

City of Rockaway Beach

City Council Workshop Minutes



Date: Wednesday, December 14, 2022
Time: 5:00 P.M – 6:00 P.M.
Location: Rockaway Beach City Hall, 276 HWY 101 -Civic Facility

Join the worksession remotely here:

Topic: City Council Workshop
Time: Dec 14, 2022 05:00 PM Pacific Time

Join Zoom Meeting

<https://us06web.zoom.us/j/85103438421?pwd=em9pWlhPcTNVeG92YnBCQXJiZmdxUT09>

Meeting ID: 851 0343 8421

Passcode: 911885

***What is a City Council Workshop?** Workshops are intended to allow for preliminary discussions by the city council and staff. Workshops are held to present information to the council so that the council is prepared for upcoming regular meetings. Workshops are subject to Oregon's Public meeting law and must be noticed accordingly. No final City Council decisions are made during workshops. The public is encouraged to attend workshops but may not participate unless expressly asked.*

WORKSHOP AGENDA

1. CALL TO ORDER

2. ROLL CALL

Mayor – Susan J 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

3. COUNCIL BRIEFING

- a. **Ordinance 22-442**/City Manager Luke Shepard spoke about the annual license fee & renewal fees. The city council has the option per the Ordinance to charge for the application fee along with the annual license fee.
- b. **Proposals: Organizational Assessment, Buildable Lands Inventory, Salmonberry Trail Project Management**/City Manager Luke Shepard spoke about having the FCS group, a 3rd party agency come to Rockaway to look at current and future service levels (code enforcement, emergency manager, land-use planning, Fire Department staffing

etc.). He mentioned 3J Consulting submitted a proposal for a Housing Needs Analysis to be reviewed by the Planning Commission.

- c. **LOC's Model Rules of Procedure for Council Meetings/Shepard** stated that every two years the Rules and procedures should be updated for council meetings, but that it had been much longer since the last update. Shepard said he will use the LOC's model ordinance to produce a draft for the council and bring it back for further discussion.

4. ADJOURNMENT

Meeting adjourned at 5:55pm.

MINUTES APPROVED THIS
11TH DAY OF JANUARY 2023

Mayor, Charles McNeilly

City Manager, Luke Shepard



City of Rockaway Beach

Regular City Council Meeting Minutes

Date: Wednesday, December 14, 2022

Time: 6:00 P.M.

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

Join here to Comment remotely:

<https://us06web.zoom.us/j/83611452222?pwd=SjJza2EvSzZ3WHk0ejZDTTFLOVlqQT09>

Meeting ID: 836 1145 2222

Passcode: 296622

View the meeting live here:

<https://janescottvideoproductions.com>

CALL TO ORDER – Susan J. Wilson, Mayor

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor – Susan J. 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 to approve the November 9th, 2022, minutes, and the November 2022 check register, seconded by Martine; 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

PRESENTATIONS, GUESTS & ANNOUNCEMENTS

Nan Devlin with Tillamook Coast Visitor Association shared a presentation updating the council on things that have happened in the last couple of months. Devlin talked about the decorative trash cans that were placed throughout Rockaway, she also spoke about the logos for the top of the trash cans and the signage that will be placed throughout town.

Amy Blackburn Deputy Director of Tillamook Coast Visitor Association gave an update presentation on the marketing grant.

Peter Gelser From Koontz, Blasquez & Associates, gave a report on the Fiscal Year 2021-22 Independent Financial Audit. Peter stated that over all everything looked clean with no significant or major issues. Peter mentioned that there were four items that were found, he discussed how they can be fixed in the future. Peter stated that with the limited staff the city has, over all everything looks great. He thanked Becca Harth for all her hard work that goes into the audit, and that she was great to work with.

STAFF REPORTS

Fire Chief Todd Hesse talked about November's call volume and trainings that the volunteers had been working on. Hesse stated that some of the department members were able to attend the Train the Trainer training on the new flash over simulator. Hesse spoke about the department getting accredited on DPSST so that the department can train and certify personnel. Hesse talked about the low staffing levels with Adventist Health and the availability to get an ambulance to transfer patients is a struggle. The Fire Chiefs are discussing what options will be available to keep a high level of ambulance service to the county.

Deputy Grogan spoke on calls that the department responded to in the month of November. The Sheriff's department received a call regarding a rental home being fraudulently posted on Craigslist. Grogan encouraged citizens to google their home address from time to time, to try to combat these scams.

Public Work's Superintendent Dan Emerson spoke on what his department focused on during the month of November. Emerson talked about storm drainage and how it is hard to deal with. He wanted to let the public know about the storm water that sits on South Coral St. and when it floods the water flows south all the way to S. 6th St. to Salt Air Creek then to the ocean, this is because South Coral is close to sea level. King tides are expected December 22-24th and January 20-22 Public Works will be watching them closely. Emerson stated that all construction that is being done at the Community Center is looking great, and he is very happy with the project so far.

City Manager Luke Shepard wanted to thank the City Hall staff for all their hard work with the audit and all City Staff for their hard work this year. Shepard gave an update on the Wayside project, he stated that it's a big project to get done this budget season however he plans on it being completed. Shepard spoke on the Anchor Street project and hoping the city will have the opportunity to having a car charging station installed. Shepard talked about the Community Center and how great the construction company is doing in keeping the historical look. Shepard stated that the Planning Commission is picking a date for a public workshop as well as an online survey so that the community can voice their opinions on what they would like to see at the Lake Lytle Park. A letter is being drafted in January for the lease agreement so the city can take Lake Lytle Park over from the County. He mentioned that having the public's opinion will help with this letter. Shepard stated that Santa at the Station was great and thanked the Fire Department for putting this great event on.

CITIZEN INPUT ON NON-AGENDA ITEMS

Nancy Albro- 1305 Pansy St.-Spoke about the tree lighting in November.

Zandra Umholtz- 601 N. 3rd -Spoke on behalf of the Merchant Association.

Erin Warbington- 601 S Falcon-Spoke on Future and Current City events.

Victor Troxel-146 Hwy 101 S.-Spoke on the Merchant Association.

Jean Schutlz-340 Northslope Way- Spoke on Friends of the Rockaway Beach Library.

Charles McNeilly- 123 N Harbor St.-Spoke about Human Interaction

Catherine Lewis- 107 N 3rd- Questions on STRs

Lisa Finkle- NW 22nd- Spoke Parking on side of the Road at NW 22nd Ave

OLD BUSINESS

ADOPT PLAN OF ACTION FOR THE COMPLETED FISCAL YEAR AUDIT ENDED JUNE 30,2022

Koontz, Blasquez & Associates presented their financial audit for the 2021-2022 budget year. Adoption of the Action plan is needed to complete the 2021/22 budget cycle.

McGinnis Made a motion to Adopt the Plan of action for the completed Fiscal year Audit, seconded by Hayes; motion carried.

Position #1 - Mary McGinnis: Motion

Position #3 - Kristine Hayes: 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

NEW BUSINESS

APPOINTMENT TO FILL VACANCIES ON THE BUDGET COMMITTEE

The city received applications for the three vacant positions on the Budget Committee. Positions #3, #5 and #6 are vacant. The mayor shall nominate committee members for appointment. Appointments shall be filled by a majority of the Council

Mayor Susan J. Wilson nominated Sue Hennessy; no motion followed.

Cheek made a motion to appoint Michael Weissenfluh, Penny Shelton, & Debra Grace; Cheek withdrew motion.

Hayes made a motion to appoint Michael Weissenfluh, for position three on the Budget Committee, seconded by McGinnis; motion carried.

Position #3 – Kristine Hayes: 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

Cheek made motion to appoint Penny Chilton for position Five on the Budget Committee, seconded by Martine: motion carried.

Position #5 - Penelope Cheek: 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

Hayes made a motion to appoint Larry Turpin for position Six on the Budget Committee, motion failed for lack of second

Walhood made a motion to appoint Sue Hennessy for position Six on the Budget Committee, seconded by Cheek: motion carried.

Position #4 – Terry Walhood: Motion
Position #2 – 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

COUNCIL CONCERNS

McGinnis wanted to thank everyone who helped get ready for the holiday season and thanked Public Works for all their hard work on getting the tree up at the Wayside. McGinnis thanked all City staff for everything they have done for the 2022 year. She thanked Terry Walhood and Susan Wilson for all their volunteer work on the city council and as Mayor.

Walhood spoke on the tree lighting and thanked everyone who worked so hard on it. There were 16 letters to Santa that had been sent out. Walhood asked Hayes as to why the chamber and the merchants haven't been able to work together.

Cheek talked about the big audiences that the city has had at the council meetings and thankful for all the information she gets from the citizens.

Martine wanted to thank Terry and Susan for everything they have done on city council, and as Mayor and he will miss seeing them at the meetings.

Hayes had no comments.

MAYOR'S REPORT

Susan Wilson stated that this was her last meeting and that she will miss everyone, but she will be back. She talked about finishing out a few projects with City Manager Luke Shepard and she hopes to have the support from Charles McNeilly on fulfilling those projects.

ADJOURNMENT

Hayes made a motion to adjourn the meeting at 8:03pm, seconded by Cheek; motion 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

MINUTES APPROVED THIS
11TH DAY OF JANUARY 2023

Mayor, Charles McNeilly

City Manager, Luke Shepard

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



Date January 3, 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 Rescue Department for the month of December 2022.

The Department responded or participated in 61 events during the month of December, the breakdown is listed below.

911 calls for Service: 37	Trainings: 4	Non-Emergent: 20
29- Medical	Fire Operations	6- Beach Safety
2- Fire Alarm	Air Management	0- Public Assist
4- Structure Fire	SCBA	5- Lift Assist
0- Water Rescue	Medical Emergencies	4- Burn Complaints
2- MVA		4- Radio call-ins
0- Outside Fire		1- Special Assignments
0-Vehicle Fire		

Year to Date	<u>2021</u>	<u>2022</u>
911 Calls	407	400
Non-Emergent	249	274
Trainings	99	107
Total	755	781

Training update- The department focused December Thursday night trainings on SCBA use, Air Management and Fire Operations. January trainings will include Communications, Multi-Company Drill and Fire Operations. We will also be hosting an EMT class in cooperation with TBCC and helping to instruct a EMR class in Netarts. A PHTLS will be hosted by the department in February.

Beach Safety continues to be a priority of the department. The focus continues to be on education and safety. During the month of December crews were on the beach 6 times providing information to citizens and visitors. Have been working with State Parks to better coordinate our safety and enforcement actions on the Beach.

	December	YTD
Fire safety\Educational Moments-	4	144
Water Safety Messages\Out of Water-	1\6 persons	295\628
Stickers to kids-	0	30
Educational signs reset-	0	14
Education Signs Replaced-	0	4
Fires extinguished-	0	58
Volunteer Hours	4	316

Emergency Preparedness group and Radio group continue to meet and train. Tillamook County Emergency coordinator spoke at our December meeting and gave information on the county disaster plan. During the recent power outage, a warming shelter was opened at city hall, 50 plus citizens utilized the shelter to stay warm. More volunteers are needed, so please contact me if you are interested in joining.

The AFG grant is moving forward. Bid have been received and the award process is underway.

2023 looks to be another building year in the department with focus on efficiency and improving equipment. Safety, training and elevating the services provided to the citizens and visitors of Rockaway Beach will also continue to be 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

Rockaway Beach Patrol

Month of December 2022

2022 came to a close with quite a storm. While not the worst we have seen, the power outages and light flooding remind us of the need to be prepared to take care of ourselves and families for a few days. We should have water, food, gas, batteries, candles, medications and cash available to help mitigate the troubles caused by extended loss of utilities.

Notable calls for service this month include the theft of multiple tools from the contractors working on the Community Center. They were able to replace the tools, though they were quite expensive. It can be helpful to law enforcement for you to keep a list of serial numbers and pictures of expensive items to aid in locating the valuables and apprehending those responsible for the thefts.

We were dispatched to a reported motor vehicle crash on North Third Avenue. Through the investigation it was learned this same vehicle had been involved in a hit and run with property damage in another part of the county and was being sought by the Oregon State Police. We were able to assist OSP as they took the lead in the case. The driver was arrested, and charges will be forwarded to the District Attorney.

The holidays can be an especially trying time for people. While most people are busy enjoying family and creating fond memories, others are struggling with thoughts of self-harm and loneliness. We took a couple reports of suicidal persons in December. Those persons were able to be transported for medical and mental health care as dictated by their circumstances.

There are several different resources for people considering suicide. 988 is the number to call for the Suicide and Crisis Lifeline. QPR (Question/Persuade/Refer) training is a valuable resource for everyone as it gives important information on how to talk with someone you may be concerned is contemplating suicide. QPR resources can be found on their website by searching for QPR.

Other call numbers are noted in the statistics report provided.

Undersheriff Matt Kelly

<u>Incident Date And Time</u>	<u>Incident Type</u>	<u>Incident Unit ID</u>
12/01/2022 13:15:41	Traffic Stop	215
12/01/2022 16:38:04	Missing Person	223
12/01/2022 16:38:04	Missing Person	230
12/01/2022 16:52:01	Follow Up	215
12/01/2022 18:38:34	BUSINESS CHECK	215
12/02/2022 20:52:28	BUSINESS CHECK	215
12/02/2022 20:54:41	BUSINESS CHECK	215
12/03/2022 14:56:02	Assist	215
12/03/2022 16:58:29	BUSINESS CHECK	215
12/04/2022 12:53:48	BUSINESS CHECK	210
12/04/2022 13:14:58	Follow Up	210
12/04/2022 17:00:01	Traffic Stop	210
12/04/2022 19:32:19	Traffic Stop	225
12/04/2022 21:01:18	Contact	225
12/04/2022 21:05:17	BUSINESS CHECK	225
12/05/2022 09:24:29	Unknown	210
12/05/2022 11:32:43	BUSINESS CHECK	210
12/05/2022 15:40:04	Traffic Stop	210
12/06/2022 01:02:26	BUSINESS CHECK	225
12/06/2022 09:22:29	Mental	210
12/06/2022 12:06:30	Harassment	210
12/06/2022 14:45:05	7	210
12/06/2022 15:29:27	Theft	210
12/06/2022 16:00:20	Traffic Stop	210
12/06/2022 16:12:27	CAMI	219
12/07/2022 01:29:38	BUSINESS CHECK	225
12/07/2022 04:47:04	BUSINESS CHECK	214
12/07/2022 04:51:26	BUSINESS CHECK	214
12/07/2022 12:36:43	Suspicious	210
12/07/2022 12:36:43	Suspicious	215
12/07/2022 18:14:05	BUSINESS CHECK	215
12/08/2022 11:39:26	BUSINESS CHECK	215
12/08/2022 15:08:11	Assist	215
12/08/2022 15:15:27	Unknown	215
12/08/2022 18:27:22	BUSINESS CHECK	215
12/08/2022 18:50:22	BUSINESS CHECK	215
12/08/2022 18:54:13	BUSINESS CHECK	215
12/09/2022 09:54:26	Suspicious	223
12/09/2022 09:54:26	Suspicious	215
12/09/2022 13:47:37	Follow Up	215
12/09/2022 17:11:00	MVA/Non-injury	230
12/10/2022 08:25:15	Burglary	223
12/10/2022 08:25:15	Burglary	215
12/10/2022 13:50:32	Juvenile	215
12/10/2022 15:15:04	Crim Misch	215
12/10/2022 17:23:17	BUSINESS CHECK	215

12/10/2022 20:00:56	BUSINESS CHECK	215
12/11/2022 09:57:39	Follow Up	210
12/11/2022 11:17:07	Traffic Stop	210
12/11/2022 13:27:47	7	210
12/12/2022 10:33:02	Follow Up	210
12/12/2022 13:10:54	Ordinance Violation	210
12/12/2022 15:44:33	Suspicious	214
12/12/2022 16:51:59	Suspicious Package / Device	210
12/12/2022 16:51:59	Suspicious Package / Device	225
12/12/2022 19:52:04	Traffic Stop	225
12/12/2022 21:54:14	BUSINESS CHECK	225
12/12/2022 21:59:19	Traffic Stop	225
12/13/2022 01:24:27	Assist	225
12/13/2022 03:09:44	Burglary	225
12/13/2022 07:09:45	Follow Up	210
12/13/2022 09:45:13	Theft	210
12/13/2022 13:48:38	Traffic Stop	210
12/13/2022 14:54:46	Traffic Stop	210
12/13/2022 15:44:10	Traffic Stop	210
12/13/2022 19:46:58	Suspicious	217
12/14/2022 09:39:16	Assist	210
12/14/2022 12:47:07	Assist	210
12/14/2022 14:32:01	BUSINESS CHECK	210
12/14/2022 15:46:21	Assist	210
12/14/2022 16:58:31	BUSINESS CHECK	215
12/15/2022 20:11:02	Suspicious	230
12/17/2022 12:56:48	Incom 911	223
12/17/2022 13:45:16	Suspicious	223
12/18/2022 10:36:07	CAMI	210
12/18/2022 15:04:03	Welfare check	210
12/18/2022 15:04:25	Contact	210
12/19/2022 01:26:18	BUSINESS CHECK	225
12/19/2022 09:16:21	Disturbance	210
12/19/2022 10:14:09	Assist	210
12/19/2022 11:17:42	7	210
12/19/2022 15:13:59	Follow Up	210
12/19/2022 16:12:01	BUSINESS CHECK	210
12/19/2022 16:18:52	BUSINESS CHECK	210
12/19/2022 16:48:40	Assist	210
12/19/2022 16:54:22	Traffic Stop	210
12/19/2022 19:44:40	Traffic Stop	225
12/20/2022 01:28:09	BUSINESS CHECK	225
12/20/2022 11:24:35	Traffic Stop	214
12/20/2022 16:26:17	Civil	210
12/21/2022 13:35:28	BUSINESS CHECK	215
12/21/2022 14:46:09	Welfare check	210
12/21/2022 14:46:09	Welfare check	215

12/21/2022 18:28:35	BUSINESS CHECK	215
12/21/2022 19:18:29	BUSINESS CHECK	215
12/21/2022 19:38:17	MVA/Non-injury	215
12/22/2022 01:08:35	Noise	230
12/22/2022 01:08:35	Noise	225
12/22/2022 08:02:31	Animal	207
12/22/2022 08:02:31	Animal	215
12/22/2022 11:54:28	Contact	215
12/22/2022 13:33:30	BUSINESS CHECK	215
12/22/2022 17:10:24	Home Check	215
12/22/2022 19:00:23	Incom 911	215
12/23/2022 16:28:49	Welfare check	215
12/23/2022 18:52:46	Traffic Stop	220
12/23/2022 18:52:46	Traffic Stop	215
12/25/2022 14:10:14	Traffic Stop	210
12/25/2022 18:08:48	Alarm	207
12/25/2022 18:08:48	Alarm	225
12/25/2022 18:43:34	Follow Up	225
12/27/2022 10:23:12	Suspicious	210
12/27/2022 13:04:30	BUSINESS CHECK	210
12/27/2022 13:39:21	Missing Person	210
12/27/2022 14:27:43	BUSINESS CHECK	210
12/27/2022 15:02:57	Home Check	210
12/27/2022 16:08:29	Suspicious	214
12/27/2022 16:08:29	Suspicious	225
12/27/2022 17:23:02	Incom 911	225
12/27/2022 18:44:42	Assist	225
12/27/2022 19:41:44	Welfare check	225
12/27/2022 20:44:21	Welfare check	225
12/27/2022 21:32:28	Traffic Stop	225
12/28/2022 09:34:12	Welfare check	210
12/28/2022 10:20:31	Contact	215
12/28/2022 10:53:32	Assist	210
12/28/2022 10:55:12	Follow Up	215
12/28/2022 22:30:28	Mental	217
12/29/2022 09:12:09	Suspicious	223
12/29/2022 09:12:09	Suspicious	215
12/29/2022 11:48:09	Vehicle	215
12/29/2022 13:12:45	BUSINESS CHECK	215
12/29/2022 13:27:51	Traffic	215
12/29/2022 14:54:33	Follow Up	215
12/29/2022 17:25:14	BUSINESS CHECK	215
12/29/2022 19:07:34	BUSINESS CHECK	215
12/29/2022 19:09:58	BUSINESS CHECK	215
12/30/2022 15:16:00	Traffic Stop	215
12/30/2022 17:57:17	Suicidal	217
12/30/2022 17:57:17	Suicidal	215

12/31/2022 12:56:34	Follow Up	215
12/31/2022 16:24:06	Animal	215
12/31/2022 17:33:14	Incom 911	215
12/31/2022 19:55:29	Incom 911	215
12/31/2022 20:21:21	Suicidal	215



January 4, 2023

Dear Mayor and City Council Members,

The month of December continued to bring challenges for the public works department, all of which were met head-on by our team. Keeping storm drains open throughout town and removing hazardous trees is a major concern during storm events. With that said the Public Works Department operates a water treatment plant, three wells, three reservoirs, three booster stations and a sewer treatment plant with seven lift stations, all of which must work when we lose power. I am happy to say with the last power outage on December 27th public works were able to set up our emergency generators with no major issue. The Old Growth Cedar Boardwalk was damaged in the last storm. Three big trees fell on the boardwalk, public works has contacted contractors asking for quote to repair damaged areas. Public Works applied for a small city's allotment grant for the year 2023, I am sorry to inform you that the project did not make the award list. This was a very competitive grant with 84 applications, requesting a total of almost \$19 million with just \$6.3 million to distribute.

Work at our 3rd street reservoir is almost completed with the majority done, just some minor details that need good weather to finish like painting, and groundwork. Other projects continue moving forward, public works has two water projects that should be coming together in the beginning of this year. There will be a new pressure-reducing valve on south second street that will allow for more water and add resilience to our distribution system that runs south from south second street. The second project is a water booster station on Scenic View Dr. This project has been a little harder to complete than I was hoping but with a lot of help from Tillamook PUD, Tillamook County, Local Contractors, and our City Engineers it looks like we have a plan to move on. This project will disconnect the abandoned reservoir from the distribution system identified in our water master plan while increasing the water pressure on Scenic View Dr. something that the homeowners on the hill have been asking about for years. This added pressure could allow for more houses to be added to the distributions system on Scenic View Dr. Sewer systems are working nice, with yearly cleaning wrapped up for 2022 public works will finish year end reports and start planning the new year. The community center's new siding looks fantastic. One issue the contractor found was the building was not level, imagine that. I think it looks great especially if you think about it being over 100 years old and having no concrete foundation. When this project is complete, I will let you know the final details. Public works was able to fill the open position of Utility Worker 1, his name is Jared Abbott. He is a local guy that has working experience. Public works does not take a day off someone will always be available with that said we have been down one guy for 13 months, so we are excited to train him and get him put in the mix.

Are there any questions? 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

RESOLUTION 23-978

**A RESOLUTION MAKING A CONTINGENCY TRANSFER OF APPROPRIATION
AUTHORITY FOR FISCAL YEAR 2022-2023 (GENERAL FUND)**

WHEREAS, ORS 294.463(2) allows a governing body to authorize a transfer of appropriation authority after a budget has been adopted by passing a resolution or ordinance. Transfers may be made from an operating contingency appropriation to the appropriation category from which it will be expended. Because the contingency transfer does not exceed 15%, this contingency transfer may be carried through resolution.

WHEREAS, this resolution transfers appropriations from General Fund Contingency to General Fund Administration category. A contingency transfer is necessary due to expenditures related to a negotiated settlement of litigation and legal costs.

WHEREAS, adequate funds exist within the current adopted budget.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Rockaway Beach resolves to transfer appropriation authority from General Fund Contingency to the General Fund Administration Category the in the sum of \$116,000, amending the 2022-2023 budget.

<u>General Fund:</u>	<u>Adopted Budget</u>	<u>Budget Adjustment:</u>	<u>Amended Budget:</u>
Requirements:			
Administrative	703,399	116,000	819,399
Fire	505,055		
Police	457,000		
Transfers Out to Other Funds	397,000		
Debt Service	125,000		
Contingency	<u>250,000</u>	<u>(116,000)</u>	<u>134,000</u>
Total Requirements	\$2,437,454	*****	\$2,437,454

**APPROVED AND ADOPTED BY THE ROCKAWAY BEACH CITY COUNCIL, AND
EFFECTIVE THE 11TH DAY OF JANUARY 2023.**

Charles McNeilly, Mayor

Attest: Luke Shepard, City Manager

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF TILLAMOOK

GRIFFIN OAK PROPERTY INVESTMENTS,)
LLC; TAI N. DANG; HUE P. LE; and TUE)
NGUYEN,)
Plaintiffs-Relators,)
v.)
CITY OF ROCKAWAY BEACH, OREGON;)
and TERRI MICHEL,)
Defendants.)

Case No. 18CV36950
STIPULATED JUDGMENT OF
DISMISSAL

The parties having reached a complete settlement of this matter, counsel for Plaintiffs-Relators Griffin Oak Property Investments, LLC; Tai N. Dang; Hue P. Le; and Tue Nguyen hereby stipulate with counsel for the remaining Defendant City of Rockaway Beach, Oregon, to the dismissal of all claims, defendants and counterclaims in this matter with prejudice and without an award of costs or attorneys' fees to any party.

IT IS HEREBY ORDERED AND ADJUDGED that this matter is dismissed, with with prejudice and without costs or attorney fees to any of the parties.

12/19/2022 6:27:02 AM


Circuit Court Judge Jonathan R. Hill

1 IT IS SO STIPULATED:

2 LAW OFFICES OF MONTOYA, HISEL AND
ASSOCIATES

MCEWEN GISVOLD LLP

3 s/ Aaron P. Hisel 12/16/22 s/ Jonathan M. Radmacher 12/16/22
4 Aaron P. Hisel, OSB #161265 Date Jonathan M. Radmacher, OSB #924314 Date
Attorney for Defendants Attorney for Plaintiffs

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CERTIFICATE OF READINESS

In accordance with UTCR 5.100(2), I hereby certify that this proposed order or judgment is ready for judicial signature because:

- 1. Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party’s signature on the document being submitted.
- 2. Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
- 3. I have served a copy of this order or judgment on all parties entitled to service and:
 - a. No objection has been served on me.
 - b. I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - c. After conferring about objections, [role and name of opposing party] agreed to independently file any remaining objection.
- 4. The relief sought is against an opposing party who has been found in default.
- 5. An order of default is being requested with this proposed judgment.
- 6. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- 7. This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims’ Assistance Section as required by subsection (4) of this rule.

Dated this 16th day of December, 2022.

McEWEN GISVOLD LLP

By: s/ Jonathan M. Radmacher
Jonathan M. Radmacher, OSB No. 924314
Of Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of December, 2022, served the within STIPULATED JUDGMENT OF DISMISSAL on the persons listed below by the methods indicated below.

Aaron P. Hisel, OSB No. 161265
Law Offices of Montoya, Hisel and Associates
901 Capitol Street NE
Salem, OR 97301
Telephone: 503 480-7253
Email: aaron@montoyahisel.com

U.S. Mail
 Facsimile
 Hand Delivery
 E-mail

Attorney for Defendants

Dated this 16th day of December 2022.

MCEWEN GISVOLD LLP

By: s/ Jonathan M. Radmacher
Jonathan M. Radmacher, OSB No. 924314
Of Attorneys for Plaintiffs-Relators

RESOLUTION 23-979

**A RESOLUTION APPROVING THE APPOINTMENT OF 3J CONSULTING AS
CONSULTANT FOR THE NEW HOUSING NEEDS ANALYSIS**

WHEREAS, the City of Rockaway Beach City Council seeks information needed to develop tools to address housing affordability and other development issues within the city; and

WHEREAS, the Department of Land Conservation and Development recommends cities inventory their buildable lands and analyze housing needs for current and future residents every six to eight years through adoption of a Housing Needs Analysis; and

WHEREAS, the Rockaway Beach Planning Commission reviewed and recommended approval of the proposed Housing Needs Analysis Scope of Work by 3J Consulting at their December 14, 2022 meeting; and

WHEREAS, adequate funds exist within the current adopted budget.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Rockaway Beach resolves to approve the appointment of 3J consulting as consultant for the new housing needs analysis.

**APPROVED AND ADOPTED BY THE ROCKAWAY BEACH CITY COUNCIL, AND
EFFECTIVE THE 11TH DAY OF JANUARY 2023.**

Charles McNeilly, Mayor

Attest: Luke Shepard, City Manager

City of Rockaway Beach Housing Needs Analysis Draft Scope of Work

December 8, 2022

Task 1: Project Kick-Off

The Consultant will hold a kickoff meeting with City staff for the Consultant to become familiar with local conditions and with Rockaway Beach's planning documents, for the parties to confirm the objectives of the project and refine the project schedule, and for the City to prepare for the Project. The parties will establish project expectations and become familiar with city-specific concerns. The Consultant will verify the action items identified through this initial conference call and develop and share a proposed schedule for the actions required for the completion of all tasks.

Throughout the course of the project, the Consultant and City staff will hold conference calls and meetings to track progress on key tasks and deadlines, identify unanticipated issues and develop alternative approaches as needed.

Task 1 Consultant Deliverables:

- 1.1 *Summary of major tasks and action items for the Project*
- 1.2 *Proposed Project schedule*
- 1.3 *Project management calls*

Task 1 City Deliverables:

- 1.1 *Copy of relevant comprehensive plan and code sections*
- 1.2 *Building permit and housing data to support the Housing Needs Analysis*
- 1.3 *Project management calls and meetings*

Task 2: Housing Needs Projection

Prepare a draft Housing Needs Projection consistent with OAR chapter 660, divisions 7 or 8, as applicable. The Housing Needs Projection will be used to determine the City's residential land need in Task 4. The Housing Needs Projection will be developed based on discussion with the Rockaway Beach Planning Commission hereafter called project advisory committee at one committee meeting.

City Staff will schedule, and provide notice and an agenda, for one virtual advisory committee (AC #1) meeting to review the draft housing needs projection product. The Consultant will coordinate with City Staff on meeting arrangements and facilitate the advisory committee meeting.

Task 2 Consultant Deliverables:

- 2.1 *Draft and Final Housing Needs Projection*
- 2.2 *Presentation materials to explain preliminary analyses and findings to the advisory committee (AC #1)*
- 2.3 *Advisory committee meeting agenda and notes*

Task 2 City Deliverables:

- 2.1 *Review of Draft Housing Needs Projection*
- 2.2 *Advisory committee meeting notice*

Task 3: Buildable Lands Inventory (BLI)

The Consultant will prepare a draft inventory of buildable land consistent with OAR chapter 660, division 7 or 8, as applicable. The BLI will be used to determine the City's residential land need in Task 4. The BLI will be developed based on discussion with a project advisory committee at one or more committee meetings.

City Staff will schedule and provide notice and an agenda for the advisory committee meeting (AC #2) to review the draft BLI product. The Consultant will coordinate with City Staff on meeting arrangements and facilitate the advisory committee meeting.

Task 3 Consultant Deliverables:

- 3.1 *Draft and Final BLI*
- 3.2 *Presentation materials to explain preliminary analyses and findings to the advisory committee (AC #2)*
- 3.3 *Advisory committee meeting agenda and notes*

Task 3 City Deliverable:

- 3.1 *Review and written comments on Draft BLI*
- 3.2 *Advisory committee meeting notice*

Task 4: Residential Land Needs Analysis (RLNA)

Based on the outcomes of Tasks 2 and 3, the Consultant will prepare a draft RLNA that addresses how much land and what zoning the city needs to accommodate its Housing Need, comparing the demand and supply provided in the deliverables produced in Tasks 2 and 3. The RLNA will be developed based on discussions with a project advisory committee at one committee meeting.

If the analysis shows that the Housing Need cannot be accommodated by the City's existing comprehensive plan, the RLNA will be developed concurrently with Task 5 in order to consider accommodating Housing Needs through changes to the comprehensive plan and land use regulations as required by OAR chapter 660, divisions 7 or 8 and 24.

City Staff will schedule and provide notice and an agenda for an advisory committee meeting to review the draft RLNA product. The Consultant will coordinate with City Staff on meeting arrangements and facilitate the advisory committee meetings.

Task 4 Consultant Deliverables:

- 4.1 *Draft RLNA*
- 4.2 *Presentation materials to introduce preliminary residential land need analyses and findings to the advisory committee (AC #3)*
- 4.3 *Advisory committee meeting agenda and notes*

Task 4 City Deliverable:

- 4.1 *Advisory committee meeting notice*

Task 5: Measures to Accommodate Needed Housing

City Staff will schedule and provide notice and an agenda for an advisory committee meeting to review the Draft HNA. The Consultant will coordinate with City Staff on meeting arrangements and facilitate the advisory committee meeting. The advisory committee may consider more than one deliverable at a meeting.

Timeline: May – June 2022

Task 5 Consultant Deliverables:

- 5.1 *Presentation materials to introduce housing accommodation recommendations to the advisory committee (AC #4)*
- 5.2 *Advisory committee meeting notes*
- 5.3 *Final draft hearings-ready HNA report*

Task 5 City Deliverables:

- 5.1 *Advisory committee meeting notices and agendas*

Task 6: Adoption

The Consultant will coordinate with City Staff on hearing arrangements and present at one (1) in-person Planning Commission hearing and one (1) in-person City Council hearing.

Task 6 Consultant Deliverable:

- 6.1 *Presentation materials to explain final draft updates to the hearings body or bodies*
- 6.2 *Presentations at one (1) Planning Commission Hearing and one (1) City Council hearing*

Task 6 Local Government Deliverables:

- 6.1 *Hearings notices, agendas, and minutes*

Rockaway Beach Housing Needs Analysis

Proposed Budget - 12/8/2022

3j Consulting

FCS Group

Task Description	Scott F.		Julia R.		Natalie K.		3J Total Hours		3J Labor Cost		Todd C.		Tim W.		FCS Total Hours	FCS Labor Costs	TOTAL HOURS	TOTAL LABOR COST	
	PM	\$	GIS	\$	Planner	\$	Principal	\$	PM	\$	Principal	\$	PM	\$					
																			10
Task 1: Project Kick-Off																			
1.1 Summary of major tasks	1	\$194.00	0	\$154.00	1	\$110.00	2	\$ 304	0	\$ 304	0	0	0	0	0	\$ -	2	\$ 304	
1.2 Proposed Project schedule	1	\$194.00	0	\$154.00	1	\$110.00	2	\$ 304	0	\$ 304	0	0	0	0	0	\$ -	2	\$ 304	
1.3 Project management calls	8	\$1,936.00	0	\$1,540.00	8	\$880.00	16	\$ 2,432	8	\$ 2,432	8	10	10	10	18	\$ 3,220	34	\$ 5,652	
Task 2: Housing Needs Projection																			
2.1 Draft and Final Housing Needs Projection	2	\$388.00	0	\$304.00	0	\$0.00	2	\$ 388	7	\$ 388	7	12	12	12	19	\$ 3,110	21	\$ 3,498	
2.2 Presentation materials	3	\$588.00	0	\$462.00	4	\$336.00	7	\$ 1,022	2	\$ 1,022	2	6	6	6	8	\$ 1,120	15	\$ 2,142	
2.3 Advisory committee meeting agenda and notes	2	\$344.00	0	\$275.00	4	\$330.00	6	\$ 828	2	\$ 828	2	4	4	4	6	\$ 940	12	\$ 1,768	
Task 3: Buildable Lands Inventory (BLI)																			
3.1 Draft and Final BLI	2	\$736.00	38	\$304.00	2	\$154.00	34	\$ 5,228	0	\$ 5,228	0	0	0	0	0	\$ -	34	\$ 5,228	
3.2 Presentation materials	3	\$462.00	8	\$638.00	0	\$0.00	11	\$ 1,814	0	\$ 1,814	0	0	0	0	0	\$ -	11	\$ 1,814	
3.3 Advisory committee meeting agenda and notes	2	\$344.00	0	\$275.00	2	\$154.00	4	\$ 608	0	\$ 608	0	0	0	0	0	\$ -	4	\$ 608	
Task 4: Residential Land Needs Analysis (RLNA)																			
4.1 Draft RLNA	1	\$1,604.00	0	\$1,280.00	4	\$336.00	10	\$ 1,604	11	\$ 1,604	11	18	18	18	29	\$ 4,810	39	\$ 6,414	
4.2 Presentation materials	3	\$462.00	0	\$370.00	2	\$154.00	5	\$ 802	2	\$ 802	2	4	4	4	6	\$ 940	11	\$ 1,742	
4.3 Advisory committee meeting agenda and notes	2	\$344.00	0	\$275.00	1	\$110.00	3	\$ 498	2	\$ 498	2	2	2	2	4	\$ 760	7	\$ 1,258	
Task 5: Measures to Accommodate Needed Housing																			
5.1 Presentation materials	3	\$4,346.00	6	\$4,736.00	17	\$1,518.00	31	\$ 4,346	13	\$ 4,346	13	18	18	31	\$ 5,390	62	\$ 9,736		
5.2 Advisory committee meeting notes	1	\$912.00	0	\$728.00	3	\$275.00	6	\$ 912	7	\$ 912	7	4	4	11	\$ 2,390	17	\$ 3,302		
5.3 Final draft hearings-ready HINA report	4	\$4,114.00	6	\$4,736.00	12	\$1,022.00	22	\$ 3,020	6	\$ 3,020	6	12	12	18	\$ 2,820	40	\$ 5,840		
Task 6: Adoption																			
6.1 Presentation materials	4	\$1,824.00	0	\$1,459.00	6	\$525.00	12	\$ 1,824	4	\$ 1,824	4	4	4	8	\$ 1,520	20	\$ 3,344		
6.2 Planning Commission Hearing and City Council hearing	2	\$1,216.00	0	\$973.00	4	\$336.00	8	\$ 1,216	2	\$ 1,216	2	2	2	4	\$ 760	12	\$ 1,976		
Budget	44	\$40,812.00	44	\$35,280.00	49	\$4,302.00	137	\$ 20,702	47	\$ 40,812.00	47	72	72	119	\$ 20,110	256	\$ 40,812		