

December 13, 2023

Rockaway Beach  
City Council  
Meeting



RESOLUTION NO. 23-1014

A RESOLUTION RECOMMENDING GRANTING OF LIQUOR LICENSE APPROVAL  
FOR NIRANKAR, INC.

**WHEREAS**, Oregon law requires that applicants for a liquor license obtain a recommendation to grant the license from the local governing body prior to issuance of the Liquor License by the Oregon Liquor Control Commission (OLCC); and

**WHEREAS**, Nirankar, Inc. has submitted an application requesting a recommendation for a liquor license application for Center Market #34 for off premises sales; and

**WHEREAS**, staff has reviewed the application and deemed it complete; and

**WHEREAS**, the Council has considered and reviewed the application before them.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Rockaway Beach City Council hereby approves recommending to OLCC that the application from Nirankar, Inc., attached as Exhibit A, for an off premises liquor license be granted.

**APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 13TH DAY OF DECEMBER 2023.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 23-1014

- Recommends Granting of Liquor License Approval - Change of Ownership – Name Change
- Current: Rockaway Beach Market #34
- New: Center Market #34
- License Type: Off Premises

RESOLUTION NO 23-1013

**A RESOLUTION APPROVING ADDITIONAL AWARDS FOR THE 2023 COMMUNITY GRANT PROGRAM**

**WHEREAS**, the City Council appropriated \$60,000 for the 2023 Community Grant Program in the 2023-2024 fiscal year adopted budget; and

**WHEREAS**, the City Council previously adopted Resolution 23-1004 and Resolution 23-1011 awarding \$25,200.36 in Community Grants and funds are available to grant additional awards; and

**WHEREAS**, the City Council wishes to make further awards after review of additional applications received.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Rockaway Beach City Council hereby awards a 2023 Community Grant to the following recipients in the amounts specified below:

Recipient:	Grant Amount:
	\$
	\$
	\$

**APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 13TH DAY OF DECEMBER 2023.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 23-1013

- Approves additional Community Grant awards
- \$25,000 Previously Awarded
- New Requests:
  - Till. Co. Developmental Disability Program - \$1000
  - Friends of the Library - \$5,577.50
  - Fulcrum Community Resources - \$4,567.50

RESOLUTION NO. 23-1007

A RESOLUTION AUTHORIZING ABATEMENT BY THE CITY OF NOISANCES AT  
603 S. EASY STREET

**WHEREAS**, pursuant to Rockaway Beach Municipal Code ("RBMC") Section 94.090, City staff caused a Notice to Abate to be posted upon the property located at 603 S. Easy Street ("Property"), Tax & Map Lot 1N1005BD06600 on November 21, 2023; and

**WHEREAS**, Randall Vance has been identified as the owner or person in charge of the above-referenced Property; and

**WHEREAS**, the Notice to Abate Nuisances required the removal of certain nuisances at the Property, in violation of RBMC Sections 94.036 Attractive Nuisances and 94.061 Junk; and

**WHEREAS**, the Notice to Abate Nuisances further provided if the property owner or the person in charge of the property failed to abate the nuisances on or before December 1, 2023, the City of Rockaway Beach may proceed to abate the nuisances, and the cost of the abatement, including administrative overhead and interest, would be charged to the person responsible; and

**WHEREAS**, RBMC Section 94.093 provides that if within the time allowed, the nuisance has not been abated by the person responsible, the Council may cause the nuisance to be abated, and

**WHEREAS**, Randall Vance failed to file any protest and failed to abate the nuisance conditions by the stated deadline.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Rockaway Beach City Council hereby authorizes City staff to proceed with abatement of nuisances at 603 S. Easy Street, and charge the person responsible for the property with the costs for the abatement, including a 20% fee for administrative overhead.

**APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 13TH DAY OF DECEMBER 2023.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 23-1007

- Authorizes Abatement by the city for Nuisances at 603 S. Easy St.
- Property in violation of:
  - RBMC Section 94.036, Attractive Nuisances
  - RBMC Section 94.061, Junk
- No action following Notice to Abate
- City to charge property owner for clean-up plus 20% administrative fee.

City of Rockaway Beach  
City Council Executive Session



**Date:** Wednesday, December 13, 2023  
**Location:** Rockaway Beach City Hall, 276 Hwy 101 - Civic Facility

**RECORD OF EXECUTIVE SESSION**

**NOT FOR PUBLIC DISCLOSURE - ANY ENCLOSED DOCUMENTS ARE CONFIDENTIAL**

Meeting held pursuant to the following ORS:

- |                                     |                      |   |
|-------------------------------------|----------------------|---|
| <input type="checkbox"/>            | 192.660(2)(a)        | Employment of Public Officers, Employees and Agents             |
| <input type="checkbox"/>            | 192.660(2)(b)        | Discipline of Public Officers and Employees                     |
| <input type="checkbox"/>            | 192.660(2)(d)        | Labor Negotiator Consultations                                  |
| <input type="checkbox"/>            | 192.660(2)(e)        | Real Property Transactions                                      |
| <input type="checkbox"/>            | 192.660(2)(f)        | Exempt Public Records   |
| <input type="checkbox"/>            | 192.660(2)(g)        | Trade Negotiations  |
| <input type="checkbox"/>            | 192.660(2)(h)        | Legal Counsel   |
| <input checked="" type="checkbox"/> | <b>192.660(2)(i)</b> | <b>Performance Evaluations of Public Officers and Employees</b> |
| <input type="checkbox"/>            | 192.660(2)(j)        | Public Investments  |

**Called to Order at:** \_\_\_\_\_ **Adjourned at:** \_\_\_\_\_

**Present:**

Mayor: Charles McNeilly  
Councilors: Penny Cheek, Mary McGinnis, Tom Martine, Kristine Hayes, Alesia Franken

**Excused:**

**Staff:** Luke Shepard, City Manager

**Legal Counsel:**

**Consultants:**

**Other:**

**Subject:** Pursuant to ORS 192.660(2)(i) to review and evaluate the job performance of the City Manager.

Form Completed by: Luke Shepard, City Manager

# Executive Session

- The Rockaway Beach City Council will hold Executive session to consider the performance evaluation of a public employee. (annual performance review)
- Standard Practice allowed under ORS 192.660(2)(i).
- This session is closed to the public. No final action will be taken in this closed session. If a decision needs to be made, it will be done when the open session resumes.

RESOLUTION NO 23-1015

A RESOLUTION APPROVING CITY MANAGER PERFORMANCE EVALUATION  
ANNUAL SUMMARY

**WHEREAS**, pursuant to Section 32 of the City Charter, the City Manager is the administrative head of the city government, and is responsible to the Mayor and Council for the proper administration of all city business; and

**WHEREAS**, the City Council evaluated the performance of the City Manager in Executive Session under ORS 192.660(2)(i) held on December 13, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Rockaway Beach City Council hereby approves and adopts the City Manager Performance Evaluation Annual Summary for January 2023 to December 2023, attached as Exhibit A.

**APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 13TH DAY OF DECEMBER 2023.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 23-1015

- Approves City Manager Performance Evaluation - ICMA Form
- Council Members and Mayor rate the City Manager's Performance
- Individual Evals are combined into a single "Evaluation Summary"
- Performance discussed in Executive Session
- City Council approves the Summary Evaluation in the regular session

RESOLUTION NO. 23-1016

A RESOLUTION AUTHORIZING AMENDMENTS TO COMPENSATION  
FOR THE CITY MANAGER

**WHEREAS**, Luke Shepard was appointed as City Manager effective November 18, 2022; and

**WHEREAS**, the City Council evaluated the performance of the City Manager in Executive Session under ORS 192.660(2)(i) held on December 13, 2023; and

**WHEREAS**, the Council may amend by resolution the City Manager's compensation in accordance with the City Manager's Employment Agreement, Section 3.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. Effective retroactively to July 1, 2023, the City Council reinstates the City Manager's annual cost of living adjustment (COLA). The COLA rate for the 2023/24 fiscal year shall be calculated at six percent (6%); and

Section 2. Effective immediately, the City Council reinstates the City Manager's annual Longevity Pay of five percent (5%).

**APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 13TH DAY OF DECEMBER 2023.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 23-1016

- Authorizes one-time Amendments to City Manager's Compensation Package
- Bring it into alignment with industry standards
- Resolves issues with Employment Agreement relating to:
  - C.O.L.A. (Periodic Inflationary Adjustments)
  - Longevity (Retention Bonus)

RESOLUTION NO. 23-1017

**A RESOLUTION AUTHORIZING AMENDMENTS TO THE BASE RATE  
COMPENSATION FOR THE CITY MANAGER**

**WHEREAS**, Luke Shepard was appointed as City Manager effective November 18, 2022; and

**WHEREAS**, the City Council evaluated the performance of the City Manager in Executive Session under ORS 192.660(2)(i) held on December 13, 2023; and

**WHEREAS**, the Council may amend by resolution the City Manager's compensation in accordance with the City Manager's Employment Agreement, Section 3.

**WHEREAS**, the City Council wishes to adjust the City Manager's compensation to maintain a salary that is more closely aligned with comparable cities and market conditions.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Effective January 1, 2024, the City Manager's base salary shall be increased by eight percent (8%).

**APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 13TH DAY OF DECEMBER 2023.**

APPROVED

\_\_\_\_\_  
Charles McNeilly, Mayor

ATTEST

\_\_\_\_\_  
Melissa Thompson, City Recorder

# Resolution 23-1017

- Approves Amendments to Base Pay to align compensation with that of comparable cities and market conditions
- Dependent on Performance Review/Comparable Comp.

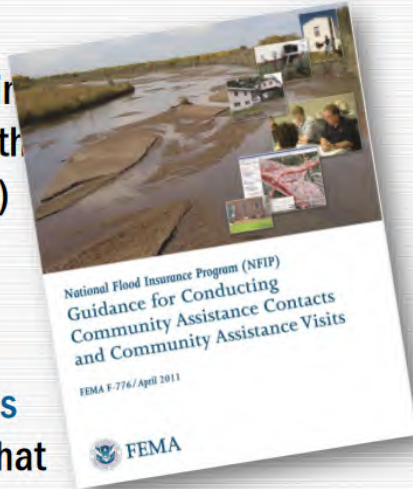


## The Community Assistance Visit (CAV)

### Major Objective:

- Ensure NFIP communities are achieving the flood loss reduction objectives of the Community Assistance Program (CAP)

Community Assistance Program was established to **identify, prevent and resolve floodplain management issues BEFORE they develop into problems that require enforcement action.**



## FEMA-CAV

- Community Assistance Visit – Audit of City Floodplain Management Program
- Minor Code amendments relating to floodplain development
- Recommended development of an outreach Program
- Apply to CRS for a likely 10-15% reduction in flood insurance rates in Rockaway Beach

# Middle Housing – SB 406

## Discovering and Developing Missing Middle Housing



TOWNHOUSE

- What it is
- Where it went
- And why it's a needed housing option for people of *all* ages



DUPLEX



ACCESSORY DWELLING UNIT



MANSION APARTMENT



COTTAGE COURT  
SEE MORE HOME TYPES INSIDE!



- All municipalities in Tillamook County required to allow multi-unit homes in all residential zones
- Address housing prices and shortage
- Requires zoning code and comprehensive plan amendments
- DLCD Grant – Cascadia Partners Inc.
- Community Outreach/Engagement
- Town Hall Kick-off in January/February

# Looking ahead: January 2024



- Sourcewater Protection Plan
  - \$50,000 Grant - IGA in January
  - SWPP Committee - Approval in January
  - GSI Water Solutions – Facilitate Plan Development – Contract in January
- Road Map to Acquisition -SNW
  - Public Engagement
  - Identify/Apply for Funding
  - Coordinate Efforts Local, State and Federal Level
  - Sustainable Northwest - Agreement in January

2023-2024  
FACADE IMPROVEMENT GRANT

ROCKAWAY BEACH  
OREGON

*small town. big beach.*

**Funds Available: \$200,000**  
**Maximum Request: \$20,000**

Grant is made possible by City of Rockaway Beach lodging tax funds

Grant opens: October 1, 2023  
Deadline: December 15, 2023 at 11:59pm

Download application at  
[visitrockawaybeach.org/grants](http://visitrockawaybeach.org/grants)  
(Select the Facade Improvement Grant link)

Grant process managed by Tillamook Coast Visitors Association

For questions and support, contact:  
**Marni Johnston at 503-842-2672, ext. 3**  
or [marni@tillamookcoast.com](mailto:marni@tillamookcoast.com)

# Looking ahead: January 2024

- Loss of Recreational Immunity – Beach Access Closures, Process to Reopen
- Audit Presentation – 2022/23 Budget Year - Peter Gelser - Koontz, Basques & Associates, P.C.
- Proposed Ord. - Cap on STR Licenses
- Marketing and Façade Grant Awards

# Looking ahead: Construction!

- Mobilizing January 2nd - Knife River Construction
- Anchor St. Project
  - Improved Parking lot for 43 Vehicles
  - New Restroom
  - Two Playgrounds
  - Shaded Seating Area
  - Event Space w/water and power
- New Wayside Restrooms





## Other Items

- Santa at the Station
- Verizon Cell Tower – Generator Installed Nov. 10<sup>th</sup>





# Employee Recognition:

## Geoff Grace

- Paramedic, Joined as Volunteer 2011
- Hired in 2023
- FD Captain and Emergency Prep. Coordinator
- Developing CERT Team, Emergency Prep Team, and Radio Com. Team
- EMS instructor and EMS coordinator for RB and TBCC
- Responsible for 50 certified EMS responders in Tillamook County



City of Rockaway Beach, Oregon  
276 S. Highway 101, PO Box 5  
Rockaway Beach, OR 97186  
(503) 374-1752 FAX (503) 355-8221

To: Residents of the City of Rockaway Beach

From: Luke Shepard, City Manager

Subject: 2023 City Manager's End of Year Message

December 11, 2023

Dear Community Members,

What a productive and transformative year 2023 has been! I'm proud of what our city team, governing body, planning commission, consultants, and community members have been able to accomplish over the past twelve months. In my more than 16 years with the City, I've never been prouder to be a part of our team. We have an incredible group, and their efforts make all that follows possible.

Over the last twelve months, the City has taken decisive and positive steps on a wide range of issues including the City's work toward improving its fiscal health, increasing community engagement, expanding community development and housing efforts, creating policy updates, improving billing procedures and upgrading software, meeting room and technology improvements, enlarging human resource services, upgrading public facilities, completing capital improvement projects and planning for more, enhancing watershed protection, strengthening emergency preparedness, and closure on longstanding litigation. For your convenience, I've attempted to summarize these activities below in greater detail.

Thank you for the opportunity to serve as the Rockaway Beach City Manager. I look forward to continuing this positive work into the future.

#### Fiscal Health

While many cities and counties face growing budgetary shortfalls, the Rockaway Beach staff is currently working to introduce a new Budget Stabilization Fund (Rainy Day Fund) into the City's next annual budget. Our latest financial audit showed that once again, total revenues outpaced expenditures by a wide margin. Tracking a city's net position usually gives a good indication of its overall financial health. The City of Rockaway Beach's net position has increased by more than \$7 million since 2019, with the largest increase of over \$3 million occurring this past 22/23 budget year.

The City budget was tested twice this year, once for the \$25,000 cost of major storm damage repairs to the Boardwalk and again to cover a \$116,000 negotiated settlement agreement stemming from a longstanding legal battle. On both occasions the City had the

# 2023

- Thank you all for a wonderful year!
- City Manager's End of Year Message - online



Rockaway Beach  
City Council is  
currently meeting  
in Executive  
(Closed) Session



Regular (open) session will resume when the  
Executive Session has adjourned.

December 13, 2023

Rockaway Beach  
City Council  
Meeting

