



City of Rockaway Beach

City Council Workshop Minutes

Date: Wednesday, December 13, 2023

Location: Rockaway Beach City Hall, 276 HWY 101 – 2nd Floor Conference Room

1. CALL TO ORDER

Mayor McNeilly called the meeting to order at 4:30 p.m.

2. ROLL CALL

Start time: 04:30:09 PM (00:00:02)

Mayor - Charles McNeilly: Present

Position #3 - Kristine Hayes: Present

Position #4 - Alesia Franken: Present

Position #1 - Mary McGinnis: Present

Position #5 - Penelope Cheek: Present

Position #2 - Tom Martine: Present

Staff Present: Luke Shepard, City Manager; Melissa Thompson, City Recorder; and Dan Emerson, Public Works Superintendent

3. COUNCIL BRIEFING/DISCUSSION

a. Watershed Protection

- i. Sourcewater Protection Funding IGA – BizOregon
- ii. Sourcewater Protection Plan Development Proposal – GSI Water Solutions
- iii. Sourcewater Protection Plan Development Committee (Draft Resolution)
- iv. Watershed Acquisition Facilitation Proposal – Sustainable Northwest

Shepard explained that staff had been gearing up to take the City's first steps toward what was hoped to be acquisition of the Jetty Creek Watershed. He estimated that it would be a 3 to 5-year process at minimum. Shepard shared that the City was awarded a \$50,000 grant to put together a sourcewater protection plan, and the IGA with Business Oregon would provide that funding.

Shepard explained that the proposal from GSI Water Solutions was to help the City facilitate its efforts to develop the sourcewater protection plan. After brief discussion, Shepard confirmed for the Council that he would clarify with GSI Water Solutions the schedule dates in the proposal.

Shepard reviewed with the Council the draft resolution to establish the Sourcewater Protection Plan Development Advisory Committee. Shepard explained that the committee will watch over the work of GSI Water Solutions and participate in public meetings with GSI. Shepard confirmed for McGinnis that there could be additional public meetings if desired. Hayes suggested getting additional proposals. McGinnis shared that she did research and GSI

had extensive experience. Shepard confirmed for McGinnis that he could share her research with the rest of the Council. Hayes suggested the committee have regular meetings for citizen input. There was some discussion regarding the process and criteria for selecting committee members. McNeilly clarified the process for Cheek.

Shepard explained that the proposal from Sustainable Northwest was for long-term assistance pursuing acquisition of the watershed. McNeilly added that they would be running the Jetty Creek Working Group.

Shepard shared that the action items would be brought to the Council for consideration at their regular January meeting.

b. Review of Draft Ordinance and Draft Resolution Setting Short-Term Rental (STR) Cap

Start time: 04:45:08 PM (00:15:01)

Shepard explained that the ordinance gives the Council authority to set a cap on the number of Short-Term Rental (STRs), sets up an under-construction waitlist, and establishes a new license waiting list.

Hayes declared that she needed to recuse herself from discussion due to conflict of interest.

Shepard noted that the current number of STR licenses is 451. There was discussion regarding the number of STR applications, licenses, overall residences, and water connections. There was brief discussion regarding the census and how full-time residents are counted. Shepard noted that staff could provide the Council with more information for discussion regarding establishing the cap.

Franken noted a date correction in the Ordinance. Shepard confirmed that the City Attorney drafted the ordinance with staff input. McNeilly noted that licenses were not transferable. There was brief discussion regarding new purchases and how buyers might be affected.

McNeilly suggested that he would not shy away from setting a cap lower than the current number of licenses and that 450 seemed to be a good number for the cap.

Shepard explained the proposed timeline for public hearings and adoption of the ordinance and resolutions. McGinnis noted that an STR cap discussion was not new to the community. Shepard added that there was previous discussion regarding a moratorium. After further discussion, there was consensus to hold public hearings over two City Council meetings to receive input before setting the cap number.

c. Recreational Immunity – Discussion & City/County Insurance Services (CIS) Recommendation

Start time: 05:00:58 PM (00:30:51)

Shepard shared that cities and counties were closing their beach access points due to the loss of recreational immunity for access trails to recreation sites. He explained recreational immunity is immunity from lawsuits such as slip and fall injury claims on property owned by the City. Shepard explained that CIS recommended that the City post signs as soon as

possible to close access. Access will not reopen until an audit is performed, a discretionary maintenance plan has been approved, and maintenance has been implemented.

Shepard explained that signage cannot be enforced since there is no staff available to monitor all sites at all times. After brief discussion, Shepard further explained that the insurance company is trying to create momentum to encourage legislative action to re-establish recreational immunity. There was further discussion regarding possible legislative action. It was suggested that it would be helpful if residents contacted state legislators and there was brief discussion regarding sharing information on the city website or email listserv.

Shepard confirmed that “No Access” signs have been ordered. He noted that the Cedar Tree Boardwalk is not affected because it is a recreation site. Shepard explained that this issue would be brought to the Council at their regular January meeting for them to consider taking action to close access trails.

d. Review of Nuisance at 603 S. Easy Street

Start time: 05:11:37 PM (00:41:30)

Shepard explained that the property is in violation of City ordinances related to attractive nuisances and junk. He explained that the next step is for the Council to take action to approve abatement by the City and charge the property expenses. In response to a question from Martine, Shepard explained that if the expenses aren't paid, the City will put a lien on the property. Cheek noted that the house has been disgusting for a long time. McNeilly commented that he was happy that the City was in a place to be taking action. There was brief discussion regarding child protective services and mandatory reporting for City Councilors.

e. Review of Community Grant Applications

Start time: 05:15:51 PM (00:45:44)

McNeilly explained there were three Community Grant applications to discuss. Shepard said that they all seemed to meet the general requirements. The Council reviewed and discussed the applications.

After discussion, there was consensus to consider awarding a grant to the Tillamook County Developmental Disability Program Annual Picnic.

After discussion of the Friends of the Library's second application, there was consensus to have staff request that they resubmit two applications to separate the request for a flagpole and mailing.

After discussion of the Fulcrum Community Resources for the benefit of North Coast Communities for Watershed Protection Speakers Series, there was consensus to consider awarding a grant.

There was discussion regarding keeping the grant open. After discussion, there was consensus to keep the Community Grant Program open until the first quarter of 2024, make awards in April, and disperse the funds by end of the fiscal year.

4. ADJOURNMENT

Start time: 05:33:48 PM (01:03:41)

McGinnis noted how helpful the Council workshops are, and acknowledged the work of the Council and staff to make them happen.



Martine raised the issue of Council stipends, noting it hadn't changed since 2009. Shepard said that staff was looking into it. McGinnis mentioned that she attended a League of Oregon Cities conference workshop regarding stipends. She shared that several city councilors get paid quite a bit of money or receive other benefits, and it opens the door to younger people running since they might be able to give up work time to participate. Hayes expressed a desire to donate her stipend. Shepard explained that she would need to take the stipend before she could donate it.

Martine made a **motion**, seconded by Franken, to adjourn the meeting at 5:37 p.m.


The **motion carried** by the following vote:

- Position #2 - Tom Martine: Motion
- Position #4 - Alesia Franken: 2nd
- Position #3 - Kristine Hayes: Approve
- Position #4 - Alesia Franken: Approve
- Position #1 - Mary McGinnis: Approve
- Position #5 - Penelope Cheek: Approve
- Position #2 - Tom Martine: Approve

MINUTES APPROVED THIS
10TH DAY OF JANUARY 2024.


 Charles McNeilly, Mayor 

ATTEST


 Melissa Thompson, City Recorder