

**City of Depoe Bay**  
**City Council Regular Meeting**  
April 16, 2024 – Tuesday, 6:00 PM  
Depoe Bay City Hall – 570 SE Shell Avenue

*The Meeting Location is Accessible to the Public*

**To Join Zoom from Your Computer, Tablet, or Smartphone:**  
<https://us02web.zoom.us/j/3850131421?pwd=dnVZa0lxbFRHWHlwMndMT3VjUjI2QT09>  
Meeting ID: 385 013 1421  
Passcode: wx02sD

**To Join Zoom from Your Phone:**  
Phone: (253) 215-8782  
Meeting ID: 385 013 1421  
Passcode: wx02sD

*Please Note: In the event of Zoom Technical Difficulties the Telephone Conference System will be utilized.  
Dial (888) 204-5987, access code 9599444*

*Public comments may be made via email up to two hours before the meeting start time at  
[info@cityofdepobay.org](mailto:info@cityofdepobay.org)*

**AGENDA**

- A. Pledge of Allegiance
- B. Call Meeting to Order and Establish a Quorum
- C. Changes and Additions to the Agenda
- D. Consent Agenda

**Revised**

*Covers routine administrative matters that are not generally discussed and may all be approved as recommended in a staff report. The mayor will provide an opportunity for a Council member or citizen to ask that an item be pulled from the consent agenda for discussion. These items will receive separate action. All items not removed will be approved by a single motion of the Council.*

- 1) City Council Regular Meeting Minutes – February 6, 2024
- 2) Accounts Payable Report
- 3) Business License Activity – February and March

Action: \_\_\_\_\_

- E. Guest Presentations
  - 1) Lincoln County Wintering Shelter Budgeting Consideration

- F. Commission/Committee/Group Reports
  - Emergency Preparedness Committee
  - Harbor, Planning, Parks, and Salmon Enhancement Commissions

- G. Public Comment
 

*The public has the opportunity to address the Council during "Public Comment." Those attending virtually may raise their hand electronically or request to speak upon unmuting. The public may also send written comments by email to [recorder@cityofdepobay.org](mailto:recorder@cityofdepobay.org). Please limit comments to one page and include your name and address. Emails received before 5:00 PM on the day of the meeting will be included and read into the record for comments by the Council.*

- H. Unfinished Business
  - 1) Procurement Request - PLC Upgrade (Wastewater) – The Automation Group – Sole Source Determination

Action: \_\_\_\_\_

- 2) Second Reading & Adoption of Ordinance Creating a City Administrator Position and Combining the Positions of City Administrator and City Recorder into a City Administrator/Recorder Position – Ordinance 347-24

Action: \_\_\_\_\_

I. New Business

- 1) Park Reservation – Chamber of Commerce – Crab Feed on May 11<sup>th</sup>. (Page 57)

Action: \_\_\_\_\_

- 2) Harbor Leases – Recommendations by Harbor Commission

Action: \_\_\_\_\_

- 3) Drinking Water Source Protection Letter of Interview Review and Approval Action:

\_\_\_\_\_

- 4) 2024 Legislative Summary (Information)

- 5) Capital Improvement Request – Fencing at Wastewater Treatment Plant (Page 99)

Action: \_\_\_\_\_

- 6) Accepting Resignation from City Council – Lindsay Bedingfield – and Discussion of Filling Vacancy (Page 106)

Action: \_\_\_\_\_

II. City Staff Reports

- 1) Project Updates

III. Closing Public Comment

IV. Council Comments

V. Adjournment

Depoe Bay City Hall is accessible to people with disabilities. If special accommodations are needed, please notify City Hall at (541) 765-2361 48-Hours in advance of the meeting so appropriate assistance can be provided.

TTY# 1-800-735-2900

"This institution is an equal opportunity provider."

**Rules of Conduct for Public Meetings**

No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting. Microphones will be muted for remote participants unless called upon to speak or during public comment period.

Persons shall not comment or testify without first receiving recognition from the presiding officer and stating their full name and city of residence.

During public hearings, no person shall present irrelevant, immaterial, or repetitious testimony or evidence.

There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting. If online participant(s) disrupt the meeting, the participant(s) microphone and webcam will be turned off. If disruption continues, the participant(s) will be removed from the meeting.

Depoe Bay City Council Regular Meeting  
Tuesday, February 6, 2024 – 6:00 PM  
Depoe Bay City Hall

PRESENT: K. Short, J. King, R. Beasley, L. Bedingfield, V. Sovern, F. Recht, A. Watson  
ABSENT: None.  
STAFF: Public Works Director B. Weidner; City Recorder K. Wollenburg; Administrative Assistant G. Burke  
GUEST(S): Casey Elfstrom, Lincoln County Sheriff's Deputy

A. PLEDGE OF ALLIEGIENCE

B. CALL MEETING TO ORDER AND ESTABLISH A QUORUM – Mayor Short called the meeting to order and established a quorum at 6:00 PM.

C. CHANGES AND ADDITIONS TO THE AGENDA – Mayor Short announced that she is adding additional information to the agenda under “unfinished business” regarding the results of the executive session held earlier in the evening.

D. Consent Agenda

- 1) City Council Regular Meeting Minutes – November 21, 2023
- 2) City Council Regular Meeting Minutes – December 5, 2023
- 3) Appointment of Budget Officer – Resolution 557-24
- 4) Accounts Payable Report

**Motion to approve the consent agenda made by Councilor Beasley; seconded by Councilor King.**

**Vote:** Motion Passed 7/0

**Ayes:** Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

E. Guest Presentations

1) Lincoln County Sheriff's Office Monthly Report

Officer Casey Elfstrom was invited to speak. Officer Elfstrom said that he'd responded to about 205 total calls in the last month. He said that he'd spent more time in the neighborhoods around town and had issued many warnings to drivers who ignore stop signs. The intent is to engineer good driving behavior from the local residents. He also reported that he'd responded to parking complaints in town and noted that more parking signage has gone up, which has allowed him to issue citations or give warnings as needed. He's had an 80% compliance rate of those he's warned or cited; he's hopeful that violators will get the message.

City Recorder Wollenburg said that Officer Elfstrom is focusing on Williams Avenue as an area of concern for parking violations. Officer Elfstrom said that in the past there was a little bit of a “gray area” in terms of the parking signage that was posted there; however, that problem has been mitigated with the new signage.

City Recorder Wollenburg said that the City has had several complaints about logging trucks speeding through town. She wondered if it was possible to identify which company owns or operates the trucks so that she could contact them and lodge a complaint about their drivers' speeding habits.

2) Little Whale Cove Community Renewable Energy Grant Application

City Recorder Wollenburg invited Mr. Joe Cannon to address the City Council. Mr. Cannon is a resident of the Little Whale Cove neighborhood in Depoe Bay. Mr. Cannon informed the Council that he is a retired electrical power plant operator, with training obtained during his time in the United States Air Force. He gave a PowerPoint presentation with information about the Oregon Department of Energy's "Community Renewable Energy Grant Program." He voiced his concern over the power outage during the recent ice storm and encouraged the City Council to research the grant program.

Referencing the Oregon Department of Energy's website, he said that HB 2021 created a \$50 million fund at ODOE to provide grants for planning and developing community renewable energy and energy resilience projects. He encouraged the City of Depoe Bay to partner with Little Whale Cove in putting renewable energy sources somewhere in the city. Renewable energy sources include, but are not limited to, the following: wind turbines, biomass, solar power, hydro and mini hydro, hydrogen fuel cells, and batteries.

Mr. Cannon introduced his colleague, Mr. Scott Whitmire, as a fellow resident of Little Whale Cove. Mr. Whitmire is also an experienced grant writer who can assist with the grant application process. The potential grant amounts include up to \$100,000 for research and development, and up to \$1,000,000 for construction of the project.

City Recorder Wollenburg noted that the grant may be suited for building a more robust warming shelter in Depoe Bay. She also noted that backup power for vital utilities like water and wastewater should be something to consider.

Councilor Beasley said he supports improvements in the power grid; however, he wondered if it might be best to form an ad hoc committee dedicated to tackling such a large project. That way, he noted, there might be a way for the City Council to maintain control and accountability of what happens during the course of the project.

Councilor Recht asked Mr. Cannon if he proposed that one of the sites for the project be Little Whale Cove. If so, would he entertain additional sites within Depoe Bay? Mr. Cannon stressed that he wasn't proposing anything. He said that it was best for the research to be completed before ideal sites for the project are identified. A small discussion about the potential sources for mini hydro power followed. Councilor Recht noted that we need to keep our fish and fish habitats in mind. Mr. Cannon agreed and said that a report on the impacts on fish and their habitats would likely be included in the research phase of the project. A discussion about the benefits of renewable energy followed.

F. Commission/Committee/Group Reports

Emergency Preparedness Committee Update – Councilor King reported that she and Mayor Short had met with the manager of Big 5 Sporting Goods store in Newport. They asked for a local discount and were able to purchase sleeping bags, tents, and other outdoor and emergency supply items. She thanked Councilor Beasley for being the one who'd suggested Big 5 as a resource for these items. In addition, they also purchased items from Harbor Freight in Newport.

She reported that they are still under the \$40,000 budget that was allocated for the 2023/2024 budget cycle. They are working on pricing out items on Amazon as well as Mountain House for freeze-dried or frozen foods. They are in the preliminary stages of talking to the HOA at Stonebridge in order to find out if an emergency cache container can be placed somewhere on their property.

The donation event that was initially going to be held at the Depoe Bay Fire Station has been canceled. Lincoln County Emergency Manager, Samantha Buckley, will be giving a presentation on June 8<sup>th</sup> at 9:00 AM. Her talk will focus on being prepared for unexpected emergencies.

Councilor Beasley said that he thinks the updates are good news; however, he raised concerns about the Emergency Operations Plan that was adopted by the City of Depoe Bay in the past. He said that he is worried that if we don't follow the plan that was already adopted, the City could be held liable in the event of an emergency. Mayor Short expressed doubt over whether such a lengthy plan would be manageable in the event of an emergency. She said that she is in favor of following a Continuity of Operations Plan (COOP) that is promoted by the Oregon Department of Emergency Management. She said that the City has already adopted a COOP plan as of 2010; going forward it will be updated as well as the Emergency Operations Plan.

City Recorder Wollenburg said that she's on the Lincoln County Evacuation Plan Steering Committee and that she recently attended a meeting in Newport. She learned that Siletz, Newport, and Depoe Bay are considered priority areas in terms of emergency management, and that the members of the Lincoln County Evacuation Plan Steering Committee will likely want to meet with the members of the Depoe Bay Emergency Preparedness Committee in order to come up with a plan that works for Depoe Bay and other stakeholders in the area. Mayor Short said that she wants to set up a work session for the Councilors to talk more about emergency preparedness and the COOP on February 27<sup>th</sup>.

Houseless Advisory Committee Update – None.

Harbor Commission Update – Liz Martin said that the Harbor Commission didn't have a meeting in December. At their January meeting they elected new officers and decided that John "Jack" O'Brien will continue on as the chair. Liz Martin will continue as vice chair. They were pleased to get a report from Harbormaster Roy Hildenbrand that new signage has been erected around the harbor and looks very nice. Security cameras are being installed and should cut down on some of the vandalism. She said that the Harbor Commission has been looking into the leases for the harbor, and that

they will be determining what action(s) need to be taken. They would like to report back to the City Council in March 2024 with their findings and recommendations.

Planning Commission Update – None.

Parks Commission Update – Robert Vincent, chair of the Parks Commission, reported that at their last meeting they discussed changing the name of the Parks Commission to the Parks and Recreation Commission in order to expand their responsibilities and activities. The members of the Parks Commission have a desire to be more involved in community-driven events such as the annual Polar Plunge, National Night Out, Emergency Preparedness Events, Movies in the Park, citywide cleaning events, senior events and programs, adult learning and enrichment programs, and children's events and programs. The Parks Commission feels that expanding their role in the way just described would ultimately lead to more tourism dollars for the city.

Councilor Beasley commended the Parks Commission members, but he expressed his concern over the amount of animal waste (dog feces) littering the City Park. He wondered how the events just described would be affected by the lack of maintenance of the park. He said he is in favor of the City passing more nuisance laws or ordinances concerning littering and dog feces. He also supports adding exercise equipment in the park.

Councilor King said that she's spoken to residents who remember that there used to be concerts held at the park in the past. Chair Vincent said that he's aware of that, and that he's in favor of bringing concerts back to the park, possibly with the help of grants similar to what Lincoln City has received. When Councilor Beasley asked about the Commission and maintenance of the parks and scenic lands, City Recorder Wollenburg reminded Councilor Beasley that maintenance does not fall under the purview of the Parks Commission. Chair Vincent said that an expansion of the Parks Commission as he'd described could lead to more volunteerism, which could help in terms of adding more clean-up days.

Salmon Enhancement Commission Update – Ken Lauer said that he doesn't have anything to report. City Recorder Wollenburg said that she and Administrative Assistant Burke went to see the baby salmon and observed the process of how they are moved into a holding net and fed.

#### G. Public Comment

C.A. White addressed the City Council. He said that he's spoken to his attorney and the only real issue they have at the moment is the schedule for the installation of the house that he would like to build. He feels that the City of Depoe Bay has many moving parts and priorities associated with making the sewer and water changes to the land in question that will likely interfere with his plans. He indicated that the potential delays could hold up the start of his project until later in the year. This is not ideal timing for his construction team, considering that the concrete will need to dry and cure during the warmest part of the year. If construction begins later in the year, when the rainy season starts, he feels it could interfere with the entire project. He proposed letting his private contractors take over the responsibility of making the changes to the sewer and water lines. He believes that the work would be done quicker and cheaper that way. He

proposed adding the cost of the work to the purchase price of the property.

Mayor Short reminded Mr. White that the City must go out for at least three bids on projects that are over \$5,000. Mr. White said that he interpreted the ORS language that she is referring to differently. He believes that it wouldn't apply in this instance, and he said that he believes that the county officials would be on board with it. Councilor Beasley said that he thought the mayor brought up a good point.

Councilor Recht said that the time was reserved for public comment and that Councilor Beasley wasn't supposed to offer his input. Mayor Short said that no decisions were being made and that it was just a discussion. Councilor Recht said that she didn't think it was appropriate to go back and forth in a discussion during the public comment portion of the agenda. Mayor Short agreed.

Mr. White's attorney, Christian Zupancic, said that he wanted to clarify that their proposal would mean the purchase price would increase, Mr. White would not be working for the City or taking on a contract for the City, and Mr. White would be doing the work himself as a private developer.

#### H. Unfinished Business

##### 1) CA White Property (Update)

City Recorder Wollenburg said that the work on Collins St. was already planned, but it just wasn't going to be started until after the start of the next budget cycle in July. The City Engineer is still working on figuring out how much it will cost the City to do the work. She said that they will not have City staff do the work but will be looking at different contractors to do the work.

##### 2) Big Tire Park Vacation – Repealing Resolution 554-24 – Resolution 558-24

**Motion to repeal Resolution 554-24 made by Councilor Beasley; seconded by Councilor King.**

**Vote:** Motion Passed 7/0

**Ayes:** Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

##### 3) Results of Executive Session

**Motion to settle the claim with an offer of \$5,000 made by Councilor Beasley; seconded by Councilor King.**

**Vote:** Motion Passed 7/0

**Ayes:** Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

**Motion to re-file in small claims made by Councilor King; seconded by Councilor Watson.**

Councilor Beasley said that he wished his fellow councilors would consider this case to be a closed book. He said that he thinks the judge is giving the City of Depoe Bay a face-saving way out of this situation. He indicated that he didn't think that

anyone present was responsible for what occurred. Mayor Short reminded Councilor Beasley that they were in a public meeting and that this discussion was going into the minutes. Councilor Recht said that any discussion of the matter should've taken place at the earlier Executive Session. Councilor King said that there is a difference between discussion and opinions.

**Vote:** Motion Passed 6/1

**Ayes:** Bedingfield, King, Recht, Short, Sovern, Watson

**Nays:** Beasley

I. New Business

1) Parks Reservation Request – Neighbors for Kids

**Motion to approve Neighbors for Kids park reservation request made by Councilor Recht; seconded by Councilor Watson.**

**Vote:** Motion Passed 7/0

**Ayes:** Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

2) Community Hall & Park Reservation Request – Fleet of Flowers

**Motion to approve the Fleet of Flowers Community Hall and Park reservation request made by Councilor Recht; seconded by Councilor Watson.**

**Vote:** Motion Passed 7/0

**Ayes:** Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

3) First Reading - Banning Fireworks – Ordinance 345-24

**Motion to approve first reading by title only of Ordinance 345-24 banning fireworks made by Councilor Bedingfield; seconded by Councilor Watson.**

City Recorder Wollenburg noted that she needs to make a change to the title of the document that says it will be replacing section 13.03.

**Vote:** Motion Passed 7/0

**Ayes:** Beasley, Bedingfield, King, Recht, Short, Sovern, Watson

4) Parks and Recreation Commission – Ordinance 346-24

Councilor Recht said that she'd like to suggest a change to section 32.02. She said she'd like to see the word 'tourism' be stricken from the last sentence in the first paragraph. She'd also like to add the words 'for its residents' after the word 'opportunities.' Councilor Recht also suggested that the Salmon Bake, the Fleet of Flowers, and the Crab Feed and Wooden Boat show not be included in the activities overseen by the Parks Commission.

A discussion followed about the appropriate scope of activity for the Parks Commission. Councilors Watson and Beasley were in agreement that the Parks Commission should be a body that primarily focuses on the residents of Depoe Bay and not on tourism.



5) Utility Assistance Program

Councilor Sovern wondered what the demand for utility discounts is in Depoe Bay. City Recorder Wollenburg said that the City receives leak adjustment requests all the time. She said that she'd like to give water adjustments but not sewer adjustments. There are currently no income requirements for adjustment requests. Councilor Recht suggested that the City establish a fund that can be used for low-income utility assistance. The fund would essentially be first-come-first-served. City Recorder Wollenburg said that if such a fund was established, there would need to be specific criteria that applicants to the program should follow. A discussion followed about establishing an income threshold and other possible parameters for the program.

Councilor Beasley said that he believes the City should not focus on giving away anything but should focus on strengthening its revenue. He wondered if establishing such a program would place an extra burden on the office staff due to the added paperwork that would be needed. A discussion followed about the difference between a leak adjustment and a low-income assistance adjustment. Mayor Short said that the discussion is tabled until further review.

6) Public Meetings Law Update

City Recorder Wollenburg shared some recent updates to the law and noted that there is more information to come.

K. CITY STAFF REPORTS

1) Project Updates

Councilor Sovern asked City Recorder Wollenburg what type of code enforcement was happening in the City. City Recorder Wollenburg said that traffic and other areas of the City need attention. Councilor Sovern asked what needed attention, and City Recorder Wollenburg answered clear vision is a big one. Councilor Sovern said that most of the people she's spoken to recently have been complaining about people parking on streets and living in their RVs. City Recorder Wollenburg said that in those circumstances, the person who observed the violation would need to lodge a formal complaint with the sheriff, not the City of Depoe Bay.

Councilor Recht asked what was being done about vacation rental enforcement. City Recorder Wollenburg said that Administrative Assistant Burke would be trained in this particular area eventually. Councilor Beasley said that he encourages his colleagues to think about code enforcement in terms of added revenue. Although he respects the nuisance laws that have been passed, he wonders if a stronger financial burden to the violators would improve conditions in the City.

Councilor Recht asked about some additional issues that had been discussed by the Council in the past, particularly Ellingson St. or the Katie Roe Memorial. City Recorder Wollenburg said that those issues haven't been forgotten, but that there are some higher priority topics that've taken precedence recently. City Recorder Wollenburg reported that there was a water line hit in Little Whale Cove on the previous day by the boring crew. The boring crew stayed with the City of Depoe Bay's Public Works crew until midnight to resolve the situation. City Recorder Wollenburg said that the

City has received two shared revenue checks. She also said that she'd like to plan a discussion about her job performance.

L. CLOSING PUBLIC COMMENTS

None.

M. COUNCIL COMMENTS

Bedingfield – Councilor Bedingfield said that she wanted to make sure that in the draft budget there is space to request a mobile digital speed limit sign or two. City Recorder Wollenburg said that Administrative Assistant Burke has reached out to ODOT for some preliminary information about these signs. She added that she was leaning more towards stationary signs instead of the mobile signs. Councilor Bedingfield expressed her approval for stationary signs instead of mobile signs.

Short – Mayor Short said that she ran into the President of Gleneden Service District, Phil Jensen, a few weeks ago. She noted that the City is two years into its five-year wastewater contract termination period. She asked if the Councilors would agree to let her meet with him, as well as City Recorder Wollenburg and his office staff person, and then bring back any updates to the City Council. All Councilors agreed. She also noted that a draft of the audit is now available and asked the Councilors to review it and make notes of any concerns or questions.

Sovern – Councilor Sovern said that she looks forward to having the City website updated.

Beasley – Councilor Beasley asked Public Works Director Weidner if there will be a sidewalk installed near the newly constructed housing units down the hill from City Hall. Public Works Director Weidner said yes.

King – None.

Watson – None.

Recht— Councilor Recht said that she'd like to get an Urban Renewal meeting scheduled before the budget process starts. An Urban Renewal Agency Meeting was scheduled for March 5<sup>th</sup> at 5:00 PM.

N. ADJOURNMENT. Meeting adjourned by Mayor Short at 8:01 PM.

Submitted by:

Reviewed by:

---

Gena Burke, Administrative Assistant

---

Kimberly Wollenburg, City Recorder



# Register Activity

Fiscal: 2023-2024  
Period: 2023-2024 - April  
Council Date: 2023-2024 - April - AP 4/16/2024

Reference	Date	Amount	Notes
<b>Reference Number: 35263</b> <u>Invoice - 9459</u>	<b>Advanced American Construction Inc</b> 4/8/2024	<b>\$39,000.00</b> \$39,000.00	Mobilization - Harbor Restoration Project
<b>Reference Number: 35264</b> <u>Invoice - 10004-01-07</u> <u>Invoice - 10004-02D-01</u> <u>Invoice - 10004-03-03</u> <u>Invoice - 10004-04-03</u> <u>Invoice - 10004-05-04</u> <u>Invoice - 10004-10-02</u> <u>Invoice - 10004-11-01</u>	<b>AKS Engineering &amp; Forestry</b> 3/28/2024 3/28/2024 3/28/2024 3/28/2024 3/28/2024 3/28/2024 3/28/2024	<b>\$6,204.35</b> \$1,501.25 \$760.00 \$1,086.25 \$1,136.85 \$303.75 \$1,035.00 \$381.25	Engineering Services 515 Spindrift Plan Review Bay St Sidewalk Improvement WWTP Pool: Catwalk Replacement Trail Timber Bridge Replacement Impound PLA CoBD WTP Improvements
<b>Reference Number: 35265</b> <u>Invoice - 20240409 AB</u>	<b>Alfred Bromley</b> 4/9/2024	<b>\$42.97</b> \$42.97	WWTP Non-Pool: Reimbursement for Supplies
<b>Reference Number: 35266</b> <u>Invoice - 165869</u> <u>Invoice - 165885</u> <u>Invoice - 165955</u> <u>Invoice - 166124</u>	<b>Analytical Laboratory Group</b> 3/29/2024 3/29/2024 4/10/2024 4/10/2024	<b>\$2,243.00</b> \$73.00 \$53.00 \$647.00 \$1,470.00	Water Tests Water Tests WWTP Pool: Lab Tests WWTP Pool: Lab Tests
<b>Reference Number: 35267</b> <u>Invoice - 1415687</u>	<b>Brimar Industries</b> 3/25/2024	<b>\$235.38</b> \$235.38	Signs
<b>Reference Number: 35268</b> <u>Invoice - 121520032924</u>	<b>Charter Communications - Spectrum</b> 3/29/2024	<b>\$84.98</b> \$84.98	Community Hall Internet & Voice
<b>Reference Number: 35269</b> <u>Invoice - 7072597</u> <u>Invoice - 7072598</u>	<b>Davis Wright Tremaine LLP</b> 3/31/2024 3/31/2024	<b>\$5,868.00</b> \$4,908.00 \$960.00	Legacy Construction Bid Protest Land Use Litigation
<b>Reference Number: 35270</b> <u>Invoice - 1349</u>	<b>Dr. Hingewood Tree Service LLC</b> 4/3/2024	<b>\$1,500.00</b> \$1,500.00	Tree Removal - Briscoe & Lange
<b>Reference Number: 35271</b> <u>Invoice - 258652</u>	<b>Ferguson Enterprises LLC #3325</b> 4/1/2024	<b>\$331.88</b> \$331.88	Marine Exhaust Hose

Reference	Date	Amount	Notes
<b>Reference Number: 35272</b>	<b>Ferguson Waterworks #3011</b>	<b>\$3,564.85</b>	
<u>Invoice - 1252570</u>	3/27/2024	\$257.12	Brass Ball Corp Valves
<u>Invoice - 1252602</u>	4/4/2024	\$599.36	Gate Valve Hand Wheel
<u>Invoice - 1253549</u>	3/29/2024	\$2,635.05	Annual Software Support
<u>Invoice - 1255394</u>	4/4/2024	\$73.32	Paint for Locates
<b>Reference Number: 35273</b>	<b>Global Industrial</b>	<b>\$599.77</b>	
<u>Invoice - 121699085</u>	3/25/2024	\$599.77	Supply Cabinet for Basement
<b>Reference Number: 35274</b>	<b>Konica Minolta Business Solutions</b>	<b>\$315.20</b>	
<u>Invoice - 820016352</u>	4/8/2024	\$315.20	PBX Phones
<b>Reference Number: 35275</b>	<b>Lincoln County Solid Waste Consortium</b>	<b>\$128.25</b>	
<u>Invoice - 20240410</u>	4/10/2024	\$128.25	Depoe Bay Portion
<b>Reference Number: 35276</b>	<b>MacPherson, Gintner &amp; Diaz</b>	<b>\$5,406.25</b>	
<u>Invoice - 20240331 - 10370</u>	3/31/2024	\$5,406.25	General Business
<b>Reference Number: 35277</b>	<b>National Business Solutions</b>	<b>\$1,325.62</b>	
<u>Invoice - IN129894</u>	4/5/2024	\$1,037.57	IT Services
<u>Invoice - IN130016</u>	4/8/2024	\$288.05	Billable Copies
<b>Reference Number: 35278</b>	<b>North Lincoln Sanitary Service</b>	<b>\$6,589.17</b>	
<u>Invoice - 20240402 - 16351</u>	4/3/2024	\$4,331.14	WWTP Pool: Sludge Haul
<u>Invoice - 20240402 - 20711</u>	4/2/2024	\$266.52	Garbage - Community Center
<u>Invoice - 20240402 - 29005</u>	4/2/2024	\$284.81	Garbage - Harbor
<u>Invoice - 20240402 - 29006</u>	4/2/2024	\$1,417.23	Garbage - Downtown
<u>Invoice - 20240402 - 29532</u>	4/2/2024	\$289.47	Garbage - Fish Cleaning
<b>Reference Number: 35279</b>	<b>Northstar Chemical Inc</b>	<b>\$2,477.20</b>	
<u>Invoice - 278078</u>	4/4/2024	\$2,477.20	WWTP Pool: Sodium Hypochlorite
<b>Reference Number: 35280</b>	<b>One Call Concepts</b>	<b>\$37.80</b>	
<u>Invoice - 4030356</u>	3/31/2024	\$37.80	Utility Locates
<b>Reference Number: 35281</b>	<b>Pitney Bowes Inc</b>	<b>\$141.00</b>	
<u>Invoice - 1025126198</u>	4/8/2024	\$141.00	Quarterly Postage Machine Rental
<b>Reference Number: 35282</b>	<b>Ports Contracting LLC</b>	<b>\$2,500.00</b>	
<u>Invoice - 947</u>	3/13/2024	\$2,500.00	Vacuum Out Meter Boxes
<b>Reference Number: 35283</b>	<b>Rogers Machinery</b>	<b>\$14,955.00</b>	
<u>Invoice - 1413195</u>	3/27/2024	\$14,955.00	WWTP Pool: Roots Universal Blower

Reference	Date	Amount	Notes
<b>Reference Number: 35284</b>	<b>Southern California Bronze Co</b>	<b>\$440.00</b>	
<u>Invoice - 30269-24</u>	3/28/2024	\$220.00	Memorial Plaque
<u>Invoice - 40001-24</u>	4/1/2024	\$220.00	Memorial Plaque
<b>Reference Number: 35285</b>	<b>The Automation Group</b>	<b>\$6,564.65</b>	
<u>Invoice - W14355</u>	3/27/2024	\$1,606.45	WWTP Pool: Blower Service
<u>Invoice - W14356</u>	3/27/2024	\$4,958.20	WWTP Pool: Eaton SVX Install
<b>Reference Number: 35286</b>	<b>TWGW Inc NAPA Auto Parts</b>	<b>\$388.70</b>	
<u>Invoice - 92723</u>	4/4/2024	\$335.98	WWTP Pool: Blower Oil
<u>Invoice - 93337</u>	4/8/2024	\$52.72	Wiper Blades & Fluid; Bulbs
<b>Reference Number: 35287</b>	<b>VenTek International</b>	<b>\$95.00</b>	
<u>Invoice - 142937</u>	4/1/2024	\$95.00	Harbor Launch Kiosk - Monthly Fee
<b>Reference Number: 35288</b>	<b>Verizon Wireless</b>	<b>\$384.69</b>	
<u>Invoice - 9960548719</u>	4/1/2024	\$384.69	Crew Phones
<b>Reference Number: 35289</b>	<b>Vortex Services, LLC</b>	<b>\$11,647.50</b>	
<u>Invoice - 313308</u>	3/31/2024	\$11,647.50	WWTP Non-Pool: I & I
<b>Reference Number: 35290</b>	<b>Wex Bank</b>	<b>\$1,283.94</b>	
<u>Invoice - 96309905</u>	4/6/2024	\$1,283.94	Shell Fuel Sales
<b>Total:</b>		<b>\$114,355.15</b>	



# Transaction Activity

Fiscals: 2023-2024 - April

Period: 2023-2024 - April

Council Dates: 2023-2024 - April - AP 4/16/2024

Transaction Types: General Journal, Investment Purchase, Investment Sale, Invoice, Payable Check, Payable Invoice, Reinvested Interest, Transfer

System Types: Backflow, Cash Management, Excise Tax, Fees, Financials, Invoice, License, Payroll, Penalty, Pet Fees, Resources, Sales Tax, Utility Billing

Transaction: Invoice - 10004-01-07, Invoice - 10004-02D-01, Invoice - 10004-03-03, Invoice - 10004-04-03, Invoice - 10004-05-04, Invoice - 10004-10-02, Invoice - 10004-11-01, Invoice - 1025126198, Invoice - 121520032924, Invoice - 121699085, Invoice - 1252570, Invoice - 1252602, Invoice - 1253549, Invoice - 1255394, Invoice - 1349, Invoice - 1413195, Invoice - 1415687, Invoice - 142937, Invoice - 165869, Invoice - 165885, Invoice - 165955, Invoice - 166124, Invoice - 20240331 - 10370, Invoice - 20240402 - 16351, Invoice - 20240402 - 20711, Invoice - 20240402 - 29005, Invoice - 20240402 - 29006, Invoice - 20240402 - 29532, Invoice - 20240409 AB, Invoice - 20240410, Invoice - 258652, Invoice - 278078, Invoice - 30269-24, Invoice - 313308, Invoice - 40001-24, Invoice - 4030356, Invoice - 7072597, Invoice - 7072598, Invoice - 820016352, Invoice - 92723, Invoice - 93337, Invoice - 9459, Invoice - 947, Invoice - 96309905, Invoice - 9960548719, Invoice - IN129894, Invoice - IN130016, Invoice - W14355, Invoice - W14356

Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<u>Invoice - 9459</u>	<u>Advanced American Construction Inc</u>	<u>2023-2024 - April - AP 4/16/2024</u>		
	<b>Mobilization - Harbor Restoration Project</b>			
<u>030-812</u>	CAPITAL - DOCKS 2-4 REPLACEMENT		\$39,000.00	
			<b>\$39,000.00</b>	
<u>Invoice - 10004-01-07</u>	<u>AKS Engineering &amp; Forestry</u>	<u>2023-2024 - April - AP 4/16/2024</u>		
	<b>Engineering Services</b>			
<u>010-660</u>	CONSULTANTS - ENGINEERING		\$1,501.25	
			<b>\$1,501.25</b>	
<u>Invoice - 10004-02D-01</u>	<u>AKS Engineering &amp; Forestry</u>	<u>2023-2024 - April - AP 4/16/2024</u>		
	<b>515 Spindrift Plan Review</b>			
<u>010-664</u>	CONSULTANT - PLANNING		\$760.00	
			<b>\$760.00</b>	

Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<b><u>Invoice - 10004-03-03</u></b>	<b><u>AKS Engineering &amp; Forestry</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>020-813</u>	<b>Bay St Sidewalk Improvement</b> CAPITAL - IMPROVEMENTS		\$1,086.25 <b>\$1,086.25</b>	
<b><u>Invoice - 10004-04-03</u></b>	<b><u>AKS Engineering &amp; Forestry</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-660</u>	<b>WWTP Pool Item: Catwalk Replacement</b> CONSULTING - ENGINEERING		\$1,136.85 Pool Item <b>\$1,136.85</b>	
<b><u>Invoice - 10004-05-04</u></b>	<b><u>AKS Engineering &amp; Forestry</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>060-813</u>	<b>Trail Timber Bridge Replacement</b> CAPITAL - PARKS IMPROVEMENTS		\$303.75 <b>\$303.75</b>	
<b><u>Invoice - 10004-10-02</u></b>	<b><u>AKS Engineering &amp; Forestry</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-664</u>	<b>Impound PLA</b> CONSULTANT - PLANNING		\$1,035.00 <b>\$1,035.00</b>	
<b><u>Invoice - 10004-11-01</u></b>	<b><u>AKS Engineering &amp; Forestry</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-660</u>	<b>CoBD WTP Improvements</b> CONSULTING - ENGINEERING		\$381.25 <b>\$381.25</b>	
<b><u>Invoice - 20240409 AB</u></b>	<b><u>Alfred Bromley</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-692</u>	<b>WWTP Non-Pool: Reimbursement for Supplies</b> SMALL TOOLS & EQUIP		\$42.97 Non-Pool <b>\$42.97</b>	
<b><u>Invoice - 165869</u></b>	<b><u>Analytical Laboratory Group</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-690</u>	<b>Water Tests</b> LAB SERVICES & SUPPLIES		\$73.00 <b>\$73.00</b>	
<b><u>Invoice - 165885</u></b>	<b><u>Analytical Laboratory Group</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-690</u>	<b>Water Tests</b> LAB SERVICES & SUPPLIES		\$53.00 <b>\$53.00</b>	
<b><u>Invoice - 165955</u></b>	<b><u>Analytical Laboratory Group</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-690</u>	<b>WWTP Pool: Lab Tests</b> LABORATORY & SUPPLIES		\$647.00 Pool Item <b>\$647.00</b>	

Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<b><u>Invoice - 166124</u></b>	<b><u>Analytical Laboratory Group</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-690</u>	<b>WWTP Pool: Lab Tests</b> LABORATORY & SUPPLIES		\$1,470.00 Pool Item	
			<b>\$1,470.00</b>	
<b><u>Invoice - 1415687</u></b>	<b><u>Brimar Industries</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>020-620</u>	<b>Signs</b> SIGNS		\$235.38	
			<b>\$235.38</b>	
<b><u>Invoice - 121520032924</u></b>	<b><u>Charter Communications - Spectrum</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>060-615</u>	<b>Community Hall Internet &amp; Voice</b> UTILITIES & GARBAGE		\$84.98	
			<b>\$84.98</b>	
<b><u>Invoice - 7072597</u></b>	<b><u>Davis Wright Tremaine LLP</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>030-812</u>	<b>Legacy Construction Bid Protest</b> CAPITAL - DOCKS 2-4 REPLACEMENT		\$4,908.00	
			<b>\$4,908.00</b>	
<b><u>Invoice - 7072598</u></b>	<b><u>Davis Wright Tremaine LLP</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-661</u>	<b>Land Use Litigation</b> LEGAL SERVICES		\$960.00	
			<b>\$960.00</b>	
<b><u>Invoice - 1349</u></b>	<b><u>Dr. Hingewood Tree Service LLC</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>020-645</u>	<b>Tree Removal - Briscoe &amp; Lange</b> TREE MAINTENANCE		\$1,500.00	
			<b>\$1,500.00</b>	
<b><u>Invoice - 258652</u></b>	<b><u>Ferguson Enterprises LLC #3325</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-635</u>	<b>Marine Exhaust Hose</b> MATERIALS & SUPPLIES		\$331.88	
			<b>\$331.88</b>	
<b><u>Invoice - 1252570</u></b>	<b><u>Ferguson Waterworks #3011</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-635</u>	<b>Brass Ball Corp Valves</b> MATERIALS & SUPPLIES		\$257.12	
			<b>\$257.12</b>	
<b><u>Invoice - 1252602</u></b>	<b><u>Ferguson Waterworks #3011</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-630</u>	<b>Gate Valve Hand Wheel</b> OPERATION & MAINTENANCE TRANSMISSION LINES		\$599.36	
			<b>\$599.36</b>	



Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<b><u>Invoice - 1253549</u></b>	<b><u>Ferguson Waterworks #3011</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-631</u>	<b>Annual Software Support</b> OPERATION & MAINT WTP		\$2,635.05	
			<b>\$2,635.05</b>	
<b><u>Invoice - 1255394</u></b>	<b><u>Ferguson Waterworks #3011</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-635</u>	<b>Paint for Locates</b> MATERIALS & SUPPLIES		\$73.32	
			<b>\$73.32</b>	
<b><u>Invoice - 121699085</u></b>	<b><u>Global Industrial</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-691</u>	<b>Supply Cabinet for Basement</b> CITY HALL BUILDING		\$599.77	
			<b>\$599.77</b>	
<b><u>Invoice - 820016352</u></b>	<b><u>Konica Minolta Business Solutions</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-651</u>	<b>PBX Phones</b> UTILITIES & GARBAGE		\$315.20	
			<b>\$315.20</b>	
<b><u>Invoice - 20240410</u></b>	<b><u>Lincoln County Solid Waste Consortium</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>013-605</u>	<b>Depoe Bay Portion</b> SOLID WASTE CONSORTIUM		\$128.25	
			<b>\$128.25</b>	
<b><u>Invoice - 20240331 - 10370</u></b>	<b><u>MacPherson, Gintner &amp; Diaz</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-661</u>	<b>General Business</b> LEGAL SERVICES		\$5,406.25	
			<b>\$5,406.25</b>	
<b><u>Invoice - IN129894</u></b>	<b><u>National Business Solutions</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-668</u>	<b>IT Services</b> CONTRACTED SERVICES		\$1,037.57	
			<b>\$1,037.57</b>	
<b><u>Invoice - IN130016</u></b>	<b><u>National Business Solutions</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-668</u>	<b>Billable Copies</b> CONTRACTED SERVICES		\$288.05	
			<b>\$288.05</b>	
<b><u>Invoice - 20240402 - 16351</u></b>	<b><u>North Lincoln Sanitary Service</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-631</u>	<b>WWTP Pool Item: Sludge Haul</b> BIOSOLIDS/SLUDGE DISPOSAL		\$4,331.14	
			<b>\$4,331.14</b>	

Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<b><u>Invoice - 20240402 - 20711</u></b>	<b><u>North Lincoln Sanitary Service</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>060-615</u>	<b>Garbage - Community Center</b> UTILITIES & GARBAGE		\$266.52	
			<b>\$266.52</b>	
<b><u>Invoice - 20240402 - 29005</u></b>	<b><u>North Lincoln Sanitary Service</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>030-615</u>	<b>Garbage - Harbor</b> UTILITIES & GARBAGE		\$284.81	
			<b>\$284.81</b>	
<b><u>Invoice - 20240402 - 29006</u></b>	<b><u>North Lincoln Sanitary Service</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-651</u>	<b>Garbage - Downtown</b> UTILITIES & GARBAGE		\$141.72	
<u>020-615</u>	UTILITIES & GARBAGE		\$453.51	
<u>030-615</u>	UTILITIES & GARBAGE		\$524.38	
<u>040-615</u>	UTILITIES & GARBAGE		\$127.55	
<u>050-631</u>	OPERATION & MAINT WTP		\$70.86	
<u>060-615</u>	UTILITIES & GARBAGE		\$99.21	
			<b>\$1,417.23</b>	
<b><u>Invoice - 20240402 - 29532</u></b>	<b><u>North Lincoln Sanitary Service</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>030-615</u>	<b>Garbage - Fish Cleaning</b> UTILITIES & GARBAGE		\$289.47	
			<b>\$289.47</b>	
<b><u>Invoice - 278078</u></b>	<b><u>Northstar Chemical Inc</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-690</u>	<b>WWTP Pool: Sodium Hypochlorite</b> LABORATORY & SUPPLIES		\$2,477.20	Pool Item
			<b>\$2,477.20</b>	
<b><u>Invoice - 4030356</u></b>	<b><u>One Call Concepts</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-625</u>	<b>Utility Locates</b> CONTRACTED SERVICES		\$18.90	Non Pool
<u>050-625</u>	CONTRACTED SERVICES		\$18.90	
			<b>\$37.80</b>	
<b><u>Invoice - 1025126198</u></b>	<b><u>Pitney Bowes Inc</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-640</u>	<b>Quarterly Postage Machine Rental</b> POSTAGE & SHIPPING		\$141.00	
			<b>\$141.00</b>	

Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<b><u>Invoice - 947</u></b>	<b><u>Ports Contracting LLC</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-631</u>	<b>Vacuum Out Meter Boxes OPERATION &amp; MAINT WTP</b>		\$2,500.00 <b>\$2,500.00</b>	
<b><u>Invoice - 1413195</u></b>	<b><u>Rogers Machinery</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-814</u>	<b>WWTP Pool: Roots Universal Blower CAPITAL - PLANT IMPROVEMENTS</b>		\$14,955.00 Pool Item <b>\$14,955.00</b>	
<b><u>Invoice - 30269-24</u></b>	<b><u>Southern California Bronze Co</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>060-637</u>	<b>Memorial Plaque MEMORIAL WALL MAINT &amp; SUPPLIES</b>		\$220.00 <b>\$220.00</b>	
<b><u>Invoice - 40001-24</u></b>	<b><u>Southern California Bronze Co</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>060-637</u>	<b>Memorial Plaque MEMORIAL WALL MAINT &amp; SUPPLIES</b>		\$220.00 <b>\$220.00</b>	
<b><u>Invoice - W14355</u></b>	<b><u>The Automation Group</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-814</u>	<b>WWTP Pool: Blower Service CAPITAL - PLANT IMPROVEMENTS</b>		\$1,606.45 Pool Item <b>\$1,606.45</b>	
<b><u>Invoice - W14356</u></b>	<b><u>The Automation Group</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-814</u>	<b>WWTP Pool: Eaton SVX Install CAPITAL - PLANT IMPROVEMENTS</b>		\$4,958.20 Pool Item <b>\$4,958.20</b>	
<b><u>Invoice - 92723</u></b>	<b><u>TWGW Inc NAPA Auto Parts</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-635</u>	<b>WWTP Pool: Blower Oil MATERIALS &amp; SUPPLIES</b>		\$335.98 Pool Item <b>\$335.98</b>	
<b><u>Invoice - 93337</u></b>	<b><u>TWGW Inc NAPA Auto Parts</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>050-640</u>	<b>Wiper Blades &amp; Fluid; Bulbs EQUIP MAINTENANCE &amp; RENTAL</b>		\$52.72 <b>\$52.72</b>	
<b><u>Invoice - 142937</u></b>	<b><u>VenTek International</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>030-625</u>	<b>Harbor Launch Kiosk - Monthly Fee CONTRACTED SERVICES</b>		\$95.00 <b>\$95.00</b>	

Reference	Vendor	Period	Amount	Number
<b>Invoice</b>				
<b><u>Invoice - 9960548719</u></b>	<b><u>Verizon Wireless</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-651</u>	<b>Crew Phones</b> UTILITIES & GARBAGE		\$384.69	
			<b>\$384.69</b>	
<b><u>Invoice - 313308</u></b>	<b><u>Vortex Services, LLC</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>040-632</u>	<b>WWTP Non-Pool: I &amp; I</b> INFLOW & INFILTRATION REDUCTION		\$11,647.50 Non-Pool	
			<b>\$11,647.50</b>	
<b><u>Invoice - 96309905</u></b>	<b><u>Wex Bank</u></b>	<b>2023-2024 - April - AP 4/16/2024</b>		
<u>010-695</u>	<b>Shell Fuel Sales</b> MISCELLANEOUS		\$77.04	
<u>020-638</u>	VEHICLE MAINTENANCE & SUPPLIES		\$154.07	
<u>030-638</u>	VEHICLE MAINTENANCE & SUPPLIES		\$282.47	
<u>040-638</u>	VEHICLE MAINTENANCE & SUPPLIES		\$218.27	Pool Item
<u>050-638</u>	VEHICLE MAINTENANCE & SUPPLIES		\$295.31	
<u>060-638</u>	VEHICLE MAINTENANCE & FUEL		\$256.78	
			<b>\$1,283.94</b>	
		<b>Total Invoice</b>	<b>\$114,355.15</b>	
		<b>Grand Total</b>	<b>\$114,355.15</b>	

**Business License Activity  
February and March 2024**

Date:	Activity:	BL #:	Trans Occ:	Name of Business:	Address:	City State Zip	Type of Business:	Fees Paid
2/7/24	Renewal	617		267 NE Williams Ave	267 NE Williams Ave	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/7/24	Renewal	618		269 NE Williams Ave	269 NE Williams Ave	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/22/24	New	776		Advanced American Construction Inc	**	Portland OR	Marine Contractor	\$161.00
2/26/24	Renewal	519		Anchor Storage Depoe Bay LLC	628 SE Painter Ln	Depoe Bay OR 97341	Storage Units	\$96.60
3/8/24	Renewal	725		Bay Echo	29 NE Combs Ave	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/13/24	Not Renewing	577		Blue Pacific Ocean	305 SE Shell Ave	Depoe Bay OR 97341	Seafood Processing	\$0.00
2/16/24	Renewal	664		Burger 101	106 SE Highway 101	Depoe Bay OR 97341	Restaurant	\$80.50
2/26/24	Renewal	749		c/v Tribute	Depoe Bay Harbor	Depoe Bay OR 97341	Charter	\$96.60
3/8/24	Renewal	548		Commodore 1	20 NW Sunset St	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
12/13/24	Renewal	750		Cottage by the Sea	25 SW Hawkins St	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/20/24	Renewal	266		Cushman Heating & Sheet Metal	**	Lincoln City OR	Heating & Sheet Metal	\$96.60
3/18/24	Renewal	65		Depoe Bay Chamber of Commerce	**	Lincoln City OR	Community Organization	\$96.60
2/7/24	Renewal	755		Green Light Electric	**	Lincoln City OR	Electrical Construction	\$96.60
3/1/24	Renewal	497		Knock Your Socks Off LLC	22 NE Highway 101	Depoe Bay OR 97341	Retail	\$96.60
2/16/24	Not Renewing	569	Yes	Mather, Clifton	35 SE Craig Pl	Depoe Bay OR 97341	Retail	\$0.00
2/22/24	Renewal	582		Mikey's Fishing Adventures	Depoe Bay Harbor	Depoe Bay OR 97341	Charter	\$96.60
2/20/24	Renewal	626		Most Wanted Painters Inc	**	Newport OR	Painting	\$96.60
3/19/24	Renewal	13		Nalu Charters	Depoe Bay Harbor	Depoe Bay OR 97341	Charter	\$96.60
3/8/24	Renewal	127		OBV LLC	**	Lincoln City OR	Property Management	\$96.60
3/5/24	Renewal	78		Olas Atlas Inc dba Mazatlan Mexican Restaurant	221 SW Highway 101	Depoe Bay OR 97341	Restaurant	\$138.00
3/12/24	Change of Name/Owner	59		Only in Oregon General Store	10 SE Highway 101	Depoe Bay OR 97341	Retail	na
3/12/24	Renewal	736		Only in Oregon LLC	4 NE Highway 101, Units #1, 2 & 3	Depoe Bay OR 97341	Tourist Accommodation	\$103.50
3/12/24	Renewal	777		Only in Oregon LLC	4 NE Highway 101, Units #4, 5, 6 & 7	Depoe Bay OR 97341	Long-term Rentals	\$103.50
3/22/24	Renewal	729		Pacific View Apartments	45 NE Collins St	Depoe Bay OR 97341	Long-term Rentals	\$124.20
3/1/24	Renewal	254		Pacific West Ambulance Inc	**	Newport OR	Ambulance	\$96.60
3/8/24	Renewal	564		Pirates Cove - Ocean Minded Real Estate LLC	25 NW Hamey St	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/23/24	Renewal	722		Rare Finds	54 & 56 NE Highway 101	Depoe Bay OR 97341	Retail	\$96.60
2/23/24	Renewal	79		RE/MAX Integrity	110 NE Highway 101, #1-A	Depoe Bay OR 97341	Real Estate Sales & Property Mgmt	\$96.60
2/12/24	Not Renewing	534		Rosecliff	94 NW Sunset St	Depoe Bay OR 97341	Tourist Accommodation	\$0.00
2/16/24	Renewal	712		Seadog Grooming	646 SE Highway 101, #1	Depoe Bay OR 97341	Dog Grooming	\$96.60
3/8/24	Renewal	726		Seaquell	39 NE Combs Ave	Depoe Bay OR 97341	Tourist Accommodation	\$96.60

**Business License Activity**  
February and March 2024

<b>Date:</b>	<b>Activity:</b>	<b>BL #:</b>	<b>Trans Occ:</b>	<b>Name of Business:</b>	<b>Address:</b>	<b>City State Zip</b>	<b>Type of Business:</b>	<b>Fees Paid</b>
3/12/24	Renewal	734		SFO Forecast Inc dba Only in Depoe Bay	4 NE Highway 101	Depoe Bay OR 97341	Retail	\$126.50
3/12/24	Renewal	735		SFO Forecast Inc dba The Grey Whale	26/28 SE Highway 101	Depoe Bay OR 97341	Retail	\$103.50
3/1/24	Renewal	649		Suite Williams	425 NE Williams Ave	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/14/24	Renewal	668		Sweet Polly's Oceanfront Cottage and Vacation Rentals	315 SW Coast Ave	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
3/26/24	Renewal	727		The Quilted Sea Star	665 SW Coast Ave	Depoe Bay OR 97341	Crafting/Sewing	\$96.60
2/26/24	Renewal	756		Top Line Roofing LLC	**	Lincoln City OR	Roofing	\$193.20
3/8/24	Renewal	753		Vito, John	71 NE Lane St	Depoe Bay OR 97341	Tourist Accommodation	\$96.60
2/16/24	Not Renewing	748		West Coast Homes LLC	**	Lincoln City OR	Construction	\$0.00
3/8/24	Renewal	628		Whale Crossing - Village at North Pointe, #45	1113 NE Highway 101 #45	Depoe Bay OR 97341	Tourist Accommodation	\$96.60

Call Type	Call Date/Time	Beat	Primary Incident Number
WRNT	4/2/2024 5:38	NPS01-NORTH	2024-00005659
TRF	4/1/2024 15:12	NPS01-NORTH	2024-00005625
TRF	4/1/2024 13:29	NPS01-DEPOE BAY	2024-00005613
TRF	4/1/2024 12:55	NPS01-DEPOE BAY	2024-00005608
TRF	4/1/2024 12:42	NPS01-DEPOE BAY	2024-00005606
TRF	3/31/2024 14:03	NPS01-DEPOE BAY	2024-00005547
TRF	3/31/2024 13:07	NPS01-DEPOE BAY	2024-00005542
TRF	3/31/2024 12:44	NPS01-DEPOE BAY	2024-00005540
TRF	3/31/2024 12:15	NPS01-DEPOE BAY	2024-00005538
TRF	3/31/2024 11:54	NPS01-DEPOE BAY	2024-00005536
TRF	3/31/2024 11:14	NPS01-DEPOE BAY	2024-00005531
TRF	3/31/2024 10:55	NPS01-DEPOE BAY	2024-00005527
TRF	3/31/2024 10:47	NPS01-DEPOE BAY	2024-00005526
TRF	3/31/2024 10:38	NPS01-NORTH	2024-00005522
TRF	3/31/2024 10:02	NPS01-DEPOE BAY	2024-00005521
TRF	3/31/2024 9:54	NPS01-DEPOE BAY	2024-00005520
TRF	3/31/2024 9:41	NPS01-DEPOE BAY	2024-00005517
TRF	3/31/2024 9:32	NPS01-DEPOE BAY	2024-00005515
TRF	3/31/2024 8:11	NPS01-DEPOE BAY	2024-00005507
TRF	3/31/2024 8:01	NPS01-DEPOE BAY	2024-00005505
TRF	3/27/2024 12:23	NPP01-NORTH	2024-00005297
TRF	3/27/2024 12:06	NPP01-NORTH	2024-00005296
TRF	3/27/2024 11:56	NPP02-SOUTH	2024-00005295
TRF	3/27/2024 11:48	NPP02-SOUTH	2024-00005293
TRF	3/27/2024 11:05	NPP02-SOUTH	2024-00005286
TRF	3/27/2024 10:58	NPP01-NORTH	2024-00005284
TRF	3/27/2024 10:43	NPP02-SOUTH	2024-00005280
TRF	3/27/2024 10:32	NPP02-SOUTH	2024-00005278
TRF	3/26/2024 14:15	NPS01-NORTH	2024-00005229
TRF	3/26/2024 11:54	LCP02	2024-00005213
TRF	3/26/2024 10:43	LCP01	2024-00005207
TRF	3/26/2024 10:00	LCP02	2024-00005200
TRF	3/26/2024 9:51	LCP02	2024-00005197
TRF	3/26/2024 9:50	LCP02	2024-00005196
TRF	3/19/2024 19:30	LCP02	2024-00004786
TRF	3/19/2024 19:22	NPS01-NORTH	2024-00004781
TRF	3/19/2024 19:17	NPS01-NORTH	2024-00004779
TRF	3/19/2024 17:29	NPS01-DEPOE BAY	2024-00004749
MSG	4/1/2024 11:03	NPS01-NORTH	2024-00005599
ILPARK	3/26/2024 8:51	NPS01-DEPOE BAY	2024-00005192
ILPARK	3/25/2024 13:45		2024-00005145
ILPARK	3/25/2024 13:00	NPS01-DEPOE BAY	2024-00005139
HITRUN3	3/25/2024 14:15	NPS01-DEPOE BAY	2024-00005151
HANGUP	3/31/2024 14:40	NPS01-NORTH	2024-00005550
FOLLUP	3/26/2024 10:02	LCP01	2024-00005202

EDP1	4/1/2024 16:14 NPS01-NORTH	2024-00000815
EDP1	3/27/2024 13:21 NPS02-CENTRAL	2024-00005301
CRASH1	3/25/2024 17:19 NPS01-NORTH	2024-00002099
COM EVT	3/19/2024 17:54 NPS01-DEPOE BAY	2024-00004755
CIVIL1	3/26/2024 13:08 NPS01-NORTH	2024-00005221
CITCON	3/31/2024 9:27 NPS01-DEPOE BAY	2024-00005513
CITCON	3/31/2024 9:27 NPS01-DEPOE BAY	2024-00005512
CITCON	3/27/2024 15:35 NPS01-NORTH	2024-00005318
ATL	4/1/2024 7:56 NPP01-NORTH	2024-00005585
ASLT1	3/27/2024 12:31 NPP01-NORTH	2024-00004315
AREACK	4/1/2024 16:21 NPS01-DEPOE BAY	2024-00005634
AREACK	3/31/2024 7:20 NPS01-DEPOE BAY	2024-00005501
AREACK	3/19/2024 17:47 NPS01-DEPOE BAY	2024-00004753
ANIMAL1	3/26/2024 14:25 NPS01-NORTH	2024-00005231



**Lincoln County Health and Human Services  
Community Shelter and Resource Center (Emergency Winter Shelter  
Program)  
Community Report and Funding Request**

The purpose of this report is two-fold: 1) To share with the community the activities and milestones of the emergency winter shelter program operated by Lincoln County Health and Human Services; and 2) to request new or continued funding for the operation of the emergency shelter program. A brief rationale for the continued operation of a winter shelter program is included as well.

**Operational Report**

Lincoln County Health and Human Services has operated a no/low-barrier emergency winter shelter program, the Community Shelter and Resource Center, for houseless individuals and their companion animals in Lincoln County since October 4, 2023. The program will close for the winter on March 31, 2024. The program has operated in close partnership with the Housing Authority of Lincoln County.

Winter shelter operations started in Newport, initially in spaces provided at St Stephens Episcopal Church and First Presbyterian Community Church, then moving to its permanent location at 351 SW 7<sup>th</sup> Street in November of 2023. In January 2024, the program added winter sheltering in a hotel in Lincoln City. A hotel was used to fulfill the intent of operating in two locations after it became evident that an appropriate site could not be identified in Lincoln City in time to provide support during the winter months. Fortunately, Health and Human Services has recently purchased a facility located at 1516 NE 14th Street in Lincoln City, which will provide a more appropriate, permanent location for Lincoln City winter shelter operations starting October 1, 2024. Collectively, the two shelters are the Community Shelter and Resource Center, with Newport and Lincoln City locations.

Shelter operations are tightly managed with a focus on the safety of staff and guests, along with the provision of vital services to our unhoused guests. The shelters are fully staffed by employees with additional support provided by volunteers. Guests are checked in to the shelters at or around 6 p.m. (depending on location) and provided with dinner, beds, and access to showers and toilet facilities. Access to laundry, while initially a challenge, has been added to the Newport location and is planned for Lincoln City.

Once checked in, guests surrender personal belongings to secure storage and are only allowed out for supervised smoking breaks until check out the following morning. All our staff and volunteers are trained in conflict de-escalation, first aid, bloodborne pathogen control and Narcan administration.

Transportation vouchers have been distributed throughout the county so that individuals living outside of Newport and Lincoln City could travel to and from the shelters for overnight support.

A surprise in the operation of the shelter has been the large number of adults over the age of 50 who are houseless (42% of guests). Additionally, we have seen guests in their 60s, 70s, and 80s (37 in total), many of whom have serious health conditions.

Based on the needs of the guests using the shelter, Health and Human Services in January added a Houseless Navigational team to link individuals to available resources. Initially the thought was that shelter staff would be able to make these linkages. However, the demands of operating the shelter program did not allow for the type of foot work and daytime support needed to facilitate resource navigation.

**Utilization information for the shelter program, as of March 17, 2024, is as follows:**

- Unique Individuals: 224
- Total nights of stay: 4,990
- Nightly Census Range: 23 to 51, depending on weather conditions
- 16 unique animals were sheltered for 1,440 nights of stay

**Age ranges:**

- Age 0-5: 2
- Age 6-9: 1
- Age 10-17: 4
- Age 18-29: 19
- Age 30-39: 44
- Age 40-49: 61
- Age 50-59: 56
- Age 60-69: 27
- Age 70-79: 8
- Age 80-89: 2

**Location of Origin:**

- Newport: 58
- Lincoln City: 49
- Waldport: 16
- Depoe Bay: 5
- Yachats: 6
- Toledo: 5
- Siletz: 10
- Corvallis: 5
- Eugene: 8

- Other in state: 36
- Out of state: 26

### **Race Identification**

- Asian: 6
- American Indian: 35
- Black: 12
- Pacific Islander: 8
- White: 161
- Other – Romanian: 2

### **Ethnicity:**

- Hispanic: 20

### **Gender Identification:**

- Non-Binary: 5
- Female: 73
- Male: 138
- Transgender: 8

### **Milestones:**

- Twenty-eight volunteers were trained and provided support in the shelter, including many who continuously volunteered one or more days per week
- Thirty-three individuals/organizations donated services, food, clothing, goods, blankets or transportation. The Housing Authority of Lincoln County donated a van.
- Multiple Lincoln County departments provided direct support (Human Resources, the County Jail, Community Justice, Transportation, the Office of the Board of Commissioners, the Office of the County Administrator, Public Works/Facilities Division, and Health and Human Services).
- While many guests found their own way to the shelters, 28 were escorted by law enforcement officers, 15 came after discharge from an emergency department, and 11 came as afterhours crisis placements.
- Only one call for law enforcement was made (and that call was made by a hotel reception staff versus shelter staff immediately after the guest was dropped off by law enforcement).
- Housing referrals were made for 55 individuals, with 24 achieving placement in transitional settings and one finding permanent housing.
- Funding support was provided by Lincoln County, ARPA funds, InterCommunity Health Plans, Samaritan Health Services Coastal Social Accountability Program,

City of Newport, City of Lincoln City, City of Siletz, City of Depoe Bay, and City of Yachats (promised).

- A facility was purchased by the Housing Authority of Lincoln County for the operation of the Newport shelter.
- A facility was purchased by Lincoln County Health and Human Services for the future operation of the Lincoln City shelter.
- During the winter ice storm in Jan 2024, the Shelter program handled all calls from the community for the first 24 hours of the event and assisted the Newport Community Recreation Center during the balance of the storm.
- A houselessness navigator program consisting of two fulltime navigators was added to the HHS Behavioral Health Division in January. One individual came on board in mid – January. In the past two months, 13 referrals have been received from the shelter program, the one navigator is working with 28 unique individuals, 5 unique individuals have obtained transitional housing, 8 have been linked to mental health services, collaboration efforts are underway with senior and disability services, and 2 individuals are in the contemplation phase to enter Detox/SUD treatment.

Of Interest:

- Focus groups are underway with guests and volunteers to evaluate operations and explore strategies for improving operations. Exit interviews with temporary staff are being conducted by the county's Human Resources Department. A report from the first focus group is included as Attachment B.

## **Continuation Funding Needs**

Based on the expenses incurred to date and projected through the end of the shelter program, it is estimated that the operation of two shelters will cost approximately \$819,884. Staff costs are higher than anticipated in the original proposal because staff have had to be hired/contracted through a temporary agency, as opposed to the county, for faster processing. This has increased expenses significantly. Additionally, we have learned that a second county employed staff member is needed to assist with oversight of the operation of the second shelter, handle many “boots on the ground” activities that can only be handled by a county employee (e.g., driving a county car, ordering and paying for supplies), and step in to cover shifts when contracted workers call off.

The county is prepared to contribute \$446,790 towards the overall cost, leaving a balance of \$373,094. The county is requesting that all municipalities consider a contribution towards the operation of the 2024-25 emergency shelter operation and commit to a defined annual contribution for the ongoing operation of the program into the future. Given their larger numbers using the shelter, both Lincoln City and Newport are requested to contribute \$100,000 to the program. An exact amount is not requested from the remaining municipalities at this time. Rather, the county suggests considering the percent of the shelter population using the shelter from the respective municipalities, compared to the total number served, and then apply that percentage to the remaining

balance, to determine a contribution level. The county will also continue to look for funding opportunities from other community partners and grant sources to secure the balance of the funding. All contributions, regardless of the amount, are needed and welcomed.

Apart from the county's significant contribution to the continued operation of the winter shelter, it will also contribute partial ARPA funding support to the renovation of the Newport shelter facility. Additionally, the Health and Human Services department has funded the Houseless Navigational team, which is estimated to cost \$225,000 for two full-time staff.

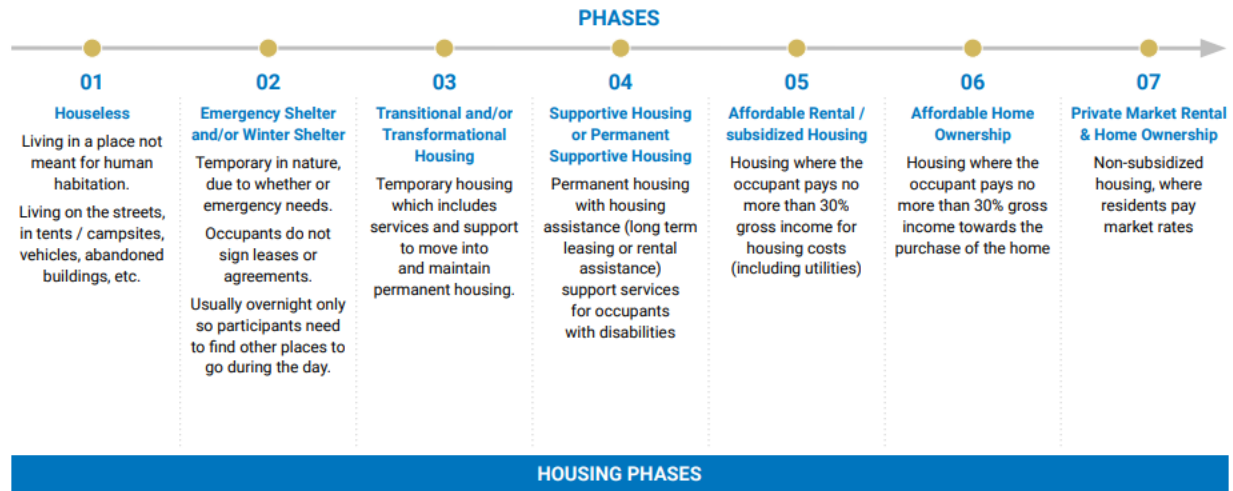
### **Brief Rationale for Continued Operation of the Emergency Shelter Winter Shelter Program**

Houselessness continues to be a massive issue in the nation, the state, and the county. Research and analysis of the scope of the problem in Lincoln County has been carried out and reported in the Lincoln County, Oregon: Five-Year Strategic Plan to Provide a Regional, Coordinated Homelessness Response, March 1, 2024 (Lincoln County Homeless Advisory Board), and will not be restated herein for the sake of brevity other than to note its estimate of 2,000 unhoused residents, or 4% of the total county population.

It should be noted that the continuum of housing, beginning with living on the streets and ending with private market rental and home ownership, begins with "Emergency Shelter and/or Winter Shelter." See graph below for the full housing continuum.

While Lincoln County enjoys several well managed Transitional and/or Transformational Housing programs (number 03 in the graph below), it has just one Emergency Winter Shelter program. The low-barrier winter shelter program operated by Health and Human Services provides the first, essential step in the journey from the street to shelter and beyond. This funding request asks municipalities and community partners to contribute towards its continued operation.

## Applying the housing-first model gives us a basis for organizing services and economic supports



**ORGANIZATIONS & COMMUNITY MEMBERS THAT DONATED TO THE  
WINTER SHELTER**

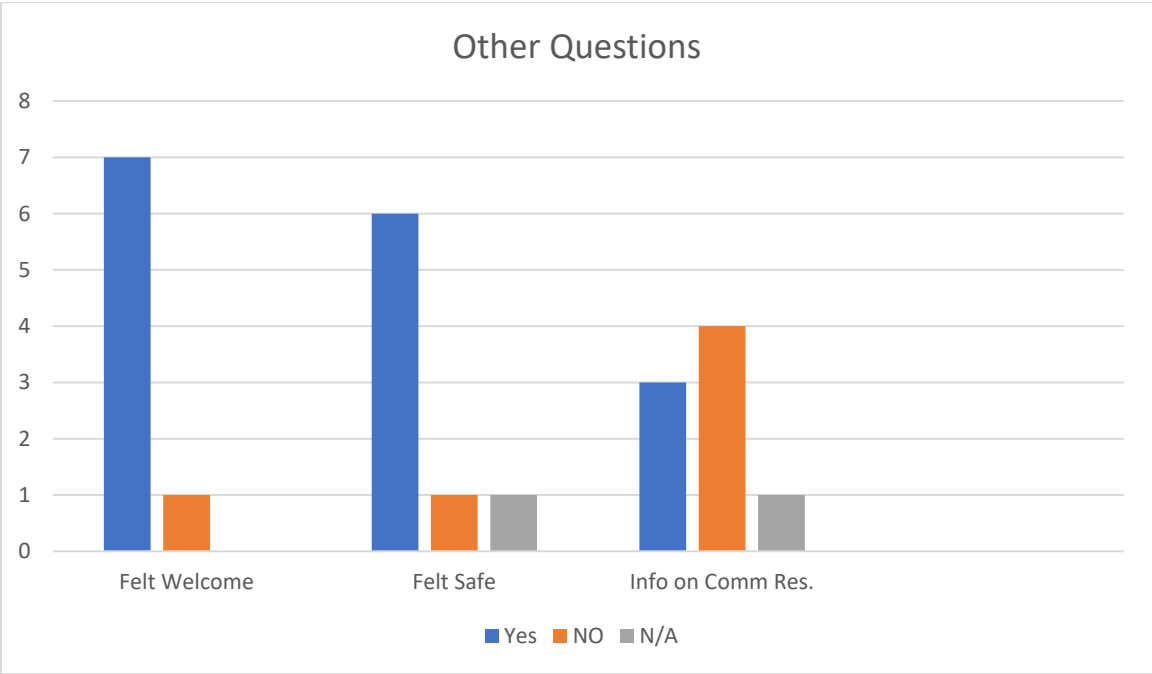
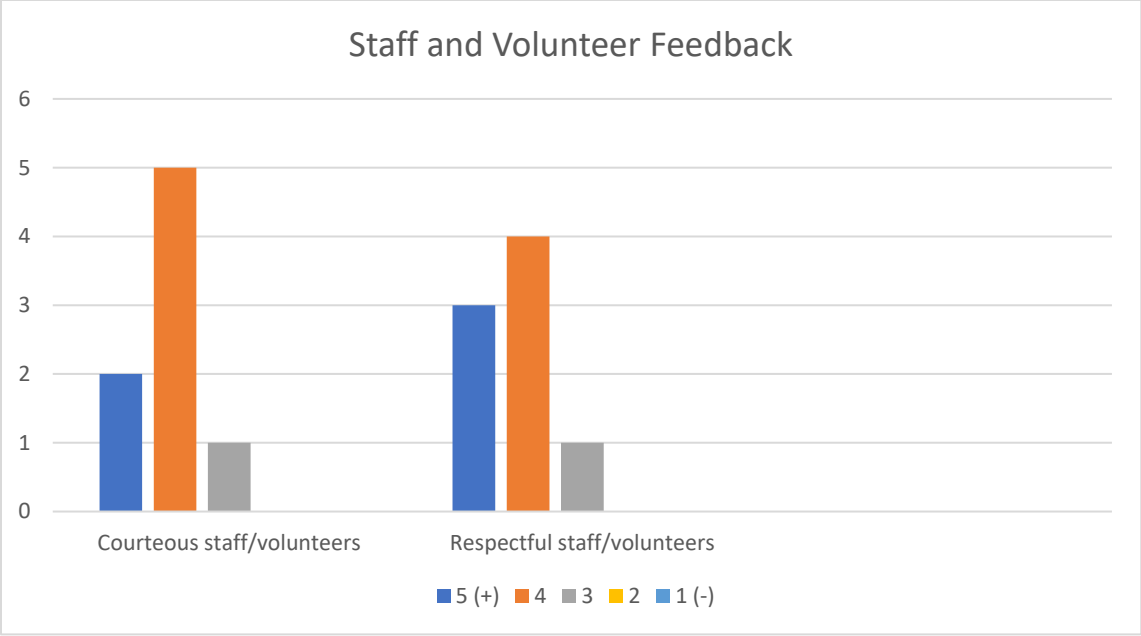
Amy & Keith Amano  
Angell Job Corps  
Mindy Baxter  
Kate Boves  
City of Newport Parks & Recreation  
Melinda Clark  
Depoe Bakery  
Monique Doornick-Freil  
Barbara Doughery  
First Presbyterian church of Newport  
Food Share of Lincoln County  
K & K Toilet Express  
Lighthouse United Pentecostal Church  
Lincoln County Parole and Probation  
Lincoln County School District  
Doris MacDenalds  
Marine Resources Program  
Andrea Myhre  
Newport Elks Lodge  
Newport Senior Center  
News Times  
NOAA Marine Operations Center  
Joel & Vicki Norton  
Cheryl Oldenburg  
Ruby Pauton  
Heidi Rasmussen  
Fran Recht  
Red Octopus Theater Company  
Rustic Ridge Antique Mall  
Samaritan Hospital  
Tim Samples  
St. Stephens Episcopal Church  
TLC, a Division of Fibre Federal Credit Union

**Attachment A**

**INDIVIDUALS WHO DONATED TIME TO THE WINTER SHELTER**

Danielle Clark  
Claire Hall  
Jessica Hoffman  
Jamie Holm  
Mary Jacobs  
Kaety Jacobson  
Tim Johnson  
Shelby Johnston  
Kathleen Kellay  
Brandy Ketcher  
Melodie Kimball  
Kenneth Krenzler  
Lisa Krenzler  
Gary Lahman  
Kenneth Lipp  
Michelle Maresco  
Ann Martin  
Faleen McCay  
Diane Melendrez  
John O'Leary  
Brittany Pike  
Heidi Rasmussen  
Jeff Reed  
Anne Rooney  
Jane Russelle  
Kristina Schaffner  
Julia Stalcup  
Susan Trachsel





### **Group Debrief Questions:**

#### **How did you hear about the shelter?**

Chance, Connie, Sign Makers, Housing Authority

#### **What worked well?**

- “everything!”
- “Would recommend it to others.”
- Being able to leave some belongings in the room.
- 1 person in the hallway at a time
- Limited items with what you can carry/place in a tote, secured and documented
- Many consistent staff/volunteers, low turn over

#### **What could we do to improve??**

- Assigning a specialist/liaison/advocate/ case manager/point person to each occupant
  - The same person partnered with the occupant
  - Maybe this is a housing coordinator?
  - This person would help find jobs (day labor), be a resource guide and help connect to other services.
  - Getting help completing Social Security applications, getting a job, etc.
- Occupants did not like that they had to “turn out” their pockets upon entry.
- Group times to discuss resources
- Are there opportunities for occupants to also be volunteers?

### **Tell us about your experience with:**

#### **The Facilities/space?**

- The space was fine.
- Liked where there was an option for washing clothes

#### **Access/Hours open?**

- Quiet hours at 10pm was fine, people liked this and were able to follow this
- Would like to see a day shelter or warming shelter especially during colder/bad weather days
- Check in was usually between 6-7pm, would like to see this earlier if the weather was especially bad that day or if it is dark out.
- Check out was at 7am each morning, would like to see this extended to 8:30 or 9am. Other spaces open around 8am and this would provide a place for folks to go to get out of the rain/weather.

#### **Cleanliness?**

- Yes, the space was always clean when occupants come in, however it got “trashed” quickly as people came into shelter.

Items provided (cot/blanket)?

- Would like another blanket
- The air filters in the room were really nice, especially the light and the noise.

Meals:

- There was always enough food and no one ever went hungry.
- Breakfast was *really* great. Heidi and the guy who worked 4 mornings a week were amazing cooks!
- Would like warm tea, especially when they come in from the day to warm up.

Pets:

- Pets were well embraced by occupants.
- Several comments about how dogs/cats “helped mentally”
- Folks who brought in animals treated them well and didn’t have problems with them.
- Animals stayed in crates in the rooms, this worked well

Anything else you think we should know?

- Occupants liked how this shelter was ran compared to other local shelters
- Occupants would like to have more meetings like this where they meet the people who put the shelter on, they liked seeing the faces. They think it would be great to have more administration come for breakfast.

Other items mentioned:

- Depending on the weather, have a warming shelter
- Need more resources/connection to resources/poster board of resources/disappointed about not getting additional resources
- Would like clock & Calendar, fans in rooms
- Damp clothes and shoe dry zone
- I have been moved from room to room and bed to bed too many times to count.
- I get very little sleep from about 1am to 4am.

**CITY OF DEPOE BAY  
SOLE SOURCE DETERMINATION FORM**

A sole source *determination* is not effective until the sole source request for *determination* has been approved by the City Council.

Name of Company: The Automation Group Date: 4/16/2024

Check One:  New Sole Source  Renewal of Existing Sole Source  
Check One:  Product  Services  Product and Services

Type of Sole Source Requested:

*(Please check the one that best describes the type of Sole Source you are requesting)*

**Company Sole Source** *(Only one company can provide the goods or services)*

**Brand Name Sole Source** *(Only this brand will serve the intended purpose or function with existing equipment or systems, including software)*

**Unique Professional Services** *(Only one company or individual can provide this service due to the creative nature of the service or custom delivery of goods or services that are unique and subject to custom design and/or fabrication.)*

**Proprietary Sole Source** *(Only this company provides this product or service and only this company can provide after sale maintenance, repairs or service agreements)*

**Local Sole Source** *(Only one company exists to provide this product or service locally and due to the nature of the purchase, it is not feasible or reasonable to obtain the product or service from non-local sources. Only one local vendor is able to respond to the need in a timely manner due to local proximity)*

Amount of Purchase \$ 198,931.00

**Emergency Procurement Request**

**DEFINITION OF EMERGENCY CONDITIONS:**

An emergency condition is a situation which creates a threat to public health, welfare, safety or property such as may arise by reason of floods, epidemics, riots, equipment failures or similar events. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

- the functioning of government;
- the preservation or protection of property; or
- the health or safety of any person.

Please provide a detailed explanation for why the purchase required meets the above definition of an Emergency Condition. **\*\* The Emergency Determination will only be in effect as long as needed to alleviate the emergency conditions. Once the emergency condition has passed, regular procurement methods and procedures must be followed.**

Amount of purchase: \$ N/A

**Sole Source Determination**

- Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor **the one source** capable of providing the required professional service, service, construction or item(s) of tangible personal property. *(Please do not state the source is the "best" source or the "least costly" source. Those factors do not justify a "sole source.")*

The Automation Group ("TAG") is one of the companies who has been used over the years to provide services and products to the wastewater treatment and water treatment plant. Based on TAG's unique understanding of the wastewater plant and their in-depth history of working on the equipment and processes at the plant, they are in a position to provide the PLC upgrade services in a seamless flow of work to ensure the system is installed and set up in the best way for the City and plant. For the aforementioned reasons, the plant familiarity and technical insights for the needs of the plant, staff believes a sole source award retaining TAG the upgrade of the PLC/Scada system at the Wastewater Treatment Plant the is in the best interest of the City.

Staff is requesting that a sole source contract be awarded to TAG as noted in their quote and project scope with the Materials and Engineering piece for \$78,981.00 be approved from the FY 23/24 budget and the programming and installation amount off \$119,950.00 budgeted for FY 24/25.

Certified by: \_\_\_\_\_ Date: 4/12/24

DATE APPROVED by City Council: \_\_\_\_\_

**Authority to Proceed**

- The signature of the City Recorder on this form certifies the sole source will be posted for ten (10) calendar days prior to the actual award.
- The sole source is granted as of the date of approval by the City Council.



Quote #231029Gr1

April 2, 2024

Depoe Bay WWTP

RE: Depoe Bay WWTP - PLC Upgrade r1

**Project Scope:**

TAG is providing a Quote to upgrade the existing GE PLC at the Plant and all remote sites. The PLC system will match the Upgraded SCADA System and will utilize the onboard alarming directly to minimize logic and cost of integration. A Radio Study will be performed at the beginning of the Job to verify radio path and mHz needed. If a radio path is not viable then a cellular path will be used.

**Materials:**

- **PN900**
  - CompactLogix 5380 Controller, 1MB, 8 I/Os, 24 nodes, Standard Includes (1) 5069-ECR: 5069 End cap
  - Power terminal RTB kit for CompactLogix 5380 Controllers and 5069-AEN2TR. Contains both 4 and 6 pin Screw type RTB
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Output Module, 16 bit resolution, 1ms channel update rate, forcing, analog scaling, hold last state
  - 5069 Compact I/O 18 pins Screw type terminal block kit
  - 5069 Compact I/O 16 Channel 24VDC Source Output Module, 100µs response, 2 tier fault mode, hold last state
  
- **PN900-R1**
  - 5069 Compact I/O EtherNet/IP Adapter, Dual Ethernet port, 10/100/1000Mbps, supports up to 31 I/O modules, IP address rotary switch (last Octal) Includes (1) 5069-ECR: 5069 End cap
  - Power terminal RTB kit for 5069-AENTR.
  - 5069 Compact I/O 16 channels AC input modules, supporting both 120 & 240 VAC signals
  - 5069 Compact I/O 18 pins Screw type terminal block kit
  - 5069 Compact I/O Field Potential Distributor Module
  - 5069 Compact I/O 6 pin Screw type RTB packed kit
  - 5069 Compact I/O 16 Channel Normally Open Individually Non Isolated type Relay Output Module, 2 tier fault mode, hold last state
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Input Module, 16 bit resolution, 1ms channel update rate, analog scaling
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Output Module, 16 bit resolution, 1ms channel update rate, forcing, analog scaling, hold last state
  
- **PN1011**
  - 5069 Compact I/O EtherNet/IP Adapter, Dual Ethernet port, 10/100/1000Mbps, supports up to 31 I/O modules, IP address rotary switch (last Octal) Includes (1) 5069-ECR: 5069 End cap
  - Power terminal RTB kit for 5069-AENTR.
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Input Module, 16 bit resolution, 1ms channel update rate, analog scaling



- 5069 Compact I/O 18 pins Screw type terminal block kit
- 5069 Compact I/O 8 Channel Voltage/Current Analog Output Module, 16 bit resolution, 1ms channel update rate, forcing, analog scaling, hold last state
- 5069 Compact I/O Field Potential Distributor Module
- 5069 Compact I/O 6 pin Screw type RTB packed kit
- 5069 Compact I/O 16 channels AC input modules, supporting both 120 & 240 VAC signals
- 5069 Compact I/O 16 Channel Normally Open Individually Non Isolated type Relay Output Module, 2 tier fault mode, hold last state
  
- **PN1017**
  - 5069 Compact I/O EtherNet/IP Adapter, Dual Ethernet port, 10/100/1000Mbps, supports up to 31 I/O modules, IP address rotary switch (last Octal) Includes (1) 5069-ECR: 5069 End cap
  - Power terminal RTB kit for 5069-AENTR.
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Input Module, 16 bit resolution, 1ms channel update rate, analog scaling
  - 5069 Compact I/O 18 pins Screw type terminal block kit
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Output Module, 16 bit resolution, 1ms channel update rate, forcing, analog scaling, hold last state
  - 5069 Compact I/O Field Potential Distributor Module
  - 5069 Compact I/O 6 pin Screw type RTB packed kit
  - 5069 Compact I/O 16 channels AC input modules, supporting both 120 & 240 VAC signals
  - 5069 Compact I/O 16 Channel Normally Open Individually Non Isolated type Relay Output Module, 2 tier fault mode, hold last state
  
- **Harbor**
  - CompactLogix 5380 Controller, 600KB, 8 I/Os, 16 nodes, Standard Includes (1) 5069-ECR: 5069 End cap
  - Power terminal RTB kit for CompactLogix 5380 Controllers and 5069-AEN2TR. Contains both 4 and 6 pin Screw type RTB
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Input Module, 16 bit resolution, 1ms channel update rate, analog scaling
  - 5069 Compact I/O 18 pins Screw type terminal block kit
  - 5069 Compact I/O 8 Channel Voltage/Current Analog Output Module, 16 bit resolution, 1ms channel update rate, forcing, analog scaling, hold last state
  - 5069 Compact I/O 16 Channel Normally Open Individually Non Isolated type Relay Output Module, 2 tier fault mode, hold last state
  - 5069 Compact I/O Field Potential Distributor Module
  - 5069 Compact I/O 6 pin Screw type RTB packed kit
  - 5069 Compact I/O 16 channels AC input modules, supporting both 120 & 240 VAC signals
  
- **Vista**
  - CompactLogix 5380 Controller, 600KB, 8 I/Os, 16 nodes, Standard Includes (1) 5069-ECR: 5069 End cap
  - Power terminal RTB kit for CompactLogix 5380 Controllers and 5069-AEN2TR. Contains both 4 and 6 pin Screw type RTB



- 5069 Compact I/O 8 Channel Voltage/Current Analog Input Module, 16 bit resolution, 1ms channel update rate, analog scaling
- 5069 Compact I/O 18 pins Screw type terminal block kit
- 5069 Compact I/O 16 Channel Normally Open Individually Non Isolated type Relay Output Module, 2 tier fault mode, hold last state
- 5069 Compact I/O Field Potential Distributor Module
- 5069 Compact I/O 6 pin Screw type RTB packed kit
- 5069 Compact I/O 16 channels AC input modules, supporting both 120 & 240 VAC signals
  
- **Fogarty**
  - CompactLogix 5370 L2 Controller, 2 EtherNet/IP ports, 750KB memory, 16 DC in, 16 DC out, 4 Universal Analog in, 2 Analog out, 4 High Speed Counters, up to 4 1769 I/O expansion modules, 8 EtherNet/IP and 120 TCP connections, 24V dc input embedded power sup Includes (1) 1769-ECR: Right End Cap Terminator
  
- **Software**
  - Studio 5000 Programming software for V20 and above
  
- **Radio or Cell or Mix (4 Sites, Plant, Vista, Harbor, and Fogarty)**
  - FCC Setup
  - FCC Licensing fee for first 8 years
  - Cellular Setup
  - Cellular Monthly Plans
  - Lightly Managed Ethernet Switch
  - Ethernet Radio
  - Feedline
  - Polyphaser
  - Connectors and Jumpers
  - 24vdc Power Supply

**Tasks:**

- Upgrade Design
- Radio/Cellular Design
- Programming
  - All PLCs listed above
  - Radios/Cellular Modems
  - SCADA Computer
- Install PLCs
  - PN900
  - PN900-R1
  - PN1011
  - PN1017
  - Harbor
  - Vista
  - Fogarty





- Radio/Cellular install
  - Main Plant
  - Vista
  - Harbor
  - Fogarty
  
- System Startup
  - Electrical Install
  - PLCs by system
  - Remote Sites
  - SCADA
  
- Training
- System Backups

**Clarification/Exclusions:**

- TAG’s Labor Pricing is not affected by the National Supply Chain Shortages, but due to Vendors rapidly increasing material prices, we may need to reprice some materials at time of order.
- Lead Times for specific materials are very unpredictable at this time and cannot be verified until orders are placed. We are also seeing some items slipping from the predicted delivery dates after order by a few weeks and also seeing some items showing up early. TAG will track progress on orders and provide updates.
- Payments with Credit Cards will have additional charges added to the price below based on the current % rate of the processor.

Before July 1 Materials and Engineering Price.....\$78,981.00  
 After July 1 Programming and Installation Price.....\$119,950.00

Thank you,  
*Gary Jenks*  
 Gary Jenks  
 (541) 912-3766  
 gjenks@tag-inc.us

TAG standard terms apply

**ORDINANCE 347-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF DEPOE BAY ESTABLISHING THE POSITION OF CITY  
ADMINISTRATOR AND COMBINING THE POSITIONS OF CITY  
ADMINISTRATOR AND CITY RECORDER INTO A CITY  
ADMINISTRATOR/RECORDER POSITION**

**WHEREAS**, pursuant to Section 10 of the charter of the City of Depoe Bay, the City Council of the City of Depoe Bay may appoint such other officers as it deems necessary; and

**WHEREAS**, pursuant to Section 10 of the charter of the City of Depoe Bay, the City Council of the City of Depoe Bay may combine any two or more appointive city offices; and

**WHEREAS**, the Depoe Bay City Council has determined that it is in the best interests of the City to have the position of City Administrator created as the most appropriate way to more clearly separate the City's legislative functions (making laws, adopting policy, setting the budget) from its administrative functions (enforcing ordinances, implementing policy, managing staff and projects) and to more ably continue the provision of services to the citizens of the City of Depoe Bay; and,

**WHEREAS**, the City Council desires to combine the position of City Administrator with the position of City Recorder who shall be responsible for administering and supervising all functions, personnel, and departments of the City of Depoe Bay; and

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEPOE BAY, OREGON:**

Section 1. Creation of City Administrator. The City Council of the City of Depoe Bay hereby creates the position of City Administrator.

Section 2. Combination of City Administrator position with City Recorder. The City Council of the City of Depoe Bay hereby combines the position of City Administrator with the position of City Recorder as a City Administrator/Recorder.

Section 3. Appointment and Compensation. The City Administrator/Recorder shall be hired/appointed by the City Council and shall serve for an indefinite term. The City Administrator/Recorder shall be selected on the basis of demonstrated executive and administrative qualifications, with special preference given to the candidate's experience and training. The City Council may enter into an employment agreement which specifies, in writing, provisions, including but not limited to, establishing the level of compensation of the City Administrator/Recorder, specifying benefits including levels of support for the City Administrator/Recorder's continuing professional education and association activities, determining separation pay upon termination of the City Administrator/Recorder's employment and defining other conditions of employment. In the absence of a City Administrator/Recorder, the City Council may appoint an individual to serve as Interim City Administrator/Recorder.

Section 4. Powers and Duties of the City Administrator/Recorder. The City Administrator/Recorder shall be the chief administrative officer of the City and shall have the

power, duty, and responsibility as set forth in the position description attached as Exhibit “A.”

Section 5. Appointment Power. The City Administrator/Recorder may appoint such assistants, department heads, or employees as are necessary to the proper functioning of the city, provided for that the City has budgeted for those costs and except that the City Administrator/Recorder may not appoint those city officers which are by state statute required to be appointed by the City Council.

Section 6. No Interference. The City Council shall restrict its supervisory control to that of the City Administrator/Recorder and no elected official shall direct or request the appointment of any person to or his removal from office or position by the City Administrator/Recorder but may take part in the appointment or removal of officers and employees in the administrative service of the City expressly authorized by City Council.

Section 7. City Council Responsibility Not Impaired. Nothing in this Ordinance shall impair the responsibility of the City Council for the overall operation of the City as required by the laws of the State and the policies, rules, resolutions, and ordinances of the City.

Section 8. Dismissal. The City Administrator/Recorder shall serve at the pleasure of the City Council and may be removed by a majority vote of the City Council at any regular meeting, or special meeting called for that purpose, and subject to any City Administrator/Recorder employment contract.

Section 9. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 10. Authorization. The officers of the City are authorized and directed to take actions necessary and appropriate to effect the provisions of this Ordinance.

**Introduced and passed** at the first reading at a regular meeting of the City Council of the City of Depoe Bay on this \_\_\_\_ day of April 2024.

**Passed** the second reading and adopted by the City Council of the City of Depoe Bay on this \_\_\_\_ day of April 2024.

**WHEREAS**, the adoption of this ordinance is necessary to preserve the peace, health, safety, and welfare of the citizens of the City of Depoe Bay. This ordinance amendment shall be in full force and in effect thirty days after its adoption by the City Council of Depoe Bay.

**Approved** and signed by the Mayor of the City of Depoe Bay this \_\_\_\_ day of April 2024.

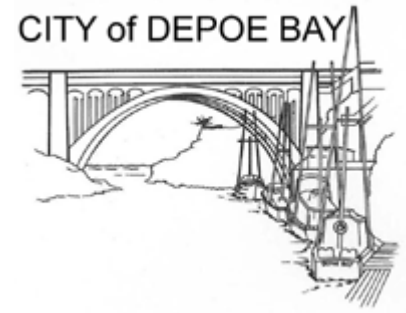
---

Kathy Short  
Mayor

Attest:

---

Kimberly Wollenburg, City Recorder



**Title:** City Administrator/City Recorder  
**Department:** Administration  
**FLSA Status:** Exempt  
**Effective Date:**  
**Wage Range:** \$80,000 - \$120,000

### **CLASSIFICATION INTRODUCTION**

Leads, plans, organizes, reviews, and directs the overall administrative activities and operations of the City government in accordance with policies determined by the City Council. Advise and assists the City Council and represent the City's interests with other levels and agencies of government, business interests, and the community at large. As the chief administrative officer for the City of Depoe Bay, plan and direct the activities of assigned City departments, either directly or through subordinate supervisors.

### **SUPERVISION RECEIVED/REVIEW OF WORK**

Works under the general supervision of the City Council.

### **SUPERVISION/LEAD WORK EXERCISED**

Supervises all City employees, either directly or through subordinate supervisors. Assigns and reviews work; alters the workloads of others to meet scheduling demands; evaluates performance and conducts appraisal interviews; and has the authority to hire and fire, or effectively recommend the same.

### **ESSENTIAL FUNCTIONS - DUTIES AND RESPONSIBILITIES**

*The duties listed are intended only as illustrative examples of the various types of work that may be performed by individuals in this classification. The employee may perform a combination of some or all of the following duties. These examples are not necessarily performed by all employees and do not include all specific essential functions and responsibilities the employee may be expected to perform.*

- Develops, plans, and implements goals and objectives for the City; recommends and administers policies and procedures necessary to provide municipal services; approves new or modified programs, systems, administrative and personnel policies and procedures.
- Provides highly responsible administrative staff assistance to the City Council; directs specific and comprehensive analyses of a wide range of municipal policies; prepares and submits to City Council annual reports of financial and administrative activities.
- Manages and coordinates projects/programs to accomplish goals and objectives of the City of Depoe Bay City Council and ensure the efficient and cost-effective provision of City services. Confers with department heads and others on various operating and administrative problems, reviews departmental plans and programs, and suggests new innovative/methods to improve the service standards provided by the City of Depoe Bay.
- Prepares grant applications and administers grants received, keeping complete records and accounting.

- Provides administrative direction to City of Depoe Bay employees, directly or through department heads. Ensures satisfactory resolution of personnel issues. Reviews and approves hiring, discipline, and termination recommendations.
- Serves as the City of Depoe Bay budget officer. Supervises and prepares the annual budget. Reviews and approves program needs and estimates. Prepares, presents, and explains the budget document to the Budget Committee and Council for review and approval. Administers the approved budget and monitors revenue and expenditures to ensure compliance with City and Oregon budget laws.
- Oversees all City real and personal property. Acts as business agent of the City of Depoe Bay Council for the sale of real estate and other matters relating to franchises and leases.
- Ensures the creation and maintenance of adequate inventory records for all assets of the City of Depoe Bay. Along with the Public Works Director, advises the Council concerning new machinery, equipment, supplies or service procurements that can be obtained most advantageous to the City of Depoe Bay.
- Meets with the City Council at special and regular meetings. Provide information and reports covering various aspects of the city operations. Advise Council members in their deliberations on policy and/or legislative matters and can receive direction. Prepare and provide reports, resolutions, and ordinances for Council information and/or action.
- Attendance at City-sponsored events and assist with planning of such events. Explain City issues and projects and encourage citizen participation and support. Responds to citizen inquiries and resolves complaints or refers to the appropriate department, as necessary. Follows through to ensure satisfactory resolution of citizen inquiry.
- Interprets and applies codes, ordinances, personnel policies, and procedures. Ability to understand and adapt a working knowledge of municipal infrastructure and practices while working with the Public Works Director and Public Works Supervisor to oversee public works to include, streets, water, and wastewater.
- Exhibits leadership to staff and fellow employees. Serves as a model for accomplishing the City's vision and goals. Creates an environment in which employees are focused on producing excellent quality results. Sets standards for excellence in internal and external customer service.
- Administers specific program activities by planning, organizing, and supervising activities; establishes and implements operating policies and procedures.
- Acts as purchasing agent for all departments of the City. Negotiates contracts and solutions on a variety of core services, administrative, fiscal, and special projects. Analyzes cost-effectiveness of service contracts.

- Represents the City in the community and at professional meetings; participates on a variety of boards and commissions as needed; attends all Council meetings, prepares and presents staff reports and recommendations.
- Represents the City before the media, in legal or administrative proceedings, and to other departments, organizations, or entities as required.
- Performs all duties as may be prescribed by City Council action. Performs other duties as assigned that support the overall objective of the position.

**AUXILIARY JOB FUNCTIONS:**

- Undertakes special projects and research as directed by the Council. Provides assistance to other staff as workload and staffing levels dictate. Maintains proficiency by attending training and meetings, reading materials, and meeting with others in areas of responsibility.

**EDUCATION AND EXPERIENCE REQUIREMENTS**

Equivalent to a bachelor's degree from a four-year college or university in public administration, business management, or closely related field and ten years' experience with a minimum five years related experience as a City Manager, Assistant City Manager, or exempt level department head; OR any satisfactory combination of experience and training which demonstrates the knowledge, skills and abilities to perform the above duties

**SPECIAL REQUIREMENTS**

- Must be bondable.
- Must reside within thirty (30) minutes travel time to City Hall.
- Possession of or ability to obtain a valid Oregon driver's license. Must have a clean driving record.
- The individual shall not pose a direct threat to the health or safety of the individual or others in the workplace.

**KNOWLEDGE OF**

- Modern and highly complex principles and practices of municipal administration, organization, and economic development functions and services. Current social, political and economic trends and operating issues of municipal government.
- Organizational and management practices as applied to the analysis and evaluation of programs, policies, and operational needs.
- Principles and practices of municipal government budget preparation and administration.
- Principles and practices of organization, administration, and personnel management.
- Research and reporting methods, techniques, and procedures.
- Principles of effective public relations and interrelationships with community groups and agencies, private business and firms, and other levels of government.
- Sources of information related to a broad range of municipal programs, services, and administration.
- City organizational goals and council policy.
- Pertinent Federal, State, and local laws, codes, and regulations.

- Principles of supervision, training, and performance evaluation.
- Word processing and spreadsheet software.

### **SKILLS IN**

- Preparation and administration of a municipal budget.
- Conflict resolution with a willingness to address the point of conflict.
- Leadership and delegation.
- Strategic and critical thinking.
- Computers and applicable software.

### **ABILITIES TO**

- Serve effectively as the administrative agent of the City Council to carry out and accomplish the objectives of the position, provide effective leadership, and coordinate activities of the City.
- Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals to improve operations, procedures, policies, or methods.
- Identify and respond to public and City Council issues and concerns.
- Interpret and apply Federal, State, and City policies, procedures, laws, and regulations.
- Ensure that all internal controls are in place and verified.
- Select, supervise, train, and evaluate assigned staff.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain cooperative working relationships with those contacted in the course of work including City Council members, staff, committee members, public officials, business leaders, and the general public.
- Work as contributing member of a team, work productively and cooperatively with other teams and external customers, and convey a positive image of the City and its services.

### **DESIRABLE REQUIREMENTS**

- Public communication skills.
- Knowledge of government organization, powers, functions, and relationships with other governmental jurisdictions.
- Knowledge of budgeting, planning practices, community development, finance, and personnel management.
- Mid-level management experience.

### **PHYSICAL DEMANDS OF JOB/POSITION**

*The physical demands described here (including lifting, mobility, movement, manual dexterity) are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

In the performance of job duties, employees are frequently required to stand, walk, sit, talk, and hear. Employees are occasionally required to use hands to finger, handle, feel, and operate objects, tools, or controls; and reach with hands and arms. Employees are occasionally required to climb or balance, stoop, kneel, crouch, or crawl.

Employees must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close, distance, color and peripheral vision; depth perception; and the ability to adjust focus.

Manual dexterity and coordination are required to perform the work. This is used while operating equipment such as computer keyboards; calculators, and telephones.

### **TOOLS AND EQUIPMENT USED**

In the performance of job duties, employees will use a personal computer and various software programs; motor vehicle; calculator; phone; copy and fax machines; and other related tools and equipment.

### **WORK ENVIRONMENT/WORKING CONDITIONS**

*The work environment and working conditions described here are representative of those that are typical of the job and must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

In the performance of the job duties, employee will perform the majority of this job in an office environment under usual office working conditions. The noise level in the work area is typical of most office environments, with telephones, personal interruptions, and background noises. Work is also performed in numerous meeting settings in offices, conference rooms, and public spaces.

This position may regularly be expected to work evenings and weekends as needed.

**EEO Statement:** *Depoe Bay is an equal opportunity employer, and as such, we consider individuals for employment according to their abilities and performance. Employment decisions are made without regard to age, disability, race, color, national origin, religion, sex, gender, sexual orientation, veteran status, military status, association with members of a protected class, marital status, injured worker status, union participation, non-supervisory family relationships, or any other protected class or work relationship. All employment requirements mandated by State and Federal laws and regulations are observed.*



## **City Administrator/Recorder Employment Agreement**

**THIS EMPLOYMENT AGREEMENT** ("Agreement") is made and entered into effective this \_\_\_\_ day of April 2024, by and between the City of Depoe Bay, Oregon, an Oregon municipal corporation (the "City") and Kimberly Wollenburg (the "Administrator/Recorder").

### **WITNESSETH:**

**WHEREAS**, the City Council of the City (the "Council") and the Administrator/Recorder believe that an Agreement negotiated between the Council, on behalf of the City, and the Administrator/Recorder can be mutually beneficial to the City, the Administrator/Recorder, and the community they serve;

**WHEREAS**, the Council, on behalf of the City, desires to continue the services of the Administrator/Recorder, as the City Administrator/Recorder of the City, pursuant to the terms, conditions and provisions of this Agreement;

**WHEREAS**, the Administrator/Recorder has agreed to accept continued employment as the City Administrator/Recorder, subject to the terms, conditions and provisions of this Agreement.

**WHEREAS**, the Administrator/Recorder's employment with the City shall be subject to all requirements of the City's Employee Handbook unless contradicted by some provision of this Agreement. Employee shall perform all duties consistent with the City's rules and comply, at all times, with the City's Employee Handbook and any lawful directives from the City Council.

**NOW, THEREFORE**, the City and the Administrator/Recorder, for and in consideration of the terms, conditions and provisions hereinafter established have agreed, and do hereby agree as follows:

### **1. Term**

**1.1 TERM.** The term of this Agreement shall be for an indefinite period of time, provided, however, that the term of this Agreement shall be subject to earlier termination by Severance (as defined and set forth in Section 6.3 below) at the pleasure of the Council. Employee may resign at any time for any reason by providing at least thirty (30) days' notice to the City Council, unless the parties mutually agree otherwise.

### **2. Employment**

**2.1 CHIEF ADMINISTRATIVE OFFICER.** The Administrator/Recorder is the chief administrative officer of the City and shall faithfully perform the duties of the City Administrator/Recorder as prescribed in the approved job description (Exhibit A), as set forth in the City Charter, if any, and City ordinances and, as may be lawfully assigned by the Council (collectively the "City Administrator/Recorder Duties"). Further, the

Administrator/Recorder shall comply with (collectively "Applicable Laws and Authorities"): state and federal law; the City's Charter, if any; all City policies, rules, regulations and ordinances as they exist or may hereinafter be amended; and, all lawful Council directives. All duties assigned to the Administrator/Recorder by the Council shall be appropriate to and consistent with the professional role and responsibility of the City Administrator/Recorder position.

**2.2 DUTIES.** The Council does hereby employ Administrator/Recorder as City Administrator/Recorder to perform the City Administrator/Recorder Duties in accordance with the job description attached as Exhibit A and pursuant to all Applicable Laws and Authorities to the full extent not prohibited by or in material conflict with any existing provisions of the City's Charter or Applicable Laws and Authorities.

**2.3 REASSIGNMENT.** The Administrator/Recorder cannot be reassigned from the position of City Administrator/Recorder to another position without the Administrator/Recorder's prior express written consent.

**2.4 COUNCIL MEETINGS.** Except to the extent prohibited by or in material conflict with Applicable Laws and Authorities, the Administrator/Recorder or the Administrator/Recorder's designee shall attend, and shall be permitted to attend, all public meetings of the Council and any Executive Sessions of the Council requested by the Council or where the Administrator/Recorder's presence may not be lawfully excluded under Oregon law, both public and closed, with the exception of those closed meetings devoted to the consideration of any action or lack of action on this Agreement, or any amendment thereto, the Administrator/Recorder's evaluation, or for purposes of resolving conflicts between individual Council members.

**2.5 CRITICISMS, COMPLAINTS, AND SUGGESTIONS.** The Council, individually and collectively, shall refer in a timely manner all substantive criticisms, complaints, and suggestions called to the Council's attention to the Administrator/Recorder for study and/or appropriate action, and the Administrator/Recorder shall refer the matter(s) to the appropriate City employee or shall investigate such matter(s) and inform the Council of the results of such efforts.

**2.6 INDEMNIFICATION.** To the extent it may be permitted to do by applicable law, including, but not limited to Chapter 30 of the Oregon Revised Statutes~~Oregon Rules of Civil Procedure, Chapter 174~~, the City does hereby agree to defend, hold harmless, and indemnify Administrator/Recorder from any and all demands, claims, suits, actions, judgments, expenses and attorneys' fees incurred in any legal proceedings brought against Administrator/Recorder in the Administrator/Recorder's individual or official capacity as a City employee and as City Administrator/Recorder, providing the incident(s), which is (are) the basis of any such demand, claim, suits, actions, judgments, expenses and attorneys' fees, arose or does arise in the future from an act or omission of Administrator/Recorder, as an employee of the City, acting within the course and scope of the Administrator/Recorder's employment with the City; excluding, however, any such demand, claim, suits, actions, judgments, expenses and attorneys' fees for those claims or any causes of action where it is determined that the Administrator/Recorder committed official misconduct, or committed a willful or

wrongful act or omission, or an act or omission constituting gross negligence, or acted in bad faith; and excluding any costs, fees, expenses or damages that would be recoverable or payable under an insurance contract, held either by the City or by the Administrator/Recorder.

The selection of the Administrator/Recorder's legal counsel shall be with the mutual agreement of the Administrator/Recorder and the City if such legal counsel is not also City's legal counsel. A legal defense may be provided through insurance coverage, in which case the Administrator/Recorder's right to agree to legal counsel provided for him/her will depend on the terms of the applicable insurance contract. To the extent this Paragraph 2.6 exceeds the authority provided and limitations imposed by [Chapter 30 of the Oregon Revised Statutes](#)~~Oregon Rules of Civil Procedure, Chapter 174~~, it shall be construed and modified accordingly.

**2.7 APPROPRIATION.** The Council has appropriated, set aside and encumbered, and does hereby appropriate, set aside, and encumber, available and otherwise unappropriated funds of the City in an amount sufficient to fund and pay all financial obligations of the City pursuant to this Agreement.

**2.8 HOURS OF WORK.** The Administrator/Recorder acknowledges the proper performance of the City Administrator/Recorder's duties require the Administrator/Recorder to generally observe normal business hours and will also often require the performance of necessary services outside of normal business hours. The Administrator/Recorder agrees to devote such additional time as is necessary for the full and proper performance of the City Administrator/Recorder's duties and that the compensation herein provided includes compensation for the performance of all such services. However, the City intends that reasonable time off be permitted the Administrator/Recorder, such as is customary for exempt employees so long as the time off does not interfere with the normal conduct of the office of the City Administrator/Recorder. Such "flex time" is not compensatory time off and not paid out by the City in the event of separation of employment. Because the Administrator/Recorder is not classified as a "nonexempt" employee under federal or Oregon law, he/she is not entitled to compensatory time off, and Administrator/Recorder acknowledges and agrees that he/she is classified as "exempt".

The Administrator/Recorder will devote full time and effort to the performance of the City Administrator/Recorder's duties, and shall remain in the exclusive employ of the City during the term of this Agreement; provided that, with the prior consent of the Council, the Administrator/Recorder may accept outside professional employment which does not interfere with the Administrator/Recorder performing the City Administrator/Recorder's duties hereunder. The term "outside professional employment" means professional services provided to third parties for which the Administrator/Recorder is compensated and which are performed on the Administrator/Recorder's time off.

### **3. Compensation**

**3.1 SALARY.** The City shall provide the Administrator/Recorder with an annual salary in the sum of Ninety-Five Thousand Dollars (\$95,000) effective April 1, 2024. This annual salary

rate shall be paid to the Administrator/Recorder in equal installments on the schedule as other City employees and shall be paid net of any applicable withholding or deductions required by the Applicable Laws and Authorities.

**3.2 SALARY ADJUSTMENTS.** At any time during the term of this Agreement, the Council may, in its discretion, review and adjust the salary of the Administrator/Recorder, but in no event shall the Administrator/Recorder be paid less than the salary set forth in Paragraph 3.1 of this Agreement, except by mutual agreement of the two parties. Such adjustments, if any, shall be made pursuant to lawful Council resolutions. In such an event, the parties agree to provide their best efforts and reasonable cooperation to execute a new agreement incorporating the adjusted salary.

**3.3 PAID LEAVES – VACATION, SICK/PERSONAL AND HOLIDAY.** The Administrator/Recorder shall be entitled to observe holidays on the same basis as other City employees. Administrator/Recorder shall earn vacation at a rate of 200 hours annually, shall be allowed to accrue unused vacation leave with no maximum, and the full value of any unused vacation leave shall be paid to Administrator/Recorder upon termination, resignation, or retirement. The Administrator/Recorder shall earn sick leave at a rate of 96 hours annually, shall be allowed to accrue unused sick leave to a maximum of 960 hours, and 25% of the value of any such unused sick leave shall be paid upon termination, resignation, or retirement. The Administrator/Recorder may take, at the Administrator/Recorder's choice, the same number of hours of vacation authorized for other administrative employees of the City, the leave to be in a single period or at different times. The vacation leave taken by the Administrator/Recorder will be taken at such time or times as will least interfere with the performance of the City Administrator/Recorder's duties. The Administrator/Recorder is hereby granted the same sick/personal leave benefits as authorized by Council policies for administrative employees. The Administrator/Recorder shall observe the same legal holidays as provided by the City for its administrative employees.

**3.4 BENEFITS - GENERAL.** Unless expressly provided otherwise in this Agreement, in addition to those benefits specifically set forth herein, the Administrator/Recorder shall be entitled to the same benefits that are enjoyed by any other ~~administrative~~ employees of the City pursuant to all Applicable Laws and Authorities.

**3.5 INSURANCE – HEALTH.** The City agrees to pay the premiums for health, hospitalization, vision, dental and comprehensive medical insurance for the Administrator/Recorder pursuant to the group health care plan provided by the City for its ~~administrative~~ employees.

**3.6 RETIREMENT BENEFIT.** The City agrees to enroll the Administrator/Recorder into the applicable state or local retirement system and to make at least the same level of contributions for the Administrator/Recorder or on the Administrator/Recorder's behalf as the City does for its other ~~administrative~~ employees consistent with all Applicable Laws and Authorities.

**3.7 OTHER BENEFITS.**

- City agrees to provide a monthly benefit of one hundred and fifty dollars (\$150.00) per month for use of the City Administrator/Recorder's personal vehicle

for City business. In addition, the Administrator/Recorder shall receive payment at the rate provided in IRS guidelines for all miles driven on official business outside of Lincoln County. Administrator/Recorder shall name the City as an "additional named insured" on the personal automobile liability insurance policy.

- City agrees to provide a cellphone stipend for City Administrator/Recorder of \$40.00 per month for responding to phone calls, text messages, emails, and all other types of inquiries for use during business hours and when away from the office during both business and non-business/personal time.

**3.8 EXPENSES.** The City shall pay or reimburse the Administrator/Recorder at current Oregon per diem rates ~~{State}~~ for hotel, mileage, and meals incurred by the Administrator/Recorder in the continuing performance of the Administrator/Recorder duties under this Agreement. The City also agrees to pay the actual and incidental costs incurred by the Administrator/Recorder and other expenses incurred in the performance of the business of the City. The Administrator/Recorder shall comply with all procedures and documentation requirements in accordance with Applicable Laws and Authorities. If expenses exceed per diem rates for hotel or meal costs by more than fifteen percent (15%), a written explanation of excess costs shall be presented to the City Council for approval for reimbursement of these costs.

#### **4. PROFESSIONAL GROWTH**

**4.1 PROFESSIONAL DUES AND SUBSCRIPTIONS.** The City agrees to budget for and to pay for professional dues and subscriptions of the Administrator/Recorder necessary for continuation and full participation in national, state, regional, and local associations and organizations as necessary and/or desirable for the good of the City through the Administrator/Recorder's continued professional participation, growth and advancement.

**4.2 PROFESSIONAL DEVELOPMENT TRAVEL.** The City agrees to budget for and to pay for travel and subsistence expenses of the Administrator/Recorder for professional and official travel and meetings to adequately continue the professional development of the Administrator/Recorder and to pursue necessary official functions for the City, including but not limited to the ICMA Annual Conference, the Oregon City County Manager's Association, Oregon Government Financial Officer's Association, and such other national, regional, state and local governmental groups and committees in which the Administrator/Recorder is a member.

**4.3 PROFESSIONAL CONTINUING EDUCATION.** The City also agrees to budget for and to pay for travel and subsistence expenses of Administrator/Recorder for short courses, institutes, and seminars that are necessary and/or desirable for the good of the City through the Administrator/Recorder's professional development.

#### **5. PERFORMANCE EVALUATION**

**5.1 EVALUATION PROCESS.** The Council shall review the Administrator/Recorder's job performance at least once annually with the first review being in January 2025, and subsequent annual reviews to occur during the month of January of each year thereafter unless the parties agree otherwise. The annual performance reviews and evaluations shall be in writing and in accordance with criteria and format developed



jointly by the Council and the Administrator/Recorder. The Council shall provide the Administrator/Recorder with a reasonable and adequate opportunity to discuss with the Council and/or respond to the Administrator/Recorder's evaluation.

**5.2 CONFIDENTIALITY.** Unless the Administrator/Recorder expressly requests otherwise in writing, except to the extent prohibited by or in material conflict with Applicable Laws and Authorities, the evaluation of the Administrator/Recorder shall at all times be conducted per the requirements of ORS 192.660(2)(i) in closed session of the Council and shall be considered confidential to the maximum and full extent permitted by law. Nothing herein shall prohibit the Council or the Administrator/Recorder from sharing the content of the Administrator/Recorder's evaluation with their respective legal counsel.

**5.3 MODIFICATION OF EVALUATION PROCESS.** In the event the Council determines that the evaluation instrument, format and/or procedure are to be modified by the Council, and such modifications would require new or different performance expectations, then the Administrator/Recorder shall be provided a reasonable period of time to demonstrate such expected performance before being evaluated.

## **6. TERMINATION**

**6.1 TERMINATION EVENTS.** This Agreement shall terminate upon any of the following:

- Mutual agreement of the Council and Administrator/Recorder in writing and signed by them;
- Resignation, retirement or death of the Administrator/Recorder;
- Termination of Administrator/Recorder's Employment for "good cause" (as defined in Paragraph 6.2 below);
- Severance (as defined and set forth in Section 6.3 below); or,
- Expiration of the term of this Agreement.

**6.2 "GOOD CAUSE."** For purposes of this Agreement the term "good cause" is defined as follows: Any willful, knowing, grossly negligent, or negligent breach, disregard or habitual neglect of any provision of this Agreement, or any willful, knowing, grossly negligent, or negligent breach, disregard or habitual neglect of any duty or obligation required to be performed by City Administrator/Recorder under this Agreement or under the Charter and ordinances of the City and/or the laws of the United States or the State of Oregon.

**6.3 SEVERANCE.** The Administrator/Recorder will serve at the pleasure of the City Council and may be removed by the City Council at any time and without notice. In the event Administrator/Recorder is terminated by the City Council without cause, the Administrator/Recorder shall be entitled to a lump sum payment equal to the total salary and benefits for three (3) months increasing one (1) month for each additional year over five (5) years of employment up to a maximum of six (6) months. Severance pay shall include the cost of continued group health insurance coverage under the Consolidated Omnibus Budget Reconciliation Action of 1985 (COBRA for the same period of time. In the event Administrator/Recorder is terminated for "good cause", City shall have no obligation to pay the aforementioned aggregate severance sum. A "for good cause" termination is defined under Paragraph 6.2 above.

**6.4 VOLUNTARY RESIGNATION.** In the event the Administrator/Recorder voluntarily resigns the position with the City, the Administrator/Recorder shall give the City thirty (30) days written notice, unless the parties agree in writing otherwise. In the event the Administrator/Recorder resigns, the Administrator/Recorder will not be entitled to severance pay and will only be paid out accumulated vacation time.

**7. GENERAL PROVISIONS**

**7.1 COMPLETE AGREEMENT.** This Agreement sets forth and establishes the entire understanding between the City and the Administrator/Recorder relating to the employment of the Administrator/Recorder by the City. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written signed agreement may amend any provision of this Agreement during the term of this Agreement; such amendments shall be incorporated and made a part of this Agreement.

**7.2 BINDING EFFECT.** This Agreement shall be binding on the City and the Administrator/Recorder as well as their heirs, assigns, executors, personal representatives and successors in interest.

**7.3 SAVINGS CLAUSE.** If any term or provision of this Agreement, as applied to any party or to any circumstance, is declared by a court of competent jurisdiction hereof to be illegal, unenforceable or void in any situation and in any jurisdiction by a court of competent jurisdiction or an arbitrator selected by the parties, such determination shall not affect the validity or enforceability of the remaining terms and provisions hereof or the validity or enforceability of the offending provision in any other situation or in any other jurisdiction. The parties agree that the court or arbitrator making such determination shall have the power to reduce the scope, duration, area or applicability of the term or provision, to delete specific words or phrases or to replace any illegal, unenforceable or void term or provision with a term or provision that is valid and enforceable and that comes closest to expressing the intention of the invalid or unenforceable term or provision.

**7.4 CONFLICTS.** In the event of any conflict between the terms, conditions and provisions of this Agreement and the Applicable Laws and Authorities, then, unless otherwise prohibited by law, the terms of this Agreement shall take precedence over the contrary provisions of the Applicable Laws and Authorities during the term of this Agreement.

**7.5 CONTROLLING LAW.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Oregon and shall be performable in Lincoln County, Oregon, unless otherwise provided by law.

**City of Depoe Bay**

**Employee**

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

MEMO

TO: Personnel File 9598, Closed File 10144 and Current  
General Matters File

FROM: EPB

DATE: May 15, 1997

RE: City Manager

---

Naomi Womacks asked me to take a moment or two and review the Charter in preparation to respond to a question as to whether or not a City Manager could be employed by the City of Depoe Bay.

Although a City Manager is not specifically provided for as an officer of the City (Chapter V), I believe the City Council could establish a City Manager as an officer of the City based upon the following:

1. "Except as this Charter provides otherwise, all powers of the City shall be vested in the Council." Section 6.
2. "Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officers as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer except the Municipal Judge and the exercise of his judicial functions."

Since all power is vested in the Council, and the Council has the power to create additional officers, the Council has the power to create an officer position of City Manager and to define the duties of the City Manager as the City Council directs. The City Manager may have supervisory authority over the City Recorder.

Of course, in establishing the duties of the City Manager, the Council may not transfer duties which are, by Charter, already provided for as a duty of an existing Charter Officer, i.e. the City Recorder is the person required to keep an accurate record of the Council proceedings and sign all orders on the treasury.

Thus, based upon the two provisions cited above, it is possible for the City Council to establish the position of a City Manager, who would have administrative authority over all other officers and employees of the City of Depoe Bay, subject to the Charter officers retaining the duties which are expressly delegated to them under the Charter.

F:\SHARED\EB\WP60\DOCS\O\D\DEPOE\PERSONNE.MEM



CITY OF DEPOE BAY  
P.O. Box 8, Depoe Bay, OR 97341  
541-765-2361

REC'D FEB 05 2024

"This institution is an equal opportunity provider"

Application for use of:

Depoe Bay City Park Gazebo X  
Depoe Bay City Park Event\* X  
Barbecue \_\_\_\_\_

\* Requests to schedule an event in a Depoe Bay City Park will be reviewed and authorized by the City Council at a regular council meeting. Regular council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month. Please complete this form and attach any information that may be helpful to the City Council in making a determination on your request.

1. Organization requesting use Depoe Bay Chamber

2. Person requesting use Melissa Sumner

3. When will the Facility and/or property be used? <sup>5/10/24 5/11/24</sup> 9/20

A. Date(s) ~~4/19 to 4/20~~ ~~9/20 to 9/21~~ ~~9/21 to 9/22~~ to 9/22

B. Hours (include set up and take down) From 5 To 8

4. Will liquor be served? Yes X No \_\_\_\_\_ \*includes Setup & Clean up days

If yes, will there be a charge or request for donation? Yes X No \_\_\_\_\_

If yes, proof of having a liquor serving permit and that all servers have permits issued by O.L.C.C. must be filed with the Depoe Bay City Recorder prior to occupying the facility.

5. What is the specific nature of the usage? Crab Feed 4/20/24 5/11/24  
Salmon Bake 9/21/24

6. Estimate number attending: 1500 +

If youth activity, name of adult supervising: \_\_\_\_\_

7. Requirements:

- A. City sponsored events will have priority for a facility until 48 hours prior to any other scheduled event.
- B. Facilities will be scheduled on a first-come, first-served basis.
- C. City Parks shall remain open to the general public during any and all events.
- D. Applicants must be 21 years of age or older. A security officer or other responsible person at least 21 years of age, registered at City Hall must be in charge at all times.
- E. All organizations are responsible for their setup and clean up.
- F. All deposits and charges shall be paid at the time of application.
- G. The City will not be responsible for lost items.
- H. Refunds of deposits and other charges will be made if the written cancellation notice is received by the Depoe Bay City Hall at least 48 hours prior to the scheduled event.
- I. In addition to facility rental charges there is a cleaning deposit that is refundable if the facility is left clean, in good order with no breakage, and picnic tables are placed in the Gazebo.
- J. Rental begins at 12:01 am and ends at midnight unless otherwise specified in Section 3.
- K. A facility may be rented for not more 16 calendar days per year (not more than two days per week or more than 8 weeks in any calendar year).

8. Failure to comply with these requirements may jeopardize applicant's current or future use of facility and property.

(over)

**MAKE CHECKS PAYABLE TO: CITY OF DEPOE BAY**  
**Please remit **TWO** checks: 1 for deposit(s), 2<sup>nd</sup> for rental fee(s)**

- 9. CITY PARK GAZEBO \_\_\_\_\_ \$86.25 per day plus \$115.00 deposit
- 10. BARBEQUE \_\_\_\_\_ \$28.75 per day plus \$ 57.50 deposit
- 11. INDEMNIFICATION AND HOLD HARMLESS

The applicant shall indemnify, defend and hold the City of Depoe Bay, (hereafter known as "City"), its employees and agents harmless from any claim, loss or liability arising out of or related to the applicant's use of the premises and property, or from any condition of the used premises or property, including any such claim, loss of liability which may be caused by or contributed to in whole or in part by the City, its employees and agents. The applicant shall indemnify the City, (1) for any damage to the City's property occurring during the use thereof, whether or not the applicant directly caused and (2) for expenses and costs, including attorney's fees, incurred by the City or its employees and agents, in enforcing the terms of this application or defending against any claims or demands for losses or liability arising from or related to the applicant's use of the premises or property.

**NOTICE:** Oregon Law (ORS 105.682, et. seq.) provides the owner of land is not liable in contract or tort for injury, death, or property damage that arises out of use of the land for recreational purposes (known as "recreational use immunity"). That immunity from liability does not apply if the owner makes a charge for permission to use the land. This fee is only for use of the gazebo for picnic purposes. Other uses of this park, or any use of the property outside the gazebo are not subject to a charge and, therefore, The City of Depoe Bay is not liable for injury, death, or property damage arising out of such uses of the property for which no specific charge has been made.

Applicant's Name: Melissa Sumner  
 Signature: [Signature]  
 Address: P.O. Box 21  
Depoe Bay, OR 97341  
 Telephone Numbers: 541 765-2889

**The following is to be completed by City staff:**

Approved <u>  x  </u>	Disapproved _____			
Fee \$ <u>N/A</u>	Rec. # <u>N/A</u>	Deposit \$ <u>11500</u>	Rec. # <u>10086</u>	Date <u>2/29/24</u>
Comments: <u>Approved by city council 3/19</u>				
Signature: <u>[Signature]</u>			Date: <u>3/20/24</u>	

# Harbor Dock Leases

## Terminated 2006

Rental Schedule Rate - Per Year

Based on Original Lease Terms - Maximum 5% Increase Every Five Years

	Per Frontage Lineal Foot	Janet Fader 95' Frontage	Imperial Marine 60' Frontage
<b>1975</b>	\$ 8.00	\$ 760.00	\$ 480.00
<b>5 Years</b>	\$ 8.40	\$ 798.00	\$ 504.00
<b>10 Years</b>	\$ 8.82	\$ 837.90	\$ 529.20
<b>15 Years</b>	\$ 9.26	\$ 879.80	\$ 555.66
<b>20 Years</b>	\$ 9.72	\$ 923.78	\$ 583.44
<b>25 Years</b>	\$ 10.21	\$ 969.97	\$ 612.62
<b>30 Years</b>	\$ 10.72	\$ 1,018.47	\$ 643.25
<b>35 years</b>	\$ 11.26	\$ 1,069.40	\$ 675.41
<b>40 Years</b>	\$ 11.82	\$ 1,122.87	\$ 709.18
<b>45 Years</b>	\$ 12.41	\$ 1,179.01	\$ 744.64
<b>50 Years</b>	\$ 13.03	\$ 1,237.96	\$ 781.87

	Per Frontage Lineal Foot	Tradewinds Charters 200' Frontage
<b>1976</b>	\$ 8.00	\$ 1,600.00
<b>5 Years</b>	\$ 8.40	\$ 1,680.00
<b>10 Years</b>	\$ 8.82	\$ 1,764.00
<b>15 Years</b>	\$ 9.26	\$ 1,852.20
<b>20 Years</b>	\$ 9.72	\$ 1,944.81
<b>25 Years</b>	\$ 10.21	\$ 2,042.05
<b>30 Years</b>	\$ 10.72	\$ 2,144.15
<b>35 years</b>	\$ 11.26	\$ 2,251.36
<b>40 Years</b>	\$ 11.82	\$ 2,363.93
<b>45 Years</b>	\$ 12.41	\$ 2,482.13
<b>50 Years</b>	\$ 13.03	\$ 2,606.23

	Per Frontage Lineal Foot	Sea Trollers 150' Frontage
1981	\$ 8.40	\$ 1,260.00
5 Years	\$ 8.82	\$ 1,323.00
10 Years	\$ 9.26	\$ 1,389.15
15 Years	\$ 9.72	\$ 1,458.61
20 Years	\$ 10.21	\$ 1,531.54
25 Years	\$ 10.72	\$ 1,608.11
30 Years	\$ 11.26	\$ 1,688.52
35 years	\$ 11.82	\$ 1,772.95
40 Years	\$ 12.41	\$ 1,861.59
45 Years	\$ 13.03	\$ 1,954.67
50 Years	\$ 13.68	\$ 2,052.41

	Per Frontage Lineal Foot	Monty Roberts 100' Frontage
<b>2006</b>	\$ 8.82	\$ 882.00
<b>5 Years</b>	\$ 9.26	\$ 926.10
<b>10 Years</b>	\$ 9.72	\$ 972.41
<b>15 Years</b>	\$ 10.21	\$ 1,021.03
<b>20 Years</b>	\$ 10.72	\$ 1,072.08
<b>25 Years</b>	\$ 11.26	\$ 1,125.68
<b>30 Years</b>	\$ 11.82	\$ 1,181.96
<b>35 years</b>	\$ 12.41	\$ 1,241.06
<b>40 Years</b>	\$ 13.03	\$ 1,303.12
<b>45 Years</b>	\$ 13.68	\$ 1,368.27
<b>50 Years</b>	\$ 14.37	\$ 1,436.69

Note: Jimco/Rocky Creek Development Leases Terminated June 1997 (See Bill of Sale)

## Harbor Commission Recommendation Format for City Council Action

### Issue/Subject/Problem:

In 2006, the Depoe Bay City Council opted not to renew leases on four docks over city property while exploring a public walkway around the harbor. In February 2013 there was a joint workshop meeting of the City Council and the Urban Renewal Board where they received a report on the Depoe Bay Harbor Survey from the surveyor Darius Ferguson. There is no indication of any action taken by the D/B City Council at that time or since and it remains unclear why the City Council never renewed these leases.

The current City Council has requested input from the Harbor Commission on rates and conditions for renewal of the remaining three dock leases.

### Harbor Commission Position/Recommendation:

As a minimum, the City Council should require each dock owner to indemnify the City for any instances or occurrences of trouble with the docks.

The City Council should also require an engineer's inspection of these docks to ensure their safety and operability. If problems are identified, timely corrections must be made and if significant safety or operability issues exist, corrections must be made prior to the docks being used.

The Harbormaster should measure the current length of the remaining docks as some of the frontages may have changed.

Renewing the leasing of these docks based on the last known measured frontages would bring into the City's coffers a yearly total of \$5280.88 based on information provided by City staff.

The Harbor Commission agreed to recommend utilizing the rate schedule provided by City staff to determine the current rate per lineal foot.

### Requested City Council Action:

The Harbor Commission requests the Depoe Bay City Council accept the recommendations of the Harbor Commission.

## Harbor Commission Recommendation Format for City Council Action

### Issue/Subject/Problem:

The City Council has asked the Harbor Commission to weigh in on renewal of the City owned Fish Plant property lease to Living Pacific Seafood LLC. The City was advised some years ago the property needs to pay for itself. An inspection some years ago identified problems which needed to be corrected. Some of these problems have been corrected. One of the issues has to do with two floor drains which still open directly to the outside and has caused dry rot problems to the structure.

During a walk through on March 12<sup>th</sup>, it was noted that Living Pacific Seafood LLC has made several improvements to the second-floor processing and cooler area.

### Harbor Commission Position/Recommendation:

The Harbor Commission recommends the City require a current inspection report as it has been some time since the last inspection. We recommend the City have the two first floor drains connected to the current building drainage system or a new drain system installed for these drains.

The Commission also recommends that any modifications to the building or property be brought up to current code requirements. The city should adopt the recommended practice of having the building pay for itself. The Harbor Commission recommends the lease be renewed at the current rent terms of 2.5% over the previous year's monthly rent. The Harbor Commission also recommends the lease be reviewed by City Council to ensure the terms of the lease are up to date with current legal requirements.

Requested City Council Action: The Harbor Commission requests the Depoe Bay City Council accept the recommendations of the Harbor Commission.

Oregon Health Authority  
Drinking Water Services  
800 N.E. Oregon Street, Suite 640  
Portland, Oregon 97232-2162



FFY-2024 Funding  
***Drinking Water Source Protection***  
**Letter of Interest (LOI)**  
**Request for Project Proposals**

**For consideration by the  
State of Oregon  
Drinking Water Protection Fund  
ORS 285A.075 & 285A.213 (4)**

Funding is made available under the Federal Safe Drinking Water Act section 1452(k) via a Local Assistance Set-Aside from the Oregon Safe Drinking Water Revolving Loan Fund Program. The Set-Aside provides grant and loan funding for eligible source water protection project activities.

This 2024 Funding Letter of Interest (LOI) packet will be used to gather project proposal requests. Each LOI received by the close date will be reviewed, rated, and ranked. Funding for eligible projects begins in 2024 based upon overall project ranking, disadvantaged community status, and set-aside funding. Awards must be spent two years from the date contracted. Unspent balances may be subject to forfeiture after the contracted deadline.

**This request for  
Letters of Interest  
Opens on – Friday February 23<sup>rd</sup>, 2024  
CLOSES on – Friday April 19<sup>th</sup>, 2024**

The Oregon Health Authority (OHA) is requesting Letters of Interest (LOI) from drinking water systems for Drinking Water Source Protection projects for potential funding. Drinking water systems that submit an LOI meeting the project eligibility guidelines may be offered financial assistance to implement various drinking water source protection projects or activities.

*Source water is the water from the rivers, streams, lakes, springs, and underground sources that drinking water systems use to supply communities with safe drinking water. Drinking water source protection involves taking positive steps to manage potential sources of contamination and prevent pollutants from entering, reaching, or contaminating sources of public drinking water.*

### **Eligibility and Other Restrictions**

Any Public and Privately-owned Community and Nonprofit Non-Community water systems with a completed *Source Water Assessment* or *Source Water Assessment update* are eligible for funds.

A “community water system” is defined as a public water system that has 15 or more service connections used by year-round residents, or which regularly serves 25 or more year-round residents. This includes water systems that are owned privately, by non-profit or public entities such as a city, district, or port.

A “nonprofit non-community water system” is a public water system that is not a community water system and that regularly serves at least 25 people (more than 6 months per year) and is legally recognized under Oregon law as a nonprofit entity.

- Water systems that have received Drinking Water Source Protection loans and/or grants in each of the last two years are not eligible for loans or grants in the current year.
- Water systems involved with an OHA funded drinking water source protection project that has not yet been completed must demonstrate, in their 2024 LOI, an active pursuit of the current project to be eligible for funding for an additional project.
- Water systems that have two open OHA funded drinking water source protection projects that have not yet been completed are not eligible for loans and grants in the current year.

Federally owned water systems and for-profit non-community water systems are not eligible for Drinking Water Source Protection funds.

### **Prior to Submitting an LOI**

Applicants are encouraged to contact OHA or DEQ staff identified below with questions regarding project ideas and/or project eligibility. Applicants are also encouraged to review project management requirements and other requirements included in Appendix C of the [Safe Drinking Water Handbook](#). Questions regarding project funding, contracting, and/or procurement can be referred to Business Oregon (contact information available in the Safe Drinking Water Handbook).

- 1) **Tom Pattee**, OHA Drinking Water Services (Springfield),  
ph. 541-684-2440 or by e-mail: [tom.pattee@oha.oregon.gov](mailto:tom.pattee@oha.oregon.gov)
- 2) **Julie Harvey**, DEQ Water Quality Division (Portland)  
ph. 503-229-5664 or by e-mail: [julie.harvey@deq.oregon.gov](mailto:julie.harvey@deq.oregon.gov)
- 2) **Adam DeSemp**, OHA Drinking Water Services (Portland),  
ph. 503-956-8287; or by e-mail: [adam.desemple@oha.oregon.gov](mailto:adam.desemple@oha.oregon.gov)



## **Next Step - after a Letter of Interest is submitted**

Each Drinking Water Source Protection project proposal that's submitted on an LOI form is reviewed and evaluated. LOIs received from groundwater systems are reviewed and evaluated by OHA Drinking Water Services staff. LOIs received from surface water systems are reviewed and evaluated by the Drinking Water Protection staff at the Department of Environmental Quality (DEQ), Water Quality Division.

Drinking Water Source Protection project submittals will be evaluated based upon five criteria:

- area and level of sensitivity of the drinking water source,
- presence of high-risk sources of contamination within the drinking water source area,
- contaminant detections at the source,
- prior and current risk reduction activities, and
- proposed project risk reduction potential

Each scored project is then placed on a numerically ranked Drinking Water Source Protection Project Priority List (PPL). Projects directed at land acquisition planning will be placed on a separate PPL and scored for funding through the available Bipartisan Infrastructure Law (BIL) funds. On each PPL, projects scoring 60 or more points will be eligible for funding. For those projects considered eligible for funding, additional consideration will be given to disadvantaged communities as defined by OHA-DWS. The additional consideration will be in the form of 10 points that will be given to those eligible projects that were submitted by water systems from disadvantaged communities. Projects on both PPLs will then be ranked for funding based on total points (project ranking points + disadvantaged community status points). Should there be a tie score between two or more projects, projects from disadvantaged systems will be given preference, after which there will be consideration for dividing total available grant funds as evenly as possible between surface water and groundwater projects. OHA Drinking Water Services will notify the project contacts of their selection. Those projects that are ready to proceed to the financing phase may begin the funding process with the assistance of staff at Business Oregon. Information on funded project requirements including Business Oregon contact information is available in Appendix C of the [Safe Drinking Water Handbook](#).

## **Project Timeliness and Extensions**

Projects recommended to Business Oregon for funding must be contracted with Business Oregon within one year of the recommendation. If a contract is not reached with Business Oregon within one year, the water system forfeits the recommendation and must reapply for funding. Contracted projects must be completed within two years of the day that a funding contract is signed with Business Oregon. If needed, a one-year extension may be granted upon request. A second one-year extension may be granted pending circumstances beyond water system control such as natural disaster, pandemic, and/or project scope refinement due to unanticipated costs. Following two 1-year project extensions, the water system forfeits remaining funds and must reapply for funding.





**Background Information**

Public Water System Service Population: 1579

Project Area Population (if project is regional or extends outside Drinking Water Source Area): \_\_\_\_\_

County where project is to occur: Lincoln

Primary Source Water Type that will be protected by project:

- Groundwater** (includes wells and springs)
- Surface water** (rivers, streams, and groundwater under the direct influence of surface water)

**SECTION 2: PROJECT INFORMATION**

A. Project Title: (e.g., Garnet City Ag Pesticide Round-Up)  
Land Conservation Planning in the North Depoe Bay & Rocky Creek Watersheds

B. Project Type: Please refer to the “[General Information Guide to 2024 Drinking Water Source Protection Loans and Grants](#)” document for more information on eligible project types specific to this loan and grant funding cycle. **\*\*New for 2024, funding sources are split into two different categories. In addition to the traditional Drinking Water Source Protection Loans/Grants, Bipartisan Infrastructure Law funds are available for land acquisition planning purposes (up to \$70,000 per grant)\*\*.** Land acquisition/purchases must be done using a Drinking Water Source Protection Loan. Mark all that apply below:

- |  |   |
|--|---|
| <input type="checkbox"/> <b>Enhanced delineation</b>     | <input checked="" type="checkbox"/> <b>Enhanced assessment</b>        |
| <input type="checkbox"/> <b>Water quality evaluation</b> | <input checked="" type="checkbox"/> <b>Source protection planning</b> |
| <input type="checkbox"/> <b>Implementation</b>           | <input type="checkbox"/> <b>Security</b>                              |

Are you requesting funds for an Emergency Project?      Yes     No

Are you requesting funds for Land Acquisition Planning?    Yes     No

Are you requesting loan funds?                                      Yes     No

**If requesting loan funds, please answer additional questions in Section 3 regarding financing.**

C. Describe the Opportunity/Problem: Clearly describe what risk or contaminant is being addressed and what is known about the extent of the opportunity/problem facing the water system. Opportunities could include: risk reduction benefits; linkage with other projects such as resiliency assessments, emergency/spill response planning, TMDL-related outcomes, etc. Problems might include a history of well/surface water intake shutdowns, increased monitoring requirements due to detected contaminants, high-risk potential contaminant sources within highly sensitive areas, etc. To provide the level of information necessary for an accurate evaluation, please refer to the “[General Information Guide to 2024 Drinking Water Source Protection Loans and Grants](#)” document for the criteria used in the rating.

The City of Depoe Bay (the City) is a small coastal community in Lincoln County that provides drinking water to a community of approximately 1,500 residents from the North Depoe Bay Creek, South Depoe Bay Creek, and Rocky Creek sources. Like many other coastal towns, the population of the City swells in

the summer season when the influx of tourism is highest. Unfortunately, this dynamic means that the City's peak demand for water use coincides with the dry season when stream levels are lowest. While the current water demand versus supply in the dry season is manageable, the City is looking forward to long-term planning for its drinking watersheds to provide sustainable and reliable quantities of high quality water despite ecological disturbances stemming from climate change and the frequency/ severity of weather phenomenon such as drought and severe storms.

The City's permanent source of drinking water (and sole source in the winter) is North Depoe Bay Creek. The City seasonally pulls from Rocky Creek to supplement its supply in the summer months when streamflows decline. While the South Depoe Bay Creek intake is active, this is only an occasional water source for the City due to ongoing source water quality and quantity issues. Therefore, the North Depoe Bay Creek and Rocky Creek source watersheds are the highest priorities for the City to protect. The City understands that different types of land management can lead to divergent outcomes for source water quality and quantity over time. Intact and resilient forest ecosystems can protect surface waters from contamination by preventing erosion and filtering water before it arrives in streams. The City is committed to pursuing land conservation goals to achieve reliable long-term water quality and quantity outcomes in the critically important North Depoe Bay Creek and Rocky Creek watersheds.

#### The Problem:

Land management activities on private lands are at the discretion of private owners as long as applicable local, state, and federal rules or regulations are being followed. Private industrial timber ownership currently accounts for ~94% of the land across the City's three drinking water source areas, and land management on these parcels is subject to the state's updated Forest Practices Act rules. In comparison, local ownership by the City accounts for less than 1% of land. This means that the City currently lacks the ability to control what land management practices are carried out in its drinking water source watersheds but must shoulder the risk associated with these practices and deal with the cost of treating and/or the public response to downstream water quality or quantity implications.

Despite recent changes to the state's rules governing harvest on private lands, logging practices still pose a significant threat to water quality and quantity. For example, DEQ's updated source water assessment found that almost the entirety of the steep sloped North Depoe Bay Creek watershed was at high risk of soil erosion in response to disturbance. However, even with updated forest practices regulations for harvest on steep slopes only one small section on one tributary to N. Depoe Bay Creek was identified as potentially receiving additional protection during harvest activities. Additionally, industrial timber management practices on the coast have been moving towards shorter harvest lengths, commonly as low as 40 year harvest intervals with commercial thinning at 30 years. Harvesting at this frequency disturbs the soil and increases erosion risk, and depletes soil nutrients, and leads to an increase in fertilizer use as a post-harvest tool in addition to herbicide use to kill competing vegetation. The City has previously recognized that its risk tolerance for certain land management practices is at odds with acceptable practices within the industrial timber industry, especially when high quality drinking water free from contaminants is what is at stake. For example, the City has previously negotiated with industrial timber land owners in their North Depoe Bay Creek source watershed to use ground application of pesticides in lieu of aerial spraying as a post-harvest management tool. This action was initiated by the City because the risk of aerial spray to the community's water source was greater than the City felt was acceptable despite the fact that aerial spraying is a legal practice to use on private lands according to state law.

The Oregon Department of Environmental Quality (OR DEQ) produced an original (2002) and updated (2017) source water assessment for the City that provides details about natural characteristics of the City's

source watersheds and identifies potential pollutant sources. Higher risk potential pollutant sources in the North Depoe Bay and Rocky Creek watersheds include managed forestlands (clear cuts). The cutting and yarding of trees and reductions in canopy cover paired with ground disturbance can contribute to increased erosion from harvest locations that can lead to increased turbidity and other chemical changes in source water. In addition, the over-application/ mis-application or improper handling of pesticides commonly used to manage invasive or competing vegetation in post-harvest landscapes can contaminate the drinking water source. In addition to risks to water quality, clear cuts can impact water quantity as well. Near-time (~10 year) post-harvest water quantity impacts include an increase in low flows in the dry season and an increase in peak flows in the wet season. Increased peak flows have impacts on instream dynamics driving channel scour and erosion, and can result in a dynamic in which precipitation-induced source water turbidity is coming from both upland areas (through run-off and sediment transport into streams) and from areas within the stream channel itself. Lower base flows in the dry season have implications not only for the City's ability to meet community needs for drinking water uses when water demand is highest but also mean that any contamination that enters the streams is more concentrated.

Another high risk potential pollutant source in both the North Depoe Bay and Rocky Creek watersheds is a high density of forest roads (>2 miles of roads/ square mile). Road building activities, maintenance, and use can increase the risk of erosion and slope failure causing increased turbidity in source water. Vehicle use on forest roads is associated with its own risks related to leaks or spills of petroleum products or other potentially hazardous materials. An increasingly important consideration of the risks associated with forest road networks is in regard to fire: human-caused fires are responsible for the majority of wildfires started on the coast from causes such as cigarettes, equipment use, and hot exhaust pipes igniting dry grass. Wildfires pose a potentially catastrophic risk to the drinking water supply by increasing the risks of nonpoint sources of sediment, organics, and chemicals entering streams as a result of fire-fighting efforts or post-fire conditions in the watershed.

Essentially the entire North Depoe Bay Creek watershed and the majority of the Rocky Creek watershed are considered highly sensitive to contamination because of the congregation of areas close to streams, areas with high runoff potential, and/or areas with high soil permeability (DEQ Source Water Assessment, 2002). These represent areas where risk is greatest for existing and future potential sources of contamination impacting water quality in the watershed. DEQ's updated source water assessment for the City's source watersheds refined this sensitivity analysis by mapping soils with high erosion potential and the location of existing landslide deposits. Across all three of the City's source watersheds ~77% of stream miles are at high risk of soil erosion in response to disturbance within 300' of the channel. The North Depoe Bay Creek watershed is at particularly high risk of soil erosion- almost all of the stream miles in this watershed were identified as being at high risk. In addition, there were large areas of landslide deposits in the Rocky Creek watershed. These landslide deposits were predominantly located in the lower watershed (closer to the City's intake) in the subwatersheds just south of the mainstem of Rocky Creek and provide evidence that this area has experienced mass soil movement events in the past and may be at higher risk for experiencing them again in the future.

Harvest activity in the source watersheds has been intensive over the past two decades, not only in the method of harvest (i.e. clear cut) but also in the geographic extent. A recent partnership between the NASA DEVELOP Oregon Coast Ecological Conservation team and the nonprofit Oregon Wild resulted in a project to quantify the extent of clearcutting and commercial thinning in 80 different drinking watersheds on the coast for the years between 2000-2022 (Oregon Coast Range Ecological Conservation: Mapping Recent Logging within Drinking Watersheds of Oregon's Coastal Range to Support Future Resource Management Policies, NASA DEVELOP Technical Report, 2023). This analysis found that clearcutting occurred primarily on private land while commercial thinning occurred primarily on state/

federal lands. Most importantly, the analysis found that ~46% of the geographic area of the City's source watersheds were collectively clear cut during this time period. Additional clear cut harvest has continued to occur in the City's source watersheds (including recent harvest in the North Depoe Bay Creek watershed) even after the timeline for analysis of NASA and Oregon Wild project's ended (i.e. harvests done in late 2023). Recent harvest activity means that post-harvest management will be happening across the City's source watersheds, including the herbicide applications that typically occur one to three times during each clearcut harvest cycle according to Oregon Department of Forestry.

Impacts to source water quality from intensive timber management in the North Depoe Bay Creek and Rocky Creek watersheds are not currently affecting the quality of finished water produced by the City. The City distributes a consumer confidence report to ratepayers annually and consistently is able to highlight the high quality of the community's finished drinking water. However, there have been source water quality impacts that the City has dealt with related to increasing levels of nonpoint source turbidity in the raw water in response to storm events. In particular, impacts include the increased cost and reduced efficiency of producing water when turbidity is high, repeated instances of the intake on North Depoe Bay Creek being shut down when raw water turbidity has been too high (during which time the City relies on stored water), and increased maintenance frequency and costs related to managing sediment build up in the North Depoe Bay Creek reservoir. In order for treatment conditions to be optimal at the City's treatment plant, raw water turbidity is ideally less than 3 NTU. The City public works staff will preferentially shut down the intake when turbidity levels climb higher than 10 NTU. Between 3-10 NTU the water filters need to be backwashed more frequently, which takes more water and energy to achieve (less efficient and more costly) and means that the filter media needs to be replaced more frequently. There is a raw water storage reservoir on North Depoe Bay Creek that the City must actively maintain by periodically dredging and disposing of accumulated sediments. The last time the City dredged the North Depoe Bay Creek Reservoir was in 2016, at which time it cost ~\$50,000 to dredge and haul away ~1,680 cubic yards of sediment. The more nonpoint sediment is being delivered to North Depoe Bay Creek the more frequently the City must perform this type of costly maintenance.

#### The Opportunity:

Protecting the City of Depoe Bay's watershed has long been a community priority. In a survey of the local community done for the City of Depoe Bay's Landscape Visioning Project in 1996 (funded by a rural development Community Response Team grant) the number one response chosen in terms of citizen goals was a watershed producing cold and clean water. The final written plan reflects that goal: "Residents feel that the quality of their natural environment is an important part of their quality of life, as shown by their deep concern for and efforts to maintain a watershed that produces a sufficient amount of clean water. The community also actively encourages conservation of water resources."

An opportunity particular to the City's permanent year-round source, North Depoe Bay Creek, is in relation to the salmonid habitat that the watershed provides. North Depoe Bay Creek provides critical rearing and spawning habitat for both winter steelhead and Federally threatened coastal coho salmon. The watershed also provides year-round habitat for resident coastal cutthroat trout. The City of Depoe Bay supports a robust and active local fishing community and culture; local businesses related to fisheries are important elements of the local economy, including a charter boat industry that caters to locals and tourists alike. There is also a long-term program to rear coho salmon smolts in the creek through ODFW's Salmon and Trout Enhancement Project (STEP). This program helps to rehabilitate native fish stocks and supports the local fishing economy, and ODFW has recognized the North Fork Depoe Bay Creek watershed as a conservation opportunity area. Tens of thousands of salmon smolts have been reared through this program each year; the program also includes an active community engagement element, including participation of

a youth group (Neighbors for Kids). Additionally, the long-standing Depoe Bay Salmon Enhancement Commission, an advisory group to the City, sometimes makes recommendations about projects near source water streams that could help maintain water quality and watershed conditions for native salmon.

Despite this long-standing interest in pursuing land conservation in its drinking water source watersheds, the City has struggled to move forward towards achieving these goals in large part due to its limited staff capacity as well as a limited budget (due to no City taxes and the City's charter requirement of a vote if debt is to be incurred). In 2022 the City approved a Strategic Plan that included goals related to studying and protecting its drinking water source watersheds and in 2023 the City dedicated staff time to lay the groundwork for achieving these goals. Also in 2023, the development of a strategic plan for source watershed conservation was acknowledged as a current project need by the MidCoast Watershed Planning Partnership. By incorporating this project as a priority in its plan, the Partnership can help advocate for and support funding applications.

In summary, the opportunity for the City is to pursue its land conservation goals to increase water quality in the North Depoe Bay and Rocky Creek drinking water source watersheds, decrease the need for high turbidity shut down events and decrease the frequency of reservoir clean-outs. In addition, there is a concomitant opportunity to use land conservation as a tool to help stabilize stream flows year round in North Depoe Bay Creek to increase the resiliency of the system (which now has to depend on water from Rocky Creek in the summer time for adequate water quantity). This planning project will help the City to lay a path forward towards achieving its long-held watershed conservation goals by prioritizing its needs, defining action items, and developing partnerships for technical and funding success.

D. Project Objectives, Justification and Goals/Outcomes: Provide a brief overview of the project including the nature and extent of the need(s) to be addressed. List objectives and describe what is expected to be accomplished during the period of the project. Objectives must relate to the identified water quality, quantity, or educational deficiencies and reflect progress in resolving those deficiencies e.g., how will the proposed work address the problem(s) identified above in Section C. If this project is part of a larger phased project, describe the overall project, but clearly identify the discrete activities of this phase for which funding is sought. Discuss the effectiveness of each major source water protection strategy to address the identified opportunity/problem.

The first step in the multi-barrier approach to safeguarding drinking water resources is to protect the drinking water source itself. The watersheds that produce drinking water for the City of Depoe Bay represent valuable 'green infrastructure' (i.e. natural infrastructure) that dictate what the 'gray infrastructure' (i.e. built infrastructure) downstream must be built to accommodate. Changes in the types of contamination or levels of contamination being passed from the City's green infrastructure (watersheds) into the treatment facility may require changes in the treatment process, chemical usage, and in extreme cases may even require investment in a new treatment method or treatment facility entirely. Long-term changes in the quantity of water being delivered by the City's green infrastructure translate into different gray infrastructure needs regarding raw or finished water storage capacity. When changes to the City's green infrastructure (source watersheds) necessitate a shift in the City's gray infrastructure (intake infrastructure, treatment plant, storage solutions, or distribution system) this represents an economic cost to the community in addition to a loss in resiliency to the system as a whole.

The City has had long-standing goals around land conservation as a strategy for protecting its 'green infrastructure' (the drinking water source watersheds) and recently formalized this commitment in the City's Strategic Plan. The current Council-approved Strategic Plan (2022) includes objectives to study the

City's drinking watersheds to ensure proper protection (Objective 1.3), and in particular, ensure the watersheds and source water are protected during natural disasters (Objective 1.4). The overarching goal of this project is to complete planning steps essential for the City to move forward strategically to achieve conservation goals in the North Depoe Bay and Rocky Creek watersheds. Conservation goals can include both fee simple acquisition of critical parcels and securing conservation easements on privately owned lands, and the planning process will help the City determine where to best implement these tools.

The City's objectives for this conservation planning project are as follows:

1. Information Gathering and Analysis: Better understand the risk factors related to erosion, landslides, steep slopes, roads, water quantity, and future timber harvest by completing a tax lot analysis and hydrologic modeling for both the North Depoe Bay and Rocky Creek watersheds. Other information gathering objectives include understanding what funding sources are available to help finance conservation efforts (acquisition or easements) and documenting how conservation efforts in the North Depoe Bay and Rocky Creek watersheds align with other local/ regional/ state/ federal planning documents and goals.

2. Develop a Strategic Plan: Use the information and analyses gathered about the watershed in Objective 1 to del. 1. Critical Area Protection Analyses:

Tax lot analyses: Complete a comprehensive tax lot analysis for the North Depoe Bay and Rocky Creek watersheds that analyzes potential risk factors on a parcel-by-parcel level (i.e. erosion potential, runoff potential, recent landslides, steep slopes, road network analyses, try to assess historic harvest data from satellite imagery) in addition to other information related to species presence (potential co-benefits for critical aquatic species), water rights, and ownership. An additional goal of this analysis is to obtain a rough estimate of parcel value.

Hydrologic modeling: Work with partners at OSU's College of Water Resources Engineering to develop a hydrologic model that can be used in tandem with the tax lot analysis data for long term conservation planning, including to prioritize conservation on parcels with the largest long term benefits for water quantity. The baseline hydrologic model can be modified to incorporate additional models to help the City with long term watershed planning including fire modeling, sediment transport modeling, and modeling for susceptibility to harmful algal blooms.

North Depoe Bay Creek is a smaller watershed and of high priority because it is the City's only year-round source and supports salmon. Working with partners at OSU, a base model for this watershed will be developed in summer 2024 without outside funding to support the ability to complete scenario-modeling in early 2025. Scenario modeling will be an important element to help inform the development of a strategic conservation plan in this watershed. Base model development for Rocky Creek, which is a larger watershed used only during the summer months and does not support salmon, will be developed in early 2025 as part of this grant funding.

2. Develop Council-approved strategic plan for pursuing watershed conservation: Based on results of the critical area protection analyses develop a strategic plan to pursue conservation goals in the North Depoe Bay and Rocky Creek watersheds. The development of this plan will consider elements such as

where acquisition versus easements are most feasible and/or effective, and consider how to combine these conservation tools in both watersheds to achieve maximum resource protection and City-control.

3. Private Landowner Outreach: Continue communication with landowners and/or establish communication to assess their willingness to partner in land conservation efforts.

4. Partnership Development: Continue defining needs and getting assistance from McKenzie River Trust (the local land trust) and potential bridge buyers such as The Conservation Fund to achieve objectives in prioritized areas. The City is also interested in exploring how to partner with the Confederated Tribes of Siletz Indians to understand how the City's watershed protection goals could advance Tribal interests for cultural and natural resource access.

5. Research support: Help identify funding sources for future acquisition or conservation easements in source watersheds and help document a nexus with other local, regional, state, and federal planning documents or species-specific planning documents/ strategies (i.e. Oregon's Conservation Strategy) that will be useful in drafting competitive implementation funding applications. Develop a Council-approved strategic plan for how to pursue conservation goals in the North Depoe Bay and Rocky Creek watersheds. This plan will prioritize parcels for conservation and identify which conservation tools the City would ideally use (fee simple acquisition versus conservation easements).

3. Communicate with private landowners and partnership development with land trusts.

This project will help the City complete critical planning tasks that will facilitate the implementation of conservation priorities in the future. Where feasible, land conservation is an invaluable source water protection tool that allows the City to control the level of acceptable risk from management activities in the watershed. The City's goal for watershed protection through conservation is to help build the resiliency and sustainability of the natural infrastructure that produces their source of drinking water to promote long term water quality and quantity goals. Other potential co-benefits of land conservation in the North Depoe Bay and Rocky Creek watersheds include scenic values (the North Depoe Bay Creek watershed is visible from town), public access and recreation, and Tribal access to cultural resources.

E. Project Tasks and Deliverables: List specific project tasks, deliverables, and milestones for your source water protection project. Tasks must be related to specific project objectives described in part D above. (Example: If our project is funded, we will; (1) form a protection planning team, (2) complete an updated contaminant source inventory, (3) identify best management practices for high-risk contaminant sources, (4) develop a contingency plan, and (5) submit plan for DEQ approval).

1. Critical Area Protection Analyses:

Tax lot analyses: Complete a comprehensive tax lot analysis for the North Depoe Bay and Rocky Creek watersheds that analyzes potential risk factors on a parcel-by-parcel level (i.e. erosion potential, runoff potential, recent landslides, steep slopes, road network analyses, try to assess historic harvest data from satellite imagery) in addition to other information related to species presence (potential co-benefits for critical aquatic species), water rights, and ownership. An additional goal of this analysis is to obtain a rough estimate of parcel value.



Hydrologic modeling: Work with partners at OSU's College of Water Resources Engineering to develop a hydrologic model that can be used in tandem with the tax lot analysis data for long term conservation planning, including to prioritize conservation on parcels with the largest long term benefits for water quantity. The baseline hydrologic model can be modified to incorporate additional models to help the City with long term watershed planning including fire modeling, sediment transport modeling, and modeling for susceptibility to harmful algal blooms.

North Depoe Bay Creek is a smaller watershed and of high priority because it is the City's only year-round source and supports salmon. Working with partners at OSU, a base model for this watershed will be developed in summer 2024 without outside funding to support the ability to complete scenario-modeling in early 2025. Scenario modeling will be an important element to help inform the development of a strategic conservation plan in this watershed. Base model development for Rocky Creek, which is a larger watershed used only during the summer months and does not support salmon, will be developed in early 2025 as part of this grant funding.

2. Develop Council-approved strategic plan for pursuing watershed conservation: Based on results of the critical area protection analyses develop a strategic plan to pursue conservation goals in the North Depoe Bay and Rocky Creek watersheds. The development of this plan will consider elements such as where acquisition versus easements are most feasible and/or effective, and consider how to combine these conservation tools in both watersheds to achieve maximum resource protection and City-control.

3. Private Landowner Outreach: Continue communication with landowners and/or establish communication to assess their willingness to partner in land conservation efforts.

4. Partnership Development: Continue defining needs and getting assistance from McKenzie River Trust (the local land trust) and potential bridge buyers such as The Conservation Fund to achieve objectives in prioritized areas. The City is also interested in exploring how to partner with the Confederated Tribes of Siletz Indians to understand how the City's watershed protection goals could advance Tribal interests for cultural and natural resource access.

5. Research support: Help identify funding sources for future acquisition or conservation easements in source watersheds and help document a nexus with other local, regional, state, and federal planning documents or species-specific planning documents/ strategies (i.e. Oregon's Conservation Strategy) that will be useful in drafting competitive implementation funding applications.

F. Public Awareness: It is recommended that drinking water source protection projects include an element of public awareness if not during, then following closure of the project as part of an ongoing effort to educate the public about their drinking water supply and efforts being made to preserve it. Public awareness efforts could include providing basic information about the water source and the relationship between your project, drinking water quality, and project success stories. Outreach could be made through public meetings or project summaries included in websites, newsletters, newspaper articles,

consumer confidence reports, informational kiosks, placards, storyboards, etc... Discuss how you have/would incorporate public awareness into this project.

During the planning project, there will be various opportunities to make the public aware of the City’s source water protection efforts. This will include:

- The City posting the announcement of the grant project award (and its goals) on its website and social media.
- Periodic updates about grant progress towards meeting deliverables during City Council meetings (open to the public) or public works sessions (e.g. to prioritize actions in the plan).
- The draft watershed conservation strategic plan will also be presented and discussed during a public meeting before it is finalized.

After the Plan is complete (and has been adopted by City Council) public awareness opportunities will include:

- Posting the final watershed conservation strategic plan (Completed Plan) on the City’s website.
- A social media post about the Completed Plan availability.
- Including information about the Completed Plan in the City’s annual consumer confidence report.

**G. Partnerships:**

Is the project described above part of a larger project? Yes  No   
 If yes, will you be seeking additional funding for other project phases? Yes  No   
 If yes, would you like assistance identifying other funding sources? Yes  No

Use the table that follows to list all other significant organizational project partners and their roles and contributions for the discrete activity of the phase for which funding is sought. If additional rows are needed, include as an attachment. Project partners do not include Oregon Health Authority or Dept of Environmental Quality staff. OHA and DEQ staff provide grant funding and drinking water source protection technical assistance as part of their routine duties.

<b>Partner</b> (i.e., name of organization or individual)	<b>Role</b> (i.e., landowner, funder, completing specific activity/task)	<b>Contribution Description</b> (i.e., land access, cash, technical assistance, match contribution. If cash, indicate source of cash, i.e., federal, non-federal, etc...)
COLT (Coalition of Oregon Land Trusts)	Technical Assistance	Helping to identify funding sources, forest managers, timber land appraisers
Oregon State University: Dr. Meghna Babbar-Sebens, College of Water Resources Engineering and Miranda Gray, OSU Extension- Sea Grant	Technical Assistance	Develop hydrologic models:  Note for City to be removed before submittal: OSU partners request meeting with Depoe Bay representatives to help support an OSU application for base model development in N. Depoe Bay Creek beginning in summer 2024 in preparation for scenario analysis and prioritization in 2025

McKenzie River Trust	Technical Assistance	Technical assistance with strategic plan development and parcel prioritization strategy; Assist with landowner outreach; Potential holder of easements, advice on appraisers, easement language
The Conservation Fund	Technical Assistance	Assist with landowner outreach; Potential Bridge Buyer
The MidCoast Watersheds Council	Technical Assistance	Assist with landowner outreach; help identifying grant and help with applications

**H. Multiple Water Systems:** Regional projects involve multiple communities and/or water systems attempting to address a common source water issue or issues. If this is a regional project with additional water systems that will be actively involved, please list them in the table below, include contact information and grant/loan amount that each will be applying for.

Water System	Contact Name	Phone Number	Grant Amount	Loan Amount
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$

**I. Project Location and Scope:** Describe any other relevant information that will identify the location and scope of the proposed project (i.e., is it within 1000 ft of a surface water source or the 2-year time-of-travel zone/zone 1 for a groundwater source, otherwise identified sensitive areas, high risk sources, acreage, landowner consent, etc. Provide map with project location if needed).

The City owns some land surrounding the water reservoir on North Depoe Bay Creek which provides some immediate buffer around the intake, but upstream commercial forest practices on both North Depoe Bay Creek and Rocky Creek are not under the control of the City. While recent Private Forest Accord (PFA) changes will require increased buffers, protection of drinking water resources was not an explicit goal of the Private Forest Accord negotiations. For example, while North Depoe Bay Creek contains very steep slopes, only one small area could potentially receive additional protections under the newly updated Forest Practices Act Steep Slopes rules.

**J. Previously Implemented Protection Strategies:** Briefly describe any risk-reduction plans or strategies previously developed and/or implemented to protect the drinking water source area(s).

Previous community outreach and engagement through a community survey done for a Landscape Vision Project in the late 1990s found that a healthy watershed that produces clean and cold water was the highest community priority.

When the City learned of a forest spray operation in the North Depoe Bay Creek watershed above its reservoir, a no aerial spray agreement between Hancock and

the City was developed. Though the parcel was later sold to Hampton, the agreement is being honored.

A watershed committee was created in 2023 to work towards progress on its strategic plan objective for watershed protection. Work included meetings with DEQ Drinking Water Program staff (Laura Johnson) and Coalition of Oregon Land Trust staff (Michelle Smith). City Council work sessions were held on 11/2023 and 2/2024 on the topic of how to pursue land conservation goals, and City Council provided approval in early 2024 to pursue a federal land conservation readiness pilot program opportunity. The City public works director and City administrator have been involved in discussions of City source water protection needs and capacity support through the EPA pilot project. The City hopes to hear back in the near future about whether it will receive additional project management and technical assistance support for its land conservation planning goals through this program.

Preliminary steps have also been taken to do outreach to landowners in the North Depoe Bay Creek Watershed to determine the potential willingness of the forest owners to work with the City. The result of preliminary communications is that the two private industrial timber landowners (who own more than 98% of the North Depoe Bay Creek watershed) have expressed willingness to work with the City to acquire the land or easements as long as the price is acceptable.

K. Project Budget: In the table below, list costs and source of funds. To the degree possible, align the budget with tasks and milestones listed in Part E. Examples of budget line items include consultant or labor costs, supplies, analytical costs, land surveys, etc. If projected costs are uncertain, a ‘contingency’ budget line item can be added to the budget.

K. Project Budget: In the table below, list costs and source of funds. **To degree possible, align budget with tasks and milestones listed in Part E.** Examples of budget line items include consultant or labor costs, supplies, analytical costs, land surveys, legal publication, permits, equipment, travel, printing, postage, etc. Costs should reflect Bureau of Labor (BOLI) wage rates where appropriate. If projected costs are uncertain, a “contingency” budget line item can be added to the budget.

**Note: Administrative or project management expenses incurred by the loan/grant recipient are ineligible costs for DWSP funds.**

Budget line Item	DWSP Funds Requested	Applicant Funds	Other Funds	Total
Tax lot analyses for North Depoe Bay & Rocky Creek watersheds	28,000			28,000
Hydrologic Modeling	15,000			25,000

Strategic Conservation Plan Development	22,000			22,000
Landowner Outreach & Partnership Development & Research Support	5000			5000
Project Administration and Strategic Plan Development/ Adoption		5000 (in-kind)		
<b>Total Project Costs</b>				70,000

Total amount of Drinking Water Source Protection Grant Funds Requested: \$70,000  
Total amount of Drinking Water Source Protection Loan Funds Requested: \$ \_\_\_\_\_  
Total amount of funds contributed by the Water System: \$ \_\_\_\_\_  
Total amount of other funds (detail in funding sources table below): \$5000 (in-kind)  
Total Project Cost: \$75,000

Project cost estimate Date Prepared: 4/16/2024 Prepared by: City Council

Are you aware that costs incurred prior to a signed contract with Business Oregon are not eligible for grant funding/reimbursement? Yes  No

Source of Funds	Amount	Status (Budgeted, Not Budgeted, Committed, Application Submitted, or Potential Source)	Date Funds Committed or Expected
DWSP Funding	70,000	Application Submitted	
Applicant Funding	5000 in kind)	Committed	
Other Funds:			
Other Funds:			
Other Funds:			
Other Funds:			
Total:	75,000		

**Note that, if a project only receives a portion of funding from the Drinking Water Source Protection Fund and are combined with additional funds, the following will apply:**

- The funded project requirements of the Drinking Water Source Protection Fund will apply to the entire project, and
- If the Drinking Water Source Protection funds are used in conjunction with other federal funds and the total federal funds used to complete the project are \$250,000 or greater, the project will be subjected to Build America Buy America (BABA) requirements (see Build America Buy America requirements and waiver details in the [General Information Guide to 2024 Drinking Water Source Protection Loans and Grants](#) document).

L. Work Plan: In the table below, list project activity milestones with estimated start and completion dates:

Activity	Estimated Date	
	Start	Completion
Tax lot analyses for North Depoe Bay & Rocky Creek watersheds	Feb 1, 2025	Jun 30, 2025
Hydrologic Modeling and Scenario Exploration	Feb 1, 2025	Dec 31, 2025
Strategic Conservation Plan Development, Public Meetings, Adoption of Plan	Jul 1, 2025	Mar 31, 2026
Partnership Development & Research Support	Jul 1, 2025	Sep 30, 2026
Landowner Outreach	Jan 1, 2026	Dec 31, 2026

M. Procurement of Services:

Are you aware that if awarded DWSP funds, procuring goods or services is the responsibility of the eligible water systems and must be done in accordance with state procurement laws [[ORS 279A](#), [ORS 279B](#) and [ORS 279C](#)]? Yes  No

Are you aware that bid documents and resulting contracts must include federally required contract clauses and that Business Oregon must review bid documents 10 days before advertising and contracts 10 days before signing? Yes  No

N. Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment:

Will your project use DWSP funds to obtain equipment, systems, or services that will be used for telecommunications and/or Video Surveillance? Yes  No

If “No”, skip to Section 3, if “Yes” continue with following questions:

Are you aware that if awarded DWSP funds, that Federal law [[Public Law 115-232](#) section 889] prohibits the use of Federal funds to procure (enter into, extend, or renew contracts) or obtain equipment, systems, or services that use “covered telecommunications equipment or services” as a substantial or essential component of any system, or a critical technology as part of any system? Yes  No

Can you confirm that you will not be using DWSP funds to pay for any of the following covered telecommunications equipment or services? Yes  No

- Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- For the purposes of public safety, security of government facilities, physical security surveillance or critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou

Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

- Telecommunications or video surveillance services provided by such entities or using such equipment.
- Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

### **SECTION 3: FINANCING INFORMATION (FOR LOAN REQUESTS ONLY)**

*If the project is requesting loan funds for purposes including but not limited to land acquisition/purchase, complete the following loan information, otherwise skip to Section 4.*

A. Source of funds for *Loan* repayment (check all that will apply):

- Water-user fees     Voter-approved General Obligation bond     Connection fees  
 Reserves     Other funds: \_\_\_\_\_

B. Regarding cash flow, please check the frequency of funds available for debt repayment on requested loan:

- Monthly  
 Quarterly  
 Annual

C. Total debt supported by the water system rates, fees, taxes, or special assessments:

1. Current debt paid by water fees \$ \_\_\_\_\_
2. Current debt paid by property taxes \$ \_\_\_\_\_

D. Current average monthly residential water bill (based on 7,500 gallons) \$ \_\_\_\_\_

E. Current average annual property taxes paid per residence for water system debt \$ \_\_\_\_\_

## **SECTION 4: LETTER OF INTEREST CERTIFICATION**

**Certification:** I certify to the best of my knowledge that all information contained in this Letter of Interest and any attached supplements is valid and accurate and that I am aware of the Drinking Water Source Protection funded project requirements as identified in Appendix C of the [Safe Drinking Water Handbook](#). I further certify that to the best of my knowledge:

1. The Letter of Interest has been approved by the governing body or is otherwise being submitted using the governing body's lawful process, and
2. Signature authority is verified.

**Check one:**

Yes, I am the highest elected official. (e.g., Mayor, Chair or President)

No, I am not the highest elected official, so I have attached documentation that verifies my authority to sign on behalf of the applicant. (Document such as charter, resolution, ordinance, or governing body meeting minutes must be attached.)

_____	17 Apr 2024
Signature	Date
Kathy Short	Mayor
Printed Name	Printed Title

### **Return Completed Letter of Interest to:**

Oregon Health Authority-Drinking Water Services  
Attn: Tom Pattee – 2024 DWSP Letter of Interest  
2080 Laura St  
Springfield, Oregon 97477

Email: [tom.pattee@oha.oregon.gov](mailto:tom.pattee@oha.oregon.gov)  
Telephone: (541) 684-2440  
Fax: (541) 465-2914





2024 Legislative  
Session

# Summary of Bills

APRIL 2024

# TABLE OF CONTENTS

<b>Introduction .....</b>	<b>3</b>
<b>Community Development .....</b>	<b>4</b>
Economic Development .....	4
Housing & Land Use .....	5
<b>Energy &amp; Environment.....</b>	<b>8</b>
<b>Finance &amp; Taxation.....</b>	<b>11</b>
Property Taxes .....	11
<b>General Government.....</b>	<b>13</b>
Public Safety.....	13
Public Contracting.....	14
PERS.....	14
<b>Telecommunications, Broadband, Cybersecurity &amp; Artificial Intelligence.....</b>	<b>15</b>
<b>Transportation.....</b>	<b>16</b>
<b>Water And Wastewater.....</b>	<b>17</b>
<b>Wildfire.....</b>	<b>18</b>

## Significant Progress Made on Legislative Priorities in the 2024 Short Session

The 2024 legislative session ended three days prior to the statutory deadline of March 10. The session shifted from recent experience, with no walkouts and bipartisan support for several major issues facing Oregonians.

The LOC's priorities included Measure 110 reforms, several layers of housing policy, gap funding for shelters, and infrastructure funding for new housing development. This detailed end of session report includes the range of issues that were the main focus of the LOC's Intergovernmental Relations team's advocacy efforts. For the short session, the Legislature brought 291 bills, resolutions, and memorials. More than 500 amendments were introduced to modify the original language of the introduced measures, and Governor Kotek has 115 bills to evaluate for signature. At this stage, we are not expecting any vetoes.

### Team LOC is Making a Difference!

It's evident that a combination of member-led grassroots advocacy and the excellent work of the LOC's lobby team and partners resulted in substantial progress in 2024.

For example:

- Significant Measure 110 reforms are now confirmed, largely because of a coalition of public safety interests, including the LOC.
- For the first time, the Legislature allocated nearly \$100 million in general fund dollars to local infrastructure needs for new housing starts and \$65 million to keep existing shelters open, thanks to a pre-session member survey that generated 234 projects from 93 cities.
- Finally, recreational immunity was restored after an adverse court decision, which resulted in multiple trail closures.

The LOC lobby team helped stop several poorly constructed property tax measures that would have contributed to an already unfair and outdated property tax system in need of serious reform. We also stopped a pre-session legislative concept that would have preempted the local government franchise fee structure. Other wins included a fix for the use of photo radar and an improved broadband grant program.

### What's Next?

In the interim, there is considerable work to do as we prepare for the 2025 session and ensure commitments are met. We must remain focused on what lies ahead because we are not done. The LOC's policy committees started meetings in March and will complete their process in June. State agencies are evaluating how housing infrastructure and shelter funding will be pushed out, and there will be a significant conversation about the transportation package in 2025.

This session's most important take-home message is that the LOC's grassroots advocacy **WORKS!** Persistent engagement and advocacy from cities combined with the efforts of your LOC lobbyists creates leverage and is a recipe for success. During the interim, cities must reinforce their legislative partners, build on local government education, and let their state legislators know how much they appreciate their support.

## How to Use this Summary

This summary provides a snapshot of the LOC's work during the 2024 session. There are many other legislative concepts that your lobby team worked on during the session, but are not part of this summary. If there are bills that are not on this list that you have questions about, or if you want a deeper dive into the details of any legislation profiled in this summary, please reach out to the LOC, and we'll connect you with the appropriate lobbyist.

# COMMUNITY DEVELOPMENT

## Economic Development

---

### PASSED BILLS

#### **[SB 1526](#): Industrial Site Readiness Program Extension**

*Effective Date: June 6, 2024*



SB 1526 extended the sunset of the Oregon Industrial Site Readiness (RSIS) program from July 1, 2023 to December 31, 2029. It also made several technical changes to the program to improve ease of administration, including the exchange of accurate employment and wage data to calculate the reimbursement. The sunset extension was a key priority for the LOC.

SB 1526 is the revenue omnibus bill, a catch-all for revenue-related technical and administrative changes with some new policies. The LOC took no position on any other provisions of the bill besides the sunset extension of the RSIS program. Also included in SB 1526:

- Adding semiconductor-related development to properties eligible to receive property tax abatement under the e-commerce designation of the state's Enterprise Zone program.

A full summary of the changes in the bill can be found [here](#).

---

### FAILED BILLS

#### **[HB 4042](#): Industrial Site Loan Funding**



HB 4042 would have capitalized the Industrial Site Loan Fund with \$40 million. It was a redraft of HB 2258 (2023) and a priority of the state's Semiconductor Task Force. The Legislature created the Regionally Significant Industrial Site (RSIS) program, including the loan fund, in 2013 to assist local governments with the cost of making industrial lands ready for development, but has never funded the loan program. HB 4042 also held the sunset extension of the RSIS program, which passed in SB 1526 (2024). The LOC expects to bring forward similar legislation in 2025.

## Housing & Land Use

---

### PASSED BILLS

#### **SB 1529: Emergency Weather Resources Update**

*Effective Date: Upon signing by the governor*



This bill makes technical updates to housing stabilization programs. Of note to cities, SB 1529 adds flexibility to an existing program at the Oregon Health Authority (OHA) that directs the agency to contract with cities and other eligible entities, such as non-profits, to distribute air conditioners and air filters in anticipation of an emergency (not just during or after) and clarifies that technical assistance and community outreach are eligible uses of the funds.

#### **SB 1530: Housing Stabilization and Production Funding**

*Effective Date: Upon signing by the governor*



SB 1530 appropriates \$279.6 million in general fund resources across eight agencies to support investments in housing stability, infrastructure development, housing production, climate impacts, and recovery housing, including:

- \$65 million to keep existing shelters open this biennium;
- \$94.9 million in direct grants to cities for site-specific infrastructure investments to support needed housing;
- \$15 million for the Healthy Homes Repair Fund;
- \$3.5 million to provide air conditioners and air filters to eligible recipients; and
- \$18 million for grants at the OHA directed to specified community-based organizations for recovery housing projects.

#### **SB 1537: Governor's Housing Production Bill**

*Effective Date: June 6, 2024 (see other effective dates below)*



SB 1537 is the Governor's Housing Production Package. The bill creates several new programs and new land use requirements, including:

- Establishing a new [Housing Accountability and Production Office \(HAPO\)](#) with \$5 million for local technical assistance grants, *effective January 1, 2025*;
- Clarifying when a developer may opt in to new housing laws that take effect mid-development application; this language is also included in HB 4063 (*effective June 6, 2024*);
- Expanding prevailing party attorney's fees provisions for affordable housing to include local governments, allowing cities to receive compensation for legal expenses when supporting and responding to land use litigation (*effective January 1, 2025*);
- **Allocating \$3 million to Business Oregon to help small and rural local governments access infrastructure programs (*effective June 6, 2024*);**
- Establishing and funding a new state revolving loan fund with \$75 million for local governments to administer loans for moderate-income housing development (*effective June 30, 2025*);



- Requiring cities to grant up to 10 administrative adjustments to local siting and design standards for housing development (*effective January 1, 2025*);
- Directing cities to process housing development applications requesting partitions and other property boundary changes; site plan review; nonconforming use cases; or adjustments to land use regulations, as limited land use decisions (*effective January 1, 2025*); and
- Providing a one-time urban growth boundary (UGB) expansion tool, and streamlined process for UGB land swaps (*effective June 6, 2024*).

**SB 1564: Optional Housing Model Ordinances**

*Effective Date: Upon signing by the governor*



SB 1564 requires the Oregon Land Conservation and Development Commission to adopt model ordinances for cities of different sizes to implement housing and urbanization requirements. The bill directs the Department of Land Conservation and Development (DLCD) to develop models by January 1, 2026 for optional local adoption. The model ordinances will be focused according to city population (cities below 2,500, 2,500 to 25,000, and above 25,000) and must consider geographical and other regional factors. The model ordinances are presumed to be clear and objective. Local governments may choose to adopt model ordinances prescribed for their population size, or a larger population bracket, into their local code, or adopt them by reference. The ordinances can be adopted in whole or in part, meaning cities can choose to utilize the state model ordinance for certain housing types while retaining their local ordinances for another type.

**HB 4015: Battery Facility Siting** – See [Energy and Environment section](#)

**HB 4026: UGB Expansion Referrals**

*Effective Date: March 20, 2024*



HB 4026 clarifies that local urban growth boundary (UGB) expansion decisions are not eligible to be referred to the ballot by petition and are reviewable exclusively by the Oregon Land Conservation and Development Commission through the established state land use system. The bill received strong bipartisan support and was among the first bills signed by Governor Kotek.

**HB 4063: House Housing Omnibus Bill**

*Effective Date: June 6, 2024*



HB 4063 is a largely technical housing policy package that contains several provisions applicable to cities, including:

- Clarifying city and county responsibilities within urban unincorporated lands in the metro region for housing planning and implementation of the Oregon Housing Needs Analysis (OHNA) passed in HB 2001 (2023);
- Clarifying when a developer may opt-in to new housing laws that take effect mid-development application; this language is also included in SB 1537;
- Clarifying that a local jurisdiction may allow the resulting parcel of a partition to be divided into three more parcels for middle housing development;

- Updating the Single-Unit Housing Property Tax Exemption to make local administration more efficient; and
- Updating HB 2001 (2024) to clarify that cities in the metro region will receive a housing needs allocation from the Oregon Department of Administrative Services in the same manner as non-metro cities.

**HB 4134: Housing Oregon’s Workforce (HOW)**

*Effective Date: Upon signing by the governor*



HB 4134, known as the Housing Oregon’s Workforce (HOW) bill, provides \$7.1 million in direct grants to four cities for specified infrastructure projects to benefit housing developments that will make at least 30% of the dwelling units affordable to households earning 130% or less of county median income. The original bill proposed \$21.3 million in grants to 11 cities.

**FAILED BILLS**

**HB 4023B: Residential Treatment Facility Supersiting**



HB 4023 was introduced as a placeholder bill and amended late in the legislative session. The House Rules Committee amended the bill to include a “supersiting” tool that would prohibit local governments from requiring developers of residential treatment facilities to first obtain a zone change or a conditional use permit, but only in land zoned for commercial use, light industrial use, and publicly owned lands. The LOC submitted [testimony](#) sharing concerns the bill would expose cities to legal confusion and costly litigation for potential violations of the federal Fair Housing Act.

After passing the House, the Senate Rules Committee amended the bill to extend the “supersiting” tool to residential zones. The LOC joined behavioral health providers, counties, chiefs of police, sheriffs, and district attorneys in supporting the amended bill, which passed the Senate on the final day of the session with bipartisan support. The House declined to hear the bill for the concurrence vote required for final passage, and HB 4023B died in the final hour of the session.

**HB 4090: Energy Facility Siting** – See [Energy and Environment section](#)

**HB 4099A: Municipal Development Protection Fund**



HB 4099 would have established and appropriated \$10 million for the Municipal Development Protection Fund at Oregon Housing and Community Services (OHCS). The bill directed OHCS to act as a guarantor for any city that agreed to defer system development charge (SDC) collections for housing development for up to 180 days after issuance of certificate of occupancy, or 12 months for publicly supported affordable housing. Should a developer fail to pay their deferred SDC, the program would have reimbursed cities that had agreed to defer SDC collection. The bill also authorized OHCS to assess a 20% fee plus additional interest on a developer who failed to pay the SDC charge. HB 4099A passed the House Housing and Homelessness Committee with unanimous support but did not receive a hearing or funding in the Ways and Means Committee.

### **HB 4128A: Housing Infrastructure Grants**



HB 4128 would have directed nearly \$93 million to Business Oregon for direct allocations to cities for water-related infrastructure projects to support housing development. The bill would have also funded a local infrastructure needs inventory at Business Oregon. While HB 4128A did not pass, the proposed local infrastructure grants informed the allocations that passed in [SB 1530](#).

### **HB 4155A: Infrastructure Financing Study**



This bill would have funded a study of the costs of infrastructure financing in Oregon by considering and evaluating tools the state may use to improve infrastructure and housing costs. HB 4155A passed the House Housing and Homelessness Committee with a unanimous vote but failed to receive a hearing in the Ways and Means Committee.

## **ENERGY & ENVIRONMENT**

### **PASSED BILLS**

### **SB 1596: Right to Repair**

*Effective Date: January 1, 2025*



SB 1596 requires the “original equipment manufacturers” (OEMs) of electronic equipment to make the necessary documentation, tools, parts, and other resources available to both authorized service providers and independent repair providers on fair and reasonable terms to diagnose, maintain, repair, or update consumer electronic equipment. The bill promotes competition, and equitable access to resources, and ensures that consumers have access to a wide range of repair options, ultimately driving down repair costs that benefit our community members and playing a pivotal role in reducing electronic waste. Additionally, the attorney general will have the authority to investigate and penalize manufacturers that violate the terms of this act and send a clear message that unfair and anti-competitive practices will not be tolerated. Furthermore, the bill helps to promote local independent businesses and drive new economic development opportunities.

Unfortunately, for many communities, especially rural and frontier communities, authorized providers are few and far between. The bill now provides consumers with additional repair options for electronic devices and will reduce improper disposal of electronic waste.

### **SB 1525: ODOE Technical Fix Bill**

*Effective Date: March 27, 2024*



SB 1525 makes some key technical fixes that modify certain reporting timelines for the Oregon Department of Energy (ODOE), including:

- A natural and working lands net biological carbon sequestration and storage inventory report;
- A study on workforce and training needs to support natural climate solutions on natural and working lands;



- A nonbinding biological carbon sequestration and storage goal for Oregon’s natural and working lands; and
- Submission of Oregon’s energy security plan by September 30, 2024, rather than June 1, 2024.

For Oregon to carry out the requirements for those reports that ensures a robust engagement process, the department needs more time. The original dates were set arbitrarily.

SB 1525 also expands the definitions of “planning costs” and “project cost” in the Community Renewable Energy Grant Program (CREP) to include costs paid or incurred by an applicant’s partner, rather than exclusively by an applicant. The Community Renewable Investment Fund ([HB 2021](#), 2021 session) received \$50 million to provide grants for planning and developing community renewable energy and energy resilience projects (known as the CREP). In addition, instead of distributing funds at completion, 30% of the grant money is released upon entering into a performance agreement, freeing up capacity for smaller communities who cannot start a project without seed money.

Finally, SB 1525 modified the Heat Pump Grants and Rebates Program and expanded an exemption for stand-by generation facilities from obtaining a site certificate from the Energy Facility Siting Council (EFSC) for a standby generation facility.

**[SB 1581](#): Reporting Efforts Towards Participating in a Regional Energy Market**

*Effective Date: January 1, 2024*



SB 1581 requires an investor-owned utility that sells more than two million megawatt hours of electricity in a calendar year to submit a report to the Legislature on plans or preparations the utility has taken or is taking toward participating in a regional energy market.

A regional transmission organization (RTO) is an “independent, nonprofit organization that operates and ensures reliability of the bulk power system and optimizes supply and demand for wholesale electricity.” Utilities in Oregon individually perform these functions for their territories and base their rates on a regulated rate of return on investments. Oregon is not part of an RTO or Independent System Operator (ISO).

**[HB 4015](#): Defining Battery Energy Storage Systems**

*Effective Date: January 1, 2025*



HB 4015 defines a battery energy storage system (BESS), improves the site certificate process for a BESS, and permits a BESS developer to use the Energy Facility Siting Council (EFSC) to site the BESS. These systems are composed of individual battery cells that are housed together in a module and enclosed in a structure such as a shipping container or a building. Utility- or large-scale BESSs store energy from sources such as wind and solar and provide backup power when those intermittent sources are not available or the cost to generate is high.

Current statute requires a separate site certificate for a BESS, even when paired with a renewable energy project. This extra certificate process increases the cost and would delay project implementation. HB 4015 creates a clear definition of a BESS and allows a separate site certificate to not be required for a BESS when sited in conjunction with another energy facility.

## **HB 4080: Offshore Wind Development Engagement Policy & Labor Standards**

*Effective Date: Immediately upon passage*



HB 4080 establishes a state policy for the implementation of an Offshore Wind Roadmap. The policy provides for engagement between offshore wind developers and impacted organizations, including local governments, Tribes, ports, and others impacted by the development of offshore wind. Additionally, the legislation aims to promote economic diversification and resilience in offshore wind energy development by ensuring labor and supply chain standards are in line with practices already accepted for renewable energy development projects on land. The bill also requires the Oregon Department of Land Conservation and Development (DLCD) to provide a report on the roadmap to the legislative committees related to marine renewable energy by September 1, 2025.

Having a clear roadmap provides an avenue for the state, local governments, and other impacted groups to engage with all parties, including the federal government. States that have established roadmaps have had more success moving forward with offshore wind projects with less consternation due to the engagement process outlined in their Offshore Wind Roadmaps.

---

### **FAILED BILLS**

## **HB 4090: Remove the EFSC Process from Some Energy Siting Review**



HB 4090 as amended would have removed the Energy Facility Siting Council (EFSC) certificate process for renewable energy, excluding nuclear, or high-powered transmission line projects exclusively on federal lands. The National Environmental Protection Act (NEPA) process would continue. The LOC secured an amendment that ensured local governments within or adjoining the project area were consulted prior to the NEPA review process. The bill passed the House but died in the Senate.

## **SB 1559: Modifies State Greenhouse Gas Emission Reduction Goals**



SB 1559 would have updated Oregon's greenhouse gas emission reduction goals and changed the term "global warming" to "climate change" in some statutes. The legislation would have updated Oregon's emission reduction practices to be consistent with efforts to limit warming to 1.5 degrees Celsius. Additionally, the state's greenhouse gas emission reduction goals would have been modified to achieve reduction levels of:

- At least 45% below 1990 levels by 2030;
- At least 70% below 1990 levels by 2040; and
- At least 95% below 1990 levels by 2050.

SB 1559 received one public hearing on February 13. Because some groups felt the bill was too controversial for a short session, it was heard only as a courtesy.

# FINANCE & TAXATION

## Property Taxes

### PASSED BILLS

#### **[HB 4031](#): Extends DOR Requirement for Taxpayer Confidentiality to Local Governments**

*Effective Date: March 27, 2024*



HB 4031 extends to local governments the requirements currently placed on the Oregon Department of Revenue to maintain confidentiality of taxpayer information. The requirement covers local government agencies that collect, administer, or manage a local tax imposed upon or measured by gross receipts, gross or net income, wages or net earnings from self-employment, local general sales and use taxes or marijuana taxes. This bill arose out of a situation in which the city of Portland received a public records request for taxpayer information.

#### **[HB 4056](#): Property Foreclosure Surplus**

*Effective Date: June 6, 2024*



HB 4056 temporarily stops counties from taking the deed to a property and requires them to set up a process to determine the surplus from a foreclosure sale. It was brought forth to address the impacts of the recent U.S. Supreme Court Decision, [Tyler v. Hennepin County](#).

Cities with municipal liens on a property are notified and have funds distributed from the sale per [ORS 275.275](#); however there can be debts to the city that are not recorded as liens on the property. Other debtors have requested a process to have their liens satisfied before the surplus is returned if a process is determined, and the LOC has requested that cities have the same opportunity. A workgroup is being formed to work out 2025 legislation.

#### **[HB 4111](#): Farm Equipment Property Tax Exemption**

*Effective Date: June 6, 2024*



HB 4111 exempts real farm equipment and machinery from property taxation. Prior to HB 4111, only farm equipment defined as tangible personal property was exempted. Proponents of the bill have stated there is confusion over whether a piece of farm equipment is “tangible” and depends on arbitrary factors such as if the equipment is fixed or mobile. The LOC stayed neutral on the bill because most of the equipment that is being exempted is outside of cities and the revenue impact is low.

#### **[SB 1545](#): Special Assessment for Wildfire Destroyed Homes**

*Effective Date: June 6, 2024*



SB 1545 allows a county to adopt a special assessment for homes destroyed by the September 2020 wildfires and rebuilt on the same lot. The special assessment is limited to the home value of the 2020-21 real market value of the home, up to the square footage of the destroyed home. The LOC did not take a position because of the limited scope of the special assessment.

---

## FAILED BILLS

### [HJR 201/HB 4075](#): Statewide Property Tax for Wildfire



HJR 201 would have referred a constitutional amendment to the voters to create a new statewide property tax to fund public safety. While the bill used the term broadly, it was expected to provide additional funding to rural fire protection districts and the state for wildfire fighting and resilience. The tax would not have impacted compression.

HB 4075 would have only gone into effect if HJR 201 was passed by the voters. It required that 80% of the revenue be distributed to local providers and 20% to the state. It would also have set up a statewide authority to decide how the revenue is spent.

The LOC opposes using the property tax system on state programming as well as the creation of a new statewide authority that would make spending decisions on an already constrained local revenue source. While the tax would have been outside Measure 5 and 50 compression limits, a new statewide tax would have caused voter confusion and limited the ability to pass local bonds and levies.

### [HB 4141](#): Lower Delinquent Property Tax Interest Rate



HB 4141 would have decreased the interest rate charged on late property taxes from 1.33% per month to 1.33% per year. When cities receive property tax revenue, the revenue is typically invested in the Local Government Investment Pool until the city needs it to pay for services. When cities receive property tax revenue on time, it serves the long-term health of their budgets because they can invest it and earn interest on the investments.

### [SB 1544](#): Special Assessment for Seniors



SB 1544 would have created a special assessment for property owners aged 65 and older. The special assessment would not have had any limitations based on income or value of the home. The state already has an effective program to help seniors with the cost of property taxes, the Oregon Property Tax Deferral for Disabled and Senior Homeowners Program. A broad special assessment for seniors would be redundant and be a massive reduction to the largest and most important source of revenue for local governments.

### [SJR 202](#): Senior Property Tax Freeze



SJR 202 would have referred a constitutional amendment to the voters to create a program in which seniors can enroll to have the assessed value of their home frozen. If a homeowner aged 65 and older enrolled, the assessed value of their home would not be able to increase during their time in the program. The bill did not have eligibility requirements based on income or value of the home and no exceptions to increase assessed value with new construction.

**HB 4072: State Payment in Lieu of Tax for Public Safety**



HB 4072 would have created a payment in lieu of tax program in which the state would pay a public safety fee to cities with state-owned, property tax-exempt land. The program would have created a mechanism for the state to reimburse cities for the cost of providing local public safety services, including police and fire. The bill would have set up a pilot program for the city of Salem to receive the public safety fee and allow other cities with qualifying land to opt-in to the program.

**HB 4133: Statewide Fee for Wildfire Funding**



HB 4133 was one of several bills designed to provide new funding for the state's wildfire programs. Prior to bill submission, the legislative concept included a new \$10 fee on every property account in the state to fund the Oregon Department of Forestry. The property fee would have impacted compression. The LOC is opposed to this concept, and it did not make it into the introduced bill.

## GENERAL GOVERNMENT

### Public Safety

#### PASSED BILLS

**HB 4002: Measure 110 Reform**

*Effective Date: April 1, 2024*



HB 4002 recriminalizes the possession and use of small amounts of hard drugs; allows treatment facilities to hold intoxicated persons for 72 instead of 48 hours; addresses an adverse court ruling that made it difficult to prosecute drug dealing; and creates enhanced sentencing for dealing drugs to vulnerable populations. Under the bill, those in possession of small amounts of drugs may be charged with an Unclassified Misdemeanor punishable by up to 180 days in jail. However, the individual may be offered deflection services intended to vector a defendant into treatment and away from the criminal justice system. The 180-day sanction may be imposed by a judge in 30-day increments if the person is revoked by community corrections. HB 4002 also appropriates money to a grant program in the Criminal Justice Commission for counties to create deflection programs. This bill was passed with the strong support of the LOC, the Oregon Association of Chiefs of Police, the Oregon State Sheriffs Association, and the Oregon District Attorneys Association.

**HB 4115: Police and Dispatch Collective Bargaining**

*Effective Date: Upon signing by the governor*



HB 4115 allows police and corrections sergeants who do not have the authority to impose economic discipline to form their own collective bargaining units within police agencies. It further allows emergency telecommunications supervisors without economic discipline authority to join existing bargaining units. The bill doesn't allow a police sergeant to be in the same bargaining

unit as the employees they supervise, nor does it impact the “confidential employee” status of sergeants who may be involved in collective bargaining issues and internal affairs investigations in the interest of management. Finally, HB 4115 does not extend past the front-line supervisor employee into command ranks such as lieutenants and commanders. The bill has an emergency clause and applies to contracts entered into after the effective date.

**SB 1576: Recreational Immunity**

*Effective Date: March 27, 2024*



SB 1576 is an omnibus bill addressing several areas of civil law. Of interest to cities, the bill temporarily restores recreational immunity after adverse court rulings left property owners vulnerable to claims. The legislation adds “running, walking and cycling” to the definition of recreational purposes until July 1, 2025. SB 1576 is a temporary measure designed to restore recreational immunity until the matter may receive greater deliberation during a long session. The LOC will be a participant in interim conversations with the intention of developing a more durable solution.

## Public Contracting

---

### PASSED BILLS

**SB 1575: Duty to Defend**

*Effective Date: January 1, 2025*



SB 1575 prohibits contracts with architects, engineers and surveyors that require vendors to indemnify the public body for their work until liability has been established during adjudication. However, the bill does not apply to contracts issued using the “design-build” method of procurement. SB 1575 applies to contracts entered into after January 1, 2025 and the bill sunsets in 2035.

**HB 4006: Bond in Lieu of Retainage**

*Effective Date: March 7, 2024*



HB 4006 gives a contractor the option of providing a surety bond instead of having a portion of the payment retained to ensure completion of a project to specifications. The contracting agency is required to accept the bond unless they have found good cause to use retainage and provided that finding in writing to the contractor.

## PERS

---

### PASSED BILLS

**HB 4045: PERS Benefit Increases**

*Effective Date: Multiple Dates*



HB 4045 increases the Public Employee Retirement System and Oregon Public Service Retirement Program (OPSRP, also known as Tier III) for public safety-related employees. First, the bill allows OPSRP police and fire employees to retire at 55 years of age instead of 60.



Secondly, HB 4045 creates a new “Hazardous Conditions” benefit category for employees of the Oregon State Hospital and emergency telecommunicators. Employees in the new category will be able to retire earlier with benefits similar to police officers and firefighters. The bill is projected to increase system liabilities by \$110 million and increase employer contribution rates for local government employers with emergency telecommunicators by approximately 4.5% of payroll when it takes full effect in 2030.

## TELECOMMUNICATIONS, BROADBAND, CYBERSECURITY & ARTIFICIAL INTELLIGENCE

### PASSED BILLS

#### **HB 4040: Enhancing the Broadband Grant Process**

*Effective Date: March 27, 2024*



HB 4040 was a placeholder bill that the LOC and other broadband advocates amended to improve the state’s broadband grant process. Prior to the session, the LOC learned that the broadband Grant Application Review Committee (GARC), which was established in 2023 through [HB 3201](#), was struggling to find people to serve.

HB 4040 updates the broadband grant process by replacing the GARC with the Oregon Broadband Advisory Council (OBAC). As an established public body, this will streamline the grant award process, allowing broadband projects to move forward more quickly for communities while continuing to ensure ample oversight and transparency throughout the process.

In addition to the broadband fix, language was inserted to ensure funding previously passed by the Legislature for county fairs would also make the Oregon State Fair and the Portland Expo Center eligible for grants under the program for operations, maintenance and repairs.

#### **HB 4153: Legislative Artificial Intelligence Task Force**

*Effective Date: March 27, 2024*



HB 4153 creates a task force on artificial intelligence (AI) to establish a common understanding of AI terms and definitions, which will serve as a foundation for effective AI regulation and policy. The task force will aim to standardize vocabulary utilized by policymakers and industry professionals, creating shared language through a collaborative process that includes local governments, industry professionals, academics, and others. The LOC worked with sponsors of the bill to ensure that local government expertise and voices would have a seat on the task force.

#### **SB 1571: Standards for Use of Artificial Intelligence in Campaigns**

*Effective Date: March 27, 2024*



SB 1571 aims to protect election integrity and the public’s trust by setting clear standards for the use of artificial intelligence (AI) in the election process. The proliferation of user-friendly AI tools released to the public has created many new opportunities that allow for more efficiency and

creativity across all sectors. AI generated content presents many opportunities for ingenuity as well as potential harms,

SB 1571 will require disclosures on political communications that are the product of AI or synthetic media as defined by the bill. The secretary of state (SOS) will be tasked with investigating complaints and alleged violations of the law using a similar enforcement process established by [ORS 260.537](#). Furthermore, the SOS will have the authority to adopt additional rules necessary for the implementation of this act.

## TRANSPORTATION

### PASSED BILLS

#### **HB 4109: Transportation Omnibus – Photo Radar Fix**

*Effective Date: June 11, 2024*



In 2023, the LOC sponsored and passed [HB 2095](#), giving all cities the authority to add mobile and fixed photo radar. During the summer of 2023, it was determined that additional clarity was needed to allow the use of fixed photo radar without also requiring an officer present at a location. HB 4109 is an omnibus bill that includes the necessary clarity for the use of fixed photo radar in Section 2. This legislation also cleaned up a portion of photo radar statutes because they are present in three different sections and created confusion.

#### **HB 4103: Trenton’s Law – E-Bicycle Definition**

*Effective Date: June 11, 2024*



HB 4103 updates Oregon statutes to reflect the current technology surrounding electric-assisted bicycles. Oregon joins 48 other states that have modified their statutes to reflect current technology and adopted a three-tier system that reflects different levels of power and speed of e-bikes for purposes of regulation. Class 1 e-bikes only provide assistance when a rider is actively pedaling and stops its motor when the bike reaches 20 miles per hour (mph). Class 2 e-bikes can be propelled without pedaling and top out at 20 mph. Class 3 e-bikes require pedaling, come with a speedometer, and top out at 28 mph. HB 4103 limits access to throttle-assisted e-bikes to riders aged 16 and older while making it illegal for riders younger than 16 without a permit or driver’s license to operate e-bikes, which have capped speeds of 20 mph. The inspiration for HB 4103 resulted from the tragic loss of Trenton Burger, who lost his life while traveling on an e-bike when he was 15.

#### **SB 1566: County Right of Way Fees**

*Effective Date: March 27, 2024*



SB 1566 authorizes counties to require a permit and charge fees when construction activity related to utility operations occurs in a county’s right of way (ROW). The fee structure is limited to a maximum of \$500 for each permit and specifies that the fee may not exceed the county’s cost of issuing the permit. There are several exemptions related to maintenance activity of utilities including water facilities. The LOC, along with the Special Districts Association of Oregon (SDAO), worked to amend the legislation to make it clear that exemptions and fees would not be allowed for core maintenance activity related to stormwater and wastewater facilities. The counties, however, rejected the LOC’s language and there was insufficient



support in the Joint Committee on Transportation to amend the bill. **Going forward, cities will need to review all proposed county ordinances to ensure fees or permits do not include maintenance activity related to water, stormwater, or wastewater facility facilities.**

---

## FAILED BILLS

### **HB 4067: Micromobility Study**



HB 4067 would have created a task force on electric micromobility and enabled Oregon to convene subject matter experts and communities to evaluate current regulations and safety standards and recommend possible legislation for the 2025 session. The bill did not advance due to the estimated cost of \$200,000 and died in the Joint Ways and Means Committee. The LOC expects this study bill to return in the 2025 session. Given the technological advancements in electric micromobility devices, Oregon needs to update existing regulations to address these devices, including e-driven mono-boards and unicycles with speeds that reach 30 miles per hour.

### **Weight Mile Legislation**



This was a series of legislative concepts addressing Oregon's weight-mile structure and over-collection of road tax from truckers who operate trucks weighing more than 10,000 pounds. It's clear that truckers have been over-charged for their use of roads since 2018. Highway Cost Allocation Studies (HCAS) conducted every two years have shown an overcollection of at least \$193 million for the 2023-2025 cycle. It's likely a solution for weight-mile tax will be part of a transportation package in 2025.

### **HB 4165: Requires Report on Weight-Mile Tax by ODOT**

HB 4165 would have required the Oregon Department of Transportation (ODOT) to evaluate Oregon's cost responsibility system, which determines the rate structure for weight-mile.

### **SB 1519 & SB 1543: Decreases Weight-Mile Tax**

This series of legislative concepts would have established a new rate structure for vehicles exceeding 10,000 pounds. The net effect of these measures would have reduced the revenues available for distribution from the state's highway fund. As a result, the state, counties, and cities would have seen reduced revenues unless there was an increase in gas taxes, license fees, or fees associated with vehicle registration.

---

## WATER AND WASTEWATER

### PASSED BILLS

### **SB 1567: Bistate Water Management** *Effective, January 1, 2025*



SB 1567 directs the Oregon Water Resources Department (OWRD), in collaboration with the Confederated Tribes of the Umatilla Indian Reservation and the state of Washington, to implement and guide bistate water management in the Walla Walla River Basin following the

Walla Walla Water 2050 Strategic Plan. An advisory committee will include local governments among other key stakeholders.

**SB 1561: Monsanto Settlement Agreement**

*Effective, March 13, 2024*



SB 1561 establishes the Environmental Restoration Council and several funds to invest and distribute money from the Monsanto settlement agreement. The funds are available to make distributions to state agencies, non-profit organizations, and Tribal governments for environmental remediation.

---

**FAILED BILLS**

**HB 4049A: PFAS Study Bill**



HB 4049A was the per- and polyfluoroalkyl substances – commonly known as PFAS – study bill. This measure would have appropriated \$740,000 from the state’s general fund for distribution to Oregon State University to study the occurrence and distribution of perfluoroalkyl and polyfluoroalkyl found in biosolids applied to agricultural fields that do not produce crops intended for human consumption. Biosolids are a resource recovered from the wastewater treatment process.

---

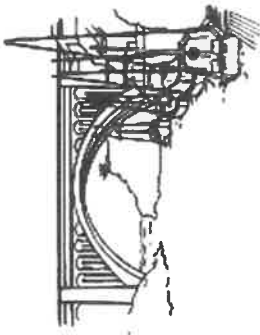
**WILDFIRE**

**FAILED BILLS**

**SB 1511: Funding Community Wildfire Resilience**



SB 1511 would appropriate \$29 million for wildfire resilience programs. The distribution would have been: \$18 million toward community wildfire protection administered by the Oregon State Fire Marshall (OSFM); \$6 million for public health and smoke management to the Oregon Department of Environmental Quality (DEQ); and \$5 million administered by the Oregon Department of Forestry for landscape resilience projects. This legislation was strongly supported by the LOC and the state’s [Wildfire Program’s Advisory Council](#) (WPAC).



## QUOTE SUMMARY SHEET

Use this form to summarize quotes received and to recommend vendor for award.

Name: Brady/Paul Signature of Person Obtaining Quotes:

Manager/Supervisor Approval: Date: 4/15/24

If you are unable to obtain 3 quotes, explain: \_\_\_\_\_

<b>Vendor Name and Address: Date Quote Obtained/Received:</b>	Coastal Fence & Deck, Siletz 4/10/24	Rick's Custom Fencing & Decking 3/4/24	Salem Fencing was contacted with no response. Jimco Fence out of business.
<b>Contact Person/Phone Number:</b>	Jerry / 541-270-3243	503-640-5434	
<b>Item(s) Description</b>	<b>Vendor 1</b>	<b>Vendor 2</b>	<b>Vendor 3</b>
	6 feet high chain link fence With 3 strand barbed wire & 19ft rolling gate	6' chain link fence	
<b>Total:</b>	\$15,300.00	\$130,785 + \$22,261 for gate	
<b>Payment Terms (Net 30, etc.):</b>	Upon completion	Upon	
<b>FOB (Destination/Ship Point):</b>	N/A	N/A	
<b>Delivery Date:</b>			
<b>Freight Charge (Included or Extra):</b>	N/A	N/A	
<b>Freight Charges (Estimated):</b>			
<b>Comments/Add'l Information:</b>			

Recommended Vendor (If you are recommending other than low quote, you are required to provide written justification as to why low quote was not selected): \_\_\_\_\_

Attach this form and any written quotes obtained and submit to City Recorder.

# Estimate

From: **Coastal Fence & Deck**  
PO Box 568  
Siletz, OR 97380  
541-270-3243

REC'D APR 10 2024

Invoice For:  
City of Depoe bay  
Treatment plant  
570 SE Shell  
Depoe Bay OR

Invoice ID  
Issue Date 03/27/2024

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
Install 502 feet 6 ft high chainlink fence with 3 strand barbed wire and 19ft rolling gate with Solar powered gate opener.	1.00	\$8,300.00	\$8,300.00
labor	1.00	\$7,000.00	\$7,000.00
Materials down labor upon completion			
		Amount Due	\$15,300.00

## Notes

Lifetime Warranty

# RICK'S CUSTOM FENCING & DECKING

OR# 50088 WA# RICKSCF99KB

Nathaniel wwtp (city Depoe Bay  
212 SOUTH POINT  
DEPOT BAY OR 97341  
(541)270-4863 (541)270-4863  
Email: wwtp@cityofdepoebay.org

03/04/2024

Invoice No.  
EST:599103

>>> ESTIMATE INFO COPY...Pricing subject to change. <<<

Qty	UN	Description	Price	Amount
900	LF	Tear out/recycle Fence / Lin F		
1800	LF	7' Chain Link Line Fence pkg 9 ga Commercial Fabric Complete Installation		
180	EA	1-7/8"x84" Struc Line Post COM		
2	EA	4"x84" Fullw End Post COMPLETE		
4	EA	2-3/8"x84" Struc Crnr Post COM		
85	EA	1-5/8" Sleeve		
1	EA	Bottom wire materials follow:		
1824	LF	11 Ga Tension wire 27'per lb		
4	LB	12-1/2 Ga Steel Hog Ring		
8	EA	2-3/8" Brace Band - Regular		
8	EA	5/16"x1-1/4" Carriage Bolt		
1800	EA	Bottom wire, Installed		
4	EA	Bottom wire Connection Install		
180	EA	1-7/8"x1-5/8" Barb wire Arm		
6	EA	2-3/8"x1-5/8" Barb wire Arm		
-180	EA	1-7/8"x1-5/8" Alum Eye-Top		
5400	LF	12-1/2 Ga 4 Pt Barb wire LF		
12	HR	2 man crew labor per hour		

Continued on next page . . .

[www.RicksFencing.com](http://www.RicksFencing.com)

503-640-5434  
4543 SE TV Hwy  
Hillsboro, OR

503-669-0795  
17855 NE Halsey St.  
Gresham, OR

503-463-8331  
8755 Portland Rd. NE  
Salem, OR

360-253-3792  
13203 NE Fourth Plain Blvd  
Vancouver, WA

509-736-3325  
9120 W Clearwater Ave.  
Kennewick, WA

# RICK'S

## CUSTOM FENCING & DECKING

OR# 50088 WA# RICKSCF99KB

Nathaniel Wwtp (city Depoe Bay  
212 SOUTH POINT  
DEPOT BAY OR 97341  
(541)270-4863 (541)270-4863  
Email: wwtp@cityofdepoebay.org

03/04/2024

Invoice No.  
EST: 599103

>>> ESTIMATE INFO COPY...Pricing subject to change. <<<

Qty	UN	Description	Price	Amount
1500	MI	Crew Travel, Each way		
		** Subtotal = \$156847.8 **	\$141,163 with	10% additional discount
1		6' TALL CHAINLINK OPTION		
900	LF	Tear out/recycle Fence / Lin F		
1800	LF	6' Chain Link Line Fence pkg 9 ga Commercial Fabric Complete Installation		
180	EA	1-7/8"x72" Struc Line Post COM		
2	EA	2-3/8"x72" Struc End Post COMP		
4	EA	2-3/8"x72" Struc Crnr Post COM		
85	EA	1-5/8" sleeve		
1	EA	Bottom wire materials follow:		
1830	LF	11 Ga Tension wire 27'per lb		
4	LB	12-1/2 Ga Steel Hog Ring		
10	EA	2-3/8" Brace Band - Regular		
10	EA	5/16"x1-1/4" Carriage Bolt		
1800	EA	Bottom wire, Installed		
5	EA	Bottom wire Connection Install		
180	EA	1-7/8"x1-5/8" Barb wire Arm		

Continued on next page . . .

[www.RicksFencing.com](http://www.RicksFencing.com)

503-640-5434  
4543 SE TV Hwy  
Hillsboro, OR

503-669-0795  
17855 NE Halsey St.  
Gresham, OR

503-463-8331  
8755 Portland Rd. NE  
Salem, OR

360-253-3792  
13203 NE Fourth Plain Blvd  
Vancouver, WA

509-736-3325  
9120 W Clearwater Ave.  
Kennewick, WA

# RICK'S

## CUSTOM FENCING & DECKING

OR# 50088 WA# RICKSCF99KB

Nathaniel Wwtp (city Depoe Bay  
212 SOUTH POINT  
DEPOT BAY OR 97341  
(541)270-4863 (541)270-4863  
Email: wwtp@cityofdepobay.org

03/04/2024

Invoice No.  
EST:599103

>>> ESTIMATE INFO COPY...Pricing subject to change. <<<

Qty	UN	Description	Price	Amount
6	EA	2-3/8"x1-5/8" Barb Wire Arm		
5400	LF	12-1/2 Ga 4 Pt Barb Wire LF		
1500	MI	Crew Travel, Each Way		
		** Subtotal = \$145316.9 **	\$130,785	with discount
<b>ROLL GATE OPTION</b>				
1	EA	Coastal Installation Fee		
1	EA	6X6X10' Steel Hinge Post TxtBL Color Textured Black		
1	EA	6X6X9' Steel Latch Post TxtBL Color Textured Black		
16	FT	V-Track with new Concrete Inst		
1	EA	Single Slide Gate Hardware Kit		
24	FT	Slide Gate Post Track		
1	EA	LM wireless Keypad 250 Code		
2	EA	LM Remote Visor 380UT		
1	EA	6' Black Goose Neck Stand		
1	EA	LM Exit Probe Diablo DML-9LP		
1	EA	Conduit wiring harness kit		
1	EA	LM Internet Gateway		

Continued on next page . . .

[www.RicksFencing.com](http://www.RicksFencing.com)

503-640-5434  
4543 SE TV Hwy  
Hillsboro, OR

503-669-0795  
17855 NE Halsey St.  
Gresham, OR

503-463-8331  
8755 Portland Rd. NE  
Salem, OR

360-253-3792  
13203 NE Fourth Plain Blvd  
Vancouver, WA

509-736-3325  
9120 W Clearwater Ave.  
Kennewick, WA

# RICK'S

## CUSTOM FENCING & DECKING

OR# 50088 WA# RICKSCF99KB

Nathaniel wwtp (city Depoe Bay  
212 SOUTH POINT  
DEPOT BAY OR 97341  
(541)270-4863 (541)270-4863  
Email: wwtp@cityofdepoebay.org

03/04/2024

Invoice No.  
EST:599103

>>> ESTIMATE INFO COPY...Pricing subject to change. <<<

Qty	UN	Description	Price	Amount
1	EA	LM Loop Detector LOOPDETLM		
1	EA	Rick's Keychain		
1	EA	LM Opener slide CSL24U		
1	EA	Slide Opener 1 Crete Pad Inst		
1	EA	LM 6'Small Profile Edge S506AL		
1	EA	LM wireless Edge Trans. Only		
1	EA	SS Gate Ornamental INSTALLED		
1	EA	SS Gate Opener Ornam INSTALLED		
1	EA	Labor To Install Goose Neck		
1	EA	Labor To Install Key Pad		
1	EA	Labor To Install Exit wand		
1	EA	Basic Knox Box & Installation		
1	EA	LM Maglock MG1300		
1	EA	Labor To Install Maglock & Bra		
1	EA	12' x7'h 9 GA Sngl walk Gate		
1	EA	1-5/8"x1-7/8" Rolo Latch, Stl		
4	EA	2-3/8"or2-7/8"Safe-T Line TrBr		
2	EA	1-5/8" Safe-T Gate Stop		
2	EA	1-5/8"or1-7/8"Safe-T Line TrBr		
2	HR	2 man crew labor per hour		

Continued on next page . . .

[www.RicksFencing.com](http://www.RicksFencing.com)

503-640-5434  
4543 SE TV Hwy  
Hillsboro, OR

503-669-0795  
17855 NE Halsey St.  
Gresham, OR

503-463-8331  
8755 Portland Rd. NE  
Salem, OR

360-253-3792  
13203 NE Fourth Plain Blvd  
Vancouver, WA

509-736-3325  
9120 W Clearwater Ave.  
Kennewick, WA



# RICK'S CUSTOM FENCING & DECKING

OR# 50088 WA# RICKSCF99KB

Nathaniel wwtp (city Depoe Bay  
212 SOUTH POINT  
DEPOT BAY OR 97341  
(541)270-4863 (541)270-4863  
Email: wwtp@cityofdepoebay.org

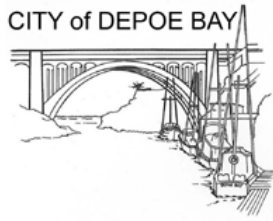
03/04/2024  
Invoice No.  
EST:599103

>>> ESTIMATE INFO COPY...Pricing subject to change. <<<

Qty	UN	Description	Price	Amount
		** Subtotal = \$24734.48 **	\$ 22,261	with discount
ADDITIONAL 10% OFF				
\$18,824 OFF OF THE PRICE.				

[www.RicksFencing.com](http://www.RicksFencing.com)

<b>503-640-5434</b> 4543 SE TV Hwy Hillsboro, OR	<b>503-669-0795</b> 17855 NE Halsey St. Gresham, OR	<b>503-463-8331</b> 8755 Portland Rd. NE Salem, OR	<b>360-253-3792</b> 13203 NE Fourth Plain Blvd Vancouver, WA	<b>509-736-3325</b> 9120 W Clearwater Ave. Kennewick, WA
--	---	--	--	--



TO: Depoe Bay City Council  
FROM: Kim Wollenburg, City Recorder  
DATE: April 16, 2024, for April 16, 2024, City Council Meeting  
SUBJECT: Resignation and Council Vacancy Process

Action Requested: Council acceptance of resignation of Lindsay Bedingfield, approval to fill vacated spot on the Emergency Preparedness Committee, and to move forward with the process to fill a council vacancy.

Discussion: Councilor Lindsay Bedingfield has resigned from the City Council and Emergency Preparedness Committee effective immediately. The Committee ordinance notes that the Council appoints two councilors to the Committee. The Council needs to determine who will fill the vacancy on the Committee.

While the Depoe Bay Charter notes that vacant offices are filled by appointment, it is silent on exactly how this is done. However, the Council Rules are specific about the process.

- City Recorder notifies the news media and invites applications for vacancy.
- Candidates fill out an application and provide a resume. Council establishes a due date.
- A date/time is set for interviews.
- Council votes after interviews per the normal written ballot process.

Budget Impact: Cost of about \$200 to post open in newspaper.

Recommendations:

- Council **motion** to accept the resignation of Lindsay Bedingfield from the City Council and Emergency Preparedness Committee.
- Council **motion** to appoint a new member of the Committee from the Council.
- Council approval to move forward with the process to fill a council vacancy as follows:
  - A notice of the vacancy is sent to the news media for publication.
  - Approval of the questions and application for the vacancy.
  - **Set a due date for applications of May 6 @ 5:00 PM.**
  - Depending on # of applications, Council can set up a special meeting or interview candidates at the May 21 meeting.

Attachment(s):

- Resignation from Lindsay Bedingfield from City Council
- Resignation from Lindsay Bedingfield from Emergency Preparedness Committee
- Application for Council Vacancy

**From:** [Lindsay Bedingfield](#)  
**To:** [Recorder](#)  
**Cc:** [Kathy Short](#)  
**Subject:** Bedingfield resignation from City Council  
**Date:** Monday, April 15, 2024 6:17:34 AM

---

Good morning,

I am resigning from City Council, the Budget Committee, and the Urban Renewal Committee effective immediately. I will return the laptop and carrying bag to City Hall in the upcoming days.

I appreciate all that you do for the city.

Thank you,

Lindsay Bedingfield

**From:** [Lindsay Bedingfield](#)  
**To:** [Recorder](#)  
**Cc:** [Kathy Short](#); [Joyce King](#)  
**Subject:** Bedingfield Resignation from Emergency Preparedness Committee  
**Date:** Monday, April 15, 2024 3:08:18 AM

---

Good morning,

I appreciate the opportunity to serve on the Emergency Preparedness Committee. I am proud of the work that we have accomplished and the momentum of Emergency Preparedness in the community.

My daughter's busy schedule including soccer, drama, dance, and swimming make it near impossible for me to participate in both her activities and the committee. Because of this, I am resigning from the Emergency Preparedness Committee effective immediately.

Thank you for all you do for the city. Your efforts are appreciated.

Sincerely,  
Lindsay Bedingfield

**CITY OF DEPOE BAY  
APPLICATION FOR VACANT COUNCIL POSITION**

An open Council position occurs upon the incumbent's resignation or other circumstance specified under in the Depoe Bay City Charter. A majority of the remaining council shall appoint a successor to the position, who will then serve the remaining term of that position.

- Length of Appointment:** Remaining term of vacated position: through December 31, 2024
- Expected time commitment:** 2 Council regular session meetings per month;  
1 Council work sessions per month
- Including meeting materials reading & meeting preparation
- 1 Urban Renewal Agency meeting per quarter
- Potential Additional Commitments:
- Committee meeting(s) as Council liaison
  - Special Meetings – as needed
  - Budget Meeting(s) in spring
  - Representation on outside agency boards & committees
- Meeting days/times:** City Council:  
Regular Sessions:
- 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of every month at 6:00 PM
  - If scheduled, Work Session before the Council meeting on the 3<sup>rd</sup> Tuesday of every month
- Committee Liaison assignments:  
(Dependent upon appointment)
- Qualifications for office:**
- Registered Oregon voter.
  - City of Depoe Bay resident for 12 months prior to taking office.
- City Councilor responsibilities:**  
Ability to become knowledgeable on a wide variety of issues affecting the City. Willingness to consider differing opinions in arriving at a position that will be in the best interests of the City as a whole. Understanding of how the City operates through its City Charter and how the Council functions.
- Background / Experience Which Will Be Useful:**  
Ability to make a decision and to accept the will of the majority of your fellow councilors. Good communication skills. Prior committee membership in a private or public organization. Ability to accept public criticism. Sense of humor.

CITY OF DEPOE BAY  
**CITY COUNCILOR APPLICATION**

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

Phone#: \_\_\_\_\_ Email Address: \_\_\_\_\_

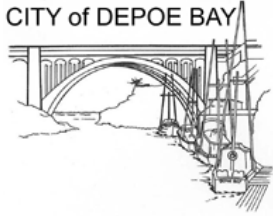
How long at current residence?: \_\_\_\_\_

**Please answer the following questions with the application**

1. What do you think are the biggest issues facing the City?
2. What is your primary motivation for seeking the vacant Council seat?
3. Please list any previous involvement, such as City Council, commission member, committee member, or other community service in Depoe Bay or elsewhere.
4. What other experience or education have you had relevant to serving as a Council member?
5. What are your major interests in, or concerns with our community?
6. What are your major interests in, or concerns with City departments and/or administration?

**Applications are due to City Hall by 5 PM, May 1, 2024**

*This information is a matter of public record, and may be published or reproduced.*



TO: Depoe Bay City Council  
FROM: Kimberly Wollenburg, City Recorder and Brady Weidner, Public Works Director  
DATE: April 16, 2024, City Council Regular Meeting  
SUBJECT: City-Wide Projects Memo

### **Update on Projects:**

There are many tasks currently in progress within the City in addition to the daily/regular tasks of customer service and other duties.

Regularly included with this update is a separate document from the City Engineer regarding projects they are working on and the status. Additional updates will be provided below as needed.

### **Administration**

Events: None.

### Grants:

- Community Renewable Energy Grant – May 10, 2024
- Resiliency Hubs & Networks Grant – April 30, 2024
- Lincoln County Emergency Management Grant – April 19, 2024
- Local Government Grant – Park Rehabilitation – May 1, 2024
- Local Government Grant – Parks Master Plan – May 15, 2024

Technology, Audio & Security Upgrade Project: Waiting for monitors to arrive to finish installation.

General: Interviewed for the three open positions: Harbor Seasonal Worker, Utility Worker, and Maintenance Worker. Will be making offers of employment the week of the 15<sup>th</sup>. Received a number of excellent candidates.

### **Financial**

Audit: Request for Quote for new auditor closing on April 8. Several auditing firms have reached out. Working on response and questions to Isler regarding the FY 19/20 audit report.

Budget: Preparing new budget for budget meetings. Posting notices for budget committee meetings.

### **Legal**

Castanada: Currently in discovery phase and working with insurance provider and outside counsel. Attached is a report of activity related to the CIS's defense of this matter

## **Harbor**

Harbor Restoration Project: Working with PND and Advanced American for submission of construction submittals and project planning. Staff and Harbormaster working on staging plan for project.



Dock Leases and Fish Plant: Harbor Commission recommendation in this packet.

General: Installation of finger docks is complete. Contacting a vendor out of Florida to replace the pump and dump system from the funds received from the Oregon State Marine Board. Power-washed the fish cleaning after a busy spring break when station left a mess. Power-washed the gangways. Crew is also performing basic maintenance of the current dock pilings to extend the life through the season.



## **Water**

Collins Water Line Replacement: The pipes and fittings for the Collins water line upgrade project continue to arrive. Discussing with City Engineer for a quote for the construction next budget cycle. Working with project engineering regarding the Water Treatment Plant and the City Engineer who is reviewing the findings.

Foundation/Filter Replacement: Waiting for estimate for replacement of Water Treatment Plant.

Potable / Culinary Wells Project: The last step is testing the water, which has to be done on a Wednesday. Oregon Health Authority said we have until spring 2024 to test. The plan is currently to do the testing in April.

North Tank Painting: Staff received a quote; however, the amount is too high and out of budget so additional research is required.

General: The Spring Street pump station has required manual resets recently. A dialer has been ordered to manually contact the operator when there is a problem. Water line break at Little Whale Cove was repaired. Did locates on Shell Avenue and oversight during the sewer line construction. Flushed hydrants in Miroco.

## **Wastewater**

Catwalk Repairs: Survey completed. Final design and bid quote will follow.

Grit Pump & Auger System – Contacting contractor to check on status of repair and quote.



Cyclone Fence – Crew continue to seek additional quotes to replace all or part of the fence around the plant.

General: Performed some wet call cleaning at Little Whale Cove main pump station. While at LWC, did necessary manhole inspections and performed minor lateral repairs to lines in LWC. Crew has been videoing with Vortex for problem Inl areas through the collection systems in various neighborhoods.

### **Streets**

Bay Street Improvements Project – Survey of site and the Coho parking lot done the week of March 5. Waiting for final design and RFP. Working with AKS to gather documents.

Storm drain ditch maintenance: Work continues to be done as time and weather permits to clean out storm drains and ditches.

General: Cleaning catch basins and jetting culverts from storm debris. Working on a pothole and curb list that needs to be done from the work left behind from Spectrum. County work crew cleaned out drains on street from Bradford to Bechill. Public parking lots signs are up. Signs on Cook Avenue. Graveled edges on Conway. Removed rotted alders from the City ROW on Briscoe.

### **Parks**

Big Tire Park: City Engineer was on site April 5. Is working on a plan for a platform as one option. Also recommended a split-rail fence. Need to check zoning to see if that is permitted.

North Bridge Replacement: Waiting for final drawings and plan to go out for quotes with the addition of the replacement stringers.

Woodmark Restrooms: Crew is waiting for the divider panels for men's side that need replacement come in.

Winchell Lookout: Working being done the week of the 15<sup>th</sup>.

Resurface Park Playground: Staff continues to solicit quotes to redo the surface at the City Park playground to remove/replace the same for a better, safer and easier to maintain surface. Staff will use the quotes for the grant submission.

Community Hall Upgrades: New cabinets are on order but delayed.

Community Hall Back Deck Overhang: Received a quote to correct overhang. Working on getting the permit to do the work and schedule the work.

Ellingson Street Open Space: Discussion with City Attorney who recommended the City send a letter to the property owner requesting them to remove the fence that encroaches on the City right-of-way in a first attempt to address. Letter has not been sent yet.

Katy Roe Memorial: Reached out to family to determine next steps for removal and placement of new memorial bench (once location determined and approved by Council). No new action at this time.

General: Crew put in 8 memorial plaques and cleaned up around the whale fountain. The crew plans to remove and refurbish the whale and clean out the pool area in May. Performed additional trail maintenance.

Depoe Bay P/L Claims and Financial Activity for P/C Trust Coverage with CIS during March, 2024



citycounty insurance services  
cisoregon.org

Claim Number	New Claims	Closed Claims	Paid During Last Month	Reserves Change Last Month	Event Description
<b>P/L Totals</b>	<b>0</b>	<b>0</b>	<b>\$10,761.00</b>	<b>\$484,239.00</b>	
<b>General Liability</b>	<b>0</b>	<b>0</b>	<b>\$10,761.00</b>	<b>\$484,239.00</b>	
<b>2022-2023</b>	<b>0</b>	<b>0</b>	<b>\$10,761.00</b>	<b>\$484,239.00</b>	
GLDPB2023096458 (Castaneda)			\$10,761.00	\$484,239.00	Attorney for claimants alleges the City denied clients' request for a variance when similar requests had been granted to others. Pending lawsuit for takings, negligence, civil rights, right to equal protection, due process rights, and violation of the right to petition.

Claim Number	Transaction Description	Transactions	Paid During Last Month
<b>General Liability</b>		<b>1</b>	<b>\$10,761.00</b>
<b>2022-2023</b>		<b>1</b>	<b>\$10,761.00</b>
GLDPB2023096458 (Castaneda)	Legal - Defense Fees	1	\$10,761.00