

City of Rockaway Beach

City Council Workshop Minutes



Date: Wednesday, October 9, 2024
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

Council Members Present: Mayor Charles McNeilly; Councilors Penny Cheek (arrived 4:31 p.m.), Mary McGinnis, Tom Martine, Kristine Hayes, and Alesia Franken

Staff Present: Luke Shepard, City Manager; and Melissa Thompson, City Recorder

3. COUNCIL BRIEFING/DISCUSSION

a. Discussion Regarding Conflicts of Interest/Impartiality in Quasi-Judicial Land Use Hearings - Armand Resto-Spotts, Local Government Law Group

Start time: [04:31:57 PM \(00:00:44\)](#)

Shepard explained that the objective of the discussion was to provide practical training in conflicts of interest, bias and ex-parte contacts in preparation for a quasi-judicial land use hearing.

Armand Resto-Spotts of Local Government Law Group, legal counsel for the City, referred the Council to his memo included in their meeting packet providing a Summary of Conflicts of Interest/Impartiality, and Draft Language for Councilors in Disclosure at Public Hearing. Resto-Spotts answered questions from the Council regarding specific disclosures. He explained that after disclosures, a statement should be made regarding the ability to make a fair and impartial decision. Resto-Spotts explained the difference between actual and potential conflicts of interest. Resto-Spotts answered additional questions regarding procedural matters.

b. Review of Safe Drinking Water Revolving Loan Fund Financing Contract & Memo from Business Oregon Regarding the Infrastructure Finance Authority (IFA) Funding Assistance for Nedonna Beach Water System Improvements Project

Start time: [04:51:24 PM \(00:20:11\)](#)

Shepard summarized his staff report regarding Safe Drinking Water Revolving Loan Fund Financing for the Nedonna Beach Water System Improvements Project. He explained that a resolution authorizing the loan would be presented to the Council in November. Shepard

answered questions from the Council. McNeilly gave accolades to city staff and the City's financial position.

c. Review of Draft Resolution 2024-42 Adjusting Appropriations for the 2024-2025 Fiscal Year Budget for Attorney's Fees

Start time: [05:05:32 PM \(00:34:19\)](#)

Shepard explained the intent of the draft resolution was to transfer funds from contingency for legal fees related to the recent election case defense, but the City doesn't yet have final costs and the attorneys are still working on it. Shepard stated he would email Council members with an update, and indicated that current billing through September was about \$25,000. Shepard expected that the resolution would be presented at the November or December Council meeting. Shepard answered questions from the Council.

d. Community Grant Program Updates

Start time: [05:08:16 PM \(00:37:03\)](#)

Shepard provided a brief overview of the Planning Commission process in updating the Community Grant Program. He explained the program was now split into a small and large grant. Shepard referred the Council to the program flyers, applications, and scoring sheets included in the meeting packet.

McGinnis noted that the Planning Commission, as the citizen involvement committee, would review and score grant applications, then send them to the Council with recommendations. She further explained the process and eligibility criteria. McGinnis and Shepard answered clarifying questions. Shepard explained the grant management process.

After discussion, there was consensus to refer the grant program back to the Planning Commission to clarify "community entities", and review again in a Council Workshop.

4. ADJOURNMENT

Start time: [05:44:42 PM \(01:13:29\)](#)


Martine made a **motion**, seconded by Cheek, to adjourn the meeting at 5:44 p.m.

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

Aye: 5 (Cheek, McGinnis, Martine, Hayes, Franken)

Nay: 0

MINUTES APPROVED THE
13TH DAY OF NOVEMBER 2024



Charles McNeilly, Mayor

ATTEST



Melissa Thompson, City Recorder