

January 10, 2024

Rockaway Beach
City Council
Workshop



January 10, 2024

Rockaway Beach
City Council
Meeting





Public Hearing

We're Listening!

- Proposed Ordinance 2024-01
- Amends Code of Ordinances Chapter 113 related to short-term rentals:
 - Establishes the authority of the City Council to set a cap on the number of STR licenses within the city of Rockaway Beach
 - Authorizes the establishment of a “New License” waiting list
 - Authorizes the establishment of an “Under Construction” waiting list
 - Note: License does not transfer with sale or conveyance of property

Ordinance 2024-01

- Establishes the authority to set a cap on STR licenses
 - Cap to be set by Resolution 2024-2
 - Resolutions can be replaced or amended through one action
 - City Council Worship
 - Currently at 450 STR Licenses in Rockway Beach
 - STRs generate approx. \$1.6 Million in revenue to the City annually
 - STR revenue highly restricted

CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 2024-01

AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH CODE OF
ORDINANCES CHAPTER 113 RELATED TO SHORT-TERM RENTALS

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 2022, the City Council adopted Rockaway Beach Code Chapter 113 to balance the interests of neighbors, vacationers, and vacation rental owners. After working under the new regulations for the past year, the City Council finds that updates are needed to continue to strike the correct balance amongst the various interests.
4. Short-term rentals and the impacts of short-term rentals are major concerns for jurisdictions all over Oregon, and particularly along the Oregon coast. Tillamook County recently enacted license caps for short-term rentals in unincorporated areas of the County. Relatedly, Oregon is also suffering through a documented and significant housing shortage that the City Council finds is exacerbated in coastal communities with significant inventories of short-term rentals.
5. To address the interests of the community, including vacationers, property owners, and neighbors, and to address the need for workforce housing in our community, the City Council wishes to implement a cap on the total number of short-term licenses within the City to better ensure the long-term livability for both residents and vacationers.

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

Section 1. The City of Rockaway Beach Code of Ordinances Section 113.02 is hereby amended, in total, as follows:

§ 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.

Ordinance 2024-01

- Authorizes the establishment of a New License Waiting List
 - Once the total number of STR licenses is reached, city will maintain a new license waiting list
 - Must submit an application to be placed on the list
 - The order of the waiting list will be the chronological order of applications received
 - City will contact owners on the waiting list when a new license becomes available
 - Position on list is personal to owner, not transferable

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Ordinance 2024-01

- Authorizes the establishment of an “Under Construction” waiting list
 - Creates an exception to the cap for properties currently under development, if the owner intends to use it as an STR
 - Must have an active building permit issued before March 29, 2024
 - Must submit provisional STR application
 - Must submit completed STR application within 30 days of issuance of certificate of occupancy
 - Must complete construction by March 29, 2026
 - After March 29, 2026, will be transferred to waiting list according to time provisional application was received

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Ordinance 2024-01

Timeline

- Tentative Adoption Schedule
 - Council Workshop – 12/13/23
 - Public Hearing #1 – 1/10/24
 - First Reading and Approval - 1/10/24
 - Public Hearing #2 – 2/14/24
 - Second Reading and Approval - 2/14/24
 - Adoption - 2/14/24
 - Resolution Setting Cap 2/14/24 or 3/13/24
 - Effective Date – 3/15/24

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Financial Audit Presentation

CITY OF ROCKAWAY BEACH
Tillamook County, Oregon

ANNUAL FINANCIAL REPORT

June 30, 2023



- Oregon law requires local governments to file annual financial audit reports with the Secretary of State Audits Division
- Audit Presentation – 2022/23 Budget Year - Peter Gelser - Koontz, Basques & Associates, P.C.
- Available online
- June 2023 net position \$27,094,389, up \$2,977,105 during fiscal year
- Room for improvement – Action Plan

RESOLUTION NO. 2024-01

A RESOLUTION ADOPTING PLAN OF ACTION FOR 2022-2023
FISCAL YEAR AUDIT FINDINGS

WHEREAS, the City's audit of the fiscal year ending June 30, 2023 was completed by the independent auditing firm, Koontz, Blasquez & Associates, P.C.; and

WHEREAS, the audit report included deficiencies as indicted in the attached Exhibit A; and

WHEREAS, the State requires that municipalities adopt a plan of action to address any deficiencies and file the plan with the Secretary of State.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City of Rockaway Beach City Council adopts the Plan of Action for 2022-2023 Fiscal Year audit findings, attached as Exhibit A.

Section 2. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED BY THE CITY COUNCIL THE 10TH DAY OF JANUARY 2024.

APPROVED

Charles McNeilly, Mayor

ATTEST

Melissa Thompson, City Recorder

Resolution 2024-01

- Adopts a plan of action for 2022-2023 Fiscal Year Audit Findings
- Discussed during the Audit Presentation
- State requires that municipalities file their plans of action with the Secretary of State

Mayor & Council Members



Mayor

Charles McNeilly

After vacationing in Rockaway Beach for twenty plus years with mAfter vacationing in Rockaway Beach for twenty plus...

[READ MORE](#)



Council President

Penny Cheek

My first trip to Rockaway Beach was in 1975. Little did I know then that I would now be a homeowner, business...

[READ MORE](#)



Council Position 1

Mary McGinnis

I am honored to serve on city council. Supporting my local community is a core value of mine. I grew up in a logging...

[READ MORE](#)



Council Position 2

Tom Martine

I moved to Rockaway in 1995 when I purchased the hardware store. After 4 months I was asked to join the fire...

[READ MORE](#)



Council Position 3

Kristine Hayes

I am a committed community member, local business owner, and long-standing volunteer in our School District...

[READ MORE](#)



Council Position 4

Alesia Franken

I am honored to serve the Rockaway Beach community. My family and I have been coming to Rockaway Beach for...

[READ MORE](#)

Election of Council President

- City Charter requires the election of a Council President at the first meeting each year.
- The Council President presides in the absence of the mayor
- The Council President acts as mayor when the mayor is unable to perform their duties
- Councilor Cheek served as Council President in 2023.

First Reading Ord. 2024-01

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- Authorizes
 - Cap on STR Licenses
 - “New License” waiting list
 - “Under Construction” waiting list
- Adoption Schedule
 - Council Workshop – 12/13/23
 - Public Hearing #1 – 1/10/24
 - First Reading and Approval - 1/10/24
 - Public Hearing #2 – 2/14/24
 - Second Reading and Approval - 2/14/24
 - Adoption - 2/14/24
 - Effective Date – 3/15/24

RESOLUTION NO. 2024-02

**A RESOLUTION AUTHORIZING A SAFE DRINKING WATER REVOLVING LOAN
FUND GRANT CONTRACT FOR SOURCEWATER PROTECTION**

WHEREAS, the State of Oregon has awarded the City of Rockaway Beach a grant in the amount of \$50,000 from the Safe Drinking Water Revolving Loan Fund for the Drinking Water Source Protection Plan project; and

WHEREAS, the State administers the grant through its Oregon Infrastructure Finance Authority of the Oregon Business Development Department ("OBDD"), also known as Business Oregon.

NOW, THEREFORE, BE IT RESOLVED THAT

Section 1. The City Council of the City of Rockaway Beach hereby authorizes the Safe Drinking Water Revolving Loan Fund Grant Contract for Source Water Protection (Project No. U24006) with the Oregon Business Development Department, in the amount of \$50,000.

Section 2. The City Council authorizes the City Manager or his designee to sign the contract, attached as Exhibit A, on behalf of the City of Rockaway Beach.

Section 3. This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED BY THE CITY COUNCIL THE 10TH DAY OF JANUARY
2024.**

APPROVED

Charles McNeilly, Mayor

ATTEST

Melissa Thompson, City Recorder

Resolution 2024-02

- Authorizes a Safe Water Revolving Loan Fund grant contract "Grant Agreement"
- \$50,000 grant to fund development of the Sourcewater Protection Plan
- Plan to be drafted by GSI Water Resources with input from the Sourcewater Protection Plan Development Committee

RESOLUTION NO. 2024-03

A RESOLUTION DIRECTING CITY STAFF TO CLOSE CITY TRAILS AND POST “NO ACCESS” SIGNS, INCLUDING BEACH ACCESS POINTS

WHEREAS, Oregon law (ORS 105) provides the landowner is not liable for injury, death, or property damage that arises out of the use of the land for recreational purposes (known as “recreational use immunity”); and

WHEREAS, the Oregon Court of Appeals and Oregon Supreme Court have repeatedly issued rulings that have the effect of striking down some, or all, of the Legislature’s recreational use immunity statute; and

WHEREAS, the City’s provider of insurance liability coverage, CIS (City County Insurance Services), has recommended that local governments close trails and install signs noticing the closures; and

WHEREAS, the City does not have the staff or resources to provide enforcement staff to ensure sign compliance.

NOW, THEREFORE, BE IT RESOLVED THAT

- Section 1.** The City Council hereby directs City staff to close trails and post “No Access” signs on City trails, including beach access points.
- Section 2.** The City Council hereby makes a policy decision not to attempt to enforce “No Access” sign warnings.
- Section 3.** If the State enacts legislation that effectively restores recreational immunity, the City Manager is authorized to direct staff to remove “No Access” signs.
- Section 4.** This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED BY THE CITY COUNCIL THE 10TH DAY OF JANUARY 2024.

APPROVED

Charles McNeilly, Mayor

Resolution 2024-03

- Directs staff to post “No Access” signs on city trails used to access recreational areas
- States city does not have resources to maintain all existing access trails
- States city does not have resources to enforce sign compliance
- Authorizes City Manager to restore access if state enacts legislation to restore recreational immunity

Resolution 2024-03

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APPROVED AND ADOPTED BY THE CITY COUNCIL THE 10TH DAY OF JANUARY 2024.

APPROVED

Charles McNeilly, Mayor

Why is this necessary?

- Loss of Recreational Immunity. Loss of local government immunity from lawsuits stemming from access trails
- City recognizes it does not have the resources to maintain safety or compliance at all beach access trails (at least 23)

Next Steps:

- Inventory - Detailed inventory of all beach access trails
 - Prioritize access trails list
 - Develop Maintenance Plan for selected access trails
 - Approve/activate plan/open select beach access trails
- *Legislature may return recreational immunity this spring

RESOLUTION NO. 2024-04

A RESOLUTION APPROVING ADDITIONAL AWARDS FOR THE 2023-2024
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 has previously awarded \$30,767.86 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 recipient in the amounts specified below:

Recipient:	Grant Amount:
	\$
	\$

APPROVED AND ADOPTED BY THE CITY COUNCIL, AND EFFECTIVE THE 10TH DAY OF JANUARY 2024.

APPROVED

Charles McNeilly, Mayor

ATTEST

Melissa Thompson, City Recorder

Resolution 2024-04

- Approves additional Community Grant awards
- \$31,000 Previously Awarded
- New Requests:
 - Friends of the Library - \$2,626.50-Flagpole
 - Friends of the Library - \$2,951.00- Mailers
- City to accept additional grant applications through March 5th.

RESOLUTION NO. 2024-05

A RESOLUTION APPROVING THE SCOPE OF WORK FROM GSI WATER SOLUTIONS, INC. FOR A DRINKING WATER PROTECTION PLAN & AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the City of Rockaway Beach was awarded a State grant from the Safe Drinking Water Revolving Loan Fund for the Drinking Water Source Protection Plan project; and

WHEREAS, the City seeks to engage with GSI Water Solutions, Inc. for assistance in its efforts to develop a Drinking Water Protection Plan (DWPP) and to explore the potential for acquiring land or establishing conservation easements in its source water area (Jetty Creek Watershed); and

WHEREAS, the Rockaway Beach Code Chapter 30 provides that the City Council delegates contracting power to the City Manager for items up to \$75,000.

NOW, THEREFORE, BE IT RESOLVED THAT

Section 1. The City of Rockaway Beach City Council hereby approves the Scope of Work and Fee Estimate from GSI Water Solutions, Inc. for the Drinking Water Protection Plan for the City of Rockaway Beach, attached as Exhibit A, and authorizes the City Manager to execute a Professional Services Agreement for the project.

Section 2. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED BY THE CITY COUNCIL THE 10TH DAY OF JANUARY 2024.

APPROVED

Charles McNeilly, Mayor

ATTEST

Melissa Thompson, City Recorder

Resolution 2024-05

- Approves scope of work from GSI Water Solutions, Inc. for development of a Drinking Water Protection Plan and other related work
- Authorizes City Manager to execute a Professional Services Agreement with GSI

RESOLUTION NO. 2024-06

A RESOLUTION APPROVING A SCOPE OF WORK FROM SUSTAINABLE NORTHWEST FOR PROJECT MANAGEMENT SERVICES RELATED TO WATERSHED ACQUISITION, EASEMENT OR LAND TRANSFER & AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the City seeks to engage with Sustainable Northwest for assistance in its efforts to pursue the protection of its drinking water supply through acquisition, easement, or land transfer of the Jetty Creek Watershed; and

WHEREAS, the Rockaway Beach Code Chapter 30 provides that the City Council delegates contracting power to the City Manager for items up to \$75,000.

NOW, THEREFORE, BE IT RESOLVED THAT

Section 1. The City of Rockaway Beach City Council hereby approves the Scope of Work from Sustainable Northwest Sustainable Northwest for project management services as it pursues the protection of its drinking water supply through acquisition, easement, or land transfer of the Jetty Creek Watershed, titled Schedule 1.1 and attached as Exhibit A, and authorizes the City Manager to execute a Professional Services Agreement for the project.

Section 2. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED BY THE CITY COUNCIL THE 10TH DAY OF JANUARY 2024.

APPROVED

Charles McNeilly, Mayor

ATTEST

Melissa Thompson, City Recorder

Resolution 2024-06

- Approves scope of work from Sustainable Northwest
 - Facilitate Jetty Creek Working Group meetings
 - Develop Long-term funding acquisition strategy
 - Identify and pursue funding opportunities
 - Support City's efforts as requested
- Authorizes City Manager to execute a Professional Services Agreement with SNW

RESOLUTION NO. 2024-07

A RESOLUTION ESTABLISHING THE SOURCEWATER PROTECTION PLAN DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, the City Council adopted Resolution 2024-05 approving the Scope of Work with GSI Water Solutions to facilitate the development of a Sourcewater Protection Plan for the Jetty Creek Watershed; and

WHEREAS, the City of Rockaway Beach policy 100.1 *Council Meeting Rules and Procedures*, section 3.17 provides that the City Council may establish ad hoc and advisory committees as needed by resolution for a specific purpose; and

WHEREAS, the Council wishes to establish an advisory committee for the purposes of receiving and reviewing project information, and providing community input to the Sourcewater Protection Plan facilitator during the development of the City's Sourcewater Protection Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- Section 1.** The Sourcewater Protection Plan Development Advisory Committee is hereby established for the purposes of receiving project information, reviewing reports, and providing community input to the Sourcewater Protection Plan facilitator during the development of the City's Sourcewater Protection Plan.
- Section 2.** The advisory committee will consist of five members who are served by the Rockaway Beach Water District. At least four members shall be residents of the City. Appointments will be made according to the City Charter and by resolution of the City Council.
- Section 3.** The City shall solicit application packets from parties interested in serving on the committee. These packets shall include an application, letter of interest and resume.
- Section 4.** The committee is an official public body governed by Oregon Public Meeting Law and other applicable statutes. Minutes shall be kept of all committee meetings in accordance with applicable law. The City Manager shall designate a staff member responsible for compliance with Public Meetings Law.
- Section 5.** At the first meeting, the committee will appoint a committee chair to preside over the committee's meetings. All committee meetings will be held during normal City Hall business hours. The committee is expected to

Resolution 2024-07

- Establishes the Sourcewater Protection Plan Development Committee
- Receive and review project information, review reports, and provide community input/feedback during the development of the SWP
- Public Meetings (at least four)
- Five Members, four city residents
- Application, Resume, Letter of Interest
- Apply by February 6th, 2024

2023-2024
FACADE IMPROVEMENT GRANT



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
(Select the Façade 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

Looking ahead: February 2024

- Presentations:
 - Flood Feasibility Study
- Public Hearing:
 - Ordinance No. 2024-01
 - Ordinance No. 2024-02
 - Resolution No. 2024-09
- Marketing and Façade Grant Awards
- Consideration of
 - Ord. 2024-01
 - Ord. 2024-02 – Election filing by petition
 - Resolution 2024-08 – STR Cap
 - Resolution 2024-09 – Waiting list fee
 - Resolution 2024-10 – Workers Comp. Committees
 - Resolution 2024-11 – Till. Co. NHMP



Looking ahead: Construction

- Contactor now on-site!
- Completion Date: Late April
- Anchor St. Project
 - Improved Parking lot for 43 Vehicles
 - New Restrooms
 - Playground Installed
 - Shaded Seating Area
 - Event Space w/water and power
- New Wayside Restrooms

Department of Transportation Charging Fueling and Infrastructure (CFI) Grant \$14.5 Million Award

Site #	Site Host Name	Address	City	State	# of DCFCs	# of Level 2 Chargers
1	Forks Motel	315 S. Forks Ave	Forks	Washington	4	1
2	Sequim Substation	150 N. Govan Ave.	Sequim	Washington	4	1
3	Quilcene Village Store	294235 US-101	Quilcene	Washington	2	1
4	Mason Health	901 Mountain View Dr.	Shelton	Washington	4	1
5	Northwest Carriage Museum	314 Alder St.	Raymond	Washington	4	1
6	Port of Ilwaco	165 Howerton Ave.	Ilwaco	Washington	4	1
7	Little Creek Casino	91 WA-108	Kamilche	Washington	4	1
8	Lower Columbia College	1600 Maple St.	Longview	Washington	4	1
9	Kalaloch Area - Site TBD	TBD	Kalaloch	Washington	2	1
10	Village Center Parking Lot	89 Breaker Lane	Port Ludlow	Washington	2	1
11	Welcome Center Parking Lot	7 N. Roosevelt St	Seaside	Oregon	2	1
12	Rockaway Beach City Parking Lot	220 S. Anchor St.	Rockaway Beach	Oregon	4	1

January 10, 2024

Rockaway Beach City Council Meeting



Meeting currently paused for a 10-minute recess.

City of Rockaway Beach Coffee w/ Manager and Mayor

Fourth Thursday of January

9:00 am to 10:00 am

City Hall 2nd Floor Conference Room

Thursday, January 25, 2024

Bring your questions, comments and suggestions

We look forward to our interaction!