



# City of Rockaway Beach

## City Council Meeting Minutes

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**Date:** Wednesday, June 8, 2022

**Time:** 6:00 P.M.

**Location:** Rockaway Beach City Hall, 276 HWY 101 -Civic Facility

**Zoom Link:**

<https://us06web.zoom.us/j/84372483144?pwd=REprRStvZFhLL3pPVkFxNjJYNXIMQT09>

Meeting ID: 843 7248 3144

Passcode: 262968

**CALL TO ORDER** – Susan J Wilson, Mayor

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

[Mayor - Sue Wilson: Present](#)

[Position #3 - Kristine Hayes: Present](#)

[Position #4 - Terry Walhood: Present](#)

[Position #1 - Mary McGinnis: Present](#)

[Position #5 - Penelope Cheek: Present](#)

[Position #2 - Tom Martine: Present](#)

**CONSENT AGENDA**

Walhood made a motion, seconded by Martine to approve the May 11, 2022, Minutes and May 2022 Check Register: Motioned Carried.

[Position #4 - Terry Walhood: Motion](#)

[Position #2 - Tom Martine: 2nd](#)

[Position #3 - Kristine Hayes: Approve](#)

[Position #4 - Terry Walhood: Approve](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)

**CITIZEN INPUT ON NON-AGENDA ITEMS**

Daniel Howlett 132 N. Grayling St. provided input on the city purchasing the watershed.

**PRESENTATIONS, GUESTS & ANNOUNCEMENTS**

**STAFF REPORTS**

Chief Todd Hesse talked about calls during the month of May. Hesse spoke on training updates within the department. The EMT class is completed, he mentioned the department is looking at holding an EMT Advance course and hosting the class by next Fall. Hesse stated that there is an Apparatus Operator Officer

Development program going on right now with two firefighters in the program and the class is going well. Hesse stated the Emergency Preparedness Program has started again with the assistance of Letty Buchanan, as of right now there are 20 plus volunteers and gaining more soon. There will be a booth out on the 1<sup>st</sup>- 4<sup>th</sup>, of July, the group will be handing out fliers and playing games. Hesse talked about getting a new fire engine and what the procedure is going to look like and about how long the process of building a new engine is going to take, Hesse stated that he will bring more information to the next City Council meeting in July.

Under Sheriff Kelly spoke about call volume for the month of May. Kelly stated that he is going to bring the radar reader to Rockaway for at least a month and during the daytime only, at night it will be taken down and put in the parking lot by the Fire Department. The Rader will be found on South 2<sup>nd</sup> & Hwy 101. Kelly Introduced Kevin Gorgan who will be the new deputy for the City of Rockaway Beach.

Public Works Superintendent Dan Emerson discussed what the department focused on for the month of May. Emerson stated that Public Works contacted concerned citizens about a speed bump being installed on South 2<sup>nd</sup>, after discussion they decided to install a caution sign to slow vehicles down. Public Works contacted ODOT to request a traffic study to be conducted on Hwy 101 through Rockaway, ODOT is nine months out before a study can be conducted. Emerson spoke about the install of water service with a drinking fountain at the Boardwalk. With instillation of the water source Park, public works will be able to steam clean the board walk. Emerson talked about building maintenance at the Community Center, the plan is to replace existing doors and siding and fixing damaged areas first, then add the paint, gutters and lights this summer, the roof is going to be held off until Emerson can get a better look at problems that are unseen. Emerson mentioned that a lot of the old furniture that was inside of the building was thrown out and then the building was cleaned well.

City Manager Luke Shepard spoke about the work that is being done to get ready for the 4<sup>th</sup> of July, some of the big events this year are the parade, international dog races, and fireworks. Town is expecting to be extremely busy and hoping everyone has a good time and stays safe. Shepard stated the Emergency Preparedness program will have a booth at the Wayside over the 4<sup>th</sup> of July weekend, they will be handing out pamphlets and encouraging the community to volunteer with the program. He also mentioned that the planning commission has completed their framework for an Ordinance to regulate nuisance and livability issues that come with short term rentals. Shepard stated that he attended the Tillamook County Parks Advisory committee meeting and they discussed whether they were going to recommend County Commissioners to let Rockaway have operational control of Lake Lytle boat launch property. The county let Rockaway take operational control of the boat launch, at some point the City of Rockaway will negotiate an IGA with Tillamook County, this will then allow the city at minimum to put in a dock and kayak launch. Shepard spoke about the Anchor St. parking lot and park facilities; this came up as a priority back in 2021 and early 2022. The wetland delineation and survey have been completed and overall concept of what can possibly go out there, some of the of ideas that have come up are dog parks, events building, restrooms, playground, and charging stations. This is about ready to come to city council for review, revisions, and public comment. Luke stated that ODOT has been contacted about conducting a speed study on Hwy 101 and ODOT will have the final decision if the speed will change or not. Shepard stated that it's about time to bring back the community grant program, and the recipient from last year will be at next month's city council meeting to talk about how the money was spent.

## **OLD BUSINESS**

## **NEW BUSINESS**

### **APPROVAL OF DLCD IGA #19160-4-005 AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**

The Federal Emergency Management Agency (FEMA) approves Natural Hazards Mitigation Plans (NHMPs) meeting federal requirements. The approval lasts five years. Having a current, FEMA-approved NHMP is a key factor in establishing eligibility for certain FEMA grants that fund natural hazards mitigation planning and projects. This IGA allows the city to Work with DLCD and other local jurisdictions on the creation of a complaint NHMP.

Hayes made a motion, seconded by Cheek to approve the DLCD IGA #19160-4-005: Motioned Carried

[Position #3 - Kristine Hayes: Motion](#)

[Position #5 – Penelope Cheek: 2nd](#)

[Position #3 - Kristine Hayes: Approve](#)

[Position #4 - Terry Walhood: Approve](#)

[Position #1 - Mary McGinnis: Approve](#)

[Position #5 - Penelope Cheek: Approve](#)

[Position #2 - Tom Martine: Approve](#)

### **DISCUSSION OF DRAFT ORDINANCE NO. 22-442 AN ORDINANCE REGULATING SHORT TERM RENTAL OPERATIONS**

The Planning Commission completed work on a framework of new regulations on the short-term rental industry in Rockaway Beach. These proposed regulations were intended to reduce the negative impacts of short-term rentals on the neighborhoods they operate in. The City Manager worked with the City Attorney to develop the Planning Commission's framework into draft Ordinance No. 22-442.

Luke spoke on short term rental ORD No. 22-442 with a presentation, city council discussed short term rental ordinance for a little over an hour. Hayes asked Luke to email the ordinance draft to the city council members with the material that was discussed.

Public discussion was opened: Janet McIntire 947 S. Juniper Rockaway Beach- Spoke about short term rental concerns.

Steve Press 129 S. 2<sup>nd</sup> talked about restrictions on short term rentals and asked questions regarding where the money goes when someone pays the \$250.00 dollars, why does an owner of more than two vacation rentals have to have multiple licenses, and how much time the owner will have to arrive if something happens at the vacation rental? McGinnis asked Steve to forward his questions and comments to the council so they can go over it.

Lana Ward PO Box 414 submitted a letter of short-term rental decisions, letter attached to minutes and online.

Kathrin Embry 26773 White dove spoke on short term rentals and being inundated with Vacasa rentals, she would like to see more mom & pops owners; she also would like to see a cut off time for guest to sit in hot tubs.

## **REQUEST FOR USE OF THE WAYSIDE**

The Rockaway Beach Chamber of Commerce and Visitor's Center has applied for the use of the Wayside. This event is scheduled for August 19-21, 2022, and September 16-18, 2022, the Wayside shall remain closed to vehicular traffic during this event.

Walhood made a motion, seconded by McGinnis to approve the use of the Wayside for the Rockaway Beach Chamber of Commerce events: Motioned Carried

Position #4 - Terry Walhood: Motion

Position #1 - Mary McGinnis: 2nd

Position #3 - Kristine Hayes: Approve

Position #4 - Terry Walhood: Approve

Position #1 - Mary McGinnis: Approve

Position #5 - Penelope Cheek: Approve

Position #2 - Tom Martine: Approve

## **COUNCIL CONCERNS**

Hayes would like to have money go to beautification to enrich the town of Rockaway. Hayes stated that she was strongly against having an ordinance officer in Rockaway, Hayes thinks that having an ordinance officer could open the city up for a liability. Hayes stated that she supports the short-term rental ordinance, and she would like to see the city fine homeowners who go against short term rental ordinances, she recommended maybe getting another officer to help enforce this ordinance.

McGinnis talked about short term rentals and letting the community know that this is the beginning work and discussions for the short-term rental ordinance. McGinnis encouraged the community to email the city council and the mayor with any questions or concerns that they may have regarding short term rentals. The ordinance isn't about eliminating short term rentals but about regulating them.

Walhood talked about looking forward to 4<sup>th</sup> of July activities, she is very excited that all the events are coming back.

Cheek thanked Robin Swain for organizing the Memorial Day service that was held, she also thanked everyone that showed up to help at the service, and a special thank you to the Coast Guard for being there. Cheek is looking forward to the 4<sup>th</sup> of July parade, dog races and fireworks.

Martine stated that there will be a lot to discuss on short term rentals, ordinance on noise and parking over the next couple of months.

## **MAYOR'S REPORT**

## **ADJOURNMENT**

*Meeting was adjourned at 7:55 P.M.*

MINUTES APPROVED THIS  
13<sup>th</sup> DAY OF JULY 2022

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Mayor, Susan J Wilson

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City Manager, Luke Shepard

**Rockaway Beach Fire Rescue**  
 276 Hwy 101 S  
 PO Box 5  
 Rockaway Beach OR 97136  
 503-374-1752



Date June 30, 2022

Honorable Mayor, City Council and City Manager of Rockaway Beach

Fire Department Council Report:

The following is a summary of the activities and operations of the Rockaway Beach Fire and Rescue Department for the month of June 2022.

The Department responded or participated in 55 events during the month of June, the breakdown is listed below.

911 calls for Service: 27	Trainings: 8	Non-Emergent: 32
21- Medical	Drone\Water	14- Beach Safety
2- Fire Alarm	Tactics	1- Public Assist
1- Structure Fire	Extrication	1- Lift Assist
2- Water Rescue	Wildland	12- Burn Complaints
1- MVA		4- Radio call-ins
0- Outside Fire		0- Special Assignments
0-Vehicle Fire		

Year to Date	<u>2021</u>	<u>2022</u>
911 Calls	188	184
Non-Emergent	94	97
Trainings	48	66
Total	330	347

Training update- The department focused June Thursday night trainings on tactics and size-up practice, Extrication, preparing equipment for summer emergency responses, and ocean rescue training. The Apparatus Operator /Officer development training program continues, and is going well, I have 2 in the class each Wednesday advancing their skills, June focused on pre-fire plans, hydrant priorities and size up.

Beach Safety continues to be a priority of the department. The focus continues to be on education and safety. During the month of June crews were on the beach 14 times providing information to citizens and visitors.

	June	YTD
Fire safety\Educational Moments-	14	28
Water Safety Messages\Out of Water-	17\23 persons	57\55
Stickers to kids-	7	14
Educational signs reset-	2	5
Education Signs Replaced-	0	0
Fires extinguished-	5	6
Volunteer Hours	33	88

Overall, my mission and goals have not changed. I continue to take care of the immediate safety of my crew and public needs as my highest priorities. If you have any questions, concerns or thoughts please let me know.

Respectfully submitted,



Todd Hesse  
Fire Chief  
Rockaway Beach Fire Rescue



# TILLAMOOK COUNTY SHERIFF'S OFFICE

## CONSERVATORS OF THE PEACE

Sheriff Joshua Brown

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### Rockaway Beach Patrol

Month of July

It appears that the weather has changed, and mother nature is going to allow Tillamook County to have a summer.

I am unable to provide stats for the past month. The person that normally runs those stats is out for an extended amount of time and for some reason our system will not allow me to search them. Next month we will provide stats for both months.

The Sheriff's Office is looking forward to the 4<sup>th</sup> July weekend. We will be having additional deputies working in Rockaway during the holiday weekend.

Deputy Kevin Grogan has completed his training and is moving to solo patrol July 1<sup>st</sup> and assigned to Rockaway Beach. He is very excited and looking forward to serving the community that he lives in

The Sheriff's Office is hoping for a safe and fun 4<sup>th</sup> of July holiday

Undersheriff Matt Kelly



**City of Rockaway Beach, Oregon**  
276 S. Highway 101, PO Box 5  
Rockaway Beach, OR 97136  
(503) 374-1752 FAX (503)374-0601



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June 30<sup>th</sup>, 2022

Dear Mayor and City Council Members,

During the month of June, Public Works focused on preparing for the 4<sup>th</sup> road maintenance, filling potholes and shoulder work was a priority as our town becomes a premier tourist destination. Public Works had ordered twenty extra porta-pody's and two public dumpsters as we expect to need them. With summer sun and rain still coming we have been very busy keeping up with the grass growth this year. The 4<sup>th</sup> of July crowd will put our public utilities to the test, and so Public Works has been preparing and taking precautions to make sure all our facilities and public utilities perform as expected over the weekend and holiday. Water reservoirs will be at full capacity, water and sewer treatment plants are constantly monitored for optimal performance. This all happens on top of the extra work we do to host special events such as traffic and crowd control, decorations, and the general cleaning that takes place. Events like the 4<sup>th</sup> of July Parade are an all-out effort for Public Works, and special thanks to Laura Schmidt for her help preparing for this event. Public Works recently purchased a new work truck this new vehicle plans to replace a 19-year-old truck. This old truck has been maintained well so I think it will continue as a good backup for the city. Public works began work with our engineering consultant to develop plans to complete the process of abandoning the Scenic View Reservoir, this is in our Water Master Plan as a priority project. Public works also received a grant for rehab to the 3<sup>rd</sup> Ave reservoir this is also a priority project in the Water Master Plan, our engineers are finalizing plans that will be ready for bid soon.

Public Works Department has been awarded a Small City Allotment Grant we have been working with our engineers to pave Nehalem Street from Dolphin to Juniper, and South Easy Street from South 3<sup>rd</sup> to Nehalem as part of the grant. Project is being advertised for bids now.

The beach and wayside seem to be the main attraction for the 4<sup>th</sup> of July but as I'm sure everyone has noticed the Old Growth Forest Park is very busy. Public Works continues to maintain and keep the boardwalk looking as natural as possible. The drinking fountain at the Old Growth Forest Park has been installed, we are working on getting it right so thank you for your patients.

Are there any questions if not than thank you very much.

**Dan W. Emerson, Superintendent**  
City of Rockaway Beach Public Works  
P: 503.374.0586 / C: 503.457.6094  
[PublicWorks@corb.us](mailto:PublicWorks@corb.us)



# Council Action Form

<b>MEETING DATE</b>	7/13/2022		
<b>ITEM TITLE</b>	REQUEST TO HOLD FIRST READING BY TITLE ONLY OF ORDINANCE NO. 22-442, AN ORDINANCE REGULATING SHORT TERM RENTAL OPERATIONS – 1ST READING		
<b>SUBMITTED BY</b>	Name & Title: Luke Shepard, City Manager Department: Administration		
<b>MEETING TYPE</b>	Work Session	<u>REGULAR</u>	Special Executive Session
<b>AGENDA CLASSIFICATION</b>	Work Session	<u>ORDINANCE</u>	Resolution Regular
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	<u>1<sup>ST</sup> READING</u>	2 <sup>nd</sup> Reading	Public Hearing
	<u>ORDINANCE #: 22-442</u>		Resolution #:
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements or memorandum or understandings <u>Check all applicable boxes pertaining to contracts</u> )	Contract required for this item		Signed copy of contract attached
	Seeking award or other scenario and will provide contract at later date		No contract for this item
<b>APPROVALS/REVIEWS</b> (Check all applicable boxes)	Department Head		Planning Commission
	<u>CITY MANAGER</u>		Mayor
	<u>LEGAL COUNSEL</u> <i>Reviewer: Local Government Law Group</i>		
<b>BACKGROUND</b> (Includes description, background, and justification)	<p>This ordinance seeks to regulate the impacts of short-term rentals (STRs) within the city of rockaway beach in order to balance the interests of neighbors, vacationers and vacation rental owners. STRs will need to meet specific requirements to be eligible for an STR license. This will be accomplished through a more stringent application process. Requirements to be verified at time of application and renewals. Ensure STRs operate in a way that minimizes negative or nuisance issues for their neighbors, such as noise, trash, parking etc. This will include tracking complaints received for each STR. STRs that repeatedly violate the rules or fail to take corrective actions may lose their license to operate.</p> <p>The Rockaway Beach Planning Commission developed the framework of this proposed ordinance at the request of the Rockaway Beach City Council. The City discussed the draft ordinance at their June 8<sup>th</sup> regular City Council meeting. Based on these discussions the City Manager and City Attorney revised the draft ordinance into this proposed ordinance</p>		

<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$	
	Expenditure \$	
	Source of Funds:	
	Narrative:	<b>No increase in fee amount. Proposed license fee amount maintains the current fee amount.</b>
<b>OPTIONS</b> (Include <i>Deny Approval Option</i> )	1.	<b>Hold 1st Reading by title only which will eventually approve the proposed ordinance upon second reading and adoption by City Council.</b>
	2.	<b>Deny the proposed ordinance.</b>
	3.	<b>Request any desired change and ask that the ordinance be further studied and reviewed with those changes.</b>
	4.	<b>Amend the ordinance and hold the first reading of the ordinance as amended.</b>
<b>PROJECT TIMELINE</b>	<b>Ordinance 22-442 will become effective 30 days after the second reading and adoption.</b>	
<b>STAFF RECOMMENDATION</b>	<b>Staff recommends that the City Council holds the first reading for this this ordinance</b>	
<b>SUPPLEMENTAL INFORMATION</b> (List and number all attached documents)	<ol style="list-style-type: none"> <li>1. <b>Proposed Ordinance No. 22-442</b></li> <li>2. <b>Draft Ordinance "Mark-up"</b></li> </ol>	

**CITY OF ROCKAWAY BEACH, OREGON  
ORDINANCE NO. 22-442**

**AN ORDINANCE REGULATING THE IMPACTS OF SHORT-TERM RENTALS  
WITHIN THE CITY OF ROCKAWAY BEACH AND CREATING A NEW CODE  
CHAPTER 113**

**RECITALS:**

1. The City Council is concerned for the health and welfare of the residents of Rockaway Beach and find that short-term vacation rentals can impact residents' enjoyment of the City and their property.
2. The City Council is also concerned with the health and welfare of visitors to the City that may stay in a private home acting as a short-term vacation rental.
3. In order to balance the interests of neighbors, vacationers, and vacation rental owners, the City Council finds that this ordinance strikes the correct balance and directs the implementation of this ordinance to also take into account the proper balance between these interests.

**Now, therefore, the City of Rockaway Beach ordains as follows:**

Section 1. The City of Rockaway Beach Code of Ordinances is hereby amended to add a new Chapter 113 as follows:

**CHAPTER 113: SHORT-TERM RENTALS**

**§ 113.01 Definitions.**

**Dwelling Unit.** A building or portion thereof which contains separate living facilities, including provisions for sleeping, eating, cooking and sanitation. A dwelling unit is evidenced by one or more of the following features: 1) refrigeration and cooking capabilities, 2) a sink intended for meal preparation, not including a wet-bar, 3) a dishwashing machine, 4) a separate and distinct entrance door, or 5) a separate utility meter.

**Local Agent.** Any Person who has been contracted by the owner and has full authority to act on the owner's behalf.

**Off-Street Parking.** A parking space designated to the dwelling unit not located in the public right of way or street and located within the property lines of the licensed property.

**Owner.** Any person who, alone or jointly, has title to or an ownership interest in any dwelling unit to be used as a short-term rental.

**Overnight.** A stay at a short-term rental that lasts for the duration of the evening/night.

**Person.** Every natural person, firm, partnership, association, social or fraternal organization,

corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

**Rental Unit.** A single dwelling unit that provides complete and independent living facilities.

**Renter.** A person or group of persons renting a dwelling unit for a period of less than thirty (30) consecutive days.

**Short-Term Rental.** - The use of a residential dwelling unit by any person or group of persons entitled to occupy the dwelling unit for rent for a period of less than thirty (30) consecutive days.

**Short-Term Rental License.** A permit to operate a short-term rental in accordance with this Chapter. The licensing year is July 1 to June 30 of the following year and the fee of which is not subject to proration.

**Sleeping Room.** A fully enclosed habitable space with a heat source and an emergency egress or rescue opening meeting the minimum standards of the current Oregon Residential Specialty Code.

#### **§ 113.02 Short-Term Rental License Application and Application Procedures.**

(A) Eligibility to apply for license. A property owner who holds title or a recorded land sale contract to a property with a dwelling unit may apply for a short-term rental license. A license application shall not be accepted or processed until fines related to any violation of the City Code related to the subject property are paid in full. A license application shall not be accepted or processed until all corrective actions related to any violation of the City Code related to the subject property are completed to the City's satisfaction. No person shall occupy, use, operate or manage, or offer or negotiate to use, lease or rent, a dwelling unit for short-term rental unless issued a short-term rental license by the City.

(B) Application. An application packet for a short-term rental license shall be completed and submitted to the City by the owner of the dwelling unit on forms provided by the City. If the dwelling unit is owned by a corporation or other entity, legal documentation, acceptable to the City, detailing the names of all persons with any ownership interest in the entity shall be submitted with the application. At the time of application, an application fee as determined by resolution of the City Council shall be paid to the City. Incomplete application packets shall not be accepted or processed. After one resubmittal, all additional resubmittals for the same property shall require payment of additional application fees. Failure of the owner to supply complete information for the short-term rental application process within 30 days of the initial application submission shall result in the expiration of the application. Applicants can request in writing for a one time only 30-day extension after receiving communication of an incomplete application.

(C) Separate Licenses; Non-Transferability. Each dwelling unit shall have a separate short-term rental license. More than one license may be issued for dwelling units on a single property. The short-term rental license is issued to the owner and does not transfer with the sale or conveyance of the property. All short-term rental license holders must report to the City any change of ownership of their short-term rental, in whatever form, before the transfer of ownership.

(D) License Renewals. All short-term rental licenses must apply for renewal annually for the period of one year from July 1 of the current year to June 30 of the following year. Renewals will be issued so long as all requirements in this Chapter continue to be met, a renewal application is submitted, and applicable fees are paid. If the owner is out of compliance with the provisions of this Chapter or other City Code regulation or requirement related to the licensed property, the City will not renew the license and the property shall no longer be used as a short-term rental. A license shall not be renewed if fines related to a violation of this Chapter or Transient Lodging Taxes related to the licensed property are outstanding. A license shall not be renewed until all corrective actions related to any violation of the City Code related to the licensed property are completed to the City's satisfaction.

### **§ 113.03 Application and License Fees.**

An annual license fee of \$250 is due prior to issuance of a short-term rental license or renewal. By Council resolution, the City Council shall establish an application fee, a renewal application fee, and any other appropriate administrative charges for the implementation and operation of this Chapter.

### **§ 113.04 Short-Term Rental Standards.**

Owners shall cause each rental unit to meet the following standards:

(A) House Number. Each rental unit must have either a house number or address identifier visible from the street.

(B) Identification Sign. The owner or local agent shall provide and maintain a sign which lists the short-term rental license number, and either an email address or a contact telephone number for the owner or local agent. Such signage shall be visible from the street, legible from 10 feet away and shall be no smaller than 93.5 square inches nor larger than 154 square inches. The contact information of all owners and local agents shall be kept current with the City.

(C) Parking. Each dwelling unit must provide the minimum off-street parking spaces shown in the chart below, based upon the date the building was constructed or legally converted to its current use. Parking spaces shall measure no smaller than 9' x 18' each. Such spaces shall not be blocked and shall be available to people using the short-term rental at all times. Location and design of parking spaces shall comply with all applicable City standards. Spaces in a garage may count but they must be available for the renter to park in at all times the rental unit is rented. Trailers for boats and all-terrain vehicles may be allowed, but must fit within an off-street parking space allocated to the rental unit used by the owner of the trailer. Renters shall not block nearby driveways or designated fire lanes. A parking plan map and notice, identifying the number and location of parking spaces, shall be posted in a conspicuous place within each short-term rental. Language shall be included in the notice that parking shall not, under any circumstances, hinder the path of any emergency vehicle or block neighboring driveways and that renters may be cited and fined if this requirement is not satisfied. A diagram of the parking plan and map shall be required as part of a license application. The maximum number of parking spaces available to the renter shall be conveyed to each renter before the visit.

Date constructed or legally converted	Number of spaces required
Prior to 7/30/1974	No off-street parking requirements
7/30/1974 – 3/24/1980	One off-Street per dwelling unit
On and after 3/25/1980	Two off-Street per dwelling unit

(D) Garbage. During periods of rental unit occupancy, the owner shall provide adequate covered and secured garbage containers in conformance with all related guidelines established by the City. Cans must be secured to prevent animals from knocking them over or getting into them. All garbage must fit within the can and cannot overflow. Owner shall provide the City with evidence that the dwelling unit receives garbage service with each application. Garbage shall be removed a minimum of once per week. The owner or local agent shall notify renters that all garbage must be kept in the secured containers provided for that purpose. No garbage or rubbish may be permitted to leak from containers or vehicles or be strewn upon or scattered over the streets, sidewalks, or other public ways of the city.

(E) Noise. Renters shall not create or cause noise that is offensive to a person of ordinary sensibilities located on the property line of the licensed property between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends.

(F) RVs and Other Temporary Shelters. No recreational vehicle is permitted to be used as a short-term rental unless the recreational vehicle or temporary shelter has been properly permitted as a dwelling unit in the RMD zone. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited or used in conjunction with a short-term rental.

(G) Owner and Local Agent Responsibilities. The owner or local agent shall be able to respond via phone within 30-minutes to complaints and other issues and be able to access the short-term rental. Once a complaint or issue is reported by phone or email, the owner or local agent shall immediately make direct contact with the renter or appropriate entity by phone to resolve the reported problem. If the problem cannot be resolved or an immediate resolution is not achieved by phone, the owner or local agent shall make an in-person visit to the short-term rental to rectify the situation within 30-minutes. The owner or local agent shall maintain a telephone number listed within the rental unit and at the City by which to be reached 24-hours a day, 7 days a week, year-round.

(H) Proof of Liability Insurance Coverage. Owner shall provide the City with proof of liability insurance covering the licensed property. The liability insurance coverage shall remain active and in effect during the entire time that the property is licensed as a short-term rental.

(I) Emergency Information. The Owner shall post in the dwelling unit information to assist renters in dealing with natural disasters, power outages and other emergencies. The City shall list in the short-term rental license application the minimum information and equipment to be provided by the owner in each dwelling unit.

**§ 113.05 Violations and Penalties.**

It is a violation of this Chapter for any person so required to fail or refuse to apply for a license, or operate without a license as required in this Chapter. Any person who violates any provisions of this Chapter is subject to a civil penalty of up to five hundred dollars (\$500) per violation, with each day of a continuing violation constituting a separate violation. The third violation within any consecutive twelve (12) month period shall result in revocation of the short-term rental license for twelve (12) months, after which time the owner may reapply for a new license

Revocation of a short-term rental license shall not constitute a waiver of short-term rental fees and taxes due at the time of revocation.

Section 2. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 3. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council \_\_\_\_\_.

2nd reading by the Rockaway Beach City Council \_\_\_\_\_.

Adopted and Approved by the Rockaway Beach City Council \_\_\_\_\_.

\_\_\_\_\_  
Susan Wilson, Mayor.

City Council	Aye/Nay
Mary McGinnis	/
Tom Martine	/
Kristine Hayes	/
Terry Walhood	—/
Penny Cheek	/

Attest:

\_\_\_\_\_  
Luke Shepard, City Manager



**CITY OF ROCKAWAY BEACH, OREGON  
ORDINANCE NO. 22-442**

**AN ORDINANCE REGULATING THE IMPACTS OF SHORT-TERM RENTALS  
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CHAPTER 113**

**RECITALS:**

1. The City Council is concerned for the health and welfare of the residents of Rockaway Beach and find that short-term vacation rentals can impact residents' enjoyment of the City and their property.
2. The City Council is also concerned with the health and welfare of visitors to the City that may stay in a private home acting as a short-term vacation rental.
3. In order to balance the interests of neighbors, vacationers, and vacation rental owners, the City Council finds that this ordinance strikes the correct balance and directs the implementation of this ordinance to also take into account the proper balance between these interests.

**Now, therefore, the City of Rockaway Beach ordains as follows:**

Section 1. The City of Rockaway Beach Code of Ordinances is hereby amended to add a new Chapter 113 as follows:

**CHAPTER 113: SHORT-TERM RENTALS**

**§ 113.01 Definitions.**

**Dwelling Unit.** A building or portion thereof which contains separate living facilities, including provisions for sleeping, eating, cooking and sanitation. A dwelling unit is evidenced by one or more of the following features: 1) refrigeration and cooking capabilities, 2) a sink intended for meal preparation, not including a wet-bar, 3) a dishwashing machine, 4) a separate and distinct entrance door, or 5) a separate utility meter.

**Local Agent.** Any Person who has been contracted by the owner and has full authority to act on the owner's behalf.

**Off-Street Parking.** A parking space designated to the dwelling unit not located in the public right of way or street and located within the property lines of the licensed property.

**Owner.** Any person who, alone or jointly, has title to or an ownership interest in any dwelling unit to be used as a short-term rental.

**Overnight.** A stay at a short-term rental that lasts for the duration of the evening/night.

**Person.** Every natural person, firm, partnership, association, social or fraternal organization,

corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

**Rental Unit.** A single dwelling unit that provides complete and independent living facilities.

**Renter.** A person or group of persons renting a dwelling unit for a period of less than thirty (30) consecutive days.

**Short-Term Rental.** - The use of a residential dwelling unit by any person or group of persons entitled to occupy the dwelling unit for rent for a period of less than thirty (30) consecutive days.

**Short-Term Rental License.** A permit to operate a short-term rental in accordance with this Chapter. The licensing year is July 1 to June 30 of the following year and the fee of which is not subject to proration.

**Sleeping Room.** A fully enclosed habitable space with a heat source and an emergency egress or rescue opening meeting the minimum standards of the current Oregon Residential Specialty Code.

#### **§ 113.02 Short-Term Rental License Application and Application Procedures.**

(A) Eligibility to apply for license. A property owner who holds title or a recorded land sale contract to a property with a dwelling unit may apply for a short-term rental license. A license application shall not be accepted or processed until fines related to any violation of the City Code related to the subject property are paid in full. A license application shall not be accepted or processed until all corrective actions related to any violation of the City Code related to the subject property are completed to the City's satisfaction. No person shall occupy, use, operate or manage, or offer or negotiate to use, lease or rent, a dwelling unit for short-term rental unless issued a short-term rental license by the City.

(B) Application. An application packet for a short-term rental license shall be completed and submitted to the City by the owner of the dwelling unit on forms provided by the City. If the dwelling unit is owned by a corporation or other entity, legal documentation, acceptable to the City, detailing the names of all persons with any ownership interest in the entity shall be submitted with the application. At the time of application, an application fee as determined by resolution of the City Council shall be paid to the City. Incomplete application packets shall not be accepted or processed. After one resubmittal, all additional resubmittals for the same property shall require payment of additional application fees. Failure of the owner to supply complete information for the short-term rental application process within 30 days of the initial application submission shall result in the expiration of the application. Applicants can request in writing for a one time only 30-day extension after receiving communication of an incomplete application.

(C) Separate Licenses; Non-Transferability. Each dwelling unit shall have a separate short-term rental license. More than one license may be issued for dwelling units on a single property. The short-term rental license is issued to the owner and does not transfer with the sale or conveyance of the property. All short-term rental license holders must report to the City any change of ownership of their short-term rental, in whatever form, before the transfer of ownership.

(D) License Renewals. All short-term rental licenses must apply for renewal~~ed~~ annually for the period of one year from July 1 of the current year to June 30 of the following year. Renewals will be issued so long as all requirements in this Chapter continue to be met, a renewal application is submitted, and applicable fees are paid. If the owner is out of compliance with the provisions of this Chapter or other City Code regulation or requirement related to the licensed property, the City will not renew the license and the property shall no longer be used as a short-term rental. A license shall not be renewed if fines related to a violation of this Chapter or Transient Lodging Taxes related to the licensed property are outstanding. A license shall not be renewed until all corrective actions related to any violation of the City Code related to the licensed property are completed to the City's satisfaction.

### **§ 113.03 Application and License Fees.**

An annual license fee of \$250 is due prior to issuance of a short-term rental license or renewal. By Council resolution, the City Council shall establish an application fee, a renewal application fee, ~~an annual license fee~~, and any other appropriate administrative charges for the implementation and operation of this Chapter.

### **§ 113.04 Short-Term Rental Standards.**

Owners shall cause each rental unit to meet the following standards:

(A) House Number. Each rental unit must have either a house number or address identifier visible from the street.

(B) Identification Sign. The owner or local agent shall provide and maintain a sign which lists the short-term rental license number, and either an email address and/or a contact telephone number for the owner or local agent. Such signage shall be visible from the street, legible from 10 feet away and shall be no smaller than 93.5 square inches nor larger than 154 square inches. The contact information of all owners and local agents shall be kept current with the City.

(C) Parking. Each dwelling unit must provide the minimum off-street parking spaces shown in the chart below, based upon the date the building was constructed or legally converted to its current use. Parking spaces shall measure no smaller than 9' x 18' each. Such spaces shall not be blocked and shall be available to people using the short-term rental at all times. Location and design of parking spaces shall comply with all applicable City standards. Spaces in a garage may count but they must be available for the renter to park in at all times the rental unit is rented. Trailers for boats and all-terrain vehicles may be allowed, but must fit within an off-street parking space allocated to the rental unit used by the owner of the trailer. Renters shall not block nearby driveways or designated fire lanes. A parking plan map and notice, identifying the number and location of parking spaces, shall be posted in a conspicuous place within each short-term rental. Language shall be included in the notice that parking shall not, under any circumstances, hinder the path of any emergency vehicle or block neighboring driveways and that renters may be cited and fined if this requirement is not satisfied. A diagram of the parking plan and map shall be required as part of a license application. The maximum number of parking spaces available to the renter shall be conveyed to each renter before the visit.

Date constructed or legally converted	Number of spaces required
Prior to 7/30/1974	No off-street parking requirements
7/30/1974 – 3/24/1980	One off-Street per dwelling unit
On and after 3/25/1980	Two off-Street per dwelling unit

~~(D) Occupancy. The maximum allowable overnight occupancy for each rental unit shall be calculated on the basis of two (2) people per sleeping room plus an additional two (2) people for a one-bedroom and an additional four (4) for every additional room after the first. The chart below as illustrated in the chart below the occupancy limits for the first six sleeping rooms. Advertisements for a rental unit shall not list a number of occupants that exceeds the number authorized by the City. The maximum allowable overnight occupancy of a short-term rental shall be determined at the time a short-term rental license is issued or renewed and shall be posted in a conspicuous location within the rental unit. Exceeding the posted overnight occupancy at any time for sleeping purposes is prohibited. The owner or the local agent shall notify each renter, in writing or electronically, to the maximum overnight occupancy.~~

Number of Sleeping Rooms	Allowance per Room	Subtotal	Additional credited	Total Occupancy Allowed
1	2	2	0	4
2	2	4	4	8
3	2	6	4	10
4	2	8	4	12
5	2	10	4	14
6	2	12	4	16

~~(DE) Garbage. During periods of rental unit occupancy, the owner shall provide adequate covered and secured garbage containers in conformance with all related guidelines established by the City. Cans must be secured to prevent animals from knocking them over or getting into them. All garbage must fit within the can and cannot overflow. Owner shall provide the City with evidence that the dwelling unit receives garbage service with each application. Garbage shall be removed a minimum of once per week. The owner or local agent shall notify renters that all garbage must be kept in the secured containers provided for that purpose. No garbage or rubbish may be permitted to leak from containers or vehicles or be strewn upon or scattered over the streets, sidewalks, or other public ways of the city.~~

~~(FE) Noise. Renters shall not create or cause noise that is offensive to a person of ordinary sensibilities located on the property line of the licensed property between the hours of 10:007:00 p.m. and 7:007:00 a.m. on weekdays, and 107:00 p.m. and 10:00 a.m. on weekends.~~

~~(FG) RVs and Other Temporary Shelters. No recreational vehicle is permitted to be used as a short-term rental unless the recreational vehicleRV or Temporary Shelter has been is properly seated (permitted?) as a dwelling unit- in the RMD zone - No recreational vehicle, travel trailer or other temporary shelter shall be inhabited or used in conjunction with a short-term rental.~~

(GH) Owner and Local Agent Responsibilities. The owner or local agent shall be able to respond via phone within 30-minutes to complaints and other issues and be able to access the short-term rental. Once a complaint or issue is reported by phone or email, the owner or local agent shall immediately make direct contact with the renter or appropriate entity by phone to resolve the reported problem. If the problem cannot be resolved or an immediate resolution is not achieved by phone, the owner or local agent shall make an in-person visit to the short-term rental to rectify the situation within 30-minutes. The owner or local agent shall maintain a telephone number listed within the rental unit and at the City by which to be reached 24-hours a day, 7 days a week, year-round.

(HI) Proof of Liability Insurance Coverage. Owner shall provide the City with proof of liability insurance covering the licensed property. The liability insurance coverage shall remain active and in effect during the entire time that the property is licensed as a short-term rental.

(I) Emergency Information. The Owner shall provide in the Dwelling Unit information to assist renters in dealing with natural disasters, power outages and other emergencies. The City shall list in the short-term rental license application the minimum information and equipment to be provided by the owner in each dwelling unit. The short-term rental shall be listed within the City application.

### **§ 113.05 Violations and Penalties.**

It is a violation of this Chapter for any person so required to fail or refuse to apply for a license, or operate without a license as required in this Chapter. Any person who violates any provisions of this Chapter is subject to a civil penalty of up to five hundred dollars (\$500) per violation, with each day of a continuing violation constituting a separate violation. The third violation within any consecutive twelve (12) month period shall result in revocation of the short-term rental license for twelve (12) months, after which time the owner may reapply for a new license

Revocation of a short-term rental license shall not constitute a waiver of short-term rental fees and taxes due at the time of revocation.

Section 2. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 3. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council \_\_\_\_\_.

2nd reading by the Rockaway Beach City Council \_\_\_\_\_.

Adopted and Approved by the Rockaway Beach City Council \_\_\_\_\_.

Susan Wilson, Mayor.

City Council	Aye/Nay
Mary McGinnis	/
Tom Martine	/
Kristine Hayes	/
Terry Walhood	—/
Penny Cheek	/

Attest:

\_\_\_\_\_  
Luke Shepard, City Manager

DRAFT



# Council Action Form

<b>MEETING DATE</b>	7/13/2022		
<b>ITEM TITLE</b>	REQUEST TO HOLD SECOND READING BY TITLE ONLY OF ORDINANCE NO. 22-442, AN ORDINANCE REGULATING SHORT TERM RENTAL OPERATIONS – 2 <sup>nd</sup> READING		
<b>SUBMITTED BY</b>	Name & Title: Luke Shepard, City Manager Department: Administration		
<b>MEETING TYPE</b>	Work Session	<u>REGULAR</u>	Special Executive Session
<b>AGENDA CLASSIFICATION</b>	Work Session	<u>ORDINANCE</u>	Resolution Regular
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	1 <sup>ST</sup> READING	<u>2<sup>ND</sup> READING</u>	Public Hearing
	<u>ORDINANCE #: 22-442</u>		Resolution #:
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements or memorandum or understandings <u>Check all applicable boxes pertaining to contracts</u> )	Contract required for this item		Signed copy of contract attached
	Seeking award or other scenario and will provide contract at later date		No contract for this item
<b>APPROVALS/REVIEWS</b> (Check all applicable boxes)	Department Head		Planning Commission
	<b>CITY MANAGER</b>		Mayor
	<b>LEGAL COUNSEL</b> <i>Reviewer: Local Government Law Group</i>		
<b>BACKGROUND</b> (Includes description, background, and justification)	The Second reading is the next step on the path to adoption of an Ordinance. The next step will be adoption of the ordinance. City Charter allows adoption of an ordinance at a single meeting if the proposed ordinance is available to the public in writing at least one week before the meeting. The proposed ordinance was made available to the public on June 30 <sup>th</sup> . The draft ordinance was made available to the public on June 2 <sup>nd</sup> .		

<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$	
	Expenditure \$	
	Source of Funds:	
	Narrative:	<b>No increase in fee amount. Proposed license fee amount maintains the current fee amount.</b>
<b>OPTIONS</b> (Include <i>Deny Approval Option</i> )	1.	<b>Hold 2nd Reading by title only which will eventually approve the proposed ordinance upon second reading and adoption by City Council.</b>
	2.	<b>Deny the proposed ordinance.</b>
	3.	
	4.	.
<b>PROJECT TIMELINE</b>	<b>Ordinance 22-442 will become effective 30 days after the second reading and adoption.</b>	
<b>STAFF RECOMMENDATION</b>	<b>Staff recommends that the City Council holds the second reading of this ordinance</b>	
<b>SUPPLEMENTAL INFORMATION</b> (List and number all attached documents)		





# Council Action Form

<b>MEETING DATE</b>	7/13/2022		
<b>ITEM TITLE</b>	REQUEST ADOPT ORDINANCE NO. 22-442, AN ORDINANCE REGULATING SHORT TERM RENTAL OPERATIONS - ADOPTION		
<b>SUBMITTED BY</b>	Name & Title: Luke Shepard, City Manager Department: Administration		
<b>MEETING TYPE</b>	Work Session	<u>REGULAR</u>	Special Executive Session
<b>AGENDA CLASSIFICATION</b>	Work Session	<u>ORDINANCE</u>	Resolution Regular
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	1 <sup>ST</sup> READING	2 <sup>ND</sup> READING	Public Hearing
	<u>ADOPTION OF ORDINANCE #: 22-442</u>		Resolution #:
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements or memorandum or understandings Check all applicable boxes pertaining to contracts)	Contract required for this item		Signed copy of contract attached
	Seeking award or other scenario and will provide contract at later date		No contract for this item
<b>APPROVALS/REVIEWS</b> (Check all applicable boxes)	Department Head		Planning Commission
	<u>CITY MANAGER</u>		Mayor
	<u>LEGAL COUNSEL</u> Reviewer: Local Government Law Group		
<b>BACKGROUND</b> (Includes description, background, and justification)	The final step is adoption of the ordinance. City Charter allows adoption of an ordinance at a single meeting if the proposed ordinance is available to the public in writing at least one week before the meeting. The proposed ordinance was made available to the public on June 30 <sup>th</sup> . The draft ordinance was made available to the public on June 2 <sup>nd</sup> .		

<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$
	Expenditure \$
	Source of Funds:
	Narrative: <b>No increase in fee amount. Proposed license fee amount maintains the current fee amount.</b>
<b>OPTIONS</b> (Include <i>Deny Approval Option</i> )	1. <b>Hold 2nd Reading by title only which will eventually approve the proposed ordinance through adoption by City Council.</b>
	2. <b>Deny the 2<sup>nd</sup> Reading.</b>
	3.
	4.
<b>PROJECT TIMELINE</b>	<b>Ordinance 22-442 will become effective 30 days after the second reading and adoption.</b>
<b>STAFF RECOMMENDATION</b>	<b>Staff recommends that the City Council adopt this ordinance</b>
<b>SUPPLEMENTAL INFORMATION</b> (List and number all attached documents)	



# Council Action Form

<b>MEETING DATE</b>	7/13/2022		
<b>ITEM TITLE</b>	Request to Reappoint Planning Commission Members Bill Hassell and Zandra Uhmholtz.		
<b>SUBMITTED BY</b>	Name & Title: Luke Shepard, City Manager		
	Department: Administration		
<b>MEETING TYPE</b>	Work Session	<b>REGULAR</b>	Special Executive Session
<b>AGENDA CLASSIFICATION</b>	Work Session	Ordinance	Resolution <b>REGULAR</b>
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading	Public Hearing
	Ordinance #: 22-442		Resolution #:
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements or memorandum or understandings <u>Check all applicable boxes pertaining to contracts</u> )	Contract required for this item		Signed copy of contract attached
	Seeking award or other scenario and will provide contract at later date		<b>NO CONTRACT FOR THIS ITEM</b>
<b>APPROVALS/REVIEWS</b> (Check all applicable boxes)	<b>CITY PLANNER</b>		Planning Commission
	<b>CITY MANAGER</b>		Mayor
	Legal Counsel Name of Reviewer: NA		
<b>BACKGROUND</b> (Includes description, background, and justification)	Bill Hassell (Position #5) and Zandra Umholtz (Position #1) terms ended in June and wish to continue to serve on the City's Planning Commission. Planning Commissioner terms last for four years.		

<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$
	Expenditure \$
	Source of Funds:
	Narrative: <u>NA</u>
<b>OPTIONS</b> (Include <i>Deny Approval Option</i> )	1. <b>Approve the request to reappoint Bill Hassell and Zandra Umholtz to the planning commission.</b>
	2. <b>Deny the recommendation.</b>
	3. <b>Propose alternative</b>
	4.
<b>PROJECT TIMELINE</b>	<b>This will be effective immediately upon adoption.</b>
<b>STAFF RECOMMENDATION</b>	<b>Approve the request to reappoint</b>
<b>SUPPLEMENTAL INFORMATION</b> (List and number all attached documents)	1. <b>Rockaway Beach Planning Commission List</b>

**ROCKAWAY BEACH PLANNING COMMISSION**

<u>NAME</u>	<u>TELEPHONE</u>	<u>TERM</u>	<u>POSTION #</u>
Zandra Umholtz P.O. Box 537 Rockaway Beach, OR 97136 <a href="mailto:umazee73@comcast.net">umazee73@comcast.net</a>	971.226.2617	6/30/22	1
VACANT			2
Pat Olson P.O. Box 541 <a href="mailto:olsonr@pacifier.com">olsonr@pacifier.com</a>	355-2746	6/30/25	3
Sandra Johnson 457 Terrace Drive Rockaway Beach, OR 97136 <a href="mailto:SLJohnson2021@gmail.com">SLJohnson2021@gmail.com</a>	530.604.4131	6/30/24	4
Bill Hassell 1085 NE 12 <sup>th</sup> Ave Rockaway Beach, OR 97136 <a href="mailto:billh@billhassell.com">billh@billhassell.com</a>	770.596.5391	6/30/22	5
Kristina Woida P.O. Box 1271 Rockaway Beach, OR 97136 <a href="mailto:Klwoida@gmail.com">Klwoida@gmail.com</a>	503.704.8402	6/30/24	6
Georgeane Zedrick P.O. Box 703 Rockaway Beach, OR 97136 <a href="mailto:g_and_j@charter.net">g_and_j@charter.net</a>	303-681-5947	6/30/25	7

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City Planner  
Record Copy

**Lisa Phipps** | North Coast Regional Representative  
Ocean/Coastal Services Division  
Oregon Dept. of Land Conservation and Development  
Tillamook Regional Solution Center  
4301 Third Street, Room 206 | Tillamook, OR 97141  
Cell: (503) 812-5448 [lisa.phipps@state.or.us](mailto:lisa.phipps@state.or.us) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)



# Council Action Form

<b>MEETING DATE</b>	7/13/2022		
<b>ITEM TITLE</b>	Request to fill vacancy on the Rockaway Beach Planning Commission		
<b>SUBMITTED BY</b>	Name & Title: Luke Shepard, City Manager Department: Administration		
<b>MEETING TYPE</b>	Work Session	<u><b>REGULAR</b></u>	Special Executive Session
<b>AGENDA CLASSIFICATION</b>	Work Session	Ordinance	Resolution <u><b>REGULAR</b></u>
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading	Public Hearing
	Ordinance #: 22-442		Resolution #:
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements or memorandum or understandings <u>Check all applicable boxes pertaining to contracts</u> )	Contract <b>required</b> for this item		Signed copy of contract attached
	Seeking award or other scenario and will provide contract at later date		<u><b>NO CONTRACT FOR THIS ITEM</b></u>
<b>APPROVALS/REVIEWS</b> (Check all applicable boxes)	<u>City Planner</u>		Planning Commission
	<u>City Manager</u>		Mayor
	Legal Counsel Name of Reviewer: NA		
<b>BACKGROUND</b> (Includes description, background, and justification)	Planning Commission Position #2 is vacant. Janet McIntire's term ended June 30, 2022, and McIntire does not seek reappointment. Her thank you letter is attached. The City received one application for the position #2 vacancy. A vacancy on the commission shall be filled by appointment by a majority of the Council. In this matter the mayor is not considered to have a vote. Application(s) received for the open position have been included in your Council Packets for review		

<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$	
	Expenditure \$	
	Source of Funds:	
	Narrative:	<u>NA</u>
<b>OPTIONS</b> (Include <i>Deny Approval</i> Option)	1.	<b>Approve the appointment of "APPLICANT NAME" to fill the vacancy on the Planning Commission.</b>
	2.	<b>Deny the request to make an appointment to the vacant seat on the Planning Commission.</b>
	3.	<b>Alternative Action</b>
	4.	
<b>PROJECT TIMELINE</b>	<b>This will be effective immediately upon adoption.</b>	
<b>STAFF RECOMMENDATION</b>	<b>Staff recommends an appointment to fill the vacancy.</b>	
<b>SUPPLEMENTAL INFORMATION</b> (List and number all attached documents)	1. Stephanie Winchester - Planning Commission Application 2. Letter of Thanks, Janet McIntire	

DEC 9 1 1001

City of Rockaway Beach, Oregon

276 S. Highway 101, PO Box 5  
Rockaway Beach, OR 97136  
(503) 374-1752 FAX (503) 355-8221



PLANNING COMMISSION

RESUME FORM FOR CONSIDERATION BY COUNCIL

Name Stephanie Winchester Date 6/15/2022

Mailing Address 905 N 3rd Ave., Rockaway Beach, OR 971336

Street Address same

Occupation Healthcare Contract Manager Phone (503) 867-0409

Registered voter in Rockaway Beach? Yes  No  Email steph@goducks.com

How long have you resided in this city? 1.5 years full-time, part time for 5 years prior

What background or experience do you have that would make you an effective commissioner?

I have served two years on the Rockaway Beach budget committee which has familiarized me with the city services goals and budget. I think this along with my work at OHSU in strategy, law, finance and contracting will assist me in continuing to service the city. I am in the process of taking real estate licensure courses which is preparing me to understand the challenges facing both citizens and cities with planning and building. Finally as both a home owner, STR owner, as well as an co-owner of a construction company which is building two homes in Rockaway I understand how important citizen involvement is in planning. I look forward to participating.

What do you see as planning goals for Rockaway Beach?


Support the strategies already in place by the city for affordable housing. Assisting with the way forward to balance short-term rentals ensuring that residents living near STRs are well supported and that tourists have a wonderful visit to our special city. My goal would be to work with my council teammates to creatively solve problems and create administratively simple and successful policies that incentivize tactics that allow the city to achieve our our goals sustainably. This is a pretty special place and I want to be part of the solution.

Are you willing to commit every 4<sup>th</sup> Tuesday evening to a commission meeting for the length of your term? Also, extra time needed during the week before the meeting for site visits and packet review? Yes  No



**Additional Comments or information**

I am excited to research what other cities are doing that might work for us. I would love to work with the council and staff on ideas that we can "borrow" and modify for our specific needs. I have a lot of experience working with other organizations in healthcare when we need to develop new policies. I would enjoy bringing those skills to the table.

  
Signature

## Luke Shepard

---

**From:** Janet McIntire <themacsofrb@gmail.com>  
**Sent:** Friday, June 10, 2022 10:30 AM  
**To:** to: Kristine Hayes (kristineforrockaway@gmail.com); Sue Wilson; Martine Tom; Penny Cheek; Mary McGinnis; Terry Walhood  
**Cc:** Luke Shepard; City Planner; Scott Fregonese  
**Subject:** Expiration of Term of office

Good Morning,

My term on the Planning Commission is expiring at the end of this month (June 2022) and I do not wish to be reappointed. I have served on the Planning Commission for the past 7 years and have thoroughly enjoyed this opportunity. I have learned so much and appreciated the chance to engage in Land Use Planning in Rockaway Beach. It has been an interest of mine for over 40 years.

But it is time to take a break and allow another person to have this opportunity. My husband and I hope to have a little more time to spend with family, who live all across the country. We also hope to spend some extended time in the winter in the sunshine of Palm Springs.

I will continue my interest seeing all the new development of Rockaway, but will do it as an observer for a change.

Thank you again for the wonderful opportunity you gave me.

Janet McIntire



# Council Action Form

<b>MEETING DATE</b>	7/13/2022		
<b>ITEM TITLE</b>	REQUEST FOR APPROVAL OF RESOLUTION NO. 22-976; A RESOLUTION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH TILLAMOOK COUNTY ON A MULTI-GOVERNMENTAL COORDINATED HOMELESS RESPONSE PROGRAM		
<b>SUBMITTED BY</b>	Name & Title: Luke Shepard, City Manager Department: Administration		
<b>MEETING TYPE</b>	Work Session	<u>REGULAR</u>	Special Executive Session
<b>AGENDA CLASSIFICATION</b>	Work Session	Ordinance	<u>RESOLUTION</u> Regular
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading	Public Hearing
	Ordinance #:		<u>RESOLUTION #: 22-976</u>
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements or memorandum or understandings <u>Check all applicable boxes pertaining to contracts</u> )	<u>AGREEMENT REQUIRED FOR THIS ITEM</u>		Signed copy of contract attached
	Seeking award or other scenario and will provide contract at later date		No contract for this item
<b>APPROVALS/REVIEWS</b> (Check all applicable boxes)	Department Head		Planning Commission
	<u>CITY MANAGER</u>		Mayor
	<u>LEGAL COUNSEL</u> <i>Reviewer: Local Government Law Group</i>		
<b>BACKGROUND</b> (Includes description, background, and justification)	<p>Rockaway Beach supported Tillamook County's efforts to secure funding from the Oregon Department of Administrative Services to create a coordinated homeless response program.</p> <p>Tillamook County Board of Commissioners has formally accepted \$1,000,000 appropriated by House Bill 4123 to establish a coordinated homeless response system in Tillamook County.</p> <p>This MOA will formalize the City of Rockaway Beach's role and responsibilities in this new cross-jurisdictional homeless response program.</p> <p>Rockaway Beach's program role can be found below:</p> <ol style="list-style-type: none"> <li>1. Rights, Duties, and Obligations of ROCKAWAY. ROCKAWAY shall: <ol style="list-style-type: none"> <li>a. Appoint one member from staff, or a public body to which they are elected or appointed, to serve on the Advisory Board for a term for a term of five (5) years and commit up to five (5) hours per month.</li> <li>b. Fill any vacancies within 30 to 60 calendar days to ensure continuous representation</li> </ol> </li> </ol>		

<b>BUDGETING AND FINANCIAL IMPACT</b>	Budgeted \$	
	Expenditure \$	
	Source of Funds:	
	<b>Narrative:</b>	<b>Program is expected to require 30 hours of staff or volunteer time per year. County to pay City \$5,000 for fulfilling its obligations of the MOA.</b>
<b>OPTIONS</b> (Include <i>Deny Approval</i> Option)	1.	<b>Approve the Resolution No. 22-976 authorizing the City Manager to fully Execute the MOA.</b>
	2.	<b>Deny the recommendation.</b>
	3.	<b>Project alternate direction.</b>
	4.	
<b>PROJECT TIMELINE</b>	<b>This will be effective immediately upon adoption.</b>	
<b>STAFF RECOMMENDATION</b>	<b>Staff recommends Approval</b>	
<b>SUPPLEMENTAL INFORMATION</b> (List and number all attached documents)	<ol style="list-style-type: none"> <li>1. <b>Resolution No. 22-976</b></li> <li>2. <b>Exhibit A: MOA with Tillamook County</b></li> <li>3. <b>Grant Support Letter, Mayor</b></li> </ol>	



**RESOLUTION NO. 22-976**

**A RESOLUTION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH  
TILLAMOOK COUNTY ON A MULTI-GOVERNMENTAL COORDINATED  
HOMELESS RESPONSE PROGRAM**

**WHEREAS**, the lack of available housing, high rents and high home prices are driving rapid increases in housing instability and homelessness in Tillamook County and Rockaway Beach; and,

**WHEREAS**, Tillamook County and Rockaway Beach have experienced a significant increase in the number of people experiencing homelessness and unsheltered homelessness; and,

**WHEREAS**, the lack of housing affordability and availability in Tillamook County and Rockaway Beach cannot be addressed without cross-jurisdictional collaboration; and,

**WHEREAS**, communities require coordinated leadership and governance to identify local needs and centralize communication, policy and services to end homelessness; and,

**WHEREAS**, Tillamook County Board of Commissioners has formally accepted \$1,000,000 appropriated by House Bill 4123 to establish a coordinated homeless response system in Tillamook County and,

**NOW, THEREFORE, THE CITY OF ROCKAWAY BEACH RESOLVES** The City Council hereby enters into this MOA with Tillamook County for the purpose of a county-wide coordinated homeless response system, attached to this resolution as Exhibit A.

**Passed and Adopted this 13th day of July, 2022 by the City Council of the City of Rockaway Beach, Oregon.**

APPROVED

ATTEST

\_\_\_\_\_  
Susan Wilson, Mayor

\_\_\_\_\_  
Luke Shepard, City Manager

# **EXHIBIT A**

**MEMORANDUM OF AGREEMENT (MOA)  
FOR THE  
COORDINATED HOMELESS RESPONSE SYSTEM**

This Memorandum of Agreement, hereinafter **AGREEMENT**, is made and entered into by and between the City of Manzanita, a municipal corporation, hereinafter **MANZANITA**; the City of Wheeler, a municipal corporation, hereinafter **WHEELER**; the City of Rockaway Beach, a municipal corporation, hereinafter **ROCKAWAY**; the City of Garibaldi, a municipal corporation, hereinafter **GARIBALDI**; the City of Bay City, a municipal corporation, hereinafter **BAY CITY**; the City of Tillamook, a municipal corporation, hereinafter **TILLAMOOK**; the Tillamook County Community Action Resources Enterprises, Inc., a non-profit corporation, hereinafter **CARE**; Tillamook County, hereinafter **COUNTY**, a political subdivision of the state of Oregon, referred to collectively as **PARTIES**.

**RECITALS**

**PURPOSE**

- A. The Oregon Legislature passed House Bill 4123 during the 2022 legislative session to provide grants to local governments and non-profit corporations to address the homelessness crisis.
- B. The State of Oregon Department of Administrative Services appropriated \$1,000,000 to Tillamook County through Agreement #107-2022-4123-07.
- C. The purpose of this AGREEMENT is to create a coordinated homeless response system ('System') and to define PARTIES' responsibilities associated with implementation of House Bill 4123.

**AGREEMENT**

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants, promises and undertakings hereinafter set forth, PARTIES agree as follows:

1. Rights, Duties, and Obligations of **PARTIES**. PARTIES shall:
  - 1.1 Establish a coordinated homeless response office, hereinafter "Office", and a centralized point of contact;
  - 1.2 Establish a coordinated homeless response advisory board, hereinafter "Advisory Board", to meet monthly with representation from the governing body of each of the member governments;
  - 1.3 Establish a coordinated homeless response community advisory board, hereinafter "Community Advisory Board", to meet quarterly with representation from people with lived experience of homelessness; law enforcement; McKinney Vento Liaisons for youth experiencing homelessness; and organizations serving and advocating for veterans, homeless youth, youth exiting the foster care system, individuals exiting the criminal justice system, people with disabilities and aging adults, health care systems, domestic violence and sexual assault survivors, members of lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ) communities, people experiencing behavioral health and substance use disorders, faith communities and business communities;



- 1.4 Adopt a five-year strategic plan by June 1, 2023, to identify and set goals for addressing within unincorporated areas of Tillamook County and the participating cities:
  - 1.4.1 Funding to support ongoing operations,
  - 1.4.2 Increasing or streamlining resources,
  - 1.4.3 Incorporating national best practices for ending homelessness,
  - 1.4.4 Eliminating racial disparities within homeless services, and
  - 1.4.5 Creating pathways to permanent and supportive housing that costs thirty percent (30%) or less to local populations experiencing homelessness; and
- 1.5 Provide an annual report to Oregon Housing and Community Services no later than November 15, 2023 and September 15, 2024 on:
  - 1.5.1 The goals adopted in the five-year strategic plan and the progress made in implementing the plan,
  - 1.5.2 Other changes in homelessness services, ordinances of member governments specifically related to member government actions arising out of the agreement, and
  - 1.5.3 Identified challenges and opportunities relating to:
    - 1.5.3.1 Regional coordination of homelessness service and planning,
    - 1.5.3.2 Needs for technical assistance from Oregon Housing and Community Services, and
    - 1.5.3.3 Addressing racial disparities through partnerships with culturally specific and responsive organizations.

2. Rights, Duties, and Obligations of **MANZANITA**. MANZANITA shall:

- 2.1 Appoint one member from staff, or a public body to which they are elected or appointed, to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 2.1.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning and decision-making to identify and track the scope of challenges, weaknesses, and constraints associated with homelessness and the efforts, services, and ordinances to address it,
  - 2.1.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,
  - 2.1.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update City Council on the progress and to seek guidance on the future work of the Advisory Committee,
  - 2.1.4 Provide quarterly feedback to program staff in a 1-hour structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
  - 2.1.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

3. Rights, Duties, and Obligations of **WHEELER**. WHEELER shall:

- 3.1 Appoint one member from staff, or a public body to which they are elected or appointed, to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 3.1.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning and decision-making to identify and track the scope of challenges,

weaknesses, and constraints associated with homelessness and the efforts, services, and ordinances to address it,

- 3.1.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,
- 3.1.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update City Council on the progress and to seek guidance on the future work of the Advisory Committee,
- 3.1.4 Provide quarterly feedback to program staff in a 1-hour structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
- 3.1.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

4. Rights, Duties, and Obligations of **ROCKAWAY**. ROCKAWAY shall:

- 4.1 Appoint one member from staff, or a public body to which they are elected or appointed, to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 4.1.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning and decision-making to identify and track the scope of challenges, weaknesses, and constraints associated with homelessness and the efforts, services, and ordinances to address it,
  - 4.1.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,
  - 4.1.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update City Council on the progress and to seek guidance on the future work of the Advisory Committee,
  - 4.1.4 Provide quarterly feedback to program staff in a 1-hour structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
  - 4.1.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

5. Rights, Duties, and Obligations of **GARIBALDI**. GARIBALDI shall:

- 5.1 Appoint one member from staff, or a public body to which they are elected or appointed, to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 5.1.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning and decision-making to identify and track the scope of challenges, weaknesses, and constraints associated with homelessness and the efforts, services, and ordinances to address it,
  - 5.1.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,

- 5.1.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update City Council on the progress and to seek guidance on the future work of the Advisory Committee,
- 5.1.4 Provide quarterly feedback to program staff in a 1-hour structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
- 5.1.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

6. Rights, Duties, and Obligations of **BAY CITY**. BAY CITY shall:

- 6.1 Appoint one member from staff, or a public body to which they are elected or appointed, to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 6.1.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning and decision-making to identify and track the scope of challenges, weaknesses, and constraints associated with homelessness and the efforts, services, and ordinances to address it,
  - 6.1.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,
  - 6.1.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update City Council on the progress and to seek guidance on the future work of the Advisory Committee,
  - 6.1.4 Provide quarterly feedback to program staff in a one-hour (1 hour) structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
  - 6.1.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

7. Rights, Duties, and Obligations of **TILLAMOOK**. TILLAMOOK shall:

- 7.1 Appoint one member from staff, or a public body to which they are elected or appointed, to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 7.1.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning and decision-making to identify and track the scope of challenges, weaknesses, and constraints associated with homelessness and the efforts, services, and ordinances to address it,
  - 7.1.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,
  - 7.1.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update City Council on the progress and to seek guidance on the future work of the Advisory Committee,

- 7.1.4 Provide quarterly feedback to program staff in a 1-hour structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
- 7.1.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

8. Rights, Duties, and Obligations of **CARE**. CARE shall:

- 8.1 Appoint dedicated staff to support the Office at 1.0 FTE;
- 8.2 Appoint senior staff to oversee the operations of the Office at 0.1 FTE;
- 8.3 Appoint additional staff as needed to support the Office;
- 8.4 Appoint one member from staff to serve for a term of five **(5) years** and commit up to five (5) hours per month to:
  - 8.4.1 Attend monthly Advisory Board meetings (1.5 hours) to engage in “needs-based” planning, visioning, community engagement, and decision-making with multiple participating stakeholders,
  - 8.4.2 Attend quarterly Community Advisory Board meetings (2 hours) to engage in “asset-based” visioning and community engagement with member cities and multiple participating stakeholders to capitalize on strengths and expand upon opportunities arising out of the agreement,
  - 8.4.3 Assist Project staff to guide or coordinate two annual presentations (semi-annually) to update participating City Councils on the progress and seek guidance on the future work of the Advisory Committee,
  - 8.4.4 Provide quarterly feedback to program staff in a 1-hour structured meeting to gather quantitative and qualitative input to evaluate the progress of the Advisory Committee, and
  - 8.4.5 Fill any vacancies within 30 to 60 calendar days to ensure continuous representation.

9. Rights, Duties, and Obligations of **COUNTY**. COUNTY shall:

- 9.1 Serve as the project lead to oversee the efforts and progress of participating organizations;
- 9.2 Appoint County staff to serve as Program Manager and to support the Advisory Board at 0.3 FTE;
- 9.3 Acquire technical assistance and capacity building, including contracting with consultants;
- 9.4 Pay participating cities an administrative cost of \$5,000 for Year 1;
- 9.5 Coordinate community outreach and engagement;
- 9.6 Coordinate with the Rural Oregon Continuum of Care;
- 9.7 Complete a strategic plan;

10. TERMINATION.

This AGREEMENT shall terminate upon the written mutual consent of PARTIES.

- 11. INDEMNITY. Each party shall include appropriate indemnity clauses in any design or construction contracts issued for the Project. Such indemnity clauses shall require consultants, subconsultants, contractors, subcontractors, and suppliers to defend, indemnify and hold the PARTIES harmless from all claims, costs, damages, or expenses of any kind, including attorneys' fees and other costs and

expenses of litigation, for personal injury or property damage to the extent such claims, costs, damages, or expenses arise out of that party's fault.

12. GENERAL PROVISIONS.

- 12.1 MODIFICATION & WAIVER. The rights and duties under this AGREEMENT shall not be modified, delegated, transferred or assigned, except upon the written-signed consent of the parties. Failure to enforce any provision of this AGREEMENT shall not operate as a waiver of such provision or of any other provision.
- 12.2 ATTORNEY FEES. Attorney fees, costs and disbursements necessary to enforce this agreement through mediation, arbitration and/or litigation, including appeals, shall be awarded to the prevailing party, unless otherwise specified herein or agreed.
- 12.3 LEGAL REPRESENTATION. In entering into this AGREEMENT, each party has relied solely upon the advice of their own attorney. Each party has had the opportunity to consult with counsel.
- 12.4 NOTICES. Any notice required or permitted under this AGREEMENT shall be in writing and deemed given when:
  - 12.4.1 actually delivered if not sent by mail as described below, or
  - 12.4.2 three days after deposit in United States certified mail, postage prepaid, addressed to the other party at their last known address.
- 12.5 LANGUAGE. The headings of the AGREEMENT paragraphs are intended for information only and shall not be used to interpret paragraph contents. All masculine, feminine and neuter genders are interchangeable. All singular and plural nouns are interchangeable, unless the context requires otherwise.
- 12.6 SAVINGS. Should any clause or section of this AGREEMENT be declared by a court to be void or voidable, the remainder of this AGREEMENT shall remain in full force and effect.
- 12.7 JURISDICTION; LAW. This AGREEMENT is executed in the State of Oregon and is subject to Tillamook County and Oregon law and jurisdiction. Venue shall be in Tillamook County, Oregon, unless otherwise agreed by the parties.
- 12.8 NO THIRD PARTY BENEFICIARIES. There are no intended third-party beneficiaries of this AGREEMENT.

13. AGREEMENT TERM. The term of this AGREEMENT shall begin XXXXX and end June 30, 2023.

**ACKNOWLEDGMENT: EACH PARTY REPRESENTS TO THE OTHER BY THEIR SIGNATURES BELOW THAT EACH HAS READ, UNDERSTANDS, AND AGREES TO ALL COVENANTS, TERMS AND CONDITIONS OF THIS AGREEMENT. EACH PARTY REPRESENTS TO THE OTHER TO HAVE THE ACTUAL AND/OR APPARENT AUTHORITY TO BIND THEIR RESPECTIVE LEGAL PERSONS, CORPORATE OR OTHERWISE, IN CONTRACT.**

CITY OF MANZANITA

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Mike Scott, Mayor

CITY OF WHEELER

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Doug Honeycut, Mayor

**CITY OF ROCKAWAY BEACH**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Sue Wilson, Mayor

**CITY OF GARIBALDI**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Tim Hall, Mayor

**CITY OF BAY CITY**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
David McCall, Mayor

**CITY OF TILLAMOOK**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Aaron Burris, Mayor

**TILLAMOOK COUNTY COMMUNITY  
ACTION RESOURCES ENTERPRISES, INC.**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Peter Starkey, Executive Director

**THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

Aye      Nay      Abstain/Absent

\_\_\_\_\_  
David Yamamoto, Chair

\_\_\_      \_\_\_      \_\_\_/\_\_\_

\_\_\_\_\_  
Erin D. Skaar, Vice-Chair

\_\_\_      \_\_\_      \_\_\_/\_\_\_

\_\_\_\_\_  
Mary Faith Bell, Commissioner

\_\_\_      \_\_\_      \_\_\_/\_\_\_

ATTEST: Tassi O'Neil, County Clerk

APPROVED AS TO FORM

By: \_\_\_\_\_  
Special Deputy

\_\_\_\_\_  
William K. Sargent, County Counsel



**City of Rockaway Beach, Oregon**  
276 S. Highway 101, PO Box 5  
Rockaway Beach, OR 97136  
(503) 374-1752 FAX (503) 355-8221

January 6, 2022  
Grants for Coordinated Homeless Response Systems  
Oregon Department of administrative Services

To Whom It May Concern:

As the Mayor of Rockaway Beach, I am excited to support the City of Rockaway Beach's partnership with Tillamook County and Tillamook C.A.R.E. to create a coordinated homeless services system in Rockaway Beach and Tillamook County.. I urge you to consider us for this grant opportunity. I believe this program is necessary to create positive change on this important issue for the following reasons:

- The lack of available housing, high rents and high home prices are driving rapid increases in housing instability and homelessness in Tillamook County and Rockaway Beach.
- Tillamook County and Rockaway Beach have experienced a significant increase in the number of people experiencing homelessness and unsheltered homelessness.
- Funding, resources and services to address homelessness in Tillamook County and Rockaway Beach are not scaled to meet this need.
- The lack of housing affordability and availability in Tillamook County and Rockaway Beach cannot be addressed without cross-jurisdictional collaboration.
- Communities require coordinated leadership and governance to identify local needs and centralize communication, policy and services to end homelessness.

The County, City of Rockaway Beach and C.A.R.E. are enthusiastic about the possibility to partner on this issue. Our work will build off of a recent community process that was conducted by the County and C.A.R.E. and included a broad base of stakeholders. Please consider us for this very important grant opportunity!

Thank you for your consideration,

Susan J. Wilson  
Mayor of Rockaway Beach