready for use in May 2019. We will be able to thoroughly test it before the website goes live in late June 2019.

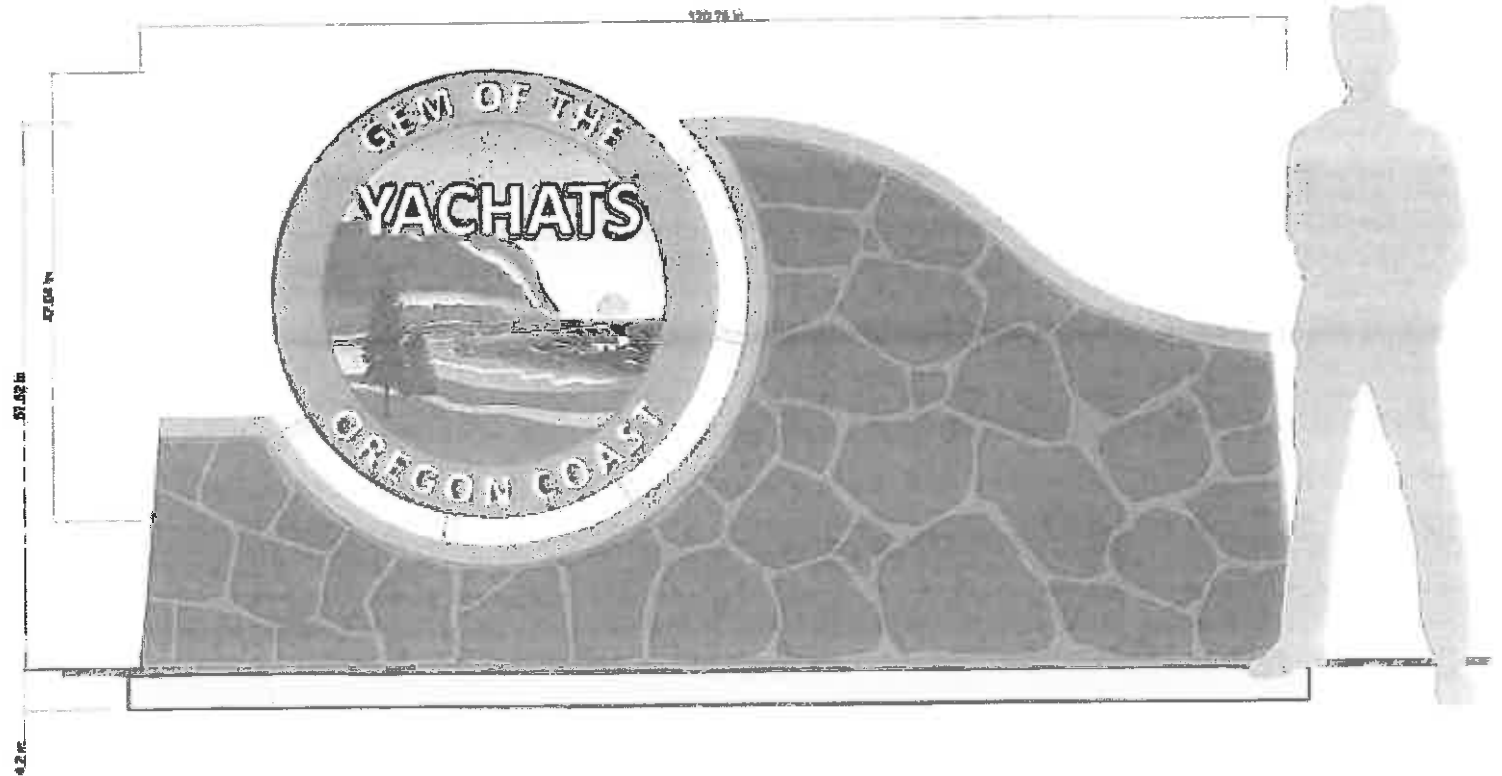
We are on track to go live with the new site in late June 2019. This date includes three weeks to conduct beta testing to ensure the bugs are worked out before we take down the yachatsoregon.org site. The new site will have the yachatsoregon.org URL. I will get you access to the new site as soon as the design is that far along.

While there will always be someone who likes the old way better, I think most people will find the new website to be extremely helpful.





South Entrance Sign - City of Yachats - Yachats, Oregon



Client Name: City of Yachats
Shannon Beaucaire
Location: 441 N. Hwy 101
Yachats, OR 97498
Phone: 541-547-3565
Cell: cell 541-272-7390
Email: Shannon@YachatsMaine.org

Start Date: 06/14/2018
Last Revision: 00/00/0000
Job#: 1000
Drawing #: 1000av1s1/r1
Page: 1 of 1

APPROVED: *[Signature]*
CITY APPROVAL
LANDING APPROVAL

FILED BY: 1000
DATE: 06/14/2018
TIME: 10:00 AM
CITY OF YACHATS
CLERK: Shannon Beaucaire
PHONE: 541-547-3565
FAX: 541-547-3566
EMAIL: Shannon@YachatsMaine.org

ACCOUNT	DESC	BUDGET	MONTH-TO-DATE EXPENSE/REV	YEAR TO DATE EXPENSE/REV	UNEMCUMBERED BALANCE	%
R E V E N U E S						
3-01-0101	BEGINNING FUND BALANCE	400,000	--	633,047.87	233,047.87-	158
	REVENUE	400,000		633,047.87	233,047.87-	158
3-30-1500	INTEREST EARNED	--	--	--	--	0
3-30-4110	PROPERTY TAXES CURRENT YR	50,000	37,779.94	37,779.94	12,220.06	76
3-30-4120	PROPERTY TAXES PRIOR YRS	1,000	790.02	790.02	209.98	79
3-30-4210	BUSINESS LICENSES	11,000	10,718.91	10,718.91	281.09	97
3-30-4211	VACATION RENTAL LICENSES	38,000	31,640.00	31,640.00	6,360.00	83
3-30-4221	CABLE TV FRANCHISE TAX	19,000	16,085.96	16,085.96	2,914.04	85
3-30-4222	TELEPHONE FRANCHISE TAX	4,000	3,851.00	3,851.00	149.00	96
3-30-4223	DISPOSAL FRANCHISE TAX	11,000	9,808.58	9,808.58	1,191.42	89
3-30-4224	ELECTRIC FRANCHISE TAX	44,000	35,123.64	35,123.64	8,876.36	80
3-30-4230	PERMITS & FILING FEES	2,000	175.00	175.00	1,825.00	9
3-30-4235	FINES OR LIENS	--	--	--	--	0
3-30-4240	TRANSIENT ROOM TAX	950,000	898,157.53	898,157.53	51,842.47	95
3-30-4490	OTHER LOCAL SOURCES	3,000	14,096.56	14,096.56	11,096.56-	470
3-30-4610	CIGARETTE TAX	1,000	539.47	539.47	460.53	54
3-30-4620	LIQUOR TAX	10,000	9,190.55	9,190.55	809.45	92
3-30-4622	MARIJUANA TAX	1,200	505.77	505.77	694.23	42
3-30-4630	STATE REVENUE SHARE	8,000	8,910.01	8,910.01	910.01-	111
3-30-4690	OTHER STATE SOURCES	--	--	--	--	0
3-30-4810	ADMIN REIMBURSEMENT URD	13,000	13,000.00	13,000.00	--	100
3-30-4852	EARNINGS FROM TEMP INVEST	--	39,518.00	39,518.00	39,518.00-	0
	REVENUE	1,166,200	1,129,890.94	1,129,890.94	36,309.06	97
T O T A L DEPT 100 R E V E N U E		1,566,200	1,129,890.94	1,762,938.81	196,738.81-	113
E X P E N S E S						
5-60-7121	INTERFUND TRANS: STREETS	35,000	35,000.00	35,000.00	--	100
5-60-7122	OP TRANSFER-LIBRARY	63,080	63,080.00	63,080.00	--	100
5-60-7123	OP TRANSFER-MUSEUM	3,225	3,225.00	3,225.00	--	100
5-60-7124	OP TRANSFER-COMMONS	93,000	93,000.00	93,000.00	--	100
5-60-7125	TRANSFER-VISITOR AMEN	369,000	369,000.00	369,000.00	--	100
5-60-7126	INTERFUND TRANS: CAP RSRV	--	--	--	--	0
5-60-7127	OP TRANSFER - PARKS/TRAIL	9,125	9,125.00	9,125.00	--	100
5-60-7130	TRANSFER TO PERS RESERVE	--	--	--	--	0
5-60-7174	OP TRANSFER-STORM DRAINS	39,000	39,000.00	39,000.00	--	100
5-60-7175	OP TRANSFER CITY HALL	40,000	40,000.00	40,000.00	--	100
	INTERFUND TRANSFERS	651,430	651,430.00	651,430.00	--	100
	TOTAL PERSONAL SERVICES					0
	TOTAL MATERIAL & SERV					0
	TOTAL CAPITAL OUTLAY					0
	TOTAL ALL OTHER	651,430	651,430.00	651,430.00		100
T O T A L DEPT 100 E X P E N D I T U R E		651,430	651,430.00	651,430.00		100
T O T A L FUND 100 R E V E N U E		1,566,200	1,129,890.94	1,762,938.81	196,738.81-	113
	FUND PERSONAL SERVICES					0
	FUND MATERIAL & SERV					0

4/15/19
9:20 AM
YIKIMMIE
FUND-100 GENERAL FUND
DEPT-100 NON DEPARTMENTAL

CITY OF YACHATS
REVENUE/EXPENDITURE REPORT
7/01/18 THRU 4/12/19

ACCOUNT	DESC	BUDGET	MONTH-TO-DATE EXPENSE/REV	YEAR TO DATE EXPENSE/REV	UNENCUMBERED BALANCE	%
	FUND CAPITAL OUTLAY					0
	FUND ALL OTHER	651,430	651,430.00	651,430.00		100
T O T A L FUND 100 E X P E N D I T U R E		651,430	651,430.00	651,430.00		100
	FUND PRIOR BALANCE	633,047.87				
	NET FUND BALANCE	1,111,508.81				

4/15/19
9:20 AM
YIKIMMIE
FUND-900 URBAN RENEWAL
DEPT-100 NON DEPARTMENTAL

CITY OF YACHATS
REVENUE/EXPENDITURE REPORT
7/01/18 THRU 4/12/19

ACCOUNT	DESC	BUDGET	MONTH-TO-DATE EXPENSE/REV	YEAR TO DATE EXPENSE/REV	UNEMCUMBERED BALANCE	\$
R E V E N U E S						
3-01-0101	BEGINNING FUND BALANCE	185,000	--	204,015.30	19,015.30-	110
	REVENUE	185,000		204,015.30	19,015.30-	110
3-30-4110	PROPERTY TAXES CURRENT YR	265,000	290,176.56	290,176.56	25,176.56-	110
3-30-4120	PROPERTY TAXES PRIOR YEAR	6,000	5,326.89	5,326.89	673.11	89
	REVENUE	271,000	295,503.45	295,503.45	24,503.45-	109
T O T A L DEPT 100 R E V E N U E		456,000	295,503.45	499,518.75	43,518.75-	110
E X P E N S E S						
5-20-5210	DUES/MEMBERSHIPS/FEES	1,000	276.81	276.81	723.19	28
5-20-5261	AUDITOR	2,000	2,000.00	2,000.00	--	100
	MATERIALS AND SERVICES	3,000	2,276.81	2,276.81	723.19	76
5-50-5800	CONTINGENCIES	100,000	--	---	100,000.00	0
	OTHER USES	100,000			100,000.00	0
5-60-7121	ADMIN FEE - TRANS TO GEN	13,000	13,000.00	13,000.00	--	100
5-60-7126	INT FUND TRANS -CAP RESER	--	18,000.00	18,000.00	18,000.00-	0
5-60-7129	INTERFUND TRANS-SEW DEBT	95,000	95,000.00	95,000.00	---	100
5-60-7131	FUND TRANS-STREET RESERVE	18,000	--	--	18,000.00	0
5-60-7137	TRANS SOUTH TANK DEBT RES	100,000	100,000.00	100,000.00	--	100
	INTERFUND TRANSFERS	226,000	226,000.00	226,000.00		100
	TOTAL PERSONAL SERVICES					0
	TOTAL MATERIAL & SERV	3,000	2,276.81	2,276.81	723.19	76
	TOTAL CAPITAL OUTLAY					0
	TOTAL ALL OTHER	326,000	226,000.00	226,000.00	100,000.00	69
T O T A L DEPT 100 E X P E N D I T U R E		329,000	228,276.81	228,276.81	100,723.19	69
T O T A L FUND 900 R E V E N U E		456,000	295,503.45	499,518.75	43,518.75-	110
	FUND PERSONAL SERVICES					0
	FUND MATERIAL & SERV	3,000	2,276.81	2,276.81	723.19	76
	FUND CAPITAL OUTLAY					0
	FUND ALL OTHER	326,000	226,000.00	226,000.00	100,000.00	69
T O T A L FUND 900 E X P E N D I T U R E		329,000	228,276.81	228,276.81	100,723.19	69
	FUND PRIOR BALANCE	204,015.30				
	NET FUND BALANCE	271,241.94				
	GRAND TOTAL REVENUE	2,022,200	1,425,394.39	2,262,457.56	240,257.56-	112
	TOTAL PERSONAL SERVICES					0
	TOTAL MATERIAL & SERV	3,000	2,276.81	2,276.81	723.19	76
	TOTAL CAPITAL OUTLAY					0
	TOTAL ALL OTHER	977,430	877,430.00	877,430.00	100,000.00	90
	GRAND TOTAL EXPENDITURE	980,430	879,706.81	879,706.81	100,723.19	90
	PRIOR BALANCE	837,063.17				
	NET FUND BALANCE	1,382,750.75				

3rd Party Rental Sites
Collected Taxes
7/1/18-Current

Turnkey Vacation Rental	\$ 845.31
Turnkey Vacation Rental	\$ 1,997.81
Turnkey Vacation Rental	\$ 726.28
Turnkey Vacation Rental	\$ 158.53
Hotwire	\$ 88.04
Hotwire	\$ 214.43
Hotwire	\$ 68.92
Hotwire	\$ 41.40
Hotels.com	\$ 2,671.04
Hotels.com	\$ 3,692.90
Hotels.com	\$ 976.86
Hotels.com	\$ 967.94
Travelscape	\$ 3,446.11
Travelscape	\$ 7,229.51
Travelscape	\$ 2,157.49
Travelscape	\$ 1,475.87
Egencia	\$ 51.73
Egencia	\$ -
Egencia	\$ -
Egencia	\$ -
Hotels Tonight	\$ 1.83
Hotels Tonight	\$ -
Hotels Tonight	\$ -
Hotels Tonight	\$ -
HomeAway	\$ 3,869.65
HomeAway	\$ 4,038.16
HomeAway	\$ 3,554.20

TOTAL \$ 38,274.01

2006-2019 Capital Reserves review
Capital Reserves

		Fund 150 - Capital Reserves																
		City Hall	501 Bldg	Street Improvements	Street Equipment	Library	LLC & Museum	Commons	Parks	Drains	Water Improvements	Water Equipment	Sewer Improvements	Sewer Equipment	LID Horizon	F&B Revenue	Visitor Amenities	Total
7/01/2006 - 6/30/2007	Beginning Balance	97,979		(18,922)	33,256	8,688	3,475	164,959										
	Income	28,345								0	392,788	136,538	(271,446)	183,557	(141,697)	46,677	24,480	660,332
	Interest	4,713			770	491	160	6,520										28,345
	Transfers In (Out)	130,275		2,084		2,706	3,923	18,411			14,000	5,092						31,746
	Capital Spending	(2,162)			(800)		(1,196)	(92,702)			71,400		106,394					335,193
		Ending Balance	259,150	(16,838)	33,226	11,885	6,362	97,188		0	400,065	141,630	(175,575)	183,557	(141,697)	46,677	13,375	(196,611)
7/01/2007 - 6/30/2008	Beginning Balance	259,150		(16,838)	33,226	11,885	6,362	97,188										859,005
	Income	74,444								0	400,065	141,630	(175,575)	183,557	(141,697)	46,677	13,375	859,005
	Interest			730		510	300	4,925								178,966		253,410
	Transfers In (Out)	94,585		16,553		2,907	3,976	21,963			8,740		30,625					45,830
	Sewer Debt Transfer										96,170		121,150					357,304
		Capital Spending	(1,884)		(7,700)	(3,711)	(2,109)	(39,991)								(247,775)		(247,775)
		Ending Balance	15,243	445	25,526	11,591	8,529	84,085		0	504,975	137,788	(23,800)	180,615	(141,697)	(22,132)	(13,375)	(75,554)
7/01/2008 - 6/30/2009	Beginning Balance	15,243		445	25,526	11,591	8,529	84,085									0	781,168
	Income									0	504,975	137,788	(23,800)	180,615	(141,697)	(22,132)		781,168
	Interest	400		600		270	200	2,210			6,770					224,792	0	230,581
	Transfers In (Out)	8,000		2,084		2,970	4,036	20,532			136,028		22,985					33,435
	Sewer Debt Service												139,259					312,909
		Capital Spending	(3,222)		(886)		(750)	(60,280)								(214,338)		(214,338)
		Ending Balance	20,421	3,129	24,640	14,831	12,015	52,336		0	645,300	123,730	138,444	168,615	(141,697)	(11,678)		(93,669)
7/01/2009 - 6/30/2010	Beginning Balance	20,421		3,129	24,640	14,831	12,015	52,336										1,050,086
	Income									0	645,300	123,730	138,444	168,615	(141,697)	(11,678)	0	1,050,086
	Interest	110		130		70	56	280			1,980					212,805		222,955
	Transfers In (Out)	8,000		3,284		3,035	4,096	36,118			45,307		4,385					7,011
	Sewer Debt Service												167,847					267,687
		Capital Spending			(12,830)			(54,531)								0		0
		Ending Balance	28,531	6,543	11,810	17,936	16,167	44,353		0	70,198	(13,513)	(28,828)	(20,477)				(200,377)
7/01/2010 - 6/30/2011	Beginning Balance	28,531		6,543	11,810	17,936	16,167	44,353										1,347,362
	Income									0	622,389	110,217	281,848	148,138	(141,697)	201,127		1,347,362
	Interest	165		35	68	102	91	256			3,557	631	1,609	842		197,637	0	197,637
	Transfers In (Out)	8,000		(10,507)		3,102	4,160	21,722			75,721		281,304			344		7,700
	Sewer Debt Service															0		383,502
		Capital Spending			(1,236)		(3,739)	(97,310)								(213,989)		(213,989)
		Ending Balance	36,696	(3,929)	11,878	19,904	16,679	(30,979)		0	(49,024)	(10,744)	(11,873)					(173,926)
7/01/2011 - 6/30/2012	Beginning Balance	36,696		(3,929)	11,878	19,904	16,679	(30,979)										1,548,286
	Income									0	652,643	110,848	554,017	137,107	(141,697)	185,119		1,548,286
	Interest	146			54	81	70				2,662	452	2,293	558		228,932	0	352,136
	Transfers In (Out)	8,464			5,117	3,171	4,225	49,167			30,809		92,787					6,316
	Sewer Debt Service															0		193,740
		Capital Spending	(6,240)		(319)	(3,231)		(11,002)								(381,435)		(381,435)
		Ending Balance	39,066	(3,929)	16,730	19,925	20,974	7,186		0	686,114	111,300	649,097	111,324	(18,493)	32,616		(47,133)
7/1/2012 - 6/30/2013	Beginning Balance	39,066		(3,929)	16,730	19,925	20,974	7,186										1,671,910
	Income									0	686,114	111,300	649,097	111,324	(18,493)	32,616		1,671,910
	Interest	210		62		100	111	36								226,357		244,850
	Transfers In (Out)	9,667		3,867		3,242	4,291	23,817		0	4,414		3,752			182		8,867
	Sewer Debt Service										16,900		150,050			0		211,834
		Capital Spending	(17,667)		(9,667)	(2,713)										(250,000)		(250,000)
		Ending Balance	31,276	0	7,063	20,554	25,376	31,039		0	(33,116)	(25,748)		(47,446)				(136,357)
7/1/2013 - 6/30/2014	Beginning Balance	31,276		0	7,063	20,554	25,376	31,039										1,751,104
	Income									0	674,312	85,552	802,899	63,878	0	9,155		1,751,104
	Interest	115			24	68	85	106								242,914		268,559
	Transfers In (Out)	9,867		3,867		3,316	16,437	35,000			2,477	290	2,745	219	15,645	30		6,159
	Sewer Debt Service										157,597							226,084
		Capital Spending	(17,930)		(1,058)	(13,453)	(20,687)	(72,932)								(262,000)		(262,000)
		Ending Balance	33,328	3,867	6,029	10,485	21,211	(6,787)		0	(67,947)	(2,400)	(36,365)	(32,257)			0	(265,029)
											766,439	83,442	769,279	31,840	15,645	(9,901)		1,724,877

2006-2019 Capital Reserves review
Capital Reserves

Capital Reserves		Fund 150 - Capital Reserves																		
		City Hall	501 Bldg	Street Improvements	Street Equipment	Library	LLC & Museum	Commons	Parks	Drains	Water Improvements	Water Equipment	Sewer Improvements	Sewer Equipment	LID Horizon	F&B Revenue	Visitor Amenities	Total		
7/1/20140-06/30-2015	Beginning Balance	33,328		3,867	6,029	10,485	21,211	(6,787)												Hwy 101
	Income	10,000						73,150		0	766,439	83,442	769,279	31,840	15,645	(9,901)	0	1,724,877		
	Interest	107													54,427	285,500		423,077		
	Transfers In (Out)	55,460		(35,500)	3,867	3,391	4,431	39,739			2,000		2,000					4,107		
	Sewer Debt Service										56,535							127,923	230,50	
	Capital Spending	(19,225)				(574)		(97,615)			(121,613)	(1,173)	(65,173)	(27,809)		(319,000)		(319,000)		
	Ending Balance	79,670		(31,633)	9,896	13,302	25,642	8,487		0	703,361	82,269	706,106	4,031	70,072	(43,401)	0	(333,182)	230,50	
7/1/2015 - 6/30/2016																				
	Beginning Balance	80,797		(31,633)	9,896	13,302	25,642	8,487		0	703,361	82,269	706,106	4,031	70,072	(43,401)	0	1,628,929		
	Income														1,443	324,931		326,374		
	Interest														70,711			74,241		
	Transfers In (Out)	10,725			3,867	193,547	4,579	111,000			1,730		1,800					496,118		
	Sewer Debt Service										147,400		25,000					305,000		
	Capital Spending	(96,645)			0	0		(70,264)			(708,849)	(25)	(63,291)	(25)		(305,000)		(305,000)		
	Ending Balance	(5,123)		(31,633)	13,763	206,849	30,221	49,223		0	143,642	82,244	669,615	4,006	142,226	(23,470)	0	(939,099)		
	Conversion to Fund Balance	55,123		31,633				20,777			170,737	0	0	50,000		23,470		1,281,563		
	New Beginning	50,000		0	13,763	206,849	30,221	70,000		0	314,379	82,244	669,615	54,006	142,226	0		351,740	1443151	
Fund Balance Basis adjustment					(190,078)	(75)												1,633,303		
7/1/2016 - 6/30/2017	Beginning Balance	50,000		0	13,763	16,771	30,146	70,000		0	314,379	82,244	669,615	54,006	142,226	0	501 loan repayment	(190,153)		
	Income	15,000													22,442	323,548	0	1,443,150		
	Interest	7,033														0	501 loan	360,990		
	Transfers In (Out)	3,000		3,867		193,547	4,579	116,594			133,032		154,501			0		7,033		
	Sewer Debt Service																20,232	629,352		
	Capital Spending	(29,383)			0	0					(166,936)	(8,964)	(59,859)	(1,463)		(335,000)		(335,000)		
	Ending Balance	45,649		3,867	13,763	210,318	34,725	186,594		0	280,475	73,280	764,257	52,543	164,668	(11,452)	20,232	(266,606)		
New Fund and Department Structure Implemented with Geles/Chaves																				
	Dept Name	City Hall	501 Bldg	Streets	Street Eq	Library	LLC	Commons	Parks	St Drains	Water	Water Eq	W Water	WW Eq	LID	F&B	501 loan			
	Dept Number	100/101	102	121	Merged	122	123	124	125	130	160	Merged	170	Merged	Horizon	Revenue	repayment			
7/1/2017 - 6/30/2018	Beginning Balance	45,649	0	3,867	13,763	210,318	34,725	186,594	0	0	280,475	73,280	764,257	52,543	164,668	(11,452)	20,232	1,838,919		
	Income	15,800													25,294	377,662		418,756		
	Interest	17,509																17,509		
	Transfers In (Out)	31,000		383,900		3,600	39,600	27,000	40,000		78,000		80,400				0	683,500		
	Highway 101 Interfund Loans			650,000							(200,000)		(450,000)					0		
	Sewer Debt Service																	0		
	Capital Spending	(30,937)	(7,114)	(656,016)	0	0		(28,477)	(4,514)	(6,663)	(75,532)	(69,776)	(99,739)	(69,776)		(374,949)		(374,949)		
	Consolidate Equip Column			13,763	(13,763)						3,504	(3,504)	(17,232)	17,232				(1,048,543)		
	Ending Balance	79,021	(7,114)	395,514	0	213,918	74,325	185,117	35,486	(6,663)	86,447	0	277,686	(0)	189,962	(8,739)	20,232	0		
7/1/2018 - 6/30/2019																				
	New Beginning	79,021	(7,114)	395,514		213,918	74,325	185,117	35,486	(6,663)	86,447	0	277,686	(0)	189,962	(8,739)	20,232	1,535,192		
	Income/Grants	15,000														345,799		360,799		
	Interest					890		40,000										-		
	Intergovernmental					46,100	143,600	8,500	68,000	2,000	100,000		250,000					40,890		
	Transfers In (Out)	40,000		74,000														732,200		
	Transfer LID Payments to SDC														(164,668)			(164,668)		
	Sewer Debt Service																	0		
	Capital Spending	(36,703)	10	(15,450)		(14,415)	(98)	(101,717)			(23,999)		(64,621)			(365,000)		(365,000)		
	Departmental Transfers																	(256,993)		
	Ending Balance	97,318	(7,104)	454,064	0	246,493	217,827	131,900	103,486	(4,663)	162,448	0	463,065	(0)	25,294	(27,940)	20,232	1,882,420		

Your Stay May Become Even Shorter

As Airbnb and Miami Beach
battle over rentals, travelers
are receiving surprise visitors.

By TARIRO MZEZEWA

On a recent Friday evening, David Igboke and his friends were relaxing in their Miami Beach Airbnb, listening to music and getting ready to go out to dinner.

Their plans were interrupted by a knock at the door.

"City of Miami Beach," said Jackie Caicedo, a code compliance officer who works for the city.

Mr. Igboke opened the door and began answering questions. Was he from Miami Beach?

No.

Was he on vacation?

Yes.

Did he find the apartment on Airbnb?

Yes.

Ms. Caicedo had some bad news. "I'm here because, basically, this is an illegal short-term rental," she said. "It's in a residential area. It's zoned in a residential area, so it's prohibited for anyone to rent a unit for less than six months and a day."

That same night, within a 45-minute period, Ms. Caicedo knocked on the doors of five other apartments in the building at 1300 15th Street, a two-story, eight-unit white structure. Apartment 101 had two older men who wouldn't reveal their plans. In Apartment 103, two men in their 20s were visiting from New York City for the weekend. Apartment 104 had an Argentine family of four. Apartment 201 had an older Chilean couple on vacation for the week. In Apartment 204, a young man and woman were visiting from nearby Hallandale Beach, Fla.

All of the apartments had been illegally rented out. The property manager of an apartment building next door had called in a complaint.

Typically, when the city's code compliance officers come across illegal short-term rentals, they ask renters to contact their hosts and ask to be moved. In situations



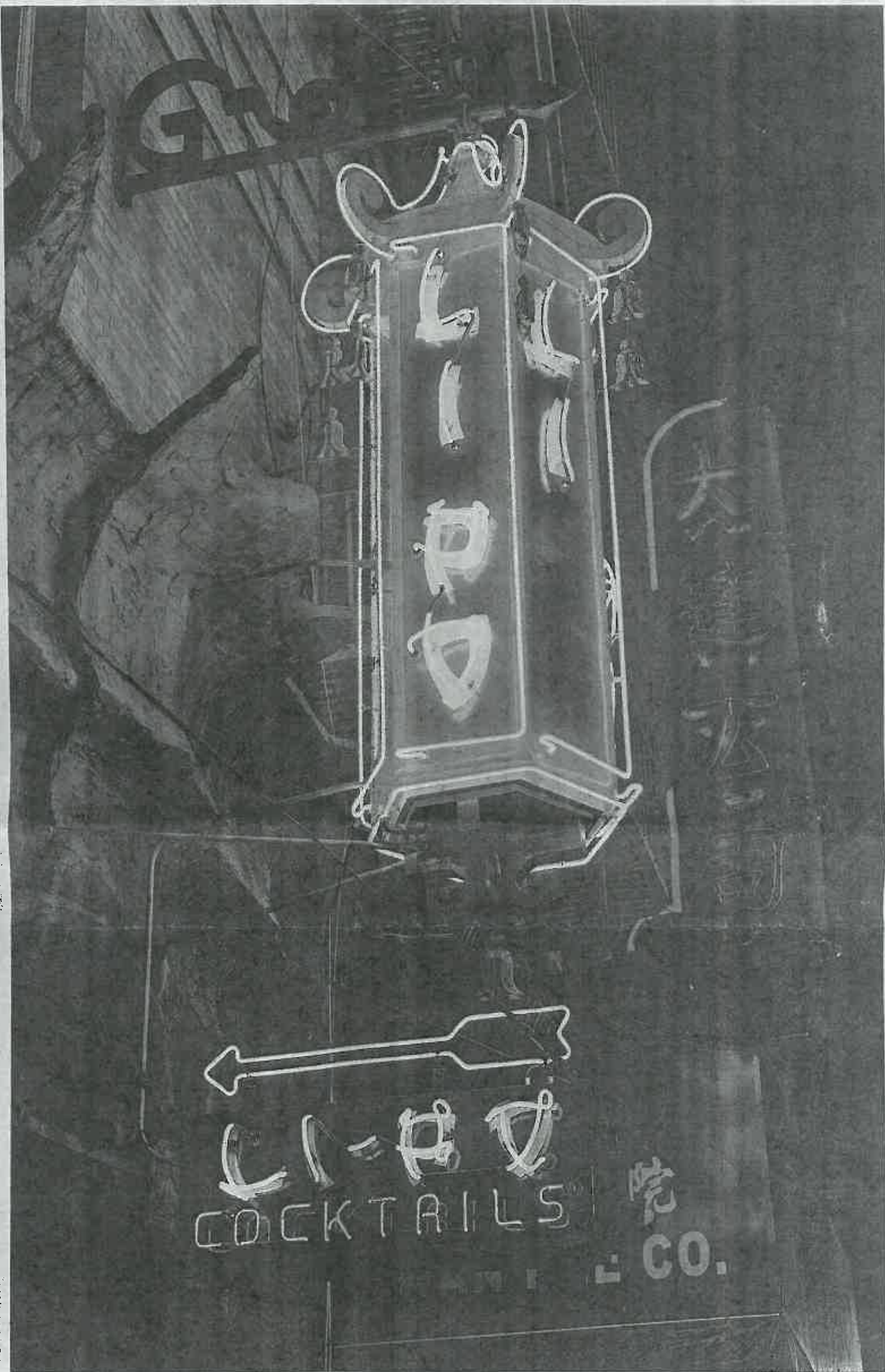
Lockboxes, believed to be used for Airbnb rentals, at an apartment building.

where the hosts won't cooperate, guests still have to leave. On occasion, the city helps them find a new place to stay. But since Mr. Igboke and his friends were cooperative and leaving after just two nights, Ms. Caicedo said she would recommend that they be allowed to stay in the apartment.

But when another officer arrived the next day, the friends became annoyed. They contacted the man who had rented them the apartment on Airbnb, who went by the name of Jason, to ask for a refund, and contacted Airbnb as well. They were told that, because they did not notify anyone immediately after Ms. Caicedo's visit on Friday evening, they could not get their money back. Mr. Igboke said that Jason, who was friendly on the first day, seemed angry with his guests when they complained about the officers coming by. The owner of the building was fined \$40,000.

Mr. Igboke's rental was on the edge of a neighborhood known as Flamingo Park, which has become a flash point in the battle between residents and companies that offer short-term rentals in Miami Beach, including Booking.com, VRBO, HomeAway, FlipKey and, in particular, Airbnb. Save for a few properties that have been grandfathered in, and in the city's overlay district, where short-term transient rentals are allowed, the city prohibits rentals of less than six months and a day in many residential neighborhoods.

"We have residential areas in our community and we have zoned them so when



FOOTSTEPS

Where Words Came Alive

Lawrence Ferlinghetti, the poet, activist and bookstore founder, is turning 100, and much of his San Francisco can still be found.

By DWIGHT GARNER

Lawrence Ferlinghetti, the poet, publisher, painter, social activist and bookstore owner, has been San Francisco's de facto poet laureate and literary Pied Piper for seven decades. He turns 100 this month, and the city is making preparations to celebrate him in style. The mayor's office has proclaimed March 24 his birthday. Lawrence Ferlinghetti Day. Readings and performances, and an open house will take place at City Lights, the venerable bookstore he co-founded in 1953. Parties and happenings are planned at many other locations as well.

The most unlikely celebration will be the release party this month for "Little Boy," Mr. Ferlinghetti's slim new autobiographical novel, which is also a love song to his adopted hometown, a place with "endless street movies passing in cars and trams of desire."

Any reader's trip to San Francisco should start with a visit to City Lights. On a cool,



STACET LEWIS

damp late morning in February, my wife and I walked the mile from the downtown Union Square area to the store, which sits near the border of Chinatown and its raffish North Beach neighborhood, and is within a stone's throw of more than one faded, gloomy topless joint.

Pound for pound, City Lights is almost

CONTINUED ON PAGE 6

Your Stay May Become Even Shorter

CONTINUED FROM PAGE 1

people purchase a home they know they are in a residential community," said Mayor Dan Gelber of Miami Beach, saying that Airbnb was knowingly flouting the law.

Airbnb, for its part, is suing the city, saying that its regulations are overly burdensome. "Nobody benefits when cities impose laws written with the sole intent of punishing both residents and consumers," Benjamin Breit, a spokesman for the company, wrote in an email.

In the increasingly heated fight between the rental companies and communities, renters like Mr. Igbokwe and his friends, who unwittingly book rooms that are being offered illegally, are caught in the middle. They can end up out on the street, out hundreds of dollars and in need of a new place to stay, sometimes in the middle of the night.

"We 100 percent would have rented elsewhere if we'd known we couldn't stay there," Mr. Igbokwe said. "The whole thing was out of our hands, which is frustrating."

A 'Postcard Perfect' Neighborhood

It's easy to understand why tourists want to stay in Flamingo Park. It's close to the beach. It's surrounded by popular restaurants. As one tourist who didn't want to be named because she was staying in an illegal rental said while rolling her bag down the street, Flamingo Park is "postcard perfect."

An outsider might not notice, but locals walking through Flamingo Park point out the signs that homes are being rented out. There are the lockboxes on the sides of buildings, attached to bike racks or slightly hidden behind hedges. These boxes are where renters pick up the keys to their vacation homes. Sometimes these are the people wandering through the neighborhood looking a little lost, or the ones who ring the wrong buzzer because they aren't quite sure where to go.

"You get to a point where you feel like you're living in a hotel room," said Kathaleen Smarsh, a neighborhood resident. "You don't know who is coming and going at all hours."

Another clue is usually heard before it's seen: the seemingly endless sound of suitcases rolling down the sidewalk, through a building's lobby or hallways, at all hours, residents said.

Then there's the loud music blasting out of car speakers that residents said awakened them at night, typically from Ubers, Lyfts and cabs depositing drunk young guests at their vacation homes. Often the music is blasting from the home.

Increasingly, residents have filed noise complaints with the city, which brings out officers like Ms. Caicedo. The code compliance department said that noise complaints were one way they find out about illegal rentals.

Night after night, officers like Ms. Caicedo knock on doors and tell renters that they're breaking the law, interactions that for the last two years have been captured on the body cameras code compliance officers wear when they're on duty.

"Young people often want to continue the party after they've left an actual party," she said. "Usually we only find out it's a short-term rental after we go to a place for another complaint like noise."

Residents say they also have to deal with the trash left behind by renters.

"If these were mom-and-pop operations, with people renting out a room here and there, we wouldn't all notice," said Jeff Donnelly, who has lived in Flamingo Park with his wife since 1992. "We notice because these are inns without innkeeping, and the innkeeping falls on the neighbors."

Mr. Donnelly and Ms. Smarsh also said the short-term rentals were taking away long-term rentals for people who worked in the area's hotels and restaurants.



PHOTOGRAPHS BY SCOTT BAKER FOR THE NEW YORK TIMES



Top, a building where six units were occupied by short-term renters one weekend. Above, Jackie Caicedo, who is a city compliance officer. At left from top: Kathaleen Smarsh, Merik Avehi and Jeff Donnelly.

Ms. Smarsh said she and her neighbors were not motivated by renters' color or ethnicity.

"We have neighbors from all over South America, from Europe and around this country, and we want them here," Ms. Smarsh said. "We want to see appreciation, development, growth, diversity, but it's still a neighborhood."

Fines Starting at \$20,000

Short-term rentals are available on numerous sites, but with more than five million listings in more than 81,000 cities and 191 countries, Airbnb is the largest player in the market. The company has approximately 4,500 active listings in Miami Beach.

Airbnb has said it works with cities around the world to create reasonable regulation. It is currently suing the City of Miami Beach for a rule that went into effect in December that requires platforms only to allow posts from hosts with resort tax regis-

tration and business license numbers. The rule also requires home-sharing platforms to remove listings in neighborhoods that, like Flamingo Park, don't allow short-term rentals.

Airbnb chose to follow the second rule, which it refers to as "geofencing." The company is arguing that the city initially said it expected companies to follow either the first requirement or the second, not both.

"It came as a shock," Airbnb says in its lawsuit, that the city "expected home-sharing platforms to comply both with the registration-number display requirements and the geofencing provision." The company added that it did not review the listings that appeared on its site and that it "also advises its hosts and guests to be aware of and comply with local laws."

The company declined to comment on the situation in Flamingo Park. Jason, the man who rented to Mr. Igbokwe, declined to be interviewed.

Emails and messages on booking platforms to 15 other hosts either went unanswered, or the hosts declined to comment. The other apartments in the building Mr. Igbokwe stayed in were not listed for rent online. The guests in those apartments said they had booked at a legal property through Booking.com, but were diverted to the 15th Street building by their host. The host did

not respond to a request for an interview.

"That property has never been open on Booking.com for customers," said Kimberly Soward, a spokeswoman for the company, who added, "Booking.com always abides by the applicable laws of the market we operate in."

Natalie Nichols, a longtime Miami Beach resident, is one of the rare former Airbnb hosts willing to be interviewed. She is suing the city over the steep fines Miami Beach imposes on homeowners. Ms. Nichols said she began renting out space in her own home as well as in another building that she had owned since 2006. But it wasn't until the financial crisis in 2008 that she depended on rentals for income.

That year, she said, "I was laid off of a pharmaceutical sales job I had for 14 years; long-term tenants of mine quit paying rent and broke leases." Renting out her properties short term allowed her to make money and avoid foreclosure, she said, as well as to pay taxes, mortgage and insurance.

But complaints about short-term rentals grew and the city increasingly cracked down. Owners caught renting illegally are fined \$20,000 the first time they are caught, with the fine going up in \$20,000 increments for every subsequent time they are caught. On a second violation there can be an added \$25,000 enhanced fine if the home is 5,000 square feet or larger.

A \$20,000 fine was enough for Ms. Nichols, who said she sold one home and was living in the other without the income to sustain it.

"I am depleting my retirement savings, and the city has taken a business from me that should have produced income and carried me through retirement," she said.

Rejecting a Suggested Ruse

In December, Merik Avehi, an artist from Boston, traveled to Miami Beach for Art Basel. He reserved a shared room on Airbnb for a weekend but because of car trouble needed to extend his stay, which his host, a woman named Dina, welcomed. While Dina was out one morning, code compliance officers knocked on the door and told Mr. Avehi the rental was illegal and he had to leave. Dina returned to the house and tried to advise Mr. Avehi on what to say if the officers returned to ensure he'd left.

"The lady wanted me to tell housing I was her boyfriend," Mr. Avehi said. "I did not. Instead I showed them my receipt and was sent from the spot."

Had he known it was illegally listed, Mr. Avehi said, he would not have booked the room.

"Why was it even an option?" he asked. "It's not right."

Mr. Avehi ended up crashing on a friend's couch for the remainder of his stay. Knowing that the rental had been illegal and upset about the experience, he tried to get a refund for the two nights he had stayed at the apartment.

"I contacted Airbnb and they refused to refund me," he said. Mr. Avehi said he didn't bother trying to get a refund from Dina directly because he was frustrated.

Mr. Breit would not comment on Mr. Avehi's situation, but said the company wanted to "partner with Miami Beach to develop sensible and enforceable home-sharing regulations, which would help protect guests to the city against unfortunate incidents like this."

The apartment and the host are no longer listed on Airbnb.

Even if that rental is no longer available, walking around the neighborhood at midday, it's clear that many other homes are. Every few blocks there is a van parked on the street with its doors wide open. Inside are towels and bedding that smell freshly cleaned. When asked if the linens are for hotels, a man laughed and said: "You a reporter? I can't talk to you, but lots of Airbnbs around here. Good for business."



Ocean View looking eastbound (narrow and curvy roadway not optimal for cars; accessibility issues).



View toward Yachats Bay/River (poorly maintained loose gravel path).



Ocean View towards bay/river (conflicts between vehicles and walkers).



More of same.



Ocean View towards State Park (blinds spots, cars regularly speed up and decelerate into corner).



A bit farther looking west (Sept. 2018).



Looking east – one month later (Oct. 2018).



...several months later...



...around March 2019 (vehicles now straddle potholes).



Beach Street at 2nd Street (note directional State Park sign pointing left/west on 2nd Street).



View on 2nd St. west towards State Park (note vehicles allowed to park perpendicular).



Farther west along 2nd Street.



...same.



Now on 2nd Street looking east (note curb line of NW corner).



2nd Street looking east with State Park sidewalk on right – a much better street than Ocean View.



Looking west at 2nd Street – a much better and more visible entrance to the State Park than Ocean View to the south, without any blind spots.



A view of the State Park parking area looking south.



A view of the State Park looking north (note cars enter and park from the north, heading south)

A change in circulation pattern **would** create unsafe conditions from Ocean View entering from the south; and be against the predominant pattern that exists now as most vehicles drive north to south

Creating a clockwise circulation looping pattern would put exorbitant vehicular demands on Ocean View along the bay, as it would be the only safe or viable entrance to the State Park. The only way to access the park would therefore be from the south, but there would be multiple exits to the north (2nd, 3rd, 4th, 7th, and Marine) for vehicles to dissipate into the City proper and points beyond.

All the vehicles along Ocean View by the bay would cause extensive erosion and damage to the bluff.

2nd Street should be the primary entrance to (and exit from) the State Park – there's already a wayfinding sign at Highway 101 to this effect, pointing west. Vehicle patterns already indicated that most vehicles enter the park from 2nd Street, not Ocean View from the south. Modifying the circulation would work against this naturally occurring pattern.



3rd Street looking westbound.

Both 2nd and 3rd streets are much better for vehicles and traffic (and have the commensurate higher impact/density zoning designations) than Ocean View along the bayfront, which is R-1.

City Council Vision: Our village is a place where natural resources are valued and protected, where diversity is celebrated, and where a vibrant economy and sense of community pride create and recreate a living spirit. Yachats cares not just for its citizens' basic needs but also supports them in their efforts to excel mentally, physically, artistically, and spiritually. It is a community with an enduring sense of itself. (emphasis added)

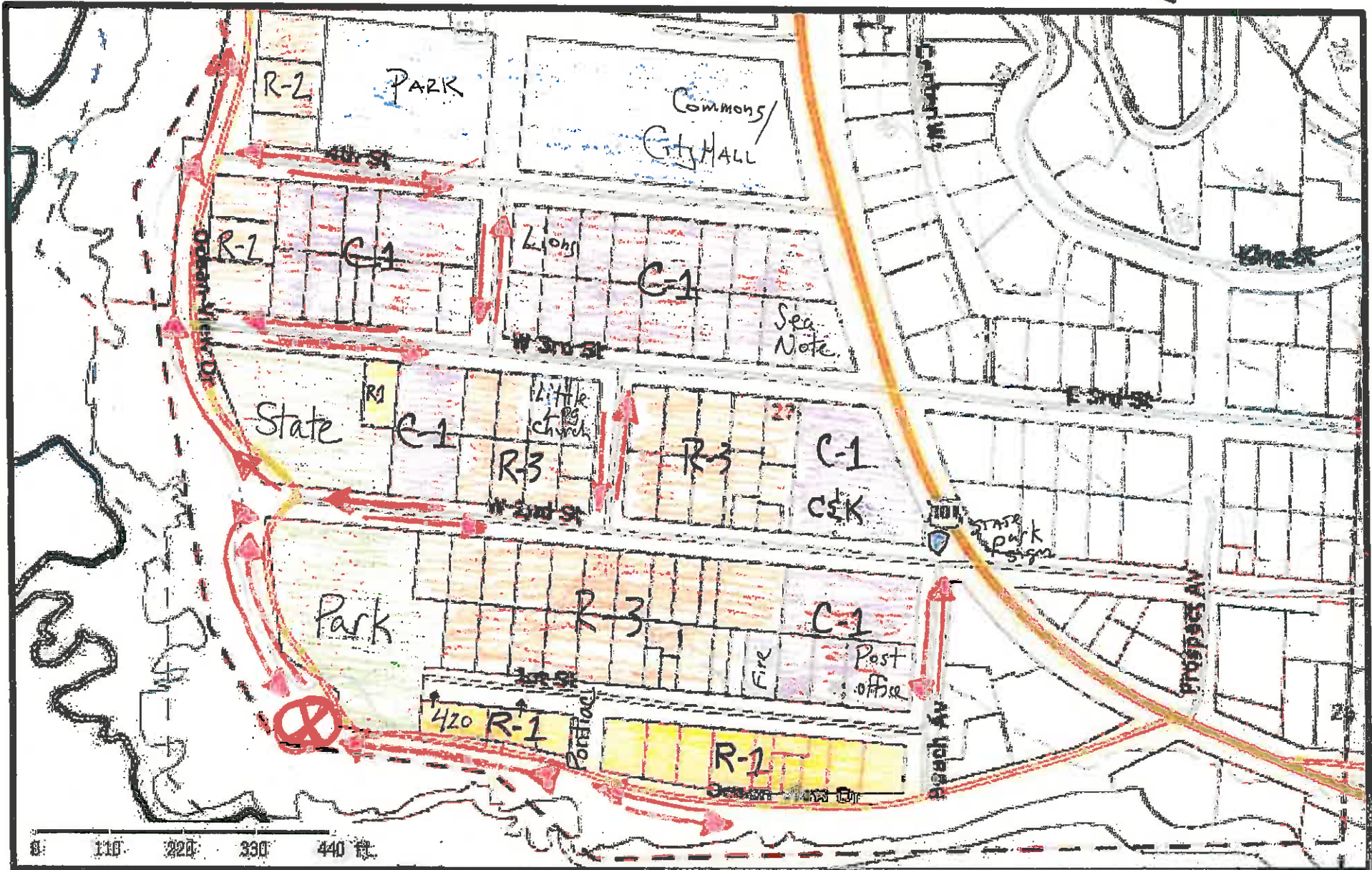
Given this predominant vision of value and protection, the City Council should strongly consider closing the bluff along Ocean View between Beach Street and the State Park to the west, with local access only for those few homes just west of Beach Street. No other vehicle access is necessary along this stretch.

Submitted by Kerry Kemp @ Yachats City Council meeting April 17, 2019.

Ocean View Circulation

(1A)

STATE PARK - 2 way
O.V - 1 way w/b



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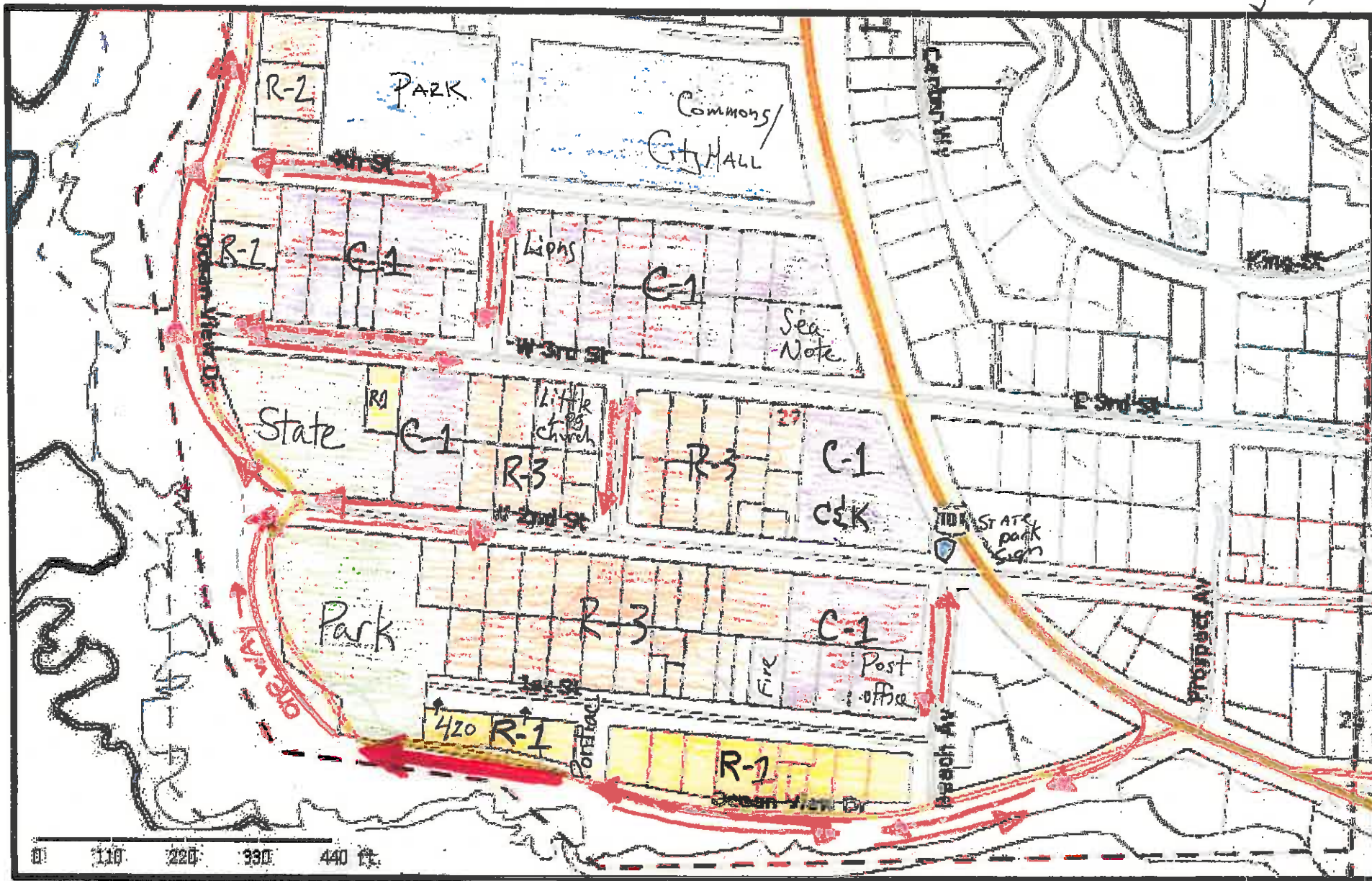
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Ocean View Circulation

15

STATE PARK - 1 way n/b
O.V. - 1 way w/b



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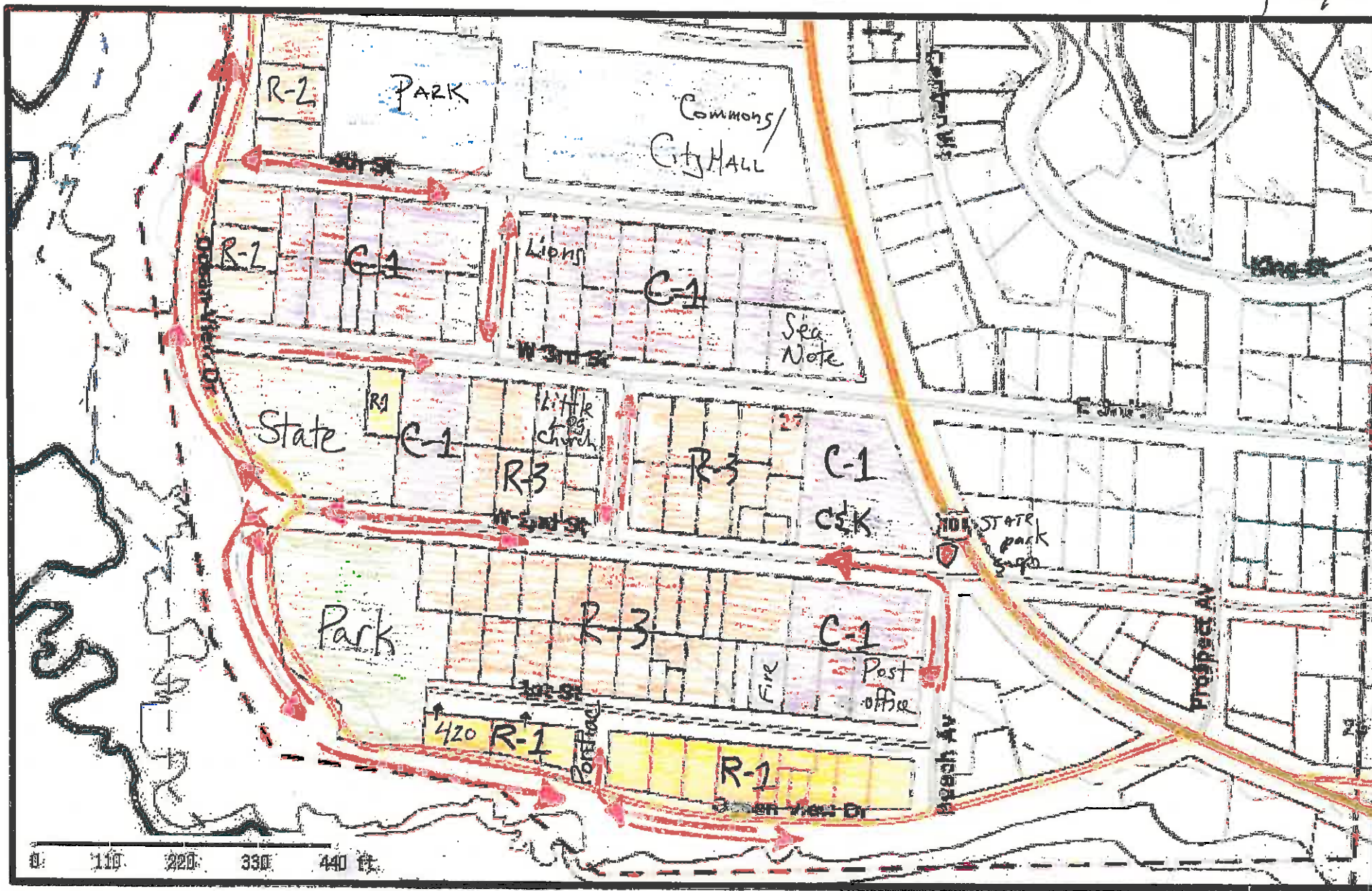
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Ocean View Circulation

2A

STATE PARK - 2 way
O.V. - 1 way e/b



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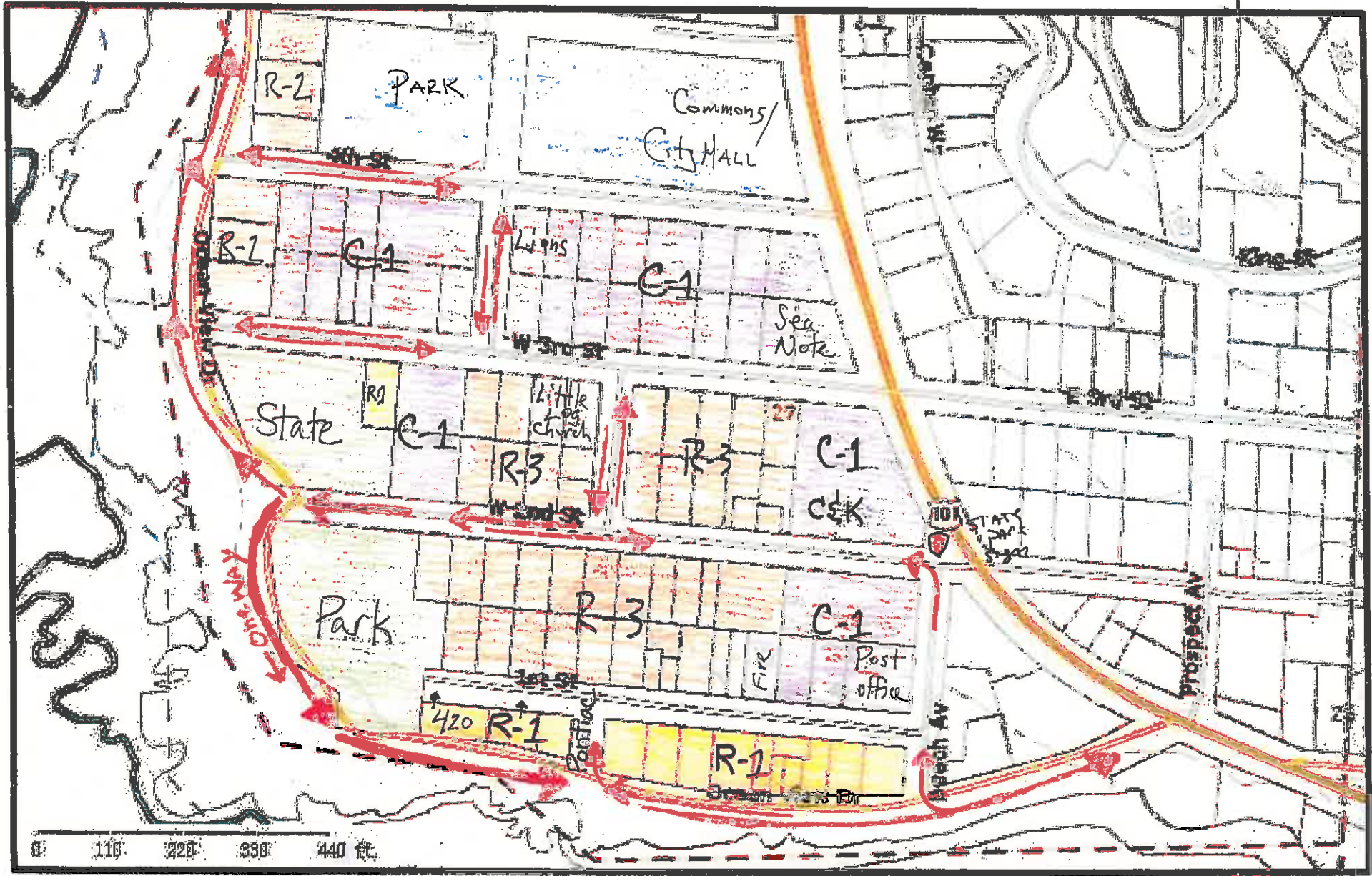
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Ocean View Circulation

26

STATE Park - 1 way S/b
O.V. - 1 way E/b



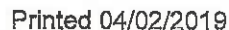
Printed 04/02/2019

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3

State Park - 2 way
w/turnaround
O.V. - no cars



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Dear Mayor Moore,

I understand Yachats City Council will revisit the traffic flow on Ocean View Drive at the April 17th Meeting. Here is my suggestion.

I have owned a house on 4th and Ocean View Drive for over 25 years. I understand the Lincoln County will be turning over Ocean View Drive to the City of Yachats and has agreed to pave the road before ceding it to the City.

Please consider making the east lane of Ocean View Drive a one-way street for northbound traffic from 2nd Street to 7th Street and the remaining lane on the west ocean side as a designated bicycle and pedestrian path.

This has the following advantages:

1. Vehicular traffic will be limited to the east lane away from the ocean side cliff, lessening traffic from heavy vehicles and decrease stress on the cliff that continues to erode.
2. The repaved west side lane can be designated as a bicycle and pedestrian path as part of the 804 Trail.

Currently, there is a narrow shoulder along the road from 2nd Street to 4th Street which turns to mud in the winter months. There is **no** shoulder between 4th and 6th Street where pedestrians are forced to walk on the road along the deteriorating guard rail. The shoulder between 6th and 7th Street is uneven and turns to mud in the winter as well.

Designating the west lane of Ocean View Drive as bicycle and pedestrian friendly would provide a paved, safe, path along the ocean as part of the 804 Trail.

I would also suggest making Ocean View Drive one-way from Highway 101 to the State Park. This would smooth out the traffic bottle neck that occurs as Ocean View Drive enters the park from the south. Exit from the park could be by way of 2nd and 3rd Street.

Thank you for your consideration,

Best Regards,

Richard Urbanski
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attikitty@gmail.com